

NOTICE
REQUEST FOR QUALIFICATIONS
THIRD-PARTY ADMINISTRATOR FOR SELF-INSURED PROGRAM
BURLINGTON COUNTY INSURANCE COMMISSION

The Burlington County Insurance Commission is issuing a Request for Qualifications for Third-Party Administrator for the Self-Insured Program through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

The Request for Qualifications is available in the PDF document below.

The Request for Qualifications provides the requirements for all providers of said Services who wish to be considered for a contract for Third-Party Administrator for Self-Insured Program as well as the responsibilities of the Third-Party Administrator. The appointment will be for an original three-year term from January 1, 2023 through December 31, 2025 with an option to extend the contract for two one-year periods.

Responses to the Request for Qualifications must be submitted in sealed envelopes which state "Contains BCIC RFQ" via mail or hand-delivery no later than 3 p.m. on Tuesday, December 6, 2022 to Cathy Dodd, Account Manager, Burlington County Insurance Commission, 9 Campus Drive, Suite 216, Parsippany, NJ 07054. Responses submitted after 3 p.m. on Tuesday, December 6, 2022, whether by mail or otherwise, will be returned unopened.

Any questions about that any responder has regarding this RFQ shall be submitted in writing to Cathy Dodd, Account Manager, Burlington County Insurance Commission, 9 Campus Drive, Suite 216, Parsippany, NJ 07054.

Responders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

**REQUEST FOR QUALIFICATIONS
FOR THIRD-PARTY ADMINISTRATOR**

BURLINGTON COUNTY INSURANCE COMMISSION SELF-INSURED PROGRAM

Three copies of Responses to this Request for Qualifications including all required documentation must be received by Cathy Dodd, Senior Account Manager, Burlington County Insurance Commission, 9 Campus Drive, Suite 216, Parsippany, NJ 07054 (Contains BCIC RFP) no later than 3:00 p.m. on Tuesday, December 6, 2022. Late Responses will not be considered.

1. Introduction

In accordance with N.J.S.A. 44A:20.4 et seq., the Burlington County Insurance Commission is issuing this Request for Qualifications (RFQ) to firms capable of providing Third-Party Administrator Services for the Burlington County Insurance Commission Self-Insured Program as described in Section 3, SCOPE OF SERVICES, for a period of three years with an option to extend the contract for a further two-year period. The original contract shall be from January 1, 2023 through December 31, 2025.

The Third-Party Administrator will provide services for Workers' Compensation Claims, General Liability Claims, Auto Liability, Public Officials, Employment Liability and Managed Care Services. The Burlington County Insurance Commission(hereinafter "Commission") will award a single contract for the provision of these services.

This Request for Qualifications provides the requirements for all providers of said Services who wish to be considered for the contract. Proposals received in response to this RFQ will be evaluated in accordance with the criteria set forth below at Section 4, CRITERIA FOR EVALUATION OF PROPOSALS.

Negotiations as to cost of the Services will follow with the firm receiving the highest score under the Selection Criteria.

2. Qualification Requirements

The Third-Party Administrator must obtain and maintain any licenses, certifications or regulatory approvals necessary and/or required by law, for the services requested for themselves and for any other staff who may be providing services to the Commission as part of the contract. At no time may said licenses and/or certifications have been suspended or revoked in New Jersey or any other state.

The Third Party Administrator must have provided services as described herein for a minimum of ten (10) years to a county in the State of New Jersey or to a municipality/city in the State of New Jersey with a population comparable to Burlington County.

Third-Party Administrator must be bonded and insured.

3. Scope of Services

Claims Processing

The Third-Party Administrator shall provide claims investigation and adjustment services for workers' compensation claims filed in the State of New Jersey. Said services are to be in accordance with the requirements of any regulating authority having jurisdiction.

The Third-Party Administrator will record and adjust claims arising out of the Program and reported to it by the Burlington County Insurance Commission for the life of the contract or life of the claim whichever comes first. The self-insured lines covered by this contract include general liability, public official, property and workers' compensation.

The Third-Party Administrator will handle all run off files for Burlington County that were open prior to January 1, 2012 as well as all open workers' compensation files as of December 31, 2011 for the Burlington County Bridge Commission. There are 14 open workers' compensation claims, 1 POL and 1 workers compensation claim for the Bridge Commission.

The Third-Party Administrator will also handle all open items for the Commission as noted below:

- 104 WC
- 11 Auto
- 27 EPL/POL/Civil Rights
- 25 GL
- 3 Property

This information is as of September 30, 2022.

The Commission's annual average claim activity is as follows:
(Averages from 2012-2021)

- Workers' Compensation – 164 claims
- Property – 8 claims
- Auto – 34 claims
- EPL/POL/Civil Liberties - 22 claims
- General Liability – 82 claims

The Third-Party Administrator will process claims in accordance with the following standards:

Beginning on January 1, 2023 and for the term of the contract, the Third-Party Administrator shall accept and review all claims reported to the Commission.

The Third-Party Administrator will conduct an investigation as it deems necessary and appropriate for any loss in order to determine compensability. If the Commission believes that additional investigation is necessary, the Commission may instruct the Third-Party Administrator to do such further investigation.

The Third-Party Administrator will make payment as required for all allocated loss adjustment expenses, indemnity payments and program expenses from an account established and funded by the Commission. The Commission will grant the awarded Third-Party Administrator the authority to exercise its discretion and to further incur, settle and pay any individual claim or expenses equal to or less than \$10,000.00. The Commission will receive a weekly check register itemizing payments out of this account.

The Third-Party Administrator will establish a reserve for each claim in good faith based on information that is documented in the claim file. The Third-Party Administrator will review the reserves with the Commission.

The Third-Party Administrator will conduct appropriate settlement negotiations on legitimate claims and endeavor to conclude such claims on favorable terms.

The Third-Party Administrator will furnish all claims forms necessary to proper claim administration.

Managed Care Service

The Third-Party Administrator shall provide managed care services for Workers' Compensation that the Commission filed in the State of New Jersey. The Third-Party Administrator shall provide its services in accordance with the requirements of any regulatory authority having jurisdiction.

Service will be provided to a conclusion of the Workers' Compensation Service shall include but not be limited to:

1. Direct reporting service with a dedicated toll-free line to report injuries 24 hours per day, 365 days per year. This shall include the completion and filing of the Employer's First Report of Accidental Injury or Occupational Illness Report.
2. Provide medical bill review and re-pricing.
3. Provide field base medical/vocational case management with the approval of the Commission.
4. Provide Telephonic Case Management Services.

Litigation Management

The Third-Party Administrator will assign defense counsel to all litigated claims reported to it and will communicate with excess liability carriers and/or the New Jersey Counties Excess JIF and assigned defense counsel as necessary to effectuate proper handling of claims. The Third-Party Administrator will monitor any developments in the case and insure that counsel is attentive to the matter and report to the Commission as necessary or as requested. The Third-Party Administrator will establish individual case reserves as it deems appropriate. The Commission reserves the right to take over the handling of any litigated claim and agrees to notify the Third-Party Administrator of its decision to do so at the earliest practical time.

Subrogation

The Third-Party Administrator will itself or with the assistance of outside legal counsel, evaluate potential subrogation rights of the Commission and will assert those rights that it believes are likely to yield a benefit to the Commission. Notwithstanding any judgment made by the Third-Party Administrator about whether to pursue a subrogation claim, the Commission reserves the right to instruct the Third-Party Administrator to assert or not to assert any meritorious claim.

Records

The Third-Party Administrator will maintain reasonable records relating to its responsibilities under this contract. The Third-Party Administrator will forward any or all records in its possession relating to this contract upon request from the Commission.

The Third-Party Administrator shall maintain finalized claim files as each claim is concluded until requested by the Commission to transmit the same to the Commission or other party or three (3) years after the expiration of the contract whichever occurs first.

Reports

The Third-Party Administrator will provide the Commission with a monthly report itemizing all claims processed during the preceding month, including reports giving the status of losses, payments to date, estimated reserve amounts and other details relating to losses for purposes of loss analysis.

The Third-Party Administrator shall file any required reports due to the State of New Jersey concerning the workers' compensation reports.

The Commission shall acquire and forward to the Third-Party Administrator audited payroll information. The Third-Party Administrator shall submit all forms necessary for proper claims administration and regulatory compliance.

Upon request of the Commission, the Third-Party Administrator, being provided with the details of any reinsurance agreements, will provide claim information to reinsurers on an individual loss basis and/or aggregate basis, if necessary.

Note: The Third-Party Administrator will be responsible for any claims still open as of December 31, 2022.

5. Criteria For Evaluation Of Proposals

A Review Committee has been established to independently evaluate each submission and make a recommendation to the Commission as to the award of contract for Third-Party Administrator for the Burlington County Insurance Commission Self-Insured Program. The Commission shall make the final selection.

The Selection Criteria to be used in awarding the contract to the Third-Party Administrator shall be:

Maximum of 50 points – Compliance with Paragraph 2. Qualifications

Maximum of 50 points – Experience in providing Services described at Paragraph 3, Scope of Work

Maximum of 50 points – Compliance with Paragraph 6, Submission of Qualifications

The Commission reserves the right to award a contract to the Third-Party Administrator that best meets the needs and interests of the Commission.

6. Submission of Qualifications

The Submission of Qualifications of those seeking to be awarded as the Third-Party Administrator must include:

- a. The name, address, contact person and contact telephone number of each county or municipality/city in the State of New Jersey for whom the Submitter has provided services similar to those described in this RFQ.
- b. Copies of all required New Jersey Department of Insurance licenses/certifications required in this RFQ. Any revocation or suspension of licenses must be disclosed.
- c. A **complete description** of the experience of the Submitter in providing third-party administrator services described in this RFQ as well as the experience of any principal or staff member who would provide services to the Commission.

Submitter shall provide resumes and experience of all adjusters, account managers and/or managed care service providers who will be providing services to the Commission.

Submitter shall describe their knowledge and experience, and that of their staff, if any, with regard to providing the services described herein to the Burlington County Insurance Commission and any other governmental entities.

Submitter shall submit a brief history of their company.

Submitter shall provide the location of their office(s) that would be serving the Commission.

Submitter shall address their ability to provide the services and responsibility requested.

- d. A certification in the form provided stating that the candidate has no conflicts of interest, actual or apparent, that would compromise its independence of judgment in the performance of the designated services.
- e. A certification disclosing any financial arrangements the submitter has made with third party vendors, such as managed care and bill repricing vendors. Full disclosure of such agreements and compensation must be submitted. Moreover the submitter must certify that if it enters into such agreements during the course of its contract with the Burlington County Insurance Commission it will immediately notify the Commission.
- f. Proof of compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.
- g. Proof of compliance with the New Jersey Business Registration Act.
- h. Statement of Ownership, N.J.S.A. 52:25-24.2.
- i. Proof of the following insurance requirements which must be maintained throughout the term of the contract:
 - 1) Commercial General Liability, including Products Completed Operations, coverage for Personal Injury and Property Damage Liability of not less than one million dollars (\$1,000,000) combined single limit for each occurrence/two million dollars (\$2,000,000) aggregate; and
 - 2) Errors and omissions insurance coverage of not less than one million dollars (\$1,000,000) per occurrence/two million dollars (\$2,000,000) aggregate with the “**Burlington County Insurance**

Commission” named as a certificate holder and with an attached contractual liability endorsement from the insurer stating that the errors and omissions coverage applies to the services of the Third-Party Administrator.

- 3) All statutory workers’ compensation and employer liability coverage required to be held by law; and
- 4) Fidelity Bond in the amount of three million dollars (\$3,000,000).

The Third-Party Administrator shall provide the Commission with a Certificate of Insurance evidencing that said insurance is and will be in effect during the term of the contract and naming the Burlington County Insurance Commission as an Additional Insured.

Each Certificate of Insurance shall contain a statement that the policy applies to all services provided by the Third-Party Administrator which are undertaken by the insured during the term of the contract. In addition, each Certificate of Insurance shall contain the following information or statements:

- 1) Name and address of insured.
- 2) A statement that the Commission is an Additional Insured under the Commercial General Liability coverage.
- 3) The number and description of each policy in force on the date of the Certificate.
- 4) The expiration date of each policy shown as well as the amount of coverage for each policy.
- 5) The name and number of this contract as shown on the cover of this package.
- 6) A statement showing the method of cancellation. If cancellation may be effected by the giving of notice to the insured and the Commission by the insurer, the policy and Certificate must provide that cancellation shall not be effective until ten (10) days after receipt of such notice by the Commission.

During the term of the contract, it shall be the responsibility of the Third-Party Administrator to provide the Commission with additional Certificates of Insurance in compliance with the above showing current coverage when any insurance policy for the above-listed coverage expires.

Submission of proof of the required insurance coverage in the form of a Certificate or Certificates of Insurance is a condition precedent to the execution of the contract by the Board.

- j. COST PROPOSAL- Submitters should submit a cost proposal which would include all details of any fees to be paid to responder. The BCIC does not provide payment for or reimbursement for travel expenses.
- k. Signature Page

7. Signature Page

**BURLINGTON COUNTY INSURANCE COMMISSION
THIRD-PARTY ADMINISTRATOR FOR SELF-INSURED PROGRAM**

Date: _____, 2022

To: Cathy Dodd, Account Manager
Burlington County Insurance Commission
9 Campus Drive, Suite 216
Parsippany, NJ 07054
(Contains BCIC RFP)

The undersigned hereby submits this Response to the Qualifications for Third-Party Administrator for Self-Insured Program with the understanding that the terms of the Request for Proposal and the Proposal with all required submittals shall be the basis for award of contract.

Date: _____
(Name of Service Provider)

Attest: _____
(Signature) (Signature)

(Type or print name and title) (Type or print name and title)

(Address)

(City, state, zip code)

STATEMENT OF OWNERSHIP

Complete this form only if the Firm is a partnership, corporation or limited liability company.

Check here | ___ | if not applicable.

Name of Firm: _____

Address: _____

City/State/Zip: _____

Form of business: corporation partnership limited liability company

List the names and addresses of all persons (including business entities) who have 10% or more interest in the Firm's firm. If an interest holder is a corporation name the stockholders holding more than a ten percent interest.

Complete the certification at the bottom of this page.

NAME	ADDRESS	SS#
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I certify that (check one):

_____ the list of persons named above is current and correct to the best of my knowledge

or

_____ There are no persons having a 10% or greater interest in the Firm's firm to the best of my knowledge.

Authorized signature

Date

typed/printed name

Title

CONFLICT OF INTEREST CERTIFICATION

The undersigned certifies to the Burlington County Insurance Commission that, in performing services for the Commission, he knows of no circumstance that would constitute a conflict of interest, financial or otherwise, between himself or his firm and the Burlington County Insurance Commission, its members or with the interests of the Commission in general. The undersigned further certifies that he knows of no circumstances or relationships between himself or his firm and third parties that would cause the actual or appearance of an conflict of interest or a compromise of judgment and independence in the performance of the designated services.

The undersigned acknowledges this is a continuing certification and shall remain in effect for the term of the consulting services.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

By: _____

EXHIBIT A

**N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Goods, Professional Services and General Service Contracts
(Mandatory Affirmative Action Language)**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2 or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award by prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Contracts Compliance and EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contracts Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

MEMBERS COVERED BY BURLINGTON COUNTY INSURANCE COMMISSION

County of Burlington (Board of County Commissioners)

Burlington County Bridge Commission

Burlington County Board of Social Services

Rowan College at Burlington County

Burlington County Institute of Technology

Burlington County Special Services School District