DISCLOSURE

to the ERI Economic Research Institute, Inc. (ERI), Services Agreement

- 1. Notwithstanding any provision in this ERI Services Agreement ERI acknowledges that the State Board of Administration of Florida (SBA), as an entity of the State of Florida, is prohibited from entering into indemnification agreements. See Florida Attorney General Opinion 99-56, dated September 17, 1999. This provision is enforceable to the fullest extent allowable under Florida law.
- 2. Notwithstanding any provision in this agreement between the parties, ERI acknowledges that the SBA, as an entity of the State of Florida, is prohibited from entering into a limitation of remedies agreement. As such, the SBA does not agree to Arbitration. See Florida Attorney General Opinion 85-66, dated August 23, 1985. This provision is enforceable to the fullest extent allowable under Florida law.
- 3. Notwithstanding any provision in this agreement between the parties, ERI acknowledges that the SBA is bound by the provisions of Chapter 119 (Public Records), Florida Statutes, and in the event of any conflict between Chapter 119, Florida Statutes, and the terms of this Agreement between the parties, the provisions and procedures of Chapter 119, Florida Statutes will prevail.
- 4. IF ERI HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO ITS REQUIREMENT TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF THE PUBLIC RECORDS AT: STATE BOARD OF ADMINISTRATION OF FLORIDA POST OFFICE BOX 13300 TALLAHASSEE, FLORIDA 32317-3300 (850) 488-4406 SBAContracts_DL@sbafla.com
- 5. Consistent with the Florida Transparency in Contracting Initiative, the SBA posts certain operational contracts on its website, and this Agreement will be one of the agreements posted. ERI hereby acknowledges that the SBA is authorized to post this Agreement (including any amendments or addenda hereto) and a description of the content of the Agreement (including any amendments or addenda hereto) on the SBA's website.
- 6. The SBA does not consent to Section 10 g) Customer/Vendor References. As an entity of the State of Florida, the SBA cannot agree to the use of its name or logo in advertising or promotional material of its counterparties.
- 7. Notwithstanding any provision to contrary, this Agreement shall not be construed as a waiver (i) of the sovereign immunity of the State of Florida; (ii) a

waiver of the State of Florida's rights under the 11th Amendment to the United States Constitution; or (iii) to a jury trial.

ERI . Economic Research Institute, Inc.

Name: Steven Beckers
Title: Controller

July <u>23</u>, 2020

State Board of Administration of Florida

Lamar Taylor
Chief Operating Officer/Chief Financial
Officer

July 23_, 2020



Email: randy.harrison@sbafla.com

Telephone: (850) 413-1266

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