

# S-A-M-P-L-E

## 401K Vendor RFP

1. Are you registered with the SEC or a state securities regulator as an investment adviser? If so, have you provided your clients with all the disclosures required under those laws (including Part II of Form ADV)?
2. How much experience does the advisor or advisory firm have with qualified retirement plans?
3. How much of the advisory firm's/individual advisor's annual income is derived from providing advice to qualified plans (vs. from advising individuals)?
4. What percentage of your retirement plan clients utilize money managers, investment funds, brokerage services or other service providers from whom you receive fees?
5. Is the advisor's compliance department well versed in ERISA's fiduciary and prohibited transaction standards? Please demonstrate.
6. Does the advisor or members of the advisory firm have a familial or business relationship with our plan Fiduciary that may involve a prohibited transaction under ERISA?
7. Do you have any arrangements with broker-dealers under which you or a related company will benefit if money managers place trades for their clients with such broker-dealers?
8. Do you have any policies or procedures to address conflicts of interest or to prevent these payments or relationship from being a factor when you provide advice to your clients? Please attach any such written policies or procedures.
9. Does the advisor or the advisory firm have a relationship with a third party involved with our plan that may cause a conflict of interest?
10. Do you or a related company have relationships with money managers that you recommend, consider for recommendation, or otherwise mention to our plan? If so, describe those relationships.
11. Do you consider yourself a 3(21) or 3(38) fiduciary under ERISA with respect to the recommendations you provide our plan?

12. Are you able to give our participants individual investment advice and if hired, willing to acknowledge in writing that you are qualified and able to give our participants individual investment advice?
13. 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 consulting services we are seeking?
14. Does your firm carry insurance that covers ERISA based claims? If so, what are the limits of insurance?
15. How does your advisory firm run its business? For example, are the offices centralized or controlled in various regional offices? Will we have one designated representative or a team of representatives to serve our account?
16. How do you and your firm propose to be compensated for this type of work?
17. Does the advisor or advisory firm currently have clients comparable to our industry and employee size? If so, please provide contact information as references.



**Joanna Morrow** is an employee benefits consultant in Phoenix, Arizona. She has worked in the benefits industry for over two decades and is a senior partner in a local consulting firm. As an active member of the National Association of Health Underwriters (NAHU), Joanna is regularly invited to speak to business groups and employers regarding the impact of the Affordable Care Act (ACA) and assists in reducing their health insurance costs.

Joanna can be reached at 602.903.4047.

*Disclaimer:*

*The information in this document is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice.*