

RLAC-9999-17020, Accounting, Forensic Accounting Analysis
and Expert Witness Testimony Services
Questions Submitted by Vendors
November 29, 2017

Question #	Document	Document Section	Document Page #	Questions*	Responses
1	RLAC-9999-17020 Request for Proposals	3.6.3 Financial Documentation	14 of 20	Our organization does not obtain independently audited financial statements or have CPA reviewed financial statements. Would a reference letter from our bank suffice as evidence of sufficient financial resources and stability?	Yes, the Respondent may also submit internal financial statements and a reference letter from a bank where the Respondent is currently doing business. See Addendum #1 on the Vendor Bid System.
2	RLAC-9999-17020 Attachment E Business Reference Form	3.6.4 Business References	RFP page 14 of 20 and Attachment E page 1 of 1	Attachment E as designed is formatted for notarization in the State of Florida. One or more of our business references to be submitted are located outside of the state of Florida. Will out-of-state notarization of such references be acceptable for submission?	Out-of-state notarizations are acceptable on Attachment E, Business Reference Form.

3	RFP	3.3	12 of 20	Are responses limited to firms on the State Term Contract?	The services requested do not exist on a State Term Contract. At the time the contract is executed, the vendor must be registered with the Department of Management Services, at MyFloridaMarketPlace (MFMP), using the Vendor Information Portal. A link to the vendor portal is provided at the end of this list.
4	RFP	3.6.3	14 of 20	Respondent is a firm of Certified Public Accountants (CPAs) and is privately owned. Complete financial statements are not provided to outside parties, and no audited or reviewed financial statements exist. What other types of documents may be provided in order to demonstrate the financial resources and stability of the Respondent? The items requested in Section 3.6.3 are not available and cannot be provided.	See response to #1.
5	RFP	3.7	16 of 20	The RFP requests "a list of CPA firms where a conflict of interest may	Yes, the Department is requesting that

				<p>exist." At present, we view our potential conflicts of interest in two main categories: "likely" and "unlikely." There are certain CPA firms with whom we have cordial relationships but no explicit conflict of interest; while we deem it "unlikely" we would have a conflict of interest with respect to such firms, the possibility nevertheless exists that we would be deemed unable to provide CPA firm auditing malpractice expert witness testimony against such firms on a case-by-case basis. Does the Department wish to see such "unlikely" conflict of interest firms listed in Respondents' technical response?</p>	<p>conflicts with CPA firms be included in the Respondent's response.</p>
6	RFP	3.7	16 of 20	<p>The list of CPA firms with whom a potential conflict of interest may exist is ever changing. What process will be in place prior to issuance of a Letter of Authorization (LOA) for specific services to clear conflicts with the selected Contractor(s)?</p>	<p>The process of determining conflicts will be verified each time the Department determines that an LOA will be assigned.</p>
7	Attachment 2, Statement of Work	1.1	3 of 9	<p>Are there currently any entities (either in receivership or with receivership expected soon) for which the Department expects to procure forensic accounting services</p>	<p>No.</p>

				under this RFP? If so, please list/explain.	
8	Attachment 2, Statement of Work	1.3(a)	3 of 9	Are the LOAs ultimately issued to selected Contractors expected to be fixed price as stated herein? At what point will such fixed prices be determined? In our experience it is extraordinarily difficult to design effective and responsive forensic accounting services with fixed fees. Typically hourly rates are used.	Yes, the master contract will contain Attachment 3- Completed Price Response Form, which will contain the hourly rates for services. For this contract, the hourly rates are considered a “fixed” rate.
9	Attachment 2, Statement of Work	2	4 of 9	How much notice will the selected Contractor(s) receive before beginning work on Phases I, II, or III? That is, will the selected Contractor(s) be expected to be available on an immediate basis (i.e., within one or two days)?	The Department’s intent would be to provide a weeks’ notice; however, the Contractor may be needed earlier.
10	Attachment 2 - Statement of Work	1.3.a	3	The document specifies that this is a fixed price contract and references the Price Sheet. The Price Sheet suggests an hourly rate structure. Please confirm that the contractor will bill on a time and materials basis using fixed hourly rates.	Yes, the Contractor will bill using the rates on Attachment 3 - Price Sheet, which is a fixed hourly rate.

11	Attachment 2 – Statement of Work	1.3.d.ii	4	The document references Standard Terms and Conditions Applicable to Law Firm Services Contracts. However, the services described are accounting and consulting services. Please confirm that the contractor is not required to make any legal interpretations or render any legal advice, and that the contract will not include or be construed to include the provision by the contractor to provide legal advice or legal services.	See 4.1, Phase III services on page 5 of the Statement of Work.
12	Attachment 2 – Statement of Work	2.1	4	Phase I-A specifies that the contractor will perform all accounting related duties and responsibilities to assist the department with facilitating on-site operational duties and responsibilities for the receivership entity. Please confirm that all decisions in connection with the implementation of any advice, duties, responsibilities, or recommendations provided by the contractor will be the responsibility of, and made by, the Florida Department of Financial Services and that the contractor will not perform management functions or make management decisions for the Florida Department of Financial Services or the receivership entity.	The Department will be responsible for the day-to-day operations of the company. The Contractor will be responsible for managing the accounting functions as directed by the Department.

13	Attachment 2 – Statement of Work			Is the contractor required to bid on all aspects of the work described or can the contractor bid on certain portions or phases of the work?	The respondents must submit a proposal that includes all phases of services within the Statement of Work.
14	Attachment 2 – Statement of Work	4.1.5	5	Regarding “Expert Witness Testimony”, can the Department provide additional details regarding how the contractor will be engaged as an expert witness? Will the contractor be providing an expert opinion regarding specific accounting matters or will the contractor be providing expert witness testimony as a fact witness related to procedures performed in early phases of the project?	See 4.1, Phase III services on page 5 of the Statement of Work.

Questions-questions received from Respondents were copied and pasted into this chart as they were received.

Link for vendor registration:

http://www.dms.myflorida.com/business_operations/state_purchasing/myfloridamarketplace/mfmp_vendors/requirements_for_vendor_registration.