

Procurement Compliance Questionnaire

RFP #24-S889 Comprehensive Energy Consulting and Management Services, Building and Other Energy Solutions and Related Products and Services

Objective: To determine whether the cooperative has followed the State of Arizona procurement laws and the Arizona School District Procurement Rules, as adopted by the State Board of Education in the Arizona Administrative Code (A.A.C.) R7-1-1001 et seq., to promote fair and open competition among vendors to help ensure the cooperative's members are receiving the best value for the public monies they spend.

The audit firm must select and test the lesser of 50 percent or 15 of the cooperative's solicitations completed during the fiscal year to be used by Arizona school districts, but no fewer than 5 solicitations. These sample sizes represent the minimum level of required test work. Audit firms should use their professional judgment in determining whether a larger sample is needed.

In the parentheses provided below, indicate the population size and actual number of solicitations tested and total number of solicitations completed. If all solicitations are tested, indicate such in the comments. Of the total solicitations selected for testing, at least 40 percent must be competitive sealed bids and at least 40 percent must be competitive sealed proposals. If the 40 percent thresholds cannot be met because of an inadequate population size, the audit firm must test all solicitations completed through competitive sealed bids or proposals, as applicable. Of the solicitations selected, at least 1 should be for traditional construction (design-bid-build) and specified professional services, and at least 1 for construction-manager-at-risk, design-build, job-order-contracting, or qualified select bidders list, as applicable.

	YES/NO
Based upon review of (___) solicitations, (___) competitive sealed bids and (___) competitive sealed proposals from the (___) total solicitations completed during the fiscal year for the procurement of construction, materials, and services, did the cooperative follow the School District Procurement Rules (A.A.C. R7-2-1001 et seq) and do the following:	
1. Compile and maintain a list of persons who requested to be added to a list of prospective bidders, if any, and furnish those bidders with notice of available bids? A.A.C. R7-2-1023	Yes
<i>Comment: Intent to Bid List</i>	
2. Publish and provide other adequate notice, as applicable, of the issuance of solicitations? A.A.C. R7-2-1022, R7-2-1024(C), or R7-2-1042(C)	Yes
<i>Comment: Proof of Publication</i>	
3. Issue the solicitation at least 14 days before the due date and time set for bid or proposals, as applicable, unless a shorter time was documented as necessary? A.A.C. R7-2-1024(A) or R7-2-1042(B)	Yes
<i>Comment: RFP Cover Page</i>	
4. Include all required content in the solicitation, as required by A.A.C. R7-2-1024(B) or R7-2-1042(A), including the requirement that bidders/offerors have taken steps to ensure no violation of A.R.S. §15-213(O) has occurred? (Note: If the response is "No," the comment should specifically indicate which requirements were not complied with.)	Yes
<i>Comment: RFP document, Instructions to Suppliers</i>	
5. Record the time and date that sealed bids or proposals were received and store bids or proposals unopened until the time and date set for opening? A.A.C. R7-2-1029 or R7-2-1045	Yes
<i>Comment: Electronic timestamp recorded in Bonfire</i>	
If a multiple award was made for a solicitation, did the cooperative: (Questions 6 through 9)	
6. Include in the solicitation(s) notification that multiple contracts may be awarded, the cooperative's basis for determining whether to award multiple contracts, and the criteria for selecting vendors for the multiple contracts? A.A.C. R7-2-1031(C) and R7-2-1050(B)	Yes
<i>Comment: RFP Document Page 8, Item 8- Multiple Awards</i>	
7. Documented the specific reason(s), that a single award was not advantageous to the cooperative's members and retained documentation that supported the basis for a multiple award? A.A.C. R7-2-1031(D) and R7-2-1050(C)	N/A
<i>Comment:</i>	
8. Establish and communicate to the cooperative's members the procedures for the use of multiple award contracts? A.A.C. R7-2-1031(D) and R7-2-1050(C)	Yes
<i>Comment: RFP Document Page 8, Item 8- Multiple Awards</i>	

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	YES/NO
9. Limit contract awards to the least number of suppliers necessary to meet the requirements of the members? A.A.C. R7-2-1031(D) and R7-2-1050(C)	N/A
<i>Comment:</i>	
10. For solicitations where only 1 responsive bid or proposal was received, did the cooperative determine that the price submitted was fair and reasonable, and that either other prospective offerors had reasonable opportunity to respond or there was not adequate time for re-solicitation, and retain documentation that supported the basis for the determination? A.A.C. R7-2-1032 or R7-2-1046(A)(1)	N/A
<i>Comment:</i>	
11. For () solicitations issued through competitive sealed bidding, did the cooperative award the contracts to the lowest responsible and responsive bidder whose bid conformed, in all material respects, to the requirements and evaluation criteria set forth in the invitation for bid (IFB)? (Note: If the response is "No," the comment should specifically indicate which requirements were not complied with.) A.A.C. R7-2-1031	N/A
<i>Comment:</i>	
12. For () solicitations issued through competitive sealed proposals, did the cooperative award the contract to the offeror whose proposal was determined, with the specific reason(s) in writing, to be most advantageous to the cooperative's members based on the factors set forth in the request for proposal (RFP) and retain documentation that supported the determination? (Note: If the response is "No," the comment should specifically indicate which requirements were not complied with.) A.A.C. R7-2-1050	N/A
<i>Comment:</i>	
13. If the cooperative issued solicitations for construction contracts that used construction-manager-at-risk, design-build, job-order-contracting, or qualified select bidders list to procure those services, did the cooperative comply with the requirements of A.A.C. R7-2-1100 through R7-2-1115? (Note: If the response is "No," the comment should specifically indicate which requirements were not complied with.)	N/A
<i>Comment:</i>	
14. If the cooperative issued solicitations for goods and information services using reverse auctions or electronic bidding, did the cooperative comply with the requirements of A.A.C. R7-2-1018 and R7-2-1021? (Note: If the response is "No," the comment should specifically indicate which requirements were not complied with.)	N/A
<i>Comment:</i>	
15. Did the cooperative annually obtain signed procurement disclosure statements for all employees with job responsibilities related to procurement and for all procurement consultants, members of a procurement advisory group, or evaluation committee involved in each specific procurement process, that includes the required disclosures described in A.A.C. R7-2-1008(C)? A.A.C. R7-2-1008 and R7-2-1015	Yes
<i>Comment: Evaluation Committee Member Statements</i>	
16. Based on type of procurement tested, did the cooperative prepare the applicable written determinations as required by the specific procurement rule(s) and specify the reasons and how the determination was made, within the solicitation or separately documented in the procurement file. A.A.C. R7-2-1004.	Yes
<i>Comment: Evaluation Scoring</i>	
17. If the cooperative used multi-term contracts for any of the solicitations tested:	
a. Were the terms and conditions of renewal or extension, if any, included in the IFB or RFP? A.R.S. §15-213(L) and A.A.C. R7-2-1093	Yes
<i>Comment: RFP document, page 11, Term and Renewal</i>	
b. For materials or services and contracts for job-order-contracting construction services that were entered into for more than 5 years, did the cooperative determine in writing that a contract of longer duration would be advantageous to its members before the solicitation was issued? A.R.S. §15-213(L) and A.A.C. R7-2-1093	N/A
<i>Comment:</i>	

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		YES/NO
18. If the cooperative issued solicitations for specified professional services, consistent with A.A.C. R7-2-1117 through R7-2-1123 did it provide guidance for use of those contracts to cooperative member districts?		N/A
<i>Comment:</i>		
19. The cooperative's procurement files included the information required by A.A.C. R7-2-1001(97), as applicable, and were the files available to cooperative members for due diligence purposes? A.A.C. R7-2-1191(D) If the response is "No," specifically indicate which document listed in A.A.C. R7-2-1001(97) was not included in the file. Do not include items already cited on another question.		Yes
<i>Comment:</i>		
20. The cooperative provided training and guidance related to restrictions on soliciting, accepting, or agreeing to accept any personal gift or benefit with a value of \$300 or more to employees and vendors? A.R.S. §15-213 (N) and A.A.C.R7-2-1003		N/A
<i>Comment:</i>		
21. Did the cooperative have a procedure to prevent additional purchases by new members that would materially increase the volume of goods or services estimated in the original solicitation? A.A.C. R7-2-1011		N/A
<i>Comment:</i>		
22. Did the cooperative have a procedure to verify districts using the cooperative's contracts had an active cooperative purchasing agreement on file? A.A.C. R7-2-1191 through R7-2-1195		Yes
<i>Comment: PPA Certificate & Exhibit</i>		
This questionnaire was completed in accordance with guidelines established by the Arizona Auditor General and as set forth in the instructions on page 1.		
Audit Firm:		Date:
Preparer (audit firm representative):		Title: