

**REQUEST FOR PROPOSALS**

**COMPREHENSIVE FINANCIAL AUDIT**

**FOR THE CITY OF LOVINGTON, NEW MEXICO**

**PROPOSAL NO. 2024-003**

The City of Lovington, New Mexico is requesting proposals from qualified offerors interested in furnishing a COMPREHENSIVE FINANCIAL AUDIT. Written proposals will be received by the City of Lovington , New Mexico, at the office of the Chief Procurement Officer in City Hall, 214 S Love St., Lovington, New Mexico 88260, May 6, 2024, 10:00 A.M MST.

Submitted proposals shall not be publicly opened. Any proposals received after that time will be returned unopened. The fact that a proposal was dispatched will not be considered.

Copies of the specifications may be obtained without charge from the office of the Chief Procurement Officer, 214 S Love St., Lovington, NM 88260 or call Melissa Boydston 575-396-9358.

The City Commission will evaluate any recommendations made and will decide whether to forward such recommendations to the State Auditor, who retains final authority to award the audit contract. Offerors may request in writing nondisclosure of confidential data; such data shall accompany the proposal and shall be readily separable from the proposal to facilitate public inspection of all proposals.

In case of ambiguity or lack of clearness in stating proposal prices, the City of Lovington, New Mexico, reserves the right to adopt the most advantageous thereof. The City of Lovington reserves the right to recommend the proposal to the State Auditor deemed to be in the best interest of the City.

CITY OF LOVINGTON, NEW MEXICO

---

David Miranda, City Manager

Publication Date:

**PART I - INSTRUCTIONS TO OFFERORS**

1. Sealed proposals will be received by the Chief Procurement Officer of the City of Lovington, New Mexico, in accordance with the Proposal Advertisement. Offerors shall use the proposal form included with the specifications. Proposal forms must bear the signature of the offeror to be considered. Pursuant to NMSA 1978, § 13-1-191.1 (2006), offerors shall complete the attached Campaign Contribution Disclosure form. By submitting a sealed proposal, the Independent Public Auditor (IPA) implies compliance with Generally Accepted Government Auditing Standards (GAGAS) 3.02 and 2.2.2.8 Subsection H of 2.2.2 NMAC. Failure of offerors to complete proposal documents in accordance with all instructions provided is cause for the City of Lovington to reject proposals.  
**Please submit one (1) original and four (4) copies of your proposal.**
2. Proposals must be submitted in a sealed envelope with the outside clearly marked: **PROPOSAL NO. 2024-003 COMPREHENSIVE FINANCIAL AUDIT**. If unable to provide a proposal for this engagement, the IPA is requested to return the proposal packet with the term "NO PROPOSAL" written on the proposal form. The entire REQUEST FOR PROPOSAL is to be returned (or a complete facsimile), not just the proposal form, along with any addenda. In addition, the IPA should include any additional materials which it is felt will prove enlightening as to professional credentials.
3. All proposals are subject to all applicable taxes. Any contracts that include labor or services require that the full amount be subject to the City of Lovington Gross Receipts Tax. Do not include the taxes in the total proposal price. Taxes will be added and paid at time of billing.
4. RFP Amendments: Should any amendment to this Request for Proposals be deemed necessary between issuance of the Request for Proposals and the proposal submission deadline, it will be distributed in writing to all recipients of the original RFP. If an amendment requires a time extension, the proposal submission date will be changed as part of the written amendment.
5. Proposals received after the Deadline are non-responsive. Proposals will be reviewed for completeness and compliance with mandatory requirements. If any proposal submitted is deemed non-responsive, the offeror will be notified in writing of such determination.
6. Proposal Evaluation: A selection committee will review each proposal. Points will be allocated as outlined in the evaluation criteria of this RFP to determine a list of finalists which will be forwarded.

7. Award: The City Commission will make a selection from the finalists recommended by the selection committee. The Chief Procurement Officer will then make an award subject to approval by the State Auditor.

The City reserves the right to accept proposals in their entirety, or portions thereof, and to reject any or all proposals and to waive informalities.

## **PART II - GENERAL INFORMATION**

### **GENERAL PURPOSE**

The City of Lovington, New Mexico, has been notified by the New Mexico State Auditor that the 2023/2024 fiscal year audit is to be conducted by an independent public accountant (IPA). The term Certified Public Accountant (CPA) may be used in this proposal instead of IPA. The intended purpose of the REQUEST FOR PROPOSALS is to provide the IPA with the following.

1. A general description of the engagement and requirements of the auditor.
  2. A general review of the financial and procedural operations of the City.
  3. RFP Schedule (Page 6)
  3. Proposal evaluation criteria (Part IV – pages 7-9).
  4. Evaluation questionnaire (Pages 10 – 17)
  4. An official proposal form (p. 19).
1. **GENERAL DESCRIPTION OF ENGAGEMENT AND REQUIREMENTS OF THE AUDITOR**

A) Proposals are being requested for a single, agency-wide, comprehensive audit for the period July 1, 2023, through June 30, 2024.

The City of Lovington reserves the right to renew the contract for two (2) additional one (1) year terms at the **same price, terms and conditions as stated on the original proposal**. ALL CONTRACTS ARE SUBJECT TO THE APPROVAL OF THE STATE AUDITOR.

B) Proposals are requested from qualified Independent Public Accountants in good standing, licensed to do business in the State of New Mexico, and listed on the 2024 State Auditor's approved firm list.

C) The final authority to designate the auditor selected rests with the State Auditor. The successful IPA must agree to enter a contract.

D) Auditors submitting proposals are to independently ascertain the nature, scope, and depth of this engagement. In order to assist the IPA in this process, members of the Finance Division will be pleased to provide written responses to written questions; samples of journals and ledgers used; and will conduct tours of physical premises if necessary. Any written question and the response by the City of Lovington will be available upon request to all interested IPA's.

E) This request for Proposals is complete and will not be modified except in writing. Any verbal communications between the IPA, its representatives, and City of Lovington personnel are not to be relied upon in determination of engagement requirements. Any addenda issued must be acknowledged in writing and returned with any proposal submitted.

F) The IPA is expected to have sufficient personnel available to handle all clerical-related duties of the engagement. This means that the IPA should plan on pulling vouchers, checks, and all other documents as required. City personnel will assist as need to perform this function. This also includes filing, in good order, used documents by IPA clerical personnel. All file documents, ledgers and journals belonging to the City of Lovington must remain on site at all times.

G) Familiarity with the following is required:

- 1) OMB Circular A-128
- 2) Federal Single Audit Act
- 3) 2.2.2 NMAC Requirements for Contracting and Conducting Governmental Audits
- 4) GASB Statements published in the Codification of Governmental Accounting and Financial Reporting Standards.
- 5) Any other applicable pronouncements.

All applicable criteria pertaining to audits of local public bodies and specified in the 2.2.2 NMAC Requirements for Contracting and Conducting Governmental Audits is a requirement of this proposal for audit services.

H) Certain supplementary schedules pertaining to federal funds are to be included within the scope of work. Examples of such funds might include the Community Development Block Grant Fund and the Public Transportation Fund.

I) The IPA must provide copies of the annual financial audit report for the State Auditor in accordance with 2.2.2.9 Subsection A Paragraph 3 of 2.2.2 NMAC and twenty (20) bound, and

one (1) electronic copy of the completed audit for the City of Lovington. The City of Lovington will require review of the completed audit prior to printing and submission.

J) The proposed price as stated on the proposal must be firm and not subject to change. Multi-year pricing must be in accordance with 2.2.2.8 Subsection B, Paragraph 4 of 2.2.2 NMAC. The total price is subject to the City of Lovington Gross Receipts Tax. Taxes will be added and paid at the time of billing.

K) Due to the extensive requirements of local, state, and federal agencies, the IPA is advised that the comprehensive audit requires the expression of opinions and inclusion of comments which go beyond the standard opinions and comments usually presented in an audit report. See instructions from the State Auditor for specific information.

## 2. GENERAL OVERVIEW OF FINANCIAL AND PROCEDURAL OPERATIONS

The City of Lovington operates under a Commissioner-Manager form of government and provides the following services as authorized by its charter: public safety (police and fire), highways and streets, sanitation, health and social services, culture and recreation, public improvements, planning and zoning, and general administrative services.

The accounting policies of the City of Lovington conform to generally accepted accounting principles as applicable to New Mexico governmental units.

The accounts of the City are organized based on funds and account groups, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

The City of Lovington is legally responsible to the Local Government Division, State of New Mexico, for methods of operation. The City prepares various financial reports and other required financial data as required by that agency.

The auditor will be expected to draft the financial statements in accordance with current GAAP statements.

**RFP SCHEDULE**

The Procurement Manager will make every effort to adhere to the following schedule:

<b>Action</b>	<b>Responsibility</b>	<b>Date</b>
Issue of RFP	City of Lovington Finance	April 11, 2024
Submission of Proposal	Offeror	May 6, 2024
Selection of Finalists	Evaluation Committee	May 6-10, 2024
*Finalists List presented by Finance	City Commissioners	May 13, 2024
City Commission Approval	City Commissioners	May 13, 2024
Contract Negotiations	Evaluation Committee/Offeror	May 20 – 31, 2024
Contract Execution	City of Lovington and Contractor	June 3, 2024
<p>*The selection committee <i>may</i> interview the Offeror(s) of the top-rated proposals; however, contracts may be awarded without such interviews.</p> <p><b>This schedule is subject to change. All offerors will be notified of schedule changes by addendum via e-mail, fax or US Mail, and/or by posting to <a href="http://www.lovington.org">www.lovington.org</a>, under "Procurement".</b></p>		

PART IV - PROPOSAL EVALUATION CRITERIA AND QUESTIONNAIRE

EVALUATION CRITERIA  
2023/2024 COMPREHENSIVE AUDIT

The City of Lovington will evaluate the written proposals received and may conduct interviews with any and all firms regarding their qualifications, their approach to the project, and their ability to furnish the required services.

**PART ONE:**

**Section I - Firm Capabilities (maximum 30 points)**

- A. The firm's resources to perform the type and size of audit required. (Maximum 5 points)
- B. Reference checks including past performance for the City of Lovington. (Maximum 10 points)
- C. The firm's most recent external quality control reviews (peer review). (Maximum 10 points)
- D. The organization and completeness of the proposal submitted. (maximum 5 points)

**Section II - Work Requirements and Audit Approach. (Maximum 20 points)**

- A. The firm's knowledge of audit objectives, agency needs, and product to be delivered. Note: An interview may be conducted via telephonically or in person to discuss Agency needs associated with current accounting structure. (Maximum 10 points)
- B. The firm's technical plan and realistic time estimates to complete the audit. (Maximum 5 points)
- C. The firm's plans to utilize City of Lovington Finance Department staff. (Maximum 3 points)
- D. The firm's approach for planning and conducting the work efforts of subsequent years. (Maximum 2 points)

**Section III - Technical Experience. (maximum 25 points)**

- A. The firm's governmental audit experience. (Maximum 10 points)
- B. Team audit experience or specialization with municipalities. (Maximum 10 points)
- C. Continuing professional education directly related to the local governments. (Maximum 5 points)

**Section IV - Firm Strengths or Weaknesses. (Maximum 5 points)**

**PART TWO:**

**Cost (maximum 20 points)**

The scores from PART ONE and PART TWO will be totaled for a final score for all responding proposers. A recommendation will be approved by the City Committee and forwarded to the City Procurement Officer for final approval of the City of Lovington Commissioners.

Additional points may be added based on Resident/Veterans Bidder Preference.



**EVALUATION CRITERIA**

Firm Name:	Possible Points	Points
<b>PART ONE</b>		
<b>Section I – Firm Capabilities – 30 point maximum</b> A. The firm’s resources to perform the type and size of audit required. B. Reference checks including past performance for the City of Lovington. C. The firm’s most recent external quality control reviews (peer reviews). D. The organization and completeness of the proposal submitted.	5 10 10 5	
<b>Section II – Work Requirements and Audit Approach – 20 point maximum</b> A. The firm’s knowledge of audit objectives, agency needs, and product to be delivered. B. The firm’s technical plan and realistic time estimates to complete the audit. C. The firm’s plan to utilize city of Lovington Finance department staff. D. The firm’s approach for planning and conducting the work efforts of subsequent years.	10 5 3 2	
<b>Section III – Technical Experience – 25 point maximum</b> A. The firm’s governmental audit experience. B. Team audit experience or specialization with municipalities. C. Continuing professional education directly related to local governments.	10 10 5	
<b>Section IV – Firm Strengths or Weaknesses</b> A. Firm Strengths B. Firm Weaknesses C. Additional Factors	2 2 1	
<b>PART TWO</b>		
<b>Cost</b>	20	
<b>GRAND TOTAL POINTS</b>		<b>100</b>

***Note: For ease of evaluation, proposals should be formatted in the order as listed above. Additional points may be added based on Resident/Veterans Bidder Preference.***

**EVALUATION QUESTIONNAIRE**

Please answer the following questions in as much detail as possible. Additional information, or additional sheets may be used, however please reference the location of the answers in the space provided.

**PART ONE**

**Section I - Firm Capabilities (maximum 30 points)**

- A. Describe the resources available for the job, including the number of firm members assigned and their job titles (i.e.. staff, senior, manager, or partner), the percentage of their work schedule available on this job, as well as the total staff hours available.

Describe any computer aided audit techniques planned for this engagement.

Does your firm plan to utilize an information system audit specialist on this engagement? If so, please describe their involvement in the job, as well as their credentials, and the expected percentage of their time available for this job.

B. Provide three references of similar audit engagements your firm has performed. We plan to only ask general questions regarding your firm's planning of the engagement, timeliness of the fieldwork and submission of audit reports, technical expertise relating to their job, and their overall satisfaction with your performance.

1. Agency Name: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Service(s) Provided: \_\_\_\_\_

Year(s) Audited: \_\_\_\_\_

2. Agency Name: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Service(s) Provided: \_\_\_\_\_

Year(s) Audited: \_\_\_\_\_

3. Agency Name: \_\_\_\_\_

Primary Contact: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Service(s) Provided: \_\_\_\_\_

Year(s) Audited: \_\_\_\_\_

- C. Enclose a copy of your firm's most recent external peer review report including letter of comments. If your firm has not received an external peer review report, please describe your firm's plans to obtain this report, and state in detail the reasons for this omission.

**Section II - Work Requirements and Audit Approach. (maximum 20 points)**

- A., Describe your audit objectives, and specifically describe how those objectives will meet the City of Lovington needs, and describe the product to be delivered upon completion of the job.
- B., Describe your audit approach to planning, interim fieldwork, fieldwork, and reporting on this engagement and provide a time-line for completion of these phases of the job, along with expected hourly requirements for each phase.

C. What are your plans for utilizing City of Lovington staff for assistance on this engagement?

D. The current proposal is for a one-year contract with the availability of two (2), one-year extensions. Describe the effect on your audit approach in the current, and future years, considering the probability that the successful offeror will likely retain the contract for the full three-year period.

**Section III - Technical Experience. (maximum 25 points)**

- A. Indicate the on-site manager for this engagement, as well as a description of governmental auditing experience for this person and your firm.
- B. Indicate each of the staff assigned to this engagement, including their total experience as auditors, as well as their direct governmental auditing experience.

- C. For those team members listed in A, and B, please indicate continuing professional education seminars or meetings attended in the past three years that pertain directly to audits of state & local governments.





**PART TWO**

Please provide the following information concerning hourly rates relative to this engagement:  
 (maximum 20 points)

	(Each Year)	
	<u>HOURS</u>	<u>PRICE</u>
FINANCIAL STATEMENT AUDIT:	_____	\$ _____
FEDERAL SINGLE AUDIT:	_____	\$ _____
FINANCIAL STATEMENT PREPARATION:	_____	\$ _____
OTHER (SPECIFICALLY IDENTIFY):	_____	\$ _____
_____		
_____		
TOTAL COMPENSATION		\$ _____

**PROPOSAL NO. 2024-003**

**FURNISH COMPREHENSIVE FINANCIAL AUDIT**

**TO: The City of Lovington, New Mexico**

\_\_\_\_\_, 2024

The proposed cost for completion of this engagement is:

\$\_\_\_\_\_ Base Dollar Amount (exclude gross receipts tax)

TOTAL AMOUNT WRITTEN IN WORDS \_\_\_\_\_  
\_\_\_\_\_.

Terms of Payment: Upon receipt of authorization from the State Auditor. Applicable gross receipts tax will be remitted upon invoice.

\*Submit (5) copies of the entire proposal package with this page.

The undersigned offeror, pursuant to the foregoing "Notice to Offerors", has carefully examined the instructions to Offerors, this proposal form and the Detailed Specifications.

\_\_\_\_\_  
Veterans Preference Number

\_\_\_\_\_  
Company Name

BY: \_\_\_\_\_

\_\_\_\_\_  
Resident Preference Number

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
City State Zip

If applicable - proposer acknowledges receipt of the following ADDENDUM:

Addendum No:\_\_\_ Dated:\_\_\_\_\_ Addendum No:\_\_\_ Dated:\_\_\_\_\_

**NOTE: To be valid, proposal must be signed. The signature of a corporation is its president, or an authorized vice president, attested by the secretary. A signature of a partnership must be a valid partner.**

**CAMPAIGN CONTRIBUTION DISCLOSURE FORM**

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

**THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.**

The following definitions apply:

**“Applicable public official”** means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

**“Campaign Contribution”** means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“**Family member**” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“**Pendency of the procurement process**” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“**Person**” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“**Prospective contractor**” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“**Representative of a prospective contractor**” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: \_\_\_\_\_

Relation to Prospective Contractor: \_\_\_\_\_

Name of Applicable Public Official: \_\_\_\_\_

Date Contribution(s) Made: \_\_\_\_\_  
\_\_\_\_\_

Amount(s) of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

Nature of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

Purpose of Contribution(s) \_\_\_\_\_  
\_\_\_\_\_

(Attach extra pages if necessary)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (position)

\_\_\_\_\_  
Printed Name

--OR--

**NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE** to an applicable public official by me, a family member or representative.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title (Position)

\_\_\_\_\_  
Printed Name

### Resident Veterans Preference Certification

\_\_\_\_\_ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

**Please check one box only**

I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$3M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

“I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

“In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be.

“I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.”

\_\_\_\_\_

(Signature of Business Representative) \*

\_\_\_\_\_

(Date)

\*Must be an authorized signatory for the Business.

The representations made in checking the boxes constitute a material representation by the business that is subject to protest and may result in denial of an award or unawarded of the procurement involved if the statements are proven to be incorrect.

### NON-COLLUSION AFFIDAVIT

STATE OF \_\_\_\_\_)

City OF \_\_\_\_\_)

\_\_\_\_\_ (name) being first duly sworn, deposes and

says that he/she is (title) \_\_\_\_\_

of (organization) \_\_\_\_\_

who submits herewith to the City of Lovington, a bid/proposal:

That all statements of fact in such bid/proposal are true:

That said proposal/bid was not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation.

That said proposer/bidder has not, directly or indirectly by agreement, communication or conference with anyone attempted to induce action prejudicial to the interest of the City of Lovington, or of any proposer/bidder of anyone else interested in the proposed contract; and further,

That prior to the public opening and reading of bid/proposal, said bidder/proposer;

1. Did not directly or indirectly, induce or solicit anyone else to submit a false or sham proposal.
2. Did not directly or indirectly collude, conspire, connive or agree with anyone else that said bidder or anyone else would submit a false or sham proposal, or that anyone should refrain from bidding or withdraw his/her proposals.
3. Did not in any manner, directly or indirectly, seek by agreement, communication or conference with anyone to raise or fix the proposal price of said bidder or of anyone else, or to raise or fix any overhead, profit or cost element of their proposal price, or of that of anyone else.
4. Did not directly or indirectly, submit his proposed price or any breakdown thereof, or the contest thereof, or divulge information or data relative thereto, to any corporation, partnership, company, association organization, bid depository or to any member or agent thereof, or to any individual group of individuals, except that City of Lovington, or to any person or persons who have a partnership or other financial interests with said proposer/bidder in his/her business.

By: \_\_\_\_\_

Title: \_\_\_\_\_

SUBSCRIBED and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Notary Public: \_\_\_\_\_ My Commission Expires;



## RELATED PARTY DISCLOSURE FORM

(Bidders and Proposers only)

1. Are you indebted to or have a receivable from any member of the City of Lovington Commissioners, administration officials, department heads, and key management supervisors with the City of Lovington?

YES \_\_\_ NO \_\_\_

---

---

2. Are you, or any officer of your company related to any member of the City of Lovington Commissioners, administration officials, department heads, key management supervisors of the City of Lovington and have you had any of the following transactions since January 1, 2022 to which City of Lovington was, is to be, a party?

Sales, Purchase or leasing of property? YES \_\_\_ NO \_\_\_

Receiving, furnishing of goods, services or facilities? YES \_\_\_ NO \_\_\_

Commissions or royalty payments? YES \_\_\_ NO \_\_\_

---

---

3. Does any member of the City Commission; administration officials, department heads, key management supervisors with the City of Lovington, have any financial interest in your company whether a sole proprietorship, partnership, or corporation of any kind that currently conducts business with the City of Lovington?

YES \_\_\_ NO \_\_\_

---

---

4. At any time from January 1, 2017, through the present, did you, your company, or any officer of your company have an interest in or signature authority over a bank account for the benefit of a member of the City Commission administration officials, department heads, key management supervisors with the City of Lovington?

YES \_\_\_ NO \_\_\_

---

---

5. Are you negotiating to employ, or do you currently employ any employee, officer, or family member of an employee or officer for the City of Lovington?

6. Are you an employee of the City of Lovington or a member of your family an employee of the City of Lovington?

YES \_\_\_ NO \_\_\_

---

---

**The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.**

**Signature of Owner or Company President**\_\_\_\_\_

**Date**\_\_\_\_\_

**(Print Name and Title):**\_\_\_\_\_

**City of Lovington**  
**Certification Regarding Debarment, Suspension, Ineligibility and**  
**Voluntary Exclusion**

The Bidder/Proposer certifies, by submission of this bid/proposal, neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this submission of bid/proposal by any Federal, State or Local government. It further agrees by submitting this bid/proposal that it will include this clause without modification in all lower tier transactions, solicitations, proposals, contracts and subcontracts. Where the bidder/proposer or any lower tier participant is unable to certify this statement, it shall attach an explanation to this bid/proposal submission.

**Failure to acknowledge the above conditions would render the Bid/Proposal non-responsive.**

I acknowledge:

Company Name: \_\_\_\_\_

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

PROPOSAL CHECKLIST  
CITY OF LOVINGTON/ FINANCE DEPARTMENT

Did You:

- Include One (1) original and (4) four copies of the proposal, plus one (1) electronic copy (CD or Flash Drive).
- Fill Out and Sign the Campaign Contribution Disclosure Form
- Fill Out and Sign the Veterans/Resident Preference Certification Form
- Sign and Notarize the "Non-Collusion Affidavit" form.
- Fill Out and Sign the Related Party Disclosure Form
- Sign the "Certification Regarding Debarment, Suspension, and Other Responsibility Matters" form.
- Include a list of clients for similar projects
- Review all clarifications/questions/answers
- Clearly mark your proposal with "**Proposal No. 2024-003 Comprehensive Financial Audit**" on the front of the envelope.

Deliver your sealed proposal to the City of Lovington Finance Department, 214 S Love Street, Lovington, New Mexico 88260 before **May 6, 2024 10:00 am (MST)**.

\* If not completed as required, your proposal may be deemed non-responsive.

Contact the Finance Department immediately if any portion is missing. This form is for your information only and does not need to be submitted with your proposal