

REQUEST FOR PROPOSAL

Date Due: October 17, 2022, no later than 10:15 A.M. Proposals received later than this date and time will not be considered. Proposals will be received and publicly acknowledged by the Lavaca County Auditor's office at the Lavaca County Courthouse at 10:30 A.M. in the Commissioner's Courtroom, 1st Floor.

Carefully read all instructions, requirements and specifications. Fill out all forms properly and completely. Submit **one original and two (2) copies** of your proposal with all appropriate supplements and or samples.

Be sure that return envelope **IS MARKED "SEALED PROPOSAL- FINANCIAL AUDIT SERVICES."**

**RETURN PROPOSAL TO:
Lavaca County Auditor
P.O. Box 283
109 N. La Grange Street
Hallettsville, Texas 77964**

For additional information, contact Shana R. Opela 361-798-2711

You must sign below in INK; failure to sign WILL disqualify the offer. All prices must be typewritten or written in ink.

Company Name: _____

Company Address: _____

City, State, Zip Code: _____

Taxpayer Identification Number (T.I.N.) _____

Telephone No. _____ FAX No. _____ E-mail _____

Print Name: _____ Signature: _____ Date: _____

(Your signature attests to your offer to provide the goods and/or services in this proposal according to the published provisions of this request for proposal. When an award letter is issued, it becomes a part of this contract.)

Disclosure Requirements

Chapter 176 of the Texas Local Government code mandates the public disclosure of certain information concerning persons doing business or seeking to do business with Lavaca County, including affiliations and business and financial relationships such persons may have with Lavaca County officers. An explanation of the requirements of Chapter 176 is located at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. A list of County officials is located at www.co.lavaca.tx.us. The disclosure form is included in this packet. **Please complete with your response.**

By doing business or seeking to do business with Lavaca County, you acknowledge that you have been notified of the requirements of Chapter 176 of the Texas Local Government Code and that you are solely responsible for complying with them.

TABLE OF CONTENTS

A. GENERAL INFORMATION

Lavaca County's intent of this Request for Proposal is to obtain proposals from qualified firms of certified public accountants, with extensive experience in the Auditing Services for government agencies, to audit its financial statements for the fiscal year ending September 30, 2022, for Lavaca County and to audit the financial statements for the 2nd 25th Judicial District Adult and Juvenile Probation Departments for the fiscal year ending August 31, 2022, with the option for year-to-year engagement.

The sealed proposal shall be submitted to:

Shana R. Opela
Lavaca County Auditor
P.O. Box 283
109 N. La Grange Street
Hallettsville, Texas 77964

There is no expressed or implied obligation for Lavaca County to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.

Proposals submitted will be evaluated by the Auditor's office, which will make a recommendation to the Commissioners' Court for its consideration and subsequent selection.

During the evaluation process, the Auditor's office and the Commissioners' Court, reserve the right, where it may serve the County's best interest, to request additional information or clarifications from offeror, or to allow corrections of errors or omissions. The award of the contract shall be made to the responsible offeror resulting from negotiations, taking into consideration the relative importance of price and other factors set forth in the RFP in accordance with the Texas Local Government Code, Chapter 262.

Lavaca County reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates at a minimum acceptance by the firm of the conditions contained in this RFP, unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the County and the firm selected.

A proposal may not be withdrawn or canceled by the offeror for a period of ninety (90) days following the date designated for the receipt of proposal, and offeror so agrees upon submittal of their proposal. Any proposal alteration, interlineations, or erasure made before receiving time must be initialed by the signer of the proposal, guaranteeing authenticity.

Proposals will be received and publicly acknowledged at the location, date, and time stated on the cover page. Offeror, their representatives and interested persons may be present. Proposals shall be received and acknowledged only so as to avoid disclosure of the contents to competing offerors and kept secret during the negotiation/evaluation process. (Reference VTAC, 262.030). However, all proposals shall be open for public inspection after the contract is awarded, except for confidential information contained in the proposal so identified by offeror as such.

It is anticipated the selection of a firm will be completed by October 24, 2022.

B. TERM OF ENGAGEMENT

The contract will be subject to the annual review and recommendation of the Auditor's office and the Commissioners Court, the satisfactory negotiation of terms (including a price acceptance to both Lavaca County and the selected firm), and the annual availability of budgeted appropriations.

C. EVALUATION CRITERIA AND FACTORS

The award of the contract shall be made to the responsible offeror whose proposal is determined to be the lowest evaluated offer resulting from negotiations, taking into consideration the relative importance of price and other factors set forth in the Request for Proposals in accordance with the Texas Local Government Code, Chapter 262. The evaluation criteria will be grouped into factors as follows:

Offeror's total proposed price

1. Total costs of proposal
2. Cost proposals compliance with minimum specifications
3. Cost proposals compatibility with owner stated purpose

Offeror's Qualifications/Experience

1. Demonstrated prior experience in providing similar services
2. Capability to provide responsive service
3. Offeror's ability to perform

The proposed services meeting Lavaca County's needs and requirements

1. Adherence to requirement of RFP
2. Offeror's responsibility clearly defined
3. Lavaca County's participation and responsibility clearly defined
4. Demonstrated ability to fully meet the needs of Lavaca County

SPECIFICATIONS AND REQUIREMENTS OF SERVICES TO BE RENDERED INDEPENDENT AUDIT SERVICES

A. GENERAL

These audits are to be performed in accordance with generally accepted auditing standards established by the American Institute of Certified Public Accountants, the AICPA Industry Audit Guide, Audits of State and Local Governments, the standards set forth for financial audits in the Government Auditing Standards, issued by the Comptroller General of the United States of America, the requirements of the State and Federal Single Audit Act as set forth in OMB Circular A -133, and the provisions of the General Accounting Standards Board Statement number 34.

Additionally, the offeror will be required to provide separate financial audits and auditor's reports as required by the Texas Department of Criminal Justice - Community Justice Assistance Division (CJAD) and Texas Juvenile Justice Department (TJJJ) on state funding provided to the 2nd 25th Judicial District Adult and Juvenile Probation Departments

B. REPORT PREPARATION

The writing and preparation of the annual financial report and audit reports for adult and juvenile shall be the responsibility of the independent auditor. The independent auditor shall be required to transfer Lavaca County's financial information from Cash Basis Accounting to GASB compliant. The independent auditor shall provide **fifteen (8)** copies of the written report along with an electronic copy. The independent auditor will be required to present the audit report to the Commissioner's Court during a regular meeting.

C. RETENTION AND AVAILABILITY OF WORKING PAPERS

The auditing firm must retain the audit working papers for a period of not less than five years after the date of the auditor's opinion or until notified that all cognizant agency reviews have been accomplished. The County reserves the right to request copies of selected work papers and schedules as legitimate needs arise for no additional fees other than actual reproduction costs.

D. EXPERIENCE AND LOCAL PRESENCE

The proposing firms are to possess substantial experience in governmental auditing and accounting. Additionally, the proposing firm must be able to audit the funds for both the 2nd 25th Judicial District Adult Community Supervision and Corrections Department (CSCD) and Juvenile Probation Department. The firm must also have access to the resources necessary to address technical issues that may arise during the course of the engagement.

The firms are also expected to have and maintain a local presence capable of staffing the engagement. Working papers, ledgers, reports, etc. cannot be removed from the offeror's office. Therefore, offeror must assign sufficient staff to conduct the audit in Lavaca County offices. Offeror must also provide or assign staff to answer questions and work with Lavaca County throughout the year.

E. KEY PERSONNEL

Prior to beginning the work, the proposing firms will designate the personnel and commit to using those individuals to perform the County's audit and the audit of the adult and juvenile probations departments. Audit partner, manager, and site supervisor shall be specifically identified.

F. STAFFING PATTERNS AND ASSIGNMENTS

The overriding consideration in making staff assignments to the County's audit should be to assign those individuals whose skills best fit the audit requirements. However, in making assignments, the offeror should utilize the same standards of quality in terms of skill and expertise afforded to its other governmental and commercial clients.

G. INSURANCE

Proposing firm shall provide proof of Errors and Omissions Liability Insurance of at least \$1,000,000 aggregate per year with proposal.

BACKGROUND INFORMATION INDEPENDENT AUDIT SERVICES

A. CONTACT PERSON

The external auditor's principal contacts will be:

Shana R. Opela
County Auditor
P.O. Box 283
109 N. La Grange Street
Hallettsville, Texas 77964
361-798-2711

Roseann Mikes
Chief Probation Officer
2nd 25th Judicial District
Adult and Juvenile Probation Departments
P.O. Box 330
412 N. Texana
Hallettsville, Texas
361-798-3714

B. ASSISTANCE TO BE PROVIDED TO THE INDEPENDENT AUDITOR

Interested offerors who wish to obtain prior years audit reports, or needing additional information about the RFP, or the operations of the County may contact:

Shana R. Opela
County Auditor
361-798-2711

The County Auditor's staff will provide computer-generated ledgers, trial balances and any other audit schedules, which can be generated through the current software applications. Due to time constraints and a limited staff, discretion to provide or assist in the preparation of audit work papers and schedules rests solely with the County Auditor.

AUDIT SCHEDULE INDEPENDENT AUDIT SERVICES

A. Annual Financial Report

The offeror will provide a schedule outlining date offeror is available to begin audit, date fieldwork shall be completed, date draft reports shall be submitted and date final report will be delivered for the 2022 audit. A similar outline for subsequent audit years shall be submitted and will be subject to the County Auditor's approval.

B. 2nd 25th Judicial District Adult and Juvenile Probation Department

The offeror will provide a schedule outlining date offeror is available to begin audit; preferably to coincide with the county's audit, date fieldwork shall be completed, date draft reports shall be submitted and date final report will be delivered for the 2022 audit. A similar outline for subsequent audit years shall be submitted to the Chief Probation Officer and County Auditor for approval.

SUBMITTAL

For proper comparison and evaluation, Lavaca County requests that proposals be organized in the manner stated below.

Title Page

Show the RFP subject, the name of the offeror's firm, address, telephone number, name of the contact person, and the date.

Table of Contents

Include a clear identification of the material by section and by page number.

Letter of Transmittal

Limit to one or two pages.

A statement that the offeror will perform the work stated in these specifications and that the services provided will conform in all aspects to the requirement stated within this RFP.

State that the person signing the letter will be authorized to bind the offer.

Scope and Audit Approach

Describe the scope of the required services to be provided in terms of the matter discussed in the preceding sections. The offeror's specific audit approach should be set forth in the proposal and should include an explanation of the audit methodology to be followed.

Summary of Offeror's Qualifications

Briefly describe the firm, location, and range of activities engaged in the practice of public accountancy.

Confirm that offerors are certified public accountants presently engaged in the practice of public accountancy.

Affirm that offerors are independent.

Identify the Partner and Manager who will work on the audit. Include a resume for each supervisory person to be assigned to the audit.

Include information, which attests to the offeror's auditing experience, particularly in auditing counties in Texas. Specifically, include a reference list of local government audit clients.

A statement outlining the audit schedule and a proposed time frame.

Affirm that the offeror has completed external quality review with unqualified opinion.

Examination Approach and Compensation

Summarize the work plan to accomplish the scope defined in these guidelines and the maximum fee for which the requested work will be done. Include detail of price including the number of staff and staff hours that will be committed to the audit. Costs should be stated for the following:

1. Professional services to perform the audit of Lavaca County.
2. Single Audit procedures and reporting for Lavaca County as required.
3. Preparation of the Comprehensive Annual Financial Report for Lavaca County.
4. Professional services to perform audit of 2nd 25th Judicial District Adult and Juvenile Probation Departments.
5. Preparation of the Annual Financial Statements and Auditor's Reports for 2nd 25th Adult and Juvenile Probation Departments.
6. Services to reconcile and adjust fund balances for proper reporting for both Lavaca County and 2nd 25th Adult and Juvenile Judicial District.

References

Offeror shall submit with this proposal a list of at least five (5) references where like services have been performed by their firm, as required on the attached Reference Form. Include name of firm, address, telephone number and name of representative. List at least three current clients and two previous clients.

ADDITIONAL INFORMATION INDEPENDENT AUDIT SERVICES

Lavaca County's budget for 2022 is \$22,875,091. We maintain a General Fund, 59 Special Revenue Funds, 0 Debt Service Funds, 2 Internal Service Funds, 2 Fiduciary Funds, and 1 Proprietary Fund. More detailed information on the government and its finances can be found within the Fiscal Year 2022 AFR located on the County's website at www.co.lavaca.tx.us.

Lavaca County has approximately 24 departments headed by elected and appointed officials.

The County is structured so that cash collections are decentralized. The Lavaca County Treasurer maintains 23 bank accounts, the Tax Assessor/Collector maintains 8 bank accounts, the Sheriff's Office maintains 4 bank accounts, Elections maintains 1 bank account and there are 4 Justice of Peace bank accounts maintained by the Treasurer and Auditor. Additionally, the County Clerk and District Clerk maintain multiple bond accounts plus numerous Registry and Trust Fund accounts.

A single audit of grants must be performed in conjunction with the financial audit if the audit firm determines that the County meets the requirements.

Employees participate in the Texas County and District Retirement System. The Commissioners' Court establishes the level of participation annually. Participation in the plan is required. Actuarial services for the plan are provided by the Texas County and District Retirement System and are usually available in May of each year.

Permanent full-time employees who retire drawing a monthly county pension from TCDRS are eligible to participate in the TAC HEBP health care plan at the expense of the retiree.

The Lavaca County Auditor manages Lavaca County's payroll with approximately 215 employees on a bi-weekly basis. Additionally, the Auditor's Office oversees the payroll for the 2nd 25th Judicial District Community Supervision and Corrections Probation Department. This payroll is processed semi-monthly.

The County has no outstanding bonded debt as of September 30, 2022.

The Lavaca County Treasurer is the County's Certified Investment Officer handles all investments of idle funds.

Lavaca County's financial software package is Incode, Version 9, Tyler Technologies. In September 2021 Lavaca County entered into the Software as a Service Agreement with Tyler Technologies. The SaaS agreement gives Lavaca County the right to access and use the Tyler Software, receive maintenance and support and have Data storage and Archiving on the Tyler Software. This is basically connecting to the Tyler Software through the Cloud, without the use of onsite servers maintained by the Lavaca County Auditor's Office.

2nd 25th Judicial District Adult and Juvenile Probation Departments are housed in Hallettsville, Columbus, and Gonzales. The district is split between three counties: Lavaca, Colorado, and Gonzales. The main department is located in Hallettsville and the bookkeeping and financial aspects for the department are maintained by the County Auditor utilizing the financial software package Incode, Version 9, through Tyler Technologies. Additionally, there are 11 bank accounts and 2 Certificate of Deposit accounts maintained by the County Auditor and Probation Department.

**VENDOR REFERENCES
INDEPENDENT AUDIT SERVICES**

Please list at least five (5) references, 3 current and 2 previous clients, who can verify the quality of service your company provides. The County prefers customers of similar size and scope of the work to this proposal. **THIS FORM MUST BE RETURNED WITH YOUR PROPOSAL.**

REFERENCE ONE

Government/Company Name: _____

Address: _____

Contact Person and Title: _____

Phone: _____ Fax: _____

Contract Period: _____ Scope of Work: _____

REFERENCE TWO

Government/Company Name: _____

Address: _____

Contact Person and Title: _____

Phone: _____ Fax: _____

Contract Period: _____ Scope of Work: _____

REFERENCE THREE

Government/Company Name: _____

Address: _____

Contact Person and Title: _____

Phone: _____ Fax: _____

Contract Period: _____ Scope of Work: _____

REFERENCE FOUR

Company Name: _____

Address: _____

Contact Person and Title: _____

Phone: _____ Fax: _____

Contract Period: _____ Scope of Work: _____

REFERENCE FIVE

Company Name: _____

Address: _____

Contact Person and Title: _____

Phone: _____ Fax: _____

Contract Period: _____ Scope of Work: _____

PLEASE COMPLETE THE ATTACHED FORMS AND INCLUDE WITH RFP:

FORM CIQ – Conflict of Interest Questionnaire

CERTIFICATE OF INTERESTED PARTIES – Form 1295 to be completed online at
www.ethics.state.tx.us

RESIDENCE CERTIFICATION – Pursuant to Govt. Code 2252.001

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

 Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

 Signature of vendor doing business with the governmental entity

 Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed;
or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is no interested party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____

My address _____ (street) _____ (city) _____ (state) _____ (zip code) _____ (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
 (month) (year)

 Signature of authorized agent of contracting business entity
 (Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

RESIDENCE CERTIFICATION

Pursuant to Texas Government Code 2252.001 *et seq.*, as amended, Colorado County requests Residence Certification. 2252.001 *et seq.* of the Government Code provides some restrictions on the awarding of a governmental contract; pertinent provisions of 2252.001 are stated below:

"Nonresident bidder" refers to a person who is not a resident

"Resident bidder" refers to a person whose principal place of business is in this state, including a contractor whose ultimate parent company or majority owner has its principal place of business in this state.

I certify that _____ is a Resident Bidder of
(Company Name)
Texas as defined in Government Code 2252.001

I certify that _____ is a Nonresident Bidder of
(Company Name)
Texas as defined in Government Code 2252.001 and our principal place of business is
located in _____.
(City and State)

Signature of Authorized Company Official

Printed Name of Authorized Company Official