



**Firefighters' Pension Investment Fund**  
**Request for Proposal**  
**Election Vendor**

March 7, 2022



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## I. INTRODUCTION

The Firefighters' Pension Investment Fund ("FPIF") is seeking proposals from qualified election vendors to provide election services for FPIF Board of Trustees elections. The contract for election services will not exceed 5 years.

FPIF participants, beneficiaries, and mayors and presidents from municipalities and fire protection districts elect seven trustees from the following trustee positions to staggered terms in accordance with the requirements of 40 ILCS 5/22C-116:

- A) Three Participant Trustees shall be elected to serve 4-year terms each.
- B) One Beneficiary Trustees shall be elected to serve a 4-year term each.
- C) Three Employer Executive Trustees shall be elected to serve 4-year terms.

Special elections to fill trustee vacancies shall be conducted for unexpired terms of 6 months or more.

The elections will be conducted exclusively by mail ballot.

In 2022, FPIF participants, beneficiaries, and mayors and presidents from municipalities and fire protection districts will elect a Participant Trustee, a Beneficiary Trustee, and an Employer Executive Trustee.

FPIF does not bear any obligation to complete the request for proposal ("RFP") process outlined herein and has no obligation to select any respondent to provide the requested services. FPIF also reserves the right, without prejudice, to reject any or all proposals submitted. FPIF will NOT reimburse any expenses incurred by any potential service providers in responding to this RFP.

## II. BACKGROUND

FPIF was created to consolidate the investments of the 296 firefighter pension funds in Illinois who are governed by Article 4 of the Illinois Pension Code (40 ILCS 5/4). FPIF is governed by a 9-member Board of Trustees that includes 7 elected trustees and 2 appointed trustees.

FPIF elections must comply with Article 22C of the Illinois Pension Code (40 ILCS 5/22C-116) and the Trustee Elections Rules (Exhibit A). Respondents should be familiar with Article 22C and the Trustee Election Rules.

The Illinois Governmental Ethics Act (40 ILCS 420) (the "Ethics Act") provides guidelines for ethical practices concerning FPIF trustees and staff, and respondents should be familiar with the provisions of the Ethics Act.



### III. ELIGIBLE VOTERS

FPIF does not possess an updated voter file and must build a voter file for each election. The 2022 voter file will be completed on or before September 15, 2022.

FPIF anticipates approximately 9,200 voters for Participant Trustee Positions, approximately 7,300 voters for the Beneficiary Trustee Position, and 296 voters for the Employer Executive Trustee Positions.

The selected vendor will not know the number of eligible voters for the 2022 Trustee Election prior to the completion of the voter file.

### IV. SCOPE OF SERVICES REQUIRED

#### General

- Optional electronic candidate nominating petitions.
- Design and develop election materials.
- Printing and assembly of election materials.
- Mailing of election materials to eligible voters via USPS first class mail.
- Mailing of replacement election material or provisional election materials up to four business days prior to the Election Date. Replacement and provisional election materials requested within 12 days of an Election Date shall be delivered via overnight delivery service.
- Facilitating voter assistance (for example, with respect to replacing lost, spoiled or incorrect ballots), via a toll-free telephone service available during the election period from 8:30 am to 4:30 pm CST.
- Allow for a test of the tabulation process from an independent consultant and obtain an independent certification of the process at least 35 days in advance of the Election Date. FPIF must approve the independent consultant and the proposed price terms.
- Acceptance of ballots via USPS mail and expedited or overnight delivery service.
- Ballot tabulation.
- Provide FPIF with a post-election file, including voter data and participation metrics.
- Ballot retention. Ballots must be retained for 12 months following the election date and be made available to FPIF upon request.

#### Abbreviated Timeline of Service Delivery – 2022 Trustee Election

FPIF intends to have election materials finalized by September 16, 2022. FPIF will work with the selected vendor to ensure that election materials are mailed to eligible voters on or before October 26, 2022. Returned ballots must be received at the return address by 4:30 pm CST on December 1, 2022. The selected vendor will be required to certify elections results by 4:30 pm CST on December 7, 2022.

The official timeline for the 2022 Trustee Election and future trustee elections will be determined in accordance with the Trustee Election Rules (Exhibit A).



## V. PROPOSAL CONTENT

At a minimum, the proposal must include the information outlined below to be considered for the engagement. For ease of review, each requirement should be addressed in a separate section. Respondents are encouraged to submit proposals as a single PDF document. The proposal should include a table of contents. Failure to provide information in the prescribed format may result in the rejection of the proposal. All responses will be subject to verification for accuracy. Proposals containing false or misleading information will be rejected.

### A. Cover Letter

A cover letter, which will be considered an integral part of the proposal package, in the form of a standard business letter. The cover letter must be signed by an individual authorized to bind the respondent (and expressly certifying such authority) and identify the signer's title or position. An unsigned proposal will be rejected. The cover letter must also include:

- a. A statement that the proposal meets all requirements of this RFP, and that the offer tendered by the proposal will remain in full force and effect until and at any time prior to 90 days following the deadline for submittal.
- b. A disclosure of any current business relationship or any current negotiations for prospective business with FPIF, or with any member of the FPIF Board of Trustees, FPIF staff or their immediate family members, or any party currently rendering services to FPIF.
- c. A statement that the respondent acknowledges that all documents submitted in response to this RFP may be subject to disclosure under the Illinois Freedom of Information Act and/or the Illinois Open Meetings Act.
- d. A statement that respondent acknowledges and agrees to be bound by the Addendum to Contract for Professional Services (Exhibit B).

### B. Qualifications

#### Company background

Provide a company history with types of elections handled in the past for other customers. Please include metrics regarding the number, size and type of elections completed each year. Describe your company's computer processing architecture, capabilities, data security, and other security and disaster recovery plans. Describe the physical security of your processing facilities and storage areas and protocols for securing paper ballots and electronic ballots. Describe any proposed services that will subcontracted (if any) and, if applicable, identify the subcontractors, and describe your method or selecting and monitoring subcontractors. Identify the individuals on the team that will be involved in delivering the services requested, and their respective roles and responsibilities.



## Details

The respondent's proposals must demonstrate an understanding of the services required under Part IV and include:

1. A description of the design, assembly and mail processes that will be applied for the development and delivery of election materials.
2. A description of the ballot replacement process and the internal controls maintained to authenticate voters and prevent multiple votes from being cast by the same voter. The respondent should acknowledge that replacement election materials can be delivered to voters by the respondent via overnight delivery service.
3. A description of internal controls maintained to securely receive and retain mail in ballots. The respondent should acknowledge that ballots can be received by via expedited or overnight delivery service. The respondent should acknowledge that ballots can be retained for a period of 12 months after the Election Date.
4. A description of the testing of the tabulation process and quality control protocols that will be applied to the mail in ballot process. Adequate controls should be in place to record the receipt date, voter and vote cast for each ballot received. The selected vendor will provide a list of potential independent testing firms, who could certify the adequacy of the ballot tabulation process.
5. A description of the electronic candidate nominating petitions offered.
6. Samples of electronic nominating petitions, election announcements, voting instructions, candidate bios, ballots, and reports of election metrics and certifications of election results.

## C. References

References of three customers with similar sized elections handled by the respondent. Reference checks may be conducted for each finalist.

## D. Statement of Minimum Qualifications

Respondents must complete and return the Minimum Qualifications Certification in the form contained in "Appendix A."

## E. Questionnaire

The questionnaire contained in "Appendix B" to this RFP must be completed and returned as part of the proposal.

## F. Fee Proposal

Respondents must submit their fee proposal in the format prescribed in "Appendix C." Any deviation from the prescribed format which in the opinion of FPIF is material may result in the rejection of the proposal. The proposed fee shall include all costs and expenses for providing the services to FPIF as described in this RFP. After finalists are selected, fees may be subject to a "best and final" offer process to be determined at the discretion of FPIF.



**VI. SUBMISSION OF PROPOSALS**

**All proposals must be received no later than 4:30 PM CT on April 4, 2022. Submissions must be made via email to [sczahn@ifpif.org](mailto:sczahn@ifpif.org) by the stated deadline.**

**A. Submission Process**

Proposals should be in a PDF format and should be emailed to Steve Zahn at [sczahn@ifpif.org](mailto:sczahn@ifpif.org). Subject should contain "Response to Request for Proposals for Vendors to Provide Election Services for the FPIF Board of Trustees – Name of Responder." Failure to clearly identify the proposal in the subject line may result in the rejection of the proposal. Only email submissions will be accepted. An email confirmation will be sent confirming receipt of the proposal. The proposals become the property of FPIF upon submission. All costs for developing proposals are entirely the responsibility of the respondent and shall not be chargeable to FPIF.

Only one proposal from an individual, firm, partnership, corporation, or combination thereof, will be considered for this assignment.

**B. Timeline**

Date RFP Issued	March 7, 2022
Deadline to Submit RFP Questions	March 14, 2022 (4:30 PM CT)
Deadline for Submitting RFP Response	April 4, 2022 (4:30 PM CT)
Board Consideration of Vendor	On or after April 29, 2022

Respondents should be prepared to present before a meeting of the FPIF Elections Committee and the FPIF Board of Trustees. The FPIF Elections Committee will likely meet on April 19, 2022 to receive finalist presentations.

**C. Withdrawal**

A proposal may be withdrawn any time prior to the deadline by written notification signed by the individual applicant or authorized agent of the vendor and received by Steve Zahn at [sczahn@ifpif.org](mailto:sczahn@ifpif.org) prior to the deadline of 4:30 p.m. CT, April 4, 2022. Please reference the "FPIF Board of Trustees Election Services RFP Response - Name of Responder" in your communications. An email confirmation will be sent confirming withdrawal of the proposal. The proposal may be resubmitted with any modifications no later than the deadline. Modifications offered in any other manner will not be considered.

**D. Questions**

To maintain the integrity of the RFP process, interested respondents are expected to respond to this RFP to the best of their knowledge. If a respondent discovers an error or has a question regarding the RFP, the respondent should notify the FPIF contact person listed above, in writing. FPIF will respond only to



questions that are presented in writing via email to: Steve Zahn at [sczahn@ifpif.org](mailto:sczahn@ifpif.org). All questions should be submitted to FPIF by 4:30 p.m. CT, March 14, 2022. Please reference "Response to Request for Proposals for Vendors to Provide Election Services – Name of Responder" on your questions.

These questions will be consolidated into a single Q&A document and responded to by FPIF on, or about, March 18, 2022. The Q&A document will be posted on the FPIF website at [ifpif.org/employment-procurement/](http://ifpif.org/employment-procurement/) without indicating the source of the query. If deemed necessary or appropriate in the FPIF's discretion, FPIF may clarify or modify any part of this RFP by posting notice on the FPIF website prior to the proposal deadline.

## **E. Evaluation Process**

### **Pre-Evaluation Review**

All proposals will be reviewed to determine if they contain all the required submittals specified in this RFP. Responses that do not include all of the required information in the prescribed format may be rejected.

### **Proposal Evaluation**

All proposals received by the FPIF representative, Steve Zahn, by the deadline of 4:30 p.m. CT, on April 4, 2022, will be reviewed to determine whether they meet the requirements of this RFP.

Proposals that contain false or misleading statements or that provide references which do not support an attribute or condition claimed by the respondent will be rejected. Issuance of the RFP creates no obligation to award a contract or to pay any costs incurred in the preparation of a proposal. Nothing in this RFP or any resulting contract shall preclude FPIF from procuring services similar to those described herein from other sources.

Proposals that pass the pre-evaluation review will undergo an evaluation process conducted by FPIF staff. FPIF will consider various elements in the decision process as outlined below, ranked in no specific order, and will select a preferred proposal based on the perceived best overall value for the engagement. Fees will be one of the determining factors in this decision but will not be the primary determinative criterion.

Proposals will be evaluated on, but are not limited to, the following criteria:

- Competitive pricing
- Experience in delivering elections of the same size, qualifications of individual staff assigned
- Scope of service (proposed deliverables, infrastructure, internal controls, independent audit, security and disaster plan)
- References from public pension funds or similar entities
- Headquarters location and proximity
- Possible qualification as a "Minority-owned business", "Women-owned business", or "Business owned by a person with a disability" as those terms are defined by the Business Enterprise for Minorities, Women, and Persons with Disabilities Act (30 ILCS 575/2)

During the evaluation process, respondents may be requested to provide additional information and/or clarify contents of their proposal. Other than information requested by FPIF, no respondent will be allowed to alter the proposal or add new information after the filing date.



## **F. Quiet Period**

The quiet period begins on the date this RFP is issued and continues until the vendor has been selected. No ex parte communication with any FPIF Trustee, staff, or service provider (other than communication in the ordinary course in the event that the respondent is a current service provider, provided that such communication shall be limited to matters germane to the services being rendered and shall not, in any event, relate to this procurement) is permitted during the quiet period. Respondents should direct all questions and communications regarding this search to Steve Zahn, following the process identified above for questions.

The purpose of the quiet period is to ensure that all prospective service providers have equal access to information regarding the search objective and requirements, to be certain that communications are consistent and accurate, and to make the search process and selection process efficient, diligent, and fair. Respondents may be disqualified for failure to adhere to the requirements of this section.

## **G. Reserved Rights**

FPIF reserves the right to modify the procurement process, including dates set or projected in this RFP, with appropriate notice; cancel, modify, or withdraw this RFP in whole or in part at any time without incurring any cost obligations or liabilities; waive or permit corrections, irregularities, informalities, or deficiencies to any response to this RFP, including allowing proposal revisions or accepting non-conforming proposals; seek clarifications to a proposal and permit submittal of addenda and supplements to data and information previously provided by a respondent; request that respondents submit "best and final" offers; conduct discussions with respondents whose proposals fall within a competitive range; terminate negotiations at any time; reject any and all proposals received at any time; and disqualify any respondent that violates the terms of this RFP.



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## APPENDIX A: STATEMENT OF MINIMUM QUALIFICATIONS

(Company Name) \_\_\_\_\_ certifies that it meets the following minimum qualifications.

Please initial as applicable.

\_\_\_\_ Stated company has a minimum of five years' experience conducting elections services.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_



## APPENDIX B: QUESTIONNAIRE

The following questionnaire must be completed and included with your response to this RFP. Type your responses in the same order as the questionnaire, listing the question first followed by your answer.

### Contact and Company Information

Name of Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Federal Employer Identification Number: \_\_\_\_\_

Contact Person(s):

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Title: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

### Company Background

1. Identify the location of the main office, and, if different, the office from which services would be provided to FPIF. Does your company have an office located in Illinois?
2. Please provide a general description and history of the company, its operations (please include any history of mergers and/or acquisitions), year founded, ownership structure, biographies of the principals and percentage ownership by current employees.
3. Briefly describe your company's history of performing election services.
4. Please list the company's professional staff that you expect to be assigned to this engagement, their title, and role in the completion of the election services.

### Diversity & Inclusion

1. Is the company a "minority-owned business," "woman owned business," or "business owned by a person with a disability," as those terms are defined in the Illinois Business Enterprise for Minorities, Women, and Persons with a Disabilities Act (30 ILCS 575/0.01 et seq.)? Indicate the percentage of the Respondent owned by women and/or minorities and/or persons with a disability.
2. If selected, does your company expect to assign any minority employees, female employees or employees with disabilities to provide any of the requested services to FPIF? Please explain.
3. Does the company have a formal diversity and inclusion policy or initiative? Does this policy extend to subcontractors? If so, please provide a copy of the same.
4. Does the company have a formal mentorship program or offer enhanced training opportunities for minorities and/or women? If so, please provide details.



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## APPENDIX C: FEE PROPOSAL

Please quote your fees for the following items. Please detail the scope of services to be provided under the proposed engagement and provide quotes for any additional services.

1. Election services for the 2022 Trustee Election including costs for election management, printing, assembly/mailing, tabulation, etc. but excluding costs for electronic candidate nominating petitions.
2. Election services for the 2024 Trustee Election including costs for election management, printing, assembly/mailing, tabulation, etc. but excluding costs for electronic candidate nominating petitions.
3. Election services for the 2026 Trustee Election including costs for election management, printing, assembly/mailing, tabulation, etc. but excluding costs for electronic candidate nominating petitions.
4. Estimated mailing and postage costs for the 2022 Trustee Election including both outbound and inbound postage for business reply envelopes.
5. Electronic Candidate Nominating Petitions costs for elections in 2022, 2024, and 2026.
6. Any costs for services not included in the fees quoted above.



**Exhibit A**  
**Firefighter Pension Investment Fund**  
**Trustee Election Rules**

**1 DEFINITIONS**

"Annuitant" means a retired firefighter receiving a retirement pension from a Participating Pension Fund.

"Beneficiary" means an Annuitant, Deferred Pensioner, or a Disabled Pensioner.

"Beneficiary Trustee" means a trustee who is to be elected by Beneficiaries.

"Board" means the Board of Trustees of the Fund.

"Pension Code" means the Illinois Pension Code, 40 ILCS 5 et seq.

"Elections Committee" means the Elections Committee of the Board.

"Deferred Pensioner" means a firefighter who has retired having accumulated enough creditable service to qualify for a pension under Article 4 of the Pension Code but who has not attained the required age for commencement of the pension.

"Disabled Pensioner" means a firefighter receiving a disability pension from a Participating Pension Fund.

"Election Date" has the meaning given to it in Section 2.

"Election Panel" has the meaning given to it in Section 15.

"Employer Executive" means a person who is a mayor, president, chief executive officer, chief financial officer, or other officer, executive, or department head of a municipality or fire protection district that has a Participating Pension Fund.

"Executive Trustee" means a trustee who is to be elected by the mayors and presidents of municipalities and fire protection districts that have a Participating Pension Fund.

"Firefighter Labor Organization" means a statewide labor organization representing firefighters employed by at least 85 municipalities that is affiliated with the Illinois State Federation of Labor.

"Fund" means the Firefighters' Pension Investment Fund.

"Illinois Municipal League" means the unincorporated, nonprofit, nonpolitical association of Illinois cities, villages, and incorporated towns described in Section 1-8-1 of the Illinois Municipal Code.



"Participant" means an active-duty firefighter accruing creditable service in a Participating Pension Fund.

"Participant Trustee" means a trustee who is to be elected by Participants.

"Participating Pension Fund" means any pension fund established pursuant to Article 4 of the Pension Code that has transferred securities, funds, assets, and moneys, and responsibility for custody and control of those securities, funds, assets, and moneys, to the Fund pursuant to Section 4-123.2 of the Pension Code.

## **2 ELECTION DATE**

**2-1** The Election Date shall be December 1 except (1) as provided in Section 2-2 and (2) if the Election Date falls on a Saturday, Sunday or holiday, the election will be held the next business day after December 1.

**2-2** The Election Date to fill a vacancy on the Board shall be determined by the Elections Committee.

## **3 ELECTION SCHEDULE**

**3-1** The Elections Committee shall adopt an election schedule consistent with these rules no later than 14 calendar days prior to the first date that candidate petitions may be circulated.

**3-2** The schedule shall be released via the Fund Newsletter and posted on the Fund website.

## **4 TRUSTEE POSITIONS AND TERMS OF OFFICE**

**4-1** These rules shall apply to and govern the election of the following trustee positions, pursuant to Section 22C-116 of the Pension Code (each, a "Trustee Position"):

**4-1.1.** Three Executive Trustees shall be elected to serve a 4-year term each, of which (i) one Executive Trustee shall be elected in December 2022, for a four-year term beginning in January 2023, and in December every four years thereafter, and (ii) two Executive Trustees shall be elected in December 2024, for a four-year term beginning in January 2025, and in December every four years thereafter.

**4-1.2.** Three Participant Trustees shall be elected to serve a 4-year term each, of which (i) one Participant Trustee shall be elected in December 2022, for a four-year term beginning in January 2023, and in December every four years thereafter, and (ii) two Participant Trustees shall be elected in December 2024, for a four-year term beginning in January 2025, and in December every four years thereafter.

**4-1.3.** One Beneficiary Trustee shall be elected to serve a 4-year term in December 2022 for a four-year term beginning in January 2023, and in December every four years thereafter.

**4-2** A trustee's term shall commence on the first business day of the first month following the Election Date.



## 5 CANDIDATE ELIGIBILITY

**5-1** A candidate for a Trustee Position described in Section 4 shall be a person who is:

**5-1.1.** For the Executive Trustee Positions, an Employer Executive in continuing service as an Employer Executive from the date the candidate application is submitted through the commencement of the term. A candidate for Executive Trustee shall be nominated by a petition, conforming to the requirements of Section 6, signed by no fewer than 20 individuals who, as of the date of signing, were mayors or presidents of municipalities or fire protection districts that have Participating Pension Funds.

**5-1.2.** For the Participant Trustee Positions, a Participant in continuing service as a Participant from the date the candidate application is submitted through the Election Date. A candidate for Participant Trustee shall be nominated by a petition, conforming to the requirements of Section 6, signed by no fewer than 400 individuals who, as of the date of signing, were Participants.

**5-1.3.** For the Beneficiary Trustee Position, a Beneficiary who remains a Beneficiary from the date the candidate application is submitted through the Election Date. A candidate for Beneficiary Trustee shall be nominated by a petition, conforming to the requirements of Section 6, signed by no fewer than 100 individuals who, as of the date of signing, were Beneficiaries.

**5-2** All candidates must complete and submit an application in the form adopted by the Fund in order to qualify their eligibility. Candidate application forms shall be obtained from the Fund website beginning the day prior to the first date that nominating petitions may be circulated. A candidate must notify the Fund of any change after the submission of his or her candidate application form in his or her employment or other circumstance that may affect his or her eligibility.

**5-3** Candidates shall only be eligible for a single trustee position. A candidate may submit an application for a different trustee position by withdrawing their previous application. All petition signatures collected for the previous trustee position will be considered invalid and shall not be counted toward the petition signature requirement for the subsequent trustee position. A candidate application that has been withdrawn may not be renewed.

**5-4** The Fund shall review candidate applications and determine the eligibility of candidates. If a candidate should become ineligible for the Board position after submission of the candidate application form, but before the election, the Election Panel shall declare the candidate ineligible and remove that candidate from the ballot. If a candidate should become ineligible for the Board position after the printing of the ballots, the ineligible candidate's votes shall not be counted.

## 6 NOMINATING PETITIONS

**6-1** All petitions for Participant and Beneficiary Trustee Positions shall be in the form approved by the Elections Committee. Petition forms shall be provided to candidates within one business day of receipt of their candidate application. A valid petition nominating a candidate for a Participant or Beneficiary Trustee Position shall meet the following requirements:



**6-1.1.** The petition must bear the requisite number of original signatures of individuals eligible to nominate the candidate, as established by Section 5. A valid petition may consist of multiple pages and may contain blank signature lines.

**6-1.2.** Each signature of an eligible voter must be accompanied by the signing person's name (printed), home address (street and city), Participating Pension Fund, and the date of signature. Signatures that are not accompanied by at least a partial address will not be accepted.

**6-1.3.** Petitions may be circulated for signatures beginning on a date no earlier than 175 calendar days before the Election Date. Petitions must be received by the Fund on or before a date no later than 75 calendar days before the Election Date. Petitions filed after the prescribed petition filing period are invalid and will not be counted.

**6-1.4.** An individual eligible to sign a petition nominating a candidate for a trustee position on the Board may sign petitions for as many position candidates as desired.

**6-1.5.** An individual submitting an electronic signature shall attest that the signature submitted is their own and that the information contained therein is correct.

**6-1.6.** A printed petition shall bear the notarized signature of the individual who circulated the petition for signatures, verifying that the signatures contained on the petition were signed in that individual's presence and are genuine, and that, to the best of the circulating individual's knowledge, the persons who signed the petition were eligible to do so under Section 5.

**6-2** All petitions for Executive Trustee Positions shall be printed in the form adopted by the Fund. Petition forms shall be provided to candidates within one business day after receipt of their candidate application. The petition forms may be photocopied for use by the candidates. A valid petition nominating a candidate for an Executive Trustee Position shall meet the following requirements:

**6-2.1.** The petition must bear the requisite number of original signatures of individuals eligible to nominate the candidate, as established by Section 5. A valid petition may consist of multiple pages and may contain blank signature lines.

**6-2.2.** Each signature of an eligible voter must be accompanied by the signing person's name (printed), public office address (street and city), title, municipality or fire protection district, and the date of signature. Signatures that are not accompanied by at least a partial address will not be accepted.

**6-2.3.** Petitions may be circulated for signatures beginning on a date no earlier than 175 calendar days before the Elections Date. Original petitions must be received by the Fund on or before a date no later than 75 calendar days before the Election Date. Petitions filed after the prescribed petition filing period are invalid and will not be counted.

**6-2.4.** Notwithstanding the preceding paragraph, petitions for an election to fill a vacancy may be circulated for signatures beginning no earlier than 105 calendar days before the Election Date, and original petitions must be received by the Fund on or before a date no later than 60 calendar days before the Election Date. Petitions filed after the prescribed petition filing period are invalid and will not be counted.



**6-2.5.** An individual eligible to sign a petition nominating a candidate for a trustee position on the Board may sign petitions for as many position candidates as desired.

**6-2.6.** The petition shall bear the notarized signature of the individual who circulated the petition for signatures, verifying that the signatures contained on the petition were signed in that individual's presence and are genuine, and that, to the best of the circulating individual's knowledge, the persons who signed the petition were eligible to do so under Section 5.

## **7 DETERMINATION OF CANDIDATES**

**7-1** The Election Panel shall determine the validity of petitions and notify all candidates whether their petitions met all petition requirements within seven calendar days after the deadline to submit nominating petitions. Candidates filing conforming petitions will be added to the initial slate of candidates on the respective ballot. Candidates and eligible voters shall be given notice of the initial slate of candidates on the Fund's website.

**7-2** The Election Panel shall consider a written statement filed in accordance with Section 8 and proceed to make a final determination with respect to the challenge within 21 calendar days after the deadline to submit nominating petitions. The Election Panel shall send a written notice of the final determination to the challenger and all candidates. The determination of the Election Panel shall constitute a final administrative decision for purposes of the Administrative Review Law, 735 ILCS 5/Art. III.

**7-3** The Election Panel shall determine the final slate of candidates within 21 calendar days after the deadline to submit nominating petitions. Candidates and eligible voters shall be given notice of the final slate of candidates on the Fund's website.

**7-4** A candidate may withdraw his or her candidacy by notifying the Election Panel in writing, in the manner prescribed by the Election Panel. The Election Panel shall remove any withdrawn candidate from the ballot. If a candidate withdraws his or her candidacy after the printing of the ballots, any votes cast in favor of such withdrawn candidate shall not be counted.

**7-5** If the number of candidates filing conforming nominating petitions for a trustee position does not exceed the number of positions to be elected, the Election Panel shall deem the candidate or candidates elected. If a candidate is deemed elected under this paragraph, the Election Panel shall certify the result and no further election for that trustee position shall be administered.

## **8 CHALLENGE OF NOMINATING PETITIONS**

**8-1** Any individual may, upon reasonable notice and during normal business hours on or after the first business day following the deadline for the Election Panel's determination of the initial slate of candidates and until 4:30 pm on the fifth business day following the deadline for the Election Panel's determination of the initial slate of candidates, examine petitions that have been filed; provided, however, that in order to protect the signing participants' and annuitants' privacy and confidentiality, the examination shall be subject to the following limitations:

**8-1.1.** Petitions that are examined will be duplicate copies of the original petitions filed, with any confidential information redacted.



**8-1.2.** Petitions may only be examined at the Fund's office.

**8-1.3.** Petitions may not be removed from the Fund's office, copied, or duplicated by any means.

**8-2** A prospective candidate or eligible voter may challenge the petition validation process for a nominating petition or candidacy only in the class within which that prospective candidate or voter is eligible. A challenge shall be submitted in a written statement identifying the specific aspects of the petition validation process that is being challenged.

**8-3** All challenges shall be submitted to the Election Panel no later than 4:30 pm on the fifth business day following the deadline for the Election Panel's determination of the initial slate of candidates. Any challenge submitted after such time shall not be considered.

## **9 ELIGIBLE VOTERS**

**9-1** Individuals eligible to vote for Executive Trustees shall be mayors of municipalities and presidents of fire protection districts that have Participating Pension Funds as of 75 calendar days before the Election Date.

**9-2** Individuals eligible to vote for Participant Trustees shall be Participants as of 105 calendar days before the Election Date.

**9-3** Individuals eligible to vote for Beneficiary Trustees shall be Beneficiaries as of 105 calendar days before the Election Date.

**9-4** For the avoidance of doubt, no voter shall be entitled to cast more than one ballot for any trustee position.

**9-5** An individual who is eligible to vote as a Participant who is also a Beneficiary due to prior participation in another Participating Pension Fund shall be eligible to vote for Participant Trustee candidates and shall not be eligible to vote for any Beneficiary Trustee candidate.

**9-6** An individual who is eligible to vote as a Participant who is a Participant in multiple Participating Pension Funds shall be eligible to vote for Participant Trustee candidates but shall not be eligible to cast multiple ballots for any trustee position.

**9-7** An individual who is eligible to vote as a Beneficiary who is a Beneficiary in multiple Participating Pension Funds shall be eligible to vote for a Beneficiary Trustee candidate but shall not be eligible to cast multiple ballots.

**9-8** A Participant or Beneficiary who is also a mayor or president of a municipality or fire protection district that has a Participating Pension Fund shall be eligible to vote for (i) Participant Trustees or the Beneficiary Trustee in accordance with this Section and (ii) Executive Trustees.



## 10 ELECTION MATERIALS

**10-1** On or before 35 calendar days before the Election Date the following election materials shall be mailed to the eligible voters' address on file:

**10-1.1.** Candidate Biographies in the format and length specified and approved by the Election Panel.

**10-1.2.** Instructions on how to vote by mail ballot.

**10-1.3.** The mail ballot for the applicable Trustee Position(s) that shall contain the names of all candidates in alphabetical order.

**10-1.4.** A pre-printed return envelope with a form of certificate stating that the person voting the ballot is an eligible voter for the specific Trustee Position(s).

**10-1.5.** Instructions on how to receive an appropriate mail ballot, if an eligible voter received an incorrect mail ballot, or if an eligible voter incorrectly marks or spoils his or her paper ballot prior to returning it.

**10-2** An eligible voter who has not received any or all of the election materials must contact the Election Panel Clerk at least four calendar days prior to the Election Date to request that the Election Panel Clerk mail election materials to him or her. The Election Panel Clerk shall not mail election materials to an eligible voter who requested election materials less than four calendar days in advance of the Election Date.

**10-3** An individual who believes they are an eligible voter but has not received election materials may vote using a provisional ballot approved by the Election Panel. Any such individual must contact the Election Panel at least 10 calendar days prior to the Election Date to request a provisional ballot. The Election Panel must confirm whether the individual is an eligible voter prior to the certification of election results otherwise the provisional ballot shall not be counted.

**10-4** Election materials shall be delivered via overnight delivery service to individuals requesting election materials within 12 calendar days of the Election Date. Election materials shall not be delivered via overnight delivery service for a second time if the overnight delivery service confirms the initial overnight delivery of election materials to the individual.

## 11 CASTING OF BALLOTS

**11-1** A valid ballot must conform to the following requirements:

**11-1.1.** The choice of candidates must be clearly indicated as directed on the voting instructions. If ballots are not marked as directed, the marks are invalid and the associated votes will not be counted. An invalid mark for one candidate will not negate other valid marks on the ballot.

**11-1.2.** Each eligible voter is entitled to only one vote for any candidate.

**11-1.3.** With respect to a ballot on which more than one trustee is to be elected, each eligible voter may vote for only one candidate for each position to be elected. If more candidates are



selected than the number of positions to be elected, the ballot is invalid and will not be counted. If the number of candidates selected is fewer than the number of positions to be elected, the ballot is valid and will be counted.

**11-1.4.** With respect to any ballot casting a vote in favor of a candidate who has withdrawn his or her candidacy or is otherwise ineligible, any vote in favor of such withdrawn or ineligible candidate will not invalidate the ballot; rather, the vote in favor of such withdrawn or ineligible candidate will not be counted.

**11-1.5.** Only official paper ballots will be counted. Write-in candidates are invalid and will not be counted.

## **12 RETURN OF BALLOTS**

**12-1** Upon receipt of the election materials, the eligible voter shall:

**12-1.1.** Mark his or her ballot in accordance with Section 11.

**12-1.2.** Place the completed ballot into the return envelope provided and seal the envelope.

**12-1.3.** Execute the certificate on the envelope and mail, via U.S. mail or other delivery service, the return envelope to the address on the envelope.

## **13 BALLOT COUNTING AND CERTIFICATION OF RESULTS**

**13-1** The Fund shall ensure that minimum standards are in place to ensure ballots are properly recorded, secured, tabulated and retained.

**13-2** Ballots must be received by 4:30 pm on the Election Date. Ballots received after 4:30 pm on the Election Date are invalid and will not be counted. A record of the receipt date of each ballot will be maintained.

**13-3** Ballots delivered to the Fund in bulk, via hand delivery, or any delivery method other than U.S. Mail are invalid and will not be counted.

**13-4** If multiple ballots are received from an eligible voter, the first ballot received will be counted as the official ballot and any subsequent votes will not be counted.

**13-5** Votes received in favor of any candidate who has withdrawn his or her candidacy or is otherwise ineligible will not be counted.

**13-6** When all eligible ballots have been counted and tabulated, the candidates who have received the greatest number of votes in each Trustee Position will be elected trustees.

**13-7** In the case of a tie vote, the winner shall be determined in accordance with procedures developed by the Department of Insurance.



**13-8** The results of the election process shall be certified by the Election Panel, posted on the Fund website, and reported to the Board. The Election Panel will certify the election results by the fifth business day following the Election Date.

**13-9** The Board shall read the election results into the minutes of the first meeting of the Board following the declaration of election results.

## **14 CHALLENGE OF ELECTION RESULTS**

**14-1** Any challenge to the certified election results shall be made in the following manner:

**14-1.1.** The challenger shall submit a written statement to the Board Secretary identifying the specific aspects of the election results that are being challenged.

**14-1.2.** All challenges shall be submitted to the Board Secretary no later than seven calendar days after the election results have been certified. Any challenge submitted more than seven calendar days after the election results have been certified shall not be considered.

**14-1.3.** The written statement timely submitted in accordance with this Section shall be presented to and considered by the Board at the next regularly scheduled meeting of the Board. The challenger shall have no right to make a presentation at the Board meeting. The Board shall, in its sole discretion, determine what steps, if any, need to be taken in response to the challenge, including, but not limited to, modifying the election results declared.

**14-1.4.** The election results shall remain valid pending determination of any challenge.

**14-1.5.** A written notice of the final determination shall be sent to the challenger and all candidates within seven calendar days after making the determination. This notice shall constitute a final administrative decision of the Board for purposes of the Administrative Review Law.

## **15 ELECTION PANEL**

**15-1** An Election Panel shall be appointed by the Board. Each panel member shall be appointed to a term expiring immediately prior to the first business day of January of every odd-numbered year. The Election Panel shall comprise three individuals who shall not be individuals running for any Trustee Position. The Election Panel shall include one Participant recommended by a Firefighter Labor Organization and appointed by the Board, one Beneficiary recommended by a Firefighter Labor Organization and appointed by the Board, and one Employer Executive representative recommended by the Illinois Municipal League and appointed by the Board. A member of the Election Panel who submits a candidate application to run for a trustee position shall immediately be disqualified from serving on the Election Panel. Any vacancy of the Election Panel shall be replaced by Board appointment in a like manner.

**15-2** The Election Panel shall serve as the election judges and be responsible for ballot tabulation and other responsibilities prescribed by Board rule. The Election Panel shall appoint a clerk for the purposes of taking records of the Election Panel. The clerk shall report the actions taken by the Election Panel at regularly scheduled meetings of the Board.

## Exhibit B: Standard Addendum to Contract

In connection with and in consideration of entering into an agreement with the Firefighters' Pension Investment Fund of Illinois ("FPIF"), the Respondent will be required to agree as follows:

- 1) **Ethics**. The Respondent acknowledges and agrees that it will comply with the requirements of the Illinois Governmental Ethics Act (40 ILCS 420) and the State Officials and Employees Ethics Act (5 ILCS 430).
- 2) **Bribery**. The Contractor certifies that it is not barred from being awarded a contract or subcontract because of a conviction or admission of guilt for bribery or for bribing an officer or employee of the State of Illinois or any other state in that officer or employee's official capacity. 30 ILCS 500/50-5.
- 3) **Sarbanes-Oxley**. The Respondent certifies that if it has been convicted of a felony under the Sarbanes Oxley Act of 2002, or a Class 3 or Class 2 felony under the Illinois Securities Law of 1953 (815 ILCS 5), at least five years have passed from the date of conviction. Respondent certifies that it (and any executing broker or subcontractor providing services to FPIF, to the extent permitted by this agreement) is not barred from being awarded a contract under 30 ILCS 500/50-10.5. Respondent acknowledges and agrees that FPIF may declare any subsequent agreement void if any of the certification completed pursuant to this paragraph are false. 30 ILCS 500/50-10.5.
- 4) **Debt Delinquency**. Respondent and its affiliates certify that they are not delinquent in the payment of any debt to the State of Illinois, or if delinquent, they have entered into a deferred payment plan to pay off the debt. Contract and its affiliates further certify that they are not barred from being awarded a contract under 30 ILCS 500/50-11. Respondent acknowledges and agrees that FPIF may declare any subsequent agreement void if this certification is false, or if Respondent or its affiliate later becomes delinquent and has not entered into a deferred payment plan to pay of the outstanding debt. 30 ILCS 500/50-11; 30 ILCS 500/50-60.
- 5) **Illinois Use Tax**. The Respondent certifies that it is not barred from being awarded a contract under 30 ILCS 500/50-12. Respondent acknowledges and agrees that FPIF may declare this agreement void if this certification is false. Respondent shall collect and remit Illinois Use Tax on all sales of tangible personal property to the State of Illinois in accordance with the requirements of the Illinois Use Tax Act. 30 ILCS 500/50-12.,
- 6) **Environmental Protection**. Respondent certifies that it (and any executing broker or subcontractor providing services to FPIF, to the extent permitted by this agreement) has not committed a willful or knowing violation of the Environmental Protection Act ("EPA"), or at least five years have passed since the order finding a violation of the EPA, unless no person, unless no person involved in the violation continues to have any involvement with Respondent's (or broker or subcontractor's) business. Respondent acknowledges and agrees that FPIF may declare any subsequent agreement void if this certification is false. 30 ILCS 500/50-14.

- 7) **Lead Poisoning Prevention Act.** The Respondent certifies that it is not barred from doing business with the State of Illinois or any State agency, or subcontracting under the Illinois Procurement Code due to a violation of the Lead Poisoning Prevention Act. 30 ILCS 500/50-14.5.
- 8) **Conflict of Interest.** Respondent acknowledges the requirements of 30 ILCS 500/50-15, and certifies that there has been no discussion or offer of future employment to any FPIF employee or member of the Board of Trustees.
- 9) **Financial Disclosures and Potential Conflicts of Interest.** Respondent certifies that Respondent, its partners, officers, directors, executives, or any other person performing a similar function: (i) are not legally prohibited from contracting with FPIF or the State of Illinois, and (ii) have no public or private interest, direct or indirect, and shall not directly or indirectly acquire any such interest, which conflicts or potentially conflicts, in any manner, with the performance of Respondent's obligations under any subsequent agreement. Respondent acknowledges and agrees that it has a continuing obligation to disclose to FPIF any financial or other interest, public or private, direct, or indirect, that may be a potential conflict of interest or which could prohibit Respondent entering into a contract with FPIF or continuing its performance under any agreement. 30 LCS 500/50-35.
- 10) **Prohibition of Political Contributions.** The Respondent:
- a) Certifies that, since a procurement process for this proposed engagement was commenced or an informal proposal for this engagement was submitted to FPIF (whichever is earlier), neither the Respondent nor any of its affiliated persons or affiliated entities (as those terms are defined in Section 50-37 of the Illinois Procurement Code, 30 ILCS 500/50-37) has not made any contribution to (i) any political committee established to promote the candidacy of the incumbent Governor of Illinois or of any declared candidate for such office or (ii) any political committee established to promote the candidacy (for any public office) of any incumbent member of the FPIF Board of Trustees or of any other person who has declared to be seeking election or appointment to the FPIF Board of Trustees;
- b) Agrees to refrain from making any contribution described in subsection (a) of this Section 3 for two years following the expiration or termination of any engagement, and that any subsequent contract shall be voidable at the discretion of FPIF upon FPIF's determination that a violation of this Section 3 has occurred.
- 11) **Drug-Free Workplace.** The Respondent certifies that it will provide a drug free workplace by engaging in the conduct prescribed in Section 3 of the Drug Free Workplace Act, 30 ILCS 580/3.
- 12) **Bid Rigging/Rotating.** The Respondent certifies that it is not barred from contracting with FPIF or an agency of the State of Illinois because of a violation of either Section 33E-3 (bid-rigging) or 33E-4 (bid rotating) of Article 33E of the Criminal Code of 1961, 720 ILCS 5/33E.
- 13) **International Boycott.** The Respondent certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provisions of the U.S. Export Administration Act of 1979 or the regulations of the U.S. Department of Commerce promulgated under that Act. 30 ILCS 582.
- 14) **No Inducement or Placement Fees.** The Respondent certifies that no fees, commissions, or payments of any type have been or will be paid to any third party in connection with this RFP, except as

disclosed in any response or an exhibit thereto as provided in 30 ILCS 500/50-25 and in 40 ILCS 5/1-145. The Respondent shall promptly notify FPIF if it ever has reason to believe that this certification is no longer accurate.

15) **Revolving Door Prohibition.** The Respondent certifies that it is not in violation of the revolving door prohibition under 30 ILCS 500/50-30.

16) **Business Entity Registration.** The Respondent certifies in accordance with the requirements of the Illinois Procurement Code that either: (a) it is not required to register, or (b) it is registered as a business entity with the State Board of Elections. The Respondent acknowledges its continuing obligation to update such registration, and agrees that any subsequent agreement is voidable in the event that it fails to comply with the requirements of 30 ILCS 500/20-160. 30 ILCS 500/50-60.

17) **Anti-Competitive Practices.** The Respondent acknowledges its obligation to and agrees to report to the appropriate Inspector General, the Attorney General, and the FPIF's Ethics Officer any suspected collusion or other anticompetitive practice among bidders, offerors, contractors, potential contractors, or employees of the State or of FPIF. 30 ILCS 500/50-40, 45, 50.

18) **No Unlawful Discrimination.** To the extent Illinois law is applicable to the Respondent, pursuant to 775 ILCS 5/2-105, the Respondent agrees to:

- (a) Refrain from unlawful discrimination and discrimination based on citizenship status in employment and undertake affirmative action to assure equality of employment opportunity and eliminate the effects of past discrimination;
- (b) Comply with the procedures and requirements of the Illinois Department of Human Rights' regulations concerning equal employment opportunities and affirmative action;
- (c) Provide such information, with respect to its employees and applications for employment, and assistance as the Illinois Department of Human Rights may reasonably request; and
- (d) Have written sexual harassment policies that shall include, at a minimum, the following information: (i) the illegality of sexual harassment; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the Respondent's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Illinois Department of Human Rights and the Illinois Human Rights Commission; (vi) directions on how to contact the Illinois Department of Human Rights and the Illinois Human Rights Commission; and (vii) Protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act. A copy of the policies shall be provided to the Illinois Department of Human Rights upon request.

(22) **Discriminatory Club.** Respondent certifies that it does not pay any dues or fees to any discriminatory club, or otherwise subsidize or reimburse its employees or agents for any dues or fees to any discriminatory club. 775 ILCS 25.

(23) **Illinois Prevailing Wage Act.** To the extent it applies to the Respondent and any subsequent agreement, the Respondent agrees to comply with the Illinois Prevailing Wage Act, 820 ILCS 130/1, *et seq.*

(24) **Record Retention.** The Respondent shall maintain, for a minimum of seven years after the completion of any transition, adequate books, records, and supporting documents to verify the amounts, recipients, and uses of all disbursements of funds passing in conjunction with the transition. The Respondent shall further make all such books, records, and supporting documents related to the transition available for review and audit by any internal or external auditor of FPIF and shall cooperate fully with any such audit and will further provide any such auditor full access to all relevant materials.

(25) **Non-Solicitation.** The Respondent agrees to notify the FPIF Ethics Officer if it solicits or intends to solicit for employment any of the employees of FPIF during the term of any engagement.

(26) **Public Records/Open Meetings.** The Respondent understands and acknowledges that FPIF and any agreement are subject to the provisions of the Illinois Open Meetings Act (5 ILCS 120/1, *et seq.*) and the Illinois Freedom of Information Act (5 ILCS 140/1, *et seq.*).

Under penalties of perjury, the Respondent certifies that its correct Federal Taxpayer Identification Number is \_\_\_\_\_.

## Other Information

### **Other Procedural Information**

*Notice.* The RFP document may also be obtained from the FPIF website. Neither this RFP nor any response to this RFP should be construed as a legal offer.

*Diversity.* Public Act 96-0006 encourages FPIF to increase the racial, ethnic, and gender diversity of its fiduciaries, to the greatest extent feasible within the bounds of financial and fiduciary prudence. In furtherance of this Act, it is the goal of FPIF to use its best efforts to increase the racial, ethnic, and gender diversity of its fiduciaries, including its investment vendors.

*Freedom of Information Act.* Respondents are advised that proposal materials are subject to the Illinois Freedom of Information Act (5 ILCS 140). After completion of the RFP, selection by FPIF and successful negotiation of a contract, if any, proposals submitted may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the Illinois Freedom of Information Act for information within the Respondents' proposals must identify relevant language as confidential and identify in the email transmission of the proposal whether confidential information is included. Further, each page of confidential documentation must be labeled as such. The Respondent must also specify which statutory exemption applies for each piece of confidential information. The Freedom of Information Act can be found at the Illinois General Assembly's website (<http://www.ilga.gov/>).

FPIF reserves the right to make determinations of confidentiality. If FPIF disagrees with a Respondent's confidential designation, it may either reject the proposal or discuss its interpretation of the exemptions with the Respondent. If agreement can be reached, the proposal will be considered. If agreement cannot be reached, FPIF may remove the proposal from consideration. Respondents waive any cause of action against FPIF if FPIF discloses any information provided by a Respondent pursuant to this RFP that was required to be disclosed pursuant to law.

*Applicable Law.* FPIF shall conduct the RFP process in accordance with applicable provisions of the Illinois Pension Code, the State Officials and Employees Ethics Act, and any other relevant authority under the Illinois Compiled Statutes. *Ex parte* communications between the FPIF and its Staff and interested parties, including Respondents, or non-interested parties shall be recorded or disclosed, in accordance with the State Officials and Employees Ethics Act.

### *Other Requirements and Information.*

No Respondent shall retain a person or entity to influence (i) the outcome of an investment decision or (ii) the procurement of investment advice or services of the FPIF for compensation, contingent in whole or in part upon the decision or procurement.

FPIF shall post the name of the successful Respondent, if any, on FPIF's website, along with a disclosure including the total amount applicable to the contract, the total fees paid or to be paid and a description of the factors that contributed to the selection of the Respondent.

This RFP does not obligate FPIF to complete the RFP process. FPIF reserves the right to amend or re-bid any segment of the RFP prior to the announcement of the selected firm(s). In case of such amendment, all Respondents will be afforded the opportunity to revise their proposals to accommodate the RFP amendment. FPIF also may, at its discretion, issue a separate contract for any service or group of services included in this RFP.

The evaluation process will be structured to secure highly skilled, diligent, responsive, and experienced professional investment advisory and transition management firms who will be effective in providing the high quality of services that FPIF desires. The primary objective of the evaluation process is to select a firm that:

- clearly demonstrates a thorough understanding of the scope of the engagement and the specific responsibilities entailed;
- possesses adequate resources to handle assigned responsibilities and to handle extenuating circumstances that may arise;
- assigns highly skilled, experienced, diligent, responsive, and professional personnel to perform the required duties;
- maintains high ethical standards and reputation;
- are competitive in terms of fees; and
- have no conflict of interest existing between FPIF and other clients.

FPIF reserves the right to request additional information from any or all Respondents to assist it in its evaluation process.