

REQUEST FOR PROPOSALS (RFP)



ANNUAL AUDIT SERVICES

RFP#2020-01

Issue Date: April 9th, 2020

Due Date: May 7th, 2020 at 3:00 p.m.

I. INTRODUCTION

A. PURPOSE OF THIS REQUEST FOR PROPOSALS

The City of Belen is requesting sealed proposals from qualified and experienced independent public accounting firms (IPA) that are approved by the New Mexico Office of the State Auditor to conduct the financial and compliance audit for the fiscal year (FY) ending June 30, 2020 with an renewal of the contract for two successive fiscal years.

B. SCOPE OF PROCUREMENT

The Offeror shall conduct **multi-year** Annual Financial and Compliance Audits in accordance with the criteria outlined in 2.2.2 NMAC Audit Rule 2019 (Requirements for Contracting and Conducting Audits of Agencies), posted on the State Auditor’s website at <https://www.saonm.org/contracting/procuring-contracts/> as it applies to municipalities, and shall follow the contract format contained in the State Auditor Contract.

C. TERM OF CONTRACT

This Request for Proposal is to contract for 1 year with a renewal for the next two (2) years upon satisfactory completion of the Scope of Services. The Term shall commence on the date of execution of the Agreement by all parties, pending approval from the Office of the State Auditor, and shall terminate three (3) years from the date of execution.

D. PROCUREMENT MANAGER

1. The City Of Belen has assigned a Procurement Officer who is responsible for the conduct of this procurement whose name, address, telephone number and e-mail address are listed below:

Name: Roseann Peralta, Finance Manager, CPO
Address: 100 S. Main Street, Belen NM 87002
Telephone: (505) 966-2738
Email: roseann.peralta@belen-nm.gov

2. All deliveries of responses via express carrier must be addressed as follows

Attn: Roseann Peralta, Finance Manager CPO

Reference RFP Name: City of Belen Audit Services RFP# FY2020-01

Address: City of Belen, 100 S. Main Street, Belen NM 87002

3. **Any inquiries or requests** regarding this procurement should be submitted, in writing, to the Procurement Officer. Offerors may **ONLY** contact the Procurement Officer regarding this procurement. Other city employees or Evaluation Committee members do not have the authority to respond on behalf of the City.

4. **Protests of the solicitation or award must be delivered by mail to the**

Protest Manager. A Protest Manager has been named in this Request for Proposals, pursuant to NMSA 1978, § 13-1-172, **ONLY** protests delivered directly to the Protest Manager in writing and in a timely fashion will be considered to have been submitted properly and in accordance with statute, rule and this Request for Proposals. Emailed protests will not be considered as properly submitted nor will protests delivered to the Procurement Officer be considered properly submitted.

II. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP contains the schedule, description and conditions governing the procurement.

A. SEQUENCE OF EVENTS

The Procurement Officer will make every effort to adhere to the following schedule:

Action	Responsible Party	Due Dates
1. Issue RFP	City of Belen	April 9, 2020
2. Return of Acknowledgement of Receipt Form	Potential Offerors	April 15, 2020
3. Deadline to Submit Questions	Procurement Officer	April 17, 2020
4. Response to Written Questions	Potential Offerors	April 20, 2020
5. Submission of Proposal	Procurement Officer	May 7, 2020
6. Proposal Evaluation	Potential Offerors	TBD
7. Selection of Finalists	Evaluation Committee	TBD
8. Contract Awards	Evaluation Committee	TBD
9. Protest Deadline	City of Belen	+15 days

B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events shown in Section II. A., above.

1. Issuance of RFP

This RFP is issued on behalf of the City of Belen Finance Department.

2. Acknowledgement of Receipt

Potential Offerors may e-mail, hand deliver, return by registered or certified mail the "Acknowledgement of Receipt of Request for Proposals Form" that accompanies this document, APPENDIX A, to have the offeror placed on the procurement distribution list. The form should be signed by an authorized representative of the offeror, dated and returned to the Procurement Manager by 5:00 pm MST or MDT on **April 15, 2020**.

The procurement distribution list will be used for the distribution of written responses to questions.

3. Deadline to Submit Written Questions

Potential Offerors may submit written questions to the Procurement Officer as to the intent or clarity of this RFP until **April 20, 2020** at 5:00 pm Mountain Standard Time/Daylight Time as indicated in the sequence of events. All written questions must be addressed to the Procurement Manager as declared in Section I; Paragraph D. Questions shall be clearly labeled and shall cite the Section(s) in the RFP or other document that form the basis of the question.

4. Response to Written Questions

Written responses to written questions will be distributed as indicated in the sequence of events to all potential Offerors whose name appears on the procurement distribution list. An e-mail copy will be sent to all Offeror's that provide Acknowledgement of Receipt Forms.

5. Submission of Proposals

ALL OFFEROR PROPOSALS MUST BE RECEIVED BY THE PROCUREMENT OFFICER OR DESIGNEE NO LATER THAN 3:00 PM. PROPOSALS MUST BE POST MARKED BY May 7th, 2020 in the event that offices remain closed due to the COVID-19 Pandemic.

Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal.

Proposals must be addressed and delivered to the Procurement Officer at the address listed in Section I. Proposals must be sealed and labeled on the outside of the package to clearly indicate that they are in response to **Audit Services and RFP# FY2020-01**. Proposals submitted by facsimile, or other electronic means will not be accepted.

A public log will be kept of the names of all Offerors that submitted proposals. Pursuant to NMSA 1978, § 13-1-116, the contents of proposals shall not be disclosed to competing potential Offerors during the negotiation process. The negotiation process is deemed to be in effect until the contract is awarded pursuant to this Request for Proposals.

6. Proposal Evaluation

An Evaluation Committee will perform the evaluation of proposals. This process will take place as indicated in the sequence of events, depending upon the number of proposals received. During this time, the Procurement Officer may initiate discussions with Offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals. However, proposals may be accepted and evaluated without such discussion. Discussions SHALL NOT be initiated by the Offerors.

7. Selection of Finalist

Any Contractual agreement(s) resulting from this RFP will be finalized with the most advantageous Offeror(s) as per schedule Section II. A., Sequence of Events or as soon thereafter as possible. This date is subject to change at the discretion of the City of Belen. In the event mutually agreeable terms cannot be reached with the apparent most advantageous Offeror in the time specified, the County reserves the right to finalize a contractual agreement with the next most advantageous Offeror(s) without undertaking a new procurement process.

8. Contract Awards

The contract shall be awarded to the Offeror whose proposals are most advantageous to the City of Belen and City of Belen Finance Department, taking into consideration the evaluation factors set forth in this RFP. The most advantageous proposal may or may not have received the most points. The award is subject to appropriate City of Belen Governing Body approval.

9. Protest Deadline

Any protest by an Offeror must be timely and in conformance with NMSA 1978, § 13-1-172 and applicable procurement regulations. As a Protest Manager has been named in this Request for Proposals, pursuant to NMSA 1978, § 13-1-172, ONLY protests delivered directly to the Protest Manager in writing and in a timely fashion will be considered to have been submitted properly and in accordance with statute, rule and this Request for Proposals. The 15 calendar day protest period shall begin on the day following the award of contracts and will end at 5:00 pm Mountain Standard Time/Daylight Time on the 15th day. Protests must be

written and must include the name and address of the protestor and the request for proposal number. It must also contain a statement of the grounds for protest including appropriate supporting exhibits and it must specify the ruling requested from the party listed below. The protest must be delivered to:

Roseann Peralta Finance Director, CPO

100 S. Main Street

Belen, NM 87002

Protests received after the deadline will not be accepted.

C. GENERAL REQUIREMENTS

1. Acceptance of Conditions Governing the Procurement

Potential Offerors must indicate their acceptance of the Conditions Governing the Procurement section in the letter of transmittal. Submission of a proposal constitutes acceptance of the Evaluation Factors.

2. Incurring Cost

Any cost incurred by the potential Offeror in preparation, transmittal, and/or presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror. Any cost incurred by the Offeror for set up and demonstration of the proposed equipment and/or system shall be borne solely by the Offeror.

3. Prime Contractor Responsibility

Any contractual agreement that may result from this RFP shall specify that the prime contractor is solely responsible for fulfillment of all requirements of the contractual agreement which may derive from this RFP.

4. Amended Proposals

An Offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The City personnel will not merge, collate, or assemble proposal materials.

5. Offeror's Rights to Withdraw Proposal

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The Offeror must submit a written withdrawal request addressed to the Procurement Officer and signed by the Offeror's duly authorized representative.

The approval or denial of withdrawal requests received after the deadline for receipt of the proposals is governed by the applicable procurement regulations.

6. Proposal Offer Firm

Responses to this RFP, including proposal prices for services, will be considered firm for one hundred twenty (120) days after the due date for receipt of proposals or ninety (90) days after the due date for the receipt of a best and final offer, if the Offeror is invited or required to submit one.

7. Disclosure of Proposal Contents

- A. Proposals will be kept confidential until negotiations and the award are completed by the City. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for material that is clearly marked proprietary or confidential. The Procurement Officer will not disclose or make public any pages of a proposal on which the potential Offeror has stamped or imprinted "proprietary" or "confidential" subject to the following requirements:
- B. Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal.
- C. Confidential data is restricted to:
 - 1. confidential financial information concerning the Offeror's organization;
 - 2. and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, NMSA 1978 § 57-3A-1 to 57-3A-7.
 - 3. PLEASE NOTE: The price of products offered or the cost of services proposed **shall not be designated** as proprietary or confidential information.

8. No Obligation

This RFP in no manner obligates the City of Belen to the use of any Offeror's services until a valid written contract is awarded and approved by appropriate authorities.

9. Termination

This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the agency determines such action to be in the best interest of the City of Belen.

10. Sufficient Appropriation

Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Such terminations will be effected by sending written notice to the contractor. The City's decision as to whether sufficient appropriations and authorizations are available will be accepted by the contractor as final.

11. Legal Review

The City requires that all Offerors agree to be bound by the General Requirements contained in this RFP. Any Offeror's concerns must be promptly submitted in writing to the attention of the Procurement Officer.

12. Governing Law

This RFP and any agreement with an Offeror which may result from this procurement shall be governed by the laws of the State of New Mexico.

13. Basis for Proposal

Only information supplied, in writing, by the City of Belen through the Procurement Manager or in this RFP should be used as the basis for the preparation of Offeror proposals.

14. Offeror Qualifications

The Evaluation Committee may make such investigations as necessary to determine the ability of the potential Offeror to adhere to the requirements specified within this RFP. The Evaluation Committee will reject the proposal of any potential Offeror who is not a Responsible Offeror or fails to submit a responsive offer as defined in NMSA 1978, § 13-1-83 and 13-1-85.

15. Right to Waive Minor Irregularities

The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the same mandatory requirements and the failure to do so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee.

16. Notice of Penalties

The Procurement Code, NMSA 1978, § 13-1-28 through 13-1-199, imposes civil, misdemeanor and felony criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kickbacks.

17. Right to Publish

Throughout the duration of this procurement process and contract term, Offerors and contractors must secure from the City written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement and/or City contracts deriving from this procurement. Failure to adhere to this requirement may result in disqualification of the Offeror's proposal or removal from the contract.

18. Ownership of Proposals

All documents submitted in response to the RFP shall become property of the City of Belen.

19. Confidentiality

Any confidential information provided to, or developed by, the contractor in the performance of the contract resulting from this RFP shall be kept confidential and shall not be made available to any individual or organization by the contractor without the prior written approval of the City.

The Contractor(s) agrees to protect the confidentiality of all confidential information and not to publish or disclose such information to any third party without the procuring City's written permission.

20. Use of Electronic Versions of this RFP

This RFP is being made available by electronic means. In the event of conflict between a version of the RFP in the Offeror's possession and the version maintained by the agency, the Offeror acknowledges that the version maintained by the City shall govern.

21. Campaign Contribution Disclosure Form

Offeror must complete, sign, and return the Campaign Contribution Disclosure Form as a part of their proposal. Failure to complete and return the signed unaltered form will result in disqualification.

22. Letter of Transmittal

Offeror's proposal must be accompanied by the Letter of Transmittal Form, which must be completed and signed by an individual person authorized to obligate the company. The letter of transmittal MUST:

1. Identify the submitting business entity.
2. Identify the name, title, telephone, and e-mail address of the person authorized by the Offeror organization to contractually obligate the business entity providing the Offer.
3. Identify the name, title, telephone, and e-mail address of the person authorized to negotiate the contract on behalf of the organization (if different than (2) above).
4. Identify the names, titles, telephone, and e-mail addresses of persons to be contacted for clarification/questions regarding proposal content.
5. Sub-contractor will not be authorized for this procurement.
6. Identify the following with a check mark and signature where required:
 - a. Indicate acceptance of the Conditions Governing the Procurement
 - b. Indicate acceptance of Section VII of this RFP; and
 - c. Acknowledge receipt of all amendments to this RFP.
7. Be signed by the person identified in paragraph 2 above.

24. New Mexico Preferences

To ensure adequate consideration and application of NMSA 1978, § 13-1-21 (as amended), Offerors must include a copy of their preference certificate with their proposal. Certificates for preferences must be obtained through the New Mexico Department of Taxation & Revenue: <http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx>.

New Mexico Business Preference

OR

New Mexico Resident Veterans Business Preference

In addition to a copy of the certification, the Offeror should sign and complete the Resident Veterans Preference Certificate form, as provided in this RFP.

An agency shall not award a business both a resident business preference and a resident veteran business preference.

III. RESPONSE FORMAT AND ORGANIZATION

This section describes the format and organization of the Offeror's responses. Failure to conform to these guidelines may result in the disqualification of the proposal.

A. NUMBER OF RESPONSES

Offerors shall submit only one proposal in response to this RFP.

B. NUMBER OF COPIES

Offeror's proposal must be clearly labeled and indexed as outlined in Section III.C. Proposal Format. Proposals must be submitted as outlined below. The original copy shall be clearly marked as such on the front of the binder. Envelopes, packages or boxes containing the original and the copies must be clearly labeled.

Offerors should deliver:

1. Proposal – One (1) ORIGINAL and four (4) HARD COPIES; five (5 TOTAL)
2. Cost Proposal – One (1) ORIGINAL and four (4) HARD COPIES; five (5 TOTAL): MUST BE IN A SEPARATE SEALED ENVELOPE FROM THE TECHNICAL PROPOSAL.

The original, hard copy information **must** be identical. In the event of a conflict between versions of the submitted proposal, the Original hard copy shall govern.

Any proposal that does not adhere to the requirements of this Section and **Section III.C.1 Response Format and Organization**, may be deemed non-responsive and rejected on that basis.

C. PROPOSAL FORMAT

All proposals must be submitted as follows:

Hard copies must be typewritten on standard 8 ½ x 11 inch paper (larger paper is permissible for charts, spreadsheets, etc.) and placed within binders with tabs delineating each section.

Organization of folders/envelopes for hard copy proposals:

1. PROPOSAL – Binder 1 - Proposal Content and Organization

Direct reference to pre-prepared or promotional material may be used if referenced and clearly marked. Promotional material should be minimal. The proposal must be organized and indexed in the following format and must contain, at a minimum, all listed items in the sequence indicated. Promotional material should be minimal.

- A. Signed Letter of Transmittal (Appendix C)
- B. Table of Contents
- C. Proposal Summary (Optional)
- D. Response to Contract Terms and Conditions
- E. Offeror's Additional Terms and Conditions
 - 1. Response to Specifications
 - 2. Response to Scope of Work
 - 3. Organizational Experience
 - 4. Organizational References
 - 5. Mandatory Specification
 - 6. Signed Campaign Contribution Form (Appendix B)
 - 7. New Mexico Preferences (if applicable)
 - 8. Conflict of Interest Affidavit (Appendix E)

2. COST PROPOSAL

Offerors must complete a Fee and Hour Breakdown Cost Proposal (Appendix F) and it must be submitted in **separate sealed envelope**.

Within each section of the proposal, Offerors should address the items in the order indicated above. All forms provided in this RFP must be thoroughly completed and included in the appropriate section of the proposal.

The proposal summary may be included by potential Offerors to provide the Evaluation Committee with an overview of the proposal; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the Offeror's proposal.

IV. SPECIFICATIONS

Offerors **should** respond in the form of a thorough narrative to each specification described in the Detailed Scope of Work, unless otherwise instructed. The narratives, including required supporting materials will be evaluated and awarded points accordingly.

V. DETAILED SCOPE OF WORK

The City of Belen, New Mexico is seeking professional services for Audit Services for the City of Belen Finance Department:

The following specifications are to be used as guidelines in submitting proposals and will be made a part of the contract between the City of Belen and the successful Offeror.

The Contractor will provide audit services including, but not limited to, the following:

A. Conduct a financial and compliance audit of the following applicable statements and schedules of the City:

- Basic Financial Statements consisting of the government-wide financial statements, fund financial statements, budgetary comparison statements for the general fund and major special reserve funds (per GASB 34 footnote 53), and the notes to the financial statements.
- Supplemental information (SI) that must be audited and included in the auditor's opinion (AAG-SLV 14.52), if applicable, consisting of:
- Component unit fund financial statements and related combining statements (if there are no separately issued financial statements on the component unit per AAG-SLV 3:20);
- Combining financial statements;
- Individual fund budget comparison statements for remaining funds that have an adopted budget including proprietary funds that did not appear as basic financial statement budget comparisons for the general fund, major special revenue funds; and
- Single federal Audit for all three years;
- Remaining supplemental information on schedules as required by NMAC Section 2.2.2.10(A) (2) (f);
- A Lodgers Tax Audit will be completed on even years beginning with FY20.
- The proponent shall conduct a fiscal and compliance audit of the general purpose financial statements and the combining, individual fund and account group financial statements of the City of Belen for the period from July 1, 2019 through June 30, 2020. Such audit shall be

conducted in accordance with Generally Accepted Auditing Standards, Government Auditing Standards, the provisions of OMB Circular A-128 or OMB Circular A-110 (if applicable) and the State Auditor's Rules and Regulations (SA Rule 95-1). A sample of the contract has been attached for review by offerors'.

B. Compliance Audit – The compliance portion of the audit shall include pertinent major state statutes, rules and regulations. The major state compliance features to be included in the audit are as follows:

- Per Diem and Mileage Act
- Procurement Code
- Personnel regulations
- Expenditure and budget transfers (Budget Compliance)
- Permanent and terminated employees
- Sale of Public Property
- Anti-Donation Clause
- State legislative appropriated grants
- State Highway Cooperative Agreements
- Lease purchase agreements
- Credit cards issued to agencies
- Contractual services
- Capital Outlay
- Lodgers Tax
- Accounting and Control of Fixed Assets GASB 34

C. The Offeror must prepare the financial statements including the notes and schedules accordance with accounting principles generally accepted in the United States of America (GAAP) as applied in governmental units.

D. All work must be performed in accordance with NMAC 2.2.2, Audit Rule 2019, Requirements for Contracting and Conducting Audits of Agencies. The 2020 Audit Rule is available for the Office of the State Auditor at www.saonm.org. This procurement will only be valid once the City receives notification from the State Auditor that it is designated for audit by an independent auditor.

E. The Offeror must be an independent public accounting firm (IPA) approved by the New Mexico Office of the State Auditor to conduct audits and agreed-upon procedures (AUP) engagements of New Mexico governmental agencies.

F. In order to meet the delivery terms of the Contract, the Offeror shall deliver an organized, bound and paginated hard copy of the City's Audit report for review to the State Auditor on or before the date specified by the OSA for counties.

G. The Offeror shall deliver to the City of Belen seven (7) completed copies of the Audit.

VI. TECHNICAL SPECIFICATIONS

1. Organizational Experience

- a) Provide a description of all relevant experience as required in the scope of work for general audit experience including portfolio size, performance, products and firm emphasis with similar governmental entities. The narrative **must** thoroughly describe how the Offeror has supplied expertise for similar contracts and must include the extent of their experience, expertise and knowledge with local, county and state governments.
- b) Provide a narrative that thoroughly details the history of the company.

2. Organizational References

Offerors must provide a minimum of three (3) references from similar projects performed for private, state or local government clients within the last three years.

The Evaluation Committee may contact any or all references for validation of information submitted. If this step is taken, the Procurement Officer and the Evaluation Committee must all be together on a conference call with the submitted reference so that the Procurement Officer and all members of the Evaluation Committee receive the same information.

Additionally, the Agency reserves the right to consider any and all information available to it

Offerors shall submit the following Business Reference information as part of Offer:

- a) Client name;
- b) Project description;
- c) Project dates (starting and ending);
- d) Technical environment (i.e., Similar background experience performed);
- e) Client project manager name, telephone number, fax number and e-mail address.

3. Mandatory Specifications

A brief explanation is required for of each mandatory specification listed below. Offerors are encouraged to fully address each category, as points are assigned.

- a) Must provide all documentation for registration for certifications and licensing.
- b) Must provide the leadership of your organization and cite accomplishments of individuals who will provide direct oversight to the services to be proposed for this contract.
- c) Provide a resume of each of those individuals detailing the background, qualifications, education, training and the years of experience for the scope of work.
- d) Must indicate any special skills or strengths of the key personnel being proposed.
- e) Must provide a list of continuing professional education credits for seminars, meetings on audits, accounting and regulations directly related to state and local governments.
- f) Provide the name of the on-site manager and demonstrate the experience in auditing governmental entities.
- g) Demonstrate audit experience specific to the scope of work and to the completion of a Lodgers Tax Audits.
- h) Provide a description of the audit approach along with a realistic period to complete the major components of the audit: planning, interim field work, fieldwork and reporting. Provide the estimated start and completion date for the engagement. For the multi-year contract, include the approach for planning and conducting the scope of work for the following years.
- i) Must provide the plans for using City staff.

APPENDIX

1. Acknowledge of Receipt Form

Potential offerors **should** hand deliver or return by facsimile, registered or certified mail or email the

“Acknowledgement of Receipt Form” (see APPENDIX A) that accompanies this document to have their organization placed on the procurement distribution list. The form **should** be signed by an authorized representative of the organization and delivered to the Procurement Officer no later than the date specified in the Sequence of Events. The procurement distribution list will be used for the distribution of important information regarding this procurement.

2. Campaign Contribution Disclosure Form

The Offeror must complete an unaltered Campaign Contribution Disclosure Form and submit a signed copy with the Offeror’s proposal. This must be accomplished whether or not an applicable contribution has been made. (See APPENDIX B)

3. Letter of Transmittal Form

The Offeror’s proposal **must** be accompanied by the Letter of Transmittal Form located in APPENDIX C. The form **must** be completed and must be signed by the person authorized to obligate the company.

4. Resident Business or Resident Veterans Preference

To ensure adequate consideration and application of NMSA 1978, § 13-1-21 (as amended), Offerors must include a copy of their preference certificate in this section. In addition, for resident Veterans Preference, the attached certification Form (APPENDIX D) must accompany any Offer and any business wishing to receive the preference must complete and sign the form.

5. Conflict of Interest Affidavit

Offerors must include signed and completed Conflict of Interest Form (APPENDIX E) with RFP documents. The Offeror warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement. The Offeror certifies that the requirements of the Governmental Conduct Code Act, Sections 10-16-1 through 10-16-18, NMSA 1978, regarding contracting with a public officer or state employee or former state employee have been followed.

6. *Cost Proposal*

Offerors must include the Fee and Hour Breakdown (APPENDIX F) in a separate sealed envelope as part of the RFP.

VII. EVALUATION

A. EVALUATION POINT SUMMARY

The following is a summary of evaluation factors with point values assigned to each. These weighted factors will be used in the evaluation of individual potential Offeror proposals by sub-category.

Factors	Points Available
Scope of work	30 points
Organizational References	20 points
Mandatory Specifications	30 points
COST - TOTAL POINTS POSSIBLE	20 points
TOTAL	100 POINTS
Proof of Insurance	Pass/Fail
Letter of Transmittal	Pass/Fail
Signed Campaign Contribution Disclosure Form	Pass/Fail
Conflict of Interest Form	Pass/Fail
New Mexico Preference – Resident Business Points	
New Mexico Preference – Resident Veterans Point	

Table 1: Evaluation Point Summary

EVALUATION FACTORS

Points will be awarded based on the thoroughness and clarity of the response of the engagements cited and the perceived validity of the response.

1. New Mexico Preferences

Percentages will be determined based upon the point based system outlined in NMSA 1978, § 13-1-21 (as amended).

A. New Mexico Business Preference

If the Offeror has provided their Preference Certificate the Preference Points for a New Mexico Business is 5%.

B. New Mexico Resident Veterans Business Preference

If the Offeror has provided their Preference Certificate **and** the Resident Veterans Certification Form the Preference Point are one of the following:

- 10% for less than \$1M (prior year revenue)
- 8% for more than \$1M but less than \$5M (prior year revenue)
- 7% for more than \$5M(prior year revenue)

2. Interview

If an interview is held, the Purchasing Office will distribute questions and instructions to the finalists prior to the scheduled interview. A maximum of 100 points are possible in scoring each interview for this RFP. The Evaluation Committee may, at their discretion, request additional clarification as to the contents of the RFP submittal from any of the Offeror's.

EVALUATION PROCESS

1. All Offeror proposals will be reviewed for compliance with the requirements and specifications stated within the RFP. Proposals deemed non-responsive will be eliminated from further consideration.
2. The Procurement Officer may contact the Offeror for clarification of the response.

3. The Evaluation Committee may use other sources of to perform the evaluation.

4. Responsive proposals will be evaluated on the factors set forth in the RFP, which have been assigned a point value. The responsible Offerors with the highest scores will be selected as finalist Offerors, based upon the proposals submitted. The responsible Offerors whose proposals are most advantageous to the County taking into consideration the evaluation factors will be recommended for award. Please note, however, that a serious deficiency in the response to any one factor may be grounds for rejection regardless of overall score.

APPENDIX A

CITY OF BELEN AUDIT SERVICES

RFP# FY2020-01

Acknowledgement of Receipt Form

In acknowledgement of receipt of this Request for Proposal the undersigned agrees that s/he has received a complete copy, beginning with the title page and ending with APPENDIX F.

The acknowledgement of receipt should be signed and returned to the Procurement Officer no later than April 15, 2020 . Only potential Offerors who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all Offeror written questions and the written responses to those questions as well as RFP amendments, if any are issued.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____ PHONE NO.: _____

E-MAIL: _____ FAX NO.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SIGNATURE: _____ DATE: _____

This name and address will be used for all correspondence related to the Request for Proposal.

Firm does/does not (circle one) intend to respond to this Request for Proposal.

Roseann Peralta, Finance Manager CPO
100 S. Main Street
Belen, NM 87002
505-966-2738

E-mail: Roseann.peralta@belen-nm.gov

APPENDIX B

Campaign Contribution Disclosure Form

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds one hundred dollars (\$100) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

—OR—

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER ONE HUNDRED DOLLARS (\$100) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

APPENDIX C
Letter of Transmittal Form

RFP#FY2020-01

Offeror Name: _____
FEDID# _____

Items #1 to #7 EACH MUST BE COMPLETED IN FULL

1. **Identity (Name) and Mailing Address** of the submitting organization:

2. For the person authorized by the organization to contractually obligate on behalf of this Offer:

Name _____

Title _____

E-Mail Address

Telephone Number

3. For the person authorized by the organization to negotiate on behalf of this Offer:

Name _____

Title _____

E-Mail Address

Telephone Number

4. For the person authorized by the organization to clarify/respond to queries regarding this Offer:

Name _____

Title _____

E-Mail Address

Telephone Number

5. On behalf of the submitting organization named in item #1, above, I accept the Conditions Governing the Procurement
- I concur that submission of our proposal constitutes acceptance of the Evaluation Factors contained in Section VII of this RFP.
- I acknowledge receipt of any and all amendments to this RFP.

_____, 2020
Authorized Signature and Date (Must be signed by the person identified in item #2, above.)

APPENDIX D

RESIDENT VETERANS CERTIFICATION

New Mexico Preference Resident Veterans Certification

Reminder, a copy of Resident Veterans Preference Certificate must be submitted with the proposal in order to ensure adequate consideration and application of NMSA 1978, § 13-1-21 (as amended).

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

Please check one box only

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.
- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.
- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

"In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under NMSA 1978, § 13-1-21 or 13-1-22, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

"I understand that knowingly giving false or misleading information on this report constitutes a crime."

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

(Signature of Business Representative)* (Date)

*Must be an authorized signatory for the Business. The representations made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or termination of award of the procurement involved if the statements are proven to be incorrect.

APPENDIX E

CITY OF BELEN)

) ss.

COUNTY OF VALENCIA)

I, _____ (name), being first duly sworn upon my oath, depose and state the following:

- 1. I am a former employee of the _____ (name of Department/Agency), having separated/retired from City employment as of _____ (date).
- 2. I am a current employee of the _____ (name of Department/Agency), or a legislator with the City, or the family member (spouse, parent, child, sibling by consanguinity or affinity) of a current employee or legislator with the City. Being a current employee or legislator or family member of a current employee or legislator of the City, I hereby certify that I obtained this Agreement pursuant to Sections 10-16-7 or 10-16-9 NMSA 1978, that is, in accordance with the Procurement Code except that this Agreement has NOT been awarded via the sole source or small purchase procurement methods.
- 3. The Department/Agency and I have entered into an agreement in the amount of \$_____.
- 4. Section 10-16-8.A(1) NMSA 1978 of the Governmental Conduct Act does not apply to this Agreement because I neither sought a Contract with the Department/Agency, nor engaged in any official act which directly resulted in the formation of the Professional Services Agreement while an employee of the Department/Agency.
- 5. To the best of my knowledge, this Agreement was awarded in compliance with all relevant provisions of the New Mexico Procurement Code (13-1-28, et. seq., NMSA 1978).

FURTHER, AFFIANT SAYETH NOT.

Name

Subscribed and sworn to before me by _____ (name of former employee) this ____ day of _____, 2019.

NOTARY PUBLIC _____

My Commission Expires: _____

APPENDIX F

COST PROPOSAL -FEE AND HOUR BREAKDOWN

Fee & Hour Breakdown	<i>The first year of a 3 year procurement</i>		<i>The second year of a 3 year procurement</i>		<i>The third year of a 3 year procurement</i>	
	Year 1 Hours	Year 1 Cost (including Lodgers Tax Audit)	Year 2 Hours	Year 2 Cost	Year 3 Hours (including Lodgers Tax Audit)	Year 3 Cost (including Lodgers Tax Audit)
Financial Statement Audit						
Financial Statement Preparation						
Federal Single Audit						
Lodgers Tax Audit			N/A	N/A		
Sub-total						
Gross Receipts Tax						
		FY20		FY21		FY22
TOTAL						

For the Current Fiscal Year, Total Amount Payable Including New Mexico Receipts Tax and Expenses, Shall Not Exceed:

\$ _____