



RFP Contract Due Diligence

Cooperative: \_\_\_\_\_

Contract No.: \_\_\_\_\_

Vendor(s) Name: \_\_\_\_\_

Question	Compliance
Based upon review of this awarded contract for the procurement of construction, materials, and services that met or exceeded the amount requiring sealed RFP's, as calculated by the Arizona State Board of Education in accordance with A.R.S. §15-213, did the District/Cooperative follow the School District Procurement Rules as set forth in Title 7, Chapter 2, Articles 10 and 11, of the Arizona Administrative Code?	
For this contracts test that were made through competitive sealed proposals, did the Lead District/Cooperative:	
1) Give adequate notice of the request for proposals (RFP) as required by R7-2-1042(C)	
2) Compile and maintain a list of prospective offerors (bidders) in accordance with R7-2-1023?	
3) Issue the RFP at least 14 days before the time and date set for RFP opening or the closing date, as applicable, unless a shorter time was determined necessary? R7-2-1042(B)?	
4) Include all required information in the RFP? R7-2-1042(A)	
(a) Instruction and information to offerors concerning proposal submission requirements, including the means for proposal submission such as, hand delivery, U.S. Mail, Electronic Mail, or other acceptable means, the proposal acceptance period, and any other special information or requirements	
(b) The proposal due date and time	
(c) The address where RFP's and other documents are to be received	
(d) Time and date of proposal opening	
(e) The proposal acceptance period	
(f) The manner by which the offeror is required to acknowledge amendments	
(g) Notification of whether District/Cooperative may award multiple contracts and the basis for determining whether to award multiple contracts.	
(i) If multiple contracts may be awarded, the RFP shall include the criteria used for selecting vendors for each contract under the multiple award, including whether contracts will be awarded by Individual line items/groups of line items, awarded incrementally, or by designated region(s)/location(s)	
(h) The minimum information required in the proposal	
(i) The specific requirements for designating trade secrets and other proprietary data as confidential	
(j) Any specific responsibility criteria	
(k) Whether the offer is required to submit samples, descriptive literature, and technical data with the proposal	
(l) Evaluation factors and the relative importance of price and other evaluation factors	
(m) The special requirements if procuring information or telecommunications systems, or earth moving, material-handling, road maintenance, or construction equipment	
(n) A statement specifying where documents incorporated by reference may be obtained	
(o) A statement that the District/Cooperative may cancel the solicitation or reject a proposal in whole or in part if deemed advantageous to the members	

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(p)	Notice that the offeror is required to certify that submission of the proposal did not involve collusion or other anticompetitive practices	
(q)	Notice 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	
(r)	Any bid security required	
(s)	Any cost or pricing data required	
(t)	The type of contract to be used	
(u)	A statement that discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being awarded a contract	
(v)	The date, time and location of any pre-proposal conference	
(w)	The name of the Lead District/Cooperative representative(s)	
(x)	A description of all information that will be recorded and available for public inspection at proposal opening	
(y)	Notice that all information and proposals submitted by offerors will be made for public inspection following the award of the contract	
(z)	Whether the Lead District/Cooperative will consider partial proposals for award	
(aa)	Specifications including: the purchase description and the estimated volume of purchases for the cooperative's members, as applicable	
(i)	Delivery or performance schedule	
(ii)	Inspection and acceptance requirements	
(iii)	If a Brand Name or Equal specification is used, instructions that use of a Brand name is for the purpose of describing the standard of quality, performance and other characteristics needed to meet the District's/Member's requirements and is not intended to limit or restrict competition. The solicitation shall state that products substantially equivalent to the brands designated qualify for consideration	
(bb)	Contract terms and conditions, including	
(i)	Warranty and bonding or other security requirements, as applicable	
(ii)	The length of contract, (or the estimated duration that services will be required) and whether the contract will include an option for extension	
(iii)	Any other contract terms and conditions	
(cc)	When using electronic competitive sealed proposal, the RFP shall specify whether electronic submission of proposals is required or optional, the electronic submission requirements and the electronic signature requirements	
5.	Stamp sealed proposals with the time and date upon receipt and store proposals unopened until the time and date set for opening? R7-2-1045	
6.	If a multiple award <sup>[1]</sup> was made for the RFP, did the Lead District / Cooperative:	
(i)	Establish and follow procedures for the use of multiple award contracts? R7-2-1050(C)	
(ii)	Include in the solicitation(s) notification that multiple contracts may be awarded, the Lead District's/Cooperative's basis for determining whether to award multiple contracts, and the criteria for selecting vendors for the multiple contracts? R7-2-1050(B)	
(iii)	Determine with the specific reason(s) in writing, that a single award was not advantageous to the members and retain the documentation that supported the basis for multiple award? R7-2-1050(C)	
(iv)	Limit contract awards to the least number of suppliers necessary to meet the requirements of the members? R7-2-1050(C)	

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7.	For contracts where only one responsive proposal was received, determine that the price submitted was fair and reasonable, and that either other prospective offerors had reasonable opportunity to respond or there was not adequate time for resolicitation? R7-2-1046(A)(1)	
	(i) Retain documentation that supported the basis for that determination?	
8.	For purchases made through competitive sealed proposals, did the Lead District / Cooperative award the contract(s) to the offeror(s) whose proposal(s) was determined, with specific reason(s) in writing, to be most advantageous to the District based on the factors set forth in the RFP? R7-2-1050	
	(i) Retain documentation that supported the basis for that determination?	
9.	If the Lead District/Cooperative used job-order-contracting to procure construction services, did the District/Cooperative comply with the requirements of R7-2-1102 through R7-2-1115?	
10.	If the Lead District/Cooperative procured goods and services using reverse auctions or electronic bidding, did the Lead District/Cooperative comply with the requirements of R7-2-1018 or R7-2-1041?	
11.	For purchases made through the Simplified School Construction Procurement Program, did the Lead District/Cooperative follow the requirements of R7-2-1033?	
12.	Did the District refrain from purchasing goods or services using another Lead District's/Cooperative's contract, in which it was not included in the original solicitation, where the additional purchase by the District would have materially increased the estimated volume stated in the original solicitation? R7-2-1011	
	Questions 13, 14 and 15 below are to be answered by the using entity and not necessarily required to be part of the lead entities responsibility in issuing the solicitation.	
13.	Are all goods and services proposed for purchase on the vendor's contract, have all potential discounts been identified and have contract prices been verified?	
14.	Have the excluded parties' lists been reviewed for each vendor proposed and are all proposed vendors absent from the lists? ( <a href="https://www.sam.gov/portal/SAM/#content">https://www.sam.gov/portal/SAM/#content</a> )	
15.	Do negotiated vendor contracts comply with laws and regulations?	

Because of considerations on these pages, it is in the best interest of the District and beneficial to use a cooperative contract rather than issuing one with our staff. All relevant factors above were taken into consideration in order to make this decision. It was determined that the contract is in substantial compliance and approval to use is recommended.

\_\_\_\_\_  
Signature of District Employee

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Signature of District Employee

\_\_\_\_\_  
Director of Purchasing