



Request for Proposal for 401(k) Savings Plan Audit Services

Date of Release: January 5, 2022

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GENERAL INFORMATION

The objective of ICLS in this procurement is to identify and contract with a qualified vendor to perform the annual audit of ICLS's 401(k) savings plan and review of Form 5500 data for the 2021 plan year with option to renew for the 2022, 2023, 2024, and 2025 plan years.

Inland Counties Legal Services (ICLS) pursues justice, equity, and inclusion for vulnerable persons in Riverside and San Bernardino Counties. Since 1958, ICLS has provided free legal services to seniors and those in the greatest social or economic need, with emphasis on service delivery to rural communities in Riverside and San Bernardino Counties. Legal services are provided by attorneys, paralegals, and pro bono volunteers under the direct supervision of an attorney in wide ranging practice areas, including Bankruptcy, Consumer, Elder, Family, Health, Housing, Immigration, Public Benefits, and Tax. Additional information about ICLS can be found at www.inlandlegal.org.

Once awarded, ICLS will contract with the auditor through the form of an engagement letter to be prepared by the auditor.

ICLS' fundamental commitment is to contract for value and successful results. A successful result is denoted as the generation of defined, measurable, and beneficial outcomes that support ICLS's missions, objectives, and goals, and satisfies all defined contract requirements.

ICLS seeks to ensure a level playing field in the award of the contract. ICLS has implemented an aggressive policy concerning actual or potential conflicts of interest to ensure fair and open competition, as well as an anti-nepotism policy and has included both as attachments to this RFP. Respondents must carefully review and understand this language when developing proposals. The Respondent must disclose any past employment of its employees and agents, or its subcontractors' employees and agents, by ICLS, including the individual's name and the date such individual's employment at ICLS ended.

Whenever the terms "shall," "must," "or "is required" are used in this RFP in conjunction with a specification or performance requirement, the specification or requirement is mandatory for the potential vendor. ICLS may, at its sole discretion, reject any proposal that fails to address or meet any mandatory requirement set forth herein. Whenever the terms "can," "may," or "should" are used in this RFP in conjunction with a specification or performance requirement, the specification or performance requirement is a desirable, but not mandatory, requirement.

The sole point of contact for inquiries concerning this RFP is:

Tessie D. Solorzano, Deputy Director of Operations
1040 Iowa Avenue, Suite 106
Riverside, CA 92507
(951) 248-4524
tcross@icls.org

All communications relating to this RFP must be directed to the specified ICLS contact person. All other communications between a respondent and ICLS staff concerning this RFP are prohibited. In no instance is a respondent to discuss cost information contained in a proposal with the ICLS point of contact or any other staff prior to proposal evaluation. Failure to comply with this section may result in ICLS's disqualification of the proposal.

Procurement Timeline

RFP Release Date January 5, 2022
Optional Notice of Intent to Propose Due: January 12, 2022
Vendor Questions Due January 14, 2022
Response to Vendor Questions Posted: January 18th, 2022

Vendor Proposals Due: January 25, 2022 by 5:00PM Pacific Time
Vendor Presentations – If necessary TBD
Anticipated Contract Award TBD
Anticipated Contract Start Date TBD

ICLS reserves the right to amend this RFP at any time prior to the proposal submission deadline. Any changes, amendments, or clarifications will be made in the form of responses to vendor questions, amendments, or addendum issued by ICLS and sent to the point of contact listed on the Notice of Intent to Propose. Vendors not submitting the Notice of Intent to Propose will not receive changes, amendments, or answers to questions regarding this Request For Proposal.

ICLS reserves the right to cancel this RFP or to make no award of a contract pursuant to this RFP.

ICLS may, in its discretion, reject any and all proposals submitted in response to this RFP.

ICLS will not reimburse any respondent for costs of developing a proposal in response to this RFP.

SCOPE AND REQUIREMENTS

ICLS maintains an ERISA-qualified 401(k) retirement savings plan for its employees. Pursuant to ERISA, plan sponsors must annually file Form 5500 with the U.S. Department of Labor. The required filing must include the plan's audited financial statements.

The audit report must be completed no later than June 15th of each year.

The proposal must contain pricing for a five-year term, covering audit plan year ending 12/31/21, with options to renew for plan years ending 12/31/22, 12/31/23, 12/31/24, and 12/31/25. The audit for the plan year ending 12/31/21 will be the first year that the plan has been audited. It is expected that the proposals include consideration of any additional time expected to complete the initial first year audit.

The awarded auditor must meet all IRS and DOL qualifications for the audit of ERISA-qualified retirement plans. In addition, the auditor must, to the extent practical, work with the staff of the 401(k) plan record keeper to obtain information required for the audit. To the extent this is not practical; ICLS staff will provide the requested information. ICLS will provide on-site accommodations as necessary, including telephone and internet access, for audit staff. Contractor will be expected to comply with all OSHA health and safety guidelines as well as ICLS policies with regards to the COVID-19 pandemic, such as face masks, social distancing, and vaccine and/or COVID testing. It is expected that the bulk of the work will be performed by telework, and the auditor shall provide a method to share files and documents electronically in a secure manner.

In their responses to this RFP, respondents must describe in detail the methodology and approach to meeting the requirements of this RFP. Respondents must include a project schedule for completing each set of deliverables, key milestones, or scope requirements described herein. The awarded firm must provide a Lead Auditor who has decision-making authority and will assume responsibility for coordination, control, and performance of this effort. Any changes to key personnel associated with the subsequent contract must be submitted in writing and approved in writing by ICLS.

The auditor must be licensed or certified as a public accountant in the state of California and have at least three years of experience auditing ERISA-governed retirement plans.

At a minimum, the awarded respondent shall provide the following items. If additional value-added deliverables can be proposed, please identify them separately. Awarded respondent must provide a draft

of the annual limited scope audit report two weeks prior to the final copy. Awarded respondent must provide an annual limited scope audit report that will be attached to the Form 5500. On an annual basis, the awarded respondent must attend one meeting of the ICLS Board of Director's Audit Committee to discuss the report.

GENERAL INSTRUCTIONS AND RESPONSE REQUIREMENTS

A prospective vendor may submit a Notice of Intent to Propose to the ICLS Point of Contact identified in Section 1.6 no later than 5:00PM Pacific Time on the date listed in the Section 1.7 Procurement Timeline. The Notice of Intent should consist of an email stating that the prospective vendor intends to submit a proposal for this procurement. Only vendors who submit a Notice of Intent to Propose will receive the answers to questions from all vendors, and/or any clarifications, amendments, and addenda to the Request For Proposal. Vendors who provide a Notice of Intent are not obligated to submit proposals after submitting the NOI, but must submit a response to be considered for an award.

All questions and comments regarding this RFP must be submitted electronically to the email address for the ICLS Point of Contact. All questions must reference the appropriate RFP page number. In order to receive a response, vendor questions and comments must be received no later than January 14, 2022. Inquiries received after the due date may be reviewed by ICLS but will not receive a response. Answers to vendor questions will be emailed to the point of contact listed on the Notice of Intent to Propose. A respondent must inquire in writing as to any ambiguity, conflict, discrepancy, exclusionary specification, omission or other error in this RFP prior to submitting a proposal. If a respondent fails to notify ICLS of any error, ambiguity, conflict, discrepancy, exclusionary specification, or omission, the respondent shall submit a proposal at its own risk and, if awarded the contract, shall have waived any claim that the RFP was ambiguous and shall not contest ICLS's interpretation. If no error or ambiguity is reported by the deadline for submitting written questions, the respondent shall not be entitled to additional compensation, relief, or time by reason of the error or its later correction.

ICLS reserves the right to amend answers prior to the proposal submission deadline.

Proposals may be withdrawn from consideration at any time prior to the award of contract. A written request for withdrawal must be made to the ICLS Point of Contact.

A respondent has the right to amend its proposal at any time and to any degree by written amendment delivered to the ICLS Point of Contact prior to the proposal submission deadline. ICLS reserves the right to request an amendment to any part of the proposal during negotiations.

A respondent may not issue press releases or provide any information for public consumption regarding its participation in this procurement without specific, prior written approval of ICLS.

ICLS may reject without further consideration any proposal that is not completely responsive to this RFP.

By submitting a proposal, the respondent grants ICLS the right to obtain information from any lawful source regarding: (i) the past business history, practices, conduct and ability of a respondent to supply goods, services, and deliverables; and (ii) the past business history, practices, conduct, and ability of the respondent's directors, officers, and employees. ICLS may take such information into consideration in evaluating proposals.

Submit all copies of the proposal to the ICLS Point of Contact no later than 5:00 p.m. Pacific Time on the submission deadline. The proposal must be signed by an authorized representative of the respondent and submitted electronically via email—the file must not exceed 20MB. If this size restriction cannot be

met, multiple emails may be sent, but respondent must indicate how many emails ICLS should anticipate (i.e. email 1 of 3). ICLS reserves the right to disqualify late proposals.

All proposals must be:

- Clearly legible;
- Sequentially page-numbered;
- Organized in the sequence outlined in Section 3.9 and 3.9.1;
- Consist of two separate parts and must be sent in two separate attachments; Part 1 and Part 2(see Section 3.9)
- Limited to 50 pages (excluding ICLS required forms);
- Responsive to the requirements of this RFP;
- Proposals should include the respondent's name at the top of each page, and should not include unrequested materials or pamphlets.

The proposal must consist of two separate parts and must be sent in two separate attachments:

- (1) Part 1 – Business Proposal; and
- (2) Part 2 – Cost Proposal.

The Business Proposal must include:

- Section 1 – Transmittal Letter;
- Section 2 – Executive Summary;
- Section 3 – Corporate Background and Experience;
- Section 4 – Methodology and Services Approach;
- Section 5 –Appendices;

Section 1 -- Transmittal Letter

Respondents must include a transmittal letter printed on official company letterhead. The letter must be signed by an individual authorized to legally bind the respondent.

The transmittal letter must include:

- Disclosure of all pending, resolved, or completed litigation, mediation, arbitration, or other alternate dispute resolution procedures involving the respondent (including subcontractors,) and its client(s) within the past 24 months.
- A description of any personal or business interest that may present an actual, potential, or apparent conflict of interest with the performance of the contract and an explanation of how the respondent can assure ICLS that these relationships will not create an actual conflict of interest.
- A complete list of all exceptions, reservations, and limitations to the terms and conditions of the RFP.

Section 2 -- Executive Summary

In this section, the respondent should condense and highlight the content of the Business Proposal to provide ICLS with a broad understanding of the respondent's approach to meeting ICLS's objectives for this procurement.

Section 3 -- Corporate Background and Experience

This section details the respondent's corporate background and experience. If the respondent proposes to use subcontractor(s), it must describe any existing ongoing relationships with such subcontractor(s), including project descriptions. The section should include the following information:

Respondent's full organization, company, or corporate name;

Headquarter address;

Type of ownership (e.g. partnership, corporation);

If respondent is a subsidiary or affiliate and the name of the parent organization;

State where the respondent is incorporated or otherwise organized to do business;

Federal taxpayer identification;

Name and title of person who will sign the contract; and

Name and title of person responsible for responding to questions regarding the proposal, with telephone number, facsimile number, and email address.

Describe the respondent's corporate background as it relates to projects similar in scope and complexity to the project described in this RFP.

If the proposal includes the use of subcontractors, include a similar description of the subcontractor's corporate background.

Include at least three (3) references for projects performed within the last five (5) years that demonstrate the respondent's ability to perform the required RFP services. Include contract dates and contact parties, with address, telephone number, and email, if available. If the work was performed as a subcontractor, the respondent must describe the scope of subcontracting activities.

Key Personnel

Identify and describe the respondent's proposed labor skill set and provide resumes of all proposed key personnel (as defined by the respondent). Resumes must demonstrate experience germane to the position proposed. Resumes must list any relevant professional designations for key personnel identified by Respondent. Resumes should include work on projects cited under the respondent's corporate experience, and the specific functions performed on such projects.

Section 4 – Methodology and Services Approach

Describe the respondent's methodology for providing the deliverables identified in Section 2. Include a proposed project schedule, illustrating start and finish dates of the terminal and summary elements identified in Section 2 or proposed by the vendor.

Section 5 – Appendices

Include a draft audit engagement letter, and any appendices to the respondent's Business Proposal. The draft engagement letter must include a statement that additional costs above the total not-to-exceed price will not be incurred without prior written amendment to the engagement letter.

Part 2 -- Cost Proposal

The Cost Proposal must be based on the Scope of Work described in Section 2. This section should include any business, economic, legal, or practical assumptions that underlie the Cost Proposal. Respondents may separately identify cost-saving and cost-avoidance methods and measures and the effect of such methods and measures on the Cost Proposal and Scope of Work. Respondents must provide a cost proposal that includes total estimated hours to complete, billable rates by staff level, detail of any additional costs anticipated, and a total not-to-exceed amount. The Cost proposal must consider that the plan year ending 12/31/2021 is the first audit performed for ICLS and include any first time costs.

The cost proposal should include the total costs and hours expected for optional renewal for the plan years ended 12/31/2022, 12/31/2023, 12/31/2024, and 12/31/2025 as well.

EVALUATION

ICLS will select the successful vendor through an internal evaluation process. ICLS will consider capabilities or advantages that are clearly described in the proposal, which may be confirmed by oral presentations, site visits, or demonstrations if required, and verified by information from reference sources contacted by ICLS. ICLS reserves the right to contact individuals, entities, organizations that have had dealings with the respondent, or staff proposed for this effort, whether or not identified in the proposal.

4.2 Evaluation Criteria

The primary criteria for evaluating the proposals as they relate to this RFP are as follows:

- (1) The vendor's ability to meet the requirements set forth in Section 2.
- (2) The vendor's fees or cost structure.

4.3 Oral Presentations and Site Visits

ICLS may, at its sole discretion, request oral presentations, site visits, and/or demonstrations from one or more respondents. ICLS will notify selected respondents of the time and location for these activities and may supply agendas or topics for discussion. ICLS reserves the right to ask additional questions during oral presentations, site visits, and/or demonstrations to clarify the scope and content of the written proposal, oral presentation, site visit, or demonstration. These meetings may be conducted remotely through Zoom, Microsoft Teams, or another online meeting platform provided by the bidder.

ICLS may, but is not required to, conduct discussions and negotiations with all, some, or none of the respondents for the purpose of obtaining the best value for ICLS.