



**RIO METRO
REGIONAL TRANSIT DISTRICT**



**MID-REGION
COUNCIL OF GOVERNMENTS**



**NEW MEXICO
WORKFORCE CONNECTION**

REQUEST FOR PROPOSALS

PROVIDE ANNUAL FINANCIAL AUDITS

Issued: March 25, 2019
Procurement No.: RFP #2019-05
Proposal Due Date/Time: April 24, 2019, 2:00 p.m. MST

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1. INTRODUCTION

1.0 Purpose of this Request for Proposals

The Mid-Region Council of Governments (MRCOG) invites individuals and firms (Offerors) to submit proposals for three audit contracts for the work indicated in the title page in accordance with the specifications contained in this request for proposals (RFP). This RFP contains specific requests for information.

The purpose of this procurement is to select an independent public accountant (IPA) that will conduct financial and compliance audits for the MRCOG, the Rio Metro Regional Transit District (RMRTD), and the Workforce Connection of Central New Mexico (WCCNM), herein referred to as "Parties".

1.1 Scope of Work

The scope of the procurement shall encompass the defined scope of work and any extensions or renewals thereof, as part of a multi-year contract.

The MRCOG is the fiscal agent for the RMRTD and the WCCNM.

The Parties seek proposals from audit firms approved by the State Auditor's Office to perform governmental audits. The audits should determine whether the Parties financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles.

The MRCOG expenditures for the FY2018 period was approximately \$11.4 million. Of this amount, approximately \$1.8 million was for federal programs/awards.

The funding available to the RMRTD for the FY2018 period was approximately \$50 million. Approximately \$45.5 million was for Operations and Program and \$4.5 million for Capital Acquisition. Of this amount, approximately \$19 million was for federal programs/awards. These funds are used to operate the New Mexico Rail Runner Express commuter train service on behalf of the NM Department of Transportation, as well as bus transit services in the Counties of Bernalillo, Sandoval, and Valencia.

The MRCOG is also the administrative entity, as well as the fiscal agent, for the WCCNM. The WCCNM receives federal funds under the Workforce Investment Opportunity Act (WIOA). The expenditures for FY 18 (PY17) was approximately \$7.5 million, inclusive of \$779 thousand for the TechHire program, which is a direct grant from USDOL.

The auditor will be required to provide in accordance with applicable federal and state laws, circulars, rules or regulations:

- a federal single audit;
- financial statement preparation; and
- financial statement audit.

The audits shall be conducted in conformance with all provisions of State Auditor Rule 2.2.2 NMAC, OMB Circular A-134, 2CFR 200 (Uniform Guidance) and Government Auditing Standards. The financial statements shall be presented in conformance with generally accept accounting principles for state and local governments, as promulgated by the Governmental Account Standard Board (GASB).

A reviewable final draft is due to each party no later than November 15, allowing parties sufficient time to review prior to state due date.

1.2 Scope of Procurement

The scope of the procurement shall encompass the defined scope of work and any extensions or renewals thereof, as part of a multi-year contract.

1.3 Procurement Manager

The MRCOG has designated a Procurement Manager who is responsible for the conduct of this procurement. The Procurement Manager is:

Kim Monjaras
Procurement Manager
Phone: 505-247-1750, Fax: 505-247-1753
Email: kmonjaras@mrcog-nm.gov

Any inquiries or requests regarding this procurement should be submitted to the Procurement Manager in writing or by e-mail. Offerors may contact ONLY the Procurement Manager regarding the procurement. Other Party employees do not have the authority to respond on behalf of the MRCOG.

1.4 Definitions

This section contains definitions and abbreviations that are used throughout this RFP.

“Close of Business” means 5:00 p.m. local time.

“Contract” means a written agreement for the procurement of items of tangible personal property or services.

“Contractor” means a successful Offeror who enters into a binding contract.

“Determination” means the written documentation of a decision by the Procurement Manager or Procurement Officer including findings of a fact supporting a decision. A determination becomes part of the procurement file.

“Desirable” The terms “may”, “can”, “should”, “preferably”, or “prefers” identifies a desirable or discretionary item or factor (as opposed to “mandatory”).

“Evaluation Committee” means a body appointed by the Executive Director which will evaluate Offerors proposals.

“Evaluation Committee Report” means a document prepared by the Procurement Manager and the Evaluation Committee for submission to the Executive Director for contract award. It contains all written determinations resulting from the procurement.

“Finalist” is defined as an Offeror whose offer complies with all the mandatory specifications of this RFP and whose score on evaluation factors is sufficiently high to merit further consideration by the Evaluation Committee.

“Mandatory” The terms “must”, “shall”, “will”, “is required”, or “are required” identify a mandatory item or factor (as opposed to “desirable”). Failure to comply with a mandatory item or factor will result in the rejection of the Offeror’s proposal.

“Offeror” is any person, corporation, or partnership who submits a proposal.

“Procurement Manager” means the person or designee authorized by the Executive Director to manage and administer procurements and contracts.

“Procurement Officer” means the person or designee designated by the MRCOG to oversee all MRCOG procurement.

“Requests for Proposals” or “RFP” means all documents, including those attached, or incorporated by reference, used for soliciting proposals.

“Responsible Offeror” means an Offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal.

“Responsive Offer” or “Responsive Proposal” means an offer or proposal that conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements.

1.5 Background Information

The Mid-Region Council of Governments (MRCOG) is an association of local governments in central New Mexico. Members include county, municipal and special purpose units of government in the Counties of Bernalillo, Sandoval, Torrance and Valencia.

The Rio Metro Regional Transit District (RMRTD) was created by the NM Regional Transit District Act [Chapter 73, Article 25, NMSA 1978]. The RMRTD receives funds from the NM Regional Transit Gross Receipts Tax, as well as various Federal and State grants.

The Workforce Connection of Central New Mexico (WCCNM) is the central area Workforce Development Board created by the Workforce Investment Act (WIA), [PL 105-220] and the state Workforce Development Act [sections 50-14-1 through 8 NMSA 1978]. The WCCNM receives funds through the NM Department of Workforce Solutions for purposes required under the respective federal and state laws of the Workforce Investment Act program.

2. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP contains the schedule for the procurement, describes the major procurement events and the conditions governing the procurement.

2.0 Sequence of Events

The Procurement Manager will make every effort to adhere to the Procurement Schedule shown in this RFP. The time frames shown however may be subject to change at the discretion of the MRCOG.

Issue RFP – March 25, 2019
Proposals Due – April 24, 2019 – 2:00 PM (MST)
Evaluation Committee – Week of April 29, 2019
Orals (if necessary) – Week of April 29, 2019
Selection of Finalist(s) – Week of May 6, 2019

2.1 Explanation of Events

2.1.1 Pre-proposal Conference

There will be no pre-proposal conference associated with this RFP.

2.1.2 Distribution List Response

Potential Offerors should hand-deliver, electronically mail, return by facsimile or by registered or certified mail the Proposal Form that accompanies this document (See Appendix 1). Offerors **must include an email address** on the Proposal Form.

It is the responsibility of the proposer to make sure proposal arrives by due date and time.

2.1.3 Deadline to Submit Additional Questions

Potential Offerors may submit additional written questions as to the intent or clarity of this RFP until ten (10) working days prior to the proposal submittal date. All written questions must be addressed to the Procurement Manager.

2.1.4 Response to Written Questions/RFP Amendments

Written responses to written questions and any RFP amendments will be distributed to all known interested Offerors and posted on the Parties websites.

2.1.5 Submission of Proposal

All proposals must be received by the Procurement Manager or designee no later than 2:00 p.m. local time on the date shown on the cover page of this RFP. Proposals received after this deadline will not be accepted. The date and time will be recorded on each proposal. Proposals must be addressed and delivered to the Procurement Manager at the address listed on the cover page. Proposals **must be sealed** and labeled on the outside of the package to clearly indicate that they are in response to the name of the procurement on the cover sheet. Proposals submitted by facsimile or electronic mail will not be accepted.

2.1.6 Proposals

A public log will be kept of the names of all Offeror organizations that submitted proposals. Pursuant to Section 13-1-116 NMSA 1978, the contents of any proposal shall not be disclosed to competing Offerors prior to contract award.

2.1.7 Proposal Evaluation

An Evaluation Committee, as selected by the Executive Director, will evaluate proposals. During this time, the Procurement Manager may initiate discussions with Offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be accepted and evaluated without such discussion. The Offerors SHALL NOT initiate discussions. Potentially responsive proposals are proposals that are reasonably susceptible of being made responsive.

2.1.8 Selection of Finalists

The Procurement Manager will provide the list of finalists to the Executive Director. The Procurement Manager will notify the finalist Offerors of their selections. Only finalists will be invited to participate in the subsequent steps of the procurement. The final schedule for the oral presentations (if necessary) will be determined at this time.

2.1.9 Oral Presentation by Finalists (Optional)

Finalist Offerors may be required to present their proposals to the Evaluation Committee. The Procurement Manager will schedule the time for each Offeror presentation. All Offeror presentations will be held at the address noted herein. Each presentation will be limited to one hour with an additional fifteen minutes for questions and answers.

2.1.10 Best and Final Offers from Finalists

Finalist Offerors may be asked to submit revisions to their proposals for the purpose of obtaining best and final offers.

2.1.11 Contract Negotiations

The contract will be negotiated with the most advantageous Offeror(s). In the event that mutually agreeable terms cannot be reached within a reasonable time, the MRCOG reserves the right to negotiate a contract with the next most advantageous Offeror without undertaking a new procurement process.

2.1.12 Contract Award

The contract shall be awarded to the Offeror or Offerors whose proposal is most advantageous, taking into consideration the evaluation factors set forth in the RFP.

Contracts are not valid until signed by the Executive Director and the State Auditor.

2.1.13 Protest of Award

An Offeror who has submitted a responsive Offer on this RFP may protest the award of a contract resulting from the RFP. The protest must be timely and in conformance with Section 13-1-172 NMSA 1978 and applicable MRCOG procurement regulations. The protest period will begin on the day following the contract award and will end at close of business on the following fifteenth calendar 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 grounds for protest including appropriate supporting exhibits and it must

specify the ruling requested from the Procurement Officer. The protest must be delivered to the Procurement Officer.

Kim Monjaras
Procurement Officer
Phone: 505-247-1750, Fax: 505-247-1753
Email: kmonjaras@mrcog-nm.gov

Protests received after the deadline will not be accepted.

2.2 General Requirements

This procurement will be conducted in accordance with the Parties Procurement Policy and the New Mexico Procurement Code.

The Parties require that all Offerors agree to be bound by the general requirements contained in this RFP. Any Offeror concerns must be promptly brought to the attention of the Procurement Manager.

2.2.1 Acceptance of Conditions Governing the Procurement

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 contained in Section 5 of this RFP.

2.2.2 Incurring Cost

Any cost incurred by the Offeror in preparation, transmittal, presentation of a proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

2.2.3 Prime Contractor Responsibility

Any Offeror awarded a contract as a result of this RFP will be solely responsible for fulfillment of the contract with Parties. The Parties will make contract payments to only the prime contractor.

2.2.4 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 Parties personnel will not merge, collate, or assemble proposal materials.

2.2.5 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 signed by the Offeror's duly authorized representative addressed to the Procurement Manager.

2.2.6 Proposal Offer Firm

Responses to this RFP will be considered firm for ninety calendar days after the due date for receipt of proposals.

2.2.7 Disclosure of Proposal Contents

The proposals will be kept confidential until a contract is awarded. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for the material that is proprietary or confidential. The Procurement Manager will not disclose or make public any pages of a proposal on which the Offeror has stamped or printed "proprietary" or "confidential" subject to the following requirements.

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.

Confidential data is normally restricted to confidential financial information concerning the Offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7 NMSA 1978. The price of products offered or the cost of services proposed shall not be designated as proprietary or confidential information.

If a request is received for disclosure of data for which an Offeror has made a written request for confidentiality, the Procurement Officer shall examine the Offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the Offeror takes legal action to prevent the disclosure, the proposal will be so disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

2.2.8 No Obligation

This procurement in no manner obligates the Parties to the use of any proposed professional services until a valid written contract is awarded and approved by the appropriate authorities.

2.2.9 Termination of RFP

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

2.2.10 Sufficient Appropriation

Any contract awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations do not exist. Sending written notice to the contractor will affect such termination. The contractor will accept the Parties decision as to whether sufficient appropriations and authorizations are available as final.

2.2.11 Governing Law

The laws of the state of New Mexico shall govern this procurement and any agreement with Offerors that may result.

2.2.12 Basis for Proposal

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

2.2.13 Contract Terms and Conditions

The contracts between the Parties and a contractor will follow the format specified by the State Auditor. An Offeror may review the form of contract at the office of the Procurement Manager. However, the Parties reserve the right to negotiate with a successful Offeror provisions in addition to those contained in this RFP.

Should an Offeror object to any of the terms and conditions, as contained in this Section, the Offeror must propose specific alternative language. The Parties may or may not accept the alternative language. General references to the Offeror's terms and conditions or attempts at substantive or complete substitutions are not acceptable to the Parties and will result in disqualification of the Offeror's proposal.

Offerors must provide a brief discussion of the purpose and impact, if any, of each proposed change followed by the specific proposed alternate wording.

2.2.14 Approval of Contractor Personnel

Personnel proposed in the Contractor's written proposal to the procuring agency are considered material to any work performed under this RFP and subsequent contract.

During the course of this procurement and after the contract has been signed, no changes of personnel will be made by the Contractor without prior written consent of the Procurement Manager. Replacement of any Contractor personnel, if approved, shall be with personnel of equal ability, experience and qualifications. The Contractor will be responsible for any expenses incurred in familiarizing the replacement personnel to insure their being productive immediately upon receiving assignments. Approval of the replacement personnel shall not be unreasonably withheld.

The Parties shall retain the right to request the removal of any of the Contractor's personnel at any time.

2.2.15 Contract Deviations

Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the Parties and the selected Offeror and shall not be deemed an opportunity to amend the Offeror's proposal.

2.2.16 Offeror Qualifications

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

2.2.17 Right to Waive Technical Irregularities

The Procurement Manager reserves the right to waive technical irregularities. The Procurement Manager also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the mandatory requirements and/or doing so does not otherwise materially affect the procurement. This right is at the sole discretion of the Parties.

2.2.18 Project Team Prohibited Activities

The Parties employees or committee or board members or volunteers are prohibited from participating directly or indirectly in the preparation of this procurement when the employee knows that the individual or any member of the individual's family has a financial interest in the business seeking or obtaining a contract.

2.2.19 Notice – Civil and Criminal Penalties

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

2.2.20 The Parties Rights

The Parties reserve the right to accept all or a portion of the proposal of an Offeror selected for award.

2.2.21 Right to Publish

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

2.2.22 Ownership of Proposals

All documents submitted in response to this RFP shall become the property of the Parties. However, any technical or user documentation submitted with the proposals of non-selected Offerors shall be returned after the expiration of the protest period. Offerors not selected for award of a contract may pick up the documentation at the Parties office within a fifteen-day period following the protest period.

2.2.23 Electronic Mail Address Required

A large part of the communication regarding this procurement will be conducted by electronic mail (e-mail). Offeror must have a valid e-mail address to receive this correspondence.

2.2.24 Use of Electronic Versions of this RFP

This RFP is being made available by electronic means. If accepted by such means, the Offeror acknowledges and accepts full responsibility to ensure that no changes are made to the RFP. In the event

of conflict between a version of the RFP in the Offeror's possession and the version maintained by the Parties, the version maintained by the Parties shall govern.

3. RESPONSE FORMAT AND ORGANIZATION

3.0 Number of Responses

Offerors shall submit only **one** proposal for each Contract listed in this RFP.

3.1 Number of Copies

Offerors shall deliver **one original, five identical copies and one (1) digital copy**. Digital copies shall include one complete copy and one copy without "Proprietary" information in PDF format to the location specified herein on or before the closing date and time for receipt of proposals.

3.2 Proposal Format

All proposals must be typewritten on standard 8 ½ x 11 paper (larger paper is permissible for charts, spreadsheets, etc.) with tabs delineating each section. Proposals shall be no longer than 20 pages (single-sided) excluding front and back covers.

Pages may be single spaced with a font of no less than number 10.

3.2.1 Proposal Organization

The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated.

1. Proposal Form (Appendix 1)
2. Capability of Firm
3. Work Requirements & Audit Approach
4. Technical Experience
5. Display firm's integrity and past performance (example awards, group memberships)
6. Organizational References (Appendix 2)
7. Cost Proposal Sheet (Multi-year Proposal Breakdown) (under separate sealed attachment) (Exhibit A)
8. Certification Regarding Restriction on Lobbying (Appendix 3)
9. Certification Regarding Debarment, Suspension (Appendix 4)
10. Certification Regarding Affirmative Action/Equal Employment Opportunity and Nondiscrimination (Appendix 5)
11. Campaign Contribution Disclosure Form (Appendix 6)
12. Peer Review Results

Within each section of the proposal, Offerors shall address the items in the order in which they appear in this RFP. All forms provided in the RFP must be thoroughly completed and included in the appropriate section of the proposal.

Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.

3.2.2 Proposal Form

Each proposal must contain – as the first item in the organized and indexed sequence – the fully executed Proposal Form (Appendix 2). Failure to provide the form with all the information indicated to be inserted will result in rejection of the proposal as non-responsive.

3.2.3 Procurement Offers

The Offeror shall have the option of selecting one or more of the Procurements for submittal with a proposal for work to be accomplished but may not subdivide Procurement.

3.2.4 Multi-year Proposal

The Parties are requesting a multi-year proposal to provide auditing services, not to exceed a term of three years including all extensions and renewals. The term of each contract will be one-year with the option to extend for two successive one-year terms, at the same price, terms and conditions as stated in the original proposal.

4. SPECIFICATIONS

Offerors should respond in the form of a thorough narrative to each mandatory specification. The narratives along with required supporting materials will be evaluated and awarded points accordingly.

4.0 Capability of Firm

Offerors shall provide a description of their qualifications and resources (financial & technical) available. This description should include the number of team members and total audit hours available to perform the type and size of audit required. Offerors shall provide peer review results. The evaluation criteria will also include the organization and completeness of the proposal.

4.1 Work Requirements & Audit Approach

Offerors shall show knowledge of audit objectives, agency needs, and product to be delivered. The proposal should contain a sound technical plan and realistic estimate of time to complete major segments of the audit: planning, interim fieldwork, fieldwork, and reporting.

4.2 Technical Experience

Offerors shall have the experience and resources needed to conduct the financial and compliance audits for the Parties. The proposal shall name the on-site manager and provide the governmental audit experience of the audit team. The audit team should have experience and specialization in transportation planning agencies, federal workforce development programs and transit districts.

4.3 Firm's integrity and past performance (example awards, group memberships)

Offerors should demonstrate commitment to integrity and quality. Offerors shall provide at least three references from clients, preferably state and local governments in New Mexico (reference forms provided). Other examples of demonstrating commitment to integrity and quality are - results of peer reviews, membership in quality control organizations, and awards or reports from organizations monitoring quality – to name a few.

4.4 Cost (Multi-year Proposal Breakdown) (under separate sealed attachment)

Offerors shall provide a multi-year audit contract proposal on spreadsheet provided as Exhibit A.

5. EVALUATION

5.0 Evaluation Point Summary

The following is a summary of evaluation factors with point value assigned to each. These factors, along with the general requirements, will be used in the evaluation of Offeror proposals.

Evaluation Criteria

Capability of Firm	30
Work Requirements & Audit Approach	15
Technical Experience	30
Firm's integrity and past performance	15
Cost	10
TOTAL POINTS	100
5. Oral Interview (If Necessary)	30
6. Best & Final Offers (If Necessary)	<u>20</u>
TOTAL AVAILABLE	150

5.1 Evaluation Process

The evaluation process will follow the steps listed below:

5.1.1 Proposal Compliance

All Offeror proposals will be reviewed for compliance with the mandatory requirements stated within the RFP and State Auditor's Rule, 2.2.2 NMAC. Proposals deemed non-responsive will be eliminated from further consideration.

5.1.2 Contacting Offerors

The Procurement Manager may contact the Offeror for clarification of the response as specified in Section 2.1.6.

5.1.3 Finalist Selection

Responsive proposals will be evaluated on the factors in Section 5. The responsible Offerors with the highest scores will be selected as finalist Offerors based upon the proposals submitted. Finalist Offerors may then be asked to participate in Oral Interviews. At the conclusion of the Oral Interviews additional points may be awarded in accordance with this section. The Evaluation Committee may then make a recommendation to the Executive Director for award or solicit Best and Final Offers from any or all of the finalists. If Best and Final Offers are solicited, the Evaluation Committee will award additional points in accordance with this section and then make a final recommendation for award to the Executive Director. Finalist Offerors will be recommended for Contract award. Please note, however, that a serious deficiency in the response of any one factor may be grounds for rejection regardless of overall score.

6.0 SPECIAL PROVISIONS

This procurement may be supported in part or in whole from time to time with federal and state funds. Therefore, the following certifications and requirements apply to this solicitation:

6.1 Prohibition Against Use of Federal Funds for Lobbying

In accordance with Federal Acquisition Regulations (FAR) 52.203-12, neither the Contractor nor any subcontractor may use Federal assistance funds for publicity or propaganda purposes designed to support or defeat legislation pending before Congress. Certification of Restrictions on Lobbying is required for this solicitation as provided in Appendix 3 of this solicitation.

6.2 Debarment and Suspension

Pursuant to FAR 52.209-6, the Contractor shall provide certification to protect the WCCNM's interests related to Government-wide Debarment and Suspension, and otherwise comply with the requirements of those regulations. Certification is required as provided in Appendix 4 of this solicitation.

6.3 Affirmative Action/Civil Rights Compliance

In accordance with FAR 52.222-21/36, the Contractor shall adhere to Affirmative Action / Equal Employment Opportunity policies. Certification for Affirmative Action/Civil Rights Compliance as provided in Appendix 5 of this solicitation provides that assurance.

6.4 Campaign Contribution Disclosure

Pursuant to the State of New Mexico Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective Contractor 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. Certification is required as provided in Appendix 6 of this solicitation.

**APPENDIX 1
PROPOSAL FORM**

RFP#: 2019-05

To: Mid-Region Council of Governments
809 Copper N.W.
Albuquerque, NM 87102
Attn: Kim Monjaras

Proposing Organization	
Mailing Address	
City/State/Zip Code	
Head of Organization	
Title	
Telephone Number	Fax Number
Proposal Contact Person	
Title	
Telephone Number	E-Mail Address
Contract Signatory	
Authority	
Title	
Telephone Number	
Tax/Legal Status	<input type="checkbox"/> Corporation <input type="checkbox"/> For Profit <input type="checkbox"/> Not-for-Profit
	<input type="checkbox"/> Government
	<input type="checkbox"/> Individual
Federal ID Number	State ID Number

1. I (We) am submitting on the procurement titled: _____
2. I (We) accept the Conditions Governing the Procurement stated in Section 2.3.1.
3. I (We) acknowledge receipt of any and all amendments to this RFP, Nos. _____ to _____.

Signature of Officer _____ Date _____

Email address: _____

APPENDIX 2

ORGANIZATIONAL REFERENCES

As a part of the RFP process, Offerors are to submit a minimum of three (3) business references as required within this document. The purpose of these references is to document Offeror's experience relevant to the scope of work in an effort to establish Offeror's responsibility.

Offeror is required to send the following reference form to each business reference listed. The business reference, in turn, is requested to submit the Reference Form below, directly to: Kim Monjaras, Procurement Officer by April 22, 2019 for inclusion in the evaluation process. The form and information provided will become a part of the submitted proposal. Business references provided may be contacted for validation of content provided therein.

VENDOR NAME: _____

Provide the information requested below for current or former customers with requirements similar to those included in this RFP for which your company has completed work. Provide three (3) references, as specified in the bid/RFP document.

Organization Name _____
Address _____
Contact Person _____ Phone No. _____
Email Address _____
Services Provided:

Organization Name _____
Address _____
Contact Person _____ Phone No. _____
Email Address _____
Services Provided:

Organization Name _____
Address _____
Contact Person _____ Phone No. _____
Email Address _____
Services Provided:

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ORGANIZATIONAL REFERENCE QUESTIONNAIRE

FOR:

(Name of Offeror)

This form is being submitted to your company for completion as a business reference for the company listed above. This form is to be returned to the MRCOG, via facsimile or e-mail at:

Name: Kim Monjaras, MRCOG Procurement Officer
Address: 809 Copper, NW
Albuquerque, NM 87102

Telephone: (505) 724-1750
Fax: (505) 247-1753
Email: kmonjaras@mrcog-nm.gov

no later than 4:00 PM, April 22, 2019, and **must not** be returned to the company requesting the reference.

For questions or concerns regarding this form, please contact the MRCOG Procurement Officer listed above. When contacting us, please be sure to include the Request for Proposal number listed at the top of this page.

Company providing reference:	
Contact name and title/position	
Contact telephone number	
Contact e-mail address	
Project description	
Project dates (starting and ending);	
Technical environment for the project your providing a reference (i.e., Software applications, Internet capabilities, Data communications, Network, Hardware);	

ORGANIZATIONAL REFERENCE QUESTIONNAIRE

FOR:

(Name of Offeror)

QUESTIONS:

In what capacity have you worked with this vendor in the past?

COMMENTS:

How would you rate this firm's knowledge and expertise?

____ (3 = Excellent; 2 = Satisfactory; 1 = Unsatisfactory; 0 = Unacceptable)

COMMENTS:

What is your level of satisfaction with the final materials produced by the vendor?

____ (3 = Excellent; 2 = Satisfactory; 1 = Unsatisfactory; 0 = Unacceptable)

COMMENTS:

How would you rate the dynamics/interaction between the vendor and your staff?

____ (3 = Excellent; 2 = Satisfactory; 1 = Unsatisfactory; 0 = Unacceptable)

COMMENTS:

Who were the vendor's principal representatives involved in your project and how would you rate them individually? Would you comment on the skills, knowledge, behaviors or other factors on which you based the rating?

(3 = Excellent; 2 = Satisfactory; 1 = Unsatisfactory; 0 = Unacceptable)

Name: _____ Rating: _____

Name: _____ Rating: _____

Name: _____ Rating: _____

Name: _____ Rating: _____

COMMENTS:

ORGANIZATIONAL REFERENCE QUESTIONNAIRE

FOR:

(Name of Offeror)

With which aspect(s) of this vendor's services are you most satisfied?

COMMENTS:

With which aspect(s) of this vendor's services are you least satisfied?

COMMENTS:

Would you recommend this vendor's services to your organization again?

COMMENTS:

APPENDIX 3
CERTIFICATION REGARDING RESTRICTIONS ON LOBBYING

RFP#: 2019-05

To be submitted with each bid or offer exceeding \$100,000.

I, _____ hereby certify on behalf of _____
(name and title of official) (name of Contractor) that;

1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence and officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or any employee or a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

1) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontract, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

For purposes of this Certification, this Agreement shall be considered a federal contract. This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this _____ day of _____, 20_____.

By _____
(Signature of authorized official)

(Title of authorized official)

APPENDIX 4
CERTIFICATION REGARDING DEBARMENT,
SUSPENSION, AND OTHER RESPONSIBILITY MATTERS
PRIMARY COVERED TRANSACTIONS

RFP#: 2019-05

To be submitted with each bid or offer exceeding \$25,000.

The Contractor, certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(2) Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and

(4) Have not within a three-year period preceding this agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.

Where the Contractor is unable to certify to any of the statements in this certification, such Contractor shall attach an explanation to this proposal.

THE CONTRACTOR, _____, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. sub- section 3801 ET SEQ. ARE APPLICABLE THERETO.

Executed this _____ day of _____, 20_____.

By _____ (Signature of authorized official)

_____ (Title of authorized official)

**APPENDIX 5
 CERTIFICATION REGARDING
 AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY
 AND NONDISCRIMINATION
 AHRO Form CC 2**

RFP#: 2019-05

The Bidder hereby acknowledges and agrees to abide by the Special Provisions for Affirmative Action/Equal Employment Opportunity and Nondiscrimination and all other provisions, regulations and/or requirements of the Owner for Affirmative Action/Equal Employment Opportunity and Nondiscrimination.

The Bidder has participated with any agency in a previous contract or subcontract subject to any Equal Employment Opportunity and Nondiscrimination in Employment requirements.	Yes	<input type="radio"/>	No	<input type="radio"/>
Compliance reports were required to be filed in connection with such contract or subcontract.	Yes	<input type="radio"/>	No	<input type="radio"/>
The Bidder has filed all compliance reports due under applicable instructions. If this does not apply, leave blank.	Yes	<input type="radio"/>	No	<input type="radio"/>

 Company Name of Bidder Telephone Number

 Signature FAX Number

 Printed Name E-Mail Address

 Title Date

Address:

APPENDIX 6 CAMPAIGN CONTRIBUTION DISCLOSURE FORM

RFP#: 2019-05

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, 13-1-191.1 (2006), as amended by Laws of 2007. Chapter 234, any prospective contractor 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 two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code 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.

The state agency of local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND 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 any 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 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 of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

"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. "Prospective contractor" means a person or business that 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 or business 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.

MRCOG:

Holden Rhodes, David Heil, Donald Lopez, Lawrence Rael, Cynthia Borrego, Isaac Benton, Diane Gibson, Don Harris, Brad Winter, Klarissa Peña, Bruce Thomson, Candelaria Patterson, Jerah Cordova, Charles Griego, Christina Ainsworth, Ron Williams, M. Steven Anaya, Ted Hart, Leon Otero, Mark Gwinn, Gregory D. Hull, Dawnn Robinson, James Fahey, Gloria Chavez, Belinda Garland, Connie Beimer, Charles Eaton, David Carlberg, Robert Chavez, Emily Sanchez, J. Don Martinez, Tom Church, Kenneth Murphy,

RMRTD:

Diane Gibson, Debbie O'Malley, Maggie Hart Stebbins, Charlene Pyskoty, Michael Meek, Charles Eaton, Isaac Benton, Klarissa Pena, Cynthia Borrego, Don Harris, Lawrence Rael, Jerah Cordova, Mark Gwinn, Dawnn Robinson, Jim Owen, Jack Torres, Wayne Ake, David Dornburg, Charles Griego, Donald Lopez, Kathy Trujillo, Anthony Mortarillo

WCCNM:

Odes Armijo-Caster, Beth Barela, Celina Bussey, Doug Calderwood, Manuel Casias, Herb Crosby, Carol Culver, Reyes Gonzales, Marni Goodrich, Victoria Hernandez, Michael Herrick, Richard Holcomb, Gregg Hull, Hank Humiston, Krista Kelley, Paul Kress, Valarie Lopez, Vaadra Martinez, Doug Majewski, John Mierzwa, Ralph L. Mims, Laura Musselwhite, Debbie Ortiz, Stacy Sacco, Melodee Saiz, James Salas, Waldy Salazar, Leslie Sanchez, Diane Saya, Jerry Schalow, Raymond Trujillo, Carolyn VanderGiesen, Bob Walton, Isaac Zamora, Gloria J. Chavez, Bryan Olguin, Jack S. Torres, Roger Sweet, Maggie Hart Stebbins, Ryan Schweback, John Bassett, Gregory D. Hull, David Heil, Peter Nieto, Steve M. Lucero, Boyd Herrington, Wayne Ake, Richard Velarde, Charles Griego, Iris Padilla, Nathan Dial, Tim Keller, Robert Chavez, Ted Hart, Jerah Cordova, Donald Lopez, JoAnne D Roake, David Hyder

Name(s) of Applicable Official(s) if any:

Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____ Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

Signature

Date

Title (position)

-OR-

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE TO AN APPLICABLE PUBLIC OFFICIAL BY ME, A FAMILY MEMBER OR REPRESENTATIVE.

Signature

Date

Title (Position)

**EXHIBIT A
COST PROPOSAL SHEET
RFP#: 2019-05**

Mid-Region Council of Governments	<u>Year 1</u>		<u>Year 2</u>		<u>Year 3</u>	
	Hours	\$ Amount	Hours	\$ Amount	Hours	\$ Amount
Financial Statement Audit						
Federal Single Audit						
Financial Statement Preparation						
Sub-Total						
Gross Receipts Tax						
Total						
Rio Metro Regional Transit District	<u>Year 1</u>		<u>Year 2</u>		<u>Year 3</u>	
	Hours	\$ Amount	Hours	\$ Amount	Hours	\$ Amount
Financial Statement Audit						
Federal Single Audit						
Financial Statement Preparation						
Sub-Total						
Gross Receipts Tax						
Total						
Workforce Connections of Central New Mexico	<u>Year 1</u>		<u>Year 2</u>		<u>Year 3</u>	
	Hours	\$ Amount	Hours	\$ Amount	Hours	\$ Amount
Financial Statement Audit						
Federal Single Audit						
Financial Statement Preparation						
Sub-Total						
Gross Receipts Tax						
Total						