EAST-WEST GATEWAY
Council of Governments
Creating Solutions Across Jurisdictional Boundaries

Firm Responsibility Information
Detailed Questionnaire

EAST-WEST GATEWAY
Council of Governments
Creating Solutions Across Jurisdictional Boundaries

Project Name & Solicitation #	Microwave Network Audit and Security Assessment - # 120617-DMSAUD

As part of the final stages of the procurement process for the above-captioned project, the Council must make a final determination regarding your firm's responsibility. The Council is not permitted to award a contract to a firm, including the firm's subcontractors / joint venture partners, that the Council determines is not responsible. Section IV, Part A, Sub-Part 2, #2 of the solicitation documents for this project provides a definition of a "responsible firm" and also describes the factors that the Council uses to make its firm responsibility determination.

In order to make this determination, the Council needs additional information. This Questionnaire includes the following forms:

(1) Financial & Technical Resources
(2) Audit Information
(3) Legal Proceedings, Integrity & Business Ethics

Each form must be completed in its entirety. Please type the information into the forms using Adobe Reader or other compatible Adobe product. The forms in this Questionnaire may contain rules, which means that the boxes / spaces will auto fill depending on your answers to the questions.

You are NOT permitted to substitute your own format or information for the forms included in this Questionnaire.

If you need additional space to provide the information requested in this Questionnaire, please use the form titled "Additional Information." You may also attach additional sheets, as needed, in order to provide the requested information.

An authorized representative of the your firm **must sign and date** the certification provided below. ***A typed signature is not acceptable.***

Please note that, if your firm's Questionnaire does not include the information necessary for the Council to make its determination regarding your firm's responsibility, then the Council may find that your firm is not responsible and is, therefore, ineligible to be awarded a contract, including a subcontract, for the project.

Also note that the requirements regarding firm responsibility apply equally to your firm's subcontractors / joint venture partners; therefore, each of your firm's subcontractors / joint venture partners must also submit a signed and dated Questionnaire. If the subcontractors' / joint venture partners' Questionnaire do not include the information necessary for the Council to make its determination regarding the firm's responsibility, then the Council may find that your firm is not responsible and is, therefore, ineligible to be awarded a contract for the project. Prior to engaging a subcontractor or joint venture partner, it is your firm's responsibility to ensure that the subcontractor / joint venture partner will meet the Council's firm responsibility requirements.

If you have issues using this form or if you have questions about the information requested in this Questionnaire or the documentation that needs to be submitted to the Council, please contact:

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CERTIFICATION

By signing below, I certify that I am authorized to sign this Firm Responsibility Information - Detailed Questionnaire on behalf of my firm and that the information contained in each of the forms contained in this Questionnaire (as noted in #1 - 3 above) is accurate and complete to the best of my knowledge.

My firm is performing work for the project as: ☐ ***the prime firm.*** ☐ ***a subcontractor.*** ☐ ***a joint venture partner.***

Firm Name _____

Name & Title of Authorized Official _____

Signature of Authorized Official _____

Date _____

#1 - Financial & Technical Resources (pg. 1 of 3)

Firm Name _____

Your firm must answer each of the questions below regarding your firm's financial and technical resources. As indicated below, your firm must attach additional documentation to demonstrate that it has the necessary financial and technical resources to successfully complete the Council's project.

Financial Resources

1. Does your firm currently have sufficient financial resources to meet its obligations? ☐ Yes ☐ No

2. Does your firm currently have access to, or does it have the ability to access, a line of credit or similar financial resources? ☐ Yes ☐ No

3. Within the previous 3 years, has your firm ever been **unable** to perform or complete a project due to insufficient financial resources? ☐ Yes ☐ No

4. Is your firm currently or, within the previous 3 years, has your firm been involved in any bankruptcy or reorganization? ☐ Yes ☐ No

5. Provide a description of your firm's current financial resources. The description should not be a generic statement that your firm's financial position is "solid," "favorable," etc., but should include facts and figures that demonstrate that your firm has the financial resources necessary to successfully complete the project. ***You must attach a copy of documents, information, or reports that demonstrate your firm's current financial condition (e.g. annual report, financial statements, audit report). The documents, information, and reports must cover your firm's most recent fiscal year end.***

6. Indicate which types of insurance coverage your firm currently carries and indicate the amount of coverage your firm carries. ***You must provide a copy of your firm's current certificate of liability insurance that shows the type and amount of insurance coverage your firm carries.***

☐ Commercial General Liability Insurance Coverage **Aggregate** _____ **Per Occurrence** _____

☐ Commercial Automobile Liability Insurance Coverage **Per Accident** _____

☐ Professional Liability Insurance Coverage ☐ N/A **Aggregate** _____ **Per Claim** _____

Note that if the "N/A" box is checked, then Professional Liability Insurance Coverage is not required for the project. Additionally, if your firm is not an engineering or architecture firm, then Professional Liability Insurance Coverage is not required and you should check the "N/A" box.

☐ Workers' Compensation Insurance _____ ☐ N/A

If the "N/A" box is checked, please describe the legal basis for your firm being exempt under the law from providing workers' compensation insurance.

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#1 - Financial & Technical Resources (pg. 2 of 3)

Firm Name _____

Technical Resources

1. Does your firm have staff, software, or other resources that it can use to effectively manage a contract with the Council? ☐ Yes ☐ No

   (a) Provide a description of the resources and procedures that your firm will use to manage its contract and ensure timely and successful completion of the project. If your firm will have subcontractors, this description should include the procedures that your firm will use to manage its subcontracts. The description should include relevant software, day-to-day staff management, as well as staff oversight that will be used to effectively manage the contract(s).

2. Does your firm have staff, software, or other resources that it can use to account for project costs and submit timely invoices to the Council? ☐ Yes ☐ No

   (a) Provide a description of the resources and procedures that your firm will use to account for project costs and ensure timely submission of project invoices. The description should include relevant software, day-to-day staff management, as well as staff oversight that will be used to track and account for project costs.

3. Does your firm's staff have the licenses (e.g. business, professional) required to perform the work for this project? ☐ Yes ☐ No

4. Does your firm have access to, or have the ability to access, the resources necessary to successfully complete the Council's project? ☐ Yes ☐ No

   Resources include, but are not limited to, staff, office space, subcontractors, software, materials, etc.

   (a) Provide a description of the additional resources that your firm has, or has the ability to access, to ensure timely and successful completion of the project.

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#1 - Financial & Technical Resources (pg. 3 of 3)

Firm Name _____

Technical Resources, con't.

5. Does your firm have the capacity to successfully complete the Council's project within the estimated performance period? ☐ Yes ☐ No

This should be measured after considering your firm's current and anticipated work commitments and the time frame estimated for the project (see Section II of the solicitation documents).

(a) How many persons does your firm currently employ? ☐

(b) How many of your firm's staff persons are assigned to the Council's project? ☐

(c) What is the range of availability of the staff persons who are assigned to the Council's project (e.g. 10% - 50%)? ☐

Other Resources

1. If applicable, provide a description of any other resources that your firm has, or has the ability to access, to ensure timely and successful completion of the project.

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#2 - Audit Information

Answer each of the questions below regarding your firm's audit history. The Council may request that your firm submit additional information or documentation regarding the information provided on this form.

Firm Name _____

1. Within your firm's previous 2 fiscal years has your firm had an independent, external audit performed for any of the following (***check all that apply***)?

☐ Financial Statements ☐ Internal control over financial reporting ☐ Compliance ☐ None

If yes, provide the following information:

Indicate the period covered by your firm's most recent audit (e.g. 1/1/15 thru 12/31/15): _____

Did the audit reveal any material misstatements, control deficiencies, or failure to comply with applicable standards? ☐ *Yes* ☐ *No* ☐ *N/A*

Applicable standards include, but are not limited to, the Federal Acquisition Regulation or FAR and Generally Accepted Accounting Principles or GAAP. These standards do not necessarily apply to every firm.

If the audit revealed any material misstatements, control deficiencies, or failure to comply with applicable standards, provide an explanation.

The name of the firm that conducted the audit. _____

Is your firm able provide the Council a copy of your firm's audit report and overhead schedule? ☐ *Yes* ☐ *No* ☐ *N/A*

If your firm is not able to provide this information, please provide an explanation.

2. If your firm **has not** had an independent, external audit within the firm's previous 2 fiscal years, can your firm provide the Council a schedule of your firm's overhead costs? ☐ Yes ☐ No ☐ N/A

If your firm is not able to provide this information, please provide an explanation.

If you have more information you would like to provide about the answers provided on this form, use the form titled "Additional Information."

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#3 - Legal Proceedings, Integrity & Business Ethics (pg. 1 of 2)

The following questions pertain to your firm's record of integrity and business ethics. Your firm must answer each question and provide additional information for any "Yes" answers. ***References to "firm" means any owner, principal, officer, stockholder with a controlling interest, or any employee that is involved in the procurement or contracting process for the project.***

Firm Name _____

Is your firm currently, or in the previous 3 years has your firm been, subject to any of the following:

1.	a criminal investigation, an indictment, a judgment, a conviction, or any grant of immunity for any business related conduct constituting a crime under federal, state, or local government law including, but not limited to: fraud, extortion, bribery, racketeering, price-fixing or bid collusion, or any crime related to truthfulness or business conduct?	☐ Yes	☐ No
2.	a federal, state, or local governmental / agency investigation for a civil or criminal violation for any business related conduct?	☐ Yes	☐ No
3.	a federal, state, or local government contract suspension or termination for cause prior to the completion of the term of a contract?	☐ Yes	☐ No
4.	a federal, state, or local government suspension or debarment from the contracting process?	☐ Yes	☐ No
5.	a finding, for any reason, of non-responsibility by any federal, state, or local governmental entity?	☐ Yes	☐ No
6.	a federal, state, or local government denial of a lease or contract award for non-responsibility?	☐ Yes	☐ No
7.	an agreement for voluntary exclusion from contracting with a federal, state, or local governmental entity?	☐ Yes	☐ No
8.	a citation, violation order, sanction, pending administrative hearing or proceeding for violations of:		
	(a) federal, state, or local labor laws or regulations,	☐ Yes	☐ No
	(b) business or professional license standards,	☐ Yes	☐ No
	(c) unemployment insurance or workers' compensation coverage or claim requirements,	☐ Yes	☐ No
	(d) ERISA,	☐ Yes	☐ No
	(e) human rights laws,	☐ Yes	☐ No
	(f) federal citizenship or immigration laws, or	☐ Yes	☐ No
	(g) federal anti-trust regulations or laws.	☐ Yes	☐ No
9.	an administrative proceeding or civil action seeking specific performance or restitution in connection with any federal, state, or local contract or lease?	☐ Yes	☐ No
10.	a denial, decertification, revocation, or forfeiture of Disadvantaged Business Enterprise (DBE), Women's Business Enterprise (WBE), or Minority Business Enterprise (MBE) status or certification?	☐ Yes	☐ No
11.	a rejection of a low bid on a federal, state, or local contract due to a failure to meet statutory affirmative action or D/W/MBE status requirements on a previously held contract?	☐ Yes	☐ No

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#3 - Legal Proceedings, Integrity & Business Ethics (pg. 2 of 2)

Firm Name _____

12. In the previous 3 years, has your firm failed to file returns or pay any applicable federal, state, or local government taxes? ☐ Yes ☐ No

13. Does your firm currently have or, in the previous 3 years, has your firm had an unsatisfied judgement, injunction, or lien obtained by any federal, state, or local governmental entity / agency based on taxes owed and fines and penalties assessed by the entity / agency? ☐ Yes ☐ No

14. In the previous 3 years, has an owner, client, contractor, or governmental entity filed a legal action against your firm for any of the following:

    (a) your firm's failure to complete a project on time or at all? ☐ Yes ☐ No

    (b) your firm's unsatisfactory performance? ☐ Yes ☐ No

    (c) your firm providing products of a poor quality? ☐ Yes ☐ No

    (d) your firm's breach or default of contract for misfeasance, error, omission, or failure to perform? ☐ Yes ☐ No

If you answered "Yes" to any of the questions above, provide additional information regarding the finding, including, but not limited to, the current status, resolution, etc. and describe why the matter in question does not merit a Council finding of non-responsibility.

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Additional Information

Use this form to provide any information that you either could not provide on prior pages or that you believe is relevant to the Council's firm responsibility determination. You may attach as many of these sheets that you need to provide the requested information.

Please make sure that you indicate the form and question for which you are providing additional information (i.e. Form #1, Question #2; Form #2, Question #1, etc.)

Firm Name _____

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