

# Due Diligence

For Mohave Cooperative Contracts

(Revised 10/3/23)

#### The Purpose of Due Diligence

- Due diligence is a process a buying entity uses to verify a cooperative procurement contract complies with the rules, regulations and statutes applicable to the entity's competitive procurement requirements.
- Due diligence increases confidence in the buying entity's decision to use a cooperative contract.
- Performing due diligence places the buying entity in a better position to react to any challenge resulting from the use of a cooperative contract.
- It is the responsibility of the buying entity to perform due diligence.

#### **Procurement Practices Review**

- Each entity has their own requirements for completing due diligence on a cooperative contract. Please be familiar with your specific requirements.
- There are no specific conditions on the Due Diligence Tool that you use, however you must ensure compliance with your specific requirements.
- The Office of the Auditor General has prescribed guidelines for performing due diligence reviews for school districts, under the Uniform System of Financial Records Compliance Questionnaire. District's must use their own judgment in determining the appropriate amount of complexity of due diligence required for the cooperative contract.

# How Does Mohave Comply with the Rules and Regulations of the State?

- An independent CPA firm, using the Uniform System of Financial Records Compliance Questionnaire, reviews Mohave's procurement practices annually. Reviews are available on our website with the due diligence information.
- As a due diligence tool, Mohave has reviewed the procurement practices portion of the USFR Compliance Questionnaire and provided information that should assist members in performing their own due diligence reviews.

#### Mohave's Review of the Cooperative Procurement Compliance Questionnaire

Mohave updates its USFR Compliance Questionnaire Checklist once the Auditor General issues a new Questionnaire MOHAVE

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#### A RECOGNIZED LEADER IN PUBLIC PROCUREMENT

**15** time recipient of National Procurement Institute (NPI) Achievement of Excellence in Procurement (AEP)

**7** time recipient of the NIGP Outstanding Agency Accreditation Achievement award

There are two links that will direct you to Mohave's Due Diligence information.



#### CONTACT US

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Members: orders@mesc.org Vendors: adminreport@mesc.org

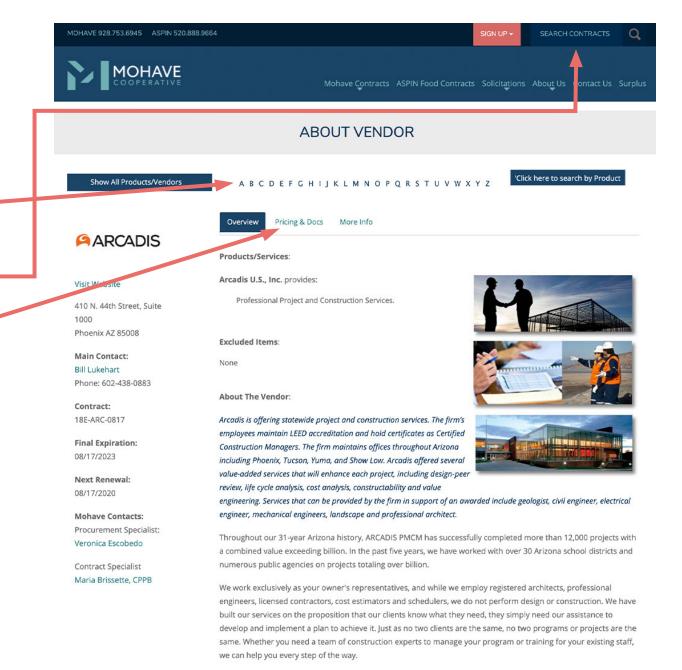
#### LINKS

MOHAVE ASPIN Resources/Brochures Due Diligence Current Mohave Members Current ASPIN Members Newsletter Fall 2017 Community Links ONTRACTS

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### Procurement Practices Reviews

- Locate the vendor within our website by key word search or alphabetically.
- Click on the "Pricing & Docs" tab.



Program Management Manage multiple projects

Project Management Perform full administration

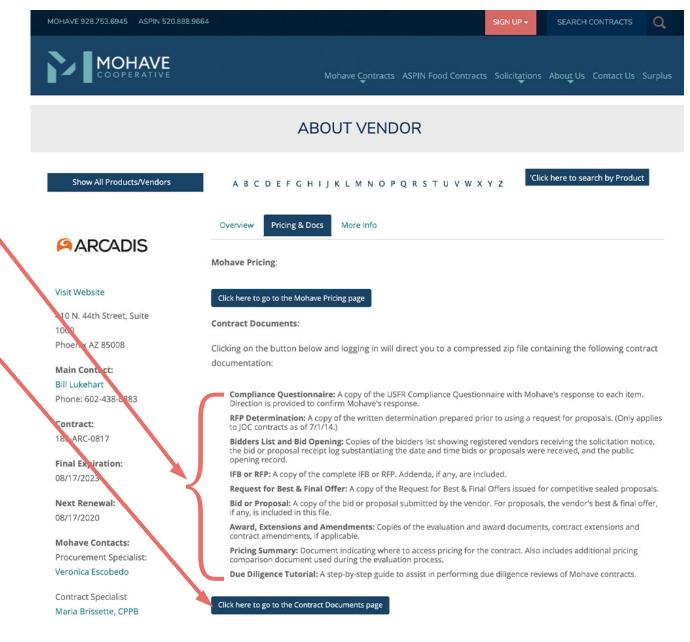
Construction Management Oversee bidding and construction-phase activities

### Procurement Practices Reviews

- Information contained within the contracts documentation page.
- Click the link to open the Contract Documents Page.

Each file name begins with the MESC contract number. The contract number is followed by the appropriate description.

Example: 18E-ARC-0817 Compliance Questionnaire.pdf

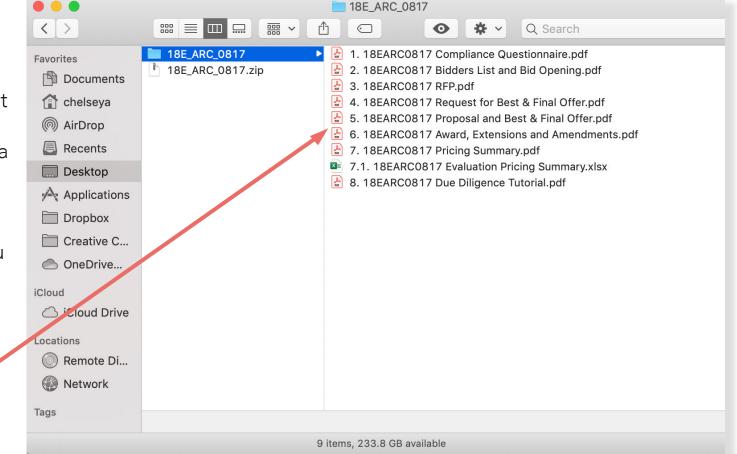


### **Contract Review**

• Once you click on the appropriate contract it will download to your computer in a zipped file. (The location of the downloaded folder is determined by your computer's

setup).

- If your computer does not automatically extract the zipped file, extract the file with a program like Winzip or Stufflt Expander.
- After extraction, you will see a window similar to this.
- This folder contains the documents for the selected contract.



#### **Contract Review**

Review of multiple files is required to verify information in a compliance questionnaire. The information below shows the questionnaire topic and the corresponding contract documentation file.

Due Diligence Review Item	Mohave Contract File to Review
USFR Compliance Questionnaire	"Mohave Contract #" Complliance Questionnaire.pdf
Determination for issuing an RFP (ONLY FOR CONTRACTS AWARDED BEFORE 7/1/14)	"Mohave Contract #" RFP Determination.pdf
Bidders list, time & date stamp (receipt log), public opening record	"Mohave Contract #" Bidders list & Bid Opening.pdf
Due date & time, terms & conditions, performance requirements, specifications, scope of work, evaluation criteria, etc.	"Mohave Contract #" RFP.pdf - or - "Mohave Contract #" IFB.pdf
Request for Best & Final Offer*	"Mohave Contract #" Request for Best & Final Offer.pdf
Vendors bid/proposal Vendor's best and final offer	"Mohave Contract #" Proposal and Best & Final Offer.pdf - or - "Mohave Contract #" Bid.pdf
Award and Extensions	"Mohave Contract #" Award, Extension and Amendments.pdf
Pricing	"Mohave Contract #" Pricing Summary.pdf

\* Best and Final offers are used solely with competitive sealed proposals, and will only be found in contracts with the "RFP" prefix.

## Compliance Questionnaire

- Open the compliance questionnaire.
- As a tool to assist members, Mohave examined the requirements in the Arizona Auditor General's USFR Compliance Questionnaire to confirm contract compliance.
- The left column has the Auditor General's requirement.
- The right column has Mohave's explanation of compliance as well as where to go to confirm compliance.
- Verify Mohave's compliance by reviewing the document page referenced in Mohave's response

Review of the April 2015 USFR Compliance Questionnaire as Applied to Mohave Contracts

Mohave has reviewed the procurement practices portion of the April 2015 revision to the USFR Compliance Questionnaire and provided information that should assist members in performing due diligence reviews.

This document applies to the Mohave contract under review. All questions not pertaining to this contract have been deleted. Question numbers are the same as in the complete USFR Compliance Questionnaire.

EXPENDITURES	MOHAVE RESPONSE
<ol> <li>Based upon review of () contracts for the procurement of construction, materials, and services that exceeded \$100,000, did the cooperative follow the School District Procurement Rules (R7-2-1001 et seq)?</li> </ol>	
<ul> <li>For () contracts awarded through competitive sealed bidding or competitive sealed proposals, did the cooperative:</li> </ul>	
1) Give adequate notice of the invitation for bid (IFB) or request for proposal (RFP)? R7-2-1022 or R7-2-1042(C)	<ul> <li>Mohave complies. All solicitations are advertised in The Bullhead Bee (Nohave County's official newspaper of record) and also in the Arizona Business Gazette. Email notices are sent to prospective bidders as well.</li> </ul>
2) Compile and maintain a list of persons who requested to be added to a list of prospective bidders, if any? R7-2-1023	Mohave complies. Prospective bidders list is maintained and used for all categories. Bidders list is included in online contract due diligence package.
3) Issue the IFB or RFP at least 14 days before the due date and time set for bid or proposals, as applicable, unless a shorter time was determined necessary? R7-2-1024(A) or R7-2-1042(B)	Mohave complies. Solicitations are issued more than 14 days before time and date set for opening. See page 1 of solicitation for date of issue and due date. Copy of solicitation included in online contract due diligence package.
<ol><li>Include all required information in the IFB or</li></ol>	
KFP? K7-2-1024(B) or K7-2-1042(A) DFB R7-2-1024(B) requirements copied from the Arizona Administrative Code: a. Notice that all information and bids submitted	a. General Terms and Conditions
by bidders will be made available for public inspection following the award of the contract; b. Instructions and information to bidders	(4.3 Public Record) b. Page 1, IFB Instructions to
concerning bid submission requirements, including the means for bid submission such as, hand delivery, U.S. mail, electronic mail,	Bidder & Checklist (Tab 1b)

#### **Contract Review & Due Diligence Documentation**

- Review contract for compliance with your specific requirements.
- Document your review and make note of what you did to confirmation compliance.
- You can use any method to document your duediligence.
   We have provided anotherexample using the USFR Compliance Questionnaire with comments showing the check for compliance.

Expenditure	Compliance
Based upon review of this awarded contract for the procurement of construction, materials, and services that met or exceeded the amount requiring sealed bids, as calculated by the Arizona State Board of Education in accordance with A.R.S §15-213, did the cooperative follow the School District Procurement Rules as set forth in Title 7, Chapter 2, Articles 10 and 11, of the Arizona Administrative Code?	Yes
For this contract test that were made through competitive sealed bidding, did the cooperative:	
1. Give adequate notice of the invitation for bids? R7-2-1022	Yes
2. Compile and maintain a list of prospective bidders? R7-2-1023	Yes, reference Bidders List and Bid Opening for listing of vendors notified and the ads of pubication.
3. Issue invitations for bids at least 14 days before the time and date set for bid opening unless a shorter time was determined nescessary, and did the invitation for bids include all information required by R7-2-1024, including:	Yes, Issued and released bid on February 14, 2015 and bid closed on March 14, 2015.
(a) The purchase description and specifications, including the estimated volume of purchases for the cooperative's members.	Scope of Work/Services/Page 4 and Specifications Page 6.
(b) Delivery and performance schedule.	Special T&C's/Page 26, General T&C's/ Page 35

## **Mohave Contract Information**

Our staff is available to provide additional information or assistance by phone or email

#### **CONTRACT DOCUMENT ASSISTANCE**

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#### **TECHNICAL/WEBSITE/ENGAGEMENT ASSISTANCE**

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