

**Westside Development Corporation (WDC),**  
A Local Government Corporation  
Created by the City of San Antonio



**REQUEST FOR PROPOSAL ("RFP")**

**for**

**AUDITING SERVICES  
RFP 11-032**

**Release Date:** December 30, 2010

**Proposals Due:** January 13, 2011

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## **I. BACKGROUND**

The WESTSIDE DEVELOPMENT CORPORATION (“WDC”) is requesting proposals from public accounting firms familiar with governmental entities to perform auditing services. WDC is a Local Government Corporation formed by the City of San Antonio under Chapter 431 of the Transportation Code. The Corporation is organized for the purpose of aiding and acting on behalf of the City to accomplish certain governmental purposes. Specifically:

- To promote state of local economic development and stimulate business and commercial activity in the District;
- To develop and diversify the economy of the state and reduce unemployment or underemployment;
- To increase the public health, safety and welfare of persons in the District; and
- To promote development or redevelopment of the District that would not occur solely through private investment; and to develop and diversify the economy within the District.

WDC is empowered to accomplish governmental purposes as authorized in Chapter 431 of the Transportation Code, other state statutes and Constitution of the State of Texas including but without limitation Article III, Section 52a of the Texas Constitution; Chapters 373 and 380 of the Local Government Code, Chapters 1433, 1506, 1508 and 1509 of the Texas Government Code, Chapter 311 of the Tax Code.

WDC is governed by the Board of Directors (“Board”), which has control and management supervision of all affairs of the District. The San Antonio City Council appoints the directors. The City of San Antonio has to date provided accounting services to WDC; therefore the audit will include accounts at the City of San Antonio. Under the fiscal year 2010-2011, WDC will handle its own accounting internally.

## **II. TERM OF CONTRACT**

The contract for auditing services based upon Board approval of the proposal, will be for the fiscal year ending September 30, 2010 with the potential to audit WDC’s financial statements for three (3) subsequent fiscal years. WDC will have the discretion to exercise the option.

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### III. SCOPE OF SERVICES

Scope of Work to be Performed:

- The certified public accountants will audit the financial statements and provide an opinion on WDC's financial statements for the fiscal year ending September 30, 2010 with the potential to audit WDC's financial statements for three subsequent fiscal years. These audits are to be performed in accordance with the provisions contained in this RFP.
- Audit all WDC funds in accordance with:
  - a. Auditing standards generally accepted in the United States of America;
  - b. Standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and
  - c. OMB Circular A-133, *Audits at States, Local Governments and Non-Profit*.
- Prepare a comprehensive report on the conduct of the audit including the auditor's findings and recommendations relative to the internal accounting and administrative controls, compliance with laws and regulations as applicable and adherence to generally accepted accounting principles.

### IV. PROPOSAL REQUIREMENTS

Respondent's Qualification Statement shall include the following information in the sequence as listed:

- A. RESPONDENT PROPOSAL QUESTIONNAIRE:** A completed Respondent Proposal Questionnaire that is provided in RFP Attachment 1.
- B. LITIGATION DISCLOSURE:** A completed Litigation Disclosure Form set out in RFP Attachment 2. If Respondent is proposing as a team, then all parties to that team shall complete and return this form with the Qualification Statement.
- C. PROPOSED FEE SCHEDULE:** A completed Proposed Fee Schedule set out in RFP Attachment 3.
- D. SIGNATURE PAGE:** A completed Signature Page set out in RFP Attachment 4. The Signature Page must be signed by a person (or persons) authorized to bind the Respondent Firm.
- E. PROPOSAL CHECKLIST:** A completed Qualification Statement Checklist set out in RFP Attachment 5.

Respondent is expected to examine this RFP carefully, understand the terms and conditions for providing the services listed herein and respond completely. **FAILURE TO COMPLETE AND PROVIDE ANY OF THESE DOCUMENTS MAY RESULT IN YOUR FIRM NOT BEING CONSIDERED FOR ENGAGEMENT.**

## V. AMENDMENTS TO RFP

Changes, amendments, or written responses to questions received regarding this RFP will be posted on the City's website at <http://www.sanantonio.gov/rfp/>. It is Respondent's responsibility to review this site and determine whether any amendments to this RFP have been made prior to submission of a Proposal. A Respondent who does not have access to the Internet must notify WDC in accordance with Section VII, Restrictions on Communication that Respondent wishes to receive copies of amendments to this RFP by mail.

No oral statement of any person shall modify or otherwise change or affect the terms, conditions or specifications stated in this RFP, and changes to this RFP, if any, shall be made in writing only as described above.

## VI. SUBMISSION OF PROPOSALS

- A. This RFP will remain open until January 13, 2011. Respondents are encouraged to submit a Qualification Statement at any time to either of the addresses listed in Section VI (C).
- B. Proposals received in response to this RFP may be submitted in paper or electronic form, subject to the provisions of Section VI (D). WDC will send an e-mail acknowledging receipt of all submitted Qualification Statements to the Contact Person listed on the Questionnaire.
- C. If submitting in paper form, Respondent shall submit one (1) typewritten original, signed in ink, and seven (7) copies of the proposal response, in a sealed package, clearly marked "Auditing Services" and deliver to the Auditing Services Project Coordinator at:

**Mailing and Physical Address:**

Westside Development Corporation  
2300 West Commerce, Suite 207  
San Antonio, Texas 78207

- D. If submitting electronically, Respondent should e-mail the proposal response to [Ramon.Flores@sanantonio.gov](mailto:Ramon.Flores@sanantonio.gov) but must also provide originals of the RFP documents that require signatures, in paper form, to the Executive Director, WDC, at the address listed in Section VI (C).

The WDC will not be responsible for the transmission or receipt of any electronic submission even if attributable to the fault of WDC equipment or staff. Respondents who submit electronically are encouraged to call the Executive Director at (210) 207-8204 to confirm WDC's receipt of their submission.

- E. All proposal responses become the property of the WDC upon receipt and will not be returned. Any information deemed to be confidential by Respondent should be clearly noted on the page(s) where confidential information is contained; however, the City cannot guarantee that it will not be compelled to disclose all or part of any public record under the Texas Public Information Act, since information deemed to be confidential by Respondent may not be considered confidential under Texas law, or pursuant to a Court order. Respondent will be deemed to have submitted all such information with this understanding.



**C. Price Consideration**

Cost will not be the primary factor in the selection of a firm.

**IX. OTHER CONSIDERATIONS**

- A. Conflicts of Interest. In addition to agreeing to the Conflicts of Interest requirements of the Engagement Letter, Respondent also acknowledges that it is informed that the Charter of the City of San Antonio and its Ethics Code prohibit a City officer or employee, as those terms are defined in the Ethics Code, from having a financial interest in any contract with the City or any City agency such as City-owned utilities. An officer or employee has a “prohibited financial interest” in a contract with the City or in the sale to City of land materials, supplies or service, if any of the following individual(s) or entities is a party to the contract or sale: the City officer or employee; his parent, child or spouse; a business entity in which he or his parent, child or spouse owns ten (10) percent or more of the voting stock or shares of the business entity, or ten (10) percent or more of the fair market value of the business entity; or a business entity in which any individual or entity above listed is a subcontractor on a City contract, a partner or a parent or subsidiary business entity.

Respondent is required to warrant and certify that it, its officers, employees and agents are neither officials nor employees of the City, as defined in Section 2-42 of the City’s Ethics Code.

- B. Independent Contractor. Respondent agrees and understands that if engaged to provide services, it and all persons designated by it to provide services in connection with a contract, shall be deemed to be an independent contractor(s), responsible for its (their) respective acts or omissions, and that WDC and City shall in no way be responsible for Respondent’s actions, and that none of the parties hereto will have authority to bind the others or to hold out to third parties, that it has such authority.
- C. Insurance. Respondent acknowledges and agrees that, if engaged to provide services, WDC may require, as a condition on any Engagement Letter between WDC and the Respondent, that Respondent will provide proof of insurance in amounts acceptable to WDC including, but not limited to, the following categories of insurance: General Liability, Automobile Liability, Worker’s Compensation and Professional Liability, if deemed necessary by the City’s Risk Manager.

**RFP ATTACHMENT 1**  
**RESPONDENT QUESTIONNAIRE**

## RESPONDENT QUESTIONNAIRE

Name of Firm: \_\_\_\_\_  
DBA, if Any: \_\_\_\_\_  
Contact Person and Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Respondent Telephone #: \_\_\_\_\_ FAX #: \_\_\_\_\_  
Contact Person's Telephone #: \_\_\_\_\_ & E-mail Address: \_\_\_\_\_

### **A. Organization**

1. Describe the organization, date founded, and ownership of your firm as well as any subsidiaries and affiliates
2. Describe the size of the firm, the size of the firm's governmental audit staff, the location and phone numbers of the office from which the work on this engagement is to be performed.
3. Describe the experience of the firm in serving as an auditor for governmental entities.
4. Describe why accounts, if any, have dropped the firm in the past three years.
5. Submit a copy of the report on the firm's most recent external quality control review, with a statement whether that quality control review included a review of specific government engagements.

### **B. Qualifications/Personnel**

1. Identify the size of the firm's staff commitment to the public sector and the credentials of key personnel.
2. Identify who would be directly involved in providing services to WDC (Brief Resume). Describe their relationship to your firm, their responsibilities, their experience in auditing, and specifically with government accounts, and the number of years they have been associated with your firm.
3. Include an affirmative statement that the firm and all assigned key professional staff are properly licensed to practice as a certified public accountant in the state of Texas.
4. Provide a brief summation of the reasons you believe your firm should be selected, particularly, the unique capabilities of your firm that distinguish it from other firms. Be specific and relate this discussion to how the City will benefit by choosing your firm as an auditor.

### C. Conditions for Submission of Proposal

All proposals in response to this request must meet the following conditions to be considered:

- Proposal must include a cover letter clearly stating the name of the firm, address and telephone number of the proposer's representative.
- Proposal must address each of the auditing service requirements as stated in this Request for Proposal.
- List at least five public sector clients in the last three years that are similar to the engagement described in this Request for Proposal. Indicate the scope of work, contract period, engagement partner, and the name and telephone number of the principal client contact.
- WDC reserves the right to reject any and all proposals, and to negotiate portions thereof. Proposals that address only part of the requirements contained in this Request for Proposal will not be considered.
- WDC reserves the right to select any proposal, considering the quoted estimated fee and other factors.
- The proposer shall furnish such additional information that WDC may reasonably require.
- WDC will not be liable for any cost incurred in the preparation of proposals; and
- WDC may ask proposers to send a representative for an oral interview prior to Board of Director approval of a proposal. WDC will not be liable for the costs incurred by the proposer in connection with such interview.
- **The proposer selected to provide these auditing services will not be eligible to perform accounting services for WDC, which will be covered under a separate, subsequent request for proposal.**

**RFP ATTACHMENT 2**  
**LITIGATION DISCLOSURE FORM**

## LITIGATION DISCLOSURE

**Respond to each of the questions below by checking the appropriate box. Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.**

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Yes  No

2. Have you or any member of your Firm or Team to be assigned to this engagement been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Yes  No

3. Have you or any member of your Firm or Team to be assigned to this engagement been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Yes  No

**If you have answered “Yes” to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.**

**RFP ATTACHMENT 3**  
**PROPOSED FEE SCHEDULE**

**PROPOSED FEE SCHEDULE**

On the table below list the name of each certified public accountant that Respondent Firm proposes to utilize to provide services, as identified in Section III Scope of Services, to the WDC. For each person listed, indicate the proposed hourly rates. Quoted hourly rates will be expected to remain in effect for three (3) years after a Respondent has been added to the List.

<b>Name:</b>	<b>Proposed Rate Per Hour:</b>

**RFP ATTACHMENT 4**

**SIGNATURE PAGE**

**SIGNATURE PAGE**

“✓” Check box that indicates business structure of Respondent

- Individual or Proprietorship
- Partnership or Joint Venture
- Corporation

The undersigned certifies that (s)he is authorized to bind the Respondent firm.

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Respondent Organization Name (DBA also required if Individual or Proprietorship)

By:  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By:  
(If Respondent is a Joint Venture, an authorized signature from a representative of each party is required)  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By signature above, Respondent agrees to the following:

1. If selected for Auditing Services in response to this RFP, Respondent will be able and willing to execute Engagement Letters and abide by the City of San Antonio Auditing Services Guidelines, with the understanding that the specifics of engagements will be included in Engagement Letters and that the professional fees will be in the amounts quoted in response to the RFP for a period of a least three years from the date of Engagement Letters.
2. If selected for Auditing Services in response to this RFP, Respondent will be able and willing to comply with the insurance requirements as may be set out in RFP Section IX, Other Consideration, Item C, Insurance.
3. If selected for Auditing Services in response to this RFP, Respondent will be able and willing to comply with all representations made by Respondent in Proposal Response and during RFP process.

4. Respondent has fully and truthfully submitted a Litigation Disclosure form with the understanding that failure to disclose the required information may result in disqualification of Proposal Response from consideration.
5. Respondent agrees to fully and truthfully submit a Respondent General Questionnaire understanding that failure to fully disclose requested information may result in disqualification of Proposal Response from consideration.
6. Respondent agrees to provide updated personnel information to the WDC, as needed or required by WDC.

**RFP ATTACHMENT 5**  
**PROPOSAL CHECKLIST**

## PROPOSAL CHECKLIST

Use this checklist to ensure that all required sections have been included in the Proposal Response, been properly tabbed (if submitting paper) and been placed in the correct order. Include this checklist with your submission.

<b>Proposal Tab</b>	<b>Document</b>	<b>Initial to Indicate Document is Attached to Proposal Response</b>
A	Respondent Questionnaire (Use the form in RFP Attachment 1)	
B	Litigation Disclosure (Use the form in RFP Attachment 2)	
C	Proposed Fee Schedule (Use the form in RFP Attachment 3)	
D	*Signature Page (Use the form in RFP Attachment 4)	
E	Proposal Checklist (Use the form RFP Attachment 5)	

**\*Documents marked with an asterisk on this checklist require a signature. Be sure they are signed prior to submittal of Proposal Response.**