



**Request for Proposal
No. 2020-8833**

June 1, 2020

**CalPERS Board of Administration
Election Services**

California Public Employees' Retirement System
CalPERS Board of Administration Election Services
Request for Proposal No. 2020-8833
Schedule of Events

Events	Anticipated Date of Event
RFP Release Date	June 1, 2020
Deadline to Submit Written Questions	June 16, 2020 at 3:00 p.m., Pacific Time (PT)
Post Response to Written Questions	July 24, 2020
Confidential Discussions (Optional)	August 2020
Final Filing Date	August 24, 2020 at 3:00 p.m., PT
Preliminary Review	August 2020
Evaluation of Proposals	August/September 2020
Site Visits	September 2020
Finalists Selected	September 2020
Finalists Interviews	October 2020
Post Notice of Intent to Award	October 2020
CalPERS Anticipated Contract Performance Start Date	January 2021

All dates are tentative and subject to change by issuance of a CalPERS eBusiness Alert.

California Public Employees' Retirement System
CalPERS Board of Administration Board Election Services
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- 1. CalPERS Joint Venture Procedures**
- 2. Proposal Evaluation Sheet**
- 3. CalPERS Restricted Contact Policy**
- 4. Proposed Contract**
- 5. Notice of Election Sample**
- 6. Ballot Package Sample**
- 7. Ballot Envelope Sample**
- 8. Middleware File Transport Services (External)**
- 9. Board Elections Business and Functional Requirements**

Attachments

- A. Minimum Qualifications Certification**
- A.1 Attachment A, Exhibit 1- Evidence of Minimum Qualifications**
- B. Proposal/Proposer Certification Sheet**
- C. California Taxpayer and Shareholder Protection Act Declaration**
- D. Contracting Act Declarations**
- E. CalPERS Contract-Related Disclosure Form**
- F. Proposal Questionnaire**
- G. Disabled Veteran Business Enterprise Contract Participation**
- G.1 Attachment G, Exhibit 1 –Disabled Veteran Business Enterprise Contract Participation**
- H. List of Proposed Subcontractors**
- I. Required Attachments Certification Checklist**
- J. Fee Proposal**

California Public Employees' Retirement System

CalPERS Board of Administration Board Election Services

I. Introduction

The California Public Employees' Retirement System (CalPERS) was established in 1932. CalPERS pension fund serves approximately 1.9 million members in the CalPERS retirement system and administers health benefits for approximately 1.5 million members. CalPERS is managed by a 13-member Board of Administration (Board). Its primary mission is to advance the financial and health security of all who participate in the System. This mission is fulfilled by creating and maintaining an environment that is responsive to those we serve.

The CalPERS Operations Support Services Division (OSSD) provides a variety of essential support services to the Board, management, and team members. These services pertain to the work environment and the day-to-day operational needs for these individuals including administering the Board Elections.

II. Purpose

The purpose of the Request for Proposal (RFP) is to solicit proposals from qualified firms to provide products and services for the Board elections. CalPERS intends to utilize Board election services for the following elections: Member-at-Large (Position A and Position B); State, School, Public Agency (which are three (3) separate elections that are conducted simultaneously); Retired Member and any special election that arises during the course of the contract as well as any runoff election needed; refer to Schedule of Elections set forth in Services to be Provided, Section III.A.I, below.

The election cycle runs on a four-year election cycle, and may also include runoff elections and special elections, as described below:

- 2021 Member-at-Large primary election – All active and retired members with two (2) independent positions (Position A and Position B).
- 2022 State, School, and Public Agency primary elections – Three (3) separate elections ran concurrently. Active members vote in the category they are employed for.
- 2023 Retired Member primary election – All retired members, not including beneficiaries or survivors.
- Special Elections – In accordance with Government Code section 20095, a special election may be held if there is a vacancy on the Board. The special election will follow the same rules as the primary election or runoff election for the respective position listed above.

- Runoff Elections – A runoff election may be required if a candidate does not receive a majority vote in the primary election or special election. A runoff will include the two (2) candidates that received the most votes in the primary election.

CalPERS intends to award a contract for up to five (5) years for Board election services beginning January 1, 2021.

III. Services to be Provided

The successful Proposer (also known as “Contractor”) will provide a blended election voting system to include paper ballot, telephone voting, and online voting. This will include provisions of all labor, material, supplies, and equipment necessary to assist CalPERS with conducting the Board elections which may include primary, runoff, or special election(s) in accordance with the terms, conditions, applicable specifications, and timeframes as directed by CalPERS. Any voting system used must be pre-approved by CalPERS and will include an Elections Barcode System that will ensure a voter can only submit one (1) vote per election.

The services performed are extremely sensitive involving confidential member information. Assurance of the integrity, confidentiality, and security of member information is fundamental throughout the election process.

Services are to meet the action plan deadlines that CalPERS develops with the Contractor. This action plan will be based on the Notice of Election schedule approved by the Board. It is critical that the elections are completed on schedule, so that the elected Board members can take office January 16th of the year following the election or any other established date due to a special election.

Proposer must comply with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101 et seq.), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA.

Proposer is responsible for ensuring all products and services provided to CalPERS, including hosting services for electronic content, meet the accessibility requirements of the refreshed section 508 of the Rehabilitation Act (29 U.S.C. § 794d) and all the applicable provisions of the Information and Communication Technology (ICT) Standards and Guidelines. These standards incorporate by reference all of the requirements of Web Content Accessibility Guidelines 2.0 AA success criteria. CalPERS reserves the right to ask for proof of conformance or to perform testing on any solution to verify conformance.

A. Election Services

1. Project Action Plan

- a. The action plan will incorporate deadlines approved by the Board in the Notice of Election.
- b. The Contractor will be responsible for developing and maintaining the action plan which will schedule and plan all activities and deliverables for each election of the election cycle.
- c. CalPERS will approve the action plan.
- d. All parties will adhere to the action plan unless changes are agreed upon by all parties.
- e. Designated team members must have read/write access to the project schedule.

2. Notice of Election:

The Contractor will print on 30% post-consumer recycled paper and distribute the Notice of Election (Notice) to all retired members in the Member-at-Large and the Retired Member elections. Active members receive the Notice electronically distributed by CalPERS and no action is required by the Contractor. See Notice sample, Exhibit 5, for reference. Listed below are the approximate numbers of Notices that the Contractor will be required to mail per election:

Year	Election	Number of Notices
Year 1	Member-at-Large (Position A and Position B)	Approximately 700,000, double side, 8-1/2" X 14", for direct mail to retired members.
Year 2	Public Agency Member Election	Active member elections. Notice's will not be printed or distributed by Contractor.
Year 2	State Member Election	Active member elections. Notice's will not be printed or distributed by Contractor.

Year	Election	Number of Notices
Year 2	School Member Election	Active member elections. Notice's will not be printed or distributed by Contractor.
Year 3	Retired Member Election	Approximately 700,000 double side, 8-1/2" X 14" for direct mail to retired members.
Year 4	Off year	No election

In addition, 25 Notices will be sent to the Board Election Coordinator for each election.

Note: In the event of a special election, Notices will need to be distributed to retired members if a Special Member-at-Large or Retired Member election is required.

3. Election Ballot Package Specifications:

- a. Each ballot package will contain an outer envelope, ballot, voting instructions, introductory information, candidate statements/addendums and a 5 1/2" X 9" security tint return envelope described in subsection 2.c below. The number of pages in the ballot package is subject to the number of qualified candidates in each election that will be determined after the deadline for candidate nomination. CalPERS will provide the design and layout of the ballot package to the Contractor for print with the exception of the security tint return envelope which will be provided by the Contractor. CalPERS will provide final approval to the Contractor before the ballot package is printed. See Ballot Package Sample, Exhibit 6, for reference.
- b. Punch-hole ballots will not be accepted. The ballots must be counted by an automated system. The ballot will have perforations for easy removal from the ballot package.
- c. Contractor will design, print, and provide a security tint return envelope for voters to return their voted ballot. The Contractor's design and layout sample of envelope is subject to CalPERS approval. The return envelope will contain a 1/2" wide strip of

rewettable glue on the envelope flap area. This glue will be moistened by the voter to seal the return envelope.

- d. Ballot package outer envelopes will contain the ballot packages mailed to eligible voters. The quantities will vary with each primary, runoff, or special election if applicable. Specifications for the envelope are determined by CalPERS subject to change.

Paper: #70 white smooth offset
Envelope Size: 6" X 9-5/8"
Ink Colors: CalPERS Blue
Copy: Camera ready copy is in the Ballot Envelope Sample, Exhibit 7

- e. All ballot package materials and envelopes will be printed on 30% post-consumer recycled paper unless otherwise approved by CalPERS.

4. Mailing Services:

For primary and special elections, the Contractor will:

- a. Provide mailing services and packaging materials for the Notice and ballot package as needed.
- b. Mail the Notice to retired members in the month of March during a normal election cycle. This date may change if a special election is conducted during the contract period.
- c. Print the voter mailing address on the front of the ballot package and print a control number and barcode on the back of the return envelope for mailing to voters for the primary or special election as needed.
- d. Seal the outgoing ballot envelopes, using the lowest possible first-class mail postal rate, and mail to voters on the first mailing date for the applicable primary or special election as needed.
- e. Ensure all mailings take place according to the project schedule agreed upon by Contractor and CalPERS prior to the commencement of each election.

For runoff elections, the Contractor will:

- a. Provide mailing services and packaging materials for the ballot package as needed.
- b. Print the voter mailing address on the front of the ballot package and print a control number and barcode on the back of the return envelope for mailing to voters for the runoff election as needed.

- c. Seal the outgoing ballot envelopes, using the lowest possible first-class mail postal rate, and mail to voters on the first mailing date for the applicable runoff election as needed.
- d. Ensure all mailings take place according to the project schedule agreed upon by Contractor and CalPERS prior to the commencement of each election.

5. Voter Tracking System:

The Contractor will develop a voter tracking system that will provide a barcode scanning system for return envelopes and Personal Identification Numbers (PIN) for tracking and control purposes of the online and telephone ballots. This voting tracking system must ensure that only one (1) vote is cast per voter per election. All barcode and PIN numbers must be randomly generated and must not reflect any personal data or CalPERS Identification Numbers (CID).

6. Paper Ballot Voting:

The Contractor will process ballot return envelopes and ballots for the primary, runoff, or special election if needed.

The Contractor will perform the following activities:

- a. Receive and organize ballot return envelopes that are returned as undeliverable and all envelopes deemed invalid due to no signature on the perjury statement envelopes.
- b. Create and mail replacement ballots when a voter calls to request a new ballot if they lose, damage or don't receive their original ballot.
- c. Establish controls to ensure that only one (1) vote per member per election for each Board seat is counted. The first vote received is the vote to be counted.
- d. Scan the unique barcode on each ballot return envelope into the ballot control system. If the system determines a member has voted twice, the first vote received will be the one counted.
- e. Scan undeliverable mail into the voter tracking system.
- f. Securely store all received envelopes through the ballot return deadline for the primary, runoff, or special election as needed.
- g. Returned envelopes will be scanned and secured until after the voting period closes, in accordance with the California Code of Regulations section 554.8.

- h. Temporarily store paper ballot election materials at Contractor's off-site facility during the primary, runoff, or special election as needed.
- i. Package paper ballots and provide an inventory list for election materials at the conclusion of each election that will be packaged and sent to the California State Records Center within 30 days after the conclusion of the primary, runoff, or special election as needed. Archive boxes will be provided by CalPERS. The inventory list will be on a Records Transfer List form that CalPERS will provide and it will identify what type of election materials are in each archive box, such as voted ballots, returned ballot envelopes, undeliverable mail, and other materials related to the election.

7. Interactive Voice Response (Telephone Voting):

Contractor will provide vote by telephone capability for the primary, runoff, or special election as needed.

- a. Contractor will provide:
 - i. A secure toll-free telephone number.
 - ii. 99.9% up-time available 24 hours a day, seven (7) days a week.
 - iii. Controls to assure that each voter may only cast one (1) eligible vote per election for each Board seat. The first vote received is the vote to be counted.
 - iv. Voice mail scripts, voice talent, and the telephone voting system will be tested and pre-approved by CalPERS prior to going live.
 - v. Automated Speech Recognition (ASR), allowing voter to voice their menu selection.
- b. Electronic election materials will be stored for four (4) years with the Contractor.

8. Online Voting:

Contractor will provide online voting capability for the primary, runoff, or special election as needed.

- a. Contractor will provide:
 - i. Hosting services for electronic content, meeting the accessibility requirements of the refreshed section 508 of

the Rehabilitation Act (29 U.S.C. § 794d) and all the applicable provisions of the Information and Communication Technology (ICT) Standards and Guidelines. These standards incorporate by reference all of the requirements of Web Content Accessibility Guidelines 2.0 AA success criteria.

- ii. Custom programming to develop an online voting system and a Uniform Resource Link (URL) for Board elections.
 - iii. 99.9% up-time available 24 hours a day, seven (7) days a week.
 - iv. A dedicated server and fulltime staff for hardware, software, and support devices.
 - v. CalPERS will approve the website text and application prior to going live.
 - vi. Contractor will establish controls to ensure that only one (1) eligible vote for each board seat is counted. The first vote received is the vote to be counted.
- b. Electronic election materials will be stored for four (4) years with the Contractor.

9. User Acceptance Testing - Logic and Accuracy

- a. CalPERS will conduct testing before mailing of the Notice and ballot package to ensure the addresses transferred from CalPERS to the Contractor correctly.
- b. CalPERS will conduct User Acceptance Testing (UAT) before approving the online and telephone voting systems.
 - i. Contractor will facilitate design sessions for the telephone and online voting systems with CalPERS, where CalPERS will identify business requirements (BRD) for system design with the Contractor. BRD is to be documented, approved, and adhered to by both parties.
 - ii. Contractor must perform quality assurance validation ensuring the telephone and online system(s) meets design requirements before releasing the system(s) to CalPERS to perform UAT.
 - iii. Contractor will provide a UAT plan in advance of UAT, clearly outlining the roles, responsibilities, process and schedules for UAT. This UAT plan may include but is not

limited to outlining the process to submit issues, the criteria for an issue, and the tools to be used by Contractor and CalPERS to submit, track, close issues.

- iv. Contractor will facilitate the design sessions for reports, where CalPERS will identify the business requirements for report design (such as fields, formats, level of detail, and schedule, and frequency) for the reports supplied to CalPERS during and after each election.
- v. Contractor will meet the requirements specified in the Business and Functional Requirements and any subsequent amendments to that document as provided by CalPERS to Contractor; the most current version of these requirements is attached in Exhibit 9.
- c. CalPERS will conduct Logic and Accuracy testing to ensure the voting system:
 - i. Tracks paper, online, and telephone votes correctly.
 - ii. Allows only one (1) vote per voter per election.
 - iii. Tabulates the correct results.

10. Customer Service Toll-Free Line:

- a. Contractor will provide a toll-free number with voice response access that has 99.9% up-time and is available 24 hours a day, seven (7) days a week to eligible voting members.
- b. Contractor will provide customer service representatives to answer questions 24 hours a day, seven (7) days a week to eligible voting members. Contractor will provide adequate incoming lines to achieve CalPERS' goal of an average queue of less than three (3) minutes.
- c. Contractor will provide a PIN to all voting members to enable them to accomplish the following:
 - i. Receive general election information.
 - ii. Request a duplicate ballot package.
 - iii. Assistance with online and telephone voting.
 - iv. Ability to transfer to the telephone voting system.

11. Daily Reports:

- a. Contractor will provide daily reports during the election period that will include:
 - i. The number of calls received.
 - ii. The number of calls resolved.
 - iii. The current number of calls waiting to be resolved.
 - iv. The number of calls that went to voice mail.
 - v. The average wait time per call.
 - vi. The amount of replacement ballots mailed.
 - vii. The daily votes received by each voting method.

12. Tally the Votes:

- a. Contractor will tally votes from eligible voting members according to the California Code of Regulations section 554.8. The mail ballots must be counted by an automated system.
- b. Contractor will review and adjudicate damaged paper ballots in situations where the voter's intention is clear, but the ballot is not suitable for the automated system.
- c. Contractor will ensure that vote tally takes place according to the key Board election dates in the Notice.
- d. Contractor will provide CalPERS with the hard copy report representing the final vote tally.

13. Public Viewing of the Ballot Proceeding and Counting:

Person(s) from the public must be given the opportunity to observe the vote count at the count site. The public will not be allowed in the ballot processing area and must be kept a minimum distance of ten (10) feet away from all voting equipment and materials. Public viewing will be made available from the opening of the voting period through the completion of tabulation during normal business hours, Monday-Friday, 8:00 a.m. until 5:00 p.m., PT.

The Contractor must bear all costs for securing and hosting the count site which must be in Sacramento, California and is subject to CalPERS approval.

14. Runoff Elections:

In the event of a runoff election, Contractor must print and mail a ballot package containing a ballot, voting instructions, introductory information, candidate statements/addendums and a 5 1/2" X 9" security tint return envelope described in Services to be Provided, section A.2(c). Contractor will provide voters the same voting options and services provided for the primary or special election, except for the printing and distribution of the Notices.

15. Special Elections:

In the event of a vacancy on the Board, a special election may be called. The election schedule may not follow the standard election cycle and may happen at any time. The cost will be for the specific election (Member-at-Large Position A or Position B, Public Agency, State, School, and Retired member) that is needed. Contractor will be available to provide all services related to a special election that may be required during the term of the contract.

16. Recount or Protest:

In the event of a request for a recount or protest of an election, Contractor will:

- a. Account for paper, telephone, and online votes.
- b. Track how each voter submitted their vote.
- c. Identify the number of votes each candidate received.
- d. Provide auditable voting and election data.
- e. Fully cooperate in all other requests made by CalPERS to facilitate the recount or protest process.

17. Reports:

Contractor will provide the following reports electronically, as a formal portable document format (PDF) report, to CalPERS staff for each election:

- a. Weekly updates provided on Fridays by 3:00 p.m., PT during the voting period. Updates will include the number of votes received by voting stream.
- b. Provide the unofficial election results data within 30 days after the conclusion of the primary, runoff, or special election (if necessary).

- c. At the conclusion of an election, the elections results report will include:
 - i. Total valid votes and percentage of votes cast for each candidate
 - ii. Total votes received by voting method
 - iii. Total eligible voters
- d. Election Demographics (votes received and eligible voters)
 - i. Top 20 employers
 - ii. Top 20 cities (voter address on file with CalPERS)
 - iii. Voter breakdown by individual age and age group (20-29, 30-39, etc.) and which voting method used
 - iv. Voter breakdown by gender and which voting method used
 - v. Voter breakdown by membership type (Public Agency, State, School, and Retired)
- e. Invalid Ballots
 - i. Total blank and over votes
 - ii. Total invalid envelopes (no signature on perjury statement)
 - iii. Total invalid late envelopes received after the deadline
 - iv. Total miscellaneous invalid ballots (damaged in mail, no ballot in envelope, etc.)
- f. Ad hoc reports as requested by CalPERS

18. Contract Coordinator

Contractor will provide a Contract Coordinator as the point of contact for Board election staff during business hours, Monday-Friday, 8:00 a.m. until 5:00 p.m., PT. The Contract Coordinator is responsible for all communications with CalPERS elections staff and keeping the Board election project on schedule by adhering to the day-to-day election deadlines. The Contract Coordinator is subject to CalPERS approval. In the event the Contract Coordinator separates from Contractor, CalPERS reserves the right to approve the successor.

B. Transfer of Voter Data:

The Contractor will provide programming and maintenance for the voting system including provisions for a runoff election or special election if needed. This will include the following services:

1. Work with CalPERS to receive the voter address file through a secure method determined by CalPERS, such as a Secure File Transfer Protocol (SFTP) server. Voter file will be provided by CalPERS prior to the Notice mailing and the ballot package mailing.
2. Process voter address file through a certified software program to standardize addresses and add or correct the zip + four and barcode.
3. Develop a list of undeliverable addresses from the standardization process.
4. Assign a ballot package control number to each voter record which will be used to identify each ballot and runoff ballot returned by voters.
5. Load voter data into the software program including the standardized addresses and the control number and barcode.
6. Receive data from the software program which will identify ballots and runoff ballots that have been returned and "not delivered" by the United States Postal Service.
7. Convert data into a format compatible with the software program.
8. Contractor will submit a test file of the voter data received from CalPERS in order for CalPERS staff to validate the voter information provided is the same as the data in the CalPERS system.
9. Contractor will comply with the CalPERS Middleware File Transport Services (External) as defined in Exhibit 8.

IV. Minimum Qualifications

The Proposer must meet all of the following Minimum Qualifications in order for its Proposal to proceed to the Technical Proposal Evaluation stage. Failure to satisfy any of these qualifications and requirements upon submittal of the Proposal may result in the rejection of the Proposal. An individual who is authorized to bind the Proposer contractually must sign the Minimum Qualifications Certification, Attachment A, to certify that the Proposer meets all of the Minimum Qualifications. As part of the Minimum Qualifications Certification, Proposer must provide on Attachment A, Exhibit 1 – Evidence of Minimum Qualifications – evidence of how each Minimum Qualification is met.

The Minimum Qualifications may be satisfied by the Proposer as a joint venture as specified in the Joint Venture Procedures, Exhibit 1. CalPERS Joint Venture Procedures permit only joint venture partners to use their combined individual experience and qualifications to fully satisfy all Minimum Qualifications. If the Proposer is submitting a Proposal based on a prime contractor/subcontractor relationship, the subcontractor's qualifications cannot be used to satisfy the Minimum Qualifications.

Minimum Qualifications Include:

1. As of the final filing date, Proposer must have been in business providing blended election services (paper ballot production and mailing, telephone voting, and online voting), for a minimum of three (3) years.
2. As of the final filing date, Proposer must have provided blended election services (paper ballot production and mailing, telephone voting, and online voting), for an election with over 400,000 voter population and minimum of two (2) concurrent elections with at least 100,000 voter population, within the past three (3) years.
3. As of the final filing date, Proposer must be able to provide a Contract Coordinator with at least three (3) years' experience processing blended election services (paper ballot production and mailing, telephone voting, and online voting).

V. Confidential Discussions (Optional)

At CalPERS discretion, CalPERS may elect to have a confidential discussion in person with Proposers' staff to discuss such questions. To the extent CalPERS determines, in its sole discretion, that a question asked and discussed in confidential discussions might be helpful to other Proposers, CalPERS reserves the right to issue the written question (with the confidential/proprietary information removed) and answer in an addendum to all Proposers. The issues discussed with one Proposer in the confidential discussions are not binding, may be clarified in writing with the individual Proposer, and will not be shared with any other proposer.

Proposers will be contacted by CalPERS staff to schedule the confidential discussions and an agenda will be provided. Proposers should bring staff that can answer questions and provide clarifications if needed. The confidential discussions will first address the Proposer's questions, and then additional questions or clarifications may be discussed as time permits. Each confidential discussion may last up to two (2) hours or more and is subject to extension at CalPERS' discretion.

Questions related to the Proposed Contract (Exhibit 4) or the Fee Proposal (Attachment J) will not be addressed during the confidential discussions. Statements made by CalPERS staff during the confidential discussions shall in no way imply that all potential defects in the Proposal have been resolved or discussed.

VI. Proposal Requirements

Proposals must describe the Proposer's qualifications and expertise in the format outlined in the RFP. A Proposal will not be considered complete unless it contains all of the items described below. The forms are posted to the CalPERS website for Proposers to download. Proposers are not to alter or modify the forms other than by providing the required information; please note, adding your firm's logo or letterhead to the form is not considered a modification or alteration of the form.

A. Technical Proposal

The Technical Proposal includes all of the following items:

1. Cover Letter

A cover letter, which will be considered an integral part of the Proposal, must be signed by an individual who is authorized to bind the Proposer contractually. The cover letter must state the individual is so authorized and must identify the title or position that the individual holds in the Proposer's firm. An unsigned cover letter shall cause the Proposal to be rejected. The letter must contain all of the following:

- a. A statement to the effect that the Proposal is a firm and irrevocable offer good through the date of execution of contract.
- b. A statement expressing the Proposer's willingness to perform the services as described in this RFP.
- c. A statement expressing the Proposer's availability of staff and other required resources for performing all services and providing all deliverables as described in this RFP.

2. Minimum Qualifications Certification

Proposers must complete and return the Minimum Qualifications Certification, Attachment A, certifying that the Proposer satisfies the Minimum Qualifications and requirements. Such certification also must include on Attachment A, Exhibit 1 – Evidence of Minimum Qualifications – an explanation of how each Minimum Qualification is met. This form must be signed by an individual who is authorized to bind the Proposer contractually. Failure to submit this form shall cause the Proposal to be rejected.

3. Proposal/Proposer Certification Sheet

Proposers must complete and return the Proposal/Proposer Certification Sheet, Attachment B. This form must be signed by an individual who is authorized to bind the Proposer contractually. Failure to submit this form shall cause the Proposal to be rejected.

4. California Taxpayer and Shareholder Protection Act Declaration

Proposers must complete and return the California Taxpayer and Shareholder Protection Act Declaration, Attachment C. This form must be signed by an individual who is authorized to make the declaration on behalf of the Proposer. Failure to submit this form shall cause the Proposal to be rejected.

5. Contracting Act Declarations

Proposers must complete and return the Contracting Act Declarations, Attachment D. This form must be signed by an individual who is authorized to make the declaration on behalf of the Proposer. Failure to submit this form shall cause the Proposal to be rejected.

6. CalPERS Contract-Related Disclosure Form

Proposers must complete and return the CalPERS Contract-Related Disclosure Form, Attachment E. This form must be signed by an individual who is authorized to bind the Proposer contractually. Failure to submit this form shall cause the Proposal to be rejected. If Proposer answers "No" on Page 2, they must also answer question 5 on Page 3 of the form.

7. Proposal Questionnaire

Proposers must submit responses and documentation as requested on the Proposal Questionnaire, Attachment F. The information requested must be provided in the prescribed format and all questions, including sub-questions, must be answered. Responses that deviate materially from the prescribed format may lead to the rejection of the Proposal. Failure to submit a response to the Proposal Questionnaire shall cause the Proposal to be rejected.

8. Disabled Veteran Business Enterprise Contract Participation & Incentive

In accordance with Public Contract Code section 10115, et. seq., and California Military and Veterans Code section 999, et. seq., every Proposer must comply with the Disabled Veteran Business Enterprise (DVBE) contract participation requirements, unless the Proposer is a California Certified Micro Business because California Certified Micro Businesses are exempt from the DVBE participation percentage (goal).

This solicitation requires a minimum 3% DVBE participation percentage (goal). Information and instructions with which each Proposer must comply in order to achieve the 3% participation goal can be found in Disabled Veteran Business Enterprise Contract Participation, Attachment G. **Proposers must complete and return the exhibits and documentation**

as required in Attachment G, Exhibit 1 to show compliance with the 3% participation goal.

Failure to submit a completed Attachment G, Exhibit 1 form to demonstrate Proposer's compliance with the 3% DVBE participation goal shall result in rejection of the Proposal. Final determination of a Proposer's DVBE participation shall be at the sole discretion of CalPERS.

In addition to the 3% DVBE participation goal, and in accordance with section 999.5(a) of the Military and Veterans Code, a DVBE Incentive shall be given to responsive and responsible Proposers who commit to DVBE participation above the required 3% participation goal. Information regarding this DVBE Incentive program may be obtained at:

<https://www.dgs.ca.gov/PD/About/Page-Content/PD-Branch-Intro-Accordion-List/Office-of-Small-Business-and-Disabled-Veteran-Business-Enterprise/Certification-Program>.

Attachment G also contains information and instructions with which each Proposer must comply in order to be awarded DVBE Incentive points. Proposers must complete, sign and return the exhibits and the documentation required in Attachment G with their Proposal if they intend to apply for DVBE incentive points. DVBE Incentive Points will be awarded as described in Evaluation Process, Section VIII.G of the RFP.

CalPERS may contact certified DVBE Businesses with information regarding current or upcoming solicitations for the purpose of implementing and supporting the state program.

9. Subcontractors

Proposers must complete and return the List of Proposed Subcontractors, Attachment H. All subcontractors are subject to final approval by CalPERS and must agree to comply with CalPERS Information Security standards if applicable. Failure to submit this form shall cause the Proposal to be rejected.

10. Required Attachments Certification Checklist

Proposers must complete and return the Required Attachments Certification Checklist, Attachment I. Failure to submit this form shall cause the Proposal to be rejected.

11. Joint Venture Submittals

In general, a joint venture is an association of two (2) or more persons or companies to carry on a commercial enterprise as co-owners. As applied to this RFP, a joint venture is a partnership between the persons or

companies formed for the purpose of submitting a Proposal and of performing the contract if a contract is awarded to the joint venture. If a Proposal is submitted by a joint venture, the Proposal must include the joint venture agreement and supporting documentation required by CalPERS Joint Venture Procedures, Exhibit 1.

The Proposal also must include copies of the forms listed below signed (wet signature required if submitting via U.S. Mail) by each joint venture partner. The forms may be photocopied, but shall not be retyped, altered, or modified in any manner; please note, adding the firm's logo or letterhead to the forms are not considered a modification or alteration of the forms.

- a. Cover Letter;
- b. Minimum Qualifications Certification, Attachment A, and Attachment A, Exhibit 1;
- c. Proposal/Proposer Certification Sheet, Attachment B;
- d. California Taxpayer and Shareholder Protection Act Declaration, Attachment C;
- e. Contracting Act Declarations, Attachment D; and
- f. CalPERS Contract-Related Disclosure Form, Attachment E.

12. Preference Programs

The State of California (State) established the following preference programs to encourage participation in state contracting by various segments of the business community and to stimulate business and employment in geographic areas determined to be economically distressed. Proposers must include the documentation described below if they intend to apply for the Small Business Preference or Target Area Contract Preference Act programs. Applicable Preference points will be awarded as described in Evaluation Process, Section VIII.F, Section of the RFP.

a. Small Business Preference

A five percent (5%) bid preference is available to a certified small business firm. The Small Business preference will be applied to those Proposers declaring their eligibility on the Proposal/Proposer Certification Sheet, Attachment B. Information regarding this preference program may be obtained at:

<https://www.dgs.ca.gov/PD/About/Page-Content/PD-Branch-Intro-Accordion-List/Office-of-Small-Business-and-Disabled-Veteran-Business-Enterprise/Certification-Program>

This five percent (5%) bid preference is also available to a non-small business claiming California-certified small business/microbusiness subcontractor participation for at least twenty-five percent (25%) of its bid price. The non-small business preference will be applied to those Proposers declaring their eligibility on the List of Proposed Subcontractors, Attachment H.

b. Target Area Contract Preference Act

Information regarding this preference program may be obtained at:

<https://tacpa.dgs.ca.gov/Home/About?Length=4>

Proposers seeking to obtain a Target Area Contract Preference Act (TACPA) preference must complete and submit the Target Area Contract Preference Act Preference Request, STD. 830, with their Proposal. This form is available to download at the link provided above.

13. Payee Data Record (STD 204)

Proposers must complete and return the Payee Data Record (STD 204) form to indicate the full business name as it should be reflected on the executed contract (if awarded). If Proposer is using a Doing Business As (DBA) name, this name should also be reflected on the STD 204 form. This form must be signed by an individual who is authorized to sign the STD 204 on behalf of the Proposer. Failure to submit this form shall cause the Proposal to be rejected.

This form can be found at

<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>

B. Fee Proposal

In addition to the Technical Proposal, Proposer must submit a Fee Proposal in the format prescribed in Attachment J.

VII. Submission of Proposals

- A. Proposals must be submitted as set forth below. Each Proposal must include two parts: (1) the Technical Proposal; and (2) the Fee Proposal. There are two methods to submit Proposals: (1) Electronic Submission or (2) U.S. Mail.

1. Electronic Submission

a. The Technical Proposal

Submit two (2) copies of the Technical Proposal in a PDF format. All PDF documents submitted electronically by the Proposer to CalPERS must be free of viruses, malware, disablers, and encryption. Proposers may provide electronic signatures on the required documents stated in Section VII.A, Technical Proposal, in the electronic submission of their Technical Proposal. Failure to comply will cause the Proposal to be rejected.

- i. One PDF document must be labeled as, **“Master Copy”**, the Technical Proposal includes the cover letter, attachments, and all other required documentation, **except** the Fee Proposal.
- ii. One PDF document must contain a complete technical proposal labeled, **“Reproduction Copy”**. No proprietary information should be included on this PDF document. The Technical Proposal includes the cover letter, attachments, and all other required documentation, **except** the Fee Proposal.

All pages containing proprietary information should be removed and a cover sheet must be included which provides:

- The firm's name;
- total number of pages; and
- identification of all pages removed due to proprietary information.

b. Fee Proposal

Submit one (1) PDF document labeled **“FEE PROPOSAL”**.

- c. The Proposal documents must be received no later than as specified in the Schedule of Events. Provide a copy of the signed documents via electronic mail, addressed as follows:

Contracts Officer
California Public Employees' Retirement System
Request for Proposal No. 2020-8833
oscd_contractsadmin@calpers.ca.gov
Reference RFP No. 2020-8833 in the subject line

- d. If electronic proposals are too large to fit into one email, CalPERS will accept multiple smaller emails in order for the entire Proposal to be sent.

2. U.S. Mail

a. The Technical Proposal

Submit a total of four (4) hard copies of the Technical and an additional two (2) copies on compact disc (CD) or Universal Serial Bus (USB). All electronic media submitted by the Proposer to CalPERS must be free of any viruses, malware, disablers, and encryption. Proposers must provide wet signatures on the required documents stated in Section VI.A, Technical Proposal, in the U.S. Mail submission of their Technical Proposal. Failure to comply may cause the Proposal to be rejected. If resumes are provided on the CDs or USBs as part of the Technical Proposal, please provide resumes in MS word format that do not have any special formatting.

- i. One (1) CD or USB must contain a complete Technical Proposal labeled, **“Master Copy.”** The Technical Proposal includes the cover letter, attachments, and all other required documentation, **except** the Fee Proposal.
- ii. One (1) CD or USB must contain a complete technical proposal labeled, **“Reproduction Copy.”** No proprietary information should be included on this CD or USB. The Technical Proposal includes the cover letter, attachments, and all other required documentation, **except** the Fee Proposal.
- iii. Two (2) hard copies of the Technical Proposal must be **unbound**, (i.e., no binder covers, comb bindings, etc.) and submitted as follows:
 - (i) The first unbound hard copy containing wet signatures must be marked **“Master Copy,”** and
 - (ii) The second unbound hard copy must be marked **“Reproduction Copy.”** All pages containing proprietary information should be removed. If pages containing proprietary information are removed, a cover sheet must be included which provides:
 - the firm’s name;

- total number of pages; and
 - identification of all pages removed due to proprietary information.
 - iv. The remaining two (2) hard copies must be **bound** and organized in a manner to facilitate ease of review by the evaluators.
- b. Fee Proposal
Submit two (2) hard copies and two (2) CD(s) or USB(s) labeled Fee Proposal, Attachment J, and place in a separate, sealed envelope in the Proposal package. Clearly label the envelope as **"FEE PROPOSAL FOR RFP NO. 2020-8833, submitted by [Company Name]."**
- B. The Proposal package(s) must be sealed and clearly marked on the outside as **"RESPONSE TO RFP NO. 2020-8833, DO NOT OPEN, submitted by [Company Name]."** Please ensure that the Proposer's return address is clearly provided on the outside of the package.

Failure to clearly identify the Proposal on the outside of the package may result in the rejection of the Proposal. CalPERS is not responsible for receipt of any Proposal that is improperly labeled and accepts no responsibility for lost and/or late delivery of Proposals.

Proposers may submit the Proposal package (Technical and Fee Proposal) in one box, but the Fee Proposal envelope must be clearly labeled.
- C. The Proposal package must be received no later than as specified in the Schedule of Events. For all methods of delivery including U.S. Mail, Personal Delivery or Commercial Delivery Services, the Proposal package must be addressed as follows:

Contracts Officer
California Public Employees' Retirement System
Lincoln Plaza West
400 Q Street, Room W1570
Sacramento, CA 95811
RFP No. 2020-8833

All Proposal packages will be date and time-stamped upon receipt in Room W1570. Proposals delivered in person must be received by a CalPERS employee. CalPERS is not responsible for proposal packages left on the counter in Room W1570 regardless of the time of delivery. Proposals received by

CalPERS after the final filing date and time will be rejected and the Proposal package will not be opened.

Important: For all methods of delivery, and in particular for Proposals submitted via U.S. Mail, please allow sufficient time for the mailing/delivery processes mentioned above to ensure that the Proposal package will arrive to CalPERS by the final filing date and time.

- D. Prior to the final filing date, a Proposer may withdraw a Proposal already submitted to CalPERS in order to correct, modify, or complete it. The Proposal may be withdrawn by written notification to CalPERS Contracts Officer, signed by an authorized agent. The Proposal may be resubmitted thereafter, but will not be accepted after the final filing date and time.
- E. Upon submission, all Proposals become the property of CalPERS and will be regarded as public records and may be subject to public review to the extent provided in the California Public Records Act (Government Code section 6250 et. seq.) If the Proposer seeks to exempt certain pages or items from public inspection, Proposer should clearly mark them as "PROPRIETARY INFORMATION." CalPERS will use reasonable efforts to exempt such pages or items from public disclosure, but makes no representations or warranties that such efforts will be successful. **Please note that the entire Proposal cannot be identified as proprietary information.**
- F. Except as specifically requested by CalPERS, submission of a Proposal or any portion thereof via magnetic media is not allowed. CalPERS will not accept or consider any Proposal material submitted in this manner.
- G. CalPERS may reject all Proposals if, based on its exclusive discretion, the Proposals do not meet CalPERS need.
- H. Only one Proposal from an individual, firm, partnership, corporation or combination thereof, will be considered. Multiple Proposals submitted by a Proposer under more than one name will be cause for rejection of all Proposals submitted by the Proposer.

VIII. Evaluation Process

All Proposals received on or before the final filing date and time as specified in the Schedule of Events will be evaluated as outlined below. CalPERS may request clarifications from Proposers at any phase of the evaluation process for the purpose of clarifying ambiguities in the information presented in the Proposal. Section IX, General Information, provides the detailed clarification process.

CalPERS, in the exercise of its exclusive discretion, may permit the Proposer to correct any error, omission, deviation, or other defect (see Section IX, General Information). Alternatively, CalPERS may waive such error, omission, deviation, or other defect.

However, such waiver shall in no way modify the RFP documents or excuse the Proposer from full compliance with the RFP requirements.

A. Preliminary Review

First, the Technical Proposal will be reviewed to determine completeness of required documentation and compliance with DVBE requirements, as prescribed in Proposal Requirements, Sections VI, and Evaluation Process, Section VIII. CalPERS staff will use the Required Attachments Certification Checklist, Attachment I, submitted by the Proposer to confirm receipt of all required documents. CalPERS may reject any or all Proposals that fail to meet these requirements.

B. Technical Proposal Evaluation (500 Points)

After CalPERS has ascertained that the Proposer meets the Minimum Qualifications, the Technical Proposal will be scored by a team of CalPERS Staff (evaluation team).

Each team member will independently evaluate the Proposer's Technical Proposal, using the Proposal Evaluation Sheet, Exhibit 2. A single score for each Technical Proposal will be reached by consensus of the evaluation team, with a maximum of 500 points. The highest scoring proposals, as determined by CalPERS, will continue in the evaluation process.

C. Fee Proposal Evaluation (300 Points)

CalPERS staff will independently open each Fee Proposal of Proposers that are continuing in the evaluation process. The Fee Proposal that has the lowest Grand Total Cost will receive the maximum score of 300 points. All other Fee Proposals will be rated proportionately as follows:

$$\frac{\text{Lowest Grand Total Cost}}{\text{Proposer's Grand Total Cost}} \times 300 = \text{Proposer's Score}$$

Each Proposer's Technical Proposal Score will be combined with the Proposer's Fee Proposal Score. The Proposals will be ranked from highest to lowest, with a maximum of 800 total points. The highest scoring Proposals, as determined by CalPERS, will be Finalists and continue in the evaluation process.

D. Finalists

1. One or more team members may conduct background and reference checks of each Finalist. This information will be rated as satisfactory or unsatisfactory as prescribed on the Proposal Evaluation Sheet, Exhibit 2.
2. CalPERS reserves the right: (1) to check references known to CalPERS but not provided by the Proposers; and (2) to independently verify or

research the information provided by Proposers in their responses to the RFP. This information will be rated as satisfactory or unsatisfactory as prescribed in the Proposal Evaluation Sheet, Exhibit 2.

3. If the information gathered in either VIII.D.1 and/or VIII.D.2 above is rated unsatisfactory, CalPERS reserves the right in its sole and absolute discretion to disqualify a finalist.

E. Site Visits (100 points)

One or more CalPERS team members will conduct site visits, either virtually or on-site. CalPERS will determine whether site visits will be conducted virtually or on-site. Finalists will be notified in advance of the specific date, time, and format for the site visit, including any specific demonstrations and information the site team would like presented. The site visits will be evaluated as prescribed on the Proposal Evaluation Sheet, Exhibit 2. The maximum score for the site visit is 100 points.

F. Finalist Interviews (100 Points)

Each finalist that passes all categories of the evaluation process (technical, fees, reference checks, and site visits) will be required to appear for an oral interview with CalPERS staff at a time and place to be announced. Finalists will be notified in advance of the specific date, time, and format for the interview. The interview shall include participation by all key personnel who will exercise a significant administrative or policy role under the contract. A single score for each interview will be reached by consensus of the CalPERS evaluation team, with a maximum of 100 points as prescribed on the Proposal Evaluation Sheet, Exhibit 2. Each proposal's interview score will be combined with the Technical and Fee Proposal Evaluation scores as well as Site Visit scores and the proposals will be ranked from highest to lowest.

G. Applicable Preference and/or Incentive Points

Preference and/or Incentive Points may be awarded to Proposers based on the applicable requirements and if all required documentation is submitted. The Preference and/or Incentive Points are in addition to the maximum available points, thus, it is possible for a Proposer's total Proposal score (including the applicable Preference and/or Incentive points) to exceed the maximum available points. However, the Preference and Incentive points cannot be used to help a Proposer satisfy a minimum point requirement.

1. Small Business Preference

A five percent (5%) bid preference is available to certified Small Businesses or non-small businesses claiming California-certified small business/microbusiness subcontractor participation for at least twenty-

five percent (25%) of its bid. If applicable, based on the preference requirements, a preference of five percent (5%) of the total overall points awarded to the highest scored non-small business proposer will be added to the responsive and responsible Proposer's score.

2. Target Area Contract Preference Act

If Proposer has submitted a completed a Target Area Contract Preference Act (TACPA) Request form (STD. 830) with its Proposal, and all requirements are met, a preference of five percent (5%) of the maximum points available for this RFP will be added to the responsive and responsible Proposer's score.

3. Disabled Veteran Business Enterprise (DVBE) Incentive

If Proposer has submitted information on or with Attachment G regarding the DVBE Program Incentive, the applicable DVBE Incentive points (based on the confirmed DVBE participation percentage as provided in the table below) will be added to the responsive and responsible Proposer's score. (See Proposal Evaluation Sheet, Exhibit 2).

Final determination of a Proposer's DVBE participation and applicable incentive points shall be at the sole discretion of CalPERS.

Confirmed DVBE Participation of:	DVBE Incentive (percentage of maximum points available)	DVBE Incentive Points (based on 1000 maximum points available)
5% or Over	5%	50
4% to 4.99%	4%	40
3.01% - 3.99%	3%	30
3%	Minimum DVBE Requirement	0

H. Tie Breaker

In case of a tie for two (2) or more Proposers, final scores will be rounded to the nearest one-hundredth decimal.

I. Award of Contract

1. The Contract award, if any, will be made to the responsive and responsible Finalist having the highest total score, but it is subject to final negotiations and satisfaction of all requirements. Should contract negotiations not be successful with the selected Finalist, CalPERS may, based on its exclusive discretion, negotiate with the Proposer having the next highest total score.
2. Notice of CalPERS intent to award to the selected Proposer will be posted in CalPERS Contracts Management Section and at <https://www.calpers.ca.gov/> for five (5) State business days before the award of contract is made.

IX. General Information

A. eBusiness Alerts

CalPERS eBusiness Partners registered for this RFP will receive an eBusiness Alert notification with links to the latest documents and information posted on the CalPERS website. This service is an optional communications tool and the eBusiness Partner takes full and independent responsibility for compliance with any notices, policies, procedures, documents, or requirements set forth by the content in this RFP. CalPERS eBusiness Partners are encouraged to access the CalPERS website routinely. CalPERS assumes no responsibility for any failure of the eBusiness Alert tool to provide notification of the respective website changes.

B. Errors and Omissions

If a Proposer discovers any ambiguity, conflict, discrepancy, omission or other error in this RFP, the Proposer should immediately notify CalPERS of such error in writing and request clarification or modification of the document. This notification must be submitted pursuant to the procedures described in Questions Regarding the RFP, Section IX.C

Modifications to the RFP will be made by addenda issued pursuant to Addenda, Section IX.E. If a Proposer fails to notify CalPERS of a known error prior to the final dates of submission, or an error that reasonably should have been known, the Proposer will assume the risk of proposing. If awarded the contract, the Proposer will not be entitled to additional compensation or time by reason of the error or its later correction.

C. Questions Regarding the RFP

1. Proposers requiring clarification of the intent and content of this RFP may request clarification only by submitting questions via electronic mail to:

ossd_contractsadmin@calpers.ca.gov

Please reference RFP No. 2020-8833 in the subject line.

To ensure a response, questions must be received by the date and time specified in the Schedule of Events. Responses to questions received by this date will be posted to the CalPERS website, without identifying the source of the query, on or before the date specified in the Schedule of Events.

2. Questions regarding the competitive proposal procedure only (i.e., questions dealing with format, packaging, DVBE, etc.) may be submitted via electronic mail to:

ossd_contractsadmin@calpers.ca.gov

Please reference RFP No. 2020-8833 in the subject line.

Responses will be directed to the respective Proposer only, unless CalPERS determines a question (and answer) should be posted to the CalPERS website because it would be helpful to all Proposers. CalPERS will use reasonable efforts to respond to questions in a timely manner.

D. CalPERS Restricted Contact Code

Respondents must comply with Government Code section 20153, as it exists and as amended by the Legislature and implemented by the Board of Administration from time to time, concerning restricted contact between CalPERS and proposers during the solicitation period. A copy of the existing code section is attached as Exhibit 3.

E. Addenda

CalPERS may modify any part of the RFP, prior to the date Proposals are due, by issuance of one or more addenda. Addenda issued after the final filing date may occur to correct a discrepancy, omission or other such typographical error within the RFP; however, the modification(s) will not have a material effect on the previously submitted Proposals. Addenda will be numbered consecutively and posted to the CalPERS website.

F. Clarifications

CalPERS may request clarifications from Proposers at any phase of the evaluation process for the purpose of clarifying ambiguities in the information presented in the Proposal. CalPERS will request in writing the Proposers provide the

documentation required and the time line for submission. Failure to submit the required documentation by the date and time indicated may cause CalPERS to deem the proposal nonresponsive, or require CalPERS to eliminate the proposal from consideration due to a Proposer's failure to satisfy minimum requirements.

If deemed necessary by CalPERS, at its sole discretion, the following omitted and/or additional information may be collected by mail, or other method:

1. Copies of any form submitted without a signature. This provision does not apply to an unsigned Cover Letter.
2. Data or documentation omitted from any submitted attachment or form.
3. Information and material needed to clarify or confirm certifications or claims made by a Proposer.
4. Information or material needed to correct or remedy an immaterial defect in the Proposal.

Other than information requested by CalPERS, no Proposer will be allowed to alter the Proposal or add new information after the final filing date.

G. Protest Procedures

1. Any Proposer who submitted a response to the RFP may file a protest against the awarding of the contract. A Notice of Protest must be filed during the five (5) State of California business days that CalPERS Notice of Intent to Award Contract is posted. Within five (5) State of California business days after filing the Notice of Protest, the protesting Proposer shall file with CalPERS a Statement of Grounds for Protest, which will contain a full and complete written statement specifying the grounds for the protest and the facts on which they are based. Protests are limited to the following grounds:
 - a. CalPERS failed to follow the procedures stated in the RFP.
 - b. CalPERS failed to apply correctly the standards for reviewing the format requirements or failed to evaluate the Proposals as specified in the RFP.
 - c. CalPERS failed to follow evaluation and rating methods as specified in the RFP.
 - d. CalPERS proposes to award contract to other than the Proposer(s) receiving the highest rating(s) and satisfactorily meeting all requirements of the final contract negotiations.

- e. CalPERS disqualified the Proposer under the Restricted Contact Code of the California Government Code as implemented by the Board of Administration.
2. The Notice of Protest and Statement of Grounds for Protest shall be signed by an authorized individual and submitted via email to:

ossd_contractsadmin@calpers.ca.gov

Please reference RFP No. 2020-8833 in the subject line.

3. Once a Notice of Protest has been filed, the contract may not be awarded until either the protest is withdrawn or CalPERS has decided the matter. If no Statement of Grounds for Protest is filed within the required timeframe, the Notice of Protest will be deemed withdrawn.
4. Following the receipt of a Statement of Grounds for Protest, CalPERS General Counsel will determine whether the protest is to be resolved by written submission of material or decided by a Board-appointed "Protest Review Committee." Parties will be provided the applicable protest procedures and schedule. The decision of the General Counsel and/or Committee is final and all parties will be notified of the decision.
5. There is no basis for protest if all Proposals are rejected based on the best interests of CalPERS.

H. Other Criteria

1. Right to Reject Any or All Proposals

The policy of CalPERS is to solicit Proposals with a bona fide intention to award a contract. This policy will not affect CalPERS right to reject any or all Proposals or to cancel the solicitation at any time.

2. Proposer's Costs

All costs for developing Proposals and attending interviews at CalPERS headquarters are entirely the responsibility of the Proposer and shall not be chargeable to CalPERS.

3. Review of Proposals Subsequent to Contract Award

Written or oral Proposal evaluation debriefings will not be given to unsuccessful Proposers. All Proposals and the final scoring summary sheet are retained by CalPERS as a permanent record, and shall be made available for public inspection.

4. Subcontracting Subsequent to Contract Award

If, at any time during the term of the contract, CalPERS or the Contractor require the previously unanticipated expertise of a specialist(s) to provide services contemplated in this RFP, upon agreement by both parties and under the direction of the Contractor, a subcontractor(s) relationship may be established at CalPERS expense and the fee negotiated at the time the subcontracting relationship is established.

5. Conflict of Interest

Compliance is required with California Public Contract Code sections 10410 and 10411 relating to employment of current and former state employees.

6. Corporate Qualifications to Do Business in California

The Proposer(s) awarded the contract must be in good standing and must be qualified to do business in California at the time the contract is executed and during the entire term of the contract.

7. Follow-On Contracts

No person, firm, or subsidiary thereof or their officers or directors, who were previously awarded a CalPERS consulting services contract, or a contract which primarily includes a consulting services component, may submit a proposal or be awarded a contract for the provision of services, delivery of goods or supplies, or any other related action that is required, suggested, or otherwise deemed to be an outgrowth of advice or recommendations submitted pursuant to the consulting service contract (Cal. Public Contract Code section 10365.5).

8. Execution of Contract

The contract will be executed on the CalPERS Standard Agreement, Form STD. 213. If the contract is awarded to a joint venture, all joint venture partners will be required to sign the contract. Proposed Contract, Exhibit 4, sets forth CalPERS minimum contract provisions. CalPERS may modify the contract provisions or incorporate additional provisions if it is in the best interests of CalPERS. Contractors are expected to comply with all applicable contract provisions (as may be amended from time to time).

9. News Releases

News releases pertaining to the award resulting from this RFP shall not be made without prior written approval from the CalPERS Chief Executive Officer or his/her designee.