

REQUEST FOR QUALIFICATIONS AND PROPOSALS

for

**BROKER
AND
OWNER CONTROLLED INSURANCE PROGRAM (OCIP)
ADMINISTRATION SERVICES**

for

SCHOOL FACILITIES PROJECTS

Contract No.: GP-0208-R01

Issue Date: March 14, 2014

Mandatory Electronic Notification of Intent to Participate Due Date: March 24, 2014

(See Section 2.0, Introduction, within, for details)

Proposal Due Date: April 25, 2014 by 4:30 p.m.

Interviews (if necessary): May 7, 2014



**STATE OF NEW JERSEY
SCHOOLS DEVELOPMENT AUTHORITY**

32 East Front Street, PO Box 991, Trenton, NJ 08625

**REQUEST FOR QUALIFICATIONS AND PROPOSALS (“RFQ/RFP”)
FOR
BROKER and OCIP ADMINISTRATION SERVICES**

1.0 INTRODUCTION

The New Jersey Schools Development Authority (“NJSDA” or “Authority”) has elected to enter a third rolling Owner Controlled Insurance Program (“OCIP”) because of its success in enhancing job site safety and lowering construction costs. The Authority is seeking to engage a licensed insurance firm to provide services as a Broker to support the construction of school facilities projects statewide. The selected Broker shall be responsible for the design and marketing of various insurance contracts as well as the implementation and administration of the program in the event the Authority chooses to purchase the coverage. The selected Broker shall be responsible for providing the services, as directed by the Authority, outlined in the Scope of Services and any additional services set forth in their technical proposal.

The Authority has a rolling capital program consisting of various types of school facilities projects, including: new construction; addition and/or renovation projects; and emergent projects. Emergent projects typically involve the repair or replacement of roofs, windows and exterior masonry in order to address water infiltration issues, heating and cooling systems, as well as plumbing, electrical, mechanical and security systems. At present, there are up to twenty-four (24) currently approved school facilities projects identified in the Authority’s capital program that could potentially enter construction during the proposed 3-year OCIP enrollment period beginning in 2015. However, due to the inherent uncertainty associated with early planning and/or preliminary project schedules, it would be purely speculative at this time to predict the precise number of school facilities projects expected to proceed to construction phase during the three-year enrollment period. Nevertheless, the Authority now seeks to purchase a new 3-year OCIP Program that conservatively is expected to enroll a minimum of ten (10) capital projects with an aggregate construction cost estimate (CCE) of at least \$250 million, with the potential to enroll several additional construction projects which could increase the aggregate CCE for the program to \$400 million or greater. The Authority’s capital projects have historically enrolled 45-50 subcontractors over a 24-36 month construction duration.

The Authority will issue a separate authorization to proceed to the selected firm to perform one or more of the following services:

1. Accept a Broker of Record Letter to administer the Master Builders Risk insurance program currently written by the Zurich Insurance Companies for the term 12/31/13-16.
2. Market the OCIP to include Workers Compensation, Commercial General Liability and Excess Liability coverage. The current OCIP, written by ACE Insurance Companies, expires 3/31/14 for project commencement and 3/31/16 for project completion.
3. Provide implementation and administration of the OCIP to provide a seamless transition to the Authority’s third OCIP.
4. Market the Owners Protective Professional Indemnity (OPPI) which is due to expire 10/14/14 and is currently written by the Zurich Insurance Companies.
5. Provide implementation and administration of the OPPI policy services.

This Broker and OCIP Administration Services RFQ/RFP consist of the following:

1. Request for Qualifications and Proposals
2. Attachment A: Technical Proposal Forms:
 - a. NJSDA Form 201 - Key Team Member List
 - b. NJSDA Form 202 - Key Team Member Resume
 - c. Disclosure of Investment Activities in Iran Form
3. Attachment B: Broker & OCIP Administration Services Agreement
4. Attachment C: NJSDA Fee Proposal Form
5. Attachment D: Moral Integrity Questionnaire

These documents must be read in their entirety as they define the methodology for responding to this procurement, as well as describing the potential scope of services and responsibilities of the Broker and OCIP Administrator under this engagement. A firm wishing to submit a response to this RFQ/RFP must review and be thoroughly familiar with all terms and conditions of these documents.

Attachment C Fee Proposals will not be opened until after the review and scoring of Technical Proposals and interviews with selected firms have been completed.

All of the required items must be included in the submission, with responses utilizing the Authority's Forms as indicated above.

The NJSDA has no obligation to make an award and reserves the right to waive any non-material defects, reject any or all responses for any reason in accordance with law, and/or terminate the selection process at any time.

2.0 MANDATORY ELECTRONIC NOTICE OF INTENTION TO PARTICIPATE // WRITTEN REQUESTS FOR INFORMATION

The NJSDA shall not hold a traditional pre-proposal conference for this procurement. Any firm wishing to submit a proposal must sign in electronically by sending a mandatory e-mail Notice of Intent to Participate to James McElhenny at jmcelhenny@njsda.gov no later than 5:00 PM Eastern Time on March 24, 2014.

Firms may submit written questions regarding this procurement to the NJSDA by sending them by e-mail to James McElhenny at jmcelhenny@njsda.gov no later than 5:00 PM Eastern Time on March 24, 2014. The questions and NJSDA answers shall be provided electronically, via an addendum to the RFQ/RFP, to each firm that submitted a timely email Notice of Intent to Participate.

3.0 SUBMISSION OF PROPOSALS

Proposals must be submitted to and received by the NJSDA by no later than **4:30 PM Eastern Time on April 25, 2014**. The Proposal Package shall be placed in a sealed envelope and shall consist of the following:

- 3.1 Technical Proposal. One (1) unbound original, four (4) bound copies and two (2) electronic copies in PDF form on CDs of its Technical Proposal.
- 3.2 Fee Proposal. One (1) original (and no copies) placed in a sealed envelope labeled "FEE PROPOSAL."
- 3.3 Moral Integrity Questionnaire. One (1) completed original placed in a separate sealed envelope labeled "MORAL INTEGRITY QUESTIONNAIRE" (see instructions in Section 6.0)

Proposal Packages are to be submitted and delivered as follows:

If submitting by hand or overnight delivery, at the:

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
32 East Front Street
Trenton, New Jersey 08625-0991
Attention: James McElhenny, Senior Procurement Analyst
Subject: Broker and OCIP Administration Services - GP-0208-R01**

If submitting by U.S. Mail, address packages to:

**NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY
P.O. Box 991
Trenton, New Jersey 08625-0991
Attention: James McElhenny, Senior Procurement Analyst
Subject: Broker and OCIP Administration Services - GP-0208-R01**

Submissions received after the above date and time will not be forwarded to the Selection Committee for review. Faxed or e-mailed Proposals shall not be accepted.

Any firm wishing to submit a Proposal must submit a timely electronic notice of intent to participate, as provided in the Section 2.0, above.

Interviews (if necessary) with shortlisted firms must include, at a minimum, all Key Team Members listed in the proposal and are scheduled for May 7, 2014 at the NJSDA Main Office, 32 E. Front Street, Trenton, NJ 08625.

4.0 INSTRUCTIONS FOR SUBMITTING A TECHNICAL PROPOSAL

Firms responding to the RFQ/RFP shall thoroughly familiarize themselves with the RFQ/RFP to ensure responsiveness in their Technical Proposal. A conforming Technical Proposal must consist of the following components:

- 4.1 Cover Letter
- 4.2 Roles of the Firm and Subcontracted Firms
- 4.3 Firm Experience – Case Studies
- 4.4 Key Team Member List (NJSDA Form 201)

- 4.5 Key Team Member Resume (NJSDA Form 202)
- 4.6 Approach
- 4.7 Business Registration
- 4.8 Disclosure of Investment Activities in Iran Form

All of the above items must be addressed in a Technical Proposal of no more than forty (40) one-sided 8.5" X 11" pages. Organizational charts, staffing structure, and schedules may be on larger paper. Resumes, required forms, and section dividers will not count toward the page limit.

4.1 Cover Letter

Present a brief understanding of the NJSDA's needs based upon the information provided in the Scope of Services set forth as Appendix B to the Agreement. Include the name, address and phone number of the firm, the name and phone number of the firm's contact person and the name of the person who prepared the Technical Proposal. Include in the cover letter any other information relevant to the firm's qualifications. **Firms must not include any fee information in the cover letter or elsewhere in the Technical Proposal.**

4.2 Roles of the Firm and Subcontracted Firms

In this section of its Technical Proposal, a proposing firm must describe its role and the roles of any proposed subcontracted firms in providing the required services. This description must include an estimate of each firm's percentage of participation in providing the services.

4.3 Firm Experience - Case Studies

Firm experience shall be assessed through a brief summary of the firm's general relevant experience, including experience with general construction, real estate development, public sector, risk transfer strategies, school construction, OCIP, Builder's Risk and OPPI, and through **three specific case studies**. The case studies must address examples of the proposing firm's past provision of services of the type and scale outlined in the Scope of Services. Thus, the case studies must concisely set forth the basic background information (e.g., dates and location), the scope of services provided, and results of said engagement. **Please include examples of similar engagements performed with public sector clients or those similar to the NJSDA.** The case studies must describe the effectiveness of the project, and the methodology used to measure such effectiveness. The firm must identify the name and address of the contracting entity and the name, title and telephone number of a contact person associated with the contracting entity who is familiar with and able to comment on the firm's performance on each project. The summary of general experience must be approximately 500 words or less; the narrative for a case study must be approximately 1,000 words or less.

4.4 Key Team Member List (NJSDA Form 201)

Describe how you would staff the engagement, and identify the individuals who will be involved and the primary role and responsibilities of each key team member, and the firm they represent, as well as the principal/senior officer who will serve as the engagement leader. Form 201 is included in Attachment A to this RFQ/RFP.

4.5 Key Team Member Resume (NJSDA Form 202)

Please provide resumes for these individuals including years of employment in your organization and total years of risk management consulting experience. Form 202 is included in Attachment A to this RFQ/RFP.

4.6 Approach

Firms must explain in detail their specific approach to providing **each** of the Services specifically required in the Scope of Services. Firms must detail the capabilities of their RMIS in providing, at a minimum, the requirements outlined in the Administration Services section of the Scope of Services.

4.7 Business Registration

Pursuant to N.J.S.A. 52:32-44, as amended by P.L. 2004, c. 57, each proposing firm must provide proof of valid business registration with the Division of Revenue of the New Jersey Department of the Treasury (the “Division of Revenue”), in its Proposal.

Any subcontracted firm of the firm selected as a Consultant must provide the selected firm with a copy of its business registration, which the selected firm must forward to the Authority. No firm selected as a Consultant may enter into any subcontract with a firm that has not provided proof of valid business registration to the selected firm, for forwarding to the NJSDA. The NJSDA shall duly file all business registrations with the other procurement documents relating to the contract. **Business registrations of proposed subconsultants, if any, are NOT required to be included in a firm’s Proposal.**

Firms may obtain New Jersey Business Registration assistance by going on-line to www.state.nj.us/treasury/revenue/gettingregistered.shtml or by calling the New Jersey Department of Treasury at (609) 292-9292. Please be advised, however, that business registrations are mailed generally within seven to ten days, so firms should plan accordingly.

4.8 Disclosure of Investment Activities in Iran Form

Using the form provided by the NJSDA, the responding firm must submit a Disclosure of Investment Activities in Iran Form, pursuant to Public Law 2012. C. 23 (codified at N.J.S.A. 52:32-55 et. seq.) (the “Act”). Pursuant to the Act, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract with the New Jersey Schools Development Authority (“NJSDA”) must complete a Certification which states that the person or entity, or one of the persons or entity’s parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury (“Treasury”) as a person or entity engaging in investment activities in Iran. Such a Certification must be in the form attached hereto in Attachment A, and included with the firm’s Technical Proposal. **Failure to submit such Certification will result in the disqualification of the bid and rejection of the Technical and Price Proposals**

5.0 INSTRUCTIONS FOR SUBMITTING A FEE PROPOSAL

The firm must submit its Fee Proposal in the format set forth on the NJSDA's Fee Proposal Form (Attachment C) based on lump sum fees that will apply to the three year term, providing the services required in the Scope of Services, as well as providing such services as may be required, pursuant to an amendment, in addition to those contained in the Scope of Services at the time of execution of the Agreement.

As noted in the mailing instructions set forth in Section 3.0 of this RFQ/RFP, one (1) original, and no copies, of the Fee Proposal must be submitted as part of the Proposal Package, **but the Fee Proposal must be enclosed in a sealed envelope separate from the Technical Proposal and the Moral Integrity Questionnaire.**

Faxed or e-mailed Fee Proposals will not be accepted.

6.0 INSTRUCTIONS FOR SUBMITTAL OF MORAL INTEGRITY QUESTIONNAIRE

Firms **must** also submit to the Authority one (1) original, and no copies, of a completed Moral Integrity Questionnaire for submission to the New Jersey State Police, in the form set forth as Attachment D to this RFQ/RFP. The Authority shall hold all Questionnaires submitted, unopened, until all firms are ranked, unless special circumstances warrant otherwise. At such time, Authority staff will forward the Questionnaire of the top-ranked firm to the New Jersey State Police for review.

Moral Integrity approval is a prerequisite for contract award.

7.0 EVALUATION OF TECHNICAL PROPOSALS

Each Proposal Package will be reviewed to determine responsiveness. Technical Proposals will be evaluated by a Selection Committee ("Committee") established for the purpose of evaluating responses to the RFQ/RFP. The Selection Committee shall consist of no fewer than three (3) SDA Staff members. The evaluation will be based upon the information provided by a Firm in response to this RFQ/RFP, and any necessary verification thereof.

The members of the Selection Committee will evaluate each Firm's Technical Proposal, and may confer with each other regarding the content of the submissions before scoring, but each Selection Committee member will independently score each Technical Proposal in all of the evaluation categories described in this RFQ/RFP, in accordance with the evaluation criteria described herein. Technical Proposals shall be evaluated in the following categories:

- Firm's Broker Experience
- Firm's OCIP Administration Experience
- Qualifications and Experience of Key Team Members
- Firm's Approach to Managing the Contract

Each Selection Committee Member will evaluate each Technical Proposal, assigning a raw score for

each category on a scale of 0 to 10 as follows:

- Outstanding (9–10): depth and quality of response offers significant advantages.
- Superior (7-8): exceeds RFQ/RFP requirements with no deficiencies.
- Sufficient (5-6): meets RFQ/RFP requirements with no significant deficiencies.
- Minimal (3-4): meets RFQ/RFP requirements but contains some significant deficiencies.
- Marginal (1-2): comprehends intent of RFQ/RFP but contains many significant deficiencies.
- Unsatisfactory (0): requirements not addressed and lack of detail precludes adequate evaluation.

Weighting factors will then be applied to each of the Selection Committee Member’s raw scores for each category to arrive at a total weighted score as follows:

RFQ/RFP Evaluation Criteria	Weighting Factor (Applied to Raw Score)	Maximum Available Points for Criteria
Firm’s Broker Experience: *OCIP, Builder’s Risk and OPPI insurance *Successful program design, negotiation, implementation and administration	2.0	20
Firm’s OCIP Administration Experience: *Successful program implementation and administration *RMIS Services	3.0	30
Qualifications and Experience of Key Team Members: *OCIP, Builder’s Risk and OPPI Broker experience *Loss Control/Safety experience *Claim experience	2.0	20
Firm’s Approach to Managing the Contract: *Program design and marketing *Program implementation and administration	3.0	30
Total Points Available:		100

All of the scores awarded by the Selection Committee members to a particular Firm’s Technical Proposal will be added together and averaged to arrive at a Technical Proposal Score for each Firm. The maximum score for a Technical Proposal score is 100.

The Technical Proposal Score will be the Final Technical Score, except that, at its sole option, the Selection Committee may conduct interviews with a shortlist of the three (3) Firms receiving the highest Technical Proposal Scores. In the event of a tie in Technical Proposal Scores for the third Firm to be short-listed, all Firms with the tie Technical Proposal Scores will be short-listed. If three (3) or fewer Firms submit valid, responsive Technical Proposals, then all such Responding Firms will be invited to participate in interviews with the Selection Committee. Following the interviews, if any, Firms will again be evaluated by Selection Committee members based on Interview Criteria that are the same as those used in the evaluation of the Technical Proposals. Interview Scores will then be averaged with Technical Proposal Scores to arrive at a Final Technical Score for each firm.

The maximum Final Technical Score will be 100. Firms will be ranked in accordance with their Final Technical Score.

8.0 EVALUATION OF FEE PROPOSALS

After all Final Technical Scores have been tabulated, the NJSDA shall open all Fee Proposals. Using the Fee Proposals as a guide, NJSDA staff shall negotiate a fair and reasonable fee with the firm receiving the highest Final Technical Score. Should the Authority be unable to negotiate a satisfactory contract with the firm receiving the highest Final Technical Score, the NJSDA shall terminate negotiations with that firm and shall then undertake negotiations with the firm receiving the second highest Final Technical Score. Failing accord, the NJSDA shall terminate negotiations with that firm and shall then negotiate with the firm receiving the third highest Final Technical Score. In the event that the NJSDA is unable to reach a satisfactory contract with any of the three highest-ranked firms, at its option, the NJSDA may reject all Proposal Packages.

NJSDA staff shall then make a recommendation of award to the most technically qualified firm at compensation determined to be fair and reasonable. If the recommendation of award is approved, a notice of award shall be transmitted to that firm and other proposing firms shall thereupon receive written notice of the award.

Notwithstanding anything to the contrary, the NJSDA has no obligation to make an award and reserves the right to waive any non-material defects, reject all Proposal Packages in accordance with law, and terminate the selection process at any time.

Upon award, the selected firm shall execute the Agreement, without modification.

Any bidder attempting to contact government officials (elected or appointed), including Authority Board members, Authority Staff, and Selection Committee members in an effort to influence the selection process may be immediately disqualified.

9.0 OTHER REQUIREMENTS

After determination of the selected firm, the NJSDA shall request the following information prior to the award of the contract:

9.1 Political Contributions. P.L. 2005, c. 51 amended and supplemented N.J.S.A. 19:44A-20.1 *et seq.*, and superseded Executive Order 134 (2004), addresses the effect of political contributions on State contracting. Accordingly, a selected Firm will be required to respond in a timely fashion to certification and disclosure requirements that will be stated in the Notice of Award issued by the NJSDA. Additionally, Executive Order No. 117, which is designed to enhance New Jersey's efforts to protect the integrity of government contractual decisions and increase the public's confidence in government. The Executive Order builds on the provisions of P.L. 2005, c. 51 ("Chapter 51"), which limits contributions to certain political candidates and committees by for-profit business entities that are, or seek to become, State government vendors.

Requirements for Selected Firm. The selected Firm shall receive a Notice of Award that

will, among other things, notify the Firm that it must submit a Certification and Disclosure of Political Contributions form and Business Entity Disclosure form as provided by NJSDA. Failure to submit these forms in a timely fashion shall be cause for rejection of the Firm.

Firm's Continuing Obligation to Comply with P.L. 2005, c. 51. Any Selected Firm is required, on a continuing basis, to disclose and report to NJSDA any political contributions made during the Contract term by the Firm on forms provided by NJSDA, at the time it makes the contribution.

9.2 Political Contributions Disclosure. Firms are advised of their responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission ("ELEC"), pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c. 271, section 3), in the event they receive contracts in excess of \$50,000 from a public entity in a calendar year. It is a Firm's responsibility to determine if filing is necessary. Failure to so file can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

9.3 Outsourced Services Special Provisions. Under P.L. 2005, c. 92 (formerly Executive Order No. 129 (2004)), the NJSDA shall not award a contract to a bidder that submits a bid proposal to perform services, or to subcontract with a firm to perform services, outside the United States, unless certain conditions is met. If, during the term of the contract, the Firm or subcontracted firm, who had on contract award declared that services would be performed in the United States, proceeds to shift the performance of the services outside of the United States, the Firm shall be deemed in breach of the Agreement, unless the Director of the NJSDA Division of Procurement shall have first determined in writing that extraordinary circumstances require a shift of services or that a failure to shift the services would result in economic hardship to the NJSDA or the State.

9.4 Anti-Discrimination Requirements. In addition, the Firm shall not discriminate in employment and shall abide by all anti-discrimination laws including those contained within N.J.S.A. 10:5-1 et seq. and all rules and regulations issued there under, including N.J.A.C. 17:27-1 et seq. Accordingly, in a Notice of Award, a Firm shall be required to submit to the NJSDA, with its executed Agreement, a copy of one of the following three documents:

- (1) appropriate evidence that the contractor is operating under an existing Federally approved or sanctioned affirmative action program;
- (2) a certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4; or
- (3) an initial employee information report (Form AA302*) provided by the Affirmative Action Office and completed by the Firm in accordance with N.J.A.C. 17:27-4.

***The original of this document shall be provided to the New Jersey Department of Treasury. Please see following link for details:**
http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

9.5 Insurance and Indemnification. A successful Firm shall be required to provide evidence of

the insurance coverage required in Section 5.1 of the Agreement, Attachment B to this RFQ/RFP, at the time of execution of the Agreement. **This is a pre-award requirement. Do not submit with your Technical Proposal.**

9.6 Additional Information. NJSDA may request additional information as required under the Agreement, or pursuant to applicable policies, procedures or law.