



MOHAVE COUNTY DEPARTMENT OF PROCUREMENT

Contracts Division

Central Services Division

700 West Beale Street, 1st Floor East, Kingman, Arizona 86401-5711

PO Box 7000, Kingman, AZ 86402-7000

Phone: (928) 753-0752

DATE: January 12, 2026

TO: Procurement Department – Contracting Division Staff

FROM: *[Signature]* Tara L. Acton, NIGP-CPP, CPPB,
Director of Procurement and Central Services

SUBJECT: **Procurement Department Procedures**
Selection Committee Member Makeup

The following Procurement Department Operational Procedures¹ related to selection committees for best value procurement processes – Requests for Proposals (RFP)² and Requests for Qualifications (RFQ)³ – shall serve to clarify the ongoing practices of the Procurement Department and shall be implemented immediately. Please distribute this information to the appropriate members of your assigned end user departments.

BACKGROUND:

On February 18, 2025, the Board of Supervisors Adopted Resolution 2025-024, approving the revised Mohave County Procurement Code (The Code). Such changes were intended to “streamline the procurement function in Mohave County, increase the County’s efficiency and timelines in securing such commodities and services, make the appeals process more transparent and functional, and permit the County to react more quickly as needs arise.”⁴ The Code enables multiple sourcing and selection methods⁵, including the aforementioned RFP and RFQ, and clearly defines when the use of such methods are allowed.

Requests for Qualifications: The use of RFQs is limited to the procurement of professional design services⁶, and construction services⁷ (alternative project delivery methods to include Construction Manager at Risk, Design-Build and Job Order Contracting). Contracts for these services must be procured in accordance with Arizona Revised Statutes (ARS), Title 34 – Public Buildings and Improvements. Title 34 is highly prescriptive and clearly defines the requirements for selection committee makeup. All selection committee appointments will be made in strict compliance to ARS § 34-603 and ARS § 34-604.

Requests for Proposals: The RFP sourcing method is used for selection of a contracted service provider when competitive sealed bidding is either not practical or not advantageous to the County⁸, and is the required sourcing method for high value specialized legal services.⁹ The Procurement

¹ Mohave County Procurement Code, Article II, Sec. 1

² Mohave County Procurement Code, Article III, Sec.1(7) – “Request for proposals” means all documents, written or electronic, whether attached or incorporated by reference, which are used for soliciting proposals in accordance with procedures prescribed in Article II, Section 4 (Competitive Sealed Proposals)

³ Mohave County Procurement Code, Article III, Sec. 1(8) – “Request for qualifications” means all documents, written or electronic, whether attached or incorporated by reference, which are used for soliciting responses from qualified respondents in accordance with Article V.

⁴ Resolution 2025-024

⁵ Mohave County Procurement Code, Article III, Sec. 2

⁶ Mohave County Procurement Code, Article V, Sec. 3

⁷ Mohave County Procurement Code, Article V, Sec. 4

⁸ Mohave County Procurement Code, Article III, Sec. 4(1) Conditions of Use

⁹ Mohave County Procurement Code, Article III, Sec. 5

Director or designated representative is responsible for appointing an appropriately qualified selection committee to determine the award recommendation when an RFP is used.¹⁰

SELECTION COMMITTEE COMPOSITION REQUIREMENTS

The primary objective of the selection committee is to render an objective contract award recommendation in accordance with the requirements of The Code. Such recommendations shall be based on the stated evaluation criteria, and be free from conflicts of interest, personal influence, or bias.

Members who serve on selection committees will be appointed based on the unique requirements for the services or commodities being procured and shall be knowledgeable of the solicitation's subject matter, have a keen interest in the resulting contract, and/or be directly affected by the resulting contract.

The responsible Procurement Officer will work with the primary customer department's representative to recommend selection committee members prior to the solicitation's due date. All appointments to serve on a selection committee are subject to approval of the Procurement Director or designee based on the following criteria:

Procurement Officer's Role: The responsible Procurement Officer serves as a facilitator of the selection process to ensure compliance with The Code. Under no circumstance will the Procurement Officer act as a voting or non-voting committee member.

Number of Committee Members: The selection committee shall consist of at least three (3) voting members and should always have an odd number of voting members. Most committees will consist of three (3) or five (5) voting members. The empanelment of selection committees of more than five (5) voting members requires written justification¹¹ from the responsible Procurement Officer.

Mandatory Meeting Attendance: Selection committee members must commit to attending all scheduled meetings. Simple solicitations may only require a couple meetings. Complex solicitations may require multiple meetings over multiple phases (including interviews or technical proposals).

ARS § Title 34 Requirements¹²: In addition to the criteria established in this operational procedure, RFQ selection committees require that at least one voting member be an architect or engineer who is registered pursuant to ARS § 32-121, and may require that at least one voting member be a senior management employee of a licensed contractor.

No Departmental Majorities: No single County department¹³ shall have enough voting members to constitute a majority¹⁴ representation on a selection committee.

Parity of Authority: When practical, all County employed voting selection committee members shall be of similar authority or employment classification levels¹⁵ within the overall County organizational structure. Under no circumstances shall a supervisor and subordinate serve as voting members on the same selection committee.

Non-Voting Committee Members: The primary customer department's representative may request permission for members of their department or other subject matter experts to participate in selection committee meetings. When permitted, these selection committee members serve as non-voting members. The use of non-voting committee members requires written justification¹⁶ from the responsible Procurement Officer.

¹⁰ Mohave County Procurement Code, Article III, Sec. 4(6) Evaluation of Proposals

¹¹ Large selection committees present logistical and scheduling issues resulting in inefficient evaluations

¹² ARS § 34-603 and ARS §34-604

¹³ "Department" is defined as a unit of Mohave County that reports, directly or indirectly, to a single Department Head (appointed Director or Elected Official).

¹⁴ "Majority" is defined as more than half of all voting members on the selection committee.

¹⁵ Similarity of roles will be based on type of work assigned and if supervision is exercised in the individuals normal job duties. This does not necessarily mean equal pay classification.

¹⁶ These members shall participate in committee discussion only, providing technical or operational expertise regarding the strengths and weaknesses of individual responses in relation to the stated evaluation criteria.

Outside Agency Representation: Unless waived by the Procurement Director, any selection committee larger than three voting members shall include voting representation from an outside government agency.

Certification of Evaluators Required: Prior to serving on a selection committee, each evaluator (voting or non-voting) must certify that they have no known conflicts, will maintain confidentiality of the process and any offers, and will not compromise impartiality. Evaluators have a duty to report any actual or potential conflicts to the responsible Procurement Officer; and if a conflict is confirmed the evaluator will be removed from service.¹⁷

Limited Confidentiality Agreement: Selection committee members (voting or non-voting) not employed by Mohave County will be required to sign the attached Limited Confidentiality Agreement to protect the County from any breach of confidentiality.

Procurement Director Waiver: The Procurement Director or designee reserves the right to waive any of these criteria upon request of the responsible Procurement Officer. Such requests shall be in writing and include documentation of the Procurement Officer's attempt to comply with the requirement, and provide justification for the requested waiver.

Attachments: Limited Confidentiality Agreement

Cc: Sam Elters, P.E., County Manager, County Engineer

¹⁷ Response Reviewer Agreement acceptance in OpenGov Procurement software

Limited Confidentiality Agreement

This is a limited confidentiality agreement (“Agreement”) between Mohave County (“County”) and _____ <name> _____ (“Evaluator”) for a request for proposal (RFP) or request for qualification (RFQ) procurement process.

_____ **Application.** This Agreement applies to any person who is not an employee of Mohave County but is participating on an evaluation committee as required by the Mohave County Procurement Code.

_____ **Duration.** This agreement is in effect from the impaneling of the evaluation committee through the announcement of the recommended bid by the evaluation committee. After which the Evaluator shall be released from confidentiality. Except that the Breach section of this agreement shall through the life of the contract between the County and the awarded bidder.

_____ **Terms.** During the empanelment of evaluation committee, communication to persons outside of the committee, with the exception of Mohave County Procurement, is strictly prohibited. Violating confidentiality voids the RFP and RFQ process, resulting in a new request from the County, empaneling a new committee, and a delay in the procurement of necessary services for the County.

Communication includes, but is not limited to:

- a. The contents of all proposals, bids, or quotes received in response to the Solicitation.
- b. Trade secrets, financial data, and proprietary workflows of responding vendors.
- c. Internal scoring sheets, evaluator notes, and committee discussion records.
- d. Any written or oral communication about any bid received, the scoring of any received bids, or any matter relating thereto.

Communications relating to the proposal and evaluation whether kept on government or private devices are public records under A.R.S. §§ 39-101 *et seq.*

_____ **Breach.** The Evaluator acknowledges that a breach of this Agreement would cause irreparable harm to the integrity of the competitive bidding process and financial loss to the County that is difficult to quantify precisely. The County reserves the right to take available legal or equitable remedies, including injunctive relief.

<Outside member of committee>
<DATE>

<Name>
Mohave County Procurement Officer
<DATE>