

**Request for Proposal No. 2009-5355**  
**February 18, 2010**

**STRATEGIC MANAGEMENT &  
BUSINESS CONSULTING  
SERVICES SPRING-FED POOL  
REFRESH NO.1**



**CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**400 Q Street**  
**Sacramento, California 95811**

**CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**STRATEGIC MANAGEMENT SERVICES AND BUSINESS CONSULTING SERVICES**  
**SPRING FED POOL – REFRESH NO.1**  
**REQUEST FOR PROPOSAL NO. 2009-5355**  
**SCHEDULE OF EVENTS**

---

|                                                      |                                      |
|------------------------------------------------------|--------------------------------------|
| RFP Release Date                                     | February 18, 2010                    |
| Deadline to Submit Written Technical Questions       | March 8, 2010 at 3:00 p.m. PST       |
| Post Response to Written Questions                   | March 15, 2010                       |
| Final Filing Date                                    | March 29, 2010 at 3:00 p.m. PST      |
| Preliminary Review*                                  | March 30, 2010 through April 6, 2010 |
| Evaluation of Proposals*                             | April 6, 2010 through April 23, 2010 |
| Finalists Selected*                                  | TBD                                  |
| Post Notice of Intent to Award*                      | TBD                                  |
| CalPERS Anticipated Contract Performance Start Date* | TBD                                  |

---

\* All dates after the Final Filing Date are tentative and subject to change by issuance of a CalPERS eBusiness Alert.

**CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**STRATEGIC MANAGEMENT & BUSINESS CONSULTING SERVICES**  
**SPRING-FED POOL REFRESH NO.1**

**REQUEST FOR PROPOSAL NO. 2009-5355**

**TABLE OF CONTENTS**

|             |                                                                        |          |
|-------------|------------------------------------------------------------------------|----------|
| <b>I.</b>   | <b>INTRODUCTION .....</b>                                              | <b>1</b> |
| <b>II.</b>  | <b>PURPOSE.....</b>                                                    | <b>1</b> |
| <b>III.</b> | <b>SERVICES TO BE PROVIDED .....</b>                                   | <b>2</b> |
| <b>IV.</b>  | <b>MINIMUM QUALIFICATIONS .....</b>                                    | <b>3</b> |
| <b>V.</b>   | <b>PROPOSAL REQUIREMENTS.....</b>                                      | <b>5</b> |
| <b>A.</b>   | <b>Technical Proposal.....</b>                                         | <b>5</b> |
| 1.          | Cover Letter .....                                                     | 5        |
| 2.          | Minimum Qualifications Certification .....                             | 5        |
| 3.          | Proposal/Proposer Certification Sheet .....                            | 5        |
| 4.          | California Taxpayer and Shareholder Protection Act<br>Declaration..... | 6        |
| 5.          | Darfur Contracting Act Declaration.....                                | 6        |
| 6.          | Proposal Questionnaire .....                                           | 6        |
| 7.          | Disabled Veteran Business Enterprise Contract<br>Participation .....   | 6        |
| 8.          | Subcontractors.....                                                    | 7        |
| 9.          | Required Attachments Certification Checklist.....                      | 7        |
| 10.         | Joint Venture Submittals .....                                         | 7        |
| 11.         | Preference Programs .....                                              | 7        |
| 12.         | Disabled Veteran Business Enterprise Program Incentive ..              | 9        |
| <b>B.</b>   | <b>Fee Proposal .....</b>                                              | <b>9</b> |

|              |                                                                    |           |
|--------------|--------------------------------------------------------------------|-----------|
| <b>VI.</b>   | <b>SUBMISSION OF PROPOSALS .....</b>                               | <b>9</b>  |
| <b>VII.</b>  | <b>EVALUATION PROCESS.....</b>                                     | <b>11</b> |
| <b>A.</b>    | <b>Preliminary Review.....</b>                                     | <b>12</b> |
| <b>B.</b>    | <b>Technical Proposal Evaluation.....</b>                          | <b>12</b> |
| <b>C.</b>    | <b>Client References.....</b>                                      | <b>12</b> |
| <b>D.</b>    | <b>Fee Proposal Evaluation .....</b>                               | <b>13</b> |
| <b>E.</b>    | <b>Finalists .....</b>                                             | <b>13</b> |
| <b>F.</b>    | <b>Award of Contract .....</b>                                     | <b>13</b> |
| <b>VIII.</b> | <b>GENERAL INFORMATION .....</b>                                   | <b>13</b> |
| <b>A.</b>    | <b>eBusiness Alerts .....</b>                                      | <b>13</b> |
| <b>B.</b>    | <b>Errors and Omissions.....</b>                                   | <b>14</b> |
| <b>C.</b>    | <b>Questions Regarding the RFP .....</b>                           | <b>14</b> |
| <b>D.</b>    | <b>CalPERS Restricted Contact Policy .....</b>                     | <b>15</b> |
| <b>E.</b>    | <b>Addenda.....</b>                                                | <b>15</b> |
| <b>F.</b>    | <b>Clarifications .....</b>                                        | <b>15</b> |
| <b>G.</b>    | <b>Protest Procedures.....</b>                                     | <b>15</b> |
| <b>H.</b>    | <b>Other Criteria .....</b>                                        | <b>17</b> |
| <b>1.</b>    | <b>Right to Reject Any or All Proposals .....</b>                  | <b>17</b> |
| <b>2.</b>    | <b>Proposer's Costs .....</b>                                      | <b>17</b> |
| <b>3.</b>    | <b>Review of Proposals Subsequent to Contract Award.....</b>       | <b>17</b> |
| <b>4.</b>    | <b>Subcontracting Subsequent to Contract Award .....</b>           | <b>17</b> |
| <b>5.</b>    | <b>Conflict of Interest .....</b>                                  | <b>17</b> |
| <b>6.</b>    | <b>Corporate Qualifications To Do Business In California .....</b> | <b>17</b> |

|    |                             |    |
|----|-----------------------------|----|
| 7. | Follow-On Contracts .....   | 18 |
| 8. | Execution of Contract ..... | 18 |
| 9. | News Releases.....          | 18 |

## **EXHIBITS**

1. CalPERS Joint Venture Policy
2. Proposal Evaluation Sheet
3. CalPERS Restricted Contact Policy
4. Proposed Contract
5. CalPERS Spring-Fed Pool Procedures
6. Response to Questions for Request for Proposal 2008-4853

## **ATTACHMENTS**

- A. Minimum Qualifications Certification
- B. Proposal/Proposer Certification Sheet
- C. California Taxpayer and Shareholder Protection Act Declaration
- D. Darfur Contracting Act Declaration
- E. Proposal Questionnaire
- F. Disabled Veteran Business Enterprise Contract Participation
- G. List of Proposed Subcontractors
- H. Required Attachments Certification Checklist
- I. Fee Proposal

**CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**STRATEGIC MANAGEMENT & BUSINESS CONSULTING SERVICES**  
**SPRING-FED POOL REFRESH NO.1**

**I. INTRODUCTION**

The California Public Employees' Retirement System (CalPERS), established in 1932, manages pension and health benefits for more than 1.5 million California public employees, retirees, and their families from more than 2,500 public employers throughout California. CalPERS is managed by a 13-member Board of Administration. 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.

CalPERS services include administering retirement and health programs, financial planning services, supplemental savings programs, long-term care benefits, and a public agency deferred compensation program

The CalPERS Strategic Management Services Division provides internal consultant services and management support to senior leadership across the organization in strategic and operational business planning, performance management, business analysis and research, organizational development, enterprise project support, as well as other enterprise management services.

Proposers will be able to submit proposals as either a single or multi-staff firm. A single staff firm is a business that is owned and operated by one person (i.e., sole proprietor) and does not employ other professional staff. A multi-staff firm is a business that employs more than one professional staff. It may be a corporation, partnership, limited liability company, or single-owner firm that employs more than one professional staff.

**II. PURPOSE**

The Strategic Management Services Division is soliciting proposals to establish a pool of qualified Non-Information Technology (NON-IT) firms and consultants that can provide the services listed in Section III, Services to be Provided, on an as needed basis, for a maximum of four years. The pool will be administered subject to the CalPERS Spring-Fed Pool Procedures outlined in Exhibit 5. None of the firms within the pool is guaranteed to receive any engagement or compensation.

### **III. SERVICES TO BE PROVIDED**

The candidates for this pool must have a thorough understanding of the appropriate area of services requested. In addition to knowledge and ability to apply appropriate latest trends, firms and consultants must possess a demonstrated expertise and experience in working in one or more of the following service categories:

#### **A. Organizational and Leadership Development**

Provide services related to leadership and team development and alignment; change management; culture alignment; problem solving and conflict resolution; training and train-the-trainer services; meeting, conference, and workshop design and facilitation; workforce and succession planning; as well as providing a speakers' bureau of industry experts for critical engagements and presentations; and other related services. As needed, conduct surveys, interviews, or focus groups; analyze results, and develop reports.

#### **B. Strategic and Operational Business Planning**

Provide assistance in the design, development, preparation, facilitation, implementation, and revision of strategic and operational business plans, missions, and vision statements; meeting, conference, and workshop facilitation; the alignment of business operations to business plans, including leadership decision making and priority setting; as well as providing a speakers' bureau of industry experts for critical engagements and presentations; and other related services. As needed, conduct surveys, interviews, or focus groups; analyze results, and develop reports.

#### **C. Performance Management and Program Evaluation**

Provide assistance in the design, development and implementation of performance management approaches and measures that consider both quantitative and qualitative results; evaluation of policies and programs related to the assessment of organizational effectiveness, structure, resource allocation, responsiveness to customers, and business planning objectives; planning, design, and implementation of performance programs to provide effective management data for enterprise business decision making and priority setting; as well as providing a speakers' bureau of industry experts for critical engagements and presentations; and other related services. As needed, conduct surveys, interviews, or focus groups; analyze results, and develop reports.

#### **D. Management Analysis**

Provide assistance in the design, development and implementation of process methods and development of statistical, business issue, workload, and process analyses; trends and best practices research; and development of recommendations and action plans; establish an

evaluation framework to examine results and determine benefits for various enterprise business challenges, issues, and opportunities; and other related services. As needed, conduct surveys, interviews, or focus groups; analyze results, and develop reports.

Contract award(s) will be made in each category. Candidates for the pool can submit a proposal that covers one, or more than one, of the service categories.

#### **IV. MINIMUM QUALIFICATIONS**

The Proposer must meet the following minimum qualifications established for each of the service categories they wish to include in their Proposals, to be given further consideration. Failure to satisfy any of these qualifications and requirements upon submittal of the Proposal will result in the rejection of the Proposal. The Proposer must certify in writing on the Minimum Qualifications Certification, Attachment A, that it meets all of the minimum qualifications. Such certification must include evidence of how each qualification is met and must be signed by an individual who is authorized to bind the Proposer contractually.

The Minimum Qualifications may be satisfied by the Proposer as a joint venture as specified in the Joint Venture Policy, Exhibit 1. CalPERS Joint Venture Policy permits only joint venturers 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.

##### **A. Organizational and Leadership Development**

- 1) The firm must be in existence as a business entity performing the services listed under Section IIIA for a minimum of two years.
- 2) The designated staff or key personnel in the firm who will provide services to CalPERS must have a minimum of three years experience or specialization in leadership and management development, change management, and organizational development; as well as industry best practices in these areas.
- 3) The firm must have proven experience with clients in one or more of the following categories: 1) State-wide or national clients; 2) clients in related financial, benefit administration, or health care industries; or 3) public sector or non-profit organizations.
- 4) The Proposer must have the work facilities, equipment, supplies, and support staff needed to perform these services.

**B. Strategic and Operational Business Planning**

- 1) The firm must be in existence as a business entity performing the services listed under Section IIIB for a minimum of two years.
- 2) The designated staff or key personnel in the firm who will provide services to CalPERS must have a minimum of three years experience or specialization in strategic and operational business planning for large organizations; as well as industry best practices in these areas.
- 3) The firm must have proven experience with clients in one or more of the following categories: 1) State-wide or national clients; 2) clients in related financial, benefit administration, or health care industries; or 3) public sector or non-profit organizations.
- 4) The Proposer must have the work facilities, equipment, supplies, and support staff needed to perform these services.

**C. Performance Management and Program Evaluation**

- 1) The firm must be in existence as a business entity performing the services listed under Section IIIC for a minimum of two years.
- 2) The designated staff or key personnel in the firm who will provide services to CalPERS must have a minimum of three years experience or specialization in the development and implementation of performance management measurement approaches and evaluation and assessment of policies and programs; as well as industry best practices in these areas.
- 3) The firm must have proven experience with clients in one or more of the following categories: 1) State-wide or national clients; 2) clients in related financial, benefit administration, or health care industries; or 3) public sector or non-profit organizations.
- 4) The Proposer must have the work facilities, equipment, supplies, and support staff needed to perform these services.

**D. Management Analysis**

- 1) The firm must be in existence as a business entity performing the services listed under Section IIID for a minimum of two years.
- 2) The designated staff or key personnel in the firm who will provide services to CalPERS must have a minimum of three years experience or specialization in management analysis; as well as industry best practices in this area.
- 3) The firm must have proven experience with clients in one or more of the following categories: 1) State-wide or national clients; 2) clients in related financial, benefit administration, or health care industries; or 3) public sector or non-profit organizations.
- 4) The Proposer must have the work facilities, equipment, supplies, and support staff needed to perform these services.

## **V. 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 the forms other than by providing the required information.

### **A. Technical Proposal**

#### **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 for 180 days.
- 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 all minimum qualifications and requirements. This form must be signed by an individual who is authorized to bind the Proposer contractually.

#### **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.

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.

5. Darfur Contracting Act Declaration

Proposers must complete and return the Darfur Contracting Act Declaration, Attachment D. This form must be signed by an individual who is authorized to make the declaration on behalf of the Proposer.

6. Proposal Questionnaire

Proposers must submit responses and documentation as requested on the Proposal Questionnaire, Attachment E. The information requested must be provided in the prescribed format. Responses that deviate materially from the prescribed format may lead to the rejection of the Proposal.

7. Disabled Veteran Business Enterprise Contract Participation

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.

**Recent legislation has modified the program significantly in that a bidder may no longer demonstrate compliance with program requirements by performing a “good faith effort” (GFE).**

**This solicitation requires a minimum 3% DVBE participation percentage (goal).**

Attachment F contains information and instructions with which each Proposer must comply in order to achieve the participation goal. All Proposers must complete and return the exhibits and the documentation required in Attachment F with their Proposal. Failure to do so may result in rejection of the Proposal.

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

8. Subcontractors

Proposers must complete and return the List of Proposed Subcontractors, Attachment G. All subcontractors are subject to final approval by CalPERS.

9. Required Attachments Certification Checklist

Proposers must complete and return the Required Attachments Certification Checklist, Attachment H.

10. Joint Venture Submittals

In general, a joint venture is an association of two 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 Policy, Exhibit 1.

The Proposal must include copies of the forms listed below signed by **each** venturer. The forms may be photocopied, but shall not be retyped or modified in any manner.

- a. Cover Letter;
- b. Minimum Qualifications Certification, Attachment A;
- c. Proposal/Proposer Certification Sheet, Attachment B; and
- d. California Taxpayer and Shareholder Protection Act Declaration, Attachment C.
- e. Darfur Contracting Act Declaration, Attachment D

11. 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.

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 [www.pd.dgs.ca.gov/smbus/default.htm](http://www.pd.dgs.ca.gov/smbus/default.htm).

This preference is also available to a non-small business claiming twenty-five percent (25%) California-certified small business subcontractor participation. The non-small business preference will be applied to those Proposers declaring their eligibility on the List of Proposed Subcontractors, Attachment G.

b. Target Area Contract Preference Act

Information regarding this preference program may be obtained at [www.pd.dgs.ca.gov/disputes/default.htm](http://www.pd.dgs.ca.gov/disputes/default.htm). 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 the Proposal. This form is available to download at the link provided above.

c. Enterprise Zone Act

Information regarding this preference program may be obtained at [www.pd.dgs.ca.gov/disputes/default.htm](http://www.pd.dgs.ca.gov/disputes/default.htm). Proposers seeking to obtain a Enterprise Zone Act (EZA) preference must complete and submit the Enterprise Zone Act Preference Request, STD. 831, with the Proposal. This form is available to download at the link provided above.

d. Local Agency Military Base Recovery Area Act

Information regarding this preference program may be obtained at [www.pd.dgs.ca.gov/disputes/default.htm](http://www.pd.dgs.ca.gov/disputes/default.htm). Proposers seeking to obtain a Local Agency Military Base Recovery Area Act (LAMBRA) preference must complete and submit the Local Agency Military Base Recovery Area Act Preference Request, STD. 832, with the Proposal. This form is available to download at the link provided above.

12. Disabled Veteran Business Enterprise Program Incentive

In accordance with Section 999.5(a) of the Military and Veterans code, an incentive will be given to responsive and responsible Proposers who commit to DVBE participation as outlined below. Information regarding this preference program may be obtained at <http://www.pd.dgs.ca.gov/smbus/default.htm>.

Attachment F contains information and instructions with which each Proposer must comply in order to achieve the participation incentive. All Proposers must complete and return the exhibits and the documentation required in Attachment F with their Proposal in order to be eligible to receive the DVBE incentive.

| <u>Confirmed DVBE Participation of:</u> | <u>DVBE Incentive</u> |
|-----------------------------------------|-----------------------|
| 5% or Over                              | 5%                    |
| 4% to 4.99%                             | 4%                    |
| 3.01% to 3.99%                          | 3%                    |

**B. Fee Proposal**

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

**VI. 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.

1. The Technical Proposal

Submit a total of seven (7) copies of the Technical Proposal. The Technical Proposal includes the cover letter, attachments, and all other required documentation, **except** the Fee Proposal.

- a. Two (2) copies of the Technical Proposal must be **unbound**, (i.e., no binder covers, comb bindings, etc.) and submitted as follows:
  - (i) One unbound copy containing original signatures must be marked "**Master Copy**", and
  - (ii) The second unbound copy must be marked "**Copy for Reproduction.**" All pages containing proprietary

information should be removed and a cover sheet must be included which provides:

1. the firm's name;
2. total number of pages; and
3. identification of all pages removed due to proprietary information.

b. The remaining five (5) copies must be **bound** and organized in a manner to facilitate ease of review by evaluators.

2. Fee Proposal

Submit seven (7) copies of the Fee Proposal, Attachment I, and place in a separate, sealed envelope in the Proposal package. Clearly label the envelope as **FEE PROPOSAL FOR RFP NO. 2009-5355, submitted by (YOUR COMPANY NAME).**

B. The Proposal package(s) must be sealed and clearly marked on the outside as **"RESPONSE TO REQUEST FOR PROPOSAL NO.2009-5355, DO NOT OPEN."**

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.

C. The Proposal package must be received no later than March 29, 2010 by 3:00 p.m., Pacific Time in Room W1570 addressed as follows:

U.S. Mail: Contracts Officer  
California Public Employees' Retirement System  
P.O. Box 942702  
Sacramento, CA 94229-2702

Personal Delivery or Commercial Delivery Services:  
Contracts Officer  
California Public Employees' Retirement System  
Lincoln Plaza West  
400 Q Street, Room W1570  
Sacramento, CA 95811

**All Proposal packages will be date and time-stamped upon receipt in Room W1570. Proposals received in Room W1570 after the final filing date and time will not be considered.**

U.S. Mail: Proposal packages delivered via the United States Postal Service WILL NOT be delivered directly to the street address. Instead, it will be processed as bulk mail and held at a local post office for CalPERS to pick up.

Please allow sufficient time for the mailing/delivery processes mentioned above to ensure that the Proposal package will arrive in Room W1570 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 facsimile transmission, electronic, or 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.

## VII. 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 VIII, 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 VIII, 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**

The Technical Proposal will be reviewed to determine completeness of required documentation and compliance with DVBE requirements as prescribed in Sections V and VI. CalPERS staff will use the Required Attachments Certification Checklist, Attachment H 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**

Upon satisfactory preliminary review, the Technical Proposal will be reviewed to determine Proposer's satisfaction of Minimum Qualifications requirements. After CalPERS has ascertained that the Proposer meets the Minimum Qualifications, the Technical Proposal will be scored by a team of CalPERS Staff.

Each team member will independently evaluate the Proposer's Technical Proposal, using the Proposal Evaluation Sheet, Exhibit 2. For each Service Category, a single score for each Technical Proposal will be reached by consensus of the evaluation team, with a maximum of 150 points for a single staff firm and 200 points for a multi staff firm. The Proposers whose Technical Proposal receives a minimum score of 113 points for a single staff firm and 150 points for a multi staff firm in each Service Category will continue in the evaluation process.

**C. Client References**

One or more team members shall conduct background and reference checks of each Proposer continuing in the evaluation process. This information will be scored a maximum of 50 points as prescribed on the Proposal Evaluation Sheet, Exhibit 2. The technical proposal score will be combined with the client references score for a total of 200 points for a single staff firm and 250 points for a multi staff firm. The highest scoring single staff firms and the highest scoring multi staff firms in each Service Category will continue in the evaluation process.

**D. Fee Proposal Evaluation**

Proposers that are continuing in the evaluation process will have their Fee Proposal opened. The lowest Fee Proposal in each service category will receive the maximum score of 100 points. For purposes of Fee Proposal scoring, the hourly rates for the Lead Project Consultant will be used to determine the "Lowest Fee Proposal." All other Fee Proposals will be rated proportionately as follows:

$$\frac{\text{Lowest Fee Proposal}}{\text{Proposer's Fee Proposal}} \times 100 \text{ Possible Points} = \text{Proposer's Score}$$

**E. Finalists**

Each Proposal's technical proposal and client reference score will be combined with the fee score. The Proposals in each Service Category will be ranked from highest to lowest, with a maximum of 300 total points for a single staff firm and 350 total points for a multi staff firm. The highest scoring proposals for both Single Staff Firms and Multi Staff Firms for each Service Category, as determined by CalPERS will be Finalists

**F. Award of Contract**

1. In each category, the Contract awards, if any, will be made to the responsive and responsible Finalists having the highest total scores among single-staff firms and to the responsive and responsible Finalists having the highest total scores among multi-staff firms, but may be subject to satisfaction of all requirements.
2. Notice of CalPERS intent to award to the selected Proposers will be posted in CalPERS Contracts Management Section and at [www.calpers.ca.gov](http://www.calpers.ca.gov) for five (5) State business days before the award of contract is made.

**VIII. 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 Section VIII.C., "Questions Regarding the RFP."

Modifications will be made by addenda issued pursuant to Section VIII, E., "Addenda." 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. 2009-5355 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. 2009-5355 in the subject line.

Responses will be directed to the respective Proposer only. CalPERS will use reasonable efforts to respond to questions in a timely manner.

**D. CalPERS Restricted Contact Policy**

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 policies. 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 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 advise the Proposers in writing of 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.

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

1. Signed copies of any form submitted without a signature. This provision does not apply to unsigned Cover Letter. (see Section V.A.1.)
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 may file a protest against the awarding of the contract. A Notice of Protest must be filed during the five (5) State

business days that CalPERS intent to award notice is posted. Within five (5) calendar 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. Any applicant or Proposer that has been disqualified under the Restricted Contact Policy of the California Government Code as implemented by the Board of Administration will have the right to protest this decision, in accordance with the aforementioned protest procedures.
2. The Notice of Protest and Statement of Grounds for Protest shall be signed by an authorized individual and submitted via facsimile to:

Contracts Officer at (916) 795-3379

Please reference RFP No. 2009-5355 in the subject line.

3. No contract award may be awarded in any category in which a Notice of Protest has been filed until that protest is withdrawn or CalPERS has decided the matter.
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 shall be 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. However, all Proposals and all evaluation and scoring sheets, which are retained by CalPERS as a permanent record, 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

Proposers who are either foreign or domestic corporations must be in good standing and must be qualified to do business in California currently and during the term of the contract.

7. Follow-On Contracts

No person, firm, or subsidiary thereof or their officers or directors, who has been awarded a consulting services contract, or a contract which includes a consulting component, may submit a proposal or be awarded a contract for the provision of service, 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.

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 venturers will be required to sign the 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. **There will be no negotiation of any of the terms and conditions.**

9. News Releases

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