

## VILLAGE OF OSSINING

**REQUEST FOR QUALIFICATIONS FOR WORKERS COMPENSATION CLAIMS MANAGEMENT AND ADJUSTMENT SERVICES (Third Party Administrator)** - The Village of Ossining seeks proposals from qualified claims management and adjustment firms to serve as Third Party Administrator and to advise and consult with the Village on Workers Compensation claim administration and management matters for the Village's self-funded liability program. At the present time the Village has a \$500,000 self-insured retention with insurance above that retention. Interested firms are required to respond by **October 13<sup>th</sup>, 2020 at 4:30 PM (revised date)** with the information requested herein.

The Village of Ossining is located approximately thirty-five miles north of New York City in Westchester County. The village, located on the Hudson River, has a population of approximately 25,000.

The Village seeks the services of a qualified claims management and adjustment firm with demonstrated experience acting on behalf of municipal clients.

### SCOPE OF SERVICES REQUESTED

The selected adjustment firm will be expected to provide a full range of adjustment and claims management services to support the Village of Ossining in its review of submitted workers compensation claim. The village has approximately 175 fulltime employees; including 59 uniformed police officers. The range of services may include, but is not limited to:

- A. Review all claims reported by the Village and handle to conclusion in a timely manner.
- B. Establish claims files and assign claim numbers for all claims reported by the Village. The claim files will be the property of the Village and will be available to the Village for inspection upon reasonable notice.
- C. Provide prompt notification of claims to the Village's excess insurer in accord with the excess insurer's notification requirements.
- D. As needed, assign outside defense counsel to represent the Village at Workers' Compensation Board hearings and other related proceedings.
- E. Assign claimant to an independent medical consultation to determine disability and treatment and advise the Village on potential compensability of a claim.
- F. As needed, perform an investigation of a reported claim or award to protect the Village from fraud; represent the Village in the recovery proceedings.
- G. Provide weekly, monthly, quarterly and annual reports regarding new claims, claim activity, and voucher details. These reports provide statistical and accounting data to allow the village to performing fiscal review of self-insured program.
- H. The selected firm shall be responsible for preparing checks for the Treasurer's signature for expense vouchers and settlements/judgments.
- I. Recommend claim reserves and provide a continuous review and updating of the reserves to the Village and assigned defense counsel to reflect changes of condition in the claim history.
- I. Avoid disclosing the contents of the Village's files to third parties, except as reasonably necessary to carry out the obligations under this Agreement or to comply with legal requirements.
- J. Function as an independent contractor.

- K. Maintain at its own expense an errors and omissions policy in the amount of no less than \$1,000,000 per occurrence and \$1,000,000 policy aggregate covering the selected firm in connection with its management and administration of the Village's self-insured workers compensation insurance plans. General liability insurance providing policy limits of no less than \$1,000,000 per occurrence and \$1,000,000 policy aggregate naming the Village of Ossining, its officers, elected officials, volunteers, employees as an additional insured on a primary and non-contributory basis. Both insurance policies to provide waiver of subrogation endorsement clauses in favor of the Village of Ossining. Village of Ossining to be provided no less than 30 days written notice of cancellation and any material change in coverage. Prior to commencement of work, the selected firm shall provide to the Corporation Counsel certificates of insurance for review. Documentation confirming statutory Workers Compensation coverage shall be provided.
- L. Selected firm shall agree to indemnify and hold harmless the Village of Ossining, its officers, elected officials, volunteers and employees from and against any and all lawsuits, settlements, judgments, costs, penalties, and expenses, including reasonable attorneys' fees, and at its own cost and expense, defend any action against the Village of Ossining arising from the selected firm's : i) willful misconduct, fraud or criminal conduct including the selected firm's directors, officers and employees or ii) any material breach of the selected firm's obligations under the agreement entered into with the Village of Ossining.

#### REQUIRED SUBMITTALS

Responses to this Request for Qualifications must include, at a minimum, the following:

- A. Demonstration of previous experience with similar municipal adjustment engagements.
- B. Identification of key personnel who are located in the region and will be assigned to this account.
- C. Description of the firm's practice areas that might be applicable to this engagement.
- D. Description of the firm's approach and methods for providing municipal claims management and adjustment services to the Village of Ossining.
- E. Description of similar engagements and examples of typical work products and contractual agreements.
- F. Tabular history of municipal consulting experience in the past five years, and indicating order of magnitude adjustment fees earned for each municipality.
- G. A list of municipal references for engagements undertaken in the past five years.
- H. Proposed Fee structure for services requested in this RFQ.

#### PROPOSAL SUBMISSION

An original, seven (7) copies, and one electronic copy in PDF format of the Proposal and other required documents must be submitted, sealed in an opaque envelope clearly marked with the name of the Proposal and the name and address of the firm. If the proposal is sent through the mail or other delivery system the sealed envelope shall be enclosed in a separate envelope with the notation "PROPOSAL ENCLOSED" on the face thereof. Firms mailing proposals shall allow sufficient time for delivery.

Proposals must be received no later than **4:30 PM on October 13<sup>th</sup>, 2020 (revised date)** at the following address:

Village of Ossining – Village Manager’s Office  
 Attn: Karen D’Attore  
 16 Croton Avenue, 1<sup>st</sup> Floor  
 Ossining, New York 10562  
[KDattore@villageofossining.org](mailto:KDattore@villageofossining.org)

The Proposals submitted by the firms are the documents upon which the Village will make its initial judgment regarding the firm’s qualifications, understanding of the Village’s scope and objectives, methodology, and ability to complete services.

Those submitting Proposals do so entirely at their expense. There is no express or implied obligation by the Village of Ossining to reimburse any firm or individual for any costs incurred in preparing or submitting Proposals, preparing or submitting additional information requested by the Village of Ossining, or for participating in any selection interviews.

Submission of any Proposal indicates acceptance of the conditions contained in the Request for Qualifications, unless clearly and specifically noted otherwise in the Proposal.

Proposals will be examined and evaluated by the Village Staff including the Village Manager, Assistant Village Manager, Corporation Counsel, Treasurer, Deputy Treasurer and Personnel Director. Village staff shall make a recommendation to the Village Board of Trustees who has the ultimate authority to appoint a claims management and adjustment firm as Third Party Administrator.

During the evaluation of Proposals, the Village may require clarification of information or may invite firms to an oral presentation to amplify and or validate Proposal contents.

All material submitted in response to this RFQ shall become the property of the Village.

The Village expects to conduct interviews of short-listed respondents as early as the week following the RFQ opening date and no later than the week prior to the Village Board Meeting where an award recommendation will be made. The selection will be made prior to October 31, 2020 to allow the selected firm to meet with Village staff and the outgoing Third Party Administrator to review existing claims and to transfer those claims to the selected firm’s system. It is anticipated that the selected firm will commence as Third Party Administrator effective January 1, 2021.

#### SELECTION CRITERIA

A claims management and adjustment firm will be selected as Third Party Administrator through the evaluation process described herein. The evaluation of the statement of qualifications will be based primarily on the following:

1. Competency of the firm to perform the required services, as indicated by the technical training, education and experience of the firm’s personnel who would be assigned to perform the services;

2. Ability in terms of workload and availability of qualified personnel to perform the required adjustment services competently and expeditiously;
3. Past performance as reflected by the evaluations and references of previous or current municipal clients with respect to factors such as control of costs, quality of work, and meeting of deadlines;
4. Demonstration of the knowledge and the process required to bring a project through to completion as a firm; and
5. Other similar facts.

The selection of a firm shall be at the sole discretion of the Village of Ossining. The Village Board of Trustees shall authorize the Village Manager to execute any contracts for the services specified herein and reserves the right to modify these services in accordance with changes in its requirements as they may occur.

#### RIGHTS AND OPTIONS OF THE VILLAGE

The Village reserves the following rights and options to:

- ☐ Reject any and all proposals.
- ☐ Supplement, amend, or otherwise modify this Request for Qualifications.
- ☐ Cancel this Request for Qualifications with or without the substitution of another Request for Qualifications.
- ☐ Issue additional solicitations for information and proposals.
- ☐ Conduct investigations with respect to the qualifications of each responding firm.
- ☐ Make and award, in whole or in part, to one or more firms and individuals responding to the Request for Qualifications.

Should Village and the selected firm be unable to reach an agreement within 30 days of the proposal opening date, the Village may select another proposal, reissue the RFQ, or take any other actions as deemed appropriate by the Village.

The Village shall retain the right to reject any proposed personnel and to cause the selected firm to replace any personnel during the contract period, with or without cause.

If the selected firm fails to perform the duties/responsibilities/requirements under this RFQ and any subsequent agreement, the Village shall have the right to terminate the agreement upon 30 days written notice of the failure to perform.

#### CONTRACT TERM

The Village proposes a contract term of three years from the effective date of the Agreement between the selected firm and the Village. The agreement may include automatic one-year renewal periods. The contract may include a reasonable escalation clause as negotiated by the parties. The Village shall have the option of issuing a new Request for Qualifications for additional or replacement firms at any time the Village deems it necessary.

#### QUESTIONS

All questions are to be directed to the Village Manager, Karen D'Attore, in writing. Email to [KDattore@villageofossining.org](mailto:KDattore@villageofossining.org) and indicate in the subject line, Request for Qualifications for Workers Compensation Third Party Administrator.