Date: 10/29/2012

To: Nevada Deferred Compensation Committee

From: Kent Ervin (active employee and participant)

Subject: Open meeting and records request

My request of 10/6/2012 for public disclosure of the minutes of the closed NDC Committee meeting of 6/21/2012 and other records related to the recent recordkeeper Request for Proposals was denied by the staff of the Nevada Deferred Compensation Program (copies of request and response attached). I respectively request reconsideration by the Committee.

At several times during the RFP process, Committee members including Mr. Sisco, the current chair, assured the public that their considerations of the proposals and their reasons for scorings would be made public once the process was finished. Since the RFP process has been concluded and contracts to two of the RFP bidders (Hartford and ING) are being awarded, there is no reason to keep either the closed-meeting audio or the RFP proposals and pricing offers—at least those from Hartford and ING—confidential. The Committee members owe participants both the explanations for the decisions they claim to have made in the best interests of participants and access to the full information in order to allow participants to evaluate those claims. I find it particularly ironic that the Program is hiding behind NRS 333 to avoid disclosure under the Open Meetings and Open Records laws when some committee members claimed NRS 333 did not apply to the RFP process. The Committee should act in accord with the spirit of the Open Meeting and Open Record laws and release all of the requested materials. Otherwise, the perception will be that the Committee is hiding information to avoid liability about actions not actually in the best interests of participants.

Thank you for your consideration.

Kent Ervin

Reno, Nevada

Gmail [redacted]

NDC Records Request

Reba Coombs <rebacoombs@defcomp.nv.gov> Thu, Oct 11, 2012 at 10:50 AM
To: Kent Ervin <[redacted]>
Cc: "Sisco, Scott K" <SSisco@dot.state.nv.us>, "SChesney@ag.nv.gov" <SChesney@ag.nv.gov>

Dr. Ervin – Thank you for your request for minutes and audio recordings from past Nevada Deferred Compensation Program meetings.

1. The minutes from the meeting of July 12, 2012 are not yet complete, but I believe they will be ready in approximately two weeks time. Until the minutes are done, the audio transcript will not be available. Both will be posted on our website when complete.

2. The minutes and audio recording from the closed portion of the NDC meeting of June 21, 2012 (I think you meant June 21 rather than June 18) will not be made available to the public as that information is confidential pursuant to NRS 333.335(6) and NRS 239.0115 because a contract was not awarded.

3. and 4. Pursuant to the same statutes listed above, copies of the responses to the RPQ questionnaire submitted by the four finalists and pricing proposals will not be made available.

We value your interest in the NDC program and its activities and I will do whatever I can to accommodate any future requests.

If you have other questions, please let me know.

Reba Coombs, CPM

Program Coordinator

Nevada Public Employees

Deferred Compensation Program

Nevada State Library & Archives Building

100 North Stewart Street, Suite 210

Carson City, Nevada 89701

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rebacoombs@defcomp.nv.gov

F (775) 684-3399

From: Kent Ervin [[redacted]]
Sent: Sat 10/6/2012 3:17 AM
To: deferredcomp@defcomp.nv.gov
Cc: Carrie L. Parker
Subject: records request

Ms. Reba Coombs

Program Coordinator

Nevada Deferred Compensation Program

Dear Ms. Coombs:

Under the Nevada Open Meeting Law and Open Records Act, I request access to the following items from the Nevada Defined Compensation Program:

1. Minutes and audio recording or transcript of the 7/12/2012 NDC Committee meeting.

2. Minutes and audio recording or transcript of the closed potion of NDC Committee meeting on 6/18/2012 regarding agenda item J, discussion regarding service provider RFP evaluation and scoring to determine and select finalists.

3. Copies of the responses to the RFP questionnaire submitted by the four finalists, Great West, Hartford, ING, and Nationwide.

4. Copies of the final pricing proposals submitted by the four RFP finalists prior to the 7/18/2012 NDC Committee Meeting.

My preference is that these records be made publicly available by posting to the NDC website, or if that is not possible then via e-mail attachment. Otherwise, please let me know how access can be provided.

Thank you for your assistance.

Kent M. Ervin

[redacted]

Reno, NV 89503