THE TOWNSHIP OF LYNDHURST
BERGEN COUNTY, NEW JERSEY

The Township of Lyndhurst
Attention: Municipal Clerk
253 Stuyvesant Avenue
Lyndhurst, NJ 07071

REQUEST FOR PROPOSALS
FOR:

RISK MANAGEMENT CONSULTANT

DECEMBER 1, 2014

TOWNSHIP OF LYNDHURST
BERGEN COUNTY, NEW JERSEY
ATTENTION: TOWNSHIP CLERK
253 Stuyvesant Avenue

REQUEST FOR PROPOSALS
RISK MANAGEMENT CONSULTANT

December 1, 2104

SECTION 1
PROCEDURAL DETAILS

A. SCOPE OF SERVICES.

Lyndhurst is soliciting **formal** proposals, from qualified companies or other entities (including individuals) from:

It is the intent of the Township to solicit Qualified Statements from Respondents who would act as the Risk Management Consultant for the Township. Respondents should have expertise and experience including, but not limited to, the following areas: various forms of insurance, including workers compensation, general liability, police professional liability, auto, public officials liability, environmental; ability to market insurance coverage; assist in loss control. Firms or persons responding to this RFP must be able to demonstrate that they will have the continuing capabilities to perform these services.

B. RECEIPT OF PROPOSALS.

Notice is hereby given by the **Township of Lyndhurst** that completed sealed Formal Proposals must be submitted to, and be received in the Office of the Township Clerk, 253 Stuyvesant Avenue, Lyndhurst, New Jersey 07071 on or before 2:00 p.m. on Tuesday, January 6, 2015. Respondents are instructed to label the outside of the envelope or package to the effect that the enclosure consists of a Formal Proposal in response to this request for the professional services- **Risk Management Consultant.**

Formal Proposals will not be accepted by facsimile transmission or email. The responses will be opened after 2:00 p.m. on Tuesday, January 6, 2015 in the Office of the Township Clerk. Any and all Formal Proposals not received by 2:00 p.m. on January 6, 2015 will be rejected.

C. OBTAINING A PROPOSAL FORM (PACKAGE).

Proposals may be obtained by the following:

- In-person from the municipal Clerk's office during the hours of 9:00 AM to 4:00 PM, Monday through Friday.
- First Class Mail
- Downloaded from the municipal website –**www.lyndhurstnj.org.**

D. CONTENTS OF PROPOSALS.

All proposals must be submitted on the proposal form as indicated and provided for in Section 4 of this RFP in order to be considered by the Township. The letters required in Appendix A and Appendix B must also be included in the Response. Also, careful attention and a detailed Response to Section 2 hereof is required. Additional or supplemental materials MAY be submitted as well.

E. COMPLIANCE.

The successful vendor will be required to comply with the following:

- N.J.S.C. 10:5-31 et. seq.
- N.J.A.C. 17:27
- N.J. Prevailing Wage Requirements
- Non-Collusion-Anti-Kickback Requirements
- P.I. 1977, c. 33 Ownership Disclosure Requirements
- New Jersey Business Registration Certification

F. RESERVATION OF RIGHTS.

The Board of Commissioners of the **Township of Lyndhurst** reserves the right to reject any and all proposals, for any reason or no reason, including the right to reject proposals that substantially or materially deviate from the specifications and other required documents, and further reserve the right to waive minor irregularities and immaterial variances and formalities in the proposals.

G. OPEN AND FAIR RFP PROCESS.

This request for proposals (RFP) has been advertised in accordance with the "Fair and Open Basis" process under the "New Jersey Local Unit Pay-to-Play" Law, NJSA 19:44A-20.7 et seq.

H. ADDITIONAL RIGHTS OF THE TOWNSHIP.

The **Township of Lyndhurst** 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 conduct investigations of any or all of the respondents, as the Township 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 Township may determine to commence a new procurement process, or not, or exercise any other rights provided under applicable law without any obligation to the respondent.

I. 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 Township, its officers, officials or employees for reimbursement for the payment of costs or expenses incurred in the preparation of the proposal or other information required by the RFP.

J. DISPOSITION OF 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 proposals shall become the property of the Township and will not be returned.

- All proposals will become public information at the appropriate time, as determined by the Township (in the exercise of its sole discretion) in accordance with law.

K. MANDATORY AFFIRMATIVE ACTION CERTIFICATION.

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

L. AMERICANS WITH DISABILITIES ACT 1990.

Discrimination on the basis of disability in contracting for the purpose of bids or proposals is prohibited. The successful respondent is obligated to comply with the Act and to hold the Township harmless for any claims as to non-compliance or violation of this Act.

M. BUSINESS REGISTRATION CERTIFICATE.

Vendors are required to comply with the requirements of P.L. 2004 c.57 (Chapter 57) which includes submitting a copy of their Business Registration Certificate (BRC), issued by the NJ Department of the Treasury.

N. INDEMNIFICATION.

The respondent/vendor, if awarded the contract, agrees to protect, defend, hold and save harmless the Township against damages for payment for the use of any patented material process, article or devise that may form a part of the work covered by either order or contract, and further agrees to indemnify and save harmless the Township from suits or actions of every nature and description brought against it for, or on account of, any injuries or damages received or sustained by any party or parties by, or from, any of the acts of the contractor, its servants or agents.

SECTION 2.
QUALIFICATIONS STATEMENT REQUIRED

A. Introduction and Purpose.

The Township is soliciting Qualification Statements from qualified Risk Management consultants. This is being done through a Request for Proposal (RFP) process described herein, persons and/or firms interested in assisting the Township with the provision of such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in this RFP. The Township will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described herein (in the sole judgment of the Township). The Township intends to qualify persons and/or firms that (a) possess 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 Township to provide the greatest benefit to the taxpayers of Lyndhurst.

B. Procurement Process.

The selection of Qualified Respondents is not subject to the 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 Township has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that persons and/or firms are provided an equal opportunity to submit a Qualification Statement in response to this RFP. Proposals will be evaluated according to price and qualifications of the Respondent.

Qualification Statements will be reviewed and evaluated by the Township and its designated advisors. The Qualification Statements 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 members of the Township reviewing personnel (or advisors) review responses to an RFP for a position which they or their firm submitted a response. Based upon the totality of the information contained in the response to the RFP, including qualifications and price, including information about the reputation and experience of each Respondent, the Township will (in its sole judgment) determine which Respondent shall be awarded a contract to provide such services. Notwithstanding the foregoing, the Township of Lyndhurst reserves the right NOT to award any contract.

The RFP process commences with the issuance of this RFP. The process concludes with the award and execution of a contract for services. This is anticipated to occur in or about January 2015.

C. Designated Contact Person.

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

Mrs. Helen Polito
Township Clerk
253 Stuyvesant Avenue
Lyndhurst, NJ 07071

D. Submission Date.

Pursuant to Section 1B, hereof, Proposals, Qualification Statement(s), and the letters required in Appendix A and Appendix B, as well as the Public Disclosure Statement required in Appendix C must be submitted with the Response to the RFP, and be received by, the Township, via mail or hand delivery, by 2:00 p.m. on January 6, 2015.

E. Amendments to the RFP.

Subsequent to issuance of the RFP, the Township (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 Township.

F. Description of Qualifications in Response to RFP.

A. As indicated above, Respondent shall submit a description of its qualifications in providing the type of services sought in the RFP, which shall not exceed three (3) pages. A resume, which shall not exceed two (2) pages, may be attached to the description. The description shall include the following information:

1. Experience, which should include a statement of the Respondent's knowledge of the Township and availability to attend required meetings.
2. Professional licenses.
3. Any judgments within the last three (3) years in which Respondent has been adjudicated liable for

professional malpractice. If there are any such judgments, please explain.

4. Whether the business organization is now or has been involved in any bankruptcy or reorganization proceedings in the last 10 years. If so, please explain.
5. Describe the services that Respondent would perform directly.
6. Describe those portions of the Respondent's services, if any, that are subcontracted out. Identify all subcontractors the Respondent anticipates using in connection with this project.
7. List all immediate relatives of principals of the Respondent who are Township employees or elected officials of the Township. 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.

SECTION 3.
EVALUATION OF PROPOSALS

A. Evaluation.

The Township's objective in soliciting Responses to the RFP is to enable it to select a firm, individual, or organization that will provide high quality services to the citizens of Lyndhurst. The Township will consider Proposals, including Qualification Statements, only from firms, individuals, or organizations that, in the Township's judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the Township in the manner described in this RFP. Price, while important, is only one of many factors in the evaluation of Proposals.

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

1. Price, including estimated annual amount of the service, compliance with the Township hourly rate range as specified in Section 3B. below, and/or any other proposed pricing considerations or compensation arrangements;
2. Experience and reputation in the field;
3. Knowledge of the Township and the subject matter addressed under the contract;
4. Availability to accommodate the required meetings of the Township; and
5. Other factors demonstrated to be in the best interest of the Township.

CLEARLY STATE IN THE PROPOSAL ESTIMATED AMOUNT OF THE SERVICE ON AN ANNUAL BASIS, HOURLY RATES, AND/OR ANY OTHER PROPOSED PRICING CONSIDERATIONS OR COMPENSATION ARRANGEMENTS.

B. (RESERVED)

C. Contract Award.

It is intended, but not guaranteed, for a responsive, acceptable proposer to be awarded a contract for services to expire on, or about, December 31, 2015. The Township of Lyndhurst may consider the submission provided by the Risk Management Consultant to be a temporary contract and shall supersede prior contracts for this service. Payment will be made to the appointed Risk Management Consultant upon submission of a detailed invoice and executed voucher.

SECTION 4.
TOWNSHIP OF LYNDHURST
The Proposal Form

Submit To: **Township of Lyndhurst**
Attention: Municipal Clerk
253 Stuyvesant Avenue
Lyndhurst, NJ 07071

From (Respondent): _____
_____
_____
_____

Date:

Business or Firm Name:_____

I (we) affirm that the contents of the proposal (which proposal is incorporated herein by reference) is accurate, factual and complete to the best of our knowledge and belief and that the proposal is submitted in good faith, with the express understanding that any false statements may result in the disqualification of our proposal**.** The respondent hereby agrees to furnish all labor, materials, supplies, supervision, equipment and other means as necessary to perform all the work and furnish all the materials in accordance with the RFP and the specifications included herein at the stipulated prices within the time constraints. The signee, below is certifying that they have reviewed the proposal being submitted in response to the Request for Proposals (RFP) issued by the **Township of Lyndhurst** in connection with the following:

PROPOSAL: Risk Management Consultant

Proposed compensation: $_____

D. Respondent's {Individual's} Name (type/print):_____

E. Respondent's Signature: _____
Note: Attach the required Qualifications Statement, pursuant to Section 2, hereof. The Respondent MUST attach (or include in the Proposal) the letters required in Appendix A and B hereof, the Public Disclosure statement required in Appendix C, and the Business Registration Certificate required to be included pursuant to Section 1M, hereof.

{Intentionally Left Blank.}

APPENDIX A

LETTER OF QUALIFICATION

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter.)

[insert date]

Mrs. Helen Polito
Township Clerk
253 Stuyvesant Avenue
Lyndhurst, NJ 07071

Dear Mrs. Polito:

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Proposals (RFP) issued by the Township of Lyndhurst ("Township"), dated December 1, 2014, in connection with the Township's need for Risk Management Consultant.

We affirm that the contents of our Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual, and complete to the best of our knowledge and belief and that the Qualification Statement 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 offices of each company shall sign.)

_____	_____
(Signature of Chief Executive Officer)	(Signature of Chief Financial Officer)
_____	_____
(Typed Name and Title)	(Typed Name and Title)
_____	_____
(Type Name of Firm)*	(Type Name of Firm)*
Dated: _____	Dated: _____

*If a joint venture, partnership, or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Qualification.

APPENDIX B

LETTER OF INTENT

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter.)

[insert date]

Mrs. Helen Polito
Township Clerk
253 Stuyvesant Avenue
Lyndhurst, NJ 07071

Dear Mrs. Polito:

The undersigned, as Respondent, has (have) submitted the attached Qualification Statement in response to a Request for Proposals ("RFP"), issued by the Township of Lyndhurst ("Township"), dated December 1, 2014, in connection with the Township's need for a Risk Management Consultant.

(Name of Respondent) HEREBY STATES:

1. The Qualification Statement contains accurate, factual, and complete information.

2. (Name of Respondent) agrees (agree) to participate in good faith in the procurement process as described in the RFP and to adhere to the Township'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 Qualification Statement 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 Qualification Statement as principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement 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 Township. (Name of Respondent) declares that this Qualification Statement is made without connection with any other person, firm, or parties who have submitted a Qualification Statement, except as expressly set forth below, and that it has been prepared and has been submitted in good faith and without collusion or fraud.

5. (Name of Respondent) acknowledges and agrees that the Township may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Township shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFP.

6. (Name of Respondent) acknowledges and agrees that any contract executed with respect to the provision of (professional service) 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 offices of each company shall sign.)

_____
(Signature of Chief Executive Officer)

_____
(Typed Name and Title)

_____
(Type Name of Firm)*

Dated: _____

*If a joint venture, partnership, or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Qualification.

Appendix C.
Public Disclosure Statement
This statement MUST be completed, notarized and included with proposal

Chapter 33 of the Public Laws of 1977 provides that no Corporation or Partnership shall be awarded any State, City, Municipal or School District contract(s) for the performance of any work or the furnishing of any materials or supplies, unless prior to the receipt of the bid or proposal or accompanying the bid or proposal of said corporation or partnership there is submitted a public disclosure information statement. The statement shall set forth the names and addresses of all stockholders in the corporation or partnership who own ten (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten (10%) or greater interest therein.

Please check the box that indicates the ownership structure of the bidder/vendor and sign below:

___Partnership ___Corporation ___Sole Proprietorship

If a Corporation:

____ I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

____ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Stockholders:

Name	Address	% Own

Subscribed and sworn before me this

_____ day of _____2014

_____
Affiant

_____
Notary Public

_____
Print Name/Title

EXHIBIT A

MANDATORY AFFIRMATIVE ACTION LANGUAGE
GOODS, SERVICES AND PROFESSIONAL SERVICES CONTRACTS

N.J.S.A. 10:5-31, et seq., N.J.A.C. 17:27

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 attempt in good faith 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 appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation 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 an of its testing procedures, if necessary, to assure that all personnel testing conforms with the principals 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 applicable 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, creed, color, national origin, ancestry, marital status, sex, 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 but 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

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Contract Compliance & 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 Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

_____
Signature of Contractor

_____
Company Name