



Ho-Chunk Nation

Request for Proposal for Auditor to Perform Audit on Employee Benefit Plan (401k) for a Tribal Governmental Organization

RFP Number: 111717HCN401K

Release Date: 11/17/2017

Proposal Due Date: 12/15/2017

**Questions should be directed to the Ho-Chunk Nation Treasury Office, via email to:
Treasury_rfp@ho-chunk.com**

Instructions to Proposers

All spaces below are to be filled in and Proposal Letter on page two must be signed where indicated. Failure to sign and return Proposal Letter will cause rejection of the proposal.

Proposal of:

Name: _____

Address: _____

Telephone: _____

Facsimile/Email: _____

**Submit Proposal to:
Ho-Chunk Nation
Treasury Department
Attn: Procurement Dept.
W9814 Airport Road
Black River Falls, WI 54615
REQUEST FOR PROPOSAL Deadline: 12/15/2017**

Ho-Chunk Nation Proposal Letter

We propose to furnish and deliver any and all of the deliverables and services named in the attached Request for Proposal (RFP) for which the price has been set. The price or prices quoted herein shall apply for the period of time stated in the RFP.

It is understood and agreed that this proposal constitutes an offer, which when accepted in writing by the Ho-Chunk Nation is subject to the terms and conditions of such acceptance and will constitute a valid and binding contract between the undersigned and the Ho-Chunk Nation.

It is understood and agreed that we have read the Ho-Chunk Nation's specifications shown or referenced in the RFP and that this proposal is made in accordance with the provisions of such specifications. By our written signature on this proposal, we guarantee and certify that all items included in this proposal meet or exceed any and all such specifications.

The laws of the Ho-Chunk Nation will govern any agreement relating to the provision of goods and services contemplated by this RFP. In addition, the service provider under such an agreement will comply with all applicable laws, regulations, and policies of the Nation.

It is understood and agreed that this proposal shall be valid and held open for a period of one hundred and twenty (120) days from the proposal opening date.

PROPOSAL SIGNATURE AND CERTIFICATION (Proposal Letter must be signed and returned with proposal)

I certify that this proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting a proposal for the same materials, supplies, equipment, or services and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of State and Federal Law and can result in fines, prison sentences, and civil damage awards. I agree to abide by all conditions of the proposal and certify that I am authorized to sign this proposal for the proposer.

Authorized Signature _____ Date _____

Print/Type Name _____

Print/Type Company Name _____

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BACKGROUND INFORMATION

General

The Ho-Chunk Nation (Nation) is a sovereign government dedicated to improving the lives of its constituents. In 1963, the Wisconsin Winnebago Nation was recognized as a federal tribe pursuant to the Indian Reorganization Act of 1934. On November 1, 1994, the Wisconsin Winnebago Nation officially changed its name to the Ho-Chunk Nation when the Secretary of the Interior formally recognized its new constitution. The Nation's main office is located in Black River Falls, Wisconsin. In addition to its government operations, the Nation currently operates six (6) gaming facilities, two (2) hotels, a resort, a convention center, five (5) convenience stores, a gift shop and a number of other ancillary businesses.

The Ho-Chunk Nation has over 3,500 employees. The Ho-Chunk Nation 401k Plan & Trust began in 1999. As of November 15, 2017 the 401k plan had 2,270 participants. The Plan & Trust is a single-employer defined contribution 401k retirement plan that is administered by the Nation and is available for employees' investments depending on their personal goals and objectives.

The eligibility requirements are one year of full employment. The employee shall be fully vested after six years of employment. Participants can contribute up to \$17,500 of pre-tax annual compensation or those participants who have obtained the age of 50 are eligible to make catch-up contributions of no more than \$5,500 before the end of the Plan year. The Nation matches 100% of the participant deferral not to exceed 2% of the base compensation. Participants may borrow from the Plan. Net assets of the Plan as of November 15, 2017 are approximately \$50 million.

Scope of Work

The purpose of this Request for Proposal (RFP) is to obtain competitive proposal packages from responsible, qualified vendors to provide an audit of the Employee Benefit Plan (401k) services for a tribal government organization. The objective of this proposal is to enter into a contract with a qualified vendor to provide financial audit services. This is a limited scope audit in accordance with DOL regulation 29 CFR 252.103-8. The audit must be performed in accordance with generally accepted auditing standards as well as ERISA and DOL requirements.

The Ho Chunk Nation seeks an experienced public accounting firm, whose principle officers are independent certified public accountants, certified or licensed by a regulatory authority of a state or other political subdivision of the United States. The Nation typically re-bids audits every 3 to 5 years. We have been with the current vendor for a time period that requires re-bidding.

The audit period shall be for the fiscal year beginning July 1, 2016 and ending June 30, 2017. Pricing should include a base period plus two option periods. Please note however, the contract, regardless of the length of the term will be subject to the Nation's right to terminate the contract, with or without cause, upon prior written notice.

1.0 DESCRIPTION OF REQUIREMENTS

Introduction

Ho-Chunk Nation has established certain requirements with respect to proposals to be submitted by offerors. Whenever the terms “shall”, “must”, “will” or “is required” are used in the RFP, the specification being referred to is a mandatory requirement for this RFP. Failure to meet any mandatory requirement will cause rejection of offeror’s proposal.

Whenever the terms “can”, “may” or “should” are used in the RFP, the specification being referred to is a desirable, thus failure to provide any items so termed will not be cause for rejection but will probably cause a reduction in the score awarded.

1.1 Items to be Provided in Proposal

The offeror’s proposal shall address each of the items included in the scope of work and the additional items listed below. The offeror’s proposal shall include an agreement pursuant to which it will perform the services set forth herein.

3.2.2 Organization

The offeror must describe its organization, history, size and structure. Below is a list of categories that must be addressed within your RFP response.

- a) The offeror shall provide its legal name, official address, and the primary RFP contact’s name, phone number, email address and fax number.
- b) The offeror must provide a brief history of its firm to include size and location.
- c) The offeror shall describe your firm’s ownership structure.
- d) The offeror must describe if its firm is a member of the AICPA Employee Benefit Plan Audit Quality Center.
- e) The offeror shall provide it’s Peer Review Report, Letter of Comments, and your firm’s response, if any.
- f) The offeror must describe any significant developments affecting their firm in the last five years, such as changes in ownership, restructuring, personnel changes, reorganization, or philosophy. Please note any planned or anticipated changes in the ownership or management of your firm during the next two years.
- g) The offeror shall identify the states your firm is licensed to practice.
- h) The offeror shall identify their insurance coverage (error and omissions, workers’ compensation, etc.)
- i) Over the past five years, has your organization or any of its affiliates or parent, or any office or principal been involved in any business litigation or other legal proceedings?
- j) Describe if your firm has been the subject of any DOL finds or referrals, or any AICPA, or State Society Ethics referrals.
- k) The offeror must state whether their firm meets the independence standards of the AICPA and the DOL.
- l) The offeror shall identify the length of time working papers are retained, and access policies and requirements.

- m) Describe in detail any potential conflict of interest your firm, affiliates or parent may have in management of this account and your method of dealing with conflicts of interest.

3.2.1 Offeror Experience

The offeror shall describe its prior auditing experience including the names, addresses, contact person and telephone numbers of at least 3 prior organizations audited.

Experience shall include the following categories:

- a) The offeror shall describe their experience in auditing employee benefit plans.
- b) The offeror shall describe past experience working with Tribal Governments.
- c) The offeror shall identify the number of similar type plan audits; including size of each plan (include the number of participants).
- d) The offeror shall identify the number of employee benefit plan clients gained or lost in the past 5 years.

3.2.2 Offeror References

The offeror shall describe its prior auditing experience including the names, addresses, telephone numbers and contact person of at least 3 prior organizations audited (401k). Please note any 401k clients that are tribal governments, enterprises, or corporations.

- a) The offeror shall identify the total number of employee benefit plan (EBP) clients and average length of relationships.
- b) The offeror shall provide at least three references with specific confirmation and have similar 401k plans. Please note any 401k clients that are tribal governments, enterprises, or corporations.
- c) The offeror shall identify the number of similar type plan audits, including the size of each plan including number of participants.

3.2.3 Staff Qualifications

The offeror shall describe the qualifications of staff to be assigned to this audit. This section must include the following:

- a) Names, titles and biographies of key personnel who would be directly responsible for performing the audits. Include education and experience.
- b) Offeror shall state the name of the partner in charge of your CPA firm's employee benefit plan audit practice.
- c) Indicate the partner/manager in charge of the audit, if determined.
- d) Identify expected level of staffing and supervision.
- e) Detail their roles and the scope of their involvement for this assignment.
- f) Detail prior employee benefit plan experience and training of the key personnel that would be assigned to this engagement.

3.2.4 Performance

The proposal shall set forth a work plan including an explanation of the audit methodology to be followed. The offeror will be required to provide the following information on their audit approach:

- a) Proposed segmentation of the engagement.
- b) Level of staff and number of hours to be assigned to each proposed segment of the engagement.
- c) Identify your audit approach (for example, statistical sampling, analytical procedures, methodology for documenting, electronic data processing used in your firm's auditing process).
- d) Expected completion dates for each portion of the engagement.
- e) Expected level of plan staff assistance to the audit firm.
- f) Types of reports to be issued.
- g) Information that is expected to be provided by the Plan to the offeror.
- h) Workspace requirements of the offeror.
- i) Tax or other services that the offeror is able to provide.

3.2.5 Fee

The offeror shall propose a detailed fee schedule for each of the services rendered. This schedule shall include a price breakdown for a base period plus two option periods. The pricing documents shall include the following:

- a) Clearly indicate how the price was determined.
- b) Estimated number of hours by staff level, including hourly rates and total cost by staff level.
- c) Any out of pocket expenses should be included. Include a not to exceed estimate of travel and other associated reimbursements.
- d) Please describe any discounts if given.
- e) Describe any additional costs that would be added to the pricing, if applicable.

3.2.6 Audit Review & Reports

Reports Due

The offeror shall submit twenty-five copies of all final reports to the Tribal Treasurer for distribution to tribal leaders.

Workpapers

The offeror shall summarize all audit findings, observations, conclusions and recommendations in a workpapers file that without further oral explanation will support the financial statements

reported on. The audit workpapers shall be made available for review by the Federal Cognizant audit agency and the U.S. General Accounting Office during the course of the audit and for a period of three years after the audit has been accepted by the Federal Cognizant audit agency.

Entrance and Exit Conferences

Entrance and Exit Conferences shall be held with the Nation and must be coordinated with the Nation's Treasurer. The offeror shall present an oral report on the final audit results to the appropriate Legislative Committee as arranged by the Nation's Treasurer.

Basic Guidelines for the Request for Proposal

The proposals shall be evaluated in accordance with the evaluation criteria set forth in this Request for Proposal (RFP). Offerors shall be accorded fair and equal treatment with respect to any revision of proposals; and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers.

There shall be no disclosure of any information derived from proposals submitted by competing offerors. Questions about the RFP can be submitted to the following email address: Treasury_RFP@ho-chunk.com. Responses will be posted to the Ho-Chunk Nation website at <http://ho-chunknation.com/Proposal>

Awards shall be made to the responsible offeror whose proposal is determined to have the best value for the Ho-Chunk Nation, taking into account all of the evaluation factors set forth in the RFP. Ho-Chunk Nation reserves the right to reject any and all proposals submitted in response to this request.

4.1 Schedule of Events

| | |
|--|-------------------|
| Release of RFP on Website | November 17, 2017 |
| Deadline for Questions by e-mail | December 1, 2017 |
| Internet Posting of Answers to written questions | December 6, 2017 |

Offerors should consult the website: <http://ho-chunknation.com/Proposal> daily for RFP Q&A, clarifications, schedule changes or other important information.

| | |
|------------------------------|--------------------|
| Proposals Due Date | December 15, 2018 |
| Offeror Phone Interviews | January 2-12, 2018 |
| Proposed Contract Award Date | January 22, 2018 |
| Proposed Start Date | February 19, 2018 |
| Final report issued | March 5, 2018 |

4.2 Restriction on Communications with Staff

From the issue date of this RFP until an offeror is selected and the selection is announced, offerors are not allowed to communicate for any reason with any Ho-Chunk Nation staff or

elected officials except through email at Treasury_RFP@ho-chunk.com named wherein or as provided by existing work agreement(s). For violation of this provision, Ho-Chunk Nation shall reserve the right to reject the proposal of the offending offeror. All questions concerning this RFP must be submitted by e-mail to the Treasury_RFP@ho-chunk.com and shall reference the numbered item for which the question is asked.

2.0 Proposal Submissions and Evaluations

Economy of Presentation

Each proposal shall be prepared simply and economically, providing straightforward, concise delineation of offeror's capabilities to satisfy the requirements of this RFP. Fancy bindings, colored displays, and promotional material are not required. Emphasis on each proposal must be on completeness and clarity of content.

Submission of Proposals

All proposals are due at the location specified no later than the date and time specified herein. Please submit an original (1) and (10) copies of the RFP to:

Ho-Chunk Nation
Department of Treasury
Attn: 111717HCN401K
P.O. Box 640
W9814 Airport Road
Black River Falls, WI 54615

All proposals must be delivered to the above address no later 4:00 P.M. Central Standard Time on December 15, 2017. Email proposals are not acceptable. Proposals received after the above date and time will not be considered.

**All proposal packages should be identified as:
RFP NUMBER: 111717HCN401K**

Proposal Letter

The Proposal Letter, included as page two of this package, must be included and must be signed by a person authorized to legally bind the company.

FAILURE TO INCLUDE THE SIGNED PROPOSAL LETTER WILL RESULT IN THE REJECTION OF YOUR RESPONSE.

Ho-Chunk Nation reserves the right to reject any or all proposals, to waive any irregularity or informality in a proposal, and to accept any item or combination of terms, when to do so would be to the advantage of Ho-Chunk Nation. It is also within the right of Ho-Chunk Nation to reject proposals that do not contain all elements and information requested in this document. The Nation shall not be liable for any losses incurred by the proposers throughout this process.

Evaluation Criteria and Process

1. Ho-Chunk Nation Procurement Service Review of Proposals

The RFP Coordinator will review all proposals received to ensure that all administrative requirements of the RFP package have been met by the offerors. Each proposal will be reviewed to ensure that all documents requiring a signature have been signed. Failure to meet these basic requirements will be cause for rejection of a proposal. All proposals that meet the administrative requirements will then be turned over to the evaluation team for scoring.

2. Evaluation Team / Process

The Evaluation Team will review all proposals received and determine a ranking. Additionally, the Team may, in its sole discretion and in the course of its evaluation, ask for additional information from the offeror. Factors which determine the award are the quality and completeness of each proposal as it addresses the requirements included in the Statement of Work of the proposal and the following: quality of offeror services; ability to perform the contract in a timely manner; and general responsibility as evidenced by past performance. Price/discounts, although a factor, will not be the sole determining factor in the award of the agreement.

3.0 Terms and Conditions

RFP Amendments

Ho-Chunk Nation reserves the right to addend or amend the RFP prior to the date of proposal submission. Addenda will be posted to the Internet at <http://ho-chunknation.com/Proposal>

Proposal Withdrawal

Prior to the proposal due date, a submitted proposal may be withdrawn by the offeror by submitting a written request to the email address named herein. A person authorized to sign for the offeror must sign all such requests.

Costs for Preparing Proposals

The cost for developing the proposal is the sole responsibility of the offeror; Ho-Chunk Nation will not provide reimbursement for such costs.

Contract

Ho-Chunk Nation reserves the right to add provisions to the contract to be consistent with the successful offeror's offer and to negotiate with the successful offeror other additions to, deletions from, and/or changes in the language in the audit contract. Provided, however, that no such addition, deletion or change in the audit contract language would, in the sole discretion of Ho-Chunk Nation and its legal counsel, affect the evaluation criteria set forth herein, or give the successful offeror a competitive advantage. Any contract with the Ho-Chunk Nation will provide for Ho-Chunk Nation governing law and jurisdiction. This contract will not waive the sovereign immunity of the Ho-Chunk Nation, and will require compliance with all Ho-Chunk Nation laws, ordinances, regulations and procedures, including the Tribal Employment Rights Ordinance.

Prior to award, the winning offeror may be required to enter into discussions with Ho-Chunk Nation to resolve any differences before an award is made. These discussions are to be finalized and all exceptions resolved within one (1) week of notification. If not, this could lead to rejection of the offeror's proposal and to discussions being initiated with the subsequent highest scoring offeror.

Default

In case of failure to provide services in accordance with the terms and conditions, Ho-Chunk Nation, after due oral or written notice, may procure the services from other sources and hold the offeror responsible for any resulting additional cost. This remedy shall be in addition to any other remedies that Ho-Chunk Nation may have.

Conflict of Interest

If an offeror has any existing client relationship that involves the Ho-Chunk Nation that would prevent either from being objective, the offeror must disclose such relationship. The offeror will disclose any professional or personal financial interest which could be a possible conflict of interest in representing the Nation. The offeror shall further disclose any arrangements to derive additional compensation from various investment products, including financial contracts.

Ethics in Public Contracting

By submitting their proposals, all offerors certify that their proposals are made without collusion or fraud and that they have not offered or received any inducements from any other offeror or subofferor in connection with their proposals, and that they have not offered or provided any Ho-Chunk Nation employee or elected official having official responsibility for this procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value.

Confidentiality Requirements and Public Information Disclosure

The staff members that are assigned by the successful offeror to this project may be required to sign a non-disclosure statement.

RFP Cancellations

Ho-Chunk Nation may cancel the RFP or reject proposals at any time prior to an award, and is not required to furnish a statement of the reason why a particular proposal was not deemed to have the best value to the Ho-Chunk Nation. The Ho-Chunk Nation shall not be liable for any losses incurred by the proposers throughout this process.