

REQUEST FOR PROPOSAL FOR THE PROVISION OF SERVICES

JOINT INSURANCE FUND RISK MANAGER

ISSUE DATE: January 5, 2012

DUE DATE: January 19, 2012

Issued by:

The Borough of Bradley Beach

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1. Introduction and Purpose.

The Borough of Bradley Beach is soliciting Proposals from interested persons and/or firms for the provision of a **Joint Insurance Fund Risk Manager**, as more particularly described herein. The Borough will review Proposals only from those firms that submit a Proposal which includes all the information required to be included as described herein (in the sole judgment of the Borough). The Borough intends to qualify person(s) and/or firm(s) that (a) possesses the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the Borough to provide the greatest benefit to the taxpayers of Bradley Beach.

The selection of a Respondent is not subject to the bidding provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The selection is subject to the "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 et seq., however. The Borough has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Proposal in response to the RFP will be evaluated in accordance with the criteria set forth in Section 2 of this RFP, which will be applied in the same manner to each Proposal received. Respondents agree to at all times abide by all requirements of New Jersey law, including, but not limited to the aforementioned "Pay to Play" laws, as well as any and all relevant Executive Orders and the New Jersey Election Law Enforcement Commission disclosure requirements.

Proposals will be reviewed and evaluated by the Borough and its attorney. The Proposals will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas described in this RFP. Under no circumstances will a reviewer review responses to an RFP for a job which they or their firm submitted a response.

Based upon the totality of the information contained in the Proposal, including information about the reputation and experience of each Respondent, the Borough will (in its sole judgment) determine which Respondents are qualified (from professional, administrative and financial standpoints), and appoint a qualified Respondent.

All communications concerning this RFP or the RFP process shall be directed to the Borough's Designated Contact Person, in writing.

Designated Contact Person:

Mrs. Gail O'Reilly, Borough Administrator
Borough Hall
701 Main St
Bradley Beach NJ 07720

Proposals must be submitted to, and be received by, the Borough, via mail or hand delivery, by 4:00 p.m. Prevailing Time on January 19, 2012. Proposals will not be accepted by facsimile transmission or e-mail.

Subsequent to issuance of this RFP, the Borough (through the issuance of addenda to all firms that have received a copy of the RFP) may modify, supplement or amend the provisions of this RFP in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by (and in the sole judgment of) the Borough.

Section 1.2. Conditions Applicable to RFP.

Upon submission of a Proposal in response to this RFP, the Respondent acknowledges and consents to the following conditions relative to the submission and review and consideration of its Proposal:

- All costs incurred by the Respondent in connection with responding to this RFP shall be borne solely by the Respondent.
- The Borough reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to this RFP from further consideration for this procurement.
- The Borough reserves the right (in its sole judgment) to reject any Respondent that submits incomplete responses to this RFP, or a Proposal that is not responsive to the requirements of this RFP.
- The Borough reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFP, or otherwise request additional information.
- All Proposals shall become the property of the Borough and will not be returned.
- All Proposals will be made available to the public at the appropriate time, as determined by the Borough (in the exercise of its sole discretion) in accordance with law.
- The Borough may request Respondents to send representatives to the Borough for interviews.
- Any and all Proposals not received by the Borough by 4:00 p.m. Prevailing Time on January 19, 2012 will be rejected.
- Neither the Borough, nor their respective staffs, consultants or advisors shall be liable for any claims or damages resulting from the solicitation or preparation of the Proposal, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Proposal or for participating in this procurement process.

Section 1.3. Rights of Borough.

The Borough reserves, holds and may exercise, at its sole discretion, the following rights and options with regard to this RFP and the procurement process in accordance with the provisions of applicable law:

- To determine that any Proposal received complies or fails to comply with the terms of this RFP.
- To supplement, amend or otherwise modify the RFP through issuance of addenda to all prospective Respondents who have received a copy of this RFP.
- To waive any technical non-conformance with the terms of this RFP.
- To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective Respondents who have received a copy of this RFP.
- To conduct investigations of any or all of the Respondents, as the Borough deems necessary or convenient, to clarify the information provided as part of the Proposal and to request additional information to support the information included in any Proposal.
- To suspend or terminate the procurement process described in this RFP at any time (in its sole discretion.) If terminated, the Borough may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to

the Respondents.

1.4 Addenda or Amendments to RFP.

During the period provided for the preparation of responses to the RFP, the Borough may issue addenda, amendments or answers to written inquiries. Those addenda will be noticed by the Borough and will constitute a part of the RFP. All responses to the RFP shall be prepared with full consideration of the addenda issued prior to the proposal submission date.

1.5 Cost of Proposal Preparation.

Each proposal and all information required to be submitted pursuant to the RFP shall be prepared at the sole cost and expense of the respondent. There shall be no claims whatsoever against the Borough, its staff or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Proposal or other information required by the RFP.

1.6 Proposal Format.

Responses should cover all information requested in the Questions to be answered in this RFP.

Responses which in the judgment of the Borough fail to meet the requirements of the RFP or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

SECTION 2

SCOPE OF SERVICES

It is the intent of the Borough to solicit Proposals from Respondents that have expertise in the provision of a **Joint Insurance Fund Risk Manager**. Firms and/or persons responding to this RFP shall be able to demonstrate that they will have the continuing capabilities to perform these services.

SECTION 3

SUBMISSION REQUIREMENTS

Section 3.1 General Requirements.

The Proposal submitted by the Respondent must meet or exceed the professional, administrative and financial qualifications set forth in this Section 3 and shall incorporate the information requested below.

In addition to the information required as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Proposal. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

Section 3.2 Administrative Information Requirements.

The Respondent shall, as part of its Proposal, provide the following information:

1. A Proposal Summary including:

(a) a description of its overall experience in providing the type of services sought in the RFP.

(b) Name, address and contact information of references

(c) Describe the services that Respondent would perform directly and those portions of the Respondent's services, if any, that are sub-contracted out. Identify all subcontractors the Respondent anticipates using in connection with this project.

(d) Does the Respondent normally employ union or non-union employees?

(e) Resumes of key employees

(f) List all immediate relatives of Principal(s) of Respondent who are Borough employees or elected officials of the Borough. For purposes of the above, "immediate relative" means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild, and in-laws by reason of relation.

2. An executed Letter of Qualification (See Appendix A to this RFP).

3. Name, address and telephone number of the firm or firms submitting the Proposal pursuant to this RFP, and the name of the key contact person.

4. A description of the business organization (i.e., corporation, partnership, joint venture, etc.) of each firm, its ownership and its organizational structure.

(a) Provide the names and business addresses of all Principals of the firm or firms submitting the Proposal. For purposes of this RFP, "Principals" means persons possessing an ownership interest in the Respondent. If the Respondent is a corporation, "Principals" shall include each investor who would have any amount of operational control over the Respondent and every stockholder having an ownership interest of 10% or more in the firm.

(b) If a firm is a partially owned or a fully-owned subsidiary of another firm, identify the parent company and describe the nature and extent of the parents' approval rights over the activities of the firm submitting a Proposal. Describe the approval process.

(c) If the Respondent is a partnership or a joint venture or similar organization, provide comparable information as required in (b) above for each member of the partnership, joint venture or similar organization.

(d) A statement that the Respondent has complied with all applicable affirmative action (or similar) requirements with respect to its business activities, together with evidence of such compliance.

5. An executed Letter of Intent (See Appendix B).

6. The number of years your organization has been in business under the present name and current management.

7. Any judgments, claims or suits within the last three (3) years in which Respondent has been adjudicated liable for professional malpractice. If yes, please explain.

8. Whether the business organization is now or has been involved in any bankruptcy or re-organization proceedings in the last ten (10) years. If yes, please explain.

9. Confirm appropriate federal and state licenses to perform activities. **Submit a copy of the Firm's Business Registration Certificate.**

Section 3.3 Compensation.

The compensation for the Risk Manager is established by the by-laws of the Monmouth County Municipal JIF (of which the Borough is currently a member) at six percent of the annual insurance premium. The annual premium, inclusive of the risk manager's compensation, is set at \$375,000 for 2012.

SECTION 4
INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Proposals.

Respondents must submit six copies of the proposal to the Designated Contact Person:

Mrs. Gail O'Reilly, Borough Administrator
Borough Hall
701 Main St
Bradley Beach NJ 07720

Proposals must be received by the Borough no later than 4:00 p.m. (prevailing time) on January 19, 2012, and must be mailed or hand-delivered. Proposals forwarded by facsimile or e-mail will not be accepted.

To be responsive, Proposals must provide all requested information, and must be in strict conformance with the instructions set forth herein. Proposals and all related information must be bound, and signed and acknowledged by the Respondent.

SECTION 5
EVALUATION

The Borough's objective in soliciting Proposals is to enable it to select a firm or organization that will provide high quality and cost effective services to the citizens of Bradley Beach. The Borough will consider Proposals only from firms or organizations that, in the Borough's judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the Borough in the manner described in this RFP.

Proposals will be evaluated by the Borough on the basis of the most advantageous, all relevant factors considered. The evaluation will consider:

1. Experience and reputation in the field;
2. Knowledge of the Borough and the subject matter addressed under the contract;
3. Availability to accommodate the required meetings of the Borough; and
4. Other factors demonstrated to be in the best interest of the Borough.

APPENDIX A

LETTER OF QUALIFICATION

[Note: To be typed on Respondent's Letterhead. No modifications may be made to the language of this letter]

[insert date]

Mrs. Gail O'Reilly, Borough Administrator
Borough Hall
701 Main St
Bradley Beach NJ 07720

Dear Mrs. O'Reilly:

The undersigned have reviewed our Proposal submitted in response to the Request for Proposals (RFP) issued by the Borough of Bradley Beach ("Borough") on January 5, 2012, in connection with the Borough's need for a **Joint Insurance Fund Risk Manager**.

We affirm that the contents of our Proposal (which Proposal is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Proposal is submitted in good faith upon express understanding that any false statement may result in the disqualification of *[Name of Respondent]*.

[Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.]

(Signature of Chief Executive Officer)

[Typed Name and Title]

Date: _____

APPENDIX B

LETTER OF INTENT

[Note: To be typed on Respondent's Letterhead. No modifications may be made to the language of this letter]

[insert date]

Mrs. Gail O'Reilly, Borough Administrator
Borough Hall
701 Main St
Bradley Beach NJ 07720

Dear Mrs. O'Reilly:

The undersigned, as Respondent, has (have) submitted the attached Proposal in response to a Request for Proposals (RFP), issued by the Borough of Bradley Beach ("Borough") on January 5, 2012, in connection with the Borough's need for a **Joint Insurance Fund Risk Manager**.

1. [Name of Respondent] hereby states that this Proposal contains accurate, factual and complete information.

2. [Name of Respondent] agrees (agrees) to participate in good faith in the procurement process as described in the RFP and to adhere to the Borough's procurement schedule.

3. [Name of Respondent] acknowledges (acknowledge) that all costs incurred by it (them) in connection with the preparation and submission of the Proposal and any proposal prepared and submitted in response to the RFP, or any negotiation which results therefrom shall be borne exclusively by the Respondent.

4. [Name of Respondent] hereby declares (declare) that the only persons participating in this Proposal as Principals are named herein and that no person other than those herein mentioned has any participation in this Proposal or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Borough.

5. [Name of Respondent] declares that this Proposal is made without connection with any other person, firm or parties who has submitted a Proposal, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

6. [Name of Respondent] acknowledges and agrees that the Borough may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough shall have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFP.

7. [Name of Respondent] acknowledges that any contract executed with respect to the provision of **Joint Insurance Fund Risk Manager** services must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

[Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.]

(Signature of Chief Executive Officer)

[Typed Name and Title]

Date: _____