



**LIFEPATH SYSTEMS
REQUEST FOR PROPOSALS FOR
INVESTMENT ADVISOR
RFP# 1122**

ISSUED: November 15, 2022

RESPONSES DUE: November 21, 2022

**LIFEPATH SYSTEMS
1515 HERITAGE DR.
MCKINNEY, TX 75069
972-562-0190**



REQUEST FOR PROPOSALS INVESTMENT ADVISOR RFP#1122

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**LIFEPATH SYSTEMS REQUEST FOR PROPOSALS
FOR INVESTMENT ADVISOR**

I. INTRODUCTION

Collin County Mental Health Mental Retardation Center d/b/a LifePath Systems (the “Center”) was founded in 1986. It is the Local Behavioral Health Authority (LBHA) and the Local Intellectual and Developmental Disabilities Authority (LIDDA) for Collin County, Texas as authorized by the Texas Health and Human Services Commission (HHSC). In addition to its role as Authority, the Center is a provider of behavioral health services and a provider of services for individuals with intellectual or developmental disabilities.

Throughout this RFP, reference to “Center” is assumed to define and include LifePath Systems. Reference to the “firm” is assumed to include the public investment firm/individual and any other firms/individual and/or personnel with which the firm has elected to partner for purposes of this RFP.

The Center is seeking Statement of Qualifications from firms/individuals who demonstrate extensive experience to provide investment advisory services for the Center’s portfolio approximately valued at \$50,000,000.00.

The Center has prepared a Request for Proposal that includes the Center’s current investment policy, the scope, and the format for responding to our request. The Center reserves the right to select one or more contractors based on identifying the most qualified firm to provide services it seeks. This information may be obtained at: <https://www.lifepathsystems.org/connect-with-us/contracting-opportunities/>

II. CALENDAR OF EVENTS

<u>Target Date</u>	<u>Description</u>
November 15, 2022	Request for Proposals distributed to prospective investment services companies.
November 21, 2022	Receive proposals from interested investment companies by 3:00 p.m. (CT) to Purchasing Manager.
November 22-23, 2022	Evaluation of submissions.
December 1, 2022	Recommendation to LPS Board of Trustees.



III. SCOPE OF WORK

This scope of work covers the following requirements to provide investment broker-dealer services to the Center on an “as-needed basis.” The “as-needed” Request for Proposals (RFP) allows the Center to pre-qualify firms for specific investment broker-dealer services in accordance with the Investment Policy and PFIA. Investment broker-dealer services shall include, but are not limited to all work necessary to:

1. Review and keep the Center abreast of market trends and expectations in an effort to make proficient and efficient recommendations to maximize portfolio returns.
2. Maintain a proficient working knowledge of the Public Funds Investment Act (PFIA).
3. Assist in developing and implementing investment strategies that will enhance portfolio performance under current and anticipated changes in market conditions within the parameters of established investment policies and cash flow needs.
4. Make presentations to the Center’s Board, as needed, to support recommendations relating to investment strategy.
5. Provide non-discretionary management of the Center’s investment portfolio by acting solely in an advisory and administrative capacity within the guidelines of the Center’s Investment Policy and at the direction of authorized Center staff.
6. Provide monthly and quarterly portfolio reports in a format acceptable to the Center and compliant with State law.
7. Execute securities purchases/sales upon verbal instructions from authorized Center staff. After a trade is executed, the advisor must confirm to the Center by fax or email all details of the trade. The Center is responsible for instructing the Bank to either accept or deliver securities transacted.

IV. CERTIFICATIONS

Each respondent must provide documentation of the following investment-broker certifications:

1. Documentation of membership in the Securities Investor Protection Corporation.
2. Documentation of registration with the Security Exchange Commission or the Texas State Securities Board.
3. Documentation of Financial Industry Regulatory Authority (FINRA) Report.

V. CONTRACT TERM

The contract term, if any, for contract(s) awarded from this solicitation will be one (1) year with renewal options of four (4) one-year time periods.

VI. CRITERIA FOR EVALUATION

An evaluation committee for the Center will evaluate and make a recommendation to the Board of Trustees on the ranking of the Request for Proposal for Investment Advisor.

1. Qualifications and Experience of Firm (30 Points)

- a. Include a description of the firm including firm's history and size. Provide information regarding how long the respondent has provided the services requested in this solicitation. If the respondent is a corporation, limited partnership, limited liability company, or other formally organized entity, indicate the state in which the entity is chartered and the respondent's principal place of business.
- b. Describe previous experience, if any, with the Center or other similar entities. Include how many public entities are in your current client base. Did your company perform satisfactorily to the terms and conditions of the last award given to your company? Were there any discrepancies, issues or complaints reported concerning your organization's performance?

2. Qualifications and Experience of Personnel (25 Points)

- a. Provide brief resumes for key staff members outlining direct qualifications and experience. Provide certification cards, if required.
- b. Provide a list of accounts where key staff members have provided similar investment-broker services as detailed in this RFP. Include a description of their express roles, as well as, length of time spent on each aforementioned account.

3. Project Understanding, Approach, and Management (20 Points)

- a. Explain the proposed methodology to identify the key metrics used to measure your firm's performance in delivering investment-broker services required in this RFP. Include the frequency of measurement and how such measurements will be utilized to improve performance, monitor quality of work, decipher customer satisfaction, and track problems both externally and internally.
- b. Describe the various technological tools, methods, and expertise that your firm will provide.

4. References (10 Points)

- a. The respondent shall provide at least three references on recent projects for which the respondent's company is currently providing or has provided the same type and level of service required in this RFP within the past three years. The name, address, telephone number, and valid email address of a reference person who may be contacted for further information must be listed. It is highly preferable that these references are other Behavioral Health Centers or public sector accounts comparable in size or larger. All references will be contacted by email. Evaluations will be based on responses received from references. It is advisable to notify your references ahead of time that a reference will be requested by email.

5. Certifications (10 Points)

The following certifications shall be submitted as separate Response Attachments:

- a. Documentation of membership in the Securities Investor Protection Corporation.
- b. Documentation of registration with the Security and Exchange Commission or the Texas State Securities Board
- c. Documentation of Financial Industry Regulatory Authority (FINRA) Report and FINRA's Central Depository Registration (CRD) number.
- d. Documentation of Investment Policy Certification.
- e. Annual current year audited financial statements.
- f. The respondent shall certify that the firm has, or has the ability to, obtain adequate financial resources during the performance of any contract and is in good financial standing.
- g. The respondent shall certify that the firm is not delinquent in any taxes owed under Chapter 171, Tax Code to the State of Texas and is current in all payment of taxes and fees.
- h. The respondent shall certify that the firm is not currently in default on any loan or financial agreement with any bank, financial institution, or other entity and the company is not currently in default on any loan or financial agreement.

6. Reporting (5 Points)

- a. Describe and submit samples of the records, investment reports, and frequency of scheduled meetings that would keep the Center staff informed. Include the methods and formulas used to calculate yield and performance.

Total evaluation possible points for the Request for Proposal for Investment Advisor is one hundred (100) points.

VII. GENERAL CONDITIONS

The following conditions and information apply to all proposals:

1. Right to Accept or Reject Any/Or All Proposals. The Center reserves the right to accept or reject any or all proposals submitted and to waive any informality in proposals received. The Center also reserves the right to request additional information from proposers. The award will be made to the firm which, in the opinion of the Center, is the best qualified and is in the best interest of the Center.
2. Late Proposals. Proposals received after the submission deadline shall be unopened and will be considered VOID AND UNACCEPTABLE. The Center is not responsible for the lateness of mail, courier, etc.
3. Altering Proposal. Proposals cannot be altered after the submission deadline. Any interlineations, alteration, or erasure made before the opening must be initialed by the signer of the proposal.
4. Addenda. Any interpretations, corrections, or changes to this proposal will be made by addenda. Sole issuing authority of addenda will be vested by the Center. Addenda will be mailed, faxed, or emailed to all parties that are known to have received a copy of the proposal.
5. Payment Method. Payment will be a percentage fee agreed upon the Center and firm at the time of entering a contractual agreement with payments distributed as stated in the agreement. Any additional services contracted for will likewise be a percentage fee.
6. Indemnification. The proposer will indemnify the Center against any claims, demands, and judgments of sums of money to any party accruing against the Center for the loss of life or injury or damage to persons or property growing out of or resulting from this agreement.
7. Termination for Default. The Center reserves the right to enforce the performance of this contract in any manner prescribed by law or deemed to be in the best interest of the Center in the event of breach of default of this contract. Non-performance of the proposer in terms of specifications shall be a basis for the termination of the contract by the Center. The Center shall not pay for services which are unsatisfactory. Firms will be given a reasonable opportunity before termination to correct the deficiencies. This, however, shall in no way be construed as negating the basis for termination for non-performance.
8. Independent Contractor. The Contractor will be considered an independent contractor and not an employee of the Center for any purpose. The Center will not withhold or pay on behalf of Contractor any sums for income tax, unemployment insurance, social security, or any other withholding, or make available to bidder any of the benefits, including workers' compensation insurance coverage, afforded to employees of the Center. All such benefits, if any, are the sole responsibility of the bidder.
9. Insurance. Contractor agrees to maintain at its sole cost and expense policies of general and liability insurance coverage in order to insure bidder and the Center against any claim for damages arising in connection with bidder's responsibilities under the contract. The Contractor shall furnish copies of the general and liability insurance policies and a certificate of insurance to the Center prior to execution of the contract.



10. Confidentiality of Information and Prohibition Against Disclosure. In accordance with Texas Health and Safety Code, Chapter 611, and the Texas Administrative Code, Chapter 414, Subchapter A, "Protected Health Information", the bidder may not disclose confidential communications or records except as provided by Section 611.004 or 611.0045.

VIII. PROCEDURES FOR SUBMITTING SEALED PROPOSAL

Along with a copy of your standard contract, which will be subject to review, negotiation, and possible revision, please include the following items in any Proposal submitted in response to this RFP:

1. Project Understanding, Approach, and Management
2. Reporting
3. Additional Costs (optional)
4. Documentation of membership in the Securities Investor Protection Corporation.
5. Documentation of registration with the Securities and Exchange Commission or the Texas State Securities Board
6. Documentation of Financial Industry Regulatory Authority (FINRA) Report and FINRA's Central Depository Registration (CRD) number
7. Annual current year audited financial statements
8. Statement the company is in good financial standing.
9. Statement the company is current in all payment of taxes and fees.
10. Statement the company is not currently in default on any loan or financial agreement.
11. Investment Policy Certification
12. Firm will submit a copy of their standard contract, along with proposal. Label this (Attachment A)
13. Signature Page (Attachment B)
14. Resident/Non-Resident Certification (Attachment C)
15. Assurances Document (Attachment D)
16. Conflict of Interest Questionnaire (Attachment E)
17. Firm shall review Texas Administrative Code §412.54(c) and provide a written response signed by Authorized Individual (Attachment F)
18. Firm shall review Texas Health and Safety Code §250.006 and provide a written response signed by Authorized Individual (Attachment G)



19. Form W-9 (Attachment H)
20. Lobbying Certification (Attachment I)
21. Deviation Form (Attachment J)

Sealed proposals are due no later than 3:00 pm on November 21, 2022. Proposals will be unsealed at 4:00 pm the same day. One electronic copy on separate USB flash drives and two bound copies of each document should be addressed to:

LifePath Systems

ATTN: Willy Villavicencio, Purchasing Manager

1515 Heritage Dr.

(Hand deliveries to Suite 105)

McKinney, TX 75069

wvillavicencio@lifepathsystems.org

IX. BOARD OF TRUSTEES APPROVAL

The Center's Board of Trustees will approve the award to the selected proposer.

The Center reserves the right to reject, for any reason and at its sole discretion, in total or in part, any and/or all proposals, regardless of comparability for price, terms or any other matter, to waive any formalities, and to negotiate based on the proposals received for the most favorable terms and best service for the Center. If the Center's funding is materially decreased during the contract term, the contract may be amended and/or terminated.

No contract shall be deemed to exist between the Center and any contractor until a mutually acceptable, comprehensive, and binding agreement has been executed by the Center and that firm. A countersigned copy of the qualification's proposal or any other preliminary written agreements shall not suffice to bind the Center to any legal obligation of any kind whatsoever with regard to the work considered hereby.



X. REQUEST FOR PROPOSAL INQUIRIES

Questions or comments can be submitted to Willy Villavicencio, 469-963-3820 or wvillavicencio@lifepathsystems.org

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LifePath Systems Purchasing Department**



**ATTACHMENT B
SIGNATURE PAGE**

The attached proposal application is being submitted in response to the Request for Proposal RFP# 1122. The proposal is a firm offer and shall remain an open offer, valid for ninety (90) days from the date of this document.

LifePath in its sole and absolute discretion shall have the right to award contracts for any or all materials listed in each proposal, shall have the right to reject any and all proposals and shall not be bound to accept the lowest proposal and shall be allowed to accept the total proposal of any one vendor. I understand that this proposal will be reviewed and evaluated according to the procedures indicated in this RFP.

Authorized Signature

Company Name

Typed or Printed Name

Street Address

Title

City, State, Zip Code

Telephone Number

Fax Number

Email



ATTACHMENT C

RESIDENT/NON-RESIDENT CERTIFICATION

Contractor must answer the following questions in accordance with the Texas Government Code §2252.002, as amended:

- A. Is the Contractor that is making and submitting this bid a “resident Contractor” or a “non-resident Contractor”?

Answer: _____ Resident Contractor _____ Non-resident Contractor

(1) Texas Resident Contractor - A Contractor whose principal place of business is in Texas and includes a Contractor whose ultimate parent company or majority owner has its principal place of business in Texas.

(2) Nonresident Contractor - A Contractor who is not a Texas Resident Contractor.

- B. If the Contractor is a “Non-resident Contractor”, does the state in which the Nonresident Contractor’s principal place of business is located have a law requiring a Nonresident Contractor of that state to bid a certain amount or percentage under the bid of a Resident Contractor of that state in order for the nonresident Contractor of that state to be awarded a contract on his bid in such state?

Answer: _____ Yes _____ No Which state? _____

- C. If the answer to Question B is “yes”, then what amount or percentage must a Texas Resident Contractor bid under the bid price of a Resident Contractor of that state in order to be awarded a contract on such bid in said state?

Answer: _____

**ATTACHMENT D
ASSURANCES DOCUMENT**

The firm assures the following:

1. All addenda and attachments to the RFP as distributed by the Local Authority and designated by the checklist have been received.
2. No attempt has been or will be made by the firm to induce any person or firm to submit or not to submit a Proposal, unless so described in its Proposal.
3. The firm does not discriminate in its services or employment practices on the basis of race, color, genetic information, religion, sex, national origin, disability, veteran status, or age.
4. All cost and pricing information is reflected in the RFP response documents or attachments.
5. The firm accepts the terms, conditions, criteria, and requirements set forth in the RFP.
6. The firm accepts the Center's right to cancel the RFP at any time prior to Contract award.
7. The firm accepts the Local Authority's right to alter the timetables for procurement that are set forth in the RFP.
8. The Proposal submitted by the firm has been arrived at independently without consultation, communication, or agreement for the purpose of restricting competition.
9. Unless otherwise required by law, the information in the Proposal submitted by the firm has not been knowingly disclosed by the firm to any other firm prior to the notice of intent to award.
10. No claim will be made for payment to cover costs incurred in the preparation of the submission of the Proposal or any other associated costs.
11. Local Authority has the right to complete background checks and verify information.
12. The individual(s) signing this document and any Contract awarded to firm is authorized to legally bind the firm.
13. No employee of the Local Authority and no member of the Local Authority's Board will directly or indirectly receive any pecuniary interest from an award of the proposed Contract to firm. If the firm is unable to make the affirmation, then the firm must disclose any knowledge of such interests. See Attachment F.
14. The firm is not currently held in abeyance or barred from the award of a federal or state contract.
15. The firm is not currently delinquent in its payments of any franchise tax or state tax owed to the state of Texas, pursuant to Texas Business Corporation Act, Texas Civil Statutes) Article 2.45.
16. The firm shall disclose whether any of the directors or personnel of Proposer has either been an employee or a trustee of Local Authority within the past two (2) years preceding the date of submission of the Proposal. If such employment has existed, or at term of office served, the Proposal shall state in an attached writing the nature and time of the affiliations as defined. See Attachment F.
17. The firm shall identify in an attached writing any trustee or employee of Local Authority who has a financial interest in the firm or who is related within the second degree by consanguinity or affinity to a person having such financial interest. Such disclosure shall include a complete statement of the nature of such financial interest and the relationship, if applicable. See Attachment F.
18. No former employee or officer of the Local Authority directly or indirectly aided or attempted to aid in procurement of firm's service.



19. The firm shall disclose in an attached writing the name of every Local Authority employee and/or member of Local Authority's board with whom the firm is doing business or has done business during the 365-day period immediately prior to the date on which the Proposal is due. Failure to include such a disclosure will be a binding representation by firm that the natural person executing the Proposal has no knowledge of any key persons with whom the firm is doing business or has done business during the 365 day period prior to the immediate date on which the Proposal is due. See Attachment F.
20. Under Section 231.006, Family Code, the vendor, or applicant certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated, and payment may be withheld if this certification is inaccurate. For purposes of the foregoing sentence, "vendor or applicant" shall mean firm; contract, bid or application shall mean the Proposal; and "this contract" shall mean any Contract awarded to the Successful firm(s).

Signature of Applicant or Applicant's Authorized Representative

Date

Printed Name

Title (if applicable)



**ATTACHMENT E
CONFLICT OF INTEREST QUESTIONNAIRE**

Please retrieve CIQ Form from the following website:
<https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>
(Attach completed CIQ Form as part of your proposal)

A signature is required in Box 7 regardless of any other entry on the form.

**ATTACHMENT F
DISCLOSURE OF KINSHIP**
Pursuant to the [Texas Administrative Code §412.54\(c\)](#)

**ATTACHMENT G
NOTICE OF FELONY CONVICTION**
Pursuant to the [Texas Health and Safety Code §250.006](#)

**ATTACHMENT H
FORM W-9
REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION**
Vendors are to complete a W-9 Form and submit with Proposal Documents.

<http://www.irs.gov/pub/irs-pdf/fw9.pdf>



**ATTACHMENT I
LOBBYING CERTIFICATION**

The undersigned certifies, to the best of his or her knowledge and belief that:

- 1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or an employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- 2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress an officer or employee of Congress or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- 3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Date

Print Name of Authorized Individual

Title of Authorized Individual

Organization Name



**ATTACHMENT J
DEVIATION FORM**

All deviations to this RFP must be noted on this sheet. In the absence of any entry on this Deviation Form, the prospective firm assures LifePath of their full agreement and compliance with the Specifications and Terms and Conditions.

Each response to this RFP shall contain a Deviation Form, which states the prospective Vendor's commitment to the provisions of the RFP. An individual authorized to execute contracts must sign the Deviation Form. Any exceptions taken to the terms and conditions identified in this Proposal must be expressly stated in the Deviation Form. Use an additional copy or page if needed.

THIS DEVIATION FORM MUST BE SIGNED AND SUBMITTED WITH THE RFP BY EACH PROSPECTIVE VENDOR/CONTRACTOR WHETHER THERE ARE DEVIATIONS LISTED OR NOT. IF NO DEVIATIONS, NOTE: NONE

Reference Specifications, Terms and Conditions and Page Number	Deviation

Company Name

Authorized Signature

Date



NOTICE "NOT TO PARTICIPATE" FORM

Dear Vendor:

Please check the appropriate box below, complete the remainder of this form and return it PRIOR to the scheduled due date and time on the Proposal.

- Our Company cannot provide the products, supplies and/or services listed in this request. Please MOVE our name and address to the following services so that we may submit bids/proposal at a later date:

Services:

- Our Company has chosen NOT to submit a Proposal at this time but would like to remain on your list for this Proposal category. We did not submit a Proposal because:

Reason:

- Please REMOVE our Company name from all LifePath Systems lists until further notice.

Reason:

Company Name: _____

Representative (printed): _____

Title:

Address: _____

Phone:

Email: _____ Fax _____ Other:

***** Authorized Signature:

Title: _____

Date: _____