

REQUEST FOR PROPOSAL (RFP)

for

Election Administrator

Abby Spieler
Executive Director

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All communications and questions regarding this RFP should be directed to the project manager at Missouri State Employees' Retirement System (MOSERS).

DUE DATE FOR RESPONSES TO RFP:

September 5, 2025
4:30 p.m. Central Daylight Time

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SECTION I - INTRODUCTION

A. Nature of Request

MOSERS seeks the services of a contractor to provide materials and services for an upcoming election of one retiree member and two active employee members to the MOSERS Board of Trustees. Although there is no guarantee that either type of election will be necessary, the last time either election did not occur was in 2006. The following percentages of eligible members cast ballots in the four most recent elections:

2022	5.89%
2018	13.82%
2014	11.64%
2010	14.70%

B. Closing Date for Receipt of Proposals

Proposals must be received by **4:30 p.m. Central Daylight Time (CDT) on Friday, September 5, 2025**, to be considered. There is no expressed or implied obligation for MOSERS to reimburse a respondent for any expenses incurred in preparing a response to this request. MOSERS reserves the right to request additional information or clarification from any respondent or to allow corrections for errors or omissions at any time during the evaluation process.

C. For More Information on the RFP

If you are interested in responding to this RFP and need additional information to prepare a proposal or have specific questions, please contact the project manager as noted on the cover page of this RFP. Any correspondence, including your submission of a proposal, should be emailed to the project manager by the date and time specified in Section IV.A. We have made the 2022 Board Member Candidate Information Brochure available on the MOSERS website as an example of the materials we provided to the candidates in the immediately preceding election. MOSERS will provide an updated brochure for the 2026 election.

D. Organizational Overview

MOSERS is an instrumentality of the State of Missouri vested with the powers and duties specified in state law, providing retirement, survivor, disability, and life insurance benefits to its members. MOSERS is responsible for managing an investment portfolio with more than \$8.9 billion held in trust for the payment of member benefits. As of June 30, 2024, the defined benefit plans administered by MOSERS served more than 118,600 members and beneficiaries, including approximately 45,100 active members,

more than 56,200 retirees and survivors, and more than 17,300 terminated-vested members.

MOSERS is governed by an 11-member board of trustees. The executive director is appointed by and reports to the Board.

SECTION II – RESPONDENT MINIMUM QUALIFICATIONS

Respondents must satisfy all of the following mandatory minimum qualifications to be considered for the contract award:

1. The respondent must agree to enter into a written contract.
2. The respondent must agree to provide the minimum services as detailed in Section III, as well as comply with all the requirements stated in the RFP.
3. The respondent must provide assurance that its key professionals and its organization do not have, nor could they potentially have, a material conflict of interest with MOSERS or any MOSERS service providers.
4. The respondent must agree to complete and submit the MOSERS Vendor Security Assessment within 30 days after an award of contract.
5. The respondent must demonstrate proficiency and experience in providing the services specified in Section III.
6. The respondent must agree to comply with the Political Contribution Policy in Exhibit A as well as the Federal Work Authorization Policy in Exhibit B.

SECTION III – RESPONSE REQUIREMENTS

A. General Requirements of Responding to this RFP

To be considered complete, a submission shall include, in a portable document format (.pdf):

1. A cover letter, including:
 - (a) Statement indicating that the respondent meets the minimum qualifications in Section II;
 - (b) The concluding statement: *"I hereby certify that I have read the Request for Proposal (RFP) in its entirety and fully understand the requirements listed in it. I further certify that I am an authorized agent of the respondent empowered to submit the response to the RFP and authorized to sign a contract with MOSERS on behalf of the respondent."*; and
 - (c) Signature, title, and printed name of the authorized agent of the respondent.
2. Completed RFP Questionnaire (Exhibit C), including a completed Fee Proposal (Exhibit D).

B. Scope of Services

1. The scope of services requires providing election services to MOSERS consistent with the Revised Statutes of Missouri, including § 104.450 (Exhibit E) and § 104.460 (Exhibit F), and MOSERS Board Rule 1-5 (Exhibit G). The scope of services includes:
 - (a) Coordinating with MOSERS on the deadline dates for proof layouts to review for the nomination petition process, nomination petition, election notices, candidate information; and for MOSERS to review the internet-voting website and telephone voting system.
 - (b) Preparing election materials for provision in an electronic format including the nomination petitions which include the candidate declaration, candidate biography, and either active employee member signatures for the active employee member election or retiree member signatures for the retiree member election.
 - (c) Preparing an online nomination platform that displays the names of the candidates (provided by MOSERS) and allows members to submit electronic signatures for candidates they wish to nominate.
 - (d) Providing a way for a candidate to download the names of individuals who have electronically signed their nomination petition.
 - (e) Providing an administrative tool for MOSERS staff to monitor the progress of the nominations phase, including the capability for staff to run reports.
 - (f) In the event there is more than one nominating petition filed for any vacancy, preparing paper and electronic election notices for the corresponding election.
 - (g) In the event there is more than one nominating petition filed for any vacancy, preparing online and telephone ballots and providing corollary ballot casting for the corresponding election. The contractor's online ballot casting will provide the ability to cast an election ballot either using the contractor's election platform or through a web-bridge by using a secure link or button on the MOSERS member portal (i.e., *myMOSERS*) that directs the member to the contractor's election platform.
 - (h) In the event there is more than one nominating petition filed for any vacancy, preparing any other election materials needed for voting for the corresponding election.

- (i) Providing technical assistance to members via a toll-free number and email, resolving requests for assistance within 48 business hours of contractor's receipt.
- 2. The contractor shall ensure that all materials and platforms it supplies or provides access to comply with all federal and state laws and guidelines applicable to MOSERS, including but not limited to the Americans With Disabilities Act and the Web Content Accessibility Guidelines 2.2 AA. The contractor is not responsible for MOSERS-created or maintained content or platforms.
- 3. For each type of election, if only one nominating petition is filed for any vacancy, no election will occur.
- 4. The contractor will prepare an election notice for the active employee member election in the event there is more than one nominating petition filed for any vacancy, and for the retiree member election in the event there is more than one nominating petition filed for any vacancy. Election notices shall include clear instructions on internet and telephone voting; and any other documents, forms, or materials required to perform the election in an orderly, secure, and anonymous fashion.
- 5. The contractor will mail and email the election notice, including the additional information required, to approximately 44,100 active employee members, in the event there is more than one nominating petition filed for any active employee member vacancy; and to approximately 49,200 retiree members, in the event there is more than one nominating petition filed for any retiree member vacancy.
- 6. The contractor shall ensure the lowest postage rate possible can be used prior to printing the election notices. The contractor shall print "return service requested" on all outgoing envelopes. The winning contractor will submit receipts and a single invoice for postage reimbursement. Such reimbursement shall be in addition to any fees described in Exhibit D.
- 7. The contractor will provide MOSERS with notice of any incorrect mail and e-mail addresses so that MOSERS may update its mailing information for the respective member. The contractor will forward any returned election notice to the member's new mailing address. The contractor will provide all Form 3547s (post office change of address form) to MOSERS after the board election and a single corresponding invoice to MOSERS. MOSERS will reimburse the contractor for this additional postage and the cost of the Form 3547s. Such reimbursement shall be in addition to any fees described in Exhibit D.
- 8. For any election, the contractor will email the corresponding voting-eligible members with information about the election and how to vote at the primary

email address MOSERS has on record for such members. For any election, the contractor will develop and maintain an internet site and telephone balloting system for voting-eligible members to use to cast their vote. The candidate names must be listed in vertical order on the ballot. Both the internet site and the telephone voting system shall be easy to use and shall be available for the contractor to provide a demonstration to MOSERS employees prior to the mailing of the election notice. Such demonstration may occur electronically through a recording, website, or remote live meeting.

9. The contractor must ensure the integrity and security of the election by ensuring the following for each election, if any:
 - (a) The voting process employed is uncomplicated, easily understood by the members, and offers adequate controls and safeguards to guarantee the integrity of the election.
 - (b) A separate ballot is created, i.e., one for the retiree member election and/or one for the active employee member election.
 - (c) All election notices are mailed to each voting-eligible member's correct address (as provided by MOSERS). The contractor shall not alter any member addresses prior to mailing the ballots.
 - (d) All ballots cast are accounted for, secured, and cannot be tampered with in any way.
 - (e) All ballots cast remain anonymous, and procedures are in place to ensure that each ballot is legitimate.
 - (f) The validation process employed guarantees that no voting-eligible member can vote more than once and that no non-eligible individuals can vote.
 - (g) All ballots are counted, and the result of the ballot count is accurate.
10. For any election, the contractor will verify and tally election ballots and provide MOSERS with a statistical report (or reports) including the number of votes cast for each election, the timing of those votes, and the voting methodology used (i.e., Internet, telephone).
11. The contractor will retain all ballots, tabulation records, and other related material for a period of one year after certification of the results to the MOSERS executive director and be ready to allow for a recount in either election. After one year, the information must be destroyed.

C. Expected Deliverables

1. The contractor will make available nominating petitions for each election type, deliver the respective petitions, provide and operate an online nomination

platform, provide technical assistance for members, and accept nominating petitions, including any attachments.

2. In the event there is more than one nominating petition filed for any vacancy for an election type, the contractor will distribute election notices and make ballots available for such election type, and the election will officially begin.
3. In the event an election occurs for either or both election types, the contractor will report certified election results to the MOSERS executive director on **Thursday, September 24, 2026**. The election report shall segregate certified results by election type, i.e., retiree member, active member.

SECTION IV – INSTRUCTIONS FOR SUBMITTING PROPOSALS

A. General Requirements

1. Inquiries

Any questions regarding this RFP must be submitted in writing via email to the project manager. Questions must be received at MOSERS by no later than **4:30 p.m. CDT on Friday, August 15, 2025**. To ensure that all respondents have the same information and instructions concerning the preparation of the proposal, all questions received will be responded to in writing and posted on MOSERS' website.

2. Timeline of Activities for the RFP

An "Event or Milestone" starting with * is conditional and dependent upon the number of nominating petitions received for each vacancy for each election type. Each such event or milestone may not be necessary or may only be necessary for one election type. Any corresponding contractor fees payable would also be conditional, and any associated payment would be as provided in Exhibit D.

Event or Milestone	Date
RFP issued and posted to MOSERS website	Wednesday, August 6, 2025
Deadline for interested parties to submit questions	Friday, August 15, 2025, 4:30 p.m. CDT
Responses from MOSERS	Friday, August 22, 2025, 4:30 p.m. CDT
Proposal due date	Friday, September 5, 2025, 4:30 p.m. CDT
MOSERS Strategic Planning and Governance Committee reviews bids	Thursday, October 30, 2025

Event or Milestone	Date
MOSERS Board of Trustees awards contract	Thursday, November 20, 2025
Nomination petitions are made available electronically through the election administrator nomination platform, online at MOSERS' website, and via paper format through MOSERS; nomination platform and technical assistance become operational	Wednesday, March 18, 2026
Deadline to submit nominating petitions	Wednesday, June 17, 2026, 4:30 p.m. CDT
*MOSERS makes available membership database for the election administrator	Friday, July 31, 2026
*Election administrator distributes election notices via mail to active employee members and retiree members	Monday, August 10, 2026
*Election administrator emails election notice to active employee members and retiree members and makes ballots available	Wednesday, August 12, 2026
*Election officially begins (i.e., voting starts)	Wednesday, August 12, 2026
*Election administrator sends an email notice to those active employee members and retiree members who have not yet voted to remind them the election is still open	Wednesday, August 26, 2026 and Friday, September 11, 2026
*Election officially ends (i.e., voting deadline)	Wednesday, September 23, 2026, 5:00 p.m. CDT
*Election administrator submits certified election results to MOSERS executive director	Thursday, September 24, 2026
Election administrator destroys all ballots, tabulation records, and other related materials	Friday, September 24, 2027

B. Specific Requirements

1. All proposals and accompanying documentation become the property of MOSERS and will not be returned. The proposals must be received no later than **4:30 p.m. CDT on Friday, September 5, 2025**. Please refer to the RFP cover page for the project manager's name and email address.
2. Each proposal must conform to the requirements of this RFP. Conciseness and clarity of content are emphasized. Vague proposals will be considered non-responsive and may result in disqualification. Failure to provide the required information may also result in disqualification. MOSERS reserves the exclusive right to determine compliance with these requirements and to exclude from consideration proposals which, in the judgment of MOSERS, do not so conform.
3. A respondent's preparation and submission of a proposal or subsequent participation in presentations or contract negotiations creates no obligation for MOSERS to award a contract or to pay any associated costs.

SECTION V – EVALUATION PROCESS AND CRITERIA

A. Evaluation Process

Designated MOSERS staff will review proposals submitted by respondents and rank the proposals, culminating with staff recommendations to the executive director, who will then provide the top finalist to the MOSERS Strategic Planning and Governance Committee for their review and discussion. The MOSERS Board of Trustees will make final approval. Respondents and MOSERS representatives may discuss the respondent's proposal as part of the evaluation process.

B. Evaluation Criteria

1. Proposals submitted in response to this RFP may be accepted as submitted or may be used as a basis for further negotiation of specific project details with respondents. In evaluating proposals, MOSERS will consider the following criteria:
 - (a) Demonstrated competence, knowledge, experience, reputation, and qualifications of the respondent as a whole and the respondent's staff;
 - (b) Respondent's ability and willingness to meet the requirements and needs of MOSERS with respect to the scope of services outlined in Section III;
 - (c) Quality, conciseness, clarity, and completeness of the proposal; and
 - (d) Reasonableness of costs in general, as compared with other respondents, and in light of the services to be performed and the deliverables to be provided and their importance to MOSERS; and

2. If all other considerations are equal, a respondent whose principal place of business is within the state of Missouri, or who will manage the project wholly from one of its offices within the state of Missouri, may be given preference pursuant to [§ 104.550](#) of the Revised Statutes of Missouri.

SECTION VI - MISCELLANEOUS TERMS AND CONDITIONS

A. Contractual Agreement

1. A copy of this RFP (and any amendments to this RFP), the successful respondent's proposal, any best and final offer requests and responses submitted by the successful respondent, and the notice of contract award will, at MOSERS' sole discretion, become the contract or will be incorporated into the contract. At MOSERS' sole discretion, the contract terms may be negotiated between MOSERS and the successful respondent, also referred to in this RFP as the contractor.
 - (a) Respondents are cautioned that a proposal shall be subject to acceptance by MOSERS without further clarification, and the respondent, by submitting a proposal, agrees to furnish the services and deliverables specified in the RFP at the prices quoted in the proposal, pursuant to all requirements and specifications in this RFP.
 - (b) The contractor may be asked to provide a contract template that is customary in the industry, and the respondent agrees to provide one upon request. MOSERS' legal counsel will review any such contract prior to approval and signature by the executive director.
 - (c) The contract term ends on September 24, 2027 (date the election administrator destroys all ballots, tabulation records, and other related materials).
 - (a) The contractor may not assign its rights or obligations under the contract without the prior written consent of MOSERS.

B. Proposals

1. Submission of a response to the RFP indicates acceptance by the respondent of the conditions contained in this RFP unless clearly and specifically noted in the proposal and confirmed in the contract between MOSERS and the contractor. MOSERS reserves the right to reject any and all responses to the RFP submitted without any obligation or payment for costs incurred by any interested party or respondent.
2. MOSERS reserves the right, when it may serve MOSERS' best interests, to request additional information or clarification from any respondent, to allow corrections

of errors or omissions, or to discuss points in proposals before and after their submission.

3. MOSERS reserves the right to waive any and all formalities contained within this RFP except for the deadline for filing. Responses to the RFP received after **4:30 p.m. CDT on September 5, 2025**, will not be considered.
4. MOSERS reserves the right to retain each response submitted, and each such response shall become the sole property of MOSERS.
5. Copyrighted proposals are unacceptable and will be disqualified as non-responsive.

C. Open Records

1. As an instrumentality of the State of Missouri, MOSERS is subject to the Missouri Open Records Act, [Chapter 610](#) of the Revised Statutes of Missouri. Accordingly, MOSERS may be required to release to third parties all information a respondent provides in response to this RFP, regardless of whether a respondent labeled such information “confidential” or “proprietary” or intended that the information not be released to third parties. MOSERS may be required to release the information without providing advance notice or without requesting permission to release such information.
2. MOSERS assumes no obligation or responsibility for asserting legal arguments on behalf of any interested party or respondent to this RFP to maintain any portion of a record relating to this RFP, including any proposal, as a closed record under the Missouri Open Records Act.
3. By submitting a proposal, a respondent:
 - (a) Acknowledges and agrees that MOSERS, its officers, agents, and employees shall have no liability to the respondent or to any other person or entity for disclosing records in accordance with the Missouri Open Records Act, as interpreted by MOSERS; and
 - (b) Waives any and all claims or causes of actions against MOSERS, its officers, agents, and employees for compensation or any damages incurred by the respondent in connection with MOSERS’, its officers’, agents’ or employees’ compliance with the Missouri Open Records Act.

D. Competitive Negotiations of Proposals

Under the provisions of this RFP, MOSERS reserves the right to conduct negotiations of the proposals received, to award a contract without negotiations, and to decline to award a contract. If such negotiations are conducted, the following conditions shall apply:

1. Negotiations may be conducted in person, in hard copy writing, or by email, fax, or phone;
2. Negotiations will be conducted only with respondents that have submitted potentially acceptable proposals;
3. Terms, conditions, prices, methodology, or other features of the respondent's proposal may be subject to negotiation and subsequent revision;
4. As part of the negotiations, the respondent may be required to submit supporting financial, pricing, and other data in order to allow a detailed evaluation of the feasibility, reasonableness, and acceptability of the proposal; and
5. All respondents involved in the negotiation process may be invited to submit a best and final offer.

E. Confidentiality

1. For purposes of this RFP and any resulting contract, the following terms and definitions shall apply:
 - (a) "Breach" or "breaches" shall mean an unauthorized acquisition of data that compromises the security, confidentiality, or integrity of Confidential Information or Personal Information;
 - (b) "Confidential Information" shall mean all files and any other information or materials provided by MOSERS necessary to provide the services described in this RFP;
 - (c) "Personal Information" shall mean information provided by MOSERS or maintained by MOSERS that the contractor receives access to or accesses that includes an individual's first name or initial and last name linked with: (i) social security number; (ii) driver's license number or other government-collected or -created unique identification number; (iii) account, credit card, or debit card number in combination with any security code, access code, or password required to access the account; (iv) unique electronic identifier or routing code in combination with any required security code, access code, or password that would permit access to an individual's financial account; (v) information about an individual's medical history, mental or physical condition, medical treatment, or diagnosis by a health care professional; or (vi) health insurance policy number, subscriber identification number, or any unique identifier used by a health insurer to identify the individual.
2. The contractor shall maintain Confidential Information and Personal Information in a secure and limited access area, under the strictest confidence and,

accordingly, will not alter or disclose such Information except as provided in this RFP and in any resulting contract. Except for the requirement in Section III.B.11 to retain certain records for one year after certification of the election results, upon the completion of the services, all Confidential Information and Personal Information provided by MOSERS will be returned to MOSERS unless otherwise directed in writing by the MOSERS project manager.

3. The contractor will not disclose any Confidential Information or Personal Information in whole or in part without the prior written consent of MOSERS, unless required to do so by a court order or by law, in which case the contractor shall notify MOSERS in writing prior to making any such disclosure. The contractor shall further limit access to Confidential Information and Personal Information to those of its employees, officers, and directors who reasonably require such access in the performance of the contract with MOSERS and shall take all such necessary precautions and exercise the highest level of care that the contractor would undertake to prevent the disclosure of its confidential, proprietary, and personal information.
4. In the event the contractor, including any of its officers, owners, employees, contractors, and agents, Breaches any provision or becomes aware of any Breach of the confidentiality provisions in this RFP or in any resulting contract:
 - (a) MOSERS and the contractor recognize and agree that MOSERS will suffer irreparable injury and that MOSERS will, therefore, be entitled to obtain injunctive relief without the obligation to post a bond;
 - (b) The contractor must notify MOSERS without unreasonable delay, subject to measures necessary to determine the scope of the Breach; restore reasonable integrity, security, and confidentiality of the data or other affected system; and identify affected Confidential Information, Personal Information, and affected persons and entities;
 - (c) If MOSERS determines that the facts and applicable law require notification of the affected persons and entities as a result of the Breach, MOSERS shall provide such notification and may identify the respondent in such notice; and
 - (d) In addition to reimbursement for notification costs, MOSERS will be entitled to seek any relief and remedy available at law or in equity from the contractor or any third party.

5. The remedies provided in this RFP and those otherwise available at law or in equity shall be cumulative, and no one remedy will be construed as exclusive of any other.

F. Jurisdiction, Venue, and Choice of Law

1. Any litigation involving MOSERS must be brought in the Cole County Circuit Court in Cole County, Missouri, and be subject to Missouri law, excluding choice of law provisions. In addition, any alternative dispute resolution procedures involving MOSERS must occur in Cole County, Missouri. By submitting a proposal, the respondent agrees to submit to this choice of law, subject matter and personal jurisdiction, and venue for any and all such litigation or alternative dispute resolution proceedings.
2. The contract shall be construed according to the laws of the state of Missouri, and such law shall apply in all respects to this RFP and related procedures. The contractor shall comply with all local, state, and federal laws and regulations related to the performance of the contract to the extent that the same may be applicable.

G. No Representations or Warranties by MOSERS

MOSERS makes no representations or warranties, expressed or implied, as to the accuracy or completeness of the information in the RFP, and nothing contained in this RFP is or shall be relied upon as a promise or representation, whether as to the past or the future. The RFP does not purport to contain all of the information that may be required to evaluate the RFP, and any interested party or respondent should conduct its own independent analysis of MOSERS, and the information contained or referenced in this RFP.

H. Survival of Provisions

The provisions in Sections VI. C, E, F, H, and P, and Section VI.I.1 shall survive termination of any contract resulting from this RFP.

I. Representations and Warranties by Respondent

1. The respondent represents and warrants that it shall defend, protect, and hold harmless MOSERS, its officers, agents, and employees against all suits of law or in equity resulting from patent and copyright infringement concerning the performance of any contract resulting from or incorporating this RFP.
2. The respondent represents that the information provided in the respondent's proposal is accurate and complete, and respondent warrants that it will provide prompt notice to MOSERS in the event of any material change to that

information prior to the contract award and, for the contractor, during the contract term.

3. The respondent represents that it is, and warrants that it will continue to be throughout the contract term if it becomes the contractor, an independent and uninterested party with respect to any and all nominating petitions and election results.
4. The respondent represents and warrants that it will comply with the Political Contribution Policy in Exhibit A prior to and during the contract term.
5. The respondent represents and warrants that it is, and will continue to be throughout the contract term if it becomes the contractor, in compliance with the Federal Work Authorization Policy in Exhibit B.

J. Revision of the RFP

If MOSERS revises any part of this RFP, or if MOSERS determines that any additional information is needed to clarify the provisions of this RFP, MOSERS will issue a written addendum, which shall be posted on the MOSERS website. MOSERS shall not be bound by any deviation from, or to, this RFP unless an authorized official of MOSERS agrees to such term in writing.

K. Required Materials

1. Proposals must address all the requirements of this RFP. MOSERS is not responsible for receipt of any proposal that is not submitted or delivered properly or completely. All RFP materials and proposals shall include complete, properly executed, and detailed supporting documentation as required. The respondent and its associates agree that none of them shall discuss any aspect of the respondent's proposal with any other interested party, respondent, or potential respondent to this RFP.
2. It is the respondent's responsibility to review carefully this RFP and all related documents. Submittal of a proposal is conclusive evidence that the respondent understands and agrees to all RFP requirements and specifications.

L. Contract Termination or Conclusion

1. MOSERS may, in its discretion, terminate the contract, in whole or in part, at any time due to the contractor's breach of a contractual obligation. If MOSERS exercises its right to terminate the contract for such a reason, the termination shall become effective on the date specified in a written termination notice sent to the contractor.
2. MOSERS reserves the right to terminate the contract, in whole or in part, at any time, for the convenience of MOSERS, without penalty or recourse, by giving

written notice to the contractor at least 30 days prior to the effective date of such termination. The contractor shall be entitled to receive just and equitable compensation for the work completed pursuant to the contract prior to the effective date of such termination.

3. The contractor may terminate the contract by giving written notice to the MOSERS executive director at least 90 days prior to the effective date of such termination. In the event of such termination, all documents, data, reports, supplies, and accomplishments the contractor has prepared, furnished, or completed pursuant to the terms of the contract shall, at the option of MOSERS, become MOSERS' property. The contractor shall be entitled to receive just and equitable compensation for the work completed pursuant to the contract prior to the effective date of such termination.
4. Upon the termination or conclusion of the contract, all documents, data, reports, supplies, and accomplishments prepared, furnished, or completed by the contractor pursuant to the terms of the contract shall become MOSERS' property.

M. Payment

The contractor further agrees and acknowledges that any payment due from MOSERS under the terms of the contract shall be made on a monthly basis following submission by the contractor of a unique invoice to MOSERS, in accordance with the postage reimbursement provisions in this RFP and with Exhibit D, outlining any reimbursement, services rendered, and deliverables provided, and the cost associated with each. Payment by MOSERS will only be required following its approval and acceptance of the materials, performance, services, and deliverables required of the contractor by the contract's terms.

N. No Waiver

The respondent agrees that no provision in this RFP or in respondent's proposal shall be construed, expressly or impliedly, as a waiver by MOSERS of any existing or future right or remedy available in the event of any claim of default or breach of contract.

O. Notice

1. The respondent agrees that any written notice to the respondent is sufficient when presented to an authorized employee of the respondent at the respondent's address as listed on the respondent's response or the contract's signature page, or when deposited in the United States mail, postage prepaid, and addressed to the respondent at its address as listed on the signature page of

the respondent's response or the contract, or at such address as the respondent may have requested in a writing to MOSERS.

2. Notice to MOSERS shall be sufficient when presented to the MOSERS executive director at the address listed on this RFP, or when deposited in the United States mail, postage prepaid.
3. Any notice provided pursuant to this Section VI.O shall also be provided via email as follows: for notice to the respondent, to the respondent's email address as listed on the respondent's response; for notice to MOSERS, to the MOSERS executive director.

P. References, Titles, and Headings

1. For purposes of this RFP, unless the term "member" or "members" is preceded or modified by "active" or "retiree" (or "terminated-vested") the term refers to and includes both active employee and retiree members.
2. Unless otherwise indicated, references to sections and paragraphs in this RFP refer to the RFP.
3. Titles and headings of sections and paragraphs used in this RFP are solely for ease of reference and shall not be construed to infer a contractual construction of language.

EXHIBIT A - POLITICAL CONTRIBUTION POLICY

Interested parties and respondents are advised that the Board has taken the position that it is inappropriate and unethical for any outside service provider to make any political contribution with the intent of influencing a purchasing, hiring, or firing decision made at MOSERS. With respect to personnel, violation of this policy may lead to termination of employment or prohibition from hiring. With respect to an outside service provider, if the executive director has reason to believe that this policy may or will be violated, the executive director shall require the external service provider (including officers, owners, and key employees) to disclose political contributions made to any incumbent or candidate for state office in Missouri in the last two years and shall provide written notice to the Board in the event the disclosure reveals any such contributions were so made.

EXHIBIT B – FEDERAL WORK AUTHORIZATION POLICY

The executive director shall advise all external service providers when the purchase of goods or services is in excess of five thousand dollars that as a condition for the award of contract, the external service provider shall be enrolled and participate in a federal work authorization program with respect to the employees working in connection with the contracted services and shall not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

EXHIBIT C – RFP QUESTIONNAIRE

Please provide the following information:

1. Respondent Information

Firm Name		Contact Name	
Address		Contact Title	
		Phone	
		Email	
		Website	

Item	Question	Response
2	Provide the corporate entity's legal name and a brief history of the organization including the year organized and the year the organization began providing election services.	
3	Provide the location of the business unit or division that is responding to this request including which office would service the engagement.	
4	Provide the location from where ballots will be mailed.	
5	Does your organization have a physical presence in Missouri? If yes, please list the location.	
6	Are there any planned changes in the organization's operations and/or ownership? If yes, please describe.	
7	Provide the names of team members who would be assigned to this engagement, their years of election experience, years employed at your organization, and their contact information.	

Item	Question	Response
8	<p>Provide two client references from the last three years relating to engagements similar to the one for which your organization is providing a proposal to MOSERS. In providing this information, you and your organization consent to and release MOSERS from liability regarding contacting the references and communicating with them about prior engagements and their opinions regarding the work performed.</p> <p>Include the name of the organization and contact person; and that person's business title, address, telephone number, and email address.</p>	
9	<p>List all public pension plans your organization has provided election services to in the last five years and briefly describe the type of election performed.</p>	
10	<p>Describe whether there are any current or pending criminal or regulatory actions or investigations related to your organization.</p>	
11	<p>Has your organization been subject to new or pending litigation in the last three years? If so, describe the nature of the litigation. Please also include the jurisdiction and venue, the case number, the date the case was filed, and a brief case status (e.g., jury verdict, settlement, pending trial) and resolution date.</p>	
12	<p>Describe the resources dedicated to quality assurance and quality control at your organization.</p>	

Item	Question	Response
13	Did your organization have a service organization controls (SOC) report prepared? What was the opinion and date of the report? Have all deficiencies or findings been remedied? If not, why?	
14	Do you have an external party review or audit your financial statements? If so, what organization and individuals conducted the audit, and what type of opinion was provided on the most recent report (if applicable)? If the opinion was other than unqualified, have all deficiencies or findings been remedied? If not, why?	
15	When was the last time your organization changed external auditors (if applicable)?	
16	What is your organization's approach to cyber security (e.g., how often are your employees required to take security awareness training, which cybersecurity framework do you use)?	
17	Describe the procedures and safeguards your organization uses to protect its data and that it would use to protect data provided by us, including data confidentiality.	
18	Describe your organization's disaster recovery plan including geographic areas of the country where facilities are located, the method and format for securing confidential data, and the speed and processes for bringing those facilities operational. Please include the frequency your organization tests its disaster recovery system.	

Item	Question	Response
19	Does your organization perform background checks on new hires and employees? If yes, what is done if the information is unfavorable?	
20	Describe the process you will employ to conduct this election.	
21	Describe the valuation and tabulation method your organization will use in determining the outcome of the election.	
22	Describe how your organization's election process will guarantee the security and integrity of the election. Include an explanation of how your organization will ensure that it only counts one vote from each member.	
23	Describe the process that will ensure voter anonymity and guarantee confidentiality for all member information.	
24	Complete Exhibit D – Fee Proposal.	
25	Provide why your organization is a good fit for this service.	

EXHIBIT D – FEE PROPOSAL

The services listed in Section III of this RFP under “Scope of Services” should form the basis for the proposed fees in the following table.

In the second column of the table below, specify the all-inclusive flat fee for the delivery of all services listed in Section III of this RFP under “Scope of Services” for each deliverable indicated. Incorporate all costs, including but not limited to costs for materials, travel, communications, technology, and licensure, into the fee proposal. (MOSERS notes that the fees in this Exhibit D will not include the fees to be paid pursuant to the postage reimbursement provisions in this RFP.)

A “Deliverable” starting with * is conditional and dependent upon the number of nominating petitions received for each vacancy for each election type. Each such deliverable may not be necessary, and any corresponding contractor fees payable would also be conditional.

Deliverable	Fees
Nominating Petitions for Members Available, Delivered, and Accepted; Technical Assistance Operational	
*Active Employee Member Election Notices Distributed, Ballots Available, Election Begins	
*Retiree Member Election Notices Distributed, Ballots Available, Election Begins	
*Contractor Certifies Active Employee Member Election Results to MOSERS Executive Director	
*Contractor Certifies Retiree Member Election Results to MOSERS Executive Director	
Maximum Total Fees	

EXHIBIT E – SECTION 104.450 OF THE REVISED STATUTES OF MISSOURI

Board of trustees, membership of--appointed members and elected members, how chosen.

104.450. The board of trustees shall consist of the state treasurer, the commissioner of administration, two members of the senate appointed by the president pro tem of the senate, two members of the house of representatives appointed by the speaker of the house, two members appointed by the governor, and three members who are members of the system, one of whom shall be a retiree elected by a plurality vote of retired members and two of whom shall be employees, elected by a plurality vote of the members of the system not retired for four-year terms. The board so constituted shall determine the procedures for nomination and election of the elective board members. The first two trustees designated above shall serve as trustees during their respective terms of office; the legislative members shall serve as trustees until such time as they resign, are no longer members of the general assembly, or are replaced by new appointments; and the members appointed by the governor shall serve as trustees until such time as they resign or are replaced by new appointments. Any vacancies occurring in the office of trustees shall be filled in the same manner as the office was filled previously except that vacancies occurring in the offices of the elected board members may be filled by the board of trustees until the next regularly scheduled election.

(L. 1957 p. 706 § 8, A.L. 1972 S.B. 548, A.L. 1984 H.B. 1370, A.L. 1986 H.B. 1496, A.L. 1988 H.B. 1643 & 1399, A.L. 1992 S.B. 499, et al., A.L. 2001 S.B. 371)

EXHIBIT F – SECTION 104.460 OF THE REVISED STATUTES OF MISSOURI

Board officer, selection, terms--elected members campaign disclosure procedure, penalty--executive director and staff, appointment, salaries, expenses--service of process to be served on director or director's designee.

104.460. 1. The board shall elect by secret ballot one member as chairman and one member as vice chairman during the first board meeting of each year. The chairman shall preside over meetings of the board and perform such other duties as may be required by action of the board. The vice chairman shall perform the duties of the chairman in the absence of the latter or upon the chairman's inability or refusal to act. Each person who was elected to membership on the board of trustees or who is a candidate for membership on the board of trustees shall file with the Missouri ethics commission a campaign finance disclosure form showing:

- (1) The amounts and sources of all contributions received for the purpose of supporting such person's candidacy or for the purpose of opposing any other candidate; and
- (2) The amounts and recipients of all expenditures made for the purpose of supporting such person's candidacy or for the purpose of opposing any other candidate.

The disclosure reports shall be filed not later than the fifteenth day prior to the date of the election for the period closing on the twentieth day prior to the election, and not later than the thirtieth day after the date of the election for the period from the nineteenth day prior to the date of the election to the twenty-fifth day after the date of the election. Such reports shall be public records and shall be made available by the Missouri ethics commission during normal business hours. Any person who purposefully fails or refuses to file the reports required by this subsection is guilty of a class A misdemeanor.

2. The board shall appoint an executive director who shall be the executive officer of the system and who shall have charge of the offices, records, and employees of the system, subject to the direction of the board. Other employees of the system shall be chosen only upon the recommendation of the executive director.

3. All employees of the system shall be both state employees and members of the system. Except by the unanimous vote of the board, no person who has served as a trustee of the board may become an employee of the system until four years have expired between the date of his or her resignation, termination, or other removal as trustee and the date of his or her appointment as an employee of the system.

4. Employees of the system shall receive such salaries as shall be fixed by the board and their necessary travel expense within and without the state as shall be authorized by the board.

5. Any summons or other writ issued by the courts of the state shall be served upon the executive director or, in his or her absence, on the executive director's designee.

(L. 1957 p. 706 § 9, A.L. 1981 H.B. 835, et al., A.L. 1984 H.B. 1370, A.L. 1985 H.B. 790, A.L. 1988 H.B. 1643 & 1399, A.L. 1989 H.B. 674, A.L. 1996 H.B. 1541, A.L. 2003 S.B. 248, et al.)

EXHIBIT G – MOSERS BOARD RULE 1-5

1-5 Board Election Procedures

PURPOSE: This rule establishes the formal procedures for nomination and election of the elective positions of the board of trustees as authorized in Sections 104.450 and 104.460, RSMo.

A. General Procedures

1. The Board of Trustees ("Board") will select a third-party election administrator, in accordance with the system's procurement procedures (the "Election Administrator").
2. Any or all election procedures delegated by the Board to the Executive Director may be delegated to an individual or firm qualified to carry out such procedures, including MOSERS staff members.
3. The Election Administrator shall administer any election balloting procedures including but not limited to, creating election ballots, sending election ballots with instructions, counting votes, and certifying the results.
4. Staff is required to establish procedures to ensure candidate information is true and accurate prior to submitting the candidate information to the Election Administrator. These procedures will include, but may not be limited to, validation of the signatures on the candidate petition forms.
5. It will be automatic grounds for disqualification if it is determined that a candidate knowingly submitted false information in the election process.
6. Candidates may not use state resources (interagency mail, equipment, personnel, and supplies) for campaign purposes.
7. Candidates may not use the system's resources for campaign purposes. This includes receiving contact information of the system's members (i.e. member names, telephone numbers, addresses, and email addresses).

B. Nominating Petitions

1. Candidates will be nominated by means of nominating petitions. There will be separate nominating petitions for each type of election: one for the active employee member election and one for the retiree member election.
2. Each petition may have only one (1) candidate listed and an individual can only run for one position on the Board.
3. Staff shall set the time period when nomination petitions shall be filed and the manner in which petitions must be filed.
4. If only one (1) valid nominating petition is filed for any vacancy, the person nominated will be declared elected by the Board at the next regular board meeting.

5. If at least one (1) valid nominating petition is not filed for each vacancy to be filled, this election process shall be repeated for that vacancy until a valid nominating petition is received.

C. Active Employee Member – Candidate Eligibility

1. An eligible candidate for an active employee member position shall be a member of the Missouri State Employees' Retirement System who is an employee on June 1 of the year of the election. The following individuals will not be considered eligible candidates for the active employee member board election:
 - a. Retired members of the system;
 - b. Term-vested members of the system;
 - c. Active, term-vested, or retired members of the judicial and administrative law judges plan;
 - d. Members on long-term disability; and
 - e. Survivors of deceased members of the system including the judicial and administrative law judges plan.
2. Valid nominating petitions for active employee members must have in total at least one hundred (100) verified signatures of active employee members (other than the board candidate) eligible to sign the petition (on paper or electronic). Submitted signatures on the petition must include the members' name (printed clearly), signature, state agency where employed, and the last four digits of the member's social security number. The following individuals will not be considered eligible to sign active employee member petitions:
 - a. Retired members of the system,
 - b. Active, term-vested, or retired members of the judicial and administrative law judges plan;
 - c. Members on long-term disability; and
 - d. Survivors of deceased members of the system including survivors of members of the judicial and administrative law judges plan.
3. Each candidate must submit the following items:
 - a. A summary of information (i.e. candidate biography) regarding his or her background (which may include years of service, department experience, reasons for wanting to serve, etc.) and qualifications, not to exceed three hundred (300) words. Formatting of this information for public disclosure will be under the direction of staff members.
 - b. Copies of the campaign finance disclosure forms sent to the Missouri Ethics Commission which indicate the amounts and sources of all contributions received and amounts and receipts of all expenditures. The candidates are required to file such campaign finance disclosure forms pursuant to Section 104.460 RSMo.

4. If a newly elected board member representing the active employee members is no longer an employee after the election and before the start of their term, the candidate receiving the next highest number of votes will be declared elected.
5. A board member representing active employee members who is no longer an employee while serving on the Board will be considered to have resigned from the Board. The Board will appoint an active employee member to serve the balance of the Board member's term in accordance with Section 104.450, RSMo.

D. Retiree Member – Candidate Eligibility

1. An eligible candidate for the retiree member position shall be a member of the Missouri State Employees' Retirement System who is receiving retirement benefits as of June 1 of the election year. The following individuals will not be considered eligible candidates for the retiree member board election:
 - a. Active employee members of the system;
 - b. Term-vested members of the system;
 - c. Active, term-vested, or retired members of the judicial and administrative law judges plan;
 - d. Members on long-term disability; and
 - e. Survivors of deceased members of the system including the judicial and administrative law judges plan.
2. Valid nominating petitions for the retiree member election must have in total at least twenty-five (25) verified signatures of retired members (other than the board candidate) eligible to sign the petition (on paper or electronic). Each line item on the retiree member petition signature sheet must indicate the members' name (printed clearly), signature, state agency where the retiree member was last employed, and the last four digits of the member's social security number. The following individuals will not be considered eligible to sign retiree member petitions:
 - a. Active employee members of the system;
 - b. Term-vested members of the system;
 - c. Active, term-vested, or retired members of the judicial and administrative law judges plan;
 - d. Members on long-term disability; and
 - e. Survivors of deceased members of the system including survivors of members of the judicial and administrative law judges plan.
3. Each candidate must submit the following written statements:
 - a. A summary of information (i.e. candidate biography) regarding his or her background (which may include years of service, department experience, reasons for wanting to serve, etc.) and qualifications, not to exceed three

hundred (300) words. Formatting of this information for posting on the system's website will be under the direction of staff members.

- b. Copies of the campaign finance disclosure forms sent to the Missouri Ethics Commission which indicate the amounts and sources of all contributions received and amounts and receipts of all expenditures. The candidates are required to file such campaign finance disclosure forms pursuant to Section 104.460 RSMo.
4. If a newly elected board member representing the retired members becomes employed in a MOSERS' benefit eligible position or dies after the election and before the start of their term, the candidate receiving the next highest number of votes will be declared elected.
5. A retiree board member who becomes employed in a MOSERS' benefit eligible position or dies while serving on the Board will be considered to have resigned from the Board. The Board will appoint a retiree member to serve the balance of the retiree member's term in accordance with Section 104.450 RSMo.

E. Election Ballots, Voting, and Results

Election Ballots

1. Staff members will provide the Election Administrator with a list of approved candidates, the years of state service, and current employer or agency retired from, whichever is applicable, and retirement date for the election ballot.
2. Names of candidates will be listed on the election ballot or in a supplemental publication in random order at the discretion of the Election Administrator. In no event will names of candidates be placed in alphabetical order on the election ballot or in a supplemental publication other than by happenstance. Each election ballot will include instructions for voting.
3. Election ballots for an active employee member election will allow selection of one (1) or two (2) active employee member candidates to become board members depending on the number of positions up for election, which is determined by state law. If the election is for two board positions, the two candidates receiving the highest number of votes will be declared elected. If the election is for one (1) board position, the candidate receiving the highest number of votes will be declared elected. If a tie shall occur between two (2) or more candidates receiving an identical number of votes, the winner shall be determined by a toss of a coin.
4. Election ballots for retiree members will allow selection for one (1) retiree member candidate to become a board member. The one (1) candidate receiving the highest number of votes will be declared elected. If a tie shall occur between two (2) or more candidates receiving an identical number of votes, the winner shall be determined by a toss of a coin.

Voting

5. Election ballots may be cast either online or via telephone. MOSERS will provide the necessary contact information of eligible voters to the Election Administrator.
6. The voting period will be at least 30 calendar days in length. The beginning date of the voting period will be set by staff but shall not be set prior to August 1st nor later than November 15th of the year of election. Balloting will cease at 5:00 pm Central Time on the last day of the board election.
7. An eligible voter for the active employee member position shall be a member of the Missouri State Employees' Retirement System who is not receiving retirement benefits as of the last day of the month proceeding the month in which the election is to be held. Active employee member election ballots will not be sent to the following individuals:
 - a. Members of the judicial plan;
 - b. Members of the administrative law judges' plan;
 - c. Retired members; and
 - d. Survivors.
8. An eligible voter for the retiree member position shall be a member of the Missouri State Employees' Retirement System who is receiving retirement benefits as of the last day of the month proceeding the month in which the election is to be held. Retiree member election ballots will not be sent to the following individuals:
 - a. Term-vested members;
 - b. Long-term disability recipients;
 - c. Members of the judicial plan;
 - d. Members of the administrative law judges' plan;
 - e. Active employee members; and
 - f. Survivors.

Results

9. Results of the election will be certified to the Executive Director by the Election Administrator by the next business day after count completion. The election results will be distributed to all members of the Board and candidates by staff no later than 5 business days of the certification to the Executive Director.
10. Election ballots will be maintained by the Election Administrator for a period of one year to allow for recounts. After one year from the date of the certification of the results, all election ballots will be destroyed.
11. Newly elected Board members will begin their terms in January of the year following the election year.

F. Invalid Election Ballots

1. The following are declared to be invalid election ballots and shall not be counted in the election:
 - a. Election ballots submitted by a person who is not an eligible voter as defined above;
 - b. If the same candidate is voted for more than once by the same voter;
 - c. Election ballots not received within the time period prescribed in this Rule;
 - d. Internet or telephone election ballots not cast in the manner described by the Election Administrator; and
 - e. Election ballots received by the system by any method (mail, facsimile, email, hand-delivered, etc.).
2. Only election ballots received by 5:00 pm Central Time on the last day of the board election will be counted.

G. Communication

1. The system will send at least three communications (letter, postcards, emails, etc.) to members in the year of election, which state the nominating process, voting period, how to vote, and where to find candidate biographies.
2. The system will post on its website information to cover all aspects of the election, including but not limited to the following:
 - a. Summary of Board of Trustees' responsibilities
 - b. Election timeline;
 - c. Eligibility requirements;
 - d. Nomination process;
 - e. Nominating petitions;
 - f. Ethics forms; and
 - g. Candidate biographies (once available).

AUTHORITY: Section 104.1063, RSMo Supp. 1999. Original rule effective Nov. 17, 2005. Amended: Nov. 19, 2009; July 23, 2013; Dec. 21, 2020.

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