



ARIZONA DEPARTMENT OF ADMINISTRATION
STATE PROCUREMENT OFFICE

PROCUREMENT DISCLOSURE STATEMENT

CTR053XXX Pending

Legal Services for Marijuana Program – Prop 207

Dear Employee:

You have been selected to participate in the particular procurement activity as referenced above. Your selection was based on your technical knowledge and expertise in this area. Your regular job duties may not include procurement activities but for the purpose of this process you may play a significant procurement role in one or more of the following: participating in the development of a procurement as defined in ARS § 41-2503; participating in the development of an evaluation tool; approving a procurement as defined in ARS § 41-2503 or an evaluation tool; serving as a technical advisor or an evaluator who evaluates a procurement as defined in ARS § 41-2503; or recommending or selecting a vendor that will provide materials, services or construction to this state.

It is essential that the integrity of the procurement process be maintained to ensure that each Offeror is given fair and equal consideration. Your familiarity with particular brands, types of equipment, material, services, individuals or firms may tend to influence your evaluation; however, you are required in this specific instance to be particularly objective and guard against any tendency that might slant your evaluation in favor of a personal preference.

You are required to report to the Procurement Officer, or person facilitating the above referenced procurement process, any actual or potential conflict of interest as defined in A.R.S. § 38-503, § 41-2616C, § 41-753 and § 41-2517. You are also subject to the Code of Ethics set forth in Section R2-5A-501 of the Arizona Department of Administration, Personnel Division, Administrative Rules and Regulations.

An additional consideration is the legal mandate to maintain strict security and confidentiality regarding the content of any proposal, as well as the proceedings of the Evaluation Committee meetings during the evaluation process. Once the evaluation process has started, it is essential that any contact with Offerors, other than that disclosed, be through, and by, the Procurement Officer or person facilitating the above referenced procurement.

In addition, the Employee shall not have any communication related in any way to the particular procurement, except during formal Committee meetings, with any Offeror or potential subcontractor to that Offeror prior to award, nor shall that Member discuss the proposal or their evaluation with anyone other than the Procurement Officer, or person facilitating the above referenced procurement and Evaluation Committee Members. This is mandatory.

A person who holds a Significant Procurement Role as defined by ARS § 41-741 and § 41-2503 for a particular procurement shall sign a statement before starting any participation that the person has no financial interest in the procurement other than that disclosed and will have no contact with any representative of a competing Offeror related to the particular procurement during the course of evaluation of proposals, except those contacts specifically authorized by sections ARS § 41-2534, § 41-2537, § 41-2538 and § 41-2578. The person shall disclose on this statement any contact unrelated to the pending procurement that the person may need to have with a representative of a competing offeror and any contact with a representative of a competing offeror during evaluation of proposals except those contacts specifically authorized by sections ARS § 41-2534, § 41-2537, § 41-2538 and § 41-2578. A person who has been identified as having a significant procurement role for this procurement and fails to disclose contact with a representative of a competing offeror or who fails to provide accurate information on this statement is subject to civil penalty of at least one thousand dollars but not more than ten thousand dollars.

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As mandated by A.R.S. § 38-503, I, Matthew Musselman, have listed on this form all ownerships, employments, public and private affiliations and relationships held by me and/or a relative¹ which may have a substantial (pecuniary² and proprietary³) interest as defined in A.R.S. § 38-502 (11) in any contract, sale, purchase or service involving the agency. I understand that as my interests or those of my relatives change, I may need to modify this statement.

The substantial interests, both pecuniary and proprietary, held by me and/or a relative which may involve the State include (attach additional sheets as necessary):

During the course of my regular business, I may have contact, unrelated to this procurement, with the Offerors listed below, who have submitted proposals in response to this solicitation (attach additional sheets as necessary):

¹"Relative" means my spouse, child, child's child, parent, grandparent, brother or sister (of the whole or half-blood) and their spouses and the parent, brother, sister or child of my spouse.

²"Pecuniary" means money or economic or other benefits that can be valued in monetary terms

³"Proprietary" means ownership or rights by virtue of ownership, whether public or private.

Citations listed above are available on the SPO website, www.spo.az.gov.

Statements

The Undersigned attests to and agrees to abide by the following statements:

I have read and understand the above and agree to be bound by the rules and principles represented. If applicable, I have also received, read and understand the Evaluation Committee Instructions for this procurement. I know of no conflict of interest on my part nor have I committed any indiscretion or accepted any gratuities or favors that would compromise my impartiality. Further, I will not accept an offer of employment from or have employment discussions with any person or entity lobbying for or potentially responding to a solicitation during the defined time frame stated in ARS § 41-753. I will maintain all deliberations of the Evaluation Committee in strict confidence during the evaluation process. My recommendations shall be based upon an objective/subjective review of the Offeror's response and the appropriate award criteria from the solicitation in accordance with the Arizona Procurement Code. I have read and understand ARS § 41-753, § 41-2517 and § 41-2616C and will fully comply with the requirements.

I have not and will not communicate with any potential Offeror or vendor in preparation of specifications/scopes of work, evaluation tool or other confidential information related to the above referenced Solicitation which would provide an unfair advantage or to prepare specifications/scopes of work which favor particular vendor(s).

I have not and will not provide insight, confidential information or assistance to any potential Offeror or vendor that might give an unfair advantage or inhibit fair competition for the above referenced Solicitation. My input regarding the development of the Solicitation documents, if any, has been and will be based solely on the State's requirements. I have not and will not communicate those requirements or confidential information to any potential Offeror or vendor.

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I know of no conflict of interest on my part nor shall I take any action (e.g., commit an indiscretion or accept any gratuities or favors) that would compromise my impartiality or my responsibilities. Should a conflict of interest become known to me relevant to my role, I shall immediately disclose such conflict of interest.

I shall not receive any direct benefit from the utilization of confidential information, specifications, plans, scopes of work, or evaluation tools I prepared or assisted in the preparation of.

I shall maintain strict security and confidentiality regarding the content of any proposal, as well as the proceedings of the Evaluation Committee meetings during the evaluation process that I may be a participant or attend as a committee member or a technical advisor.

I shall maintain strict security and confidentiality regarding the process or decisions regarding any protest or appeal that I am a participant, advisor or decision maker.

Whether recommending or selecting a vendor that will provide materials, services or construction to the State, approving a procurement or an evaluation tool or soliciting quotes greater than ten thousand dollars for the provision of materials, services or construction, I shall maintain strict security and confidentiality regarding the process and decisions to ensure fair competition.

Upon termination of my employment with the State, for any reason, these provisions and statements remain in effect until such time as the solicitation has been successfully awarded by the State, or the State provides me a written release. These provisions and statements apply if I accept employment with any entity, its affiliates, subcontractors, or business partners that may submit an offer or are included in an offer to this solicitation. I shall not accept an offer of employment from or have employment discussions with any person or entity lobbying for or potentially responding to a solicitation for one year following the delivery of purchased materials or the purchase of services or construction begins.

I understand that if I knowingly violate the terms of this Agreement, I will be subject to suspension for not less than ninety days or dismissal from State service.

The Undersigned has read and understands the above and agrees to be bound by the statements, rules and principles represented herein and in accordance with the provisions of the State Statutes and Rules regarding personnel, conflict of interest, confidentiality and procurement.

Please check the box below if applicable:

Yes ☐ No ☒ I am an architect or an engineer registered pursuant to section 32-121

Yes ☐ No ☒ I am a State employee who was employed within the past year by a person or firm responding to a solicitation, pursuant to section 41-2517(E)

Matt Musselman

Signature

Matt Musselman

Name (Print)

Branch Financial Manager

Title

1.25.20

Date

AZDHS

Agency

602-364-1367

Phone