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Header 1

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General Information

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Procurement Folder: 330243

Procurement Type: Central Master Agreement

Vendor ID: 000000206913 

Legal Name: SMITH COCHRAN & HICKS PLLC

Alias/DBA:

Total Bid: \$0.00

Response Date: 06/08/2017 

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Solicitation Description: Addendum No. 1 - Professional Auditing Services for UP

Total of Header Attachments: 1

Total of All Attachments: 1



Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

State of West Virginia
Solicitation Response

Proc Folder : 330243

Solicitation Description : Addendum No. 1 - Professional Auditing Services for UP

Proc Type : Central Master Agreement

Date issued	Solicitation Closes	Solicitation Response	Version
	2017-06-08 13:30:00	SR 1300 ESR06081700000006174	1

VENDOR

000000206913

SMITH COCHRAN & HICKS PLLC

Solicitation Number: CRFQ 1300 STO17000000006

Total Bid : \$0.00

Response Date: 2017-06-08

Response Time: 11:36:20

Comments:

FOR INFORMATION CONTACT THE BUYER

Tara Lyle
(304) 558-2544
tara.l.lyle@wv.gov

Signature on File

FEIN #

DATE

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Audit services	0.00000	LS	\$65.000000	\$0.00

Comm Code	Manufacturer	Specification	Model #
84111600			

Extended Description :	Audit services
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Proposal to Provide
Professional Auditing Services
to provide
Examinations of Unclaimed Property Holder's Records
to the
West Virginia Treasurer's Office
Unclaimed Property Division
RFQ# STO1700000006

June 8, 2017

TECHNICAL PROPOSAL



Smith, Cochran & Hicks, PLLC
Certified Public Accountants
3510 MacCorkle Avenue, SE
Charleston, WV 25304
(304) 345-1151

A handwritten signature in black ink, appearing to read 'Patrick C. Smith', is positioned above the printed name.

Mr. Patrick C. Smith, Managing Member
Inquiries concerning this proposal may be directed to Mr. Smith

West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006

Table of Contents

Section I: Technical Proposal	4
RFQ Section 3.1 Organization	4
RFQ Section 3.2 Licenses	5
RFQ Section 3.3 Location	5
RFQ Section 3.4 Quality Control Review Litigation	5
RFQ Section 3.5 References	5
RFQ Section 3.6 Experience	5
RFQ Section 3.7 Staff Qualifications	6
RFQ Section 3.8 Conflicts	7
RFQ Section 4.1.1 Specific Work Plan - Audits	7
RFQ Section 4.1.2 Audits Examinations	7
RFQ Section 4.1.3 Audit Authorization	7
RFQ Section 4.1.4 Standards	7
RFQ Section 4.1.5 Authority	8
RFQ Section 4.1.6 Timeframe	8
RFQ Section 4.1.7 Act Requirements and Notices	8
RFQ Section 4.1.8 Closure	8
RFQ Section 4.1.9 Reporting	8
RFQ Section 4.1.10 Securities	9
RFQ Section 4.1.11 Demands for Remittance	10
RFQ Section 4.1.12 Out of Proof Reports	10
RFQ Section 4.1.13 Dispute Resolution	10
RFQ Section 4.1.14 Property Disputes	10
RFQ Section 4.1.15 Interest Credits	11
RFQ Section 4.1.16 Release Agreements	11
RFQ Section 4.1.17 Work-in-Progress Reports	11
RFQ Section 4.1.18 Review and Retention of Records	11
RFQ Section 4.1.19 Joint Examination	12
RFQ Section 4.1.20 Reasonable Compensation	12
RFQ Section 4.1.21 Fees	12
RFQ Section 4.1.22 Confidentiality	13
RFQ Section 5.1 Vendor-Assisted Self-Audits	13
RFQ Section 5.1.1 Assistance	13
RFQ Section 5.1.2 Identification and Contact	13
RFQ Section 5.1.3 Authorization	13
RFQ Section 5.1.4 Vendor-Assisted Self-Audits	13
RFQ Section 5.1.5 Timeframe	14
RFQ Section 5.1.6 Work-In-Progress	14
RFQ Section 5.1.7 Collection and Delivery	14
RFQ Section 5.1.8 Education and Compliance	14
RFQ Section 5.1.9 Compensation	14
Additional Discussion	14

West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006

Section II: Miscellaneous

- A-1: Engagement Team Resumes
- A-2: Sample Examination Report
- A-3: Administrative Appeals Statement of Understanding & Administrative Appeals Request
- A-4: Release Agreement
- A-5: Sample Work-in-Progress Report
- A-6: Purchasing Affidavit
- A-7: Vendor Preference Certificate
- A-8: Contract Contact and Certification and Signature
- A-9: Addendum Acknowledgement

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

Section I: Technical Proposal

We have responded to each mandatory criterion listed below with appropriate comments and supporting evidence to their truth. For the remaining portion of this proposal, the term "we" refers to Smith, Cochran & Hicks, PLLC.

RFQ Section 3.1 Organization

Smith, Cochran & Hicks, PLLC ("SCH") and its predecessor firms have provided quality accounting and consulting services to clients throughout West Virginia since 1979 with locations in Charleston and Montgomery, WV. SCH employs approximately twenty-five professionals, five of which possess significant unclaimed property auditing and/or consulting experience.

SCH has always devoted a large portion of its practice to serving governmental entities. Our professionals have assisted governmental bodies achieve a broad range of objectives by providing quality professional attestation and consultation services through the years.

SCH has significant experience in the area of unclaimed property auditing. For the past twelve (12) years, we have served the West Virginia State Treasurer's Office ("STO") under a similar contract to provide unclaimed property audit services. We conducted approximately eighty (80) unclaimed property examinations and one-hundred-sixty (160) desk reviews. We have performed examinations on a wide range of entity types including financial institutions, healthcare providers, automobile dealerships, wholesalers, manufacturers, colleges and universities, food service providers, oil and gas companies, and insurance companies, among others.

Our staff has undergone extensive training administered by the STO, and each individual assigned to this engagement is inherently familiar with the reporting requirements of West Virginia's Uniform Unclaimed Property Act (the "Act").

In addition to serving governmental agencies, our firm provides a wide range of services to not-for-profit and private sector clients.

We are also unique in that we have a division that specializes in providing services to our public utility clients throughout the State. Our professionals provide accounting and auditing services, rate analysis, project management and coordination, financing assistance, receivership services, and general consulting. Our professionals are recognized as expert witnesses with the West Virginia Public Service Commission and have provided expert testimony at a number of official hearings. Our firm also participates in annual training programs for these clients that address accounting, financial and regulatory reporting requirements, and general construction financing and project management issues.

We have experience in the healthcare, manufacturing, retail, and service industries, as

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

well as with organizations providing services to seniors and other non-profit entities. These services include audit, review and accounting, cost allocation and management plans, internal control assessments and implementation, compilation and review of forecasted or projected financial information, business plans and financing packages, debt coverage certifications, agreed-upon procedures, assistance in budgeting and planning, and other consulting and management advisory services.

RFQ Section 3.2 Licenses

We affirm that we are properly licensed and in good standing with all regulatory and governmental entities.

RFQ Section 3.3 Location

We affirm that we are authorized to conduct business in West Virginia. All assets and data relating to the STO will be maintained at our primary office at 3510 MacCorkle Avenue, SE, Charleston, WV 25304.

RFQ Section 3.4 Quality Control Review Litigation

All work performed under this contract will be reviewed by the Member-in-Charge, Patrick C. Smith.

Additionally, AICPA Guidelines mandate that we have a Peer Review completed every three (3) years. Our last peer review was in 2015.

RFQ Section 3.5 References

To date, we have provided unclaimed property audit services to the West Virginia State Treasurer's Office Unclaimed Property Division and the North Carolina Department of State Treasurer (NCDST). We have worked with the following STO staff over the course of multiple contracts: Carolyn Atkinson, Cindy Hillen, Dwight Smith, Paul Hill, Danny Ellis, Carolyn Legg, and Malissa Hohmann. We primarily work with Donald Harmon, Audit Manager and Regina Morgan, Vendor Audit Management Officer with the NCDST. The contact phone number for the NCDST is (919) 814-4200.

RFQ Section 3.6 Experience

We have conducted approximately seventy-five (75) unclaimed property examinations and one-hundred-sixty (160) unclaimed property desk reviews under contracts with the STO and NCDST. We have examined numerous entity types including financial institutions, healthcare providers, automobile dealerships, wholesalers, manufacturers, colleges and universities, food service providers, oil and gas companies, and insurance companies, among others.

As a result of our previous experience, we are familiar with the unclaimed property

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

reporting requirements of the State of West Virginia and affirm that all in-charge members assigned to the proposed engagement team have undergone extensive training administered by the STO.

We have also provided consulting services for the West Virginia Alcohol Beverage Control Administration ("WVABCA") in relation to the 2010 liquor license rebid. Under Patrick Smith's direction, we provided over 850 hours of work in 2009 and 2010. Our primary contact at the WVABCA was Anoop Bhasin, the WVABCA's contact number is (304) 356-5500.

To date, we have provided unclaimed property audit services to the West Virginia State Treasurer's Office Unclaimed Property Division and the North Carolina Department of State Treasurer.

RFQ Section 3.7 Staff Qualifications

Firm policy and professional standards require that engagements be staffed with professionals who possess the appropriate experience necessary to complete the engagements effectively and efficiently.

We affirm that all professionals assigned to unclaimed property examinations will possess at least one (1) year of experience in unclaimed property auditing.

Patrick C. Smith will serve as the member-in-charge for all engagements executed under this contract. His email address is psmith@schcpa.com.

Newton Nichols is designated as the primary contract manager responsible for overseeing our responsibilities under this contract. Newton has experience in providing audit services and is available during normal business hours to address any customer service or other issues related to this contract. If it becomes necessary to change the contract manager, we will notify the STO immediately. Newton can be contacted by phone at (304) 345-1151, by fax at (304) 346-6731, and by email at nnichols@schcpa.com.

The following employees will be available as part of our Project Team: Tyler Shamblin, Brian Messer, Betsy Debord and Jennifer Scott.

SCH has available additional staff and facilities to fulfill all the services required under this RFQ and any resulting contract. We will not substitute key personnel assigned to this engagement without prior written approval from the STO.

Please see the resumes of the professional staff selected to serve on the engagement team in Section II: A-1 of this proposal.

All staff members can be contacted by phone at (304) 345-1151 or by mail at 3510 MacCorkle Avenue, SE, Charleston, WV 25304.

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

RFQ Section 3.8 Conflicts

SCH affirms that we do not presently have any conflict or potential conflict of interest with regard to any other work performed for the State of West Virginia or any agency, board, or commission thereof. We will perform our work in a fair, objective and impartial manner, and report thereon. Should any potential conflicts arise at a later date, we will notify the STO immediately so that an agreeable resolution can be achieved in a timely manner.

RFQ Section 4.1.1 Specific Work Plan - Audits

For each planned audit, we will set forth a work plan, including an explanation for our methodology. We will ensure that our work plan adheres to the STO's Auditing Guidelines ("Guidelines").

We will continue to use the Unclaimed Property Examination Program that was previously developed by the STO and continuously refined through the experience of both the STO and SCH staff.

Though we do not foresee any issues arising, we will evaluate our ability to provide the services sought out in this RFQ on a regular basis.

RFQ Section 4.1.2 Audits Examinations

We will conduct audits as required by the STO and in accordance with the Guidelines. We shall undertake to determine, report, and collect all types of unclaimed property in the possession of the Holder, within the scope of the audit. It shall be our responsibility to review the records of such Holders of unclaimed property to determine if all property within the scope of the audit, held for owners with a last known address in West Virginia, or in the absence of records of owner names, where the Holder is domiciled in West Virginia, has been reported and remitted to the State.

RFQ Section 4.1.3 Audit Authorization

Prior to commencing an audit, we will obtain written approval from the STO. We acknowledge that the STO has the final and sole authority to determine who, if anyone, will conduct an examination of Holders. All unclaimed property funds or securities submitted by us or the Holder pursuant to an examination conducted without prior written approval from the STO shall be received by the STO without compensation to SCH.

RFQ Section 4.1.4 Standards

We affirm that all work performed under the terms of this contract, including the identification of unclaimed property, the processing of records, and the demands for payment of property to the STO, will be conducted in accordance with Generally

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

Accepted Accounting Principles (GAAP) and Generally Accepted Auditing Standards (GAAS). It is also understood that any exceptions to these provisions must be obtained in writing from the STO.

RFQ Section 4.1.5 Authority

We will act only within the scope of authority granted us by the STO. STO approval is required for the use of estimation in the absence of Holder records. Written STO approval must be obtained prior to estimation being undertaken.

RFQ Section 4.1.6 Timeframe

We affirm that we will comply with the timeframes established by the STO. We will schedule each assigned unclaimed property examination at a date and time that is mutually agreeable with the Holder. We acknowledge that the examination shall commence no later than ninety (90) days after we receive notification of the assignment from the STO, except on a showing of good cause. We affirm that we will complete the examination and submit the report to the STO within a reasonable time of the assignment of the examination unless an extension is requested and approved by the STO.

RFQ Section 4.1.7 Act Requirements and Notices

During the course of the examination engagement, we will advise the Holder of the requirements of W.Va. Code §36-8-7 for notifying owners of their property ("Due Diligence Requirements"). We will advise Holders that all property reported and remitted must conform to the requirements of the Act. We will notify the STO if due diligence has not been carried out by a Holder. We understand that Holders are not exempt from any section of the Act, including but not limited to West Virginia Code §36-8-24, which grants the STO the authority to charge penalties and interest to delinquent Holders. We will not represent to Holders that penalties and interest will be waived without written authorization from the STO.

RFQ Section 4.1.8 Closure

We affirm that we will properly close audits as required by this RFQ. After we have reached an agreement with the Holder regarding the amount deliverable, we will provide a final examination report to both the Holder and the STO. This report will summarize the procedures performed and the conclusions reached during the engagement, as well as a summary of the amount(s) deliverable. We understand that the STO will notify the Holder of any interest and penalties assessed on delinquent property.

RFQ Section 4.1.9 Reporting

In conjunction with the identification and collection of unclaimed property (either voluntary or involuntary examinations), we shall:

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

- Process records of unclaimed property obtained from Holders and/or their agents;
- Timely submit to the STO reports of unclaimed property in accordance with the requirements of the Act and corresponding legislative rule, 112 CSR 5;
- We will report all unclaimed property electronically using the NAUPA II standardized unclaimed property reporting format. We will also issue our report in paper format, if requested by the STO;
- We will timely submit, pay or deliver all funds and other property constituting unclaimed property to the STO, or its designee. The delivery or payment must be subsequent to the processing of the Holder's records and our demand of report and payment or delivery. All funds, securities and other property must be segregated and securely maintained for a period not to exceed thirty (30) calendar days prior to disbursement to the STO or its designee. Remittance documentation shall indicate the date the property was received.

An example of the report format we intend to utilize is included in Section II, A-2.

RFQ Section 4.1.10 Securities

We will cause all securities to be re-registered to the State of West Virginia or its nominee, as directed by the STO, and delivered using Depository Trust Company ("DTC") designations when applicable. In the event that securities are not DTC eligible, we will cause them to be re-registered to the West Virginia State Treasurer or its nominee, at the written direction of the STO, and delivered in physical form to the STO, or its designee.

We will submit reports in the format required by the STO. The report format for securities must also include in addition to the above: The CUSIP number for the issue; the certificate number that corresponds to the shares on that report; the Holder's FEIN number; and the value of the shares on the date the property is received by us. The value of any security traded on an exchange shall be the closing price of that security on the date the property is received by SCH or our custodian. If the property is a security traded over the counter, it shall be the bid price as set forth in the 'pink sheets' on the date the property is received. For any other property the value shall be determined according to Generally Accepted Valuation Procedures.

Alternatively, in lieu of requiring the transfer of a security to the STO, the STO may require that the Holder, acting as agent for the STO, liquidate the security and report the proceeds as unclaimed property. To facilitate this liquidation, when we have in our possession securities which are determined to be reportable to the STO, if requested by the STO, we will send a report of the securities which appear to have market value.

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

Securities listed on an established stock exchange must be sold at prices prevailing on the exchange at the time of sale. Other securities may be sold over the counter at prices prevailing at the time of sale or by any reasonable method authorized by the STO. Within sixty (60) calendar days of any sale conducted pursuant to this subsection, the Holder shall deliver to the STO the monetary proceeds resulting from the sale, after deducting a proportionate share of the reasonable expense of brokerage and transfer fees from the sale of the property. The Holder shall report the number of shares sold and the value of each share, as well as the expense attributable to the sale. The Holder shall include in the reported property all interest, dividends, increments, earnings, and accretions due, payable or distributable at the time of liquidation, and all earnings on the property between the time of liquidation and the time of reporting.

RFQ Section 4.1.11 Demands for Remittance

We will not make a demand of a Holder for remittance of property to the STO until both parties have both reconciled and agreed with the report to be filed with the STO. In the event we are unable to come to an agreement with the Holder upon the report to be filed, the STO shall decide the matter.

RFQ Section 4.1.12 Out of Proof Reports

We will inform the Holder that out of proof reports are only accepted if the Holder pro-rates the report prior to submission to the STO, and only if allocated for each individual owner, in order to reconcile to the actual dollar and/or share amount submitted to the STO. We will inform the Holder that the STO will only accept out of proof reports if they contain written assurances by the Holder that the Holder agrees to provide the balance due should all owners come forward.

RFQ Section 4.1.13 Dispute Resolution

We affirm that we will assist in dispute resolution as needed. In the event we cannot come to agreement with the Holder as to the terms of our final examination report, the Holder may file an administrative appeal with the STO in accordance with the Guidelines.

An example of the Administrative Appeals Statement of Understanding and Administrative Appeals Request Form we anticipate providing upon conclusion of our examination is included in Section II, A-3.

RFQ Section 4.1.14 Property Disputes

We will assist the STO with regard to property disputes. We will notify the STO of any such disputes within thirty (30) days of determination that a dispute exists and make all reasonable efforts to resolve disputes as quickly as possible. We will provide to the STO the actual resolution date of any such disputes, and shall remit the property within thirty (30) days of resolution of disputes.

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

RFQ Section 4.1.15 Interest Credits

We will issue an interest credit to the STO equal to the interest earned on all cash funds held by us on behalf of the STO from the date following the day such funds are paid in good funds to us until, but not including the date we remit funds to the STO. We will credit any interest payable to the STO against fees payable to SCH.

RFQ Section 4.1.16 Release Agreements

We will prepare release agreements according to STO procedures. Additionally, we will prepare a release agreement, when requested by a Holder, to be signed by the Holder and the STO, which shall identify the property to be remitted, and verify that the appropriate abandonment period has been met for each type of property reported. We understand that the STO reserves the right to modify the terms of the release agreement at any time.

Please see Section II, A-4 for an example of the Release Form we will provide upon conclusion of our examinations.

RFQ Section 4.1.17 Work-in-Progress Reports

We will provide a Work-in-Progress Report to the STO by the 15th of each month. This report, an example of which is included in Section II, A-5, will include the following:

- Holder's Name,
- State of Incorporation,
- Federal Employer Identification Number,
- Issue Name,
- Property Type,
- Engagement Date,
- Types of records being examined,
- Whether the examination is voluntary or involuntary, and
- Status Commentary.

We will also provide the information in a comma delimited text electronic file format, and upon the STO's request, in a paper format. We understand that this provision may be amended at any time at the written discretion of the STO.

RFQ Section 4.1.18 Review and Retention of Records

We will permit the STO to review all records maintained by SCH to ensure our compliance with all the terms and conditions of the purchase order issued pursuant to this RFQ. The scheduling of these reviews will be designated by the STO. All working papers and reports must be retained, at our expense, for a minimum of ten (10) years

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

from the originating date, unless notified in writing by the STO to extend the retention period.

RFQ Section 4.1.19 Joint Examination

We acknowledge that the STO reserves the right to participate in a joint examination of any Holder at any time.

RFQ Section 4.1.20 Reasonable Compensation

We agree to alternate reasonable compensation in certain cases and recognize that the STO has an interest in assuring that businesses comply with the provisions of the Act, regardless of businesses' size. In certain limited circumstances, the STO may wish to assign a business domiciled and/or geographically located in the State of West Virginia for involuntary examination, where due to the size or nature of the business, the examination may or may not result in sufficient findings in order for us to be reasonably compensated.

For examinations assigned under those circumstances, the STO will notify us at the time the examination authorization letter is issued that the alternate payment provisions set forth in this Section and in Section 3.30.2 of this RFQ may apply. We will then determine and submit an estimate of the number of hours we anticipate using to complete the audit, prior to commencing fieldwork for the examination. The STO will review the estimate and thereafter determine the number of hours necessary to complete the assigned examination. We will then be notified of the hours approved by the STO for the examination. We will conduct the review of Holder, estimation of hours needed for the examination and the examination itself within the allowed time previously approved by the STO.

If during the examination additional time appears to be warranted we shall notify the STO in writing explaining the grounds for the request for additional hours. After consideration by the STO we will be notified in writing of the approval or disapproval of the request for additional hours. We will not exceed the allotted or estimated hours without prior written approval by the STO. We will not be compensated for any hours billed in excess of those allotted for the review or estimated for the examination, unless prior written approval was received from the STO.

To provide reasonable compensation, payment will initially be calculated according to the payment provisions of Section 3.30.1 of this RFQ; provided, however, that if the amount to be paid under that Section would be less than the hourly rate set forth in this Section, we will be paid the hourly rate as determined in this Section and as set forth in Section 3.30.2.

RFQ Section 4.1.21 Fees

Except as provided in Section 3.30.02 below, our fee for the identification and collection

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

of unclaimed property will be a flat thirteen percent (13%) of the net unclaimed property remitted to the STO, less any interest due pursuant to the provisions of this RFQ. Net unclaimed property is the gross value of all unclaimed property, minus the value of all unclaimed property delivered by the Holder, if any, that otherwise would have been delivered pursuant to the reporting practices of the Holder as they existed prior to the execution of the agreement with our Firm. Payment will be made in arrears, based upon invoices submitted by us, once property is received.

RFQ Section 4.1.22 Confidentiality

We will preserve the integrity of STO security and confidentiality. We will exercise appropriate security precautions in handling confidential information and will hold all information about a Holder's property confidential. We acknowledge that pursuant to W.Va. Code §36-8-25, unclaimed property records are confidential and not subject to the West Virginia Freedom of Information Act, W.Va. Code 29B-1-1 et seq.

RFQ Section 5.1 Vendor-Assisted Self-Audits

RFQ Section 5.1.1 Assistance

We will assist the STO in the identification, outreach, education, and notification of potential holders of unclaimed property regarding the subject of unclaimed property and of the holder's obligation to file unclaimed property reports and remit those funds to the STO.

RFQ Section 5.1.2 Identification and Contact

We will research and identify potential holders of unreported unclaimed property that is past due and contact those holders to seek participation in the Vendor-Assisted Self-Audit. Upon agreement by the holder, we will inform the STO and provide written justification and a Vendor-Assisted Self-Audit plan to be based on the holder's reporting history and will state the holder's willingness to be compliant with the Act.

RFQ Section 5.1.3 Authorization

We understand that we must obtain prior written authorization from the STO to oversee a Vendor-Assisted Self-Audit. We acknowledge that the STO has the final and sole authority to determine who, if anyone, will conduct an examination of Holders. All unclaimed property funds or securities submitted by us or the Holder pursuant to an examination conducted without prior written approval from the STO shall be received by the STO without compensation to SCH.

RFQ Section 5.1.4 Vendor-Assisted Self-Audits

SCH will start a Vendor-Assisted Self-Audit within ninety (90) days of STO approval. We will begin by contacting the holder and beginning the Vendor-Assisted Self-Audit plan.

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

SCH will assist the holder to determine, report, and collect all types of unclaimed property in the holder's possession.

We will:

- gather basic corporate information,
- review the holder's financial statements to assist in identifying to the holder potential types of unclaimed property to be included in the Vendor-Assisted Self-Audit,
- review the self-audit analysis prepared by the holder,
- assist in the preparation of the unclaimed property report,
- prepare a final report to close the Vendor-Assisted Self-Audit, and
- review the holder's final report and submit with the remittance to the STO.

RFQ Section 5.1.5 Timeframe

SCH will finish a Vendor-Assisted Self-Audit within one (1) year of the STO's authorization letter unless the STO grants an extension.

RFQ Section 5.1.6 Work-In-Progress

SCH will submit work-in-progress reports in accordance with Section 4.1.17 of the RFQ.

RFQ Section 5.1.7 Collection and Delivery

SCH will report all property remitted in accordance with Section 4.1.9 and 4.1.10 and credit interest as required by Section 4.1.15.

RFQ Section 5.1.8 Education and Compliance

Prior to closing the Vendor-Assisted Self-Audit, SCH will educate the holder on their future compliance with the action including those requirements noted in Section 4.1.7 of the RFQ.

RFQ Section 5.1.9 Compensation

Our fee for Vendor-Assisted Self-Audits will be a flat nine percent (9%) of the net unclaimed property remitted to the STO. Net unclaimed property is the gross value of all unclaimed property, minus the value of all unclaimed property delivered by the Holder, if any, that otherwise would have been delivered pursuant to the reporting practices of the Holder as they existed prior to the execution of the agreement with our Firm. Payment will be made in arrears, based upon invoices submitted by us, once property is received.

Additional Discussion

Term: We understand that the initial term of the purchase order will be for a period of

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

one (1) year, at which time the contract may, upon mutual written consent of SCH and the STO, with approval of the Purchasing Division and the Attorney General's Office, be renewed. Any request of renewal shall be submitted to the Purchasing Division thirty (30) days prior to the expiration date of the initial contract term or appropriate renewal term. Renewal of this contract is limited to four (4) one (1) year renewals, not to exceed forty-eight (48) months. Additionally, automatic renewal of this contract is prohibited.

Insurance Requirements: We shall maintain in full force and effect, with an insurance company of recognized responsibility, at our expense, insurance covering our work of the type and in amounts required by this contract. Our insurance shall, at minimum, insure against loss or damage resulting from our performance of this contract. All such insurance policies will remain in full force in effect for the entire term of this contract.

Unless otherwise requested by the STO, we shall, at our sole cost, cause to be issued and maintained in effect during the entire term of this contract not less than the insurance coverage amounts set forth below:

<u>Type of Insurance</u>	<u>Limit Amount</u>
General Liability (including contractual liability) Per occurrence	\$1 million
Malpractice Insurance or Errors and Omissions Insurance	\$1 million
Cyber Liability Insurance	\$1 million

We further acknowledge that all insurance policies required by the contract resulting from this RFQ will provide coverage for all claims arising from activities occurring during the term of the policy regardless of the date the claim is filed or expiration of the policy.

We will submit certificates of the insurance described above to the Treasurer within ten (10) days after the issuance of a purchase order and contract for the approval of the Treasurer. The certificates will state that no cancellation of the insurance will be made without at least thirty (30) days prior written notice to the Treasurer.

We acknowledge that acceptance of the insurance certificates by the Treasurer shall not act to relieve us of any obligation under this contract. All insurance policies and certificates will be issued only by companies authorized to transact business in the State of West Virginia. It is our responsibility to keep the respective insurance policies and amounts of coverage current and in force during the life of this contract.

License Requirements: We affirm that all assigned key professional staff are properly licensed to practice in West Virginia.

Subcontractors: We do not intend to subcontract any portion of the work under this RFQ.

**West Virginia State Treasurer's Office
Unclaimed Property Division
STO1700000006**

Independent Contractor: We understand that relationship between us and the STO shall be that of an independent contractor and no principal-agent or employer-employee relationship is contemplated or created by the parties. As an independent contractor, we are solely liable for the acts and omissions of our employees, representatives, and agents. We are responsible for selecting, supervising, and compensating any and all individuals employed to provide the goods and/or services. Neither SCH nor any of its employees, contractors, or subcontractors shall be deemed to be employees of the STO for any purpose whatsoever.

A-1: Engagement Team Resumes

PATRICK C. SMITH, CPA

EXPERIENCE

1997-2000

2003-Present **Smith, Cochran & Hicks, PLLC**

Member

Managing Member

- Member-in-Charge of the Firm's Accounting and Assurance Division. Responsible for all compilation, review and other attestation engagements, including examinations and agreed-upon procedure engagements, conducted by the Firm.
- Oversees the Firm's Abandoned Property Division. The Firm serves as the preferred examination vendor for the West Virginia State Treasurer's Office, Division of Unclaimed Property ("STO"). Since 2003, the Firm has conducted approximately seventy-five (75) unclaimed property examinations and hundreds of "desk audits" on behalf of the STO.
- Responsible for designing and maintaining the firm's Quality Control (QC) System to ensure compliance with the AICPA *Code of Professional Conduct*.
- Management of personnel, including organization of work schedules and delegation of tasks.
- Define staffing guidelines and perform recruitment and training of new employees.
- Evaluate employee performance, financial standing of the organization, and the overall activity of the firm to assess productivity and goal achievement.
- Develop budgets and allocate work flow to ensure optimal productivity and to generate growth.

2000-2003

Brantley, Boucher & Farr, LLC

Senior Accountant

- In-charge auditor on local government and private sector audit engagements. Responsible for the planning and development of audit programs and procedures, the performance of tests of controls and substantive tests of transactions, the performance of analytical procedures, and upon completion of audit fieldwork, the drafting of the final audit report and related financial statements.
- Significant interaction with a diverse client base involving matters ranging from personal income tax and retirement planning for individual tax clients to budgeting, tax projections and assisting with the design of employee benefit and qualified plans for business clients.
- Preparation and review of individual, corporate, partnership, and estate and trust income tax returns; preparation of annual returns of employee benefit plans (Federal Form 5500); preparation of returns of organizations exempt from income taxes (Federal Form 990); preparation and review of interim and annual financial statements; preparation and review of monthly, quarterly and annual payroll tax returns; preparation and review of monthly and annual sales and use tax returns.

EDUCATION

- Bachelor of Science Business Administration, Major in Accounting, University of Kentucky, Lexington, Kentucky
- Certified Public Accountant (CPA), State of West Virginia

MEMBERSHIPS

- American Institute of Certified Public Accountants
- West Virginia Society of Certified Public Accountants

NEWTON NICHOLS, AFI

EXPERIENCE

2000–Present Smith, Cochran & Hicks, PLLC

Manager, 2016 to present

Supervising Senior Accountant, 2005-2015

Senior Accountant, 2002-2004

Staff Accountant, 2000-2002

- Responsible for planning, execution and supervision of unclaimed property examinations.
- Responsible for planning, supervision and review of audit engagements for clients of various sizes and financial complexity, including state and local governments, and not-for-profit organizations.
- Preparation of interim and year-end financial statements, evaluation and testing of internal control structures, and implementation of fraud detection procedures.
- Control and compliance testing on the Single Audit of the State of West Virginia, including work with the State Auditor's Office, Department of Tax & Revenue, Purchasing Division, Adjutant General's Office, and various Higher Education institutions.
- Extensive work on Single Audits in accordance with *OMB Circular A-133*.

EDUCATION

- Bachelor of Science in Accounting and Computer Information Science West Virginia Wesleyan College, Buckhannon, West Virginia
- Accredited Fraud Investigator (AFI), University of Charleston, 2008
- Certified QuickBooks Pro-Advisor

BRIAN A. MESSER, CPA, CFE

EXPERIENCE

2013-Present **Smith, Cochran & Hicks, PLLC**

Senior Associate

- Prepare individual and business tax returns.
- Advise clients on tax, accounting, and business matters.
- Represent taxpayers in resolving matters with the IRS and State Tax Departments.
- Perform research on regulations and best practices.
- Conduct financial education presentations to various organizations.
- Meet with potential clients to highlight the services and benefits of the firm.

2009-2013 **Office of the West Virginia Secretary of State**

Chief Financial Officer

- Plan, organize, and direct State Agency fiscal operations for 10 funds.
- Advise the Secretary of State on fiscal matters.
- Forecast agency revenues, prepare and operate within budget.
- Prepare appropriation requests, budget narratives, and expenditure schedules.
- Conduct research on issues of fiscal importance; issue fiscal notes.
- Monitor and implement internal control measures as needed.
- Organize records for financial, compliance, and performance audits.
- Serve on statewide ERP Change Leadership Team.
- Compile data for agency portion of the State CAFR.
- Generate periodic and ad-hoc reports; adjust fiscal operations as needed.
- Brief Government Officials, Legislative Bodies, and other stakeholders.
- Coordinate with various stakeholders to achieve common goals.
- Supervise: AP/AR, Purchasing, Budget, HR/Payroll, Contracts, Accounting, Grants Management, and any other financial-related fields.

2009-2013 **Brian A. Messer, CPA**

Owner/Operator

- Prepare individual and business tax returns.
- Advise clients on tax and accounting matters.
- Complete monthly/quarterly bookkeeping and reporting.
- Plan, conduct, and report on attestation engagements.
- Conduct financial education presentations to various organizations.
- Perform all administrative functions of the practice.

2007-2009 **West Virginia Center for Professional Development**

Director of Finance

- Plan, organize, and direct State Agency fiscal operations.
- Forecast budgetary needs, prepare and operate within budget.
- Track and record expenditures, recognize revenues totaling nearly \$7 million.
- Prepare grant and appropriation requests; award grants.
- Monitor and implement internal control measures as needed.
- Organize records for financial, compliance, and performance audits.
- Generate periodic and ad-hoc reports, advise CEO on fiscal matters.
- Lobby Congress and State Legislature for funding and program implementation.
- Brief Boards of Directors, Government Officials, and Legislative Bodies.
- Coordinate with government organizations, non-profits and businesses to achieve common goals.
- Supervise: AP/AR, Purchasing, Budget, HR/Payroll, Contracts, Accounting, Grants Management, and any other financial-related fields.

2004-2007 West Virginia State Treasurer's Office

Cash Management – Electronic Funds Division

- Accounted for over \$9 billion of annual electronic disbursements and receipts.
- Approved and posted deposits and disbursements for over 30 state agencies in the State's Financial Management System.
- Prepared daily and periodic electronic funds activity reports.
- Confirmed daily account balances and performed periodic bank reconciliations.
- Provided customer service to public, private, and individual state customers.
- Analyzed discrepancies and conducted research to satisfy situation.
- Introduced and implemented processes to improve overall office efficiency.

2002-2004 Independent Insurance Sales

Self-Employed Insurance Agent

- Set sales goals and developed strategies for sales growth.
- Marketed and sold life and health insurance to individuals and groups.
- Advised customers on the best plans to meet their needs.
- Provided customer service to ensure satisfaction.

1993-2000 United States Army

Platoon Sergeant

Unit Trainer

Nuclear, Biological, and Chemical Specialist

- Prepared and operated within budget constraints for 150 person unit.
- Conducted and received performance and compliance audits.
- Advised and briefed superiors and subordinates on goals and accomplishments.
- Developed and wrote extensive operational procedures and readiness exercises.
- Facilitated training sessions for both U.S. soldiers and multi-national forces.
- Submitted equipment modification proposals to improve quality and function.
- Served as a liaison with other U.S. military units, as well as foreign and host-country military forces and dignitaries in efforts to coordinate goals.

EDUCATION

- Bachelor of Science Business Administration, with Honors, Major in Finance, West Virginia State University, Institute, West Virginia
- Master of Public Administration, West Virginia University, Morgantown, West Virginia
- Certified Public Accountant (CPA), State of West Virginia
- Certified Fraud Examiner (CFE)

MEMBERSHIPS

- American Institute of Certified Public Accountants
- Association of Certified Fraud Examiners
- Association of Government Accountants
- Government Finance Officer Association
- West Virginia Society of Certified Public Accountants

BETSY A. DEBORD, MSA

EXPERIENCE

2010-Present Smith, Cochran & Hicks, PLLC

Associate

- Prepare individual and business tax returns.
- Responsible for preparation and analysis of financial data and payroll for a variety of clients of various size and complexity.
- Manage all aspects of accounting operations for multiple clients, to include, but not limited to invoicing, accounts receivable, accounts payable, fund appropriation, budget recommendation, and tax preparation.
- Preparation of interim and year-end financial statements.
- Preparation of monthly, quarterly, and annual payroll and sales taxes.
- Identify opportunities for cost savings and improvement.
- Assist in preparing appropriation requests, budget narratives, and expenditure schedules.
- Monitor and implement internal control measures as requested by clients.
- Organize records for financial compliance and performance audits.
- Work closely with independent auditor during annual audit for clients.
- Generate periodic and ad-hoc reports; adjust fiscal operations as needed.
- Manage multiple grant drawdowns for non-profit clients.
- Perform market conduct examinations of self-insured organizations for the State of West Virginia.
- Exam and audit self-insured organizations to ascertain insurance regulatory compliance.
- Report on the financial handling and process of workers' compensation claims.
- Proficient in Microsoft Office software to include Excel, Word, Access, Outlook, Power Point, and Publisher.

2010-2012 SCH Consulting, LLC (formerly Smith-Little, LLC)

Examiner

- Perform market conduct examinations of self-insured organizations for the State of West Virginia.
- Exam and audit self-insured organizations to ascertain insurance regulatory compliance.
- Ensure compliance with standards set forth by the National Association of Insurance Commissioners (NAIC) through evaluation of organization management, claim handling, and compensation issues.
- Determine and report on appropriation of funds for workers' compensation claims filed within self-insured organizations.
- Analyze and make recommendations regarding workers' compensation claim settlements.
- Review, track, and report on the financial handling and process of workers' compensation claims.

2006-2010 Smith, Cochran & Hicks, PLLC

Premium Auditor

- Specialized in performing physical, telephone, and mail audits.
- Ensure accordance with National Council on Compensation Insurance (NCCI) rules and Scopes Manual classifications.
- Accurately classify employees to warrant coverage is adequate and is in accordance with NCCI regulations.
- Maintain audit records and development auditor templates and specialized programs.
- Proficiency with Microsoft Office to develop templates and specialized programs.
- Examine employer records for compliance with workers' compensation laws and regulation.

EDUCATION

- Master of Science in Accountancy (MSA) and Master of Business Administration (MBA), 2012
- Bachelor of Science in Biology, West Virginia University Institute of Technology, 2009
 - Minor in Chemistry
- Certified Workers' Compensation Professional (CWCP), University of Michigan, 2010
- Accredited Fraud Investigator (AFI), University of Charleston, 2008
- QuickBooks Pro Advisor, 2012

MEMBERSHIPS

- National Society of Insurance Premium Auditors (NSIPA)
- Insurance Regulatory Examiners Society (IRES)

JENNIFER SCOTT, CPA

EXPERIENCE

2016-Present **Smith, Cochran & Hicks, PLLC**

Associate

- Provide support with class action claims administration projects.

2010-2016 **West Virginia Center for Professional Development**

Finance Manager

Accounts Payable Coordinator

- Plan, organize, and direct state agency fiscal operations.
- Supervise: AP/AR, purchasing, accounting, and contracts.
- Forecast budgetary needs and prepare agency's appropriation request.
- Brief Board of Directors, government officials, and legislative bodies.
- Advise CEO on fiscal matters.
- Manage and report state, federal, and private grants.
- Examine and revise internal controls.
- Organize records for financial and performance audits.
- Coordination and implementation of ERP system agency-wide (wvOASIS and Kronos).
- Other roles and assignments: Procurement Officer, P-Card Coordinator, Privacy Officer, Equal Employment Opportunity (EEO) Officer, Leave Coordinator, Inventory Management Coordinator.
- Audit, prioritize, and process agency accounts payable ensuring timely payment.
- Track and record expenditures; recognize revenues.
- Review grant applications and reports; account for and issue grant funds.
- Generate periodic and ad-hoc reports for agency CEO.
- Provide in office and training site customer service.

EDUCATION

- Bachelor of Science Business Administration, with Honors, Major in Accounting, West Virginia State University, Institute, West Virginia
- Bachelor of Arts in Economics, with Honors, West Virginia State University, Institute, West Virginia
- Certified Public Accountant (CPA), State of West Virginia

TYLER M. SHAMBLIN, CPA

EXPERIENCE

2017 – Present

2013 – 2016 **Smith, Cochran & Hicks, PLLC**

Senior Associate, 2017-Present

Associate, 2013-2016

- Personal, corporate & partnership tax return preparation.
- Write-up work for businesses
- Financial statement preparation
- Unclaimed Property audits
- Payroll processing for clients
- Preparation of quarterly payroll returns
- Accounting software set-up for clients

2016 – 2017 **Gray, Griffith & Mays, A.C.**

Auditor, 2016-2017

- Performed financial statement audits for the following types of entities:
 - Not-for-profit entities (including Uniform Guidance)
 - Nonpublic entities in a variety of industries
 - Employee Benefit Plans
 - Low-Income Housing
- Personal, corporate, partnership, not-for-profit and employee benefit plan tax return preparation
- Preparation of both compiled and reviewed financial statements
- Agreed-upon procedures engagements

2010 – 2013 **EnerVest Operating, LLC**

Accountant, Treasury Department, 2010 - 2013

Accounting Intern, 2010

- Sole contact to over 4,500 house gas users
- Invoice over 4,500 customers monthly
- Through my demonstrated work ethic and reliability, I was given the approval to setup financial payment plans for users
- Setup applications for company credit requests and W-9's
- All administrative company accounting (i.e. - employee benefits, executive credit cards, etc.)
- Deposit and apply cash
- Bank reconciliations
- Account reconciliations
- General Ledger Maintenance
- Journal entries and account adjustments
- Funding entries
- Joint Interest Billing settlements
- Intercompany entries
- Assisting in payments for damages

2009-2011 **YMCA of Kanawha Valley**

Member Services Employee, Member Services

- Register members for membership & programs
- Process transactions
- Greet customers and help with general information

2008-2009 **WVDOT**

Engineering Intern, Highways Department

- Use Auto CADD programs to assist engineers in designing roadways
- Surveying

- Use maps to make ensure location placement of safety equipment
- Fill in maps with property rights boundaries
- Multiple field experiences

EDUCATION

Bachelor of Science in Accounting, West Virginia State University
Certified Public Accountant (CPA), State of West Virginia

A-2: Sample Examination Report

AGREED-UPON PROCEDURES REPORT
WEST VIRGINIA UNCLAIMED PROPERTY

on

Company A

FEIN # 00-0000000

Somewhere

West Virginia

As of June 30, 201x

Prepared by:
Smith, Cochran & Hicks, PLLC
3510 MacCorkle Avenue, SE
Charleston, WV 25304

Table of Contents

Agreed-Upon Procedures Report	3
Schedule A – Schedule of Currently Reportable Property	4-5
Supplemental Information:	
Exhibit I: Potential Future Reportable Property	7
Exhibit II: Schedule of Property Returned to Owner	8
Exhibit III: History and Operations	9
Exhibit IV: Engagement Control Sheet	10

Independent Accountant's Report on Applying Agreed-Upon Procedures

Mr. John D. Perdue, State Treasurer
State of West Virginia

We have performed the procedure enumerated below, which was agreed to by the West Virginia State Treasurer's Office (the specified party), to assist you in determining whether Company A (the "Company") is in possession of any currently reportable unclaimed property for the period of time covering July 1, 20xx through June 30, 20xx. Company management is responsible for reporting and remitting its unclaimed property to the Unclaimed Property Division of the West Virginia State Treasurer's Office by November 1 of each year. The sufficiency of this procedure is solely the responsibility of the West Virginia State Treasurer's Office. Consequently, we make no representation regarding the sufficiency of the procedure described below either for the purpose for which this report has been requested or for any other purpose.

Our procedure and related findings, if applicable, are described below:

Procedure 1: Pursuant to the "West Virginia State Treasurer's Auditing Guidelines" and the West Virginia Uniform Unclaimed Property Act, Chapter 36, Article 8 of the West Virginia State Code, determine whether the Company is in possession of any currently reportable unclaimed property for the period of time covering July 1, 20xx through June 30, 20xx.

Findings: As is detailed in the attached "Schedule of Findings" (Schedule A), the Company was not in possession of currently reportable unclaimed property. The total is comprised of unclaimed/uncashed payroll checks, unclaimed/uncashed vendor checks and accounts receivable credit balances.

This agreed-upon procedures engagement was conducted in accordance with the attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Company's compliance with the West Virginia Uniform Unclaimed Property Act. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

The supplementary information included in the accompanying Exhibits I, II III and IV are included for supplementary analysis purposes only. Such information has not been subjected to the agreed-upon procedures that were performed. Accordingly, we do not express an opinion or any form of assurance on this supplementary information.

This report is intended solely for the information and use of the West Virginia State Treasurer's Office, and is not intended to be and should not be used by anyone other than the specified party.

Charleston, West Virginia
Month xx, 201x

SCHEDULE A – SCHEDULE OF FINDINGS

on

Company A

For the period of time covering July 1, 20xx through June 30, 20xx

As noted in the Agreed-Upon Procedures Report, we determined that the Company was not in possession of currently reportable unclaimed property.

<u>Property Description</u>	<u>*Currently Reportable</u>
1. Payroll Checks (Note 1)	\$ -
2. Vendor Checks (Note 1)	-
3. Customer Overpayments (Note 2)	-
Total Amount Due	\$ -

***Currently Reportable:**

The total amount of property that should have been reported and remitted to the West Virginia State Treasurer's Office as of June 30, 2010.

**SCHEDULE A - SCHEDULE OF CURRENTLY REPORTABLE PROPERTY
(CONTINUED)**

Company A

For the period of time covering July 1, 20xx through June 30, 20xx

1. SCH obtained the Company's bank reconciliations and outstanding check listings for the period of time covering July 1, 20xx through June 30, 20xx for the operating and payroll accounts. We noted twelve (12) payroll checks and one (1) operating checks as well as three (3) journal entries which currently exceed the statutory time limit for escheatment.
2. SCH obtained the Company's credit balance reports for the period of time covering July 1, 20xx through December 31, 20xx. We noted five (5) overpayments from customers not previously refunded by the Company which currently exceed the statutory time limit for escheatment.

SUPPLEMENTARY INFORMATION

**EXHIBIT I - SUPPLEMENTARY INFORMATION - SCHEDULE OF
POTENTIAL FUTURE REPORTABLE PROPERTY**

Company A

For the period of time covering July 1, 20xx through June 30, 20xx

<u>Property Description</u>	<u>*Potential Future Reportable</u>
1. Payroll Checks	\$ -
2. Vendor/Patient Checks	-
3. Customer Overpayments	-
Total Amount	\$ -

***Potential Future Reportable:**

The total amount of property which has the potential to be reported to the West Virginia State Treasurer's Office by November 1, 201x, unless claimed by the owner.

**EXHIBIT II - SUPPLEMENTARY INFORMATION - SCHEDULE OF
PROPERTY RETURNED TO OWNER**

Company A

For the period of time covering July 1, 20xx through June 30, 20xx

<u>Property Description</u>	<u>*Returned To Owner</u>
1. Payroll Checks	\$ -
2. Vendor/Patient Checks	-
3. Customer Overpayments	-
Total Amount	<u>\$ -</u>

***Returned to Owner:**

The total amount of property which was returned to the rightful owner by the Company during the “Due Diligence Phase” of the Agreed-Upon Procedures Engagement.

**SUPPLEMENTAL INFORMATION –
HISTORY AND OPERATIONS**

of
Company A
as of June 30, 200x

Holder Name:	<u>Company A</u>
FEIN #:	<u>00-0000000</u>
State of Incorporation:	<u>West Virginia</u>
Date of Incorporation:	<u>Month xx, 19xx</u>
Total Assets:	<u>\$xxx,xxx,xxx (est.)</u>
Number of Employees:	<u>x,xxx (est.)</u>
Holder Location:	<u>Somewhere, West Virginia</u>
Line(s) of Business:	<u>Retaining unclaimed property</u>

Reporting History:

Company A has not previously attempted to identify and report abandoned property that it holds. Management believed there to be no property in their possession that had been “abandoned” and since there was no such property in their possession, there was nothing to report.

**SUPPLEMENTAL INFORMATION –
CONTROL SHEET**

on
Company A
as of June 30, 200x

Report Information:

Holder Name:	<u>Company A</u>
Period:	<u>As of June 30, 200x</u>
Report Date:	<u>Month xx, 200x</u>

Report Approval:

Accountant-in-charge	<u>Engagement Staff Member</u>
Member-in-charge	<u>Engagement Staff Member</u>

Staff:

<u>Engagement Staff Member</u>
<u>Engagement Staff Member</u>

**A-3: Administrative Appeals Statement of Understanding & Administrative Appeals
Request**

**WEST VIRGINIA STATE TRESURER'S OFFICE
UNCLAIMED PROPERTY EXAMINATIONS
STATEMENT OF UNDERSTANDING
ADMINISTRATIVE APPEAL PROCESS**

In the event the Examiner and the Holder are unable to reach an agreement as to the terms of the Examiner's final examination report, the Holder may file an administrative appeal with the State Treasurer's Office. In order to initiate the appeal process, the Holder must complete the Unclaimed Property Administrative Appeal Request form, and return it to the State Treasurer's Office within twenty days of filing the Holder's initial response to the Examiner's draft report. Otherwise, the Holder will be presumed to have agreed to the terms of the draft report.

The appeal must contain the following information:

- The name and address of the Holder;
- The name and official title of each party participating in the process;
- The amount in question and the unclaimed property report years covered by the administrative appeal;
- A clear and concise statement of fact upon which the Holder relies in support of each assignment of error;
- Whether a hearing is requested;
- The relief requested;
- The Holders signature;
- The date the form is completed; and
- Any other information that may assist the State Treasurer's Office in reaching a decision on the matter.

I hereby acknowledge that I have read and understand the administrative appeal process outlined above.

Signature of Holder Representative

Date

**WEST VIRGINIA STATE TREASURER'S OFFICE
UNCLAIMED PROPERTY
ADMINISTRATIVE APPEAL REQUEST**

Mail completed form, copy of draft report, and supporting documents to:

Office of the West Virginia State Treasurer

**Attn: Deputy Treasurer for Unclaimed Property
One Players Club Drive
Charleston, WV 25311**

Note: Appeals must be submitted to the State Treasurer's Office within 20 days of responding to the Examiner's final report. Otherwise, the Holder will be presumed to have agreed to the terms of the report. The Statement of Error should include clear and concise descriptions of each error that the Holder alleges the Examiner made in its findings, and a clear and concise statement of fact upon which the Holder relies in support of each assignment of error. Supporting documents must be submitted with this appeal.

Holder Name: _____

Holder Address: _____

Hearing Requested? _____

Hearing Participant: _____

Title: _____

Hearing Participant: _____

Title: _____

Hearing Participant: _____

Title: _____

Issue Being Appealed: _____

Statement of Error: (may attach additional pages) _____

Holder's Signature

Date

A-4: Release Agreement

STANDARD RELEASE AGREEMENT

This Standard Release Agreement ("Agreement"), effective the _____, 20__, is made by and between the West Virginia Office of the State Treasurer, Unclaimed Property Division ("the STO") and _____ (the "Holder").

WHEREAS, _____ on behalf of the West Virginia Office of the State Treasurer, Unclaimed Property Division, has performed an unclaimed property examination, pursuant to the provisions of West Virginia Unclaimed Property law to determine the Holder's compliance with the West Virginia Unclaimed Property law (the "Unclaimed Property Law"), and

WHEREAS, based upon the results of the examination, _____ has reported and remitted to the State on behalf of the Holder certain funds, securities and other intangible property that constitute unclaimed property pursuant to the Unclaimed Property Law, and

WHEREAS, the Holder recognizes that the Unclaimed Property Law requires that apparent owners of certain types and amounts of property be notified within a specified time period that the Holder is in possession of property subject to the Unclaimed Property Law, and

WHEREAS, the Holder certifies that it has complied with those notice requirements of the Unclaimed Property Law, and has complied with the remaining provisions of the Unclaimed Property Law;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH:

The parties covenant and agree follows:

1. **Compliance:** Based upon the Holder's certification as to its compliance with Unclaimed Property Law notice and abandonment period requirements, and based upon the reporting and remitting of the identified property to the STO, the STO acknowledges that the Holder has complied with the provisions of the Unclaimed Property Law, with regard to the property reported. The identified property, if any, is listed on the attached Schedule A.
2. **Release:** In consideration of the good faith reporting and remitting of the identified property to the STO, the STO releases the Holder, and if applicable, any transfer agent, dividend or interest disbursing agent, or registrar, from any liability arising hereafter with respect to the reported and remitted property, pursuant to the Unclaimed Property Law. In further consideration of the good faith reporting and remitting of the identified property, the STO agrees to waive any applicable interest and penalties which might otherwise be imposed pursuant to Unclaimed Property Law.
3. **Reimbursement:** The STO further agrees to reimburse the Holder pursuant to the requirements of the Unclaimed Property Law in the event that any person or entity claims property previously delivered by the Holder to the STO, provided the property was reported and remitted to the STO in good faith, and provided that the Holder files proof of payment and proof that payee was entitled to the payment.

4. **Governing Law:** The laws of the State of West Virginia and the legislative rules of the STO shall govern all rights and duties under this agreement, including without limitation the validity of this agreement. In the event a lawsuit is brought involving this Release Agreement, venue shall be proper only in Circuit Court of Kanawha County, West Virginia. The parties hereby acknowledge jurisdiction of the courts of the State of West Virginia for purposes of this Agreement.
5. **Severability:** If any provision of this Agreement or any document referenced in this Agreement is found to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions which can be given effect without the invalid provision, and to this end, the provisions of this Agreement and any document referenced in the Agreement are declared to be servable.
6. **Effective date:** This release agreement shall be effective as of the date of the last signature.

WITNESS THE FOLLOWING SIGNATURES:

**West Virginia Office of State Treasurer
Unclaimed Property Division**

Holder

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

A-5: Sample Work-in-Progress Report

Smith, Cochran & Hicks, PLLC
Work in Progress Report
As of Month 15, 200X

Holder Name	State of Inc.	FEIN	Issue Name	Property Type	Engagement Date	Records being examined	Status Commentary
ABC Company	WV	00-0000000	N/A	MS01	xx/xx/xxxx	Payroll Bank Statements and Reconciliations, General Ledger and Adjusting Journal Entries	Holder provided xx years of reconciliations with supporting outstanding check listings and xx years of general ledger detail with supporting year end adjusting journal entries. Records were reviewed and SCH noted \$xx,xxx in potential current reportable property. Property has been identified to the Holder for application of Due Diligence procedures.

A-6: Purchasing Affidavit

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Smith, Cochran & Hicks, PLLC

Authorized Signature: [Signature] Date: 6/8/17

State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 8th day of June, 2017.

My Commission expires April 9, 2022

AFFIX SEAL HERE

NOTARY PUBLIC



[Signature]
Purchasing Affidavit (Revised 08/01/2015)

A-7: Vendor Preference Certificate

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application is hereby made for Preference in accordance with **West Virginia Code**, §5A-3-37. (Does not apply to construction contracts). **West Virginia Code**, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the **West Virginia Code**. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Vendor Preference, if applicable.

1. Application is made for 2.5% vendor preference for the reason checked:

- ☐ Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,
☒ Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification;
☐ Bidder is a resident vendor partnership, association, or corporation with at least eighty percent of ownership interest of bidder held by another entity that meets the applicable four year residency requirement; **or**,
☐ Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; **or**,

2. Application is made for 2.5% vendor preference for the reason checked:

- ☒ Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,

3. Application is made for 2.5% vendor preference for the reason checked:

- ☐ Bidder is a nonresident vendor that employs a minimum of one hundred state residents, or a nonresident vendor which has an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia and employs a minimum of one hundred state residents, and for purposes of producing or distributing the commodities or completing the project which is the subject of the bidder's bid and continuously over the entire term of the project, on average at least seventy-five percent of the bidder's employees or the bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years and the vendor's bid; **or**,

4. Application is made for 5% vendor preference for the reason checked:

- ☐ Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; **or**,

5. Application is made for 3.5% vendor preference who is a veteran for the reason checked:

- ☐ Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; **or**,

6. Application is made for 3.5% vendor preference who is a veteran for the reason checked:

- ☐ Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with West Virginia Code §5A-3-59 and West Virginia Code of State Rules.

- ☐ Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

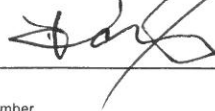
Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) rescind the contract or purchase order; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: Smith, Cochran & Hicks, PLLC

Signed:

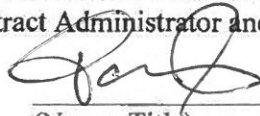


Date: June 08, 2017

Title: Managing Member

A-8: Contract Contact and Certification and Signature

DESIGNATED CONTACT: Vendor appoints the individual identified in this Section as the Contract Administrator and the initial point of contact for matters relating to this Contract.

 Managing Member

(Name, Title)

Patrick C. Smith, Managing Member

(Printed Name and Title)

3510 MacCorkle Avenue SE Charleston, WV 25304

(Address)

(304) 345-1151/(304) 346-6731

(Phone Number) / (Fax Number)

psmith@schcpa.com

(email address)

CERTIFICATION AND SIGNATURE: By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Smith, Cochran & Hicks, PLLC
(Company)


(Authorized Signature) (Representative Name, Title)

Patrick C. Smith, Managing Member
(Printed Name and Title of Authorized Representative)

June 8, 2017
(Date)

(304) 345-1151/(304) 346-6731
(Phone Number) (Fax Number)

A-9: Addendum Acknowledgement

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: CRFQ STO1700000006

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

<input checked="" type="checkbox"/> Addendum No. 1	<input type="checkbox"/> Addendum No. 6
<input type="checkbox"/> Addendum No. 2	<input type="checkbox"/> Addendum No. 7
<input type="checkbox"/> Addendum No. 3	<input type="checkbox"/> Addendum No. 8
<input type="checkbox"/> Addendum No. 4	<input type="checkbox"/> Addendum No. 9
<input type="checkbox"/> Addendum No. 5	<input type="checkbox"/> Addendum No. 10

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Smith, Cochran & Hicks, PLLC

 Company

Authorized Signature

June 8, 2017

Date

NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.