

City and County of San Francisco

Request for Qualifications for

INSURANCE BROKER & RISK MANAGEMENT

CONSULTING SERVICES



Date issued:	March 14, 2016
Pre-Qualification Conference:	March 25, 2016 9:30 AM City Hall Room 421
Proposal due:	April 15, 2016 2:00 PM

RFQ for **Insurance Broker and Risk Management Consulting Services**

Request for Qualifications for
Insurance Broker and Risk Management Consulting Services

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Appendices:

- A. CMD Attachment 2: Requirements for Architecture, Engineering and Professional Services Contracts, for contacts \$50,000 and over document (separate document).
Proposers must submit the following forms:

Form 2A CMD Contract Participation form
Form 2B CMD “Good Faith” Outreach Requirements form
Form 3 CMD Non-discrimination Affidavit
Form 5 CMD Employment form

The following form may be required, depending on the circumstances:

Form 4 Joint Venture Participation Schedule

(See Separate Attachment for the Forms listed above)

- B. Standard Forms: Listing and Internet addresses of Forms related to Taxpayer Identification Number and Certification, to Business Tax Declaration, and to Chapters 12B and 12C, and 14B of the S.F. Administrative Code.
- C. Agreement for Professional Services (form P-600) - separate document

RFQ for **Insurance Broker and Risk Management Consulting Services**

I. Introduction and Schedule

A. General

San Francisco is the fourth largest city in California and serves as a center for business, commerce and culture for the West Coast. The City and County of San Francisco (the “City”) established by Charter in 1850, is a legal subdivision of the State of California with the governmental powers of both a city and a county under California law. The City’s powers are exercised through a Board of Supervisors serving as the legislative authority, and a Mayor and other independent elected officials serving as the executive authority. The City and County of San Francisco Risk Management Division (“Risk Management Division”) is part of the City Administrator’s Office, and is generally the only City entity authorized to purchase insurance. The Risk Management Division also provides standards for contract and indemnity language, reviews any deviations from these standards, and provides general Risk Management support and advice to all City departments and enterprises.

The Risk Management Division is soliciting qualifications from firms with experience in successfully providing large multi-faceted municipal organizations with insurance brokerage, risk management and risk consultation services to create a pool of firms (“pool”) that are pre-qualified to support the risk management needs of all City departments. The pool will be in effect for two years. This Request for Qualifications (“RFQ”) is not directed at any specific service area. The City intends to negotiate agreements for various service areas with firms on the pre-qualified list on an as-needed basis, resulting in contracts that may have terms of up to ten years. The pre-qualified pool may be used by the City, at its sole and absolute discretion. Firms selected for the pool are not guaranteed a contract. Firms that are selected to provide services shall receive a contract with an original term of three years. In addition, the City shall have two options to extend the term for a period of _two years each, which the City may exercise in its sole, absolute discretion

This RFQ has TWO (2) submittal due dates:

1) PHASE 1. April 15, 2016 at 2:00 PM Pacific Time for firms who wish to be eligible to receive contracts following the expiration of the current pool on June 30, 2016.

2) PHASE 2. Continuous opening through June 30, 2018, for all new firms and participants in the current pool of vendors who cannot meet the April 15, 2016, deadline. Materials received in Phase 2 will be reviewed periodically. A review panel will be convened to evaluate these submittals when there are sufficient applicants.

RFQ for Insurance Broker and Risk Management Consulting Services

B. Schedule

The anticipated schedule for selecting consultants:

<u>Qualification Statement Phase</u>	<u>Date</u>
RFQ is issued by the City	March 14, 2016
<u>Pre-Qualification Conference</u> City Hall Room 421 9:30 AM	March 25, 2016
Deadline for Inquiries from Potential Respondents	March 31, 2016
Date Responses to Inquiries will be Posted	April 5, 2016
Phase 1 Responses Due (for firms seeking contracts starting 7/1/16)	April 15, 2016
Initial Pool Selected	April 28, 2016
Phase 2 Responses Due	Continuous through June 30, 2018
Effective Dates for Risk Mgmt. Pool	<u>July 1, 2016 – June 30, 2018</u>
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RFQ for Insurance Broker and Risk Management Consulting Services

II. Scope of Work

The Scope of Work is to be used as a general guide and is not intended to be a complete list of all work necessary to fulfill the City's Insurance Broker and Risk Management Consulting Services needs. The **LBE Subcontracting Requirement for this RFQ is 11%** of the total value of the services to be provided and not including the procurement, if applicable, of insurance. The following is an estimate, by discipline, of the insurance broker and risk management consulting work that is expected during the course of the qualification period:

•	Insurance Services/Consulting	72%
•	Database and Records Management	13%
•	Finance/Actuarial Services	8%
•	Education/Training	4%
•	Appraisals/Real Estate & Other Assets	3%

These percentages are guides to assist Respondents in meeting their respective sub-consulting goals.

To minimize duplication of effort and to allow the City to coordinate data requests and data available for the multiple projects solicited within this RFQ, as well as for previous and future projects, the selected Consultants' findings and data may be shared by the City with other City Consultants, as deemed appropriate by the City.

Respondents are asked to indicate service areas listed below in this section for which they would like to be considered. Respondents may choose to be considered for Brokerage, Consulting or both. Broker Respondents will be required and expected to comply with all State and Federal laws and regulations pertaining to insurance brokers licensed in the State of California. For consideration within the Consulting service area, Respondent must specify for which potential project within that service area they wish to be considered. Given the broad range of possible opportunities, we encourage consultant firms to respond for all service areas for which they meet or exceed minimum qualifications as described in this RFQ.

The Risk Management Division will create a list of consultant firms to draw from for a diverse set of possible services that may require a range of different and varied experience. Each consultant firm should demonstrate its capabilities by providing summaries of representative service provision as part of their response. The City will negotiate the scope of services, budget, deliverables, and timeline for each project it decides to pursue. There is no guarantee of work or compensation for any of the Respondents selected for pre-qualification. The City may select Consultants from the pre-qualified list in its sole and absolute discretion.

Selected Consultant(s) may work closely with the Risk Management Division, and client departments, boards and/or commissions, key stakeholders within the organization, as well as affiliated non-profit or grantee organizations, and the public.

The type and scope of services will ultimately depend upon the line of coverage or service awarded. Please note this list is subject to change based on City needs). In addition, the following are examples of possible projects, work tasks, and other services projected during the course of the qualification period. Scopes of work, as may be modified through negotiation and/or by written addendum, will be made a part of any final Agreement.

Finally, selected consultants must comply with all State and Federal laws and regulations pertaining to insurance brokers licensed in the State of California.

RFQ for **Insurance Broker and Risk Management Consulting Services**

Broker Services

A. Overview

1. Act as an independent insurance advisor to the City and proactively provide ongoing unbiased professional advice and recommendations that benefit the City.
2. Proactively provide ongoing review and analysis of the City's insurance programs and identification of risk transfer and risk financing options.
3. Be familiar with:
 - a. The coverages provided by all relevant insurance policies and documents issued to the City.
 - b. The exposures of the City.
4. Assure that insurance policies are placed in a timely manner, without lapses in coverage periods, with reputable and financially responsible insurers, who meet the City's standards.
5. Service insurance policies placed for the City, including processing all changes and endorsements and verifying the accuracy of invoices within a reasonable time.
6. Provide early warning of rate and coverage changes or renewal problems through a process. Promptly advise the City of any changes in exposure during the policy year that would require revisions to existing insurance coverages. Upon request of the City, but at least once a year, provide a comprehensive report that reviews all of the City's insurance programs.
7. Be available to answer questions or obtain answers from underwriters for policy coverage questions. Meet with City Risk Management staff, Boards, City committees, and/or staff of City departments when requested.
8. Provide consultation services and written reports as normally expected of a professional broker to a large client including Risk Management-related training and online resource development.
9. Provide loss control services and assistance with claims as requested by City. Assist in analyzing loss exposures from existing and new operations, and determine the appropriate risk management alternatives, including types, availability, cost and extent of coverages that should be considered.
10. Set up files on City master account and each individual department account showing coverages, schedules of covered property, premium for each department for each coverage, and other information required by Broker. Handle billing and invoicing of departments as approved by City management and assist in evaluating and implementing a revised cost allocation program within the City and its departments.
11. Maintain appropriate accounting of amounts due, receipts, and payments to insurers.
12. Develop and distribute City-approved mailings and other communications to City departments.

B. Policy and Contract Review

1. Review policies and other documents in detail within fourteen days of receipt of the documents to check the wording and accuracy of each policy, binder, certificate, endorsement or other document received from insurers to ensure that the intended coverage is provided, and all coverage, terms and conditions, and other wording is complete and accurate, and in compliance with financial arrangements and administrative procedures acceptable to City.
2. Obtain revisions needed to achieve compliance with coverage request(s) and forward to the City the original policies.
3. Provide a timeline for issuance of policy forms prior to issuance of premium invoice and provide sufficient copies of policies in both hard copy and digital media (or via secure online sources) to City Risk Management as well as the internal department client.
4. Review contracts and lease agreements as requested to ensure that the interests of City and its departments are protected and to avoid duplications in coverage.
5. At least 180 days prior to program anniversary, provide City with a written annual service summary for the policy year to include:

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- a. A schedule of coverage showing nature of coverage, limits, deductibles, insurer, policy number, premium and other relevant information.
- b. Summary of team servicing the account.
- c. Anticipated renewal terms and conditions and other indications of market conditions, trends and anticipated changes.
- d. Identified problem areas such as claim handling, safety hazards, insurer financial problems, etc.
- e. Recommendations for improved program design.
- f. Services performed for the current year and planned for the next year.
- g. Accounting of all income received on each account.

C. Policy Amendments

1. Process requests for additions or deletions to policies within five (5) business days of receipt.
2. Provide City with copies of initial correspondence to the insurers. Follow up every two (2) weeks from request date until the insurer has handled request.
3. Advise in writing of any changes to insurance policy(ies) within fourteen calendar days.
4. Provide, on renewal and upon request, participants in each coverage program, and notify within five (5) business days of any participation changes.

D. Marketing

1. Monitor expiration dates of policies and provide City Risk Management Division Director with written notification at least 180 days prior to expiration, including a description of information needed to process the renewal.
2. Work with City Risk Management Division to develop and implement a marketing strategy, including identifying potential markets, for program renewals at least 180 days before policy expiration.
3. Develop underwriting information and assist in gathering and organizing exposure and loss data for renewals of policies placed including completing applications as necessary.
4. Provide actuarial and statistical analysis of loss and expense data to assist in the establishment of premium, and targets for various layers of risk.
5. Work with carriers to design policies and programs most advantageous to the City for coverage of exposures, policy form, exclusions, deductibles, self-insured retentions, coordination with other policies, costs and other pertinent factors.
6. Advise of and include City Risk Management Division Director to marketing meetings with prospective carriers.
7. Market renewal coverages for City by obtaining timely and competitive quotations from available and responsible insurers.
8. Provide indications to City at least 90 days prior to insurance policy expiration unless otherwise approved by City.
9. When more than one (1) market is approached for a line of coverage, provide City Risk Management Division Director with copies of declination letters and all premium quotations received with a summary of coverages explaining deficiencies or benefits of the quote compared to the recommended insurance program.
10. Provide quotations for specialized types of insurance, as requested by City. These services are expected at no additional cost.

E. Claims

1. Assist City departments and staff, as necessary, with filing claims on assigned insured programs.

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2. Promptly notify City of any losses or accidents reported to Broker and work with internal or outside claims adjustors as necessary.
3. Represent the interests of City and its departments in policy interpretation and other negotiations with insurance carriers.
4. Assist City with review of claim reserves, and represent City to the insurer with regard to requested explanation or reduction of reserve amounts. Follow-up with insurer every 30 days until resolution of any reserve reduction requests are accomplished or until claim is closed.
5. For all lines of insurance where loss runs are not otherwise available, provide regular (e.g. quarterly) loss runs indicating the member name, claim status, amount paid, reserves, expected outcomes of cases, and other summary information.
6. Review all quarterly loss runs for all claims on all coverages. Evaluate loss history for trends or other indicators that might dictate changes in coverage strategy. Identify any relevant issues and advise City in writing.
7. Provide annual summaries by policy year for each of the last five (5) years indicating total number of losses by type for each line of coverage and showing earned premium, incurred losses and loss ratio.

F. Certificates of Insurance

Issue certificates of insurance within three (3) business days following the date of request and assist the City with the development and implementation of a comprehensive online insurance certificate tracking system, or as directed, use the City's selected provider for all certificates if available.

Consulting & Risk Management Services

- A. Provide Enterprise Risk Management consulting services to assist City and/or its departments in the assessment of its risks and utilize the City's preferred enterprise solution to mitigate, measure, and improve the City's risk profile.
- B. Provide consultant services and analysis for the completion of projects including but not limited to: plan document review, creation, or revision, feasibility studies for Owner Controlled Insurance Program ("OCIP"), Contractor Controlled Insurance Program ("CCIP"), etc., Risk Modeling, Self-Insurance Retention ("SIR") forecasting and self-insurance analysis, and surety bond and loan guarantee programs.
- C. Provide Third Party Administration and/or Audit of Self-Insured Claims for Property and Workers' Compensation.
- D. Provide a comprehensive online insurance certificate and/or policy tracking system, unless otherwise directed by the City to use an alternate method.
- E. Provide risk mitigation consulting services under the Floodplain Management Ordinance (Ordinance) and National Flood Insurance Program (NFIP) including sea level rise (SLR) coordination, consulting assistance and guidance.
 - a. Work with Develop and implement procedures for the City under the Ordinance.
 - b. Provide advisory services to the City related to the NFIP process.
 - c. Facilitate meetings and trainings with city departments on compliance with ordinance.
 - d. Facilitate meetings with and submittals to FEMA regarding preliminary and final Floodplain Insurance Rate Maps (FIRM).
 - e. Attend meetings with city departments and agencies and with FEMA to discuss comments on the preliminary FIRM, appeal period, and implementation of final maps.
 - f. Support City presentations at public meetings and community outreach events.
- F. Provide analysis and risk support services for complex issues involving various City agencies on an as needed basis

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III. Submission Requirements

A. Pre-Qualification Statement Conference

The Pre-Qualification Statement conference is scheduled for 9:00 a.m. on March 25, 2016. The conference will be held at City and County of San Francisco, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 421 San Francisco, CA 94102. Questions regarding the RFQ will be addressed at this conference and any new information will be provided at that time. While City staff may provide oral clarifications, explanations, or responses to any inquiries, the City is not bound by any oral representation. If any new and/or substantive information is provided in response to questions raised at the Pre-Qualification Statement conference, it will be memorialized in a written addendum to this RFQ.

B. Time and Place for Submission of Qualification Statements

Phase 1: For Contracts Beginning on July 1, 2016.

Firms that wish to be eligible to be awarded Risk Management Professional Services Contracts immediately following the establishment of the Pool (Phase 1) must submit their Responses by 2:00 p.m., on April 15, 2016. Postmarks will not be considered in judging the timeliness of submissions.

Qualification Statements may be delivered in person and left with or mailed to:

City & County of San Francisco
Risk Management Division
Attention: Peter Goldstein
25 Van Ness Avenue, Suite 750
San Francisco, CA 94102

Phase 2: Continuous opening through June 30, 2018.

This RFQ will be opened to firms on a continuous basis until June 30, 2018. Firms are encouraged to respond at their earliest convenience as the Pool resulting from this RFQ will be established on April 28, 2016 and shall terminate on June 30, 2018. Respondents' submissions will be reviewed as they are received, and qualifying firms may be added to the Pool at any time between June 30, 2016 through June 30, 2018. The earlier a firm responds and is accepted into the Pool, the longer will be the period of time they may be qualified for professional services contracting opportunities, although the City makes no guarantee regarding the amount of work to be contracted with any particular qualified vendor, or whether any contracts will result under the Pool.

Qualification Statements may be delivered in person and left with or mailed to:

City & County of San Francisco
Risk Management Division
Attention: Peter Goldstein
25 Van Ness Avenue, Suite 750
San Francisco, CA 94102

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C. Qualification Submittal

Proposers shall submit one paper copy of the proposal and ten CD's of the proposal in *.pdf* format, and two paper copies, separately bound, of required CMD Forms in a sealed envelope clearly marked **Insurance Broker and Risk Management Consulting Services** to the above location. Proposals that are submitted by fax will not be accepted. Late submissions will not be considered.

The text in the main Qualification Statement, including tables and figures, shall not exceed thirty-five (35) pages. Organizational charts, broker licenses and resumes included as appendices or additional information will not count against the Qualification Statement page limit. Respondents shall use a minimum font of 10 pts with minimum margins of 1 inch for the preparation of their Qualification Statement. Respondent shall number every page of the Qualification Statement, beginning with the cover letter, including pages with tables and figures.

D. Content

Each Qualification Statement must include the following information:

1. Cover Letter

Submit a letter of introduction signed by an individual authorized to obligate the Respondent to fulfill the commitments contained in the Qualification Statement. The letter must include the following: (1) a statement identifying the Lead Respondent if a JV is responding to this RFQ; (2) a contact for all communications pertaining to the Respondent's Qualifications Statement (include telephone number, fax number, email address and mailing address); (3) a statement of the Respondent's overall ability and qualifications to conduct the work; (4) a statement that the Respondent agrees to comply fully with the terms and conditions of the Agreement, attached hereto as Appendix B; (5) a statement that the Respondent agrees to fully comply with all applicable San Francisco laws.

2. Executive Summary

Provide an executive summary that (1) includes a brief overview of the Qualification Statements principal elements and (2) demonstrates an understanding of the City project objectives.

3. Project Approach and Scope of Work

- A. Describe which services in Section II your firm proposes to provide and how each will be provided. It is not necessary to address every item, however, Respondent must identify items that will and will not be provided and include any proposed enhancements.
- B. For each of the services and activities that your firm proposes to provide to the City. Include the following information:
 1. Overall approach for meeting the goals and objectives of the City's scope of service;
 2. Team organization, availability of individuals identified in the Qualifications Statement;
 3. Approach for coordinating/managing all work activities to meet project milestones and deliverable due dates;

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4. Processes/measures for controlling cost and schedule, tracking delivery/performance and maximizing QA/QC;
5. Approach for monitoring expended labor hours and tracking various factors affecting overall cost; and
6. Any special expertise to be provided for the various services requested.

4. Project Team Organization and Availability

Provide a list identifying: (1) each key person on each proposed project team (e.g. who would be the key contact on the team to provide independent insurance advisory services, and if the Respondent is intending to be considered for policy review services, who would be that key contact); (2) the role each additional person on the team will play in the applicable scope of work, and (3) a written assurance that the key individuals listed and identified will be performing the work and will not be substituted with other personnel or reassigned to another project without the City's prior approval.

5. Firm Qualifications

- A. Clearly demonstrate that the Respondent (or each JV Partner) meet all the qualification requirements outlined in Section IV.A. below.
- B. Provide sufficient information in the Qualifications Statement for the Selection Panel to evaluate the Respondent's ability to successfully complete the tasks outlined in the various scopes of service. Include in this section all of the following:
 1. A description and background summary of the Prime Respondent or JV Partners firm(s). Summary shall include corporate qualifications, commitment, strength, and technical capabilities to fulfill all services specified and required, and successfully accomplish the work.
 2. If a JV, include a description of the organization, relationships, and defined responsibilities of all Partners in the JV. Describe any previous project-specific associations of the JV Partners. The Lead JV Partner shall demonstrate proven experience in managing and leading;
 3. A description of not more than three (3) projects completed in the last five (5) years similar in size and scope prepared by your firm including client, reference and telephone numbers, staff members who worked on each project, budget, schedule and project summary. Descriptions should be limited to one (1) page for each project. If joint consultants or sub consultants are proposed, provide the above information for each. Note that full contact information for each of the three projects must be included and the City reserves to right to conduct reference checks on any of the project owners. If the project examples are with the Risk Management Division of the City and County of San Francisco, **no** reference checks will be conducted on those project examples.

6. Team Member Qualifications

- A. Provide a list identifying: (1) each key person on each proposed project team, (2) the project manager responsible for each project or team, (3) the role each

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person will play in the project, and (4) a written assurance that the key individuals listed and identified will be performing the work and will not be substituted with other personnel or reassigned to another project without the City's prior approval.

- B. Clearly demonstrate that the key/lead team members proposed by the Respondent have adequate experience and qualifications. Provide resumes in Exhibit B to contain sufficient information in the Qualification Statement for the Selection Panel to evaluate the ability and experience of each key/lead team member to successfully fulfill their roles, and complete the scope of services.

7. References

Provide the names and contact information of **three (3)** references that are **NOT** the City and County of San Francisco or any of its departments. References must be knowledgeable about the work of the Respondent (or each JV Partner) on projects with a scope of work most similar to the scopes listed in this RFQ and completed within the last **five (5)** years (preferably other public agencies that are **NOT** the City and County of San Francisco.) Include name, title, company, address, telephone number, fax number and e-mail address. All contact information must be current as of Qualification Statement submittal date. As part of the submittal package, Respondents must sign and return the Release of Liability (waiver required for reference checks). (See Appendix D.) A Qualification Statement that fails to provide a properly executed waiver for Release of Liability, signed by the Prime Respondent, or if a JV, by all JV partners, may receive a score of zero for the reference portion of the evaluation. The CITY will not be responsible for non-responsive references or references with incorrect contact information. A reference is non-responsive if the Respondent's information cannot be verified by a reference within seven (7) calendar days of first contact attempt by CITY staff. The CITY may, at its discretion, make contact with individuals, entities or firms provided in all or some of the references and will apply the same reference checking criteria to all Respondents. Again, these references may or may not be from the three (3) project examples Respondent supplied in the Firm Qualification section above.

Exhibit A - Organizational Chart

The Organizational Chart must illustrate the team structure of all proposed staff as Exhibit A of the submitted Qualification Statement.

Exhibit B - Resumes

[See above section "D.6 Team Members' Qualifications; and Resumes of Exhibit B to the Qualification Statement.]

If your response is lengthy, please include a Table of Contents.

IV. Evaluation and Selection Criteria

A. Minimum Qualifications

Responses will be evaluated by a qualifying committee comprised of individuals with expertise in municipal risk management professional services. Any response that does not demonstrate that the Respondent meets the following minimum qualifications will be considered non-responsive and will not be eligible to qualify for inclusion in the Pool:

1. Eligibility as a City vendor or willingness to become eligible as described in RFQ attachments as part of RFQ response.

2. Experience:

For Prequalification for the insurance and broker consulting services scopes, Respondent must demonstrate successful service to large multi-faceted municipal clients in or substantially similar to each service area proposed by the Respondent. In addition, they must meet the qualifications as specified under each service area including but not limited to:

1. At least ten (10) years' experience with commercial insurance policies.
2. At least three (3) years' experience working with governmental entities.
3. At least three (3) years' experience working with risk retention pools.

For Prequalification to provide consulting services for the San Francisco Municipal Transit Authority, in addition to the above requirements, Respondent must demonstrate at least five (5) years' experience in successful risk analysis services for a large municipal transit agency

For prequalification for the risk mitigation consulting services for the Flood Plain Management Ordinance, Respondent must be in business as a firm for at least ten (10) years and demonstrate successful service to large multi-faceted municipal clients on the implementation of the National Flood Plain Insurance Program as well as demonstrate at least ten (10) years' experience working directly with the Federal Emergency Management Agency (FEMA).

3. Current insurance broker license issued by the California Department of Insurance, to be provided with Qualifications Statement, if applicable to the service area sought.
4. No prior history of corrective action with the California Department of Insurance, if an insurance or brokerage firm.

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B. Selection Criteria

The proposals will be evaluated by a selection committee comprised of parties with expertise in the areas of insurance and risk management. Risk Management staff will convene a panel to conduct an initial screening of each Qualification Statement to determine if they are responsive and responsible. Respondents' statements will be reviewed for completeness, format requirements, verifiable references, and responsiveness. Only those statements that are properly completed, and meet the minimum format and content requirements will be considered in the evaluation process.

Each Qualifications Statement (including references) will be evaluated in accordance with the criteria below. A Respondent must receive a score of 71 points or above out of the 100 total possible points to be included in the Pool.

Evaluation Criteria	RFQ Section	Points
Qualification Statement Format and Organization (including cover letter and Executive Summary)	III.D.1.; III.D.2.	5
Work Approach (evidence of working with similar clients for applicable service area)	III.D.3.	30
Team Structure and Availability	III.D.4.;	20
Respondent Firm's Qualifications	III.D.5.	25
Team Member Qualifications	III.D.6.;	20
TOTAL POINTS		100

C. Errors and Omissions in RFQ

Respondents are responsible for reviewing all portions of this RFQ. Respondents are to promptly notify the Risk Management Division, in writing, if the Respondent discovers any ambiguity, discrepancy, omission, or other error in the RFQ. Any such notification should be directed to the Risk Management Division promptly after discovery. Modifications and clarifications will be made by addenda on the Office of Contract Administration website: <http://mission.sfgov.org/OCABidPublication/> under the category entitled: "Consultants and Professional Services."

D. Inquiries Regarding RFQ

All correspondence (including response to this RFQ), questions regarding the RFQ, and all oral notifications of an intent to request written modification or clarification of the RFQ shall be submitted to:

City & County of San Francisco
Risk Management Division
Attention: Peter Goldstein
25 Van Ness Avenue, Suite 750
San Francisco, CA 94102
Phone: (415) 554-2305
Email: peter.goldstein@sfgov.org

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Note: Email address may be used to submit questions only. Qualification Statements will not be accepted by fax. Inquiries will be due on March 23, 2016. Responses will be posted on March 28, 2016

E. Revision of Qualification Statement

A Respondent who does not make it to the list of eligible firms in the initial pool may revise a Qualification Statement on the Respondent's own initiative at any time before the final Qualification Statement due date of June 30, 2018. The Respondent must submit the revised Qualification Statement in the same manner as the original. A revised Qualification Statement must be received on or before the Qualification Statement due date of June 30, 2018.

At any time during the Qualification Statement evaluation process, the Risk Management Division may require a Respondent to provide oral or written clarification of its Qualification Statement. The Risk Management Division reserves the right to make an award without further clarifications of Qualification Statements received.

F. Errors and Omissions in Qualification Statement

Failure by the Risk Management Division to object to an error, omission, or deviation in the Qualification Statement will in no way modify the RFQ or excuse the vendor from full compliance with the specifications of the RFQ or any contract awarded pursuant to the RFQ.

G. Financial Responsibility

The City accepts no financial responsibility for any costs incurred by a firm in responding to this RFQ. Submissions of the RFQ will become the property of the City and may be used by the City in any way deemed appropriate.

H. Reservation of Right to Interview

The selection committee reserves the right to conduct oral interviews after qualification statements are evaluated. If such interviews are conducted, the proposers receiving the highest scores for their qualification statements will be invited to an oral interview. The interview will consist of standard questions asked of each invitee. Answers would be valued at a total maximum of 20 points; these points would then be added to the score for the proposer's qualification statement.

V. Terms and Conditions for Receipt of Proposals

A. Proposer's Obligations under the Campaign Reform Ordinance

Proposers must comply with Section 1.126 of the S.F. Campaign and Governmental Conduct Code, which states:

No person who contracts with the City and County of San Francisco for the rendition of personal services, for the furnishing of any material, supplies or equipment to the City, or for selling any land or building to the City, whenever such transaction would require approval by a

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City elective officer, or the board on which that City elective officer serves, shall make any contribution to such an officer, or candidates for such an office, or committee controlled by such officer or candidate at any time between commencement of negotiations and the later of either (1) the termination of negotiations for such contract, or (2) three months have elapsed from the date the contract is approved by the City elective officer or the board on which that City elective officer serves.

If a proposer is negotiating for a contract that must be approved by an elected local officer or the board on which that officer serves, during the negotiation period the proposer is prohibited from making contributions to:

- the officer's re-election campaign
- a candidate for that officer's office
- a committee controlled by the officer or candidate.

The negotiation period begins with the first point of contact, either by telephone, in person, or in writing, when a contractor approaches any city officer or employee about a particular contract, or a city officer or employee initiates communication with a potential contractor about a contract. The negotiation period ends when a contract is awarded or not awarded to the contractor. Examples of initial contacts include: (1) a vendor contacts a city officer or employee to promote himself or herself as a candidate for a contract; and (2) a city officer or employee contacts a contractor to propose that the contractor apply for a contract. Inquiries for information about a particular contract, requests for documents relating to a Request for Proposal, and requests to be placed on a mailing list do not constitute negotiations.

Violation of Section 1.126 may result in the following criminal, civil, or administrative penalties:

Criminal. Any person who knowingly or willfully violates section 1.126 is subject to a fine of up to \$5,000 and a jail term of not more than six months, or both.

Civil. Any person who intentionally or negligently violates section 1.126 may be held liable in a civil action brought by the civil prosecutor for an amount up to \$5,000.

Administrative. Any person who intentionally or negligently violates section 1.126 may be held liable in an administrative proceeding before the Ethics Commission held pursuant to the Charter for an amount up to \$5,000 for each violation.

For further information, proposers should contact the San Francisco Ethics Commission at (415) 581-2300.

A. Sunshine Ordinance

In accordance with S.F. Administrative Code Section 67.24(e), contractors' bids, responses to RFPs and all other records of communications between the City and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefits until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

B. Public Access to Meetings and Records

If a proposer is a non-profit entity that receives a cumulative total per year of at least \$250,000 in City funds or City-administered funds and is a non-profit organization as defined in Chapter 12L of the S.F. Administrative Code, the proposer must comply with Chapter 12L. The proposer must include in its proposal (1) a statement describing its efforts to comply with the Chapter 12L provisions regarding public access to proposer's meetings and records, and (2) a summary of all complaints concerning the proposer's compliance with Chapter 12L that were filed with the City in the last two years and deemed by the City to be substantiated. The

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summary shall also describe the disposition of each complaint. If no such complaints were filed, the proposer shall include a statement to that effect. Failure to comply with the reporting requirements of Chapter 12L or material misrepresentation in proposer's Chapter 12L submissions shall be grounds for rejection of the proposal and/or termination of any subsequent Agreement reached on the basis of the proposal.

C. Reservations of Rights by the City

The issuance of this RFP does not constitute an agreement by the City that any contract will actually be entered into by the City. The City expressly reserves the right at any time to:

Waive or correct any defect or informality in any response, proposal, or proposal procedure;

Reject any or all proposals;

Reissue a Request for Proposals;

Prior to submission deadline for proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFP, or the requirements for contents or format of the proposals;

Procure any materials, equipment or services specified in this RFP by any other means; or

Determine that no project will be pursued.

D. No Waiver

No waiver by the City of any provision of this RFP shall be implied from any failure by the City to recognize or take action on account of any failure by a proposer to observe any provision of this RFP.

E. Local Business Enterprise Goals and Outreach

The requirements of the Local Business Enterprise and Non-Discrimination in Contracting Ordinance set forth in Chapter 14B of the San Francisco Administrative Code as it now exists or as it may be amended in the future (collectively the "LBE Ordinance") shall apply to this RFP.

LBE Sub-consultant Participation Goals

The LBE sub-consulting goal for this project is 11 % of the total value of the goods and/or services to be procured.

Each firm responding to this solicitation shall demonstrate in its response that it has used good-faith outreach to select LBE subcontractors as set forth in S.F. Administrative Code §§14B.8 and 14B.9, and shall identify the particular LBE subcontractors solicited and selected to be used in performing the contract. For each LBE identified as a subcontractor, the response must specify the value of the participation as a percentage of the total value of the goods and/or services to be procured, the type of work to be performed, and such information as may reasonably be required to determine the responsiveness of the proposal. LBEs identified as subcontractors must be certified with the San Francisco Contract Monitoring Division at the time the proposal is due, and must be contacted by the proposer (prime contractor) prior to listing them as subcontractors in the proposal. Any proposal that does not meet the requirements of this paragraph will be non-responsive.

In addition to demonstrating that it will achieve the level of sub-consulting participation required by the contract, a proposer shall also undertake and document in its submittal the good faith efforts required by Chapter 14B.8(C) & (D) and CMD Attachment 2, Requirements for Architecture, Engineering and Professional Services Contracts.

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Proposals which fail to comply with the material requirements of S.F. Administrative Code §§14B.8 and 14B.9, CMD Attachment 2 and this RFP will be deemed non-responsive and will be rejected. During the term of the contract, any failure to comply with the level of LBE subcontractor participation specified in the contract shall be deemed a material breach of contract. Sub-consulting goals can only be met with CMD-certified LBEs located in San Francisco.

LBE Participation

The City strongly encourages Proposals from qualified LBEs. Pursuant to the LBE Ordinance (Chapter 14B of the City Administrative Code), the following rating bonus will be in effect for the award of this program for any Proposers who are certified by CMD as an LBE, or joint ventures where the joint venture partners are in the same discipline and have the specific levels of participation as identified below. Certification applications may be obtained by calling CMD at (415) 581-2310 or online at www.sfgov.org/lbecert. The rating bonus applies at each phase (written proposal evaluation and interview stage) of the selection process. The application of the rating bonus is as follows:

- (1) A 10% bonus to a Small or Micro LBE—including Non-Profit; or a joint venture between or among LBEs; or
- (2) A 5% bonus to a joint venture with LBE participation that equals or exceeds 35%, but is under 40%;
- (3) A 7.5% bonus to a joint venture with LBE participation that equals or exceeds 40%;

Joint Venture Rating Bonuses - If applying for a LBE rating bonus as a joint venture: The LBE must be an active partner in the joint venture and perform work, manage the job and take financial risks in proportion to the required level of participation stated in the proposal. The LBE must be responsible for a clearly defined portion of the work to be performed and share in the ownership, control, management responsibilities, risks, and profits of the joint venture. The portion of the LBE's work shall be set forth in detail separately from the work to be performed by the non-LBE joint venture partner. The LBE's portion of the contract must be assigned a commercially useful function. The joint venture partners must be of the same or similar discipline in order to be eligible for a rating bonus. The joint venture partners will be jointly responsible for the overall program management, control and compliance with Chapter 14B requirements.

Local Business Enterprise Utilization Tracking System - Prime contractors and all sub consultants who are awarded contracts as a result of the RFP process are required to use the Elation secure web-based Local Business Enterprise Utilization Tracking System (LBEUTS) to submit payment information including invoices and other related information. The Contract Monitoring Division (CMD) will use this information to monitor compliance with the 14B LBE Ordinance. Information about the system including instruction manuals and upcoming training workshops are available on the CMD website at www.sfgov.org/lbeuts.

- **CMD Forms to be Submitted with Proposal**

All proposals submitted must include the following Contract Monitoring Division (CMD) Forms contained in CMD Attachment 2:

- 1) CMD Contract Participation (Form 2A),
- 2) CMD "Good Faith Outreach" Requirements (Form 2B),
- 3) CMD Non-Discrimination Affidavit (Form 3),
- 4) CMD Joint Venture Form (Form 4, **if applicable**), and
- 5) CMD Employment Form (Form 5).

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If these forms are not returned with the proposal, the proposal may be determined to be non-responsive and may be rejected.

If you have any questions concerning the CMD Forms, you may contact Seth Benkle, the Contract Monitoring Division Contract Compliance Officer for the Department of the Environment at 415-581-2306 or at seth.benkle@sfgov.org

VI. Contract Requirements

A. Standard Contract Provisions

The successful proposer will be required to enter into a contract substantially in the form of the Agreement for Professional Services, attached hereto as Appendix C. Failure to timely execute the contract, or to furnish any and all insurance certificates and policy endorsement, surety bonds or other materials required in the contract, shall be deemed an abandonment of a contract offer. The City, in its sole discretion, may select another firm and may proceed against the original selectee for damages.

Proposers are urged to pay special attention to the requirements of Administrative Code Chapters 12B and 12C, Nondiscrimination in Contracts and Benefits, (§ 10.5 in the Agreement); the Minimum Compensation Ordinance (§ 10.7 in the Agreement); the Health Care Accountability Ordinance (§ 10.8 in the Agreement); the First Source Hiring Program (§10.9 in the Agreement); and applicable conflict of interest laws (§ 10.2 in the Agreement), as set forth in paragraphs B, C, D, E and F below.

B. Nondiscrimination in Contracts and Benefits

The successful proposer will be required to agree to comply fully with and be bound by the provisions of Chapters 12B and 12C of the San Francisco Administrative Code. Generally, Chapter 12B prohibits the City and County of San Francisco from entering into contracts or leases with any entity that discriminates in the provision of benefits between employees with domestic partners and employees with spouses, and/or between the domestic partners and spouses of employees. The Chapter 12C requires nondiscrimination in contracts in public accommodation. Additional information on Chapters 12B and 12C is available on the CMD's website at www.sfCMD.org.

C. Minimum Compensation Ordinance (MCO)

The successful proposer will be required to agree to comply fully with and be bound by the provisions of the Minimum Compensation Ordinance (MCO), as set forth in S.F. Administrative Code Chapter 12P. Generally, this Ordinance requires contractors to provide employees covered by the Ordinance who do work funded under the contract with hourly gross compensation and paid and unpaid time off that meet certain minimum requirements. For the contractual requirements of the MCO, see § 10.7

For the amount of hourly gross compensation currently required under the MCO, see www.sfgov.org/olse/mco. Note that this hourly rate may increase on January 1 of each year and that contractors will be required to pay any such increases to covered employees during the term of the contract.

Additional information regarding the MCO is available on the web at www.sfgov.org/olse/mco.

D. Health Care Accountability Ordinance (HCAO)

The successful proposer will be required to agree to comply fully with and be bound by the provisions of the Health Care Accountability Ordinance (HCAO), as set forth in S.F. Administrative Code Chapter 12Q. Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the HCAO is available on the web at www.sfgov.org/olse/hcao.

E. First Source Hiring Program (FSHP)

If the contract is for more than \$50,000, then the First Source Hiring Program (Admin. Code Chapter 83) may apply. Generally, this ordinance requires contractors to notify the First

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Source Hiring Program of available entry-level jobs and provide the Workforce Development System with the first opportunity to refer qualified individuals for employment.

Contractors should consult the San Francisco Administrative Code to determine their compliance obligations under this chapter. Additional information regarding the FSHP is available on the web at <http://www.workforcedevelopmentsf.org/> and from the First Source Hiring Administrator, (415) 401-4960.

F. Conflicts of Interest

The successful proposer will be required to agree to comply fully with and be bound by the applicable provisions of state and local laws related to conflicts of interest, including Section 15.103 of the City's Charter, Article III, Chapter 2 of City's Campaign and Governmental Conduct Code, and Section 87100 et seq. and Section 1090 et seq. of the Government Code of the State of California. The successful proposer will be required to acknowledge that it is familiar with these laws; certify that it does not know of any facts that constitute a violation of said provisions; and agree to immediately notify the City if it becomes aware of any such fact during the term of the Agreement.

Individuals who will perform work for the City on behalf of the successful proposer might be deemed consultants under state and local conflict of interest laws. If so, such individuals will be required to submit a Statement of Economic Interests, California Fair Political Practices Commission Form 700, to the City within ten calendar days of the City notifying the successful proposer that the City has selected the proposer.

G. Business Tax Registration

At the time the Contract is executed, the Qualified Respondent in question must have a current and valid San Francisco Businesses Tax Certificate. This certificate can be obtained by properly submitting to the City's Tax Collector a completed Business Tax Registration Declaration and paying the registration fee. Information is available via this link <http://sftreasurer.org/registration>.

VII. Protest Procedures

A. Protest of Non-Responsiveness Determination

Within five working days of the City's issuance of a notice of non-responsiveness, any firm that has submitted a proposal and believes that the City has incorrectly determined that its proposal is non-responsive may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day following the City's issuance of the notice of non-responsiveness. The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

B. Protest of Contract Award

Within five working days of the City's issuance of a notice of intent to award the contract, any firm that has submitted a responsive proposal and believes that the City has incorrectly selected another proposer for award may submit a written notice of protest. Such notice of protest must be received by the City on or before the fifth working day after the City's issuance of the notice of intent to award.

The notice of protest must include a written statement specifying in detail each and every one of the grounds asserted for the protest. The protest must be signed by an individual authorized to represent the proposer, and must cite the law, rule, local ordinance, procedure or

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RFP provision on which the protest is based. In addition, the protestor must specify facts and evidence sufficient for the City to determine the validity of the protest.

C. Delivery of Protests

All protests must be received by the due date. If a protest is mailed, the protestor bears the risk of non-delivery within the deadlines specified herein. Protests should be transmitted by a means that will objectively establish the date the City received the protest. Protests or notice of protests made orally (e.g., by telephone) will not be considered. Protests must be delivered to:

Peter Goldstein, Deputy Director
Risk Management Division
City and County of San Francisco
25 Van Ness Avenue, Suite 750
San Francisco, CA 94102

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Appendix B

Standard Forms

Before the City can award any contract to a contractor, that contractor must file three standard City forms (items 1-3 on the chart). Because many contractors have already completed these forms, and because some informational forms are rarely revised, the City has not included them in the RFP package. Instead, this Appendix describes the forms, where to find them on the Internet (see bottom of page 2), and where to file them. If a contractor cannot get the documents off the Internet, the contractor should call (415) 554-6248 or e-mail Purchasing (purchasing@sfgov.org) and Purchasing will fax, mail or e-mail them to the contractor.

If a contractor has already filled out items 1-3 (see note under item 3) on the chart, **the contractor should not do so again unless the contractor's answers have changed.** To find out whether these forms have been submitted, the contractor should call Vendor File Support in the Controller's Office at (415) 554-6702.

If a contractor would like to apply to be certified as a local business enterprise, it must submit item 4. To find out about item 4 and certification, the contractor should call Contract Monitoring Division at (415) 252-2500.

Item	Form name and Internet location	Form	Description	Return the form to; For more info
1.	Request for Taxpayer Identification Number and Certification http://sfgsa.org/index.aspx?page=4762 www.irs.gov/pub/irs-fill/fw9.pdf	W-9	The City needs the contractor's taxpayer ID number on this form. If a contractor has already done business with the City, this form is not necessary because the City already has the number.	Controller's Office Vendor File Support City Hall, Room 484 San Francisco, CA 94102 (415) 554-6702
2.	Business Tax Declaration http://sfgsa.org/index.aspx?page=4762	P-25	All contractors must sign this form to determine if they must register with the Tax Collector, even if not located in San Francisco. All businesses that qualify as "conducting business in San Francisco" must register with the Tax Collector	Controller's Office Vendor File Support City Hall, Room 484 San Francisco, CA 94102 (415) 554-6702
3.	S.F. Administrative Code Chapters 12B & 12C Declaration: Nondiscrimination in Contracts and Benefits http://sfgsa.org/index	CMD-12B-101	Contractors tell the City if their personnel policies meet the City's requirements for nondiscrimination against protected classes of people, and in the provision of benefits between employees with	Human Rights Comm. 25 Van Ness, #800 San Francisco, CA 94102-6059 (415) 252-2500

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Item	Form name and Internet location	Form	Description	Return the form to; For more info
	aspx?page=4762 In Vendor Profile Application		spouses and employees with domestic partners. Form submission is not complete if it does not include the additional documentation asked for on the form. Other forms may be required, depending on the answers on this form. Contract-by-Contract Compliance status vendors must fill out an additional form for each contract.	
4.	CMD LBE Certification Application http://sfgov.org/cmd/lbe-certification-0 In Vendor Profile Application		Local businesses complete this form to be certified by CMD as LBEs. Certified LBEs receive a rating bonus pursuant to Chapter 14B when bidding on City contracts. To receive the bid discount, you must be certified by CMD by the proposal due date.	Contract Monitoring Unit 30 Van Ness Avenue, Suite 200 San Francisco, CA 94102 Phone: (415) 581-2310

Where the forms are on the Internet

Office of Contract Administration

Homepage: www.sfgov.org/oca/
 Purchasing forms: Click on “Required Vendor Forms” under the “Information for Vendors and Contractors” banner.

Contract Monitoring Division

CMD’s homepage: <http://sfgsa.org/index.aspx?page=5365>
 Equal Benefits forms: <http://sfgsa.org/index.aspx?page=5359>
 LBE certification form: <http://sfgov.org/cmd/lbe-certification-0>
 CMD Attachment 2: <http://sfgov.org/cmd/sites/default/files/FileCenter/Documents/13304-CMDAttachment2Form.pdf>