

**OC FAIR & EVENT CENTER
STANDARD AGREEMENTS FOR BOARD APPROVAL
DECEMBER 2020**

New

| CONTRACT # | CONTRACTOR | DESCRIPTION | EFFORT TYPE | TERM | RECEIPT AMOUNT | NOT TO EXCEED EXPENSE AMOUNT |
|-------------|-----------------------------------|--|-------------|---------------------------------|----------------|------------------------------|
| SA-006-21SM | Technical Multimedia Design, Inc. | To provide sound monitoring and mitigation consulting services. | Year Round | 01/01/21 -- 12/31/22 | | \$368,934.80 |

Amendments

| CONTRACT # | CONTRACTOR | DESCRIPTION | EFFORT TYPE | TERM | CHANGE IN RECEIPT AMOUNT | CHANGE IN NOT TO EXCEED EXPENSE |
|------------|-----------------------------------|--------------------------------|-------------|--------------------|--------------------------|---------------------------------|
| R1870031 | Cal HR - Dept. of Human Resources | Process Payroll deduction data | Year Round | 8/1/18 - 6/30/2021 | | \$18,000.00 |

STANDARD AGREEMENT

STD 213 (Rev 06/03)

| |
|--|
| AGREEMENT NUMBER CalHR# R1870031 |
| REGISTRATION NUMBER |

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

Orange County Fair (DAA 5032)

CONTRACTOR'S NAME

Department of Human Resources

2. The term of this Agreement is: **08/01/2018** through **06/30/2021**

3. The maximum amount of this Agreement is: **\$**

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

| | |
|---|---------|
| Exhibit A – Scope of Work | 3 pages |
| Attachment 1, Statement of Work | 6 pages |
| Attachment 2, Deduction Codes | 1 page |
| Attachment 3, File Requirements | 5 pages |
| Attachment 4, Sample Contribution Time Table | 1 pages |
| Attachment 5, California Administrative Code Title 2, Section 599.944 | 9 pages |
| Exhibit B – Budget Detail and Payment Provisions | 2 pages |
| Exhibit B-1 – Fee Schedule | 1 page |
| Exhibit C* - General Terms and Conditions | GIA 610 |
| Exhibit D - Special Terms and Conditions | 2 pages |

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto.
These documents can be viewed at www.ols.dgs.ca.gov/Standard+Language

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

Department of Human Resources

BY (Authorized Signature)

DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Mark T. Rodriguez, Chief, Administrative Services Division

ADDRESS

**1515 S Street, North Building, Suite 500
Sacramento, CA 95811**

STATE OF CALIFORNIA

AGENCY NAME

Orange County Fair (DAA 5032)

BY (Authorized Signature)

DATE SIGNED(Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ADDRESS

**88 Fair Drive,
Costa Mesa,, CA 95626**

**California Department of General
Services Use Only**

Exempt per:

EXHIBIT A
SCOPE OF WORK

The California Department of Human Resources (CalHR) agrees to provide services to the District Agricultural Association (DAA) Orange County Fair for the processing of payroll deduction data for Orange County Fair employees mandatory participation in the Part-time, Seasonal, and Temporary (PST) Retirement Program, the Alternate Retirement Program (ARP), and voluntary participation in the Savings Plus 401(k) and 457(b) Plans.

PST Background

In response to the Federal Omnibus Budget Reconciliation Act of 1990, the State established PST as a mandatory retirement program for State employees hired after August 1, 1991 who are not covered by Social Security and are presently excluded from CalPERS because of time base or length of appointment as defined in the Savings Plus 457(b) Deferred Compensation Plan Document. CalHR is the administrator of PST as described in Government Code Chapter 8.5, Section 19999.2.

ARP Background

Senate Bill 1105, chaptered August 11, 2004, established the ARP for new state miscellaneous and industrial employees hired between August 11, 2004 and June 30, 2013. The bill created Chapter 8.6 (commencing with Section 19999.3) to Part 2.6 of Division 5 of Title 2 of the Government Code. Government Code Section 19999.3 authorized the creation of a retirement savings program in lieu of retirement service credit and contributions under CalPERS.

An ARP participant is a state employee who first qualified for membership in the California Public Employees Retirement System (CalPERS) between August 11, 2004 and June 30, 2013, pursuant to Government Code Section 20281.5. As described in Government Code Section 19999.3(a), the ARP participant does not make contributions into the CalPERS defined benefit retirement program for the first 24 months of employment following the date he or she qualifies for and becomes a CalPERS member. Instead, their retirement contributions are deposited into a 401(a) account as allowed by Government Code Section 19999.5. The 401(a) accounts are managed by CalHR. CalHR is the administrator of ARP as described in Government Code Section 19999.31.

Government Code Section 20908(a) specifies that eligible ARP participants can elect to receive CalPERS service credit for the time they worked under ARP but for which they did not accrue credit. The election begins on the first day of the 47th month and ends on the last day of the 49th month after their CalPERS membership date. Government Code Section 20908(b) states that an eligible ARP participant who elects to receive CalPERS service credit shall cause his or her ARP funds, the accumulated 401(a) contributions including earnings, to be transferred to CalPERS.

401(K) Plan & 457(b) Plan Background

The 401(k) Plan and the 457(b) Plan are the voluntary retirement plans available to certain employees and elected officials of the State of California. Pursuant to California Government Code Section 19999.5, the State of California Savings Plus 401(k) Thrift Plan was established October 15, 1985 as a defined contribution, profit sharing plan, intended to meet the applicable requirements of Section 401(a) of the Internal Revenue Code of 1986, as amended, and contains a cash or deferred arrangement intended to qualify under Section 401(k) of the Code.

Pursuant to California Government Code Section 19993 of the Savings Plus 457(b) Deferred Compensation Plan was established May 1, 1974. The 457(b) Plan is an eligible deferred compensation plan intended to meet the applicable requirements of Section 457(b) of the Internal Revenue Code of 1986, as amended. Participation in 401(k) and the 457(b) Plans is voluntary. State and California State University employees who qualify for membership in the California Public Employees Retirement System, the Legislators' Retirement System (LRS), or the Judges' Retirement System (JRS) are eligible to contribute to the Main Plan.

Services to be Provided

CalHR and Orange County Fair agree to perform their respective services regarding PST, ARP, 401(k), and 457(b) Plans in accordance with the terms and conditions set forth herein and as detailed in the following documents, which are attached hereto and by this reference incorporated herein.

Exhibit A, Attachment 1: Statement of Work

Exhibit A, Attachment 2: Deduction Codes

Exhibit A, Attachment 3: File Requirements

Exhibit A, Attachment 4: Sample Contribution Time Table

Exhibit A, Attachment 5: California Administrative Code, title 2, sections 599.944 Article XVII, 599.945 Article XVII.V, 599.946 Article XVII.VI, 599.947 Article XVII.VII, and PMLs 2012-012, 2011-042.

Exhibit A, Attachment 6: CalHR Information Security Policy Manual, and CalHR confidentiality Statement

Exhibit B, Attachment 1, Fee Schedule

Amendments

This Agreement may be amended by mutual consent of the parties. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties, and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

Disputes

CalHR and Orange County Fair agree that notwithstanding the existence of a dispute between Orange County Fair and CalHR, they will continue without delay to carry out all their responsibilities under this Agreement.

Entire Agreement

This Agreement contains all representations and the entire understanding between the parties hereto with respect to the subject matter hereof. Any prior correspondence, memoranda or agreements are replaced in total by this Agreement.

EXHIBIT A, ATTACHMENT 1
STATEMENT OF WORK

PAYROLL DEDUCTION FILES

Orange County Fair agrees to submit accurate payroll deduction data in accordance with the terms and timing set forth by the California Department of Human Resources (CalHR) as stated herein. If no payroll data is available because there were no employee deductions to report during any given processing period, Orange County Fair must notify CalHR accordingly so that a zero dollar file may be approved. CalHR conducts quarterly audits of deduction data. CalHR will impose a fee per file per quarter for which no data or notification was received. Review the fee schedule in Exhibit B for details. The fee will be assessed on a quarterly basis as a result of the audit, as outlined in the CalHR Fee Schedule.

California Administrative Code, Title 2, sections 599.944 Article XVII, 599.946 Article XVII.VI, and Policy Memo 2011-42, require that 401(k) and 457(b) plans withholdings post by the first business day following the prior pay period. For ARP and PST plans, withholdings must post as soon as practicable, but no later than 15 business days after the paycheck was issued that reflects the deduction. Loan repayments must be submitted with the month-end payroll. A loan repayment must begin with the pay period it is reported as a new deduction on the 650 Report and continue until a stop notification is received on a future 650 Report.

MAIN PLAN (401(K) AND 457(b) PLANS)

Main Plan deductions include pre-tax, designated Roth, and deductions for up to two loan repayments per plan for a maximum of four loans. Under no circumstance is the Orange County Fair or any of its subsidiaries authorized to impose an independent processing fee to its employees for deductions related to any of the Savings Plus plans.

Orange County Fair is responsible for reviewing deduction files for accuracy prior to submitting to CalHR.

650 REPORT

The 650 report applies to 401(k) and 457(b) main plan deductions such as pre-tax, designated Roth, and loan repayment deductions.

Orange County Fair employees who are eligible for membership in the California Public Employees' Retirement System (CalPERS) are entitled to contribute to the Main Plan as part of the State employment benefit package. Their participation is not subject to Orange County Fair approval nor are they required to submit any additional forms beyond those provided by Savings Plus.

CalHR reports to Orange County Fair new employee deductions, deduction changes, and deduction stops made by an employee by posting the 650 report on the CalHR extranet no later than the 4th business day of each month. In most cases, Orange County Fair's designated representative will receive an email notification when the 650 report includes requests from Orange County Fair employees.

Orange County Fair is responsible for inputting the employee's request in its payroll system so that the deduction is taken from the employee's payroll within the same month and reported to CalHR on the next payroll deduction file.

Failure to process the 650 report may result in the participant's account becoming underfunded. California Administrative Code , Title 2, sections 599.944 Article XVII, 599.946 Article XVII.VI, and PMLs 2012-012, 2011-042 requires the entity responsible for the error to pay:

1. All lost earnings that would have been deposited in the account if the error had not occurred⁵³.
2. Five hundred dollars (\$500.00), per underfunded account, to cover administrative costs.
3. Corrective contributions equal to 50% of the deduction amount an employee elected but was unable to make⁵⁴.

The entity responsible for the error may not deduct from or offset the funding against any employee's compensation. CalHR will determine the amount of lost earnings required to make the account whole.

CalHR provides the following sites to facilitate timely payroll deduction reporting:

SUBMIT PAYROLL DEDUCTION FILES ELECTRONICALLY

FTP Site: <https://ftp.dpa.ca.gov>

Orange County Fair may use the FTP site as a secure way to submit electronic payroll deduction files to CalHR. Electronic files must follow CalHR file format requirements. Orange County Fair is responsible for logging into the CalHR extranet following submission of an electronic file and ensuring that the data loaded correctly and reflects the correct file total. CalHR will reject any files in which the deductions within the file do not reconcile to the total amount shown in the file footer or in which the file total does not reconcile to the ACH total. In cases in which the file does not reconcile, the file will be considered delinquent and will be subject to delinquency fees as outlined in California Administrative Code, Title 2, sections 599.944 Article XVII, 599.945 Article XVII.V, 599.946 Article XVII.VI, 599.947 Article XVII.VII.

⁵³ Lost earnings are not imposed on missed main plan deductions, only ARP, PST, and Lump Sum deductions.

⁵⁴ If the error occurs in the first 3-months of the plan year and the employee was able to make deferrals during the last 9-months of the year (April to December) up to the applicable maximum limit, the 50% corrective contribution is not required.

RETRIEVE 650 REPORT AND UPDATE OR CORRECT PAYROLL DEDUCTIONS

CalHR Extranet <https://portal.dpa.ca.gov/eapps/fairscontribution/>

Orange County Fair will use the CalHR extranet site to retrieve its monthly 650 Report and follow through to ensure the participants voluntary deduction requests are processed and reported to CalHR. In compliance with the CalHR Contribution Schedule so that the participant's deductions post by the first business day following the prior pay period, as outlined in CalHR PML 2011-42. Additionally, Orange County Fair will log in to the CalHR extranet following submission of an electronic file to ensure that data loaded correctly and reflects the correct file total. CalHR will reject any files that do not reconcile to the ACH total. In cases in which the files do not reconcile, the file will be considered delinquent, subject to delinquency fees as outlined in California Administrative Code, title 2, sections 599.944 Article XVII, 599.945 Article XVII.V, 599.946 Article XVII.VI, 599.947 Article XVII.VII.

Orange County Fair may also use the CalHR extranet site to manually enter payroll deduction data and make changes or corrections to deduction data previously entered or uploaded electronically, provided Orange County Fair does so before the end of the processing period as reflected in the contribution table provided annually by CalHR. Refer to Attachment 4.

An accurate and timely file is defined as:

1. A payroll deduction file or payroll deduction data received either electronically or entered manually on the CalHR extranet before the end date and time for each processing period as reflected in the contribution timetable. Refer to Attachment 4.
2. A payroll deduction file or payroll deduction data received either electronically or entered manually on the CalHR extranet in good order within the processing period so that the name and format meet CalHR file requirements and the total amount reported reconciles to the corresponding fund transfer.
3. A payroll deduction file or payroll deduction data accompanied by a corresponding fund transfer in accordance with the fund transfer protocols set forth in this document and reflected in the annual contribution time table provided annually by CalHR and which reconciles to the exact amount of the payroll deduction file provided by Orange County Fair.

Files that are not received timely, accurately, or that do not accompany a corresponding and reconcilable fund transfer will be rejected and deemed delinquent. Delinquent files are subject to late fees as outlined in this document and within the California Administrative Code, title 2, sections 599.944 Article XVII, 599.945 Article XVII.V, 599.946 Article XVII.VI, 599.947 Article XVII.VII, and PMLs 2012-012, 2011-042.

INFORMATION SECURITY & CONFIDENTIALITY

Orange County Fair will adhere to the CalHR Information Security Policy and Confidentiality Statement as set forth therein when accessing, transmitting, or retrieving secure and confidential data through CalHR web based applications.

DEDUCTION TIMETABLES

Orange County Fair will submit payroll deduction data in accordance with the deduction timetable provided annually by CalHR. CalHR creates the deduction timeline as an all-encompassing system in consideration of the State Controller's Office (SCO) pay cycles and other external dependencies, and such as, the timing of its production is dependent upon the availability of SCO payroll dates.

FUND TRANSFERS

Orange County Fair agrees to transfer funds electronically as soon as administratively feasible following each payroll deduction file, but not later than the date reflected in the deduction timetable provided annually by CalHR and as outlined in California Administrative Code, title 2, sections 599.944 Article XVII, 599.946 Article XVII.VI, and Policy Memo 2011-42. Orange County Fair may submit payroll deduction funds via wire transfer or ACH according to its preference.

JP Morgan Chase Bank
Account # 900-9000-127
ABA# 021000021
Name: PTFS Operations
FFC: P35664 State of Cal *(No space between P and 3).*

Orange County Fair will notify CalHR of the impending fund transfer by sending an email to: anthony.v.sottile@jpmorgan.com, catherine.hoang@calhr.ca.gov, and lisa.ross@calhr.ca.gov.

The email will include the date of the fund transfer and the following detailed breakdown:

401(k) Deduction total = \$xxxx.xx
401(k) Loan total = \$xxxx.xx
457(b) Deduction total = \$xxxx.xx
457(b) Loan total = \$xxxx.xx
ARP Deduction total = \$xxxx.xx
PST Deduction total = \$xxxx.xx

CALHR ADMINISTRATIVE FEES

ARP and PST fees are as follows (there are no fees for Main Plan deductions):

ARP **per deduction (positive and negative)** fee: \$4.80
PST **per deduction (positive and negative)** fee: \$2.45
401(k) / 457(b) deduction fee: \$0.00

Orange County Fair will submit payment and a breakdown of all ARP and PST Administrative Fees to CalHR within 30 days of the conclusion of each processing period (See CalHR Fee Schedule). Orange County Fair may transmit Administrative Fees either electronically or through paper check as follows:

Mail paper checks to:
Department of Human Resources
1515 "S" Street, Suite 500N
Attn: Cathy Hoang

Sacramento, CA 95811

Electronic fund transfers:

Bank of America
Sacramento Main #1489
555 Capital Mall, Suite 765
Sacramento, CA 95814
For credit to the State of California
Account # 01482-80005
ABA# 0260-0959-3
For further credit to Dept. of Human Resources
Reference: Cathy Hoang (916) 324-9422

Calculating Administrative Fees:

Step 1: Determine number of deductions in ARP (positive and negative deductions) reported during the corresponding processing period and multiply by the ARP per deduction fee (\$4.80).

Step 2: Determine number of deductions in PST (positive and negative deductions) reported during the corresponding processing period and multiply by the PST per deduction fee (\$2.45).

Timely receipt of administrative fees does not impact CalHR's responsibility to approve and process the payroll deduction file. However, administrative fees should be received by CalHR no more than 30 calendar days after the close of each processing period.

DELINQUENT FILE FEE

IRS requires participant accounts be made whole if the participant is disadvantaged due to late deduction posting. Late deduction posting imposes an undue hardship on Savings Plus and negatively affects other account services. As such, CalHR will assess a \$500.00 administrative fee for each account that is posted late. To avoid the delinquent file fee, CalHR must receive a valid file and fund transfer by the due dates reflected in the Fairs Contribution Schedule.

CALHR INFORMATION TECHNOLOGY (IT)

The IT Division is a subsidiary of CalHR and is only available for technical support upon request from authorized CalHR personnel. Under no circumstances should Orange County Fair, its staff, or any subsidiaries therein contact the CalHR IT Division or request technical support directly from CalHR IT. CalHR IT support is subject to approval by Savings Plus at the discretion of authorized personnel therein. Files that require IT intervention may be subject to a fee per infraction as outlined in the CalHR Fee Schedule.

PST TO CalPERS AT 1000 HOUR MARK

Orange County Fair is responsible for submitting PST deductions to CalHR as soon as practicable, but no later than 15 business days after the paycheck was issued that reflects the deduction.

Orange County Fair is also responsible for tracking the number of hours worked by its PST employees. PST employees who work 1,000 or more hours in a fiscal year (July 1 through June 30) are entitled to permanent employment status. «Fair_Name» is responsible for stopping the PST deductions and coordinating the employee's new retirement deduction directly with CalPERS.

PST deductions that are sent to CalHR in error may be reversed by Orange County Fair if the correction is made within 90 days of the last PST deduction. Reversal of deduction errors older than 90 days require CalHR approval. CalHR will approve the reversal pending confirmation that the employee has a sufficient balance in the PST account.

ARP DEDUCTIONS

Orange County Fair is responsible for submitting ARP deductions to CalHR as soon as practicable, but no later than 15 business days after the paycheck was issued that reflects the deduction.

The employee's ARP account is considered underfunded if the employee reached their 1,000 hour mark or whose employment status qualified for ARP between August 11, 2004 and June 30, 2013 but Orange County Fair failed to properly coordinate the ARP deduction. This may be the case even if the employee is beyond the ARP decision period. Although ARP ended June 30, 2013, there are several records still being corrected. SCO expects to have them completed sometime in 2019.

ARP deductions that are sent to CalHR in error may be reversed by Orange County Fair if the correction is made within 90 days of the last ARP deduction. Reversal of deduction errors older than 90 days require CalHR approval. CalHR will approve the reversal pending confirmation that the employee has sufficient balance in the ARP account.

LEGAL AUTHORITY

Unless otherwise stated, CalHR's authority to enforce the requirements of this agreement is based on California Administrative Code, title 2, sections 599.944 Article XVII, 599.945 Article XVII.V, 599.946 Article XVII.VI, 599.947 Article XVII.VII

EXHIBIT A – ATTACHMENT 2

DEDUCTION CODES

401(K) Deduction Codes

| Type | Deduction Code | Plan Code |
|-------------------|----------------|-----------|
| Pre-Tax Deduction | 029 | 401 |
| Loan 1 Repayment | 075 | 401 |
| Loan 2 Repayment | 075 | 402 |
| Roth Deduction | 075 | 010 |

457(b) Deduction Codes

| Type | Deduction Code | Plan Code |
|-------------------|----------------|-----------|
| Pre-Tax Deduction | 029 | 457 |
| Loan 1 Repayment | 075 | 457 |
| Loan 2 Repayment | 075 | 458 |
| Roth Deduction | 075 | 011 |

PST Deduction Code

| Type | Deduction Code | Plan Code |
|-------------------|----------------|-----------|
| Pre-Tax Deduction | 029 | 999 |

ARP Deduction Code

| Type | Deduction Code | Plan Code |
|-------------------|----------------|-----------|
| Pre-Tax Deduction | 029 | 414 |

**EXHIBIT A – ATTACHMENT 3
 FILE REQUIREMENTS**

Each section of each electronic file will be pipe delimited as follows:

Header Record (first line in file)

| Field # | Description | Length | Format | Comment | Required |
|---------|--------------------|--------|----------|-----------------------------------|----------|
| 1 | Pay Period Month | 2 | MM | Month of pay period | R |
| 2 | Pay Period Year | 4 | YYYY | Year of pay period | R |
| 3 | Pay Period | 1 | # | 1 – first half 2 – second half | R |
| 4 | File Creation Date | 8 | YYYYMMDD | | R |
| 5 | Fair Code | 4 | X(4) | | R |

Detail Record

| Field # | Description | Length | Format | Comment | Required |
|---------|------------------------|--------|-----------|---|----------|
| 1 | SSN | 9 | #(9) | No dashes or hyphens | R |
| 2 | Last Name | 50 | X(50) | | R |
| 3 | First Name | 50 | X(50) | | R |
| 4 | Middle Initial | 1 | X | | R |
| 5 | Address | 255 | X(255) | Street Address Ex: 100 Home Street, Apt 345 | R |
| 6 | City | 25 | X(25) | | R |
| 7 | State | 2 | X(2) | | R |
| 8 | ZIP Code | 5 | #(5) | | R |
| 9 | Birth date | 8 | YYYYMMDD | | R |
| 10 | Rehired Annuitant Code | 1 | X | Optional field, can be blank: R – Rehired Annuitant | NR |
| 11 | Annualized Base Salary | 10 | #(7).#(2) | Annual Salary Rate – for 401(k) and 457(b) only | R |
| 12 | Tran Code | 3 | X(3) | Employment Status codes <ul style="list-style-type: none"> • A01 – Active EE • S01 – Terminated/Separated EE • S95 – EE is deceased • M01 – Military Leave • E01 –Medical Leave | R |
| 13 | Status Effective Date | 8 | YYYYMMDD | Employment status effective date is required if there is a change in employment status (Field 12). | NR |

| Field # | Description | Length | Format | Comment | Required |
|---------|------------------|--------|--------------|--|----------|
| 14 | Deduction Code | 3 | #(3) | 029 – Contribution 075 – After-Tax Deduction (Loans & Roth) | R |
| 15 | Plan Code | 3 | #(3) | Valid Values: <ul style="list-style-type: none"> • 401 – 401k Plan Contribution / Loan 1 • 402 – 401k Plan Contribution / Loan 2 • 457 – 457 Plan Contribution / Loan 1 • 458 – 457 Plan Contribution / Loan 2 • 010 – Roth 401k • 011 – Roth 457 • 414 – ARP Contribution • 999 – PST Contribution | R |
| 16 | Deduction Amount | 11 | (-)#(7).#(2) | <ul style="list-style-type: none"> • Flat Rate Contribution Amount (Examples for a \$50.75 deduction) • Example 1 = “ 50.75” • Example 2 = “ -50.75” (Negative Amount, floating negative sign) • Percentage Based Contribution Amount Example: 5% = .0500. This field will appear on the Miscellaneous Deductions screen in HIST and is labelled ‘RATE’. | R |

Trailer Record (last line in file)

| Field # | Description | Length | Format | Comment | Required |
|---------|------------------------|--------|--------------|---------|----------|
| 1 | Total Record Count | 6 | #(6) | | R |
| 2 | Total Deduction Count | 6 | #(6) | | R |
| 3 | Total Deduction Amount | 12 | (-)#(8).#(2) | | R |

Examples of Deductions and indicative data for all plans (PST, ARP, 401(k) & 457(b))

Deductions

| 5032 FairContribution 201211 1.txt |
|---|
| 11 2012 1 20121110 5032 111223333 Brown Pat R 7725 Rocky Road, Apt.B Elk Grove CA 95634 19800502 A01 029 414 25.00 222446666 Moore Joe 2323 Front St, Ste.345 Sacramento CA 95828 19600707 S01 20121105 0.00 999553232 Smith John L 1212 16th St Sacramento CA 95820 19751015 R 55000 A01 029 457 50.75 999553232 Smith John L 1212 16th St Sacramento CA 95820 19751015 R 55000 A01 029 401 100.00 4 3 175.75 |

John Smith has multiple deductions (457(b) and 401k)
 There should be a record for each deduction
 His records have an "R" in the field after his DOB to indicate he's a rehired annuitant
 Annualized Base Salary field is required for 401k or 457(b) deduction records

Employee Information Change

| 5032 FairContribution 201211 1.txt |
|---|
| 11 2012 1 20121110 5032 111223333 Brown Pat R 7725 Rocky Rd, Apt.B22 Elk Grove CA 95634 19800502 A01 029 414 25.00 222446666 Moore Joe 2323 Front St, Ste.345 Sacramento CA 95828 19600707 S01 20121105 0.00 999553232 Smith John L 1212 16th St Sacramento CA 95820 19751015 R 55000 A01 029 457 50.75 999553232 Smith John L 1212 16th St Sacramento CA 95820 19751015 R 55000 A01 029 401 100.00 4 3 175.75 |

Joe Moore has separated
 Tran Code (S01) indicates employee is separated
 Status Effective Date (20121105) indicates effective date of the employee's separation status

Payroll Adjustment/Reversal

| 5032 FairContribution 201211 1.txt |
|--|
| 11 2012 1 20121110 5032 123553232 Smith Jane L 1212 16th St, Ste.345 Sacramento CA 95820 19751015 R A01 029 999 500.00 1 1 500.00 |

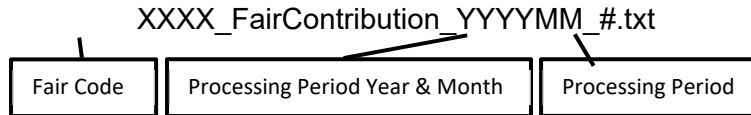
Employer overpays a PST employee
 Pay was calculated for 70 hours for a PST deduction of \$500 and employee only worked 50
 hours

Employer submits a payroll adjustment/reversal of -\$150 on the next file along with normal deduction

```
5032_FairContribution_201211_2.txt <- Next pay period file
11|2012|2|20121123|5032
123553232|Smith|Jane|L|1212 16th
St|Sacramento|CA|95820|19751015|R||A01||029|999|300.00
123553232|Smith|Jane|L|1212 16th St|Sacramento|CA|95820|19751015|R||A01||029|999|-
150.00
2|2|150.00
```

Naming Convention

The file name is a coded formula that allows CalHR systems to automatically recognize and process the file as soon as it is received. For that reason, the file name must be exact. The file name will contain the fair code, pay period year and month, and the processing period as follows:



File Totals

Files contain total deduction, which may be used to cross check what was manually keyed. This will help identify any typos or human errors before the processing period closes.

The file total is the last row of the file and it only contains three fields. For example:

```
183|183|11842.15
```

Total Record count and total record amount.

Checklist

| Task Name | Task Description |
|--------------------------------|---|
| File name is correct: | <p>XXXX_FairContribution_YYYYMM_#.txt</p> <p>The diagram shows the file name <code>XXXX_FairContribution_YYYYMM_#.txt</code> with three boxes below it: <code>Fair Code</code>, <code>Processing Period Year & Month</code>, and <code>Processing Period</code>. Lines connect the boxes to their respective parts of the file name.</p> |
| File Header is correct: | <p>02 2014 1 20140206 50XX</p> <p>The diagram shows the header <code>02 2014 1 20140206 50XX</code> with five boxes below it: <code>Month</code>, <code>Processing Period Year</code>, <code>Processing Period</code>, <code>File Creation</code>, and <code>Fair Code</code>. Lines connect the boxes to their respective parts of the header.</p> |
| Format is Correct | <p>Pipe delimited, with at least 15 pipes across each row. State should always say "CA" not cali, or Cali, or Ca. Also the city and state should be separated by a pipe delimitation.</p> |

| Task Name | Task Description |
|------------------------------------|--|
| | 11 2012 2 20121123 5032 |
| Deduction total is correct: | After you submit your FTP file, review the last line in your file, which is the trailer record. It contains 3 pipe delimited sections as follows: Total number of records, Total number of deductions, and the Total Deduction amount. Make sure the total deduction amount is identical to the penny when compared to total deductions in the extranet site. |

EXHIBIT A, ATTACHMENT 4
SAMPLE CONTRIBUTION TIME TABLE

| Processing Period Name | File Name* | ACH & Reporting Starts | ACH & Reporting Ends | CalHR Submits Data to NRS | Deduction Posts in Employee Account |
|------------------------|------------------------------------|------------------------|----------------------|---------------------------|-------------------------------------|
| Jan. Period 1 | XXXX FairContribution_201601_1.txt | 1/6/2016 | 1/14/2016 | 1/15/2016 | 1/19/2016 |
| Jan Period 2 | XXXX FairContribution_201601_2.txt | 1/20/2016 | 1/28/2016 | 1/29/2016 | 2/1/2016 |
| Feb. Period 1 | XXXX FairContribution_201602_1.txt | 2/2/2016 | 2/11/2016 | 2/12/2016 | 2/16/2016 |
| Feb. Period 2 | XXXX FairContribution_201602_2.txt | 2/17/2016 | 2/29/2016 | 3/1/2016 | 3/2/2016 |
| March Period 1 | XXXX FairContribution_201603_1.txt | 3/3/2016 | 3/14/2016 | 3/15/2016 | 3/16/2016 |
| March Period 2 | XXXX FairContribution_201603_2.txt | 3/17/2016 | 3/29/2016 | 3/30/2016 | 4/1/2016 |
| April Period 1 | XXXX FairContribution_201604_1.txt | 4/4/2016 | 4/14/2016 | 4/15/2016 | 4/18/2016 |
| April Period 2 | XXXX FairContribution_201604_2.txt | 4/19/2016 | 4/28/2016 | 4/29/2016 | 5/2/2016 |
| May Period 1 | XXXX FairContribution_201605_1.txt | 5/3/2016 | 5/12/2016 | 5/13/2016 | 5/16/2016 |
| May Period 2 | XXXX FairContribution_201605_2.txt | 5/17/2016 | 5/27/2016 | 5/31/2016 | 6/1/2016 |
| June Period 1 | XXXX FairContribution_201606_1.txt | 6/2/2016 | 6/14/2016 | 6/15/2016 | 6/16/2016 |
| June Period 2 | XXXX FairContribution_201606_2.txt | 6/17/2016 | 6/29/2016 | 6/30/2016 | 7/1/2016 |
| July Period 1 | XXXX FairContribution_201607_1.txt | 7/5/2016 | 7/14/2016 | 7/15/2016 | 7/18/2016 |
| July Period 2 | XXXX FairContribution_201607_2.txt | 7/19/2016 | 7/29/2016 | 8/1/2016 | 8/2/2016 |
| Aug. Period 1 | XXXX FairContribution_201608_1.txt | 8/3/2016 | 8/12/2016 | 8/15/2016 | 8/16/2016 |
| Aug. Period 2 | XXXX FairContribution_201608_2.txt | 8/17/2016 | 8/30/2016 | 8/31/2016 | 9/1/2016 |
| Sept. Period 1 | XXXX FairContribution_201609_1.txt | 9/2/2016 | 9/14/2016 | 9/15/2016 | 9/16/2016 |
| Sept. Period 2 | XXXX FairContribution_201609_2.txt | 9/19/2016 | 9/29/2016 | 9/30/2016 | 10/3/2016 |
| Oct. Period 1 | XXXX FairContribution_201610_1.txt | 10/4/2016 | 10/13/2016 | 10/14/2016 | 10/17/2016 |
| Oct. Period 2 | XXXX FairContribution_201610_2.txt | 10/18/2016 | 10/28/2016 | 10/31/2016 | 11/1/2016 |
| Nov. Period 1 | XXXX FairContribution_201611_1.txt | 11/2/2016 | 11/14/2016 | 11/15/2016 | 11/16/2016 |
| Nov. Period 2 | XXXX FairContribution_201611_2.txt | 11/17/2016 | 11/29/2016 | 11/30/2016 | 12/1/2016 |
| Dec. Period 1 | XXXX FairContribution_201612_1.txt | 12/2/2016 | 12/14/2016 | 12/15/2016 | 12/16/2016 |
| Dec. Period 2 | XXXX FairContribution_201612_2.txt | 12/19/2016 | 12/29/2016 | 12/30/2016 | 1/3/2016 |

*ACH reporting ends at 5:00 p.m. on the date indicated.

EXHIBIT A – ATTACHMENT 5

CALIFORNIA ADMINISTRATIVE CODE TITLE 2, SECTION 599.944

2 CCR § 599.944

Cal. Admin. Code Title. 2, § 599.944

Barclays Official California Code of Regulations
Title 2. Administration
Division 1. Administrative Personnel
Chapter 3. Department of Personnel Administration
Subchapter 1. General Civil Service Rules
[Article 27](#). 457 Deferred Compensation Plan
➔ **§ 599.944. Corrective Contributions and Lost Earnings.**

- a) If an employee directed contribution transaction is not processed appropriately causing the employee's 457 Deferred Compensation Plan account to be underfunded, it is the responsibility of the entity that made the error to make the account whole. This includes all corrective contributions and lost earnings that would have been deposited in the account if the error had not occurred. The entity responsible will also be required to pay five hundred dollars (\$500), per underfunded account, to cover administrative costs.
- b) If contributions made by, or for, an employee under the 457 Deferred Compensation Plan are not deposited in the employee's Plan account by the date required by federal law, state law, or regulations governing the Plan, the entity responsible for the error must pay all lost earnings that would have been deposited in the account if the error had not occurred. The entity responsible will also be required to pay five hundred dollars (\$500), per underfunded account, to cover administrative costs.
- c) Corrective contributions and any lost earnings as addressed in (a) and (b) above, will be funded by the entity responsible for the error and may not be deducted from or offset against any employee's compensation.
- d) The California Department of Human Resources will determine the amount of lost earnings required to make the account whole.
- e) The California Department of Human Resources will receive reimbursement for the corrective contributions, any lost earnings, and administrative costs through the State Controller's Office in accordance with Government Code Section 11255. The State Controller's Office and the California Department of Human Resources shall each receive one half of the five hundred dollar administrative fee paid by the responsible entity. If the responsible entity is not a state agency subject to Government Code Section 11255, the California Department of Human Resources will obtain reimbursement directly from the entity, and shall retain the full amount of any administrative fee collected from the entity.

Note: Authority cited: Section 19815.4, Government Code; and Article XVI, Section 17, California Constitution. Reference: Section 19993, Government Code.

HISTORY

1. New section filed 10-22-2012; operative 11-21-2012 (Register 2012, No. 43).

2 CCR § 599.944, 2 CA ADC § 599.944

This database is current through 10/26/12 Register 2012, No. 43

END OF DOCUMENT

2 CA ADC § 599.945.4

§ 599.945.4. Corrective Contributions and Lost Earnings.

Cal. Admin. Code Title. 2, § 599.945.4

Barclays Official California Code of Regulations

Title 2. Administration

Division 1. Administrative Personnel

Chapter 3. Department of Personnel Administration

Subchapter 1. General Civil Service Rules

[Article 27.5](#). Part-Time, Seasonal and Temporary (PST) Employee Retirement Program

➔§ 599.945.4. Corrective Contributions and Lost Earnings.

- a) If an employee is not properly placed in the Part-time, Seasonal and Temporary (PST) Employee Retirement Program when he or she becomes eligible or if a transaction is processed inappropriately causing the employee's PST account to be underfunded, it is the responsibility of the entity that made the error to make the account whole. This includes all corrective contributions and lost earnings that would have been deposited in the account if the error had not occurred. The entity responsible will also be required to pay five hundred dollars (\$500) per underfunded account to cover administrative costs.
- b) Corrective contributions and any lost earnings will be funded by the entity responsible for the error and may not be deducted from or offset against any employee's compensation.
- c) The entity processing the correction will determine the amount of corrective contributions. The California Department of Human Resources will determine the amount of the lost earnings required to make the account whole.
- d) The California Department of Human Resources will receive reimbursement for the corrective contributions, any lost earnings, and administrative costs through the State Controller's Office in accordance with Government Code 11255. The State Controller's Office and the California Department of Human Resources shall each receive one half of the five hundred dollar administrative fee paid by the responsible entity. If the responsible entity is not a state agency subject to Government Code Section 11255, the California Department of Human Resources will obtain reimbursement directly from the entity, and shall retain the full amount of any administrative fee collected from the entity.

Note: Authority cited: Section 19815.4, Government Code; and Article XVI, Section 17, California Constitution. Reference: Section 19999.21, Government Code.

HISTORY

1. New section filed 11-9-2012; operative 11-9-2012 pursuant to Government Code section 11343.4 (Register 2012, No. 45).

2 CCR § 599.945.4, 2 CA ADC § 599.945.4

This database is current through 1/4/13 Register 2013, No. 1

END OF DOCUMENT

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2 CCR § 599.946

Cal. Admin. Code Title. 2, § 599.946

Barclays Official California Code of Regulations

Title 2. Administration

Division 1. Administrative Personnel

Chapter 3. Department of Personnel Administration

Subchapter 1. General Civil Service Rules

[Article 27.6](#). 401(K) Retirement Savings Plan

➔ **§ 599.946. Corrective Contributions and Lost Earnings.**

- a) If an employee directed contribution transaction is not processed appropriately causing the employee's 401(k) Retirement Savings Plan account to be underfunded, it is the responsibility of the entity that made the error to make the account whole. This includes all corrective contributions and lost earnings that would have been deposited in the account if the error had not occurred. The entity responsible will also be required to pay five hundred dollars (\$500), per underfunded account, to cover administrative costs.
- b) If contributions made by, or for, an employee under the 401(k) Retirement Savings Plan are not deposited in the employee's Plan account by the date required by federal law, state law, or regulations governing the Plan, the entity responsible for the error must pay all lost earnings that would have been deposited in the account if the error had not occurred. The entity responsible will also be required to pay five hundred dollars (\$500), per underfunded account, to cover administrative costs.
- c) Corrective contributions and any lost earnings as addressed in (a) and (b) above, will be funded by the entity responsible for the error and may not be deducted from or offset against any employee's compensation.
- d) The California Department of Human Resources will determine the amount of lost earnings required to make the account whole.
- e) The California Department of Human Resources will receive reimbursement for the corrective contributions, any lost earnings, and administrative costs through the State Controller's Office in accordance with Government Code 11255. The State Controller's Office and the California Department of Human Resources shall each receive one half of the five hundred dollar administrative fee paid by the responsible entity. If the responsible entity is not a state agency subject to Government Code Section 11255, the California Department of Human Resources will obtain reimbursement directly from the entity, and shall retain the full amount of any administrative fee collected from the entity.

Note: Authority cited: Section 19815.4, Government Code; and Article XVI, Section 17, California Constitution. Reference: Section 19999.5, Government Code.

HISTORY

1. New article 27.6 (section 599.946) and section filed 10-22-2012; operative 11-21-2012 (Register 2012, No. 43).

2 CCR § 599.946, 2 CA ADC § 599.946

This database is current through 10/26/12 Register 2012, No. 43

2 CCR § 599.947

Cal. Admin. Code tit. 2, § 599.947

Barclays Official California Code of Regulations

Title 2. Administration

Division 1. Administrative Personnel

Chapter 3. Department of Personnel Administration

Subchapter 1. General Civil Service Rules

Article 27.7. Alternate Retirement Program (ARP)

→ § 599.947. Corrective Contributions and Lost Earnings.

- a) If an employee is not properly placed in the Alternate Retirement Program when he or she becomes eligible, or within 90 days thereof, the employer shall pay for any corrective contributions and lost earnings necessary to make the account whole, as well as administrative costs of five hundred dollars (\$500) per underfunded account.
- b) If a transaction is processed inappropriately causing the employee's Alternate Retirement Program account to be underfunded, it is the responsibility of the entity that made the error to make the account whole. This includes all corrective contributions and lost earnings that would have been deposited in the account if the error had not occurred. The entity responsible will also be required to pay five hundred dollars (\$500), per underfunded account, to cover administrative costs.
- c) Corrective contributions and any lost earnings as addressed in (a) and (b) above, will be funded by the entity responsible for the error and may not be deducted from or offset against any employee's compensation.
- d) The entity processing the correction will determine the amount of corrective contributions. The California Department of Human Resources will determine the amount of the lost earnings required to make the account whole.
- e) The California Department of Human Resources will receive reimbursement for the corrective contributions, any lost earnings, and administrative costs through the State Controller's Office in accordance with Government Code Section 11255. The State Controller's Office and the California Department of Human Resources shall each receive one half of the five hundred dollar administrative fee paid by the responsible entity. If the responsible entity is not a state agency, subject to Government Code Section 11255, the California Department of Human Resources will obtain reimbursement directly from the entity, and shall retain the full amount of any administrative fee collected from the entity.

Note: Authority cited: Section 19815.4, Government Code; and Article XVI, Section 17, California Constitution. Reference: Section 19999.31, Government Code.

HISTORY

1. New article 27.7 (section 599.947) and section filed 10-22-2012; operative 11-21-2012 (Register 2012, No. 43).

2 CCR § 599.947, 2 CA ADC § 599.947

This database is current through 10/26/12 Register 2012, No. 43

END OF DOCUMENT

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

| | |
|--|--------------------------------------|
| SUBJECT: Underfunded Savings Plus Accounts | REFERENCE NUMBER: 2011-042 |
| DATE ISSUED: 11/14/11 | SUPERSEDES: |

This memorandum should be forwarded to:

**Accounting Officers
Budget Officers
Employee Benefit Officers
Personnel Officers
Personnel Transactions Staff
Personnel Transactions Supervisors**

FROM: Department of Personnel Administration
Savings Plus

CONTACT: Kim Madson, Staff Personnel Program Analyst
(916) 323-8489
Fax: (916) 327-1885
Email: Kimberly.Madson@calhr.ca.gov

Effective immediately, State agencies and departments will bear the cost of errors that occur in processing their employees' contributions to the Savings Plus 401(k) and 457 plans, Alternate Retirement Program (ARP), and the Part-time, Seasonal, and Temporary Employees Retirement Program (PST), when these errors cause underfunding of the employee's account.

Under state and federal law, these costs must be borne by the entity responsible for the error, and may not be deducted from or offset against the employee's compensation. Costs include corrective contributions and lost earnings that would have been deposited to the employee's account if the error had not occurred.

The following types of accounting errors and delays can cause an employee's account to be underfunded.

- Department fails to process the employee's withholding to 401(k), 457, ARP, or PST within the required time period, or not at all. (For 401(k) and 457 plans, withholdings must post by the first business day following the prior pay period. For ARP and PST plans, withholdings must post as soon as practicable, but no later than 15 business days after the paycheck was issued that reflects the withholding.)

- Department does not enroll an eligible employee in the 401(k), 457, ARP, or PST program as required. In these cases, the error creates an underfunded account in the program the employee should have been enrolled in.
- Department processes an employee withholding amount that is less than what it should be for that employee's 401(k), 457, ARP, or PST account.
- Department processes a payroll adjustment that results in a negative balance in the employees Savings Plus, ARP, or PST account.

Delayed deferrals involving lump sum payments

In many cases, late deferrals involve lump-sum payments of unused leave balances that many retiring employees opt to have deposited into their Savings Plus accounts. Current statutory timelines for processing these deferrals are especially challenging to meet given the increased number of employees choosing this option.

Current law says employees must submit their request to your personnel office no later than 5 days before separating, and for the deferral to be posted to their account by the following deadline, ***whichever occurs first***:

- 45 days after the separation date, or
- by February 1 of the calendar year after the year of separation.

Given these short timelines, we suggest you encourage employees planning to defer their lump- sum payment to submit their request to your personnel office 30 calendar days before separating to allow you more processing time. We also plan to propose statutory changes next year to extend the deadlines for posting the deferral.

Corrective payments

For state agencies on the central payroll system, the State Controller's Office will transfer corrective contributions and lost earnings from the responsible entities to DPA, in accordance with Government Code Section 11255. If the responsible entity is not a state agency subject to Government Code Section 11255, DPA will obtain reimbursement directly from the entity.

/s/ Michelle Berklacich

Michelle Berklacich
Administrator
Savings Plus Program

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

| | |
|--|--------------------------------------|
| SUBJECT: Underfunded Savings Plus Accounts | REFERENCE NUMBER: 2012-012 |
| DATE ISSUED: 5/31/12 | SUPERSEDES: |

This memorandum should be forwarded to:

**Accounting Officers
Budget Officers
Employee Benefit Officers
Personnel Officers Personnel
Transaction Staff Personnel
Transaction Supervisors**

FROM: Department of Personnel Administration
Savings Plus

CONTACT: Kim Madson, Staff Personnel Program Analyst
(916) 323-8489
Fax: (916) 327-1885
Email: Kimberly.Madson@calhr.ca.gov

Beginning October 1, 2012, departments will be charged a \$500 fee for each employee whose Savings Plus account is underfunded. This fee helps pay administrative costs associated with correcting the accounts. Refer to PML 2011-042 for details on the types of errors and delays that can result in underfunding an employee's Savings Plus account.

We also want to provide the following information to clarify when an Alternate Retirement Program (ARP) account is considered underfunded for part-time, seasonal and temporary (PST) employees who reach the 1000-hours-per-fiscal-year cap and are subject to ARP. Use the [ARP Eligibility Worksheet](#) on DPA's website to determine if the employee must participate in ARP.

If the 505 transaction to convert an employee's retirement from PST to ARP is keyed *more than* 90 days after the employee's ARP effective date, the ARP account is considered underfunded. The department is responsible for funding the missed ARP contributions and lost earnings.

Departments need to work with their Accounting Office to clear the accounts receivables (ARs) established for the missed ARP contributions. If the 505 is keyed within 90 days of the ARP effective date, it's considered normal processing and the employee is responsible for funding the AR.

/s/ Michelle Berklacich

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS INTERAGENCY AGREEMENTS

A. Invoicing

For services satisfactorily rendered and upon receipt and approval of the invoices, the (Agency) agrees to compensate CalHR for actual expenditures incurred in accordance with the services specified on the attached Budget Fee Schedule, Exhibit B-1.

CalHR will submit, in duplicate, an invoice for the total subscription amount contained in Attachment A of this Agreement during the first quarter of the current fiscal year. All invoices will include the Agreement Number and will be submitted in duplicate and not more frequently than monthly, in arrears, to:

(Agency)
(Attn)
(Address)

B. Budget Contingency Clause

1. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.
2. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.
3. Contractor reserves the right to ask for an amendment in the event there is an increase in costs in the current year and/or any subsequent years covered under this Agreement.

C. Payment

1. Costs for this Agreement shall be computed in accordance with State Administrative Manual Sections 8752 and 8752.1.
2. Nothing herein contained shall preclude advance payments pursuant to Article 1, Chapter 3, Part 1, Division 3, Title 2 of the Government Code of the State of California.

D. Non-Payment

If payment has not been received for a non-disputed invoice within 60 days of the invoice date, CalHR, in accordance with Government Code Section 11255, will provide the agency with a 30-day notification of its intent to initiate a Transaction Request with the State Controller's Office to transfer funds from the agency to CalHR.

The agency will provide the following appropriation data to the CalHR:

| | |
|--|--|
| Fund Number: | |
| Organization Code: | |
| Fiscal Year: | |
| Reference: | |
| Category or Program: | |
| If applicable, the agency will additionally provide the Element, Component and Task: | |

EXHIBIT B, ATTACHMENT 1

FEE SCHEDULE

| DESCRIPTION | FREQUENCY | FEE AMOUNT |
|--|--|--------------|
| 401(k) Pre-Tax Deductions | N/A | No Fee (\$0) |
| 401(k) Designated Roth Deductions | N/A | No Fee (\$0) |
| 401(k) Loan Deductions | N/A | No Fee (\$0) |
| 457(b) Pre-Tax Deductions | N/A | No Fee (\$0) |
| 457(b) Designated Roth Deductions | N/A | No Fee (\$0) |
| 457(b) Loan Deductions | N/A | No Fee (\$0) |
| Alternate Retirement Program (ARP) Deductions | Per Deduction | \$4.80 |
| Part-time, Seasonal, and Temporary (PST) Deductions | Per Deduction | \$2.45 |
| Delinquent Deduction | Per Account | \$500.00 |
| Delinquent File | Per File | \$500.00 |
| Failure to Report | Per File | \$50.00 |
| Administrative Delinquency | Per Processing Period | \$25.00 |
| CalHR IT Support | Per Infraction <u>Example:</u> 1. File Name Error 2. Header/Footer/Trailer Error 3. Duplicate File Error 4. Delinquent Upload Error | \$50.00 |

EXHIBIT C

GENERAL INTERAGENCY AGREEMENT TERMS AND CONDITIONS (GIA 610)

1. APPROVAL: This Agreement is not valid until signed by both parties and approved by the Department of General Services, if required.
2. AUDIT: The agency performing work under this Agreement agrees that the awarding department, the Department of General Services, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement if it exceeds ten thousand dollars (\$10,000). The agency performing work agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of record retention is stipulated.
3. PAYMENT: Costs for this Agreement shall be computed in accordance with State Administrative Manual Section 8752 and 8752.1.
4. AMENDMENT: No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties, and approved as required. No oral understanding or agreement not incorporated in the Agreement is binding on any of the parties.
5. SUBCONTRACTING: All subcontracting must comply with the requirements of the State Contracting Manual, Section 3.06.
6. ADVANCE PAYMENT: The parties to this interagency agreement may agree to the advancing of funds as provided in Government Code Sections 11257 through 11263.
7. DISPUTES: The agency performing work under this Agreement shall continue with the responsibilities under this Agreement during any dispute.
8. TIMELINESS: Time is of the essence in this Agreement.
9. NON-PAYMENT OF INVOICES – FUND TRANSACTION REQUEST: In accordance with Government Code Section 11255, the parties agree that when an invoice is not paid by the requested due date to the Contractor (agency providing the service) and the invoice is not disputed by the contracting Department (agency receiving the service), Contractor may send the contracting Department a thirty (30) day notice that it intends to initiate a transfer of funds through a Transaction Request sent to the State Controller's Office. To facilitate a Transaction Request should one be needed, the contracting Department shall no later than ten (10) business days following execution of this agreement provide data to the Contractor for the appropriation to be charged including: fund number, organization code, fiscal year, reference, category or program, and, if applicable, element, component, and task.

EXHIBIT D –

***SPECIAL TERMS AND CONDITIONS FOR DEPARTMENT OF HUMAN RESOURCES
(INTERAGENCY AGREEMENTS)***

- A. TERMINATION CLAUSE: Either State agency may terminate this Agreement upon thirty (30) days' advance written notice. The State agency providing the services shall be reimbursed for all reasonable expenses incurred up to the date of termination.
- B. SEVERABILITY: If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all other provisions of this Agreement be constructed to remain fully valid, enforceable, and binding on the parties.
- C. CONFLICT OF INTEREST:
1. Current and Former State Employees: Contractor should be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.
 - a) Current State Employees: (PCC §10410)
 - 1) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
 - 2) No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.
 - b) Former State Employees: (PCC §10411)
 - 1) For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
 - 2) For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.
 - c) Penalty for Violation:
 - 1) If the Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (PCC §10420)

d) Members of Boards and Commissions:

- 1) Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (PCC §10430 (e))

e) Financial Interest in Contracts:

Contractor should also be aware of the following provisions of Government Code §1090: "Members of the Legislature, state, county district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by anybody or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity."

D. ORDER OF PRECEDENCE:

In the event of any inconsistency between the terms, specifications, provisions or attachments that constitute this Contract, the following order of precedence shall apply:

1. The General Terms and Conditions for Interagency Agreements;
2. The Std. 213;
3. The Scope of Work;
4. Any other incorporated attachments in the Contract by reference