

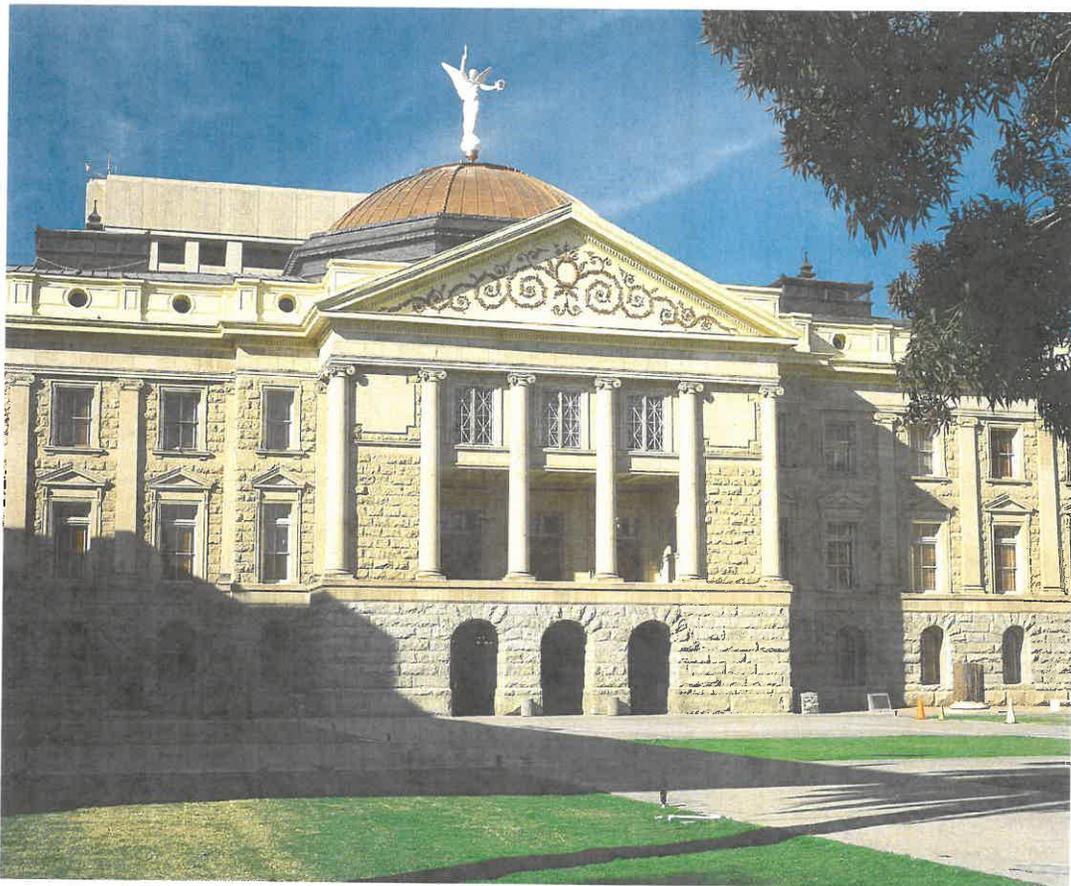
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## Arizona Department of Administration State Procurement Office

*"To serve state government by delivering the highest quality services to our partners in support of all Arizonans."*



## Arizona Department of Education Procurement Performance Review

Prepared by: SPO Compliance  
February 1<sup>st</sup>, 2016

**STATE OF ARIZONA  
STATE PROCUREMENT OFFICE  
PROCUREMENT PERFORMANCE REVIEW  
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**STATE OF ARIZONA  
STATE PROCUREMENT OFFICE  
PROCUREMENT PERFORMANCE REVIEW  
SUMMARY**

The State Procurement Office (SPO) performed a Procurement Performance Review of the Arizona Department of Education (ADE) commencing on February 1<sup>st</sup>, 2016, in accordance with Arizona Procurement Code R2-7-201, R2-7-202, Governor's Executive Order 2005-01, and SPO Technical Bulletin No. 003, Revision 5. The review focused on the agency's ability to properly exercise procurement authority in accordance with its procurement delegation, the Arizona Procurement Code (APC), SPO Technical Bulletins, and Standard Procedures.

The review included an examination of the agency's procurement policies and procedures manual; review of previous audit and personnel training records; observation of internal systems controls; interview with purchasing personnel; review of quarterly and annual agency procurement reports; examination of solicitations, contracts and purchase orders performed by the agency.

The agency has conducted 19 solicitations with contract start dates within the last 12 months. A random sample of 10 solicitations and contracts were selected for review. The reviewed files included 6 requests for quotations (RFQ) and 2 requests for proposals (RFP), and 1 Sole Source, and 1 Not-Practicable to Quote contract.

This review may not have detected, nor should it be relied upon to detect, all deficiencies that may have existed or improvements that should have been employed by the agency at the time of the review. Contained in this report are the findings and recommendations.

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FINDINGS, RECOMMENDATIONS, NOTEWORTHY PRACTICES**

**1. Contract Files**

SPO provides a list of required documents which shall be located, as applicable, in the solicitation and contract files on ProcureAZ, as well as the naming conventions associated with each document<sup>1</sup>. These standards assist both the procurement officer in document management and the public in viewing the solicitation and contract files. These standards also help reduce procurement officer reliance of memory regarding which documents must be made available to public view. While the APC defines the procurement file as the official records file is either electronic or paper<sup>2</sup>, SPO prescribes the electronic upload of documents into ProcureAZ<sup>3</sup>, and SPO has designated files on ProcureAZ as the State of Arizona's official procurement records<sup>4</sup>.

**Findings**

ADE has several opportunities to improve its monitoring of solicitation processes. Several general requirements of contract solicitations were found to be out of compliance to APC, TB, and SP. Among which, it was found that many CPO written determinations, as required by the APC, were missing from the official contract files of record. These included 5 of 6 files lacked a written determination to remove the restriction of an RFQ to small businesses, and thus allow non-small business responses (6.1A, 6.1B, 6.1C, 6.1D, 6.1E)<sup>5</sup>. Of these, 4 contracts were awarded to non-small businesses (6.1A, 6.1B, 6.1D, 6.1E). Even more, two of these contracts were awarded to a single non-small business offeror without a CPO written determination that the offer made was fair and reasonable (6.1A & 6.1B)<sup>6</sup>. 1 of 2 RFPs reviewed lacked a CPO written award determination (6.3A). Lastly, 2 of 2 special

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<sup>1</sup> Standard Procedure #006 (2011). Document Standards

<sup>2</sup> Arizona Procurement Code (2015). R2-7-101 – Definitions.

<sup>3</sup> Standard Procedure #006 (2011). Document Standards

<sup>4</sup> Technical Bulletin #020 (2015). ProcureAZ – The Official State eProcurement System – II Definition E.

<sup>5</sup> Arizona Procurement Code (2015) - R2-7-D301. Applicability

<sup>6</sup> Arizona Procurement Code (2015). R2-7-D303. Contract Award.

purchases reviewed (Sole Source & Not Practicable to Quote) lacked a written CPO determination that competition was impracticable given the circumstances<sup>7</sup>.

ADE evidence of compliance to administrative rule of Significant Procurement Role was also lacking during this review. 10 of 10 files reviewed lacked Procurement Disclosure Statements (PDS) upload to the official file of record, ProcureAZ<sup>8</sup>, for individuals with a significant procurement role. Such individuals include anyone involved in the design of a solicitation tool, evaluation, technical advisors, decisions-makers, and requisitioning employees for goods or services greater than \$10,000. Likewise, 15 of 15 direct open market requisitions, >\$10,000, also lacked copies of Procurement Disclosure Statements. Additionally, 8 of 10 files reviewed were not listed on the SPO Website as a significant procurement activity (6.1A, 6.1B, 6.1C, 6.1D, 6.1E, 6.1F, 6.3B, 7.1A).

Three additional findings during this review represent opportunities for ADE to reduce its risk exposure during contract solicitation and administration. 2 of 2 RFPs reviewed lacked evidence that the solicitation was advertised in a legal publication a minimum of 14 days prior to bid opening<sup>9</sup> (6.3A & 6.3B). Additionally, 7 of 8 applicable files reviewed lacked a current, non-expired, certificate of insurance in the contract file reflecting the State as an additional insured<sup>10</sup>. Finally, 2 of 2 RFPs reviewed contained conflicting evaluation criteria. Both files reviewed disclosed to the offeror that unit price would prevail (6.3A page 8; 6.3B page 6). However, each solicitation later listed additional evaluation factors in relative order of importance, each reflecting cost as a lower determinant behind 3 other factors (6.3A page 21; 6.3B page 17).

Lastly, staff interviews indicated an inconsistency regarding the placement of solicitation & contract documents in a hard copy file, ProcureAZ, or both. While the APC defines the procurement file as the official records file is either electronic or paper<sup>11</sup>, SPO prescribes the

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<sup>7</sup> Arizona Procurement Code (2015) - R2-7-E301. Sole Source Procurements

<sup>8</sup> Standard Procedure #003 (2014). Significant Procurement Role – Notifications of Procurement Activity

<sup>9</sup> Arizona Procurement Code (2015). ARS § 41-2533. Competitive Sealed Bidding

<sup>10</sup> Special Terms and Conditions (2015). Insurance Requirements – Minimum Scope and Limits of Insurance

<sup>11</sup> Arizona Procurement Code (2015). R2-7-101 – Definitions.

electronic upload of documents into ProcureAZ<sup>12</sup>, and SPO has designated files on ProcureAZ as the State of Arizona's official procurement records<sup>13</sup>.

## Recommendations

**1.a** ADE should draft a solicitation and contract file checklist. This checklist should address every issue identified in Finding #1. Procurement personnel should complete this checklist on all future solicitations and acknowledge "Yes/No" answers to the applicability of each potential issue to all future solicitations. This checklist may be further enhanced by providing appropriate reference to APC, TB, and SP for additional information if a procurement professional are uncertain to the applicability of an item. Checklists help ensure repeatability and compliance to processes required of the APC<sup>14</sup>.

**1.b** The ADE CPO should conduct bi-weekly (weekly if possible) staff training meetings to address the issues in Finding #1. Meetings should be specific to a limited number of topics to maximize retention of each meeting material<sup>15</sup>.

**1.c** The ADE CPO should implement review procedures to monitor pre-solicitation, post-solicitation, and post-award documents for their accuracy and completeness. Management review should specifically monitor the accurate and complete execution of all requirements identified on the checklist recommended in 1.a. Review of documents should emphasize verification that all required documentation is uploaded to the solicitation and contract files in ProcureAZ. The ADE CPO should review RFP evaluation criteria to ensure it is descriptive, listed in its relative order of importance, and is absent of any conflicting criteria found elsewhere in the solicitation. Until all training in 1.b is complete, CPO review of all documents is recommended. After training in 4.b is complete, it is recommended the CPO continue a spot-check review process (i.e. X% of personnel, or X% of solicitations, weekly/monthly).

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<sup>12</sup> Standard Procedure #006 (2011). Document Standards

<sup>13</sup> Technical Bulletin #020 (2015). ProcureAZ – The Official State eProcurement System – II Definition E.

<sup>14</sup> Procurement checklists and best practice (2015). Retrieved August 13, 2015 from: <http://www.nextenders.com/procurement-checklists-best-practice/>

<sup>15</sup> Adler, J., Petty, D., Randall, R. (n.d.). Public Procurement: Past, Present and Future. Retrieved August 14, 2015 from: [http://knowledgecenter.csg.org/kc/system/files/Adler\\_Article.pdf](http://knowledgecenter.csg.org/kc/system/files/Adler_Article.pdf)

## 2. Delegation of Procurement Authority

The Chief Procurement Officer (CPO) of a State Governmental Unit (Agency) is authorized to sub-delegate procurement authority based on personnel procurement training, experience, certifications held, and successful completion of ProcureAZ training modules<sup>16</sup>. Sub-delegation of procurement authority is limited to the Agency CPO's delegation, or less, and is given in writing to qualified personnel who have met the criteria of Technical Bulletin #002. Sub-delegation of procurement authority must be communicated to SPO within five working days of any change to delegation as well as annually on or before July 15<sup>th</sup>.

### Findings

The CPO has written sub-delegation letters of procurement authority to three individuals, with authority to conduct open-market solicitations of up to \$250,000. The CPO has procurement training records and Annual Procurement Disclosure Statements on file for each member of the Procurement Staff to substantiate eligibility for the delegated procurement authority commensurate to the individuals' position title and grade, with the exception of the ADE Conference Administrator (CA). The CA does not report to the CPO and has, historically, been responsible for conference event planning for amounts such as \$36,341 for Tempe Hospitality Ventures, \$86,607 for JQH Glendale AZ Development, and \$182,285 for El Conquistador LLC in 2014<sup>17</sup>.

The conferences, paid for by the collection of registration fees, include the cost of food, beverage, hotel rooms, conference rooms, and presentation material. However, the Arizona Procurement Code only provides for an exemption for registration fees for attendance to conferences, not the costs of hosting conferences. Incidentally, the State of Arizona has a statewide contract for "Meeting and Conference Planners" which appears may have possibly satisfied ADE's conference needs, or should at least have been addressed via an "Off Contract Determination." Lastly, the contracts for the conferences held by ADE were not competitively solicited in ProcureAZ as required. Consequently, there are no documents for public inspection available on the official file of record (ProcureAZ), and there has been little, or no, CPO oversight of ADE conference planning.

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<sup>16</sup> Certificate of Delegated Procurement Authority for Unlimited Agencies (2015). III. Authority to Sub-Delegate.

<sup>17</sup> General Accounting Office (2015). Arizona OpenBooks – Arizona's Official Transparency Web Site

## **Recommendations**

**2.a** The CPO should revise letters of sub-delegation to procurement personnel, adding the limitation that amounts in excess of the small dollar purchase require approval from the ADE Procurement Office. The sub-delegation letters should also include language requiring delegated personnel to review existing statewide and set-aside contracts, and the submittal of off-contract determinations, where applicable. The expenditure of all public monies in ADE is ultimately the responsibility of the CPO, thus additional oversight is strongly recommended.

**2.b** The CPO should revise approval paths in ProcureAZ to direct requisitions in excess of the small dollar limit to either the CPO or a delegated member of the procurement staff.

**2.c** The CPO should hold a training session with managers of each ADE department to clarify the new approval paths. Training should also address the use of ProcureAZ as the official solicitation & contract file of record for the expenditure of all public monies<sup>18</sup>.

### **3. Procurement Policy & Procedures Manual**

A procurement policy and procedures manual is beneficial to establish guidelines and standards for the acquisition of products and services by ADES. A relevant, and up-to-date, manual fosters consistent procurement practice within ADES and serves as a basis for procurement control and oversight. As a best practice in public procurement, a purchasing policy and procedures manual should include, at a minimum, ADES-specific instructions that supplement the general instructions of the APC, SPO Technical Bulletins, and Standard Procedures. Moreover, the United States Sentencing Commission<sup>19</sup> recognizes the existence, and use, of organizational policies and procedures is the single greatest mitigating factor in determining organizational culpability for criminal misconduct.

## **Findings**

ADE has a procurement policy and procedures manual which provides direction to personnel on the acquisition of products and services. However, this manual is out-of-date.

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<sup>18</sup> Arizona Procurement Code (2015) - § 41-2501. Applicability

<sup>19</sup> United States Sentencing Commission (2013). Chapter Eight – Sentencing of Organizations. Retrieved August 13, 2015 from: <http://www.ussc.gov/guidelines-manual/2013/2013-8b21>

This manual does not provide guidance for current solicitation thresholds or the use of ProcureAZ. The manual also lacks direction on the use of statewide and set-aside contracts, disposition of surplus property, and contract administration procedures. According to office personnel the ADE procurement policies and procedures manual was, until recently, in process of being updated. For the advantage of new procurement personnel to ADE, the benefits of this procurement manual would be limited. Now that the agency procurement office is near full staff, it is highly recommended the manual be placed on a timeline for completion.

### **Recommendations**

**1.a.** It is the recommendation of the SPO Compliance Unit that ADE endeavors to finish updating its procurement policies and procedures manual as soon as possible. Revisions to the ADE procurement policies and procedures manual should not only reflect current state procurement policies, but also the specific practices of the procurement office at ADE. Revision to the manual should focus on maximizing the procurement office's effectiveness and efficiency in the acquisition of goods and services by providing a clear, workable, direction to both skilled and new procurement personnel.

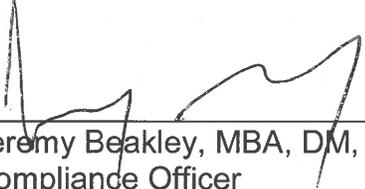
**STATE OF ARIZONA  
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CONCLUSION**

Through addressing three recommended areas of improvement, ADE will enhance its professional image and reduce the risk of non-compliance. The three key recommendations include:

- 1.) Contract Files – Provide staff training in processes to ensure proper documentation is loaded into the contract file and documented as required by APC, Standard Procedures, and Technical Bulletins.
- 2.) Complete the update of the ADE Procurement Policies and Procedures Manual and implement recommended additions addressed within this review.
- 3.) Delegated Procurement Authority should be revised to provide additional procurement office, and namely CPO, oversight of procurement actions taken by ADE.

Finally, it is recommended ADE management review all actionable recommendations contained within the worksheets herein. The State Procurement Office Compliance Unit requests the ADE CPO provide a written response to this PPR no later than **February 29, 2016**.

The State Procurement Office Compliance Unit would like to express our appreciation to ADE management and staff for their cooperation during the course of our review.

  
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Jeremy Beakley, MBA, DM, CCEP  
Compliance Officer

2/11/16  
\_\_\_\_\_  
Date

  
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Barbara Corella  
State Compliance Officer

2/11/16  
\_\_\_\_\_  
Date

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State Agency: Arizona Dept. of Education      State Agency Delegated Authority: \$ Unlimited

The following criteria were considered in the procurement performance review process in compliance with AZSPO Technical Bulletin No. 3, Procurement Compliance Reviews – Phase 2 (Organizational Chart, Purchasing Policy and Procedures Manual, List of Delegated Employees, & other documents as requested).

Item No.	Compliance Criteria					
1.0	Purchasing Organization	N/A	Yes	No	Requires Action	Comments
1.1	Does the procurement office have an accurate organizational chart that shows current employee designation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.2	Does the procurement office have a Chief Procurement Administrator (CPO) signed delegated procurement authority on file?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.3	Have procurement personnel completed necessary training applicable to delegated authority? (TB# 002)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Procurement Specialist has not completed training required of delegated procurement authority: ADSPO202 On/Off Contract Orders & ADSPO210 Receiving in ProcureAZ. Training transcripts not provided for ADE Conference Administrator with delegated procurement authority – however with \$250,000 delegated authority 4 classes are required per TB#002..
1.4	Are the employees listed on the organizational chart assigned full-time procurement and contracting duties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.5	Agency has well documented process for adding/deleting/modifying delegated authority in ProcureAZ.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Per staff interviews, multiple people hold administrative role and ability to add/delete/modify delegated authority in

						ProcureAZ. However, agency procurement policies and procedures do not formally outline internal routing and processing procedures.
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Item No.	Recommendations	Assigned to	Estimated Completion
1.3	Procurement Specialist & Conference Administrator must complete training per SPO TB#002 commensurate to their delegated procurement authority, job title, and grade.	CPO; Proc Specialist; Conference Admin.	90 Days

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Item No.	Compliance Criteria					
2.0	Purchasing Policies and Procedures Manual	N/A	Yes	No	Requires Action	Comments
2.1	Does the agency have a purchasing policies and procedures manual and/or solicitation checklist?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2	Is the agency's purchasing policies and procedures manual current and in compliance with the AZ Procurement Code (APC), applicable executive orders and SPO Technical Bulletins (TB)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 2.3.7
2.3	<b>Does the agency's manual provide comprehensive instructions on the following?</b>					
2.3.1	Description of the purchasing cycle	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.3.2	Roles and delegation assignments of procurement personnel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.3.3	Agency-specific instructions on how to process purchase requisitions and purchase orders	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.3.3.1	Instructions on how to process purchase orders and contract releases issued in ProcureAZ.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Procurement Policy and Procedures should provide guidance on use of ProcureAZ – referencing SPO TBs & SPs if necessary.
2.3.4	Instructions on how to use the agency's procurement system	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See 2.3.3.1
2.3.5	Instructions on how to prepare specifications and scopes of work	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.3.6	Instructions on how to process sole source, limited competition, and emergency procurements (Unlimited w/in authority; Limited to SPO)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Manual needs to be updated to include agency instructions for processing limited competition requisitions. Agency does

						have a list of determinations for each type of limited competition, however does not include instructions for meeting requirements of each limited competition procurement per the APC.
2.3.7	Instructions on how to conduct solicitations, as applicable to agency delegated authority (e.g. IFB, RFP, RFQ)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Manual needs to be revised to reflect updated APC guidelines (i.e. procurement reform dollar thresholds & significant procurement role).
2.3.8	Instructions on contract administration and procurement file management	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See Section 8. Procurement policies and procedures manual should be revised to include agency guidance for contract administration and management.
2.3.9	Instructions on set-aside purchasing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agency procurement policies and procedures manual discusses sourcing methods, however is absent discussion of Set-Asides. Per staff interviews, there is some resistance to use set-asides from agency end-users. Emphasis for set-asides should be given in the agency policies and procedures manual which encourages the benefits of set-asides to the State of Arizona.
2.3.10	Instructions on submitting agency procurement reports (e.g. changes in delegated personnel, set-aside program, Compliance with AZ Legal Workers Act, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agency procurement policies and procedures manual should be revised to include agency-specific routing & processing of quarterly/annual/as-needed reports to SPO.
2.3.11	Instructions on how to process cooperative purchasing agreements (TB# 005)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agency procurement policies and procedures manual should be revised to include agency-specific

						routing & processing of cooperative purchasing requests/opportunities.
2.3.12	Instructions on how to use P-Cards	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.3.13	Instructions on how to dispose of agency surplus property	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agency procurement policies and procedures manual should be revised to include agency-specific instructions for the disposal of agency surplus property.
2.3.14	Procurement ethics (TB# 001)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agency procurement policies and procedures manual should be revised to include a section governing procurement ethics and the guiding principles outlined in SPO TB#001.
2.4	Are employees complying with the agency's established purchasing policies and procedures manual?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Manual is out of date and lacking many sections which would make agency compliance to the manual efficient and effective.

Item No.	Recommendations	Assigned to	Estimated Completion
2.2	Procurement Policy and Procedure Manual should be amended to update, and incorporate, the sections identified above.	CPO	6 Months

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Item No.	Compliance Criteria					
3.0	Agency Reporting Requirements	N/A	Yes	No	Requires Action	Comments
3.1	Is annual list of all agency delegated procurement personnel current and accurate? (SPO TB #002)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.2	Were agency procurement personnel delegation changes reported within five working days to SPO? (See agency delegation agreement)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See 1.3
3.3	Are all agency requisitions, purchase orders, receipts, formal and informal solicitations and contract administration conducted on ProcureAZ? (See agency delegated authority)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Conferences, including registration fees, food, beverage, hotel rooms, and conference rooms have been scheduled by ADE outside of authority &amp; APC guidelines.</p> <p><b>Openbooks identifies:</b></p> <p><b>EI Conquistador MAH II LLC for \$182,284 in 2014;</b></p> <p><b>JQH – Glendale AZ for \$86,607 in 2014;</b></p> <p><b>Tempe Hospitality Ventures \$36,341 in 2014.</b></p> <p>Money receipted by ADE for attendee registration to events, and redistributed to pay for event. Money held in ADE account prior to distribution. Only APC exemption is to registration for events – not ancillary costs of rooms, food, and</p>

						<p>beverage.</p> <p>Arizona Statewide “Meeting and Conference Planners” contracts in place may have covered this need. However, contracts given to hotels outside of competition/ statewide contract via process <u>not</u> held in ProcureAZ.</p> <p>ADE Conference Administrator sub-delegation of authority specifies requirement to adhere “all directives and policies issued by... The Arizona Procurement Code and the Arizona Administrative Code.”</p>
3.3.1	Are state most current PDS signed for all \$10K+ open market requisitions? State’s most current Purchase Order T&C’s in file?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Sampling of 15 Direct Open Market Releases in ProcureAZ, between \$10k - \$100k, between January ’15 – January ’16, resulted in zero files with Procurement Disclosure Statements attached to official file of record.</p>
3.4	Are quarterly sole source, emergency, and competition impracticable procurement reports to SPO timely and accurate [if applicable – see Delegated Procurement Authority]? (ARS §41-2536, §41-2537, SPO TB #041)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.5	Are procurement protests, claims, decisions and agency reports submitted to SPO within five days of receipt or completion? (See agency delegation on administrative actions)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Last protest July 2012
3.5.1	Does agency CPO make written determination to either proceed with award or stay all, or part, of the procurement – providing copies of	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	determination to SPO & interested parties? (R2-7-A902)					
3.5.2	If a stay was issued, did Director dismiss the stay either to protect the substantial interest of the state, if the appeal did not state a valid basis for the protest, if the appeal was untimely, or if the appeal attempted to raise issues not raised in the protest?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.6	Is the agency endeavoring to set aside one percent of new purchases to set-aside contractors? (ARS §41-2636 and SPO TB #004)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Staff interviews indicate a reluctance by agency end-users to use set-asides (i.e. landscaping).
3.7	Is agency verifying employment records of contractors and subcontractors, as per randomly selected by SPO? (ARS §41-4401, Executive Order 2005-30, & SPO SP #001)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Per SPO FY15Q4 & FY15Q2 e-verify log – per interviews agency Administrative Assistant responsible.

Item No.	Recommendations	Assigned to	Estimated Completion
3.3	Per the Arizona Procurement Code, the APC “applies to every expenditure of public monies,” with the exception of “conference registrations.” Comingled funds receipted into ADE accounts, for both registration <u>and</u> ancillary conference expenses, are effectively public monies which should be treated with the care of the APC via competitive bidding. It is highly recommended the ADE CPO supervise and approve all solicitations processed by the ADE Conference Administrator to ensure strict compliance to the competitive solicitation requirements.	CPO	Immediately & Ongoing
3.3.1	Procurement Disclosure Statements for all open-market requisitions >\$10,000 should be uploaded to the official solicitation file of record, in conjunction with the requisition which is either submitted via ProcureAZ or in writing in a manner specifically approved by the agency CPO.	CPO	Ongoing
3.6	As addressed in Section 2, Agency should revise Procurement Policies and Procedures Manual to emphasize use, and importance, of Arizona Set Asides. Additionally, the CPO should develop outreach to agency end-users to educate on the importance of endeavoring to meet the legislative mandate of at least 1% of agency spend toward Arizona Set Aside non-profits per § 41-2636.	CPO	90 Days & Ongoing

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Item No.	Compliance Criteria					Requires Action	Comments
4.0	Procurement Personnel Training and Delegation	N/A	Yes	No			
4.1	Does the agency provide in-house procurement training and mentoring programs for newly-hired procurement personnel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	One-on-One / Coaching
4.2	Do procurement personnel undergo procurement training to enhance proficiency and professional status of procurement? (TB# 001 & TB# 002)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	All personnel encouraged by ADE management to attend NIGP
4.3	Are agency procurement managers certified by a public procurement organization (NIGP, ISM, etc) (TB# 001 & TB# 002)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Procurement manager not yet NIGP certified
4.4	Is agency procurement staff certified by a public procurement organization (NIGP, ISM, etc) (TB# 001 & TB# 002)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
4.5	Are the agency's delegated procurement personnel taking the required (10) hours of procurement training each year? (Unl Delegated Procurement Authority)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
4.6	Did the agency CPO sub-delegate procurement authority to agency procurement personnel in writing? (R2-7-203)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
4.7	Do agency sub-delegations include specific activities, functions, and limitations? (TB #002; Delegated Procurement Authority)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	See 3.3. Authority to Conference Administrator appears to leave little to no CPO oversight.
4.7.1	Are staff delegated amounts in line with duties and title? (TB #002; Delegated Procurement Authority)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	ADE Conference Planner delegated authority, without CPO oversight, and without evidence of completion of procurement training, presents a risk exposure to the agency of

						compliance to the APC.
4.8	Were procurement personnel adequately trained prior to being granted procurement delegation by the agency CPO? (TB# 002; Delegated Procurement Authority)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See 1.2; 4.7.1

Item No.	Recommendations	Assigned to	Estimated Completion
4.7 4.7.1 4.8	\$250,000 delegated authority to personnel not in CPO chain of supervision, without evidence of completion of required procurement training, and conducting solicitations outside of ProcureAZ is a significant concern to the SPO Compliance Unit. CPO direct oversight is strongly recommended. Delegated authority is granted by the CPO, and ultimately is the responsibility of the CPO for compliance to all APC, TB's, and SPs.	CPO	Immediately; Ongoing

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Item No.	Compliance Criteria					
5.0	Procurement Internal Controls	N/A	Yes	No	Requires Action	Comments
5.1	Does the agency provide procurement staff ethics training as outlined by SPO TB #001?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Although ethics training is described as a part of new-hire orientation conducted annually, such ethics guidelines should also be included in the agency procurement policies and procedures (see Section 2.0)
5.2	Does the agency have a procedure or policy for dealing with unethical behavior?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.3	Are any of the agency's procurement personnel or staff employed in secondary work that potentially conflicts with their ability to perform their procurement function, as must be disclosed per HR Conditions of Employment R2-5A-503? (SPO TB #001)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5.4	Does the agency have internal systems of control to guard against employee or public officer purchase of materials or services for their own personal, or business, use from contracts entered into by the state? (R2-7-204)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.5	Does agency have on file Annual Procurement Disclosure Statements for all employees, whose regular responsibilities include: Soliciting quotes greater than \$10,000 for the provision of materials, services, or construction; Issuing open market purchase orders with department buyer or basic purchasing roles in ProcureAZ; and, making decisions on protests or appeals by a party regarding an agency procurement selection or decision? (SPO SP #003).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	An Annual Procurement Disclosure Statement is not on file for the ADE Conference Administrator, for whom delegated procurement authority has been granted up to \$250,000.
5.5.1	Has agency director waived Annual Procurement Disclosure Statements for	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

	any employees?					
5.6	Are responsibilities divided between different employees so one individual does not control all aspects of procurement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.7	Upon receipt of a submission, and CPO written determination, is the procurement office adequately safeguarding confidential information? (R2-7-103)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.8	Are contract files kept safe from tampering by unauthorized personnel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.9	Are there procedures in place to safeguard contract files during file reviews or when the public accesses the agency's procurement records?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.10	Does the agency routinely check statewide contracts and state set-asides prior to issuing an open-market requisition (Delegated Procurement Authority & SPO TB# 004)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See Section 3.3 & 3.6
5.10.1	Does the agency use the State's most current Off-Contract Determination request form if not using Statewide contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Contracts awarded to hotel conference centers, not on statewide meeting & conference planners contract, are not conducted on ProcureAZ. No documentation available to review on the official procurement file of record.
5.11	Does the office regularly monitor agency P-card purchases? (SPO TB #040)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.12	Does the agency maintain adequate contract records to facilitate auditing by the State? (ARS §41-2548)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Staff indicate much documentation is also retained in hard copy files. Conferences contracted outside of ProcureAZ are not available for review.
5.13	Does the agency make available the SPO Compliance Hotline-anonymous/confidential reporting compliance and ethics email address promoting a workplace environment free from retaliation (ARS §38-532)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.14	Other than ADOA's state financial system, does the agency have any other	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

	system of collecting financial data?					
5.15	Does the agency's internal audit conduct regular audits on procurement transactions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.16	Were any finance or purchasing-related audits or reviews conducted on the agency within the past two years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.17	Did agency management comply with the recommendations and corrective actions in the audit report listed in 5.16?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.18	<b>Cooperative Contracts (Effective 05/22/2015)</b>					
5.18.1	Purchase from cooperative contract (Piggyback) approved by agency CPO, with written determination the use of the contract is in best interest of the State per TB# 005	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.18.2	Piggyback Cooperative was originally awarded via full and open competition per TB#005	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.18.3	Uploaded to ProcureAZ: a. Bidder's list, b. Solicitation included evaluation factors, c. Multiple offers received, d. Bid tabulation and evaluation offers, and e. Basis for cooperative contract award with established evaluation factors.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.18.4	Uploaded to ProcureAZ: a. Cost analysis to determine price is fair and reasonable b. Cooperative contract terms and conditions c. Vendor's willingness to extend cooperative contract to the state.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.18.5	Purchases from cooperative contracts are lesser of 25% of original contract or \$500k? (R2-7-1003D)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.18.6	Office verifies if State Contract already exists? (R2-7-1003A)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5.18.7	Purchases orders use special purchase type "Piggyback" on General Tab (TB#005)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
5.5	Personnel with delegated procurement authority in excess of \$10,000 who routinely submit open-market requisitions should have an Annual Procurement	CPO; ADE Conference Administrator	30 Days; Ongoing

	Disclosure Statement on file. CPO should require this documentation in conjunction with all delegations of procurement authority.		
5.10 5.10.1	Open-Market requisitions in excess of \$10,000 should include approval paths through the ADE Procurement Office to validate Statewide contracts and set-asides are available, used, or excused via off-contract determinations.	CPO	Immediately; Ongoing
5.12	ProcureAZ is recognized by the State as the official e-procurement system and contract file of record. The ADE CPO should administer a post-solicitation/award contract file review to validate 100% of documentation is uploaded to ProcureAZ, with the records per SP#006 reflected as publically accessible documents.	CPO; staff	Immediately; Ongoing.

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PROCUREMENT PERFORMANCE REVIEW**

The following criteria were considered in the procurement performance review process in compliance with AZSPO Technical Bulletin No. 3, Procurement Compliance Reviews – Phase 3 (Representative Samples of IFB’s, RFP’s and RFQ’s, Sole Source, Competition Impracticable, Emergency). “Stop & Go” review used – reviewing greater of 10, or 10% of prior year contract files.

**The following criteria is used for each representative solicitation or contract.**

Item No.	Compliance Criteria			
<b>6.0</b>	<b>Contracts</b>			

<b>Request for Quotation (RFQ)</b>	
<b>Solicitation or Contract Number:</b>	<b>ADE14-077357</b>
<b>Contract Title or Description:</b>	<b>GBC/Acco Maintenance</b>
<b>Contract Estimated Amount:</b>	<b>&lt;\$100k</b>
<b>Name of Procurement Officer:</b>	<b>Lisa Welborn</b>

6.1A	Request for Quotations (RFQ)	N/A	Yes	No	Requires Action	Comments
6.1.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ)/Email/Other)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.4	Is there any evidence that this was artificially divided or fragmented so as to circumvent this section? (ARS §41-2535.C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.5	Does the RFQ include a statement that only a small business as defined in R2-7-101, shall be awarded a contract? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Statement was crossed out, and initialed, by offeror.
6.1.5.1	If RFQ was not awarded to a small business, is there a determination in file	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Offeror is non-small business – no determination in file to

	that less than three small businesses are registered, or that restricting procurement to small business is not practical under the circumstances (R2-7-D302)					award to non-small business.
6.1.6	<b>Does the RFQ include the following (R2-7-D302.A):</b>					
6.1.6.1	Offer submission requirements, including offer due date and time, where offers will be received, and offer acceptance period	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.2	Any purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RFQ specifies a brand name type specification. However, procurement file lacks state procurement administrator determination to do a brand name type specification.  Additionally, the contract solicitation title does not indicate the solicitation was a brand name "type," but rather suggests brand name only. Only within Item Q of Special Instructions is "type" specified. Would-be offerors may be dissuaded by title.
6.1.6.3	The minimum information that the offer shall contain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4	Any evaluation factors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.6.5	Whether negotiations may be held	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.6	The uniform terms and conditions by text or reference	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.7	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.7	Was the RFQ distributed to a minimum	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	However only offer received was from non-

	of three small businesses? (R2-7-D302)					small business, for whom the name brand was specified (see 6.1.6.2)
6.1.8	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No Procurement Disclosure Statements in file for State employees with a significant procurement role (requisitioning employee?)
6.1.8.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Solicitation not listed on Significant Procurement Activity list on SPO Website.
6.1.9	Is there a written basis for the award on file? (R2-7-D304)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Only one responsive offer received, however no CPO determination in file stating the price is fair and reasonable, and in the best interest of the State.
6.1.10	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Signed Offer & Acceptance Form from offeror not counter-signed by procurement officer.
6.1.10.1	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
6.1.11	<b>ProcureAZ</b>					
6.1.11.1	Is total spend limit locked in Control Tab?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.11.2	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12	<b>Contract Administration</b>					
6.1.12.1	Are contract files and records complete and available for public inspection w/in 3	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	days of award? –note “persons with disabilities” (ARS §41-2533; SP#006)					
6.1.12.2	Is there a valid and current Certificate of Insurance on file (if applicable)? (ARS §41-2573)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Contract file does not contain a copy of an unexpired certificate of insurance.
6.1.12.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.4	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Documents uploaded to ProcureAZ do not match the naming conventions of SPO SP#006 (i.e. “Contract Document”)
6.1.12.5	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (> 5 years)? (R2-7-605.A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
6.1.5 6.1.5.1	When an RFQ is to not be restricted to small businesses, the CPO must make a written determination that either the solicitation was first unsuccessfully competed to small businesses, that fewer than 3 small businesses were registered on the prospective bidder list, or that restricting the procurement to small businesses was not practical under the circumstances. If this determination was already made, then it should be uploaded to the official contract file of record.	CPO	30 days; Ongoing
6.1.6.2	Brand name specifications require State Procurement Administrator prior written approval in the official contract file of record.  Additionally, the solicitation title should be written such that rather than only the brand name, the state is soliciting quotes for the brand name <u>or equivalent</u> . Doing so will reduce vendor self-disqualification if the vendor does not offer <u>precisely</u> the brand name itself.	CPO	Ongoing
6.1.8	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?)	CPO; staff	Ongoing
6.1.8.1	The CPO should notify the SPO ProcureAZ Help Desk of	CPO; staff	Ongoing

	significant procurement activity to be listed to the SPO Website with the name of the agency, CPO name, solicitation title, date of first PDS signed, and date of first delivery (when it becomes available).		
6.1.9	Written determinations reflect the due diligence of the procurement office to follow the procedures of the Arizona Procurement Code. Written determinations must be placed in the official contract file of record for public inspection.	CPO; staff	Ongoing
6.1.10	Offer & Acceptance form must be both signed by the offeror, and counter-signed by the procurement officer upon award, and uploaded to the official contract file of record for public inspection.	CPO; staff	Ongoing
6.1.12.2	Procurement office should verify a copy of the vendor's certificate of insurance, listing the State as additional insured, is in the official contract file of record prior to commencement of any contract work. This certificate should be replaced annually upon certificate expiration and contract renewal.	CPO; staff	30 days; Ongoing

<b>Request for Quotation (RFQ)</b>	
<b>Solicitation or Contract Number:</b>	<b>ADE15-088878</b>
<b>Contract Title or Description:</b>	<b>Digital Storytelling Institute</b>
<b>Contract Estimated Amount:</b>	<b>&lt;\$100k</b>
<b>Name of Procurement Officer:</b>	<b>Justin Schmitz</b>

<b>6.1B</b>	<b>Request for Quotations (RFQ)</b>	<b>N/A</b>	<b>Yes</b>	<b>No</b>	<b>Requires Action</b>	<b>Comments</b>
6.1.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ) /Email/Other)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.4	Is there any evidence that this was artificially divided or fragmented so as to circumvent this section? (ARS §41-2535.C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.5	Does the RFQ include a statement that only a small business as defined in R2-7-101, shall be awarded a contract? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Offeror's narrative response describes company as "small business." However, vendor is not registered in ProcureAZ as small business as defined by R2-7-101 – only "women owned."</p> <p>Offeror's signed Offer &amp; Acceptance Letter does not indicate if small/not-small business.</p>
6.1.5.1	If RFQ was not awarded to a small business, is there a determination in file that less than three small businesses are registered, or that restricting procurement to small business is not practical under the circumstances (R2-7-D302)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	RFQ was not restricted to small businesses. Contract file does not contain CPO determination to not restrict solicitation to small businesses.
6.1.6	<b>Does the RFQ include the following (R2-7-D302.A):</b>					

6.1.6.1	Offer submission requirements, including offer due date and time, where offers will be received, and offer acceptance period	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.2	Any purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.3	The minimum information that the offer shall contain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4	Any evaluation factors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See 6.1.8
6.1.6.5	Whether negotiations may be held	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.6	The uniform terms and conditions by text or reference	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.7	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.7	Was the RFQ distributed to a minimum of three small businesses? (R2-7-D302)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RFQ was not distributed to any small businesses – no determination in file to solicit non-small business offers
6.1.8	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4 evaluation committee members – unclear if state employee or not. However, contract file does not contain either Procurement Disclosure Statements or Conflict of Interest Disclosures. No PDS in file for requisitioning employee.
6.1.8.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Solicitation not listed on Significant Procurement Activity list on SPO Website.
6.1.9	Is there a written basis for the award on file? (R2-7-D304)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Only one responsive offer received, however no CPO determination in file stating the price is fair and reasonable, and in the best interest of the

						State.
6.1.10	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.10.1	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11	<b>ProcureAZ</b>					
6.1.11.1	Is total spend limit locked in Control Tab?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11.2	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12	<b>Contract Administration</b>					
6.1.12.1	Are contract files and records complete and available for public inspection w/in 3 days of award? –note “persons with disabilities” (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contract file documents not loaded to ProcureAZ until 20 days after date of award.
6.1.12.2	Is there a valid and current Certificate of Insurance on file (if applicable)? (ARS §41-2573)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contract file does not contain a non-expired certificate of insurance listing the State as additional insured.
6.1.12.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.4	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.5	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (> 5 years)? (R2-7-605.A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
6.1.5	When an RFQ is to not be restricted to small	CPO	30 days;

6.1.5.1 6.1.7	businesses, the CPO must make a written determination that either the solicitation was first unsuccessfully competed to small businesses, that fewer than 3 small businesses were registered on the prospective bidder list, or that restricting the procurement to small businesses was not practical under the circumstances. If this determination was already made, then it should be uploaded to the official contract file of record.		Ongoing
6.1.8	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?)	CPO; staff	Ongoing
6.1.8.1	The CPO should notify the SPO ProcureAZ Help Desk of significant procurement activity to be listed to the SPO Website with the name of the agency, CPO name, solicitation title, date of first PDS signed, and date of first delivery (when it becomes available).	CPO; staff	Ongoing
6.1.9	Written determinations reflect the due diligence of the procurement office to follow the procedures of the Arizona Procurement Code. Written determinations must be placed in the official contract file of record for public inspection.	CPO; staff	Ongoing
6.1.12.1	Contract documents should be loaded to ProcureAZ no later than 3 days following contract award.	CPO; staff	Ongoing
6.1.12.2	Procurement office should verify a copy of the vendor's certificate of insurance, listing the State as additional insured, is in the official contract file of record prior to commencement of any contract work. This certificate should be replaced annually upon certificate expiration and contract renewal.	CPO; staff	30 days; Ongoing

Request for Quotation (RFQ)	
Solicitation or Contract Number:	ADE15-092237
Contract Title or Description:	Multi-Tier Behavioral Support
Contract Estimated Amount:	<\$100k
Name of Procurement Officer:	Kimberly Grantham

6.1C	Request for Quotations (RFQ)	N/A	Yes	No	Requires Action	Comments
6.1.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ) /Email/Other)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.4	Is there any evidence that this was artificially divided or fragmented so as to circumvent this section? (ARS §41-2535.C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.5	Does the RFQ include a statement that only a small business as defined in R2-7-101, shall be awarded a contract? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.5.1	If RFQ was not awarded to a small business, is there a determination in file that less than three small businesses are registered, or that restricting procurement to small business is not practical under the circumstances (R2-7-D302)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	It should be noted, however, that the RFQ was distributed to 3 vendors, of which only 2 are listed as small business in ProcureAZ (3 <sup>rd</sup> – CREC, is not small business). Contract file does not contain determination that competition is not practicable (3 small business) but that the purchase would be made with as much competition as is practicable given the circumstances (2 small businesses).

6.1.6	<b>Does the RFQ include the following (R2-7-D302.A):</b>					
6.1.6.1	Offer submission requirements, including offer due date and time, where offers will be received, and offer acceptance period	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.2	Any purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.3	The minimum information that the offer shall contain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4	Any evaluation factors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Award determination references consensus committee, however names not listed – no evaluation report. Unclear if general conflict of interest disclosure should be in file for non-state employees, or Procurement Disclosure Statement for State employees (see 6.1.8)
6.1.6.5	Whether negotiations may be held	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.6	The uniform terms and conditions by text or reference	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.7	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.7	Was the RFQ distributed to a minimum of three small businesses? (R2-7-D302)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 6.1.5.1
6.1.8	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No Procurement Disclosure Statements in file for State employees with a significant procurement role (requisitioning employee? Evaluators?)
6.1.8.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Significant procurement activity not listed on SPO Website.

6.1.9	Is there a written basis for the award on file? (R2-7-D304)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.10	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.10.1	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11	<b>ProcureAZ</b>					
6.1.11.1	Is total spend limit locked in Control Tab?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11.2	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12	<b>Contract Administration</b>					
6.1.12.1	Are contract files and records complete and available for public inspection w/in 3 days of award? –note “persons with disabilities” (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.2	Is there a valid and current Certificate of Insurance on file (if applicable)? (ARS §41-2573)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contract file does not contain a non-expired certificate of insurance listing the State as additional insured.
6.1.12.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.4	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.5	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (> 5 years)? (R2-7-605.A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.				Estimated
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	<b>Recommendations</b>	<b>Assigned to</b>	<b>Completion</b>
6.1.5.1 6.1.7	When an RFQ is to not be restricted to small businesses, the CPO must make a written determination that either the solicitation was first unsuccessfully competed to small businesses, that fewer than 3 small businesses were registered on the prospective bidder list, or that restricting the procurement to small businesses was not practical under the circumstances. If this determination was already made, then it should be uploaded to the official contract file of record.	CPO	30 days; Ongoing
6.1.6.4.1 6.1.8	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?).  General Conflict of Interest Disclosure for non-state employees should be uploaded to the contract file (consensus committee members?).	CPO; staff	Ongoing
6.1.8.1	The CPO should notify the SPO ProcureAZ Help Desk of significant procurement activity to be listed to the SPO Website with the name of the agency, CPO name, solicitation title, date of first PDS signed, and date of first delivery (when it becomes available).	CPO; staff	Ongoing
6.1.12.2	Procurement office should verify a copy of the vendor's certificate of insurance, listing the State as additional insured, is in the official contract file of record prior to commencement of any contract work. This certificate should be replaced annually upon certificate expiration and contract renewal.	CPO; staff	30 days; Ongoing

Request for Quotation (RFQ)	
Solicitation or Contract Number:	ADE15-097496
Contract Title or Description:	Test Security Audit
Contract Estimated Amount:	<\$100k
Name of Procurement Officer:	Kimberly Grantham

6.1D	Request for Quotations (RFQ)	N/A	Yes	No	Requires Action	Comments
6.1.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ) /Email/Other)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.4	Is there any evidence that this was artificially divided or fragmented so as to circumvent this section? (ARS §41-2535.C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.5	Does the RFQ include a statement that only a small business as defined in R2-7-101, shall be awarded a contract? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.5.1	If RFQ was not awarded to a small business, is there a determination in file that less than three small businesses are registered, or that restricting procurement to small business is not practical under the circumstances (R2-7-D302)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Solicitation was not restricted to small businesses. No determination in file restricting to small business was impracticable. Award was given to non-small business.
6.1.6	<b>Does the RFQ include the following (R2-7-D302.A):</b>					
6.1.6.1	Offer submission requirements, including offer due date and time, where offers will be received, and offer acceptance period	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.2	Any purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6.1.6.3	The minimum information that the offer shall contain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4	Any evaluation factors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Award determination references consensus committee, however names not listed – no evaluation report. Unclear if general conflict of interest disclosure should be in file for non-state employees, or Procurement Disclosure Statement for State employees (see 6.1.8)
6.1.6.5	Whether negotiations may be held	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.6	The uniform terms and conditions by text or reference	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.7	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.7	Was the RFQ distributed to a minimum of three small businesses? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	However was not <u>restricted</u> to small business.
6.1.8	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No Procurement Disclosure Statements in file for State employees with a significant procurement role (requisitioning employee? Evaluators?)
6.1.8.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Significant Procurement Activity not listed on SPO Website.
6.1.9	Is there a written basis for the award on file? (R2-7-D304)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.10	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))					
6.1.10.1	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11	<b>ProcureAZ</b>					
6.1.11.1	Is total spend limit locked in Control Tab?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11.2	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12	<b>Contract Administration</b>					
6.1.12.1	Are contract files and records complete and available for public inspection w/in 3 days of award? –note “persons with disabilities” (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.2	Is there a valid and current Certificate of Insurance on file (if applicable)? (ARS §41-2573)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Contract file does not contain a non-expired certificate of insurance listing the State as additional insured.
6.1.12.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.4	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.5	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (> 5 years)? (R2-7-605.A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
6.1.5.1 6.1.7	When an RFQ is to not be restricted to small businesses, the CPO must make a written determination that either the solicitation was first unsuccessfully competed to small businesses, that fewer than 3 small businesses were registered on the prospective bidder list, or that restricting the procurement to small businesses was not practical under the circumstances.	CPO	30 days; Ongoing

	If this determination was already made, then it should be uploaded to the official contract file of record.		
6.1.6.4.1 6.1.8	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?).  General Conflict of Interest Disclosure for non-state employees should be uploaded to the contract file (consensus committee members?).	CPO; staff	Ongoing
6.1.8.1	The CPO should notify the SPO ProcureAZ Help Desk of significant procurement activity to be listed to the SPO Website with the name of the agency, CPO name, solicitation title, date of first PDS signed, and date of first delivery (when it becomes available).	CPO; staff	Ongoing
6.1.12.2	Procurement office should verify a copy of the vendor's certificate of insurance, listing the State as additional insured, is in the official contract file of record prior to commencement of any contract work. This certificate should be replaced annually upon certificate expiration and contract renewal.	CPO; staff	30 days; Ongoing

Request for Quotation (RFQ)	
Solicitation or Contract Number:	ADE16-103068
Contract Title or Description:	RFQ for Meeting Planner Contract
Contract Estimated Amount:	<\$100k
Name of Procurement Officer:	Steven Paulson

6.1E	Request for Quotations (RFQ)	N/A	Yes	No	Requires Action	Comments
6.1.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ) /Email/Other)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.4	Is there any evidence that this was artificially divided or fragmented so as to circumvent this section? (ARS §41-2535.C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.5	Does the RFQ include a statement that only a small business as defined in R2-7-101, shall be awarded a contract? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.5.1	If RFQ was not awarded to a small business, is there a determination in file that less than three small businesses are registered, or that restricting procurement to small business is not practical under the circumstances (R2-7-D302)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Contract file does not contain determination to award to a non-small business due to restricting to small business being impracticable.
6.1.6	<b>Does the RFQ include the following (R2-7-D302.A):</b>					
6.1.6.1	Offer submission requirements, including offer due date and time, where offers will be received, and offer acceptance period	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.2	Any purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.3	The minimum information that the offer shall contain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6.1.6.4	Any evaluation factors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Non-State employee evaluators? Alternatively – See 6.1.8
6.1.6.5	Whether negotiations may be held	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.6	The uniform terms and conditions by text or reference	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.7	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.7	Was the RFQ distributed to a minimum of three small businesses? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	However solicitation was not <u>restricted</u> to small business.
6.1.8	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Procurement Disclosure Statements in file for State employees with a significant procurement role (requisitioning employee? Evaluators?)
6.1.8.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Significant Procurement Activity not listed on SPO Website.
6.1.9	Is there a written basis for the award on file? (R2-7-D304)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.10	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.10.1	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11	<b>ProcureAZ</b>					

6.1.11.1	Is total spend limit locked in Control Tab?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.11.2	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.1.12</b>	<b>Contract Administration</b>					
6.1.12.1	Are contract files and records complete and available for public inspection w/in 3 days of award? –note “persons with disabilities” (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Originally ADE16-102564, uploaded within 1 day – however accidentally loaded as Open Market PO in lieu of Blanket PO (this file later loaded 4 days after closing).
6.1.12.2	Is there a valid and current Certificate of Insurance on file (if applicable)? (ARS §41-2573)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.4	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.5	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (> 5 years)? (R2-7-605.A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
6.1.5.1 6.1.7	When an RFQ is to not be restricted to small businesses, the CPO must make a written determination that either the solicitation was first unsuccessfully competed to small businesses, that fewer than 3 small businesses were registered on the prospective bidder list, or that restricting the procurement to small businesses was not practical under the circumstances. If this determination was already made, then it should be uploaded to the official contract file of record.	CPO	30 days; Ongoing
6.1.6.4.1 6.1.8	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?).  General Conflict of Interest Disclosure for non-state	CPO; staff	Ongoing

	employees should be uploaded to the contract file (consensus committee members?).		
6.1.8.1	The CPO should notify the SPO ProcureAZ Help Desk of significant procurement activity to be listed to the SPO Website with the name of the agency, CPO name, solicitation title, date of first PDS signed, and date of first delivery (when it becomes available).	CPO; staff	Ongoing

<b>Request for Quotation (RFQ)</b>	
<b>Solicitation or Contract Number:</b>	<b>ADE16-113056</b>
<b>Contract Title or Description:</b>	<b>RFQ – SOC Report</b>
<b>Contract Estimated Amount:</b>	<b>&lt;\$100k</b>
<b>Name of Procurement Officer:</b>	<b>Steven Paulson</b>

<b>6.1F</b>	<b>Request for Quotations (RFQ)</b>	<b>N/A</b>	<b>Yes</b>	<b>No</b>	<b>Requires Action</b>	<b>Comments</b>
6.1.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ)/Email/Other)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.4	Is there any evidence that this was artificially divided or fragmented so as to circumvent this section? (ARS §41-2535.C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.5	Does the RFQ include a statement that only a small business as defined in R2-7-101, shall be awarded a contract? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.5.1	If RFQ was not awarded to a small business, is there a determination in file that less than three small businesses are registered, or that restricting procurement to small business is not practical under the circumstances (R2-7-D302)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6	<b>Does the RFQ include the following (R2-7-D302.A):</b>					
6.1.6.1	Offer submission requirements, including offer due date and time, where offers will be received, and offer acceptance period	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.2	Any purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.3	The minimum information that the offer shall contain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6.1.6.4	Any evaluation factors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.4.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Award Determination references agreement with the evaluation committee – however documents do not list who committee was – no evaluation report. It is unclear if general conflict of interest disclosures should be in file (non-state employees) or Procurement Disclosure Statements (State employees) – see 6.1.8
6.1.6.5	Whether negotiations may be held	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.6	The uniform terms and conditions by text or reference	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.6.7	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.7	Was the RFQ distributed to a minimum of three small businesses? (R2-7-D302)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.8	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No Procurement Disclosure Statements in file for State employees with a significant procurement role (requisitioning employee?)
6.1.8.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Significant Procurement Activity not listed on SPO Website.
6.1.9	Is there a written basis for the award on file? (R2-7-D304)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.10	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	negotiations, clarifications, final evaluation report, award determinations, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))					
6.1.10.1	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.11	<b>ProcureAZ</b>					
6.1.11.1	Is total spend limit locked in Control Tab?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.1.11.2	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12	<b>Contract Administration</b>					
6.1.12.1	Are contract files and records complete and available for public inspection w/in 3 days of award? –note “persons with disabilities” (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.2	Is there a valid and current Certificate of Insurance on file (if applicable)? (ARS §41-2573)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contract file does not contain an up-to-date certificate of insurance.
6.1.12.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.4	Are documents named and uploADE to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.1.12.5	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (> 5 years)? (R2-7-605.A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
6.1.6.4.1 6.1.8	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?).  General Conflict of Interest Disclosure for non-state employees should be uploaded to the contract file (consensus committee members?).	CPO; staff	Ongoing
6.1.8.1	The CPO should notify the SPO ProcureAZ Help Desk	CPO; staff	Ongoing

	of significant procurement activity to be listed to the SPO Website with the name of the agency, CPO name, solicitation title, date of first PDS signed, and date of first delivery (when it becomes available).		
6.1.12.2	Procurement office should verify a copy of the vendor's certificate of insurance, listing the State as additional insured, is in the official contract file of record prior to commencement of any contract work. This certificate should be replaced annually upon certificate expiration and contract renewal.	CPO; staff	30 days; Ongoing

**STATE OF ARIZONA  
STATE PROCUREMENT OFFICE  
PROCUREMENT PERFORMANCE REVIEW**

The following criteria is used for each representative solicitation or contract.

Request for Proposals (RFP)	
Solicitation or Contract Number:	ADE16-104596
Contract Title or Description:	Learning Management System
Contract Estimated Amount:	>\$100k
Name of Procurement Officer:	Steven Paulson

6.3A	Request for Proposals (RFP)	N/A	Yes	No	Requires Action	Comments
6.3.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ) /Email/Other) (Req copy)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.3.3	Was this procurement performed by authorized procurement personnel within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.4	Was there adequate notice, a minimum of 14 days before bid opening, of the RFP in a newspaper? (Svcs only - excluding professional / construction) (ARS §41-2533.C, R2-7-B301)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	File of record does not contain evidence that the solicitation for a service was published in a newspaper of general circulation.
6.3.5	Are the evaluation factors set forth in the solicitation and listed in relative order of importance? (ARS §41-2534.E)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 6.3.13
6.3.6	Were the evaluation criteria fair and appropriate to the solicitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 6.3.13
6.3.7	Does the solicitation include Scope of Work/Specifications and the State's Uniform Terms and Conditions? (R2-7-C301)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.7.1	Are the Uniform Terms and Conditions the State's most current version that was available at the time of the solicitation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6.3.8	Does the solicitation include the State's most current version of Uniform instructions to offerors, including: (R2-7-C301.E.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.8.1	Specific responsibility or susceptibility criteria. (RFP – TB47 – Attachment 1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.8.2	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	5 member evaluation team – however no general conflict of interest disclosures in file.
6.3.8.3	Certification by the offeror that submission of the offer did not include collusion or other anticompetitive practices.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.9	Was the appropriate insurance module used in the solicitation? (ARS §41-621, ARS §41-901)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.10	Did the RFP generate a sufficient number of qualified offerors, and if not is there a written determination in file?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.11	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Requisition pre-PDS (determination post-PDS completed by CPO w/ APDS on file)
6.3.12	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.13	Were the offers evaluated based on the evaluation criteria contained in the RFP? (R2-7-C316)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Page 8 of solicitation states "Unit price prevails." However, page 21 lists evaluation criteria in relative order of importance (unit price 4 <sup>th</sup> most important).
6.3.13.1	Was a kick-off meeting with the evaluation committee held to review the plan, discuss the solicitation, and agree on a schedule? (Request sign-in)(SPO SP# 043)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6.3.13.2	Did each evaluation committee member review each offer independently? (SPO SP# 043).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.14	Was the contract awarded to the responsible offeror whose offer is determined to be most advantageous to the state based on the evaluation factors set forth in the RFP? (R2-7-C317)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Need to upload award determination to file (offline copy)
6.3.15	Is there a written determination explaining the basis for the award on file? (R2-7B314.B)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See 6.3.13 & 6.3.14
6.3.16	Were all offerors notified of the award? (R2-7-C317.D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.17	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, signed Offer & Acceptance and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See 6.3.13 & 6.3.14 – Note: Determinations requested from CPO 01/11/16 - (Note – award determination obtained from offline file).
6.3.17.1	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.17.2	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.17.3	Are the documents identified in 6.3.17 the State's most current version that was available at the time of the solicitation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.3.18</b>	<b>Contract Administration</b>					
6.3.18.1	Are contract files and records complete and available for public inspection within 3 days of award? –note “persons with disabilities” (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Note – award determination obtained from offline file – need to attach to electronic file (official file of record).
6.3.18.2	Is there a valid and current Certificate of Insurance on file, with amounts consistent with contract requirements? (ARS §41-2573)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contract file does not contain a non-expired certificate of insurance listing the State as additional insured.
						Files not uploaded to

6.3.18.3	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ProcureAZ matching the naming conventions required of SP#006 (i.e. ADE14-00003338 ADE LMS Solicitation – should have been “Solicitation Document.”)
6.3.18.4	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (>5 years)? (R2-7-605 paragraphs A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
6.3.4	Competitive solicitations for service should contain in official contract file of record evidence of the solicitation advertised in a newspaper of general circulation a minimum of 14 days prior to bid opening. A copy of this advertisement should be uploaded to the contract file.	CPO; Staff	30 Days; Ongoing
6.3.5 6.3.6 6.3.5.13	Solicitation special instructions should be carefully examined by the CPO prior to publication to ensure evaluation criteria is clearly, fairly, and written with consistency. Where evaluation criteria, listed in relative order of importance, is used to determine the most responsible offeror, the solicitation cannot elsewhere state the unit price will prevail.	CPO; staff	Ongoing
6.3.8.2	General Conflict of Interest Disclosure for non-state employees should be uploaded to the contract file (consensus committee members?).	CPO; staff	Ongoing
6.3.14 6.3.15 6.3.17 6.3.18.1	The CPO should upload the written determination declaring the responsible offeror whose offer was determined to be most advantageous to the state based on the evaluation factors set forth in the solicitation.	CPO	30 Days; Ongoing
6.3.18.2	Procurement office should verify a copy of the vendor's certificate of insurance, listing the State as additional insured, is in the official contract file of record prior to commencement of any contract work. This certificate should be replaced annually upon certificate expiration and contract renewal.	CPO; staff	30 days; Ongoing

Request for Proposals (RFP)	
Solicitation or Contract Number:	ADE16-118888
Contract Title or Description:	NCSC RFP
Contract Estimated Amount:	>\$100k
Name of Procurement Officer:	Steven Paulson

6.3B	Request for Proposals (RFP)	N/A	Yes	No	Requires Action	Comments
6.3.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ) /Email/Other) (Req copy)? (R2-7-205)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.2	Should a set-aside or statewide contract been considered/used?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6.3.3	Was this procurement performed by authorized procurement personnel within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.4	Was there adequate notice, a minimum of 14 days before bid opening, of the RFP in a newspaper? (Svcs only - excluding professional / construction) (ARS §41-2533.C, R2-7-B301)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	File of record does not contain evidence that the solicitation for a service was published in a newspaper of general circulation.
6.3.5	Are the evaluation factors set forth in the solicitation and listed in relative order of importance? (ARS §41-2534.E)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 6.3.13
6.3.6	Were the evaluation criteria fair and appropriate to the solicitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See 6.3.13
6.3.7	Does the solicitation include Scope of Work/Specifications and the State's Uniform Terms and Conditions? (R2-7-C301)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.7.1	Are the Uniform Terms and Conditions the State's most current version that was available at the time of the solicitation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.8	Does the solicitation include the State's most current version of Uniform instructions to offerors, including: (R2-7-C301.E.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.8.1	Specific responsibility or susceptibility criteria. (RFP – TB47 – Attachment 1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

6.3.8.2	Is conflict of interest disclosure in file for any/all non-employee evaluators	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Award Determination references 7 member evaluation team and 6 technical advisors– however no General Conflict of Interest Disclosures in file for Non-State employees (South Dakota tech advisors).
6.3.8.3	Certification by the offeror that submission of the offer did not include collusion or other anticompetitive practices.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.9	Was the appropriate insurance module used in the solicitation? (ARS §41-621, ARS §41-901)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.10	Did the RFP generate a sufficient number of qualified offerors, and if not is there a written determination in file?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Only one offer received – determination <u>is</u> in file.
6.3.11	Are Procurement Disclosure Statements in file for all employees who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Award Determination references 7 member evaluation team and 6 technical advisors– however no Procurement Disclosure Statement file for State employees. Requisitioning employee?
6.3.12	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Significant Procurement Activity not listed on SPO Website.
6.3.13	Were the offers evaluated based on the evaluation criteria contained in the RFP? (R2-7-C316)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Page 6 of solicitation states “Unit price prevails.” However, page 17 lists evaluation criteria in relative order of importance (unit price 4 <sup>th</sup> most important).
6.3.13.1	Was a kick-off meeting with the evaluation committee held to review the plan, discuss the solicitation, and agree on a schedule? (Request sign-in)(SPO SP# 043)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Unable to determine per solicitation timeline/executive summary.

6.3.13.2	Did each evaluation committee member review each offer independently? (SPO SP# 043).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.14	Was the contract awarded to the responsible offeror whose offer is determined to be most advantageous to the state based on the evaluation factors set forth in the RFP? (R2-7-C317)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.15	Is there a written determination explaining the basis for the award on file? (R2-7B314.B)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.16	Were all offerors notified of the award? (R2-7-C317.D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.17	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, signed Offer & Acceptance and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See: 6.3.8.2 & 6.3.11
6.3.17.1	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.17.2	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.17.3	Are the documents identified in 6.3.17 the State's most current version that was available at the time of the solicitation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>6.3.18</b>	<b>Contract Administration</b>					
6.3.18.1	Are contract files and records complete and available for public inspection within 3 days of award? –note "persons with disabilities" (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.3.18.2	Is there a valid and current Certificate of Insurance on file, with amounts consistent with contract requirements? (ARS §41-2573)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Contract file does not contain a non-expired certificate of insurance listing the State as additional insured.

6.3.18.3	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Files not uploaded to ProcureAZ matching the naming conventions required of SP#006 (i.e. Solicitation ADE16-0000 AA-AAS – should have been “Solicitation Document.”)
6.3.18.4	For multi-term contracts, are there written determinations from the SPA of extension in the contract files (>5 years)? (R2-7-605 paragraphs A-C)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
6.3.4	Competitive solicitations for service should contain in official contract file of record evidence of the solicitation advertised in a newspaper of general circulation a minimum of 14 days prior to bid opening. A copy of this advertisement should be uploaded to the contract file.	CPO; Staff	30 Days; Ongoing
6.3.5 6.3.6 6.3.5.13	Solicitation special instructions should be carefully examined by the CPO prior to publication to ensure evaluation criteria is clearly, fairly, and written with consistency. Where evaluation criteria, listed in relative order of importance, is used to determine the most responsible offeror, the solicitation cannot elsewhere state the unit price will prevail.	CPO; staff	Ongoing
6.3.8.2 6.3.11 6.3.17	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?).  General Conflict of Interest Disclosure for non-state employees should be uploaded to the contract file (consensus committee members?).	CPO; staff	Ongoing
6.3.18.2	Procurement office should verify a copy of the vendor’s certificate of insurance, listing the State as additional insured, is in the official contract file of record prior to commencement of any contract work. This certificate should be replaced annually upon certificate expiration and contract renewal.	CPO; staff	30 days; Ongoing

**STATE OF ARIZONA  
STATE PROCUREMENT OFFICE  
PROCUREMENT PERFORMANCE REVIEW**

The following criteria is used for each representative solicitation or contract.

<b>Item No.</b>	<b>Compliance Criteria</b>			
<b>7.0</b>	<b>Sole Source, Emergency, Competition Impracticable, Not Practicable to Quote</b>			

<b>Sole Source Procurement</b>	
<b>Contract Number:</b>	<b>ADED16-108639</b>
<b>Contract Title or Description:</b>	<b>Standards Assessment Inventory</b>
<b>Contract Estimated Amount:</b>	<b>\$115k</b>
<b>Name of Procurement Officer:</b>	<b>Kimberly Grantham</b>

7.1A	Sole Source Procurement	N/A	Yes	No	Requires Action	Comments
7.1.1	Is there a Procurement Request, in writing, on file (Requisition/Email/Other)? (Req copy) (R2-7-205 and R2-7-E301)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.1.2	<b>Does the procurement request include the following? (TB 041)</b>					
7.1.2.1	Description of the procurement need, the efforts made to seek alternative sources, and the reason why there is only a single source available (R2-7-E301.B.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	File does not contain SPO Form 103, Sole Source Procurement Authorization, with CPO determination that no reasonable alternative source exists.
7.1.2.2	Name of the proposed supplier (R2-7-E301.B.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No determination in file
7.1.2.3	Duration and estimated total dollar value of the proposed procurement (R2-7-E301.B.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No determination in file
7.1.2.4	Documentation that the price is fair and reasonable (R2-7-702; R2-7-E301.B.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No determination in file
7.1.2.5	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No determination in file – only CPO authorized to approve Sole Source.

7.1.2.6	Is there a written determination that there is only one source for the required material or service, and that no reasonable alternative source is available? (ARS §41-2536 and R2-7-E301)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No determination in file
7.1.2.7	Were registered vendors invited to comment on the sole source procurement at least 3 days before determination was made? (R2-7-E301.C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No documentation in file supporting vendors were invited to comment prior to determination.
7.1.2.8	Was the sole source procurement approved and did the procurement officer negotiate a contract that was advantageous to the State? (R2-7-E301.D)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence in the contract file that a sole source procurement was either approved or negotiated.
7.1.2.8.1	Was the Sole Source Request the State's most current version that was available at the time of the solicitation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No sole source determination in file.
7.1.2.9	Did the agency include the State's uniform terms and conditions in this contract? (ARS §41-2585; R2-7-606.A)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.1.3	Are Procurement Disclosure Statements in file for all who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No Procurement Disclosure Statements in file for State employees with a significant procurement role (requisitioning employee?)
7.1.3.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Significant Procurement Activity not listed on SPO Website.
7.1.4	At the time of award, does a procurement file (either paper or electronic) exist, containing a list of notified vendors, final solicitation, non-disclosure statements, solicitation amendments, bids and offers, offer revisions, Best and Final Offer, negotiations, clarifications, final evaluation report, award determinations, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See 7.1.2 – 7.1.3
7.1.5	<b>Contract Administration</b>					
						See 7.1.2 – 7.1.3

7.1.5.1	Are contract files and records complete and available for public inspection w/in 3 days of award? (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
7.1.5.2	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Files not uploaded to ProcureAZ matching the naming conventions required of SP#006 (i.e. Noncompetitive contract "Contract Document.")

Item No.	Corrective Action	Assigned to	Estimated Completion
7.1.2 et al. in seq	Sole Source contract file of record must contain SPO Form 103 Sole Source Determination which reflects the proposed supplier, dollar amount, evidence that the price is fair and reasonable, and the efforts made to find competition.	CPO	30 Days; Ongoing

<b>Not Practicable to Quote</b>	
<b>Contract Number:</b>	<b>ADE16-104246</b>
<b>Contract Title or Description:</b>	<b>Emotional Intelligence Training</b>
<b>Contract Estimated Amount:</b>	<b>\$17k</b>

7.3A	Competition Impracticable Procurement	N/A	Yes	No	Requires Action	Comments
7.3.1	Is there a Procurement Request, in writing, on file (Requisition/Email/Other)? (Req copy) (ARS §41-2537 and R2-7-E303)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	File neither contains an uploaded written requisition nor a requisition electronically linked via ProcureAZ.
7.3.2	<b>Does the procurement request include the following? (R2-7-E303.C)</b>					
7.3.2.1	An explanation of the competition impracticable need and the unusual or unique situation that makes competitive bidding impracticable, unnecessary, or contrary to public interest. (R2-7-E303.C.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	File does not contain CPO determination that competition is not practicable under the circumstances. Without said determination, it is not clear what, if any, competition was pursued given an impracticable circumstance. Contract document titled "noncompetitive contract."
7.3.2.2	A definition of the proposed procurement process to be utilized and an explanation of how this process will foster as much competition as practicable. (R2-7-E303.C.2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.2.3	An explanation of why the proposed procurement process is advantageous to the state. (R2-7-E303.C.3)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.2.4	The scope, duration, and estimated total dollar value of the procurement need (R2-7-E303.C.4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.2.5	Did the agency include as much competition as was feasible and negotiated a suitable agreement while pursuing an impracticable situation? (R2-7-E303.A)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The file does not contain evidence any additional, potentially qualified vendors, were considered or pursued. Note – no ADE exemptions to APC.

7.3.2.6	Was there a written approval by the delegated agency CPO or by the State Procurement Administrator for this procurement? (R2-7-E303.B and D)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No CPO determination in file
7.3.2.6.1	Was the Competition Impracticable request the State's most current version that was available at the time of the solicitation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.2.7	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.2.8	When this procurement was approved, did the agency negotiate a contract that was advantageous to the State? (R2-7-E303.C.2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.2.9	Did the agency include the State's uniform terms and conditions in this contract? (ARS §41-2585; R2-7-606.A)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.3	Are Procurement Disclosure Statements in file for all who participated in the development of the procurement, evaluation tool, served as technical advisors or evaluators, recommended or selected a vendor, or who approved sole source or competition impracticable? (SPO SP# 003)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	No Procurement Disclosure Statement in file for State employees with a significant procurement role (requisitioning employee?)
7.3.3.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Significant procurement activity not listed on SPO Website.
<b>7.3.4</b>	<b>Contract Administration</b>					
7.3.4.1	Are contract files and records complete and available for public inspection w/in 3 days of award? (ARS §41-2533; SP#006)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.3.4.2	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Files not uploaded to ProcureAZ matching the naming conventions required of SP#006 (i.e. Noncompetitive contract "Contract Document."

Item No.	Corrective Action	Assigned to	Estimated Completion
7.3.1	Official contract file of record must contain either a linked	CPO	30 Days;

	requisition via ProcureAZ, or an uploaded written request which was submitted in a manner specifically approved by the CPO.		Ongoing
7.3.2.1 7.3.2.5 7.3.2.6	Written determination to conduct competition impracticable should be uploaded to the official contract file of record, reflecting the efforts made to pursue competition and the specific circumstances rendering competition impracticable.	CPO	30 Days; Ongoing
7.3.3	Procurement Disclosure Statement (PDS) for state employees without whom an Annual PDS is already on file should be uploaded to the contract file (requisitioning employee?).	CPO; staff	Ongoing
7.3.3.1	The CPO should notify the SPO ProcureAZ Help Desk of significant procurement activity to be listed to the SPO Website with the name of the agency, CPO name, solicitation title, date of first PDS signed, and date of first delivery (when it becomes available).	CPO; staff	Ongoing

**STATE OF ARIZONA  
STATE PROCUREMENT OFFICE  
PROCUREMENT PERFORMANCE REVIEW**

The following criteria were considered in the procurement performance review process in compliance with AZSPO Technical Bulletin No. 3, Procurement Compliance Reviews – Phase 3 (Agency Procedures, Kickoff/Post-Award Meeting, and Contract Administration).

Item No.	Compliance Criteria					
8.0	Contract Administration	N/A	Yes	No	Requires Action	Comments
8.1	Does the agency have procedures for contract administration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See below
8.1.1	Are contract administration functions assigned?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	See below
8.2	Are post-award (kickoff) meetings held for complex contracts, in which contractors and contracting officer representatives meet for clear & mutual understanding of terms and conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.3	Are contracts monitored for compliance with work progress to ensure services are performed according to quality, quantity, objectives, timeframes, and manner specified within the contract, based on inspection if necessary?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Staff indicate issues are brought to procurement's attention by end-users. However, routine performance monitoring is not currently in practice, or addressed in procurement policies and procedures.
8.3.1	Does agency respond to indications of material breach of contract?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.3.2	Does agency have procedures for determining needs for corrective action?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Although office staff indicate procedures for addressing unsatisfactory VPR reports, the office procurement policies and procedures manual does not address contract management.
8.4	Are contractor's insurance in file and up to date?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	6.1A, 6.1B, 6.1C, 6.1D, 6.1F, 6.3A, 6.3B.

8.4.1	Does agency have mechanisms in place to ensure insurance is up to date?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agency procurement policies and procedures do not address contract management functions such as maintenance of vendor certificates of insurance.
8.5	Are all applicable determinations in the contract file?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	6.1A, 6.1B, 6.1C, 6.1D, 6.1E, 7.1A, 7.3A
8.6	Does the agency have procedures for rate increase requests?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.7	Does agency verify with end users that contract is needed and should be extended?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.8	Are amendments/addendums/contract-renewals in compliance with contract terms?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.9	<b>Vendor Compliance</b>					
8.9.1	Does agency appropriately respond to Vendor Performance Reports? (documenting both satisfactory & unsatisfactory performance)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Office staff discussed procedures for responding to vendor deficiencies. However, there does not appear to be routine practices for encouraging the report of good/satisfactory vendor performance.
8.9.2	(TBD) Does agency complete Vendor Performance Assessments annually and use in the evaluation of past suppliers?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Item No.	Recommendations	Assigned to	Estimated Completion
8.1 8.3 8.3.2 8.4 8.4.1 8.5 8.9.1	Office should formalize routine procedures for contract administration functions. These procedures should be described in the office procurement manual – currently in development. The CPO should use these topics as training opportunities in weekly staff meetings.	CPO	ASAP



State of Arizona  
Department of Education



The Arizona Department of Education has reviewed the Procurement Performance Review, dated February 1, 2016, and will adopt the recommendations subject to the comments below. However, ADE does object to some of the findings, as stated below.

1. CONTRACT FILES

FINDINGS:

1. Throughout the Procurement Performance Review, the Compliance Officer refers to information as being missing or lacking in the contract files of record. This is not accurate. AAC R2-7-101 allows for either paper or computer files to be considered the file of record. As an independent agency, ADE has adopted the paper record as its file of record. This is in compliance with the Administrative Code. These files were not reviewed by the Compliance Officer.

The official files of record are complete, and it was incorrect for the Compliance Officer to indicate that they were not. The information was missing from the files on ProcureAZ, but not the files considered official by the ADE.

2. The Compliance Officer indicates that two Requests for Proposals with contract start dates within the last 12 months were reviewed. To clarify, only one of the two files was an RFP conducted during the those twelve months. The other RFP, 6.3B, was a FY 2014 RFP. A new contract was created by cloning the resulting contract, because issues with ProcureAZ prevented the creation of new line items for FY 2016. This cloned contract was made at the suggestion of the ProcureAZ help desk
3. One finding made by the Compliance Officer is particularly puzzling. On p. 5, the Compliance Officer claims that the two RFPs reviewed "contained conflicting evaluation criteria." They do not. **The language cited by the Compliance Officer as indicating that "unit price would prevail" is Section E 1 of the Uniform Instructions to Offerors, required by SPO in all solicitations.** By its language the unit price prevails "in case of discrepancy between the unit price or rate and the extension of that unit price or rate". The provision has no effect on the relative weight assigned to award criteria later in the solicitation. If SPO believes this language requires or could be read as requiring an award based solely on unit price, then SPO's document, not ADE, is at fault.

RECOMMENDATIONS:

- 1a. ADE does use compliance review checklists for its official files of record. They are the identical file review checklists used by the Compliance Officer. ADE Procurement Officers are required to use the checklist when preparing the official contract folders. ADE will now use them when uploading contract documents onto ProcureAZ as well.

1b. ADE CPO meets biweekly with staff. Proper procedure for uploading documents on ProcureAZ will b made part of those meetings.

1c. The ADE CPO already reviews all procurements prior to their release, and all contracts prior to their being uploaded on ProcureAZ. As noted above, ADE has used the paper files, not the electronic files, as their file of record. Since ADE has determined to place all contract documents on ProcureAZ as well as in the paper files, the CPO will use the checklist to ensure that the necessary documents are uploaded onto the ProcureAZ site.

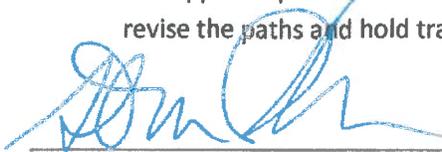
## 2. DELEGATION OF PROCUREMENT AUTHORITY

### FINDINGS:

1. The Review appears to misapprehend the nature of the Conference Administrator and her relationship to the Office of Procurement. First, while the CA does not report to the CPO, her approval path does route through the office of Procurement and the CPO. All of the CA contracts are signed by the CPO. While the CPO does not have operational control over the CA the CPO does review and approve all of her Procurements. All requisitions for the CA route through the office of Procurement, and the CPO or designee reviews all of the requisitions. After Procurement approval, the requisition is routed to the CA to create the purchase order, but review and approval of the requisition by Procurement is a part of the approval process on ProcureAZ.
2. The CA is not procuring services that are subject to a statewide contract, or which needs an Off Contract Determination. While the State of Arizona does have a contract for meeting and conference planners, that is not the service that ADE is procuring. ADE has chosen to have the meeting and conference planning done in house. Notably, the State does not have a contract with the individual meeting or conference facilities themselves, and that is the service that ADE is procuring. Thus, no Off Contract Authorization is necessary when the CA enters into a contract with the meeting facility, since the service being performed under the State contract is not the service being contracted for by the ADE.

### RECOMMENDATIONS:

The approval paths in ProcureAZ already route through Procurement, so it is unnecessary to revise the paths and hold trainings on the approval paths.



Steven Paulson  
Chief Procurement Officer  
Arizona Department of Education

3/22/16  
Date

Douglas A. Ducey  
Governor



Craig C. Brown  
Director

## ARIZONA DEPARTMENT OF ADMINISTRATION

STATE PROCUREMENT OFFICE

100 NORTH FIFTEENTH AVENUE • SUITE 201  
PHOENIX, ARIZONA 85007

(602) 542-1500

March 23, 2016

Steven Paulson, Chief Procurement Officer  
Arizona Department of Education (ADE)  
1535 W. Jefferson  
Phoenix, AZ. 85007

Mr. Paulson,

The SPO Compliance Unit is in receipt of the ADE written response to the Procurement Performance Review (PPR) dated February 1, 2016. This letter serves to provide clarifying direction to the ADE response and to finalize the PPR review document. Applicable follow-up to corrective action plans may still apply.

### Finding #1

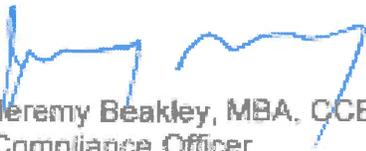
In response to finding #1, it is stated that ADE, as an independent agency, has adopted the paper record as its file of record. Although in response to recommendation 1a it is acknowledged that ProcureAZ will be adopted as the official file of record, the SPO Compliance Unit wishes to clarify the basis for this direction.

While it is accurate that the Arizona Procurement Code (APC) was written with language to recognize either a paper, or electronic, procurement file, the APC was also written providing the Director of the Department of Administration with the authority to adopt rules to govern procurement for the State. As such, the Director has the authority to sub-delegate procurement authority to a State Procurement Administrator (SPA), and acting on behalf of the Director, the SPA has adopted SPO Technical Bulletins which, in supplement to the APC, govern Arizona procurement. Further, the SPA is granted the authority to sub-delegate procurement authority to agency personnel to act on behalf of an agency as the chief procurement officer. On December 4, 2015 the ADE Certificate of Delegated Procurement Authority for Unlimited Agencies (hereafter "Certificate") was signed by Stephen Paulson. This Certificate, under General Requirements subsection D. states, "State Governmental Units shall comply with the SPO Technical Bulletins (TB)." TB#20, subsection C. states "ProcureAZ is considered the official repository of the procurement file."

Finding #2

The SPO Compliance Unit does recognize the ADE chose to establish in-house duties for conference planning as clarified in the ADE PPR response. As such, the competitive solicitation process as defined by the Arizona Procurement Code would apply. However, as addressed in the original finding, the meeting and conference planning services procured by ADE do not appear to have been competitively solicited in ProcureAZ. Two vendors in FY15 totaled amounts which would have qualified for an RFQ solicitation, and a third vendor in FY15 totaled amounts which would have qualified for an RFP solicitation. While ADE does have approval paths which route from the ADE conference administrator to the ADE CPO, these paths do not appear to have been used.

Respectfully,



Jeremy Beakley, MBA, CCEP  
Compliance Officer  
SPO-Compliance