

Division of Responsibilities

The Recordkeeper supports your business by making it easier for you to access and implement a retirement plan, including everything from onboarding to ongoing administration and compliance. That said, overseeing a retirement plan is a team sport, with a division of responsibility across the Plan Sponsor, Advisor, and the Recordkeeper. Since your Advisor is serving as the Plan's investment fiduciary – either as an investment Advisor or investment manager – The Recordkeeper's role is limited to recordkeeping, administration, and providing a streamlined technology platform. In case you're wondering how it all fits together, here's a breakdown of the primary responsibilities. More specifics about The Recordkeeper's responsibilities are explained in our Plan Services Agreement ("PSA").

Additional Support for the Advisor, Plan Sponsor, and Participants

Provide ongoing participant and Plan Sponsor troubleshooting support. We do not provide investment, legal, or tax advice to any individual	Recordkeeper	The Recordkeeper's client success team is available by email (help@vestwell.com) and phone (917.979.5358).
Provide on-demand non-fiduciary investment education, such as webinars, fact sheets, prospectuses, and "plain English" investment comparison charts	Recordkeeper Advisor	The Recordkeeper has a growing library of educational information available to participants so that they can make informed decisions about their retirement account. The Recordkeeper prepares fact sheets and investment comparison charts based on the investment lineup that the Advisor selects.
Select and vet service providers	Recordkeeper Advisor	Consistent with legal requirements, the Plan Sponsor always retains fiduciary oversight over the Plan even though that activity is delegated to the Recordkeeper.
Monitor service providers' fees and performance	Recordkeeper Advisor	Consistent with legal requirements, the Plan Sponsor always retains fiduciary oversight over the Plan and should periodically review the performance of and fees charged by service providers. The Plan Sponsor is also solely responsible for vetting and overseeing service providers that it engages separately from the Recordkeeper to support the Plan, such as a payroll provider, Advisor, or Third Party Administrator.
Process changes to investment lineup	Plan Sponsor	As the investment fiduciary, the Advisor will decide whether, when, and to what extent any changes are appropriate for the Plan's investment options. The Recordkeeper implements these changes following the Advisor's directions.
Review reports, fee disclosures, and other notices about the Plan	Advisor Plan Sponsor	
Distribute Advisor's Form ADV and privacy policy to Plan Sponsor and participants	Plan Sponsor	Unless there is a separate agreement otherwise, the Advisor must distribute its Form ADV and privacy notice to the Sponsor and participants.
Collect Advisor's fee from the Plan and distribute to Advisor and Advisor's home office (if applicable) accordingly	Recordkeeper	The Advisor informs us of the fees that it has agreed to with the Plan and/or Sponsor. The Recordkeeper will process payment on a quarterly basis.
Provide referral fee disclosures and overall compliance with applicable securities laws	Advisor	We assume Advisors who perform investment fiduciary services for plans on the The Recordkeeper Platform are complying with all applicable securities laws. The Recordkeeper cannot and does not provide any legal advice to Advisors or other individuals.

Ongoing Plan Administration

Manage and track participant eligibility, vesting, and enrollment activities	Recordkeeper	
Verify that eligible participants were provided with an opportunity and notice to enroll in the Plan	Recordkeeper Advisor	Pursuant to legal requirements, the Plan Sponsor always remains a fiduciary to the Plan. We provide an eligibility report to Plan Sponsors on our platform. We expect Plan Sponsors to review that report and its records and notify us of any potential discrepancy.
Monitor Plan for excess contributions	Recordkeeper	
Process incoming and outgoing rollover requests	Recordkeeper	
Generate and deliver legally required notices and fee disclosures	Recordkeeper Advisor Plan Sponsor	The Recordkeeper will prepare legally required notices and deliver them to participants by electronic delivery to the extent legally permissible. If the Advisor is acting as the investment fiduciary, the Advisor must review and approve content about the investment options contained in fee disclosures, QDIA notices, and certain other required notices regarding the investment options for the Plan. If the Plan Sponsor cannot or does not provide the Recordkeeper with email addresses for all participants, the Plan Sponsor may be required to deliver all notices and Plan communications or there may be additional charges for postage and related costs.
Process participants' investment election and deferral changes	Recordkeeper Plan Sponsor	Participants always control their investment decisions. The Recordkeeper will implement their instructions following our Trading Policies. Deferral changes made via the Recordkeeper's platform are communicated to the Plan Sponsor and/or directly to the payroll provider for implementation. If the payroll provider is not integrated with our platform, the Plan Sponsor will need to complete additional processing responsibilities. Please see our Help Center payroll integration area for more specifics.
Process loan, hardship, and distribution requests	Recordkeeper	
Annually monitor forfeiture accounts	Recordkeeper	
Plan audit	Plan Sponsor	The Recordkeeper will determine if the Plan is required to undergo an annual audit. It is the Sponsor's sole decision whether to complete a full scope or limited scope audit, to engage an auditor, and to pay for the audit. The Recordkeeper will provide up to four hours of assistance to the auditor at no additional charge.
Prepare Annual Return (Form 5500)	Recordkeeper	
Perform annual compliance testing	Recordkeeper	

The Recordkeeper relies exclusively on the information provided to us by the Plan Sponsor or anyone acting on its behalf, such as the payroll provider. The Recordkeeper's ability to timely and properly perform recordkeeping and administration services is conditioned on timely receipt of complete and accurate data about all Plan participants, such as dates of hire, date of birth, and date of termination or rehiring. The following chart is intended to provide a summary of responsibilities, but please review our Plan Services Agreement for more specifics.

Select Investment Options

Selecting and monitoring the investment options available to participants; providing fact sheets for any custom investment lineup created by the Advisor	Advisor	The Advisor is solely responsible for confirming that all investments are suitable for the Plan and comply with applicable regulations, including all Prohibited Transaction rules. The Advisor is also solely responsible for making any changes to those investments, including the determination of whether advance notice to participants is required. Recordkeeper will inform the Advisor if our custodian encounters any problems implementing the Advisor's chosen investments, such as if the share class is unavailable or closed to new investors. We will post fact sheets on sponsor and participant portals, but the Advisor must provide them to us so that participants can make informed decisions about the investment options available to them.
Determining whether the Plan's default investment options satisfy regulatory requirements	Advisor	The Advisor is solely responsible for determining whether the investments it selects for the Plan satisfy applicable default investment rules. The recordkeeper will prepare and distribute the Qualified Default Investment Alternative ("QDIA") notice that includes the investment options selected by the Advisor.
Creating, reviewing, and complying with an Investment Policy Statement for the Plan	Advisor	
Explaining to the Sponsor any restrictions, such as surrender charges, on any of the investments	Advisor	The Recordkeeper will prepare and distribute fee disclosures to the Sponsor and participants regarding the investment options selected by the Advisor.
Informing the recordkeeper of any indirect revenue from the investments so that they can be included in fee disclosures	Advisor	The Recordkeeper will prepare and distribute fee disclosures to the Sponsor and participants regarding the investment options selected by the Advisor.
For Advisors that serve as the investment fiduciary consistent with ERISA section 3(21) as an investment Advisor, the Advisor is responsible for obtaining and maintaining a record of the Plan Sponsor's consent to implement the investments selected by the Advisor.	Advisor	As noted above, when the Advisor serves as the investment fiduciary to a Plan in any capacity, whether as investment Advisor or investment manager, the recordkeeper's only role regarding the investments for the Plan is to take directions from the Advisor. We assume that the Advisor has obtained, documented, and maintains a record of the Plan Sponsor's consent to offer any investments or changes to those investments to participants.

When the Plan Sponsor engages an Advisor other than The Recordkeeper Advisors to serve as an investment fiduciary, the Advisor is solely responsible for all activities relating to the selection and oversight of the investment options to be offered to the Plan. The Recordkeeper has no role or responsibility for any of those investment selection or oversight activities and we will not be responsible for any delays, penalties, or other corrections required to remedy any non-compliant investment selections. The Recordkeeper also has no role or responsibility to confirm whether any fund require waivers, participation agreements, or other requirements or that such requirements are properly fulfilled. The Advisor is solely responsible for confirming in a timely manner that any of its selected investment vehicles are open and available to the plan as well as securing all necessary approvals. Failure to do so may result in a Plan's first payroll being rejected. The Recordkeeper has no responsibility to make or pay for any corrections in those instances. When a Plan engages its own Advisor, The Recordkeeper's only role is to implement the investment fiduciary's directions. The Recordkeeper is not a party to any contractual agreement between the Advisor, the Plan, and Plan Sponsor. The Recordkeeper is not responsible for and will not be performing any review of the investment fiduciary's selections for any Plan. When an investment fiduciary provides its selected investment lineup to The Recordkeeper, we rely solely on the investment fiduciary and assume it has vetted the funds for compliance with all applicable regulatory requirements, including those applicable to ERISA 403(b) plans.

Initial Consultation

Plan document review	Recordkeeper	The recordkeeper performs a cursory review of existing Plan documents to give suggestions about potential modifications that may be needed to make the Plan suitable for our platform. At this stage, we will also address observed compliance issues, and we expect the Plan Sponsor to inform us of any prior or unresolved compliance issues and whether it has not been operating the Plan consistently with the Plan documents.
Cost illustrations of different Plan types and designs	Recordkeeper	We can prepare a side-by-side comparison of the costs to Plan Sponsors of operating Plans with different features. There may be an additional fee for this service depending on the level of complexity.

Plan Onboarding to the Platform

Plan design review and document preparation	Recordkeeper	For Plan conversions to our platform, we will review the existing design and, if appropriate, suggest ways to streamline the Plan's operation. For new Plans, we will prepare Plan documents for the Sponsor's review and approval.
Obtain appropriate fidelity bond	Recordkeeper Advisor* Plan Sponsor	All individuals who "handle plan assets" must obtain a bond. It is the Plan Sponsor's and Advisor's obligation to purchase their own fidelity bonds. The recordkeeper will require verification that the Sponsor obtained a bond and the bond amount for the Plan's annual report. *if they will be the investment fiduciary
Establish a custodial account to hold, invest, and distribute Plan assets consistent with participant directions	Recordkeeper	
Create, store, distribute, and maintain Plan documents and notices that The Recordkeeper prepares for the Plan	Recordkeeper	Plan documents and notices are stored in the Sponsor and participant portals where they can be reviewed at any time.
Coordinate conversion from existing provider, blackout period, and asset transfer	Recordkeeper Plan Sponsor	The recordkeeper works with the prior recordkeeper to facilitate the transfer of Plan assets, but we'll require some assistance from the Plan Sponsor as described in Appendix C of our PSA.
Provide an initial census file and payroll files to the Recordkeeper in "Good Order"	Plan Sponsor	We rely on all data provided by the Plan Sponsor and we cannot perform our services, like calculating eligibility and vesting, without complete and accurate information about participants. Providing this information in "Good Order" means that we receive dates of hire, dates of birth, and dates of termination or rehire for all employees, including any terminated participants with a balance in the Plan in a specified electronic format. The Implementation Team will provide more specifics about these requirements and additional details are set forth in the PSA.
Provide census file, prior year Form 5500 reconciliation, and other existing Plan documents	Plan Sponsor	Depending on the nature and history of the Plan, we may need additional information from the Plan Sponsor or prior recordkeeper.