

Appendix 1

**CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM
CERTIFICATION OF RESPONSIBLE CONTRACTOR STATUS**

Introduction

The California Public Employees’ Retirement System (“CalPERS”) has a deep interest in the condition of workers employed by CalPERS and its Managers and Delegates. CalPERS, through the Statement of Investment Policy for the Responsible Contractor Program (“Responsible Contractor Program Policy”), supports and encourages fair wages and fair benefits for workers employed by its contractors and subcontractors, subject to fiduciary principles concerning duties of loyalty and prudence, both of which further require competitive returns on CalPERS real estate and infrastructure investments.

A. GENERAL INFORMATION	
Company Name	
Address	
City	
Telephone Number	Email
Contractor’s License #	Contractor License Expiration Date

Please complete the following questions about your firm and the marketplace in which you operate. Refer to definitions on page 4 of this Appendix.

B. WAGES
<p>1. Considering the wages paid by your competitors in this market, the nature of this project, and the size and scope of this contract, do you believe that your firm will pay local market wages to workers on this job? (Additional information may be provided below)</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>

C. BENEFITS
<p>1. For the workers on this job, will your firm provide access to health insurance? (Additional information such as percent of employees covered, employer contribution, individual or family coverage may be provided below)</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>

C. BENEFITS (CONTINUED)

2. For the workers on this job, will your firm provide access to a pension, 401(k), or a similar retirement savings or deferred compensation program? (Additional information such as type of plan, the percentage of workers covered, and employer contribution may be provided below)

YES NO

3. For workers on this job, will your firm provide access to apprenticeship programs for skilled trades? (Additional information may be provided below)

YES NO

4. Are there any other benefits that you will provide to the workers on this job such as paid vacation, sick leave, dental/vision/life, etc.? (Additional information such as types of benefits, percentage employer contribution, who is covered, and percentage of employees covered may be provided below)

YES NO

5. Considering your answers above, the benefits your competitors in this market provide to their employees, the size and scope of this contract, and the nature of this project, do you believe your firm will provide benefits consistent with local market practices to the workers on this job? (Additional information may be provided below)

YES NO

You may attach additional page(s) as necessary to provide complete documentation of responses.

D. REGULATORY STATUS (attach additional pages if necessary)

1. In the last 24 months, has your firm been fined, suffered an adverse judgment, incurred a penalty, been found in violation of, or had to change its employment policies because of violations of State or Federal labor laws, including but not limited to the National Labor Relations Act, Occupational Safety and Health Administration, the Civil Rights Act of 1964 (e. g., sexual harassment or discrimination violations), EPA, or Water or Air Quality Boards? If yes, please explain.

YES NO

2. Are you aware of any pending complaints that have been filed with your firm or any agency enforcing labor or employment laws? If yes, please explain (an affirmative answer will not necessarily disqualify you from being the successful bidder, however it will be taken into account in determining Responsible Contractor status).

YES NO

3. At any time during the last 24 months, has your firm or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract? If yes, please explain.

YES NO

E. RESPONSIBLE CONTRACTOR STATUS (Refer to definitions on page 4 of this Appendix)

Please check **one** of the following boxes:

- 1. Meets all Responsible Contractor requirements.
- 2. Meets none of the Responsible Contractor requirements.
- 3. Meets certain of the Responsible Contractor requirements.

If you have checked the third box above, please provide an explanation below.

F. OWNER'S CERTIFICATION OF RESPONSIBLE CONTRACTOR STATUS

On behalf of the above-named company, the undersigned certifies that the information and response provided within pages 1 through 4 of this Appendix is complete and accurate as of this date, and he/she is aware that any intentionally misrepresented or falsified information may result in disqualification from future contracting opportunities.

Signature

Date

Name (please print)

Title

CalPERS reserves the right to disclose the contents of the Self-Certification Form at its discretion or the discretion of the applicable Manager or Delegate. Disclosure also may be required by applicable law.

E. DEFINITIONS

Responsible Contractor: A business that pays workers a fair wage and a fair benefit as evidenced by payroll and employee records. The definition of fair benefits includes, but is not limited to, employer paid family health care coverage, pension benefits, and apprenticeship programs.

Fair Wage, Fair Benefits, and Training: The Policy avoids a narrow definition of “fair wage”, “fair benefits”, and “training” that might not be practical in all markets. Furthermore, the Policy does not require a “prevailing wage”, as defined by government surveys. Instead, the Policy looks to local practices concerning type of trade and type of project. The Policy recognizes that practices and labor market conditions vary across the country and that flexibility in its implementation is very important.

The definition of fair benefits generally includes, but is not limited to, employer-paid family health care coverage, pension benefits, and apprenticeship programs. What constitutes a fair wage and a fair benefit depends on the wages and benefits paid on comparable real estate or infrastructure projects. Fair wages and fair benefits are based upon local market factors, that include the nature of the project (e.g., residential or commercial and public or private), comparable job or trade classifications, and the scope and complexity of services provided.

In determining fair wages and fair benefits concerning a specific contract in a specific market, items that may be considered include local wage practices, state laws, prevailing wages, labor market conditions, and other items.

In place of a prevailing wage standard, the Policy requires a broad outreach and competitive bidding program, as described in Sections IV.D. and VI of the Policy. This program is premised upon the availability of a list of Responsible Contractors in every market in which CalPERS directly owns a property. While Managers and Delegates are responsible for gathering and analyzing information relevant in identifying and hiring a Responsible Contractor, compilation of this list does not depend solely on them. Instead, this Policy invites the various local trades to suggest contractors, which in their view, qualify as Responsible Contractors. Sources of information include local building and service trade councils, builders associations, and governments.

See Policy for complete requirements of the Responsible Contractor Program Policy.

Appendix 2

Complaint, Investigation and Dispute Resolution Process Regarding Potential Violations of the CalPERS Responsible Contractor Program Policy

All complaints must be in writing and sent to CalPERS at the following address:

**California Public Employees' Retirement System
Investment Office, Real Estate Unit
400 Q Street, Suite E4800
Sacramento, California 95814
Attention: Senior Investment Officer, Real Estate
Tel: 916-795-3400
Fax: 916-795-3965**

The following outlines the complaint, investigation and resolution process:

Step 1 - The complaining party contacts CalPERS Staff in writing, stating the complaint. The written complaint must document the specific allegation(s), the specific provision(s) in the RCP that is alleged to be violated, the property address, date, and parties involved. Please include any other information that may be pertinent to the matter.

Step 2 - Staff will log the written complaint into the Responsible Contractor Complaint/Concern Log. The Complaint/Concern Log is maintained by the Staff. After the written complaint has been filed and logged into the Responsible Contractor Complaint/Concern Log, the complaining party may request in writing a copy of that contractor's completed Self-Certification Form.

Step 3 - The Staff will contact the complaining party to gather additional information to fully understand the nature of the complaint(s). Also, upon receipt of a complaint, CalPERS may, in its discretion, disclose to the Manager or Delegate against which the complaint has been filed, the nature of the complaint, may provide a copy of the written complaint to the Manager or Delegate in question and may disclose the Delegate's Self-Certification Form to the complaining party.