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NOTICE TO PROPOSERS

The Board of Cooperative Educational Services, Rockland County, popularly known as Rockland BOCES (in accordance with Section 104b of Article 5-A of the General Municipal Law), hereby invites the submission of sealed Proposals for the following:

CLAIMS AUDITOR – RFP #2023-24-08

Proposals will be received until Tuesday, April 4, 2023 at 11:00 AM by the PURCHASING OFFICE at:

PURCHASING DEPARTMENT - BUILDING #4
Rockland County Board of Cooperative Educational Services (BOCES)
65 Parrott Road
West Nyack, NY 10994-0607

at which time and place all proposals will be opened at 11:00 AM on the above date. In the event that Rockland BOCES Purchasing Office is closed the day of the RFP Opening, the RFP(s) will be opened at the same time, on the next day that Rockland BOCES Purchasing Office is open. Conditions, Specifications, Forms and instructions for submitting proposals may be downloaded from our website at <http://www.rocklandboces.org> or from the Purchasing Office. Vendors are requested to carefully review the instructions contained therein.

ROCKLAND BOCES IS NOT RESPONSIBLE FOR PROPOSALS OPENED PRIOR TO THE PROPOSAL OPENING IF PROPOSAL NUMBER AND OPENING DATE DO NOT APPEAR ON THE OUTSIDE OF THE ENVELOPE. PROPOSALS OPENED PRIOR TO THE DATE AND TIME INDICATED ARE INVALID.

THE PROPOSER ASSUMES THE RISK OF ANY DELAY IN THE MAIL OR IN THE HANDLING OF THE MAIL BY EMPLOYEES OF ROCKLAND BOCES, AS WELL AS IMPROPER HAND DELIVERY. Please refer to the General Information/Conditions for details.

The Rockland County Board of Cooperative Educational Services reserves the right to waive any informalities in the proposals, or to reject all proposals, or to accept any proposal which in the opinion of the Board will be to their best interest.

Board of Cooperative Educational Services
Sole Supervisory District
65 Parrott Road
West Nyack, NY 10994-0607

By: Jackie Cinquemani, Purchasing Agent



**Rockland Board of Cooperative Educational Services
(a/k/a Rockland BOCES)**

REQUEST FOR PROPOSAL

for

CLAIMS AUDITOR

RFP #2023-24-08

For Fiscal Year Ending June 30, 2024, 2025, 2026, 2027 & 2028

Rockland BOCES
65 Parrott Road
West Nyack, NY 10994

March 14, 2023

CLAIMS AUDITOR

Purpose

The Rockland Board of Cooperative Educational Services (BOCES) is accepting proposals from individual certified public accountants and certified public accounting firms having specific experience in the areas outlined in the Request for Proposal. Certified public accountant credentials may be substituted by individuals with school district claims auditor experience.

The objective of this Request for Proposal is to enter into a contract with the selected proposer to furnish claims auditor services to the Rockland Board of Cooperative Educational Services (BOCES) as outlined herein for the period of July 1, 2023 through June 30, 2024 with the option to renew each year for the following four fiscal years (2024-2025, 2025-2026, 2026-2027 and 2027-2028).

Qualifications

The claims auditor should have knowledge in educational financial operations, pertinent legal requirements, purchasing policies, accounting systems and procedures, and other areas that are deemed necessary. The individual appointed as the claims auditor must be independent and have no other responsibilities related to business operations of the district. The auditor cannot be a close or immediate family member of an employee, officer or contractor providing services to the district. If the claims audit function is performed by an independent contractor, the individual and his or her employer may not have any other contracts with the district and should not provide any goods or services to the district. In addition, the individual and his or her employer may not be a close or immediate family member of anyone who has responsibilities related to the business operations of the district or have other contracts with the district. A close family member is defined as a parent, sibling, or non-dependent child. An immediate family member is defined as a spouse, spouse equivalent, or dependent (whether or not related).

Scope of Duties and Responsibilities

The claims auditor reports directly to the Board of Education. All claims (approximately 325 hours per year) must be presented to and approved prior to payment by the claims auditor charged with the auditing function. When the claims are delivered to the claims auditor for approval, he/she should ascertain that at least the following tests have been performed prior to releasing the claims for payment:

- Prove the mathematical accuracy of all computations. This should include verification of extensions and additions and the recalculation of any discount.
- Determine that the charges are not duplicates of items already paid.
- Compare the invoice with the purchase order.
- Confirm that the Purchasing Agent indicated approval.
- Verify that the employee who actually received the materials or equipment for which the claim is made signed the receiving copy of the purchase order.
- Follow the detailed process described in Appendix A.
- Provide a monthly Claims Audit Report to the Board of Education.

In summary, the audit process should ascertain that:

- A purchase order has been issued.
- If the purchase order is for professional services a contract is in place.
- The obligation was incurred by an authorized district official.
- The goods or services for which payment is claimed were in fact received.
- The claim is in proper form, is mathematically correct, meets legal requirements, does not include any charges for taxes from which the district is exempt, does not include charges previously claimed and paid, and is in agreement with an attached purchase order.

Certification

The claims auditor is required to provide the treasurer with evidence that claims have been audited and are eligible for payment. This evidence is provided through a warrant on which the audited claims have been listed.

Proposal Submissions

Certified public accountants and certified public accounting firms wishing to submit proposals must include responses to the following:

1. A letter describing the services to be provided to Rockland BOCES.
2. A schedule of the fees the individual or audit firm intends to charge the District based on an hourly rate and an estimate of the hours spent on site per month.
3. Provide the names of all current and former School District clients with information on the number of years of service to each along with the names and telephone numbers of contact persons in each District.
4. Provide a description of any regulatory action taken against the individual or audit firm within the last five years by a regulatory agency such as the Internal Revenue Service or State Education Department.
5. Provide a statement verifying that there are no conflicts of interest between the individual or audit firm and the Rockland Board of Cooperative Educational Services (BOCES) Board of Education.
6. Identify any litigation brought against the individual or audit firm during the past five years. Explain any pending litigation that may have a financial impact on your firm.
7. Provide a Certificate of Insurance in accordance with the attached requirements.

Scoring Criteria

1. Qualifications – Experience of individual or audit firm, educational background, specialized skills.
2. Number of New York State schools districts/BOCES that the individual or audit firm has audited, including total years of service.
3. Results of interview by Board of Education/Audit Committee.
4. Fees – Estimated costs as compared to other proposals

Mailing Instructions

All proposals must be received by the Purchasing Agent no later than Tuesday, April 4, 2023 at 11:00 AM. Any proposals received after this deadline will be returned unopened. In addition the successful applicant must be available for an interview with the Board of Education at a date to be determined by the Board of Education in the Administration Building.

Please submit three (3) copies of your proposal responses to the following address:

Rockland BOCES
Jackie Cinquemani, Purchasing Agent
65 Parrott Road – Bldg. #4
West Nyack, NY 10994-0607

Proposal responses must be sealed when delivered. The outside of the proposal envelope should be marked with the Request for Proposal number, proposal opening date and time. Failure to comply with all provisions of the Request for Proposal may result in disqualification.

Appendix A

- a. Is purchase order attached?
- b. Is purchase order pre-numbered?
- c. Are all purchase orders in sequence?
- d. Is the purchase order signed by purchasing agent?
- e. Is the purchase order date prior to the invoice date?
- f. Did the employee sign the receiving copy indicating work and/or materials delivered to the District are satisfactory and the order is complete or any missing items have been duly noted?
- g. Is the appropriate detailed back-up and/or are the original receipts attached?
- h. Is the invoice an original and not a fax or photocopy? If the invoice is a fax, is supporting documentation attached explaining why the invoice is not an original?
- i. Is the invoice approved for payment?
- j. Is the amount accurate on the invoice?
- k. Are all goods and services clearly described on the invoice?
- l. Do the goods and/or services on the invoice match the PO?
- m. Verify purchase order estimated costs are comparable to the invoice.
- n. Verify that sales tax is not being paid.
- o. Trace any payments made to consultants or for professional services to contract or board minutes.
- p. Verify that all purchases associated with an open purchase order do not exceed limit.
- q. Verify that all bids and quotes obtained were in accordance with District's purchasing policy.
- r. Confirm all invoices and supporting documents are canceled (stamped paid) to prevent duplicate payment.
- s. Are all written quotes, RFP's and/or bids attached to the voucher package or available for review?
- t. Review employee travel claims:
 - Verify employee's attendance calendar against dates of travel
 - Verify distance claimed against mileage chart in staff handbook
 - Verify travel is not for a conference which should be claimed on conference request form
- u. After checks have printed, verify all checks are in numerical order and no numbers are missing.
- v. Match check to original payment request and verify the check is addressed to correct remit to address.
- w. Review payroll change, overtime and error reports.
- x. Verify payroll proof report is accurate and all deductions and taxes have been paid.

INSURANCE REQUIREMENTS

- a. Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the proposer hereby agrees to effectuate the naming of the district as an unrestricted additional insured on the proposer's insurance policies, with the exception of workers' compensation and professional liability. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract
- b. The policy naming the district as an additional insured shall:
- Purchase an insurance policy from an A.M. Best rated "secured" New York State licensed insurer.
- Contain a 30-day notice of cancellation.
- State that the organization's coverage shall be primary coverage for the District, its Board, employees and volunteers.
- The district shall be listed as an additional insured by using endorsement CG 2026 or broader. The certificate must state that this endorsement is being used. If another endorsement is used, a copy shall be included with the certificate of insurance.
- c. The proposer agrees to indemnify the district for any applicable deductibles.
- d. Required Insurance:
- **Commercial General Liability Insurance**
\$1,000,000 per occurrence/ \$2,000,000 aggregate.
 - **Automobile Liability**
\$1,000,000 combined single limit for owned, hired and borrowed and non-owned motor vehicles.
 - **Workers' Compensation and N.Y.S. Disability**
Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits Insurance for all employees.
 - **Professional Errors and Omissions Insurance**
\$1,000,000 per occurrence/ \$2,000,000 aggregate for the professional acts of the consultant performed under the contract for the district. If written on a "claims-made" basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work.
 - **Excess Insurance**
On a "Follow-Form" basis, with limits of \$3,000,000 each occurrence and aggregate.
- e. Proposer acknowledges that failure to obtain such insurance on behalf of the district constitutes a material breach of contract. The proposer is to provide the districts with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the district to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the district.
- f. The district is a member/owner of the NY Schools Insurance Reciprocal (NYSIR). The proposer further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the district but also the NYSIR, as the district's insurer.

VENDOR IDENTIFICATION

Name of Organization: _____

Address of Organization: _____

Contact Person and Title: _____

Phone: () _____

Fax: () _____

E-Mail: _____

Website: _____

Federal ID #: _____

Are you incorporated: () Yes () No

a) If yes, in what State are you incorporated? _____

b) If you are not incorporated in New York State, are you authorized to do business in New York? _____

If you are not incorporated, you are a (n):

- _____ Partnership
- _____ Sole Proprietorship
- _____ Unincorporated association
- _____ Other (please specify)

This form must be returned with your proposal.

VENDOR IDENTIFICATION (continued)

List all Principals of the bidding firm:

List all individuals who will be available throughout the term of the agreement for continuing advice and counsel.

List all Business Names, Corporate or otherwise, used by the above listed Principals over the past ten (10) years:

Have any of the projects represented by the above resulted in litigation? _____
If yes, please explain:

I, _____ as Principal of the bidding firm, hereby
(print name) (print title)

certify that the above listed information is complete, true and accurate.

(signature)

This form must be returned with your proposal.



HOLD HARMLESS

(PROPOSER)

_____ does hereby covenant and agree to
(Individual/Firm)
defend, indemnify and hold harmless the Rockland BOCES from and against
any and all liability, loss, damages, claims, or actions (including costs and
attorney's fees) for bodily injury and/or property damage, to the extent
permissible by law, arising out of or in connection with the

(Name of project)
by the _____, it's agents, servants and
(Individual/Firm)
employees.

Signature: _____

Date: _____

This form must be returned with your proposal.

BID PROPOSAL CERTIFICATIONS

Firm Name _____ Telephone No. _____

Business Address _____ Fax No. _____

I. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and/or services as proposed on this bid.

II. Non-Collusive Bidding Certification

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

"(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition as to any matter relating to such prices with any other bidder or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition."

(b) A bid shall not be considered for award nor shall any award be made where (b) (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award. Nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (a).

2. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Signature (Authorized)

Title

Date

**Rockland BOCES
65 Parrott Road, West Nyack, NY 10994-0607**

IRAN DIVESTMENT ACT CERTIFICATION

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date, at which time it will be posted on the OGS website.

By submitting a Request for Proposal (RFP) in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Proposer/Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Proposer/Contractor is advised that once the list is posted on the OGS website, any Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to the solicitation, must certify at the time the Contract is renewed, extended or assigned that it is not included on the prohibited entities list.

During the term of the Contract, should the Rockland BOCES receive information that a person is in violation of the above-referenced certification, Rockland BOCES will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then Rockland BOCES shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

Rockland BOCES reserves the right to reject any proposal or request for assignment for an entity that appears on the prohibited entities list prior to the award of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the prohibited entities list after contract award.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____

This form must be returned with your proposal.

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional) ROCKLAND BOCES 65 PARROTT ROAD WEST NYACK, NY 10994
6 City, state, and ZIP code	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN) Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later. Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="10" style="text-align: center;">Social security number</td> </tr> <tr> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> </tr> <tr> <td colspan="10" style="text-align: center;">or</td> </tr> <tr> <td colspan="10" style="text-align: center;">Employer identification number</td> </tr> <tr> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> <td style="width: 25px; height: 25px;"></td> </tr> </table>	Social security number																				or										Employer identification number																			
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Part II Certification Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and 3. I am a U.S. citizen or other U.S. person (defined below); and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.	
Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.	

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.
Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
 If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

BOARD OF COOPERATIVE EDUCATIONAL SERVICES
65 PARROTT ROAD, WEST NYACK, NY 10994-0607

NON-PROPOSER'S RESPONSE

The Rockland County Board of Cooperative Educational Services is interested in the reasons why prospective Proposers fail to submit proposals. Failure to submit a proposal without explanation may result in removal of your firm from our Proposers' list. If you are NOT submitting a proposal, please indicate the reason(s) by checking off one or more of the items below and return this form to us.

1. Unable to propose at this time, but would like to receive future RFPs.
2. Insufficient time allowed for preparation and submission of Proposal.
3. Other reasons _____

You may remove our name from the RFP List for:

This Service Class

All Proposals

Company Name _____

Address _____

Phone: _____ Fax: _____

Email: _____ Website _____

Authorized Signature _____

Printed Name _____

Date _____