REQUEST FOR PROPOSALS RFP 2019-01:
INVESTMENT CONSULTANT

RFP INFORMATION AT A GLANCE

Bid Title:	**VEBA Investment Consultant**
Send Proposals To:	Estero Fire Rescue 21500 Three Oaks Parkway Estero, Florida 33928 **Attention: Linda L. Conway, HR Director**
Due Date & Time:	Thursday, April 4, 2019 at noon
Contact Information:	Linda L. Conway, HR Director Phone: (239) 390-8000 Email: Conway@esterofire.org

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1. INTRODUCTION AND GENERAL INFORMATION

A. General Information and Term of Engagement

Estero Fire Rescue ("Fire District") is requesting proposals from qualified parties to provide investment consulting services to the VEBA Plan. The Fire District is in the process of developing its VEBA plan and wishes to engage the services of an investment consultant to perform the investment consulting services. The VEBA Committee will select a provider from among all qualified bidders complying with the terms of this requires for proposals.

The Committee reserves the right to withdraw its request for proposals at any time and reserves the right to reject any non-conforming or non-responsive proposals.

The VEBA Plan will be operated in accordance with the provisions of Section 501(c)(9) of the Internal Revenue Code. The VEBA Plan will be administered by a five (5) member Board of Trustees.

The VEBA Plan is established to provide health insurance premium subsidies and other related benefits to retired members. The benefits will be provided in accordance with a Plan Document to be developed in consultation with an actuary.

The VEBA Plan receives contributions from the Fire District. Funding for the VEBA Plan began in October 1, 2017 and is currently funded at approximately $230,000.00 which is being held in a C.D.

B. Information and Clarification

All requests for information or clarification regarding this Request for Proposals ("RFP") should be made in writing and addressed to Linda L. Conway, HR Director, whose contact information is included on the first page of this RFP.

C. Presentation Costs

The Fire District shall not be liable for any costs, fees, or expenses incurred by any proposer in responding to this RFP or any subsequent inquiries or presentation relating to a response.

D. Submission of Proposals

In order to be considered, interested firms must submit (10) ten hard copies of their proposal by mail or hand delivery in a sealed package, clearly identified as "VEBA INVESTMENT CONSULTANT SERVICES" to the attention of Linda L. Conway, HR Director at the appropriate address provided below such that it is received by the Fire District no later than noon on Thursday, April 4, 2019.

By Mail:
Estero Fire Rescue
21500 Three Oaks Parkway
Estero, FL 33928

Hand Delivery (M-Th 8:00-5:00)
Estero Fire Rescue
21500 Three Oaks Parkway
Estero, FL 33928

Any proposal received after the stated time and date will not be considered. It shall be the sole responsibility of the proposer to have their proposal delivered to the Fire District prior to the stated time and date. Proposals delayed by mail or delivery service shall not be considered, shall not be opened at the public meeting, and arrangements shall be made for the return of the unopened proposals at the proposer's request

and expense.

E. Opening of Proposals

HR Director Linda Conway (or designee) shall publicly open, in the presence of a witness, all timely proposals at 21500 Three Oaks Parkway, Estero, FL Tuesday, April 16, 2019 at 1:30 p.m.

2. NATURE OF SERVICES REQUIRED

A. General

The Fire District is requesting proposals from qualified parties to provide the delivery of investment consulting services. For the Estero Fire Rescue VEBA Plan (VEBA).

B. Scope of Work to be Performed

i. All Estero Fire Rescue (EFR) full time personnel are eligible to participate in the VEBA Plan.
ii. Determine specific investment objectives and advise the Board of Trustees regarding the VEBA Plan's Statement of Investment Policy;
iii. Evaluate performance of all retained investment managers, indexed investments, and the portfolio as a whole;
iv. Provide to the Board of Trustees on a quarterly basis an investment performance report which shall include, at a minimum, the rates of return for the total portfolio, rates of return for each investment or investment manager, and comparisons of those rates of return to accepted index standards and the actuarially assumed rate of return adopted by the Board of Trustees. The Board of Trustees will expect to be informed of both gross and net rates of return;
v. Attend at least one meeting of the Board of Trustees annually, or more often if you desire;
vi. Be independent of any investment manager selected or retained by the VEBA Plan with no affiliation of any kind whatsoever unless specifically disclosed to and acknowledged by the Board of Trustees; and
vii. Acknowledgement, in writing, of a fiduciary obligation as an investment advisor to the Fund while providing investment consulting services
viii. All information shall be submitted in writing unless otherwise specified herein.
ix. Evaluate the goals and objectives of the Board of Trustees and make recommendations to the Board of Trustees regarding the selection of managers or funds for the next investment term.
x. Provide a review and analysis of rates of return and other pertinent data with respect to the investment portfolio. Reports will be expected on a quarterly basis. The report shall detail the beginning and ending balance of each investment manager's portfolio as designated by the Board of Trustees; detailing the beginning value, the ending value, and the percentage rate of both gross returns and net returns. The quarterly report should also contain an analysis of the VEBA Plan as a whole and separate analyses of each class of investment.
xi. Provide a continuing overview of the current investment environment with comments on the present investment strategy and recent performance.
xii. Monitor the investments to make certain that they meet the investment policy established by the Board of Trustees.
xiii. Assist the Board of Trustees in maintaining that investment policy, including development of an asset allocation and a process for selection of investment managers or indexed investments. Please note that the Board prefers to use a strategy of utilizing index funds to keep fees at a minimum.
xiv. Make calculations according to the American Banking Institute method of calculating time-weighted rates of return. All calculations must be reported net of fees, though gross returns should also be included in the report.
xv. Reconcile and verify custodial trading confirmations, if any, with reports from the investment manager(s) and arrange for quarterly reporting by the investment managers, if applicable.
xvi. Coordinate with the Fund's legal counsel on such legal matters as may arise from time to time.
xvii. Assist the actuary in timely gathering data for actuarial valuations and provide timely assistance to outside auditors for preparation of the annual financial statement.
xviii. Provide quarterly reports containing written explanations of the data contained therein and graphical illustrations of returns and investments.
xix. Perform such other duties as the Board of Trustees may require.

Interested party shall consider:

i. All EFR recommendations listed herein.
ii. EFR has approximately 70 full-time employees.

Interested party shall:

1. Provide sufficient information pertaining to interested party's qualifications to perform all specified functions within the parameters of this RFP.
2. Conform to all specifications of EFR.
3. Provide copies of "Certificate of Insurance" for all applicable insurance policies (Appendix B) required to conduct the services associated with the RFP.

3. DESCRIPTION OF THE FIRE DISTRICT

A. Name and Telephone Number of Contact Person

The primary contact with the Fire District will be the HR Director Linda L. Conway at (239) 390-8000 or Conway@esterofire.org.

B. Background Information

Estero Fire Rescue is an integrated emergency service agency providing twenty-four hour Fire, EMS and Rescue services coupled with fire prevention, community relations, and public awareness programs. Our services are provided to the residents, businesses, and transients of Estero and neighboring areas or jurisdictions as requested. The primary response district for services consists of approximately 56 square miles and a residential population base of 40,000.

Estero Fire Rescue is a combination Fire/EMS career emergency service organization. The District operates four fire stations and handled 4,700 requests for assistance last year. EFR is designated and established as an Independent Special District by Florida Statute.

The Fire Chief is employed by a Board consisting of five (5) Commissioners and serves as the District's Administrator, as well as the Director of Operations. The Fire Chief is supplemented by staff consisting of an Assistant Fire Chief, Human Resources Director, Finance Director, Fire Marshal and a Director of Public Affairs.

The Fire District's fiscal year begins on October 1 and ends on September 30. Budgets are adopted annually and follow established adoption guidelines as outlined in Florida Statutes. All expenditures are controlled in accordance with written policies and procedures.

Estero Fire Rescue believes an ounce of prevention is worth a pound of cure. That is why the District maintains a team of Fire Inspectors, a Plans Examiner and a Director of Public Affairs. This group of professionals strives to make our lives and community safer every day, through inspections and innovative safety programs.

C. History

In 1964 a group of citizens formally established the "Estero Volunteer Fire Company, No. 1". In 1976, the Florida Legislature created a special district, "The Estero Fire Protection and Rescue Service District." This provided the ability to adequately fund the operation, hire firefighters, and purchase equipment.

In 1997 the Florida Legislature adopted Florida Statutes, Chapter 191, "Independent Special Fire Control District." The legislation was extremely valuable to Independent Special Fire Control Districts by clarifying their role of providing services in Florida and specifying their authority. The new legislation also required the codification and re-enactment of all Independent Special Fire Control District charters by December 1, 2004. In June of 2000, Governor Jeb Bush signed into law F.S. Chapter 2000-437, re-enacting "Estero Fire Rescue".

In the years since, Estero Fire Rescue has grown with the community and continues to do so. Currently, fifty-four first responders will staff the four stations, 24 hours a day, 7 days a week. Over half of them are firefighter/paramedics. These men and women operate 5 ALS apparatus, all purchased in the last 3 years.

Just as The Village of Estero is rapidly becoming the "Jewel" of Southwest Florida, Estero Fire Rescue is recognized as one of the leading first responder services in the region, providing the best pre-hospital care available. All staff members share the goal of arriving at 90% of the calls in 4 minutes or less, and offering the best service possible to those in need. Their skills are sharpened through constant training, from the study of complex medical procedures to physically taxing fire and rescue drills.

4. PROPOSAL INSTRUCTIONS

The proposal submitted by the proposer must be presented in the format provided below and must clearly show proposer's response in the appropriate designated section. Failure to follow this directive will cause the proposal to be deemed unresponsive and it will be rejected from any further consideration. **Proposer should submit one (1) original and nine (9) additional hard copies of the proposal.**

All proposals must include the following requested information in the appropriate sections as defined below:

A. Section 1 – Introduction – Company Information

i. Name of the proposing firm and name of the representative submitting the proposal. Include all contact information.
ii. Provide an overview of proposing firm and its ownership/organizational structure, philosophy/culture, and number of employees.
iii. Describe, if applicable, how proposing firm is functionally tied to any provider of service and how that relationship may influence the ability to provide services to the Fire District.
iv. Identify members of proposer's staff who would be assigned to the Fire District and provide a summary of their qualifications, estimated percentage of their time that would be dedicated to the Fire District, and their availability to travel to the District to perform the physicals.

B. Section 2 – Company Expertise and Ability

C. Section 3 – Description of Services and Ability

5. PROPOSAL REQUIREMENTS

A. Submission of Proposals

i. To be considered, the proposal must be received by the Fire District by noon on Thursday, April 4, 2019.
ii. The proposal shall be signed by an officer or shareholder of the proposing firm who is authorized to contractually bind the firm.
iii. Any questions by prospective proposers concerning this RFP shall be addressed in writing (can be through e-mail) to the Fire District's contact person, Linda Conway, at Conway@esterofire.org no later than April 1, 2019. No verbal communications shall be binding.
iv. Proposals should be prepared simply and economically, providing a straightforward, concise delineation of the proposing firm's capabilities to satisfy the requirements of the RFP. The emphasis in the proposal should be on completeness and clarity of content.

B. Proposal Format

The following material must be submitted in a proposal for a proposing firm to be considered:

i. **Title Page**
   a. Title page showing the RFP subject; the proposing firm's name; the name, address and telephone number of the contact person; and the date of the proposal.
ii. **Table of Contents**
iii. **Transmittal Letter**

A signed letter of transmittal briefly stating the proposer's understanding of the work to be done, the commitment to perform the work within the time period, and a statement as to why the firm believes itself to be well qualified to perform these services.

iv. **Detailed Proposal**

A detailed proposal shall include, at minimum, complete and clear explanation of services with

applicable provisions including but not limited to alternative options, delivery options, and incentives.

C. Technical Proposal

The purpose of the Technical Proposal is to determine the qualifications, competence, and capacity of the firms seeking to undertake the services for the Fire District in conformity with the requirements of this RFP. The Technical Proposal should demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement.

The Technical Proposal should address all the points outlined in this RFP. While additional data may be presented, the following subjects must be included:

i. Be an investment adviser registered with the Securities and Exchange Commission under the Investment Advisors Act of 1940.

ii. Have substantial experience, at least five (5) years, in performance measurement and advisory services.

iii. Provide a designated representative with whom a representative of the Committee may communicate on a regular basis and who will attend at least one meeting of the Board of Trustees annually and any other or special meetings to which the Committee and/or Board of Trustees may invite such person.

iv. The following is recommended by the Department of Labor and must be answered in full, even where redundancy may occur as a result of your answers to the questions above:

   A. Are you registered with the SEC or a state securities regulator as an investment advisor? If so, have you provided the VEBA Plan with all disclosures required under those laws (including Part II of Form ADV)? If such disclosures have not been made, please do so at this time.

   B. Do you or a related company have relationships with money managers that you recommend, consider for recommendation, or otherwise mentions to Plans to which you provide services? If so, describe in detail those relationships.

   C. Do you or a related company receive any payments from money managers you recommend, consider for recommendation, or otherwise mention to Plans to which you provide services? If so, what is the amount of such payment(s) and what is the extent of these payments in relation to your income (revenue)?

   D. Do you have any policies or procedures to address conflicts of interest or to prevent those payments or relationships from being a factor when you provide advice to your clients?

   E. If you allow Plans to pay your consulting fees using the plans brokerage commissions, do you monitor the amount of commissions paid and alert the plan when consulting fees have been paid in full? If not, how can a plan make sure it does not overpay its consulting fees?

   F. If you allow plans to pay your consulting fees using the Plan's brokerage commissions, what steps do you take to ensure that the client receives best execution for its trades?

   G. Do you have any arrangements with broker-dealers under which you or a related company will benefit if money managers place trades for their client with such broker-dealers?

   H. If you are hired, will you acknowledge in writing that you have a fiduciary obligation as an investment adviser to the Plan while providing the services being sought herein?

   I. Do you consider yourself a fiduciary, as that term is defined under ERISA, with respect to the recommendations you provide to the Plan?

   J. What percentage of your plan clients utilize money managers, investment funds, brokerage services, or other service providers from whom you receive fees?

v. Please provide a complete fee schedule which details all fees associated with your program, including any service fees, conversion fees, expenses or costs to be paid by the Plan (including travel expenses), and any other fees for additional services. List any fees associated with termination of the account. Disclose any and all additional compensation of any kind whatsoever, whether hard or soft dollar or non-cash compensation or benefit, paid or enjoyed to or by the firm or individuals associated with the firm in connection with the services to be provided to the Plan.

vi. Fees should be inclusive and no other charges will be allowed unless specifically authorized by the Board of Trustees.

vii. A sample investment report of a nature similar to what the Board of Trustees may expect to receive at its quarterly meetings.

viii. **Similar Engagements with Other Governmental Agencies and/or Fire Districts**
Provide a list of clients in the last two (2) years and include the name and phone number of the customer point of contact for each. Preference will be given to firms that have experience in providing services for "Independent Special Fire Control Districts" as defined under Chapter 191, Florida Statutes.

ix. **References**
The proposal should include a maximum of five (5) written references regarding the proposer's ability and experience in providing the required services under this RFP.

D. Non-Confidentiality of Information

The Fire District reserves the right to retain all copies of proposals submitted in response to this RFP. Interested firms are hereby notified that under Section 119.07, Florida Statutes ("Florida's Public Records Law") proposals submitted in response to this solicitation cannot be granted immunity from public scrutiny. All information submitted must be made available to the public for examination, if so requested, in accordance with the applicable provisions of Florida Law. Requests to hold certain submitted materials in confidence cannot be honored. If it is essential to an interested firm that certain materials are kept confidential, and the subject information is a required element of this RFP, it may be in firm's best interest to decline to respond to this RFP.

6. EVALUATION PROCEDURES

A. Ranking and Award

The Proposals will be evaluated and ranked on the quality of service delivery options, availability of scheduled services, and cost benefit analysis. A recommendation, in order of preference of firms deemed to be the most highly qualified to perform the required services will be created. Oral presentations from proposers may be requested prior to the final ranking or award. The final ranking may be presented to the Board of Fire Commissioners for an award determination.

B. Cone of Silence

It is the intent of the Fire District to evaluate each proposal on the merits of the written document. After the issuance of the RFP by the Fire District, proposers and their representatives shall not contact, communicate with, or discuss any matter relating in any way to this RFP with the Fire District, including any Commissioner, or any employee of the Fire District other than the HR Director, Linda L. Conway. This prohibition begins with the issuance of the RFP and ends upon award of the resulting contract. Such communications initiated by a proposer shall be grounds for disqualifying the offending proposer from consideration for award under this RFP and/or potentially any future procurement with the Fire District.

If necessary, the Fire District may call one or more of the proposers for a face to face interview. This will be done at the sole discretion of the Fire District, will be for the purpose of clarifying responses, and will not constitute a violation of the Cone of Silence.

7. APPENDICES

A. Appendix A

Public Entity Crime Statement.

B. Appendix B

Confirmation of compliance with Insurance Requirements.

APPENDIX A

PUBLIC ENTITY CRIMES STATEMENT

(MUST BE COMPLETED AND SUBMITTED WITH PROPOSAL)

SWORN STATEMENT UNDER SECTION 287.133(3)(A), FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to _____
[print name of public entity]

by _____
[print individual's name and title]

For_____
[print name of entity submitting sworn statement]

whose business address is: _____

City, State and Zip _____

and (if applicable) its Federal Employer Identification Number (FEIN) is _____

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentations.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

    1. A predecessor or successor of a person convicted of a public entity crime: or

    2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that

one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

2. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

3. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. (Please indicate which statement applies.)

____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. (attach a copy of the final order)

I UNDERSTAND THAT THE SUBMISSION OF THE FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

_____ Date: _____
(Signature)

STATE OF _____

COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority, _____ who, after first being sworn by me, affixed his/her signature in the space provided above on this _____ day of _____, _____.

_____
NOTARY PUBLIC

My commission expires: _____

APPENDIX B

INDEMNIFICATION AND INSURANCE REQUIREMENTS

A. Indemnifications:

The Party shall hold harmless, indemnify, and defend the Fire District, its Commissioners, officers and employees, against any claim, action, loss, damage, injury (whether mental or physical, and including death to persons, or damage to property), liability, cost and expense of whatsoever kind or nature including, but not by way of limitation, attorney's fees and court costs, caused by the negligent acts or omissions of the proposer, its agents, assigns and employees.

B. Insurance:

(1) Without limiting its liability under the contract, the Party shall procure and maintain at its sole expense during the life of the contract, insurance of the types and in the minimum amounts stated herewith:

TYPE	AMOUNT
Professional Liability	$1,000,000
Comprehensive General Liability	$1,000,000
Comprehensive Automobile Liability	$1,000,000
Workers' Compensation	(As required by law)

(2) The Party's comprehensive general liability policy shall include contractual liability on a blanket or specific basis to cover this indemnification.

(3) Such insurance shall be written by a company licensed to do business in the State of Florida and satisfactory to the Fire District. Prior to commencing any work under the contract, certificates evidencing the maintenance of said insurance shall be furnished to and approved by the Fire District.

(4) The insurance shall prove that no material alteration or cancellation, including expiration and non-renewal, shall be effective until thirty (30) days after receipt of written notice by the Fire District.

(5) The Party shall provide a Certificate of Insurance identifying the Fire District as an additional insured.