CHECKLIST
FOR ERISA §408(B)(2) REQUIREMENTS

This checklist was contributed by Ilene H. Ferenczy and James C. Paul of Ferenczy + Paul LLP.

REQUIREMENTS FOR ALL CSAs

1. With whom is engagement?

    [ ] TPA and Plan Sponsor
    [ ] TPA and Plan
    [ ] Does Plan Sponsor guarantee fees?
    [ ] Does Plan guarantee fees?

2. Description of services to be provided

    [ ] Services to be provided for base fee
    [ ] Additional services provided and charges for same
    [ ] Self-Directed Brokerage Accounts addressed, if applicable

3. Statement acknowledging status as a fiduciary
    [*Need this: If RIA on staff and want to be able to provide these services to this client,* ***OR*** *if otherwise acting as a fiduciary (e.g., able to pay self from assets; approving distributions/loans)*]

4. Direct Compensation
    [*Must describe compensation to be received for services*]
    [ ] Base Fee
    [ ] Participant Fee
    [ ] Consultation fee
    [ ] Other

5. Indirect Compensation
    [*Must describe compensation to be received for services*]

    [ ] Identification of payer
    [ ] Description of arrangement between payer and CSP
    [ ] Amount of compensation
        [ ] Formula
        [ ] Dollar amount
        [ ] Reference to other documents

6. Compensation paid among related parties
    [*Only needed if compensation set on transactional basis or charged directly against the investment*]

    [ ] Identify services performed
    [ ] Identify payer
    [ ] Identify recipients (including status as affiliate or subcontractor)

7. Compensation for termination of contract

    [ ] Compensation that can be received in connection with termination
    [ ] How amounts will be calculated
    [ ] How prepaid amounts will be refunded

8. How compensation will be received

    [ ] Billing to covered plans
    [ ] Deducted from accounts
    [ ] Deducted from investments

9. When additional disclosures will be made

[ ] If contract will be extended or renewed, disclosure will be made reasonably in advance
[ ] If change to terms in contract, ASAP, but not >60 days after CSP knows of change
[ ] If cannot meet 60-day deadline due to extraordinary circumstances outside CSP control, then ASAP

Upon written request
[ ] Will furnish any other compensation information required for plan to comply with Title I
[ ] Above will be provided reasonably in advance of date RSP or PA says it must comply
[ ] If extraordinary circumstances prevent CSP from meeting above, as soon as practicable

II. PLATFORM PROVIDER (Broker or Recordkeeper)

10. §404(a)(5)-type investment disclosure to employer
[*Must provide for each DIA for which recordkeeping or brokerage services will be provided*]

[ ] Pass-through option: CSP will meet these requirements by providing current disclosure materials of the issuer of a DIA
[*This option provides liability relief only if the CSP is*
a. Not an affiliate of the issuer
b. The issuer is a mutual fund, insurance company, the publicly traded company whose stock is the investment, or a state or federally regulated bank
c. *CSP acts in good faith and believes materials are complete and accurate*]
[ ] Statement must be included: CSP makes no representations as to completeness or accuracy of materials

[ ] CSP provides directly
[ ] Description of any compensation to be charged against investment (*i.e.*, expense ratio and other such expenses) *Reg. §2550.408b-2(c)(1)(iv)(E)(1).*
[ ] Description of annual operating expenses (calculated in accordance with Reg. §2550.404a-5(h)(5)). *Reg. §2550.408b-2(c)(1)(iv)(E)(2).*
[ ] Any ongoing expenses in addition to annual operating expenses. *Reg. §2550.408b-2(c)(1)(iv)(E)(2).*
[ ] Total annual operating expenses expressed as % and calculated in accordance with 29 C.F.R. § 2550.404a-5(h)(5). *Reg. §2550.408b-2(c)(1)(iv)(E)(2).*
[ ] Benchmarks, history, website, category, etc. (as provided in Reg. §2550.404a-5(d)(1)). *Reg. §2550.408b-2(c)(1)(iv)(E)(3).*

11. When additional disclosures will be made

[ ] Annually disclose changes to investment-related compensation

New investment becomes a designated investment alternative (DIA)
[ ] Disclose not later than date investment is designated by the plan

Changes to information in contract
[ ] Disclose ASAP, but not later than 60 days after CSP is informed of change
[ ] If cannot meet 60-day deadline due to extraordinary circumstances outside CSP control, ASAP

III. INVESTMENT FIDUCIARY

12. Statement acknowledging status as a fiduciary

13. When additional disclosures will be made

[ ] Annually disclose changes to investment-related compensation

New investment becomes a designated investment alternative (DIA)
[ ] Disclose not later than date investment is designated by the plan

Changes to information in contract
[ ] Disclose ASAP, but not later than 60 days after CSP is informed of change
[ ] If cannot meet 60-day deadline due to extraordinary circumstances outside CSP control, ASAP

IV. ADDITIONAL NOTES

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