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State Procurement Office

"Providing procurement services through operational leadership, legal compliance, and enhanced value for our customers and the state's procurement community."

[AGENCY]
Procurement Performance Review

Prepared by: SPO Compliance
[DATE]

(rev 09.16.14)

STATE OF ARIZONA
STATE PROCUREMENT OFFICE
PROCUREMENT PERFORMANCE REVIEW
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SUMMARY

The State Procurement Office (SPO) performed a Procurement Performance Review of the [Agency] commencing on [Date], 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.

[X] solicitations and contracts were selected for review. The reviewed files included [X] requests for quotations (RFQ), [X] invitation for bids (IFB), and [X] requests for proposals (RFP). [X] competition impracticable, [X] sole source, and [X] emergency procurements were also reviewed.

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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PROCUREMENT PERFORMANCE REVIEW
FINDINGS, RECOMMENDATIONS, NOTEWORTHY PRACTICES

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CONCLUSION

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State Agency:_____ State Agency Delegated Authority: $_____

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?	❑	❑	❑	❑	
1.2	Does the procurement office have a Chief Procurement Administrator (CPO) signed delegated procurement authority on file?	❑	❑	❑	❑	
1.3	Have procurement personnel completed necessary training applicable to delegated authority? (TB# 002)	❑	❑	❑	❑	
1.4	Are the employees listed on the organizational chart assigned full-time procurement and contracting duties?	❑	❑	❑	❑	
1.5	Agency has well documented process for adding/deleting/modifying delegated authority in ProcureAZ.	❑	❑	❑	❑	

Item No.	Recommendations	Assigned to	Estimated Completion

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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?	❑	❑	❑	❑	
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)?	❑	❑	❑	❑	
2.3	**Does the agency's manual provide comprehensive instructions on the following?**					
2.3.1	Description of the purchasing cycle	❑	❑	❑	❑	
2.3.2	Roles and delegation assignments of procurement personnel	❑	❑	❑	❑	
2.3.3	Agency-specific instructions on how to process purchase requisitions and purchase orders	❑	❑	❑	❑	
2.3.3.1	Instructions on how to process purchase orders and contract releases issued in ProcureAZ.	❑	❑	❑	❑	
2.3.4	Instructions on how to use the agency's procurement system	❑	❑	❑	❑	
2.3.5	Instructions on how to prepare specifications and scopes of work	❑	❑	❑	❑	
2.3.6	Instructions on how to process sole source, limited competition, and emergency procurements (Unlimited w/in authority; Limited to SPO)	❑	❑	❑	❑	
2.3.7	Instructions on how to conduct solicitations, as applicable to agency delegated authority (e.g.	❑	❑	❑	❑	

	IFB, RFP, RFQ)					
2.3.8	Instructions on contract administration and procurement file management	❑	❑	❑	❑	
2.3.9	Instructions on set-aside purchasing	❑	❑	❑	❑	
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.)	❑	❑	❑	❑	
2.3.11	Instructions on how to process cooperative purchasing agreements (TB# 005)	❑	❑	❑	❑	
2.3.12	Instructions on how to use P-Cards	❑	❑	❑	❑	
2.3.13	Instructions on how to dispose of agency surplus property	❑	❑	❑	❑	
2.3.14	Procurement ethics (TB# 001)	❑	❑	❑	❑	
2.4	Are employees complying with the agency's established purchasing policies and procedures manual?	❑	❑	❑	❑	

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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)	❑	❑	❑	❑	
3.2	Were agency procurement personnel delegation changes reported within five working days to SPO? (See agency delegation agreement)	❑	❑	❑	❑	
3.3	Are all agency requisitions, purchase orders, receipts, formal and informal solicitations and contract administration conducted on ProcureAZ? (PDS signed for all $10K+ open market requisitions?) (See agency delegated authority)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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 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?					
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	

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Item No.	Compliance Criteria					
4.0	**Procurement Personnel Training and Delegation**	**N/A**	**Yes**	**No**	**Requires Action**	**Comments**
4.1	Does the agency provide in-house procurement training and mentoring programs for newly-hired procurement personnel?	❑	❑	❑	❑	
4.2	Do procurement personnel undergo procurement training to enhance proficiency and professional status of procurement? (TB# 001 & TB# 002)	❑	❑	❑	❑	
4.3	Are agency procurement managers certified by a public procurement organization (NIGP, ISM, etc) (TB# 001 & TB# 002)?	❑	❑	❑	❑	
4.4	Is agency procurement staff certified by a public procurement organization (NIGP, ISM, etc) (TB# 001 & TB# 002)?	❑	❑	❑	❑	
4.5	Are the agency's delegated procurement personnel taking the required (20) hours of procurement training each year? (Unl Delegated Procurement Authority)	❑	❑	❑	❑	
4.6	Did the agency CPO sub-delegate procurement authority to agency procurement personnel in writing? (R2-7-203)	❑	❑	❑	❑	
4.7	Do agency sub-delegations include specific activities, functions, and limitations? (TB #002; Delegated Procurement Authority)	❑	❑	❑	❑	
4.7.1	Are staff delegated amounts in line with duties and title? (TB #002; Delegated Procurement Authority)	❑	❑	❑	❑	
4.8	Were procurement personnel adequately trained prior to being granted procurement delegation by the agency CPO? (TB# 002; Delegated Procurement Authority)	❑	❑	❑	❑	

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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?	❑	❑	❑	❑	
5.2	Does the agency have a procedure or policy for dealing with unethical behavior?	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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).	❑	❑	❑	❑	
5.5.1	Has agency director waived Annual Procurement Disclosure Statements for any employees?	❑	❑	❑	❑	
5.6	Are responsibilities divided between different employees so one individual does not control all aspects of procurement?	❑	❑	❑	❑	

5.7	Upon receipt of a submission, and CPO written determination, is the procurement office adequately safeguarding confidential information? (R2-7-103)	❑	❑	❑	❑	
5.8	Are contract files kept safe from tampering by unauthorized personnel?	❑	❑	❑	❑	
5.9	Are there procedures in place to safeguard contract files during file reviews or when the public accesses the agency's procurement records?	❑	❑	❑	❑	
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)?	❑	❑	❑	❑	
5.11	Does the office regularly monitor agency P-card purchases? (SPO TB #040)	❑	❑	❑	❑	
5.12	Does the agency maintain adequate contract records to facilitate auditing by the State? (ARS §41-2548)	❑	❑	❑	❑	
5.13	Does the agency make available the SPO "E-Comply" anonymous/confidential reporting compliance and ethics email address?	❑	❑	❑	❑	
5.14	Other than ADOA's state financial system, does the agency have any other system of collecting financial data?	❑	❑	❑	❑	
5.15	Does the agency's internal audit conduct regular audits on procurement transactions?	❑	❑	❑	❑	
5.16	Were any finance or purchasing-related audits or reviews conducted on the agency within the past two years?	❑	❑	❑	❑	
5.17	Did agency management comply with the recommendations and corrective actions in the audit report listed in 5.16?	❑	❑	❑	❑	
5.18	**Cooperative Contracts (TBD 09/14)**					
5.18.1	Does the office practice due diligence in selection of cooperative contracts – cooperative contract complies with requirements of 41-2533, 41-2534, 41-2535, TB# 005?	❑	❑	❑	❑	
5.18.2	CPO performs cost analysis to determine	❑	❑	❑	❑	

	best value? (R2-7-702)					
5.18.3	CPO reviews contract terms and conditions (R2-7-####)	❑	❑	❑	❑	
5.18.4	Office verifies vendor has capacity and willingness to extend contract to the state? (R2-7-####)	❑	❑	❑	❑	
5.18.5	Cooperative contracts are lesser of 25% of original contract or $500k? (R2-7-####)	❑	❑	❑	❑	
5.18.6	Office verifies if State Contract already exists? (R2-7-####)	❑	❑	❑	❑	

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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			
6.0	**Contracts**			

Request for Quotation (RFQ)	
Solicitation or Contract Number:	
Contract Title or Description:	
Contract Estimated Amount:	
Name of Procurement Officer:	

6.1	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)	❑	❑	❑	❑	
6.1.2	Should a set-aside or statewide contract been considered/used?	❑	❑	❑	❑	
6.1.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	❑	❑	❑	❑	
6.1.4	Is there any evidence that this was artificially divided or fragmented so as to circumvent this section? (ARS §41-2535.C)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)					
6.1.6	**Does the RFQ include the following (R2-7-D302.A):**					
6.1.6.1	Offer submission requirements, including offer due date and time, where offers will be received, and offer acceptance period	❑	❑	❑	❑	
6.1.6.2	Any purchase description, specifications, delivery or performance schedule, and inspection and acceptance requirements	❑	❑	❑	❑	
6.1.6.3	The minimum information that the offer shall contain	❑	❑	❑	❑	
6.1.6.4	Any evaluation factors	❑	❑	❑	❑	
6.1.6.4.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	❑	❑	❑	❑	
6.1.6.5	Whether negotiations may be held	❑	❑	❑	❑	
6.1.6.6	The uniform terms and conditions by text or reference	❑	❑	❑	❑	
6.1.6.7	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control)	❑	❑	❑	❑	
6.1.7	Was the RFQ distributed to a minimum of three small businesses? (R2-7-D302)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
6.1.9	Is there a written basis for the award on file? (R2-7-D304)	❑	❑	❑	❑	
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))	❑	❑	❑	❑	
6.1.10.1	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	❑	❑	❑	❑	
6.1.11	**ProcureAZ**					
6.1.11.1	Is total spend limit locked in Control Tab?	❑	❑	❑	❑	
6.1.11.2	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	❑	❑	❑	❑	
6.1.12	**Contract Administration**					
6.1.12.1	Are contract files and records complete and available for public inspection? – 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)	❑	❑	❑	❑	
6.1.12.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	❑	❑	❑	❑	
6.1.12.4	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	❑	❑	❑	❑	
6.1.12.5	For multi-term contracts, are there written determinations of extension in the contract files (> 5 years)? (R2-7-605.A-C)	❑	❑	❑	❑	

Item No.	Recommendations	Assigned to	Estimated Completion

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The following criteria is used for each representative contract.

Invitation for Bids (IFB)	
Contract Number:	
Contract Title or Description:	
Contract Estimated Aggregate Amount:	
Name of Procurement Officer:	

6.2	**Invitation for Bids (IFB)**	**N/A**	**Yes**	**No**	**Requires Action**	**Comments**
6.2.1	Is there a Procurement Request, in writing, on file (Requisition(ProcAZ) /Email/Other)? (Req copy) (R2-7-205)	❑	❑	❑	❑	
6.2.2	Should a set-aside or statewide contract been considered/used?	❑	❑	❑	❑	
6.2.3	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	❑	❑	❑	❑	
6.2.4	Was there adequate notice, a minimum of 14 days before bid opening, of the IFB in a newspaper? (Svcs shall, commodities may - excluding professional / construction) (ARS §41-2533.C, R2-7-B301)	❑	❑	❑	❑	
6.2.5	If a Pre-Offer Conference was conducted, was it held a reasonably sufficient time before the offer due date? (R2-7-B302; TB# 043)	❑	❑	❑	❑	
6.2.6	Does the solicitation include the most recent edition of Uniform Instructions and Uniform Terms and Conditions issued by SPO – SPO Website: http://spo.az.gov? (R2-7-B301 and R2-7-C301)	❑	❑	❑	❑	
6.2.7	**Does the solicitation include instructions to offerors, including: (R2-7-B301.C.1)**					
6.2.7.1	Offer Due Date/Time, Location where offers will be received, offer acceptance	❑	❑	❑	❑	

	period.					
6.2.7.2	The deadline date for requesting a substitution or exception to the solicitation.	❑	❑	❑	❑	
6.2.7.3	Manner by which to acknowledge amendments – for material changes (TB# 043) (Proc AZ Quote/Summary)	❑	❑	❑	❑	
6.2.7.4	Minimum information required in the offer.	❑	❑	❑	❑	
6.2.7.5	The specific requirements for designating trade secrets and other proprietary information as confidential. If trade secret, does the CPO confirm 1.) What steps the vendor has taken to protect their information, and 2.) What would be harmed by the disclosure of the information?	❑	❑	❑	❑	
6.2.7.6	Any specific responsibility criteria.	❑	❑	❑	❑	
6.2.7.7	Whether the offeror is required to submit samples, descriptive literature, and technical data with the offer.	❑	❑	❑	❑	
6.2.7.8	Any evaluation criteria.	❑	❑	❑	❑	
6.2.7.8.1	Is conflict of interest disclosure in file for any/all non-employee evaluators	❑	❑	❑	❑	
6.2.7.9	A statement of where documents incorporated by reference are available for inspection and copying.	❑	❑	❑	❑	
6.2.7.10	A statement that the agency may cancel the solicitation or reject an offer in whole or in part.	❑	❑	❑	❑	
6.2.7.11	Certification by the offeror that submission of the offer did not include collusion or other anticompetitive practices.	❑	❑	❑	❑	
6.2.7.12	Certification by the offeror of compliance with A.R.S. § 41-3532 when offering electronics or information technology products, services, or maintenance (Section 508).	❑	❑	❑	❑	
6.2.7.13	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control). (R2-7-B301.C.3)	❑	❑	❑	❑	

6.2.8	Was the appropriate insurance module used in the solicitation? (ARS §41-621, ARS §23-901)	❑	❑	❑	❑	
6.2.9	Did the bid generate a sufficient number of qualified bidders? (ARS §41-2533, §41-2534	❑	❑	❑	❑	
6.2.10	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)	❑	❑	❑	❑	
6.2.11	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	❑	❑	❑	❑	
6.2.12	Was the contract awarded to the lowest responsible and responsive offeror whose offer conforms in all material respects to the requirements and criteria in the solicitation? (R2-7-B314.A; SP# 043)	❑	❑	❑	❑	
6.2.13	If applicable, is there a non-responsibility determination on file? (R2-7-B313)	❑	❑	❑	❑	
6.2.14	Is there a record showing the basis for determining the successful offeror on file? (R2-7-B314.B)	❑	❑	❑	❑	
6.2.15	Were all offerors notified of the award, if ProcureAZ wasn't used? (R2-7-314.D)	❑	❑	❑	❑	
6.2.16	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))	❑	❑	❑	❑	
6.2.16.1	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	❑	❑	❑	❑	

6.2.16.2	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	❑	❑	❑	❑	
6.2.17	**If Reverse Auction (SPO SP#025)**					
6.2.17.1	Was the commodity appropriate for a reverse auction?	❑	❑	❑	❑	
6.2.17.2	Were vendors notified via Bulk Email, including Offer & Acceptance, Specifications, Uniform T&C's, Special T&C's, Uniform Instructions, Special Instructions, and Quick Reference Guide – Responding to R.A.'s?	❑	❑	❑	❑	
6.2.17.3	Were Bid Increments set in ProcureAZ, and of appropriate intervals, for the R.A.?	❑	❑	❑	❑	
6.2.17.4	Was Soft Close Enabled?	❑	❑	❑	❑	
6.2.18	**Contract Administration**					
6.2.18.1	Are contract files and records complete and available for public inspection? – note "persons with disabilities" (ARS §41-2533; SP#006)	❑	❑	❑	❑	
6.2.18.2	Is there a valid and current Certificate of Insurance on file? (ARS §41-2573)	❑	❑	❑	❑	
6.2.18.3	Are the amounts on the Certificate of Insurance consistent with the contract requirements? (ARS §41-2573)	❑	❑	❑	❑	
6.2.18.4	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	❑	❑	❑	❑	
6.2.18.5	For multi-term contracts, are there written determinations of extension in the contract files (>5 years)? (R2-7-605. A to C)	❑	❑	❑	❑	

Item No.	Recommendations	Assigned to	Estimated Completion

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:	
Contract Title or Description:	
Contract Estimated Amount:	
Name of Procurement Officer:	

6.3	**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)	❑	❑	❑	❑	
6.3.2	Should a set-aside or statewide contract been considered/used?	❑	❑	❑	❑	
6.3.3	Was this procurement performed by authorized procurement personnel within his/her delegated authority? (R2-7-206)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
6.3.5	Are the evaluation factors set forth in the solicitation and listed in relative order of importance? (ARS §41-2534.E)	❑	❑	❑	❑	
6.3.6	Were the evaluation criteria fair and appropriate to the solicitation?	❑	❑	❑	❑	
6.3.7	Does the solicitation include Scope of Work/Specifications and Terms and Conditions? (R2-7-C301)	❑	❑	❑	❑	
6.3.8	**Does the solicitation include instructions to offerors, including: (R2-7-C301.E.1)**					
6.3.8.1	Offer Due Date/Time, Location where offers will be received, offer acceptance period. Specify whether hand delivery,	❑	❑	❑	❑	

	U.S. Mail, electronic mail, facsimile, or other means are 곎ptable methods of submission.					
6.3.8.2	The deadline date for requesting a substitution or exception to the solicitation.	❑	❑	❑	❑	
6.3.8.3	Manner by which to acknowledge amendments – for material changes (TB# 043) (Proc AZ Quote/Summary)	❑	❑	❑	❑	
6.3.8.4	Minimum information required in the offer.	❑	❑	❑	❑	
6.3.8.5	The specific requirements for designating trade secrets and other proprietary information as confidential. If trade secret, does the CPO confirm 1.) What steps the vendor has taken to protect their information, and 2.) What would be harmed by the disclosure of the information?	❑	❑	❑	❑	
6.3.8.6	Specific responsibility or susceptibility criteria. (RFP – TB47 – Attachment 1)	❑	❑	❑	❑	
6.3.8.7	Whether the offeror is required to submit samples, descriptive literature, and technical data with the offer.	❑	❑	❑	❑	
6.3.8.8	Is conflict of interest disclosure in file for any/all non-employee evaluators	❑	❑	❑	❑	
6.3.8.9	A statement of where documents incorporated by reference are available for inspection and copying.	❑	❑	❑	❑	
6.3.8.10	A statement that the agency may cancel the solicitation or reject an offer in whole or in part.	❑	❑	❑	❑	
6.3.8.11	Certification by the offeror that submission of the offer did not include collusion or other anticompetitive practices.	❑	❑	❑	❑	
6.3.8.12	Certification by the offeror of compliance with A.R.S. § 41-2532 when offering electronics or information technology products, services, or maintenance (508 Compliance).	❑	❑	❑	❑	
6.3.8.13	Any cost or pricing data required.	❑	❑	❑	❑	
6.3.8.14	The type of contract to be used.					

		❑	❑	❑	❑	
6.3.8.15	That the offeror is required to declare whether the offeror has been debarred, suspended, or otherwise lawfully prohibited from participating in any public procurement activity, including, but not limited to, being disapproved as a subcontractor of any public procurement unit or other governmental body.	❑	❑	❑	❑	
6.3.8.16	Any offer security required.	❑	❑	❑	❑	
6.3.8.17	A statement that negotiations may be conducted with offerors reasonably susceptible of being selected for award and that fall within the competitive range.	❑	❑	❑	❑	
6.3.8.18	The term of the contract, including language for any applicable option for contract extension (ProcAZ Max/Control). (R2-7-C301.E.2)	❑	❑	❑	❑	
6.3.9	Was the appropriate insurance module used in the solicitation? (ARS §41-621, ARS §41-901)	❑	❑	❑	❑	
6.3.10	Did the RFP generate a sufficient number of qualified offerors, and if not is there a written determination 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)	❑	❑	❑	❑	
6.3.12	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	❑	❑	❑	❑	
6.3.13	Were the offers evaluated based on the evaluation criteria contained in the RFP? (R2-7-C316)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	

6.3.13.2	Did each evaluation committee member review each offer independently? (SPO SP# 043).	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
6.3.15	Is there a written determination explaining the basis for the award on file? (R2-7B314.B)	❑	❑	❑	❑	
6.3.16	Were all offerors notified of the award? (R2-7-C317.D)	❑	❑	❑	❑	
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, and additional information requested by agency CPO as approved by SPA? (R2-7-101(37))	❑	❑	❑	❑	
6.3.17.1	Bidders – General Tab: Is Bid Holder List hidden from Vendors? (preventing collusion)	❑	❑	❑	❑	
6.3.17.2	Does the file contain adequate justification for multiple awards, or otherwise obtained SPA authorization? (R2-7-608).	❑	❑	❑	❑	
6.3.18	**Contract Administration**					
6.3.18.1	Are contract files and records complete and available for public inspection? – note “persons with disabilities” (ARS §41-2533; SP#006)	❑	❑	❑	❑	
6.3.18.2	Is there a valid and current Certificate of Insurance on file, with amounts consistent with contract requirements? (ARS §41-2573)	❑	❑	❑	❑	
6.3.18.3	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	❑	❑	❑	❑	
6.3.18.4	For multi-term contracts, are there written determinations of extension in the contract files (>5 years)? (R2-7-605	❑	❑	❑	❑	

	paragraphs A-C)					

Item No.	Recommendations	Assigned to	Estimated Completion

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

Item No.	Compliance Criteria			
7.0	**Sole Source, Emergency, Competition Impracticable**			

Sole Source Procurement	
Contract Number:	
Contract Title or Description:	
Contract Estimated Amount:	
Name of Procurement Officer:	

7.1	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)	❑	❑	❑	❑	
7.1.2	**Does the procurement request include the following? (TB 041)**					
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)	❑	❑	❑	❑	
7.1.2.2	Name of the proposed supplier (R2-7-E301.B.2)	❑	❑	❑	❑	
7.1.2.3	Duration and estimated total dollar value of the proposed procurement (R2-7-E301.B.3)	❑	❑	❑	❑	
7.1.2.4	Documentation that the price is fair and reasonable (R2-7-702; R2-7-E301.B.4)	❑	❑	❑	❑	
7.1.2.5	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	❑	❑	❑	❑	
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)					
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
7.1.3.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	❑	❑	❑	❑	
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))	❑	❑	❑	❑	
7.1.5	**Contract Administration**					
7.1.5.1	Are contract files and records complete and available for public inspection? (ARS §41-2533; SP#006)	❑	❑	❑	❑	
7.1.5.2	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	❑	❑	❑	❑	

Item No.	Corrective Action	Assigned to	Estimated Completion

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

Emergency Procurement	
Contract Number:	
Contract Title or Description:	
Contract Estimated Amount:	
Name of Procurement Officer:	

7.2	**Emergency Procurement**	**N/A**	**Yes**	**No**	**Requires Action**	**Comments**
7.2.1	Is there a Procurement Request, in writing, on file (Requisition/Email/Other)? (Req copy) (ARS §41-2537 and R2-7-E302)	❑	❑	❑	❑	
7.2.2	**Does the procurement request include the following? (R2-7-E302.C)**					
7.2.2.1	Description of need and reason for the emergency (R2-7-E302.C.1)	❑	❑	❑	❑	
7.2.2.2	Name of the supplier (R2-7-E302.C.2)	❑	❑	❑	❑	
7.2.2.3	Duration and estimated total dollar value of the procurement (R2-7-E302.C.3)	❑	❑	❑	❑	
7.2.2.4	Documentation that the price is fair and reasonable (R2-7-702; R2-7-E302.C.4)	❑	❑	❑	❑	
7.2.2.5	Was there a written approval by the delegated agency CPO or by the State Procurement Administrator for this emergency procurement? (R2-7-E302.D)	❑	❑	❑	❑	
7.2.2.6	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	❑	❑	❑	❑	
7.2.2.7	Was the emergency procurement limited only to the actions necessary to address the emergency? (R2-7-E302.F)	❑	❑	❑	❑	
7.2.2.8	Given the circumstances, was maximum competition employed to protect the interest of the State? (R2-7-E302.G)	❑	❑	❑	❑	

7.2.4	Contract Administration					
7.2.4.1	Are contract files and records complete and available for public inspection? (ARS §41-2533; SP#006)	❑	❑	❑	❑	
7.2.4.2	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	❑	❑	❑	❑	

Item No.	Recommendations	Assigned to	Estimated Completion

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

Competition Impracticable Procurement	
Contract Number:	
Contract Title or Description:	
Contract Estimated Amount:	
Name of Procurement Officer:	

7.3	**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)	❑	❑	❑	❑	
7.3.2	**Does the procurement request include the following? (R2-7-E303.C)**					
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
7.3.2.3	An explanation of why the proposed procurement process is advantageous to the state. (R2-7-E303.C.3)	❑	❑	❑	❑	
7.3.2.4	The scope, duration, and estimated total dollar value of the procurement need (R2-7-E303.C.4)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	

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)	❑	❑	❑	❑	
7.3.2.7	Was this procurement performed by an authorized procurement officer within his/her delegated authority? (R2-7-206)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
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)	❑	❑	❑	❑	
7.3.3.1	Did the agency director, or designee, inform employees when the first PDS was signed, and notify the State Procurement Administrator?	❑	❑	❑	❑	
7.3.5	**Contract Administration**					
7.3.5.1	Are contract files and records complete and available for public inspection? (ARS §41-2533; SP#006)	❑	❑	❑	❑	
7.3.5.2	Are documents named and uploaded to ProcureAZ following the naming conventions outlined in SPO SP# 006?	❑	❑	❑	❑	

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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?	❑	❑	❑	❑	
8.1.1	Are contract administration functions assigned?	❑	❑	❑	❑	
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?	❑	❑	❑	❑	
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?	❑	❑	❑	❑	
8.3.1	Does agency respond to indications of material breach of contract?	❑	❑	❑	❑	
8.3.2	Does agency have procedures for determining needs for corrective action?	❑	❑	❑	❑	
8.4	Are contractor's insurance in file and up to date?	❑	❑	❑	❑	
8.4.1	Does agency have mechanisms in place to ensure insurance is up to date?	❑	❑	❑	❑	
8.5	Are all applicable determinations in the contract file?	❑	❑	❑	❑	
8.6	Does the agency have procedures for rate increase requests?	❑	❑	❑	❑	
8.7	Does agency verify with end users that contract is needed and should be extended?	❑	❑	❑	❑	

8.8	Are amendments/addendums/contract-renewals in compliance with contract terms?	❑	❑	❑	❑	
8.9	**Vendor Compliance**					
8.9.1	Does agency appropriately respond to Vendor Performance Reports? (documenting both satisfactory & unsatisfactory performance)	❑	❑	❑	❑	
8.9.2	(TBD) Does agency complete Vendor Performance Assessments annually and use in the evaluation of past suppliers?	❑	❑	❑	❑	

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