

AMENDMENT TO RESOLUTION NO. 2015-06

**AMENDMENT TO THE RESOLUTION OF THE CALIFORNIA SECURE CHOICE
RETIREMENT SAVINGS INVESTMENT BOARD RELATING TO THE APPROVAL TO
AMEND AGREEMENT CSCRSIB03-14 FOR MARKET ANALYSIS, FEASIBILITY STUDY,
AND PROGRAM DESIGN CONSULTANT SERVICES**

WHEREAS, the California Secure Choice Retirement Savings Investment Board (the "Board") is established under SB 1234 (Chapter 734, 2012; codified under Government Code section 100000 et seq.) and mandated to conduct a market analysis to determine whether the necessary conditions for implementation of the California Secure Choice Retirement Savings Trust Act (the "Act") can be met, provided that the Board shall conduct the market analysis only if sufficient funds to initiate and complete the required market analysis are made available through a nonprofit or private entity, or from federal funding;

WHEREAS, Government Code section 100042 provides, in part, that the Act shall become operative only if the Board determines that, based on the market analysis, the provisions of the Act will be self-sustaining, and funds are made available through a nonprofit or other private entity, federal funding, or an annual Budget Act appropriation in amounts sufficient to allow the Board to implement the Act until the California Secure Choice Retirement Savings Trust has sufficient funds to be self-sustaining;

WHEREAS, Government Code section 100043 provides that the Board shall not implement the California Secure Choice Retirement Savings Program (the "Program") if the Individual Retirement Account or Individual Retirement Annuity (collectively "IRA") arrangements offered fail to qualify for the favorable federal income tax treatment ordinarily accorded to IRAs under the Internal Revenue Code, or if it is determined that the Program is an employee benefit plan under the federal Employee Retirement Income Security Act;

WHEREAS, the Board has entered into Agreement No. CSCRSIB03-14 (the "Agreement") with Overture Financial LLC for the necessary market analysis, including feasibility study and program design for purposes of the market analysis and legal analysis (the "project");

WHEREAS, the effective date of the Agreement is the date of approval by the Department of General Services, April 22, 2015, and the Agreement was accordingly amended to extend the term through January 31, 2016 to provide sufficient time to complete the project; and

WHEREAS, the unanticipated delayed contract start date resulted in redirection of indirect costs incurred from Fiscal Year 2014/15 to Fiscal Year 2015/16 for one of the subcontractors, UC Berkeley Center for Labor Research and Education;

NOW, THEREFORE, BE IT RESOLVED that the Acting Executive Director is hereby directed and authorized to prepare and take whatever steps necessary to execute an amendment to the Agreement to revise the indirect cost budget.

Attest: 
Chairperson

Date of Adoption: 9/28/2015