

Title: *Workers Compensation and Auto Liability Insurance Broker*

Authority: *The Dormitory Authority of the State of New York (DASNY)*

Solicitation Number: *5561*

Anticipated Contract Term: *December 1, 2020 through December 1, 2023*

Posted Date: *July 21, 2020*

Submission of Questions: *July 28, 2020 (5:00 PM EST)*

Proposal Due Date/Time: *August 12, 2020 (5:00 PM EST)*

County (ies): *Statewide or Remote*

Location (s): *515 Broadway Albany, NY 12207 or Remote*

Opportunity Type: *Discretionary procurements between \$50,000 and \$500,000*

1. Description

The Dormitory Authority of the State of New York (DASNY) intends to procure an insurance broker for its Workers Compensation and Auto Liability insurance program for the December 1, 2020-2021 through 2022-2023 policy years. In accordance with the Public Authorities Law, Section 2879 and the New York State Executive Law, Article 15-A, this opportunity is solely intended for certified MWBE's.

2. Contract Term

The anticipated contract term will be for three years, with two one-year renewals, commencing on December 1, 2020.

3. Background

The Dormitory Authority of the State of New York (DASNY) is a public benefit corporation of the State of New York empowered by Titles 4 and 4-B of the Public Authorities Law (the "Act"), to provide design and project management services to and to issue its bonds, notes and other obligations for, a wide variety of public purposes. Under the Act, DASNY provides a multitude of services in various forms in connection with the design, construction and financing of capital facilities for the State University of New York, including dormitories and educational facilities; City University of New York Senior Colleges; Community Colleges; Cities and Counties with respect to Court Facilities and combined occupancy structures, as defined by law; the Department of Education of the State of New York with respect to certain facilities under its jurisdiction; other State and local governmental entities; independent colleges and universities; facilities for the aged; certain not-for-profit hospitals and nursing homes, as well as a wide variety of other not-for-profit organizations specifically described in the Act. DASNY employs approximately 515 staff members located in four DASNY offices (Albany, NYC, Rochester and Buffalo) and numerous construction field sites located throughout the State, where DASNY staff work to fulfill DASNY's role as an Owner's agent/representative in the oversight of construction services provided by construction contractors, professionals and other contracted consultants. DASNY has a fleet of approximately 55 vehicles which are used state-wide, primarily for purposes of travelling to and from construction field sites.

DASNY's Workers Compensation Program currently has a \$500,000 deductible, with a \$1,100,000 aggregate. The Commercial Auto Liability Insurance Program is a \$5,000,000 combined single limit (Covered Autos Liability only) program.

4. Qualifications and Certification Requirements

DASNY is seeking proposals from firms seeking to provide insurance broker services that will bring a program of risk financing, claims and loss control services in support of DASNY's efforts to manage its exposures to risk and control the costs associated with those exposures. Interested firms must possess:

- substantial expertise and experience working with a large deductible Workers' Compensation program placed in New York State;
- strong knowledge of all aspects of the NYS Workers' Compensation insurance system, including premium rating/audit and claims management/administration;
- strong knowledge of the NYS Commercial Auto Liability insurance market;
- experience marketing and placing non-standard/multi-faceted risks with highly rated insurance carriers;
- access to markets rated "A"-or better by AM Best and an ability to favorably present DASNY to the insurance markets to solicit a competitive quote/proposal;
- a valid and current Property & Casualty Insurance Broker's license issued by the New York State Department of Financial Services; and
- minimum Errors & Omissions Liability insurance limits of \$5,000,000.

DASNY prefers to compensate insurance brokers on a fee basis, but commissions will be considered upon request. In either case, the broker is required to disclose all sources of revenue to be earned by the broker and/or its affiliated organizations in association with the placement of the insurance programs and/or any services provided in association with those programs.

NOTE: The selected broker will be responsible for marketing DASNY's programs to insurance carriers. Brokers are prohibited from approaching markets unless given authorization by DASNY in writing. DASNY reserves the right to inquire as to the respondent's preferred markets at any time during the procurement process. However, such inquiries should not be considered a promise of assignment or authorization to approach those markets, or any markets, on behalf of DASNY.

5. Scope of Services

Please see Attachment A for the Scope of Services to be provided by the selected broker.

6. Information to be Provided by Proposers

The following is a list of required information that must be provided by the proposer. Provide your response in the same order in which it is requested that correspond with each of the numbers below. Your proposals must contain sufficient information to assure DASNY of its accuracy.

Content of Technical Proposal

1. Provide a cover letter with your firm's name, address and telephone number along with the name, title, telephone number and email address of the individual within the firm who will be DASNY's primary contact concerning this proposal.
2. Provide a description of your firm's organization and the role of each team member. Include a detailed description of any partnering/teaming arrangements with other broker firms, if applicable, including the nature/organization of the partnering arrangement, the division of work between the firms and team members, and how the members of each broker team will interact.
3. Provide a copy of your firm's current and valid New York State Insurance Broker's license.

4. Provide the resumes or summaries of the experience and credentials of the individual(s) who will provide services to DASNY.
5. Provide a detailed description of your firm's technical and administrative approach to marketing and policy placements and other services as outlined in the Scope of Services.
6. Provide a description of your understanding of DASNY, its operations, and how your firm will market DASNY's program to the proper insurance markets/carriers.
7. Provide a description of successful projects your firm has completed within the last five (5) years with emphasis on placing Workers' Compensation insurance coverage for multi-faceted employer(s) and/or high deductible programs. Include in the description the number of employees and the general nature of the insured operations (e.g. construction, finance, manufacturing, municipality).
8. Provide three carrier market selections, in priority order, to whom your firm would market DASNY's Workers Compensation and Auto Liability coverages. Explain why your firm chose these markets and why they would be a good fit for DASNY.
9. Provide a list of recent insurance placements for firms that are similar in size and scope to DASNY including, in particular, Workers Compensation and Auto Liability insurance placements.
10. Provide a description of your firm's capability and expertise in preparing, reporting and negotiating potential claims, particularly Workers Compensation and Auto Liability claims, with insurance carriers. Include experience and credentials of the individuals (s) who will provide claim services on behalf of DASNY.
11. Provide evidence of in-force Errors & Omissions insurance coverage with a minimum limit of \$5,000,000 or proof of insurability with a current quote to increase existing limits to that level. Coverage must be in place within 5 business days of notification of tentative award.
12. Provide at least three recent references, excluding DASNY employees, with contact information and phone numbers.
13. Provide a NYS Vendor Responsibility Questionnaire. **DASNY recommends that all firms file the required Questionnaire online via the New York State VendRep System and only provide a copy of the certification page to DASNY.** To enroll in and use the New York State VendRep System, see the VendRep System Instructions available at http://www.osc.state.ny.us/vendrep_index.htm or go directly to the VendRep System online at <https://portal.osc.state.ny.us>.
14. Provide a completed Procurement Lobbying Law – Certification included in this solicitation as an attachment.
15. Provide a completed W-9 Form, included in this Discretionary Purchase as an attachment. If the proposer is a joint venture, provide a W-9 in the name of the joint venture and provide a copy of the executed joint venture agreement.
16. Provide a letter from the NYS Empire State Development certifying your business as a Minority or Women Business Enterprise.

Content of Cost Proposal

1. Include a cover letter with the following items:
 - a. The name, title, telephone number, fax number and email address of the individual within your firm who will be DASNY's primary contact concerning this solicitation;
 - b. A statement indicating the firm's/team's preference for compensation in the form of insurance carrier paid commission(s) or fee(s) paid by DASNY.
 - c. Explanation and amount of the proposer's suggested fee or commission, including the basis for calculation.
 - d. A statement to the effect that the fee quoted is an irrevocable offer good for 120 days.
 - e. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a cost proposal that contains an unsigned cover letter.

7. Evaluations of Proposals

One broker will be selected and awarded a contract based on the qualifications and criteria outlined above. All proposals will be reviewed to determine if they contain all required submittals specified above. Incomplete proposals may be rejected.

The selection process will begin with the review and evaluation of the proposal. The purpose of this evaluation process is twofold to: (1) examine the responses for compliance with this solicitation; and (2) identify the complying firms that have the highest probability of satisfactorily performing the scope of services. The evaluation process will be conducted in a comprehensive and impartial manner by a Committee selected by DASNY.

8. Questions

There will be an opportunity available for submission of written questions and requests for clarification regarding this procurement. Any questions and requests for clarification must be submitted via email to **UpstateRFPCoordinator@dasny.org** and include "Workers Compensation and Auto" in the subject line no later than **July 28th, 2020**. Answers will be posted on or about **July 30th, 2020**.

9. Interviews

DASNY reserves the right to determine whether interviews will be necessary. The purpose of the interview is to further document the proposer's ability to provide the required services and to impart to the Committee an understanding of how specific services will be furnished. The proposed lead principal, as well as all other key personnel proposed to provide the services must be present and participate in the interview. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the proposer in its written response to this solicitation and any other information requested by the Committee prior to the interview.

10. Submissions of Proposals

Firms interested in responding to this solicitation must submit their proposal, which should not exceed 10 pages, excluding any required attachments, by email to the RFP Coordinator at **UpstateRFPCoordinator@dasny.org** and include "Workers Compensation and Auto" in the subject line no later than **August 12th, 2020 at 5:00 pm EST**. Proposals received after this date will not be accepted.

NOTE: Solicitation documents may, from time to time, be amended or addenda issued. It is the Proposer's responsibility to become aware of any such amendments and/or addenda prior to submission of a proposal. All amendments and/or addenda to solicitations will be posted on DASNY's website.

11. Notification and Award

Upon completion of the selection process, DASNY will notify all firms of its decision. Notification will be sent to the primary contact only. Shortly after notification the selected firm(s) will be posted on DASNY's website. DASNY will commence with the selected firm finalization of the scope and fee negotiations and execute a contract.

For more details regarding this solicitation please refer to DASNY's website at <https://www.dasny.org/opportunities/rfps-bids/professional-services>

11. Attachments

- Attachment A- Scope of Services
- Attachment B- Sample Contract
- Attachment C- Procurement Lobbying Law-Certification
- Attachment D- W-9 Form