



# **REQUEST FOR PROPOSALS**

**FOR**

## **LITIGATION CONSULTANT – WORKERS’ COMPENSATION**

*Issued by the*  
**The Garden State Municipal Joint Insurance Fund**

**Date Issued:  
September 14, 2020**

**Due by:  
October 13, 2020  
10AM**



**REQUEST FOR PROPOSALS (RFP)  
FOR  
LITIGATION CONSULTANT – WORKERS’ COMPENSATION**

*Note: This is NOT a Request for Proposals for Defense Panel for Fund claims.*

**I. PURPOSE AND INTENT**

Through this Request for Proposals (RFP), the Garden State Municipal Joint Insurance Fund (hereinafter the “Fund”) seeks to engage a vendor as Litigation Consultant for the 2021 fund year commencing January 1, 2021 or upon appointment, whichever is later. This contract will be awarded through a fair and open process pursuant to NJSA 19:44A-20.4 et seq.

**II. PROPOSAL SUBMISSION**

Submit (a) one original paper copy, clearly marked as the “ORIGINAL” plus (b) an electronic *copy in Word format on a Flash Drive*. The proposal must be addressed to:

Garden State Municipal Joint Insurance Fund  
c/o NIP Group, Inc.  
900 Route 9 North / Suite 503  
Woodbridge, NJ 07095

The proposal must be received by **October 13, 2020 at 10:00 a.m.**

**Faxed or E-Mailed proposals will NOT be accepted.**

**Any inquiry concerning this RFP should be directed in writing to:**

Madeline Delgado  
Executive Assistant  
Garden State Municipal Joint Insurance Fund  
900 Route 9 North / Suite 503  
Woodbridge, NJ 07095

All documents/information submitted in response to this solicitation shall be available to the general public as required by the New Jersey Open Public Records Act N.J.S.A. 47:1A-1 et seq. The Fund will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Fund reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Fund further reserves the right to make such investigations as it



deems necessary as to the qualifications of any and all vendors submitting proposals. In the event that all proposals are rejected, the Fund reserves the right to re-solicit proposals.

### **III. GENERAL INFORMATION ON THE FUNCTIONS OF THE FUND**

The Fund is organized pursuant to NJSA 40A: 10-36 to provide property/casualty insurance to its member local units. The Fund also provides its members with a comprehensive risk control and claims management program. The Fund is controlled by Board of Fund Commissioners that annually elects an executive committee. The Fund is regulated by the Department of Banking and Insurance and the Department of Community affairs.

### **IV. MINIMUM QUALIFICATIONS**

See Exhibit A

### **V. SCOPE OF SERVICES**

- a. Assist in the evaluation and hiring of claims defense attorneys for Workers' Compensation claims. Conduct regular meetings with defense firms to ensure compliance with GSMJIF Litigation Guidelines and uniform application of policy positions.
- b. Conduct periodic reviews of defense firms' files for Workers' Compensation claims, with particular attention to briefs submitted on behalf of the GSMJIF.
- c. Provide the GSMJIF Claims Administrator with legal guidance where necessary, particularly in new and evolving areas of the law. This would include issuing periodic bulletins on emerging legal, regulatory or case law matters.
- d. Attend all Fund Commissioner meetings as scheduled.

### **VI. MANDATORY CONTENTS OF PROPOSAL**

In its proposal, the firm must include the following:

- 1) Contact Information: Provide the name and address of the firm, the name, telephone number, fax number, and e-mail address of the individual responsible for the preparation of the proposal.
- 2) A fee proposal for the 2021 fund year. All fees must be presented on an hourly basis with an annual maximum cap.



- 3) An executive summary of not more than two (2) pages identifying and substantiating why the vendor is best qualified to provide the requested services.
- 4) A staffing plan listing those persons who will be assigned to the engagement if the vendor is selected, including the designation of the person who would be the vendor's officer responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for the individuals who will be assigned. This information should include, at a minimum, a description of the person's relevant professional experience, years and type of experience, and number of years with the vendor. Also include a copy of the data forms required by the Department of Banking and Insurance pursuant to NJAC 11:15 – 2.6 (c) 8.
- 5) A description of the vendor's experience in performing services of the type described in this RFP. Specifically identify client size and specific examples of similarities with the scope of services required under this RFP.
- 6) A description of resources of the vendor (i.e., background, location, experience, staff resources, financial resources, other resources, etc.).
- 7) The location of the office, if other than the vendor's main office, at which the vendor proposes to perform services required under this RFP. Describe your presence in New Jersey. Specifically, the vendor must state in its proposal whether or not the vendor is registered as a small business enterprise ("SBE") with the New Jersey Commerce and Economic Growth Commission New Jersey's Set-Aside Program.
- 8) Provide references including the contact names, titles and phone numbers.
- 9) In its proposal, the vendor must identify any existing or potential conflicts of interest, and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this engagement, or the Fund.

## **VII. INTERVIEW**

The Fund reserves the right to interview any or all of the applicants submitting a proposal. Although interviews may take place, the proposal should be comprehensive and complete on its face. The Fund reserves the right to request clarifying information subsequent to submission of the proposal.

## **VIII. SELECTION PROCESS**

All proposals will be reviewed to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For vendors that satisfy the minimum requirements, the Fund will evaluate proposals based on the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order of significance:



- (a) The vendor's general approach to providing the services required under this RFP.
- (b) The vendor's documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP
- (c) The qualifications and experience of the vendor's management, supervisory or other key personnel assigned to the engagement, with emphasis on documented experience in successfully completing work on contracts of similar size and scope to the services required by this RFP.
- (d) The overall ability of the vendor to mobilize, undertake and successfully complete the engagement within the timeline. This criterion will include, but not be limited to, the following factors: the number and qualifications of management, supervisory and other staff proposed by the vendor to perform the services required by this RFP; the availability and commitment to the engagement of the vendor's management, supervisory and other staff proposed; the vendor's contract management plan, including the vendor's contract organizational chart.



**TABLE 1**

**ANTICIPATED PROCUREMENT SCHEDULE**

	<b>ACTIVITY</b>	<b>DATE</b>
1.	Issuance of Request for Proposals	September 14, 2020
2.	Receipt of Qualification Statements	October 13, 2020
3.	Completion of Evaluation of Qualification Statements by the Review Team	November 13, 2020
4.	GSMJIF Review of Review Team Recommendations	November 27, 2020
5.	Designation of Qualified Respondents	December 15, 2020

**IX. SELECTION CRITERIA AND CONTRACT**

The Fund will select the vendor deemed most advantageous to the Fund, price and other factors considered. The contract between the Fund and the selected vendor(s) shall be comprised the contract attached as exhibit A, this RFP, any clarifications or addenda thereto, the selected vendor's proposal, and any changes negotiated by the parties.



## **Exhibit A**

### **Garden State Municipal Joint Insurance Fund**

#### **Request for Proposals for Litigation Consultant - Workers' Compensation**

##### **Minimum Qualifications**

Applicant vendors must establish that they meet the following minimum qualifications:

##### **Litigation Consultant:**

All applicants shall be licensed attorneys in good standing with the New Jersey State Bar Association and all regulatory bodies.

As a minimum, the applicant shall have seven years' experience as Defense Counsel for a Joint Insurance Fund of the State of New Jersey. The applicant must demonstrate a consistent pattern of providing legal leadership and must quantify the results achieved in the area of litigation management. The applicant also must demonstrate a high degree of knowledge concerning (1) the finance and operation of local governmental units in New Jersey, (2) the management of a governmental entity comprised of numerous governmental entities and involving numerous vendors, and (3) workers compensation, liability and property matters involving New Jersey governmental entities.