

BOROUGH OF NORTH CALDWELL

REQUEST FOR PROPOSAL

RISK MANAGEMENT CONSULTANT

2022

**BOROUGH OF NORTH CALDWELL
ZONING BOARD OF ADJUSTMENT**

NOTICE OF REQUEST FOR QUALIFICATIONS

The Borough of North Caldwell is soliciting Proposals and Statements of Qualifications from interested persons and/or firms for the provision of Risk Management Consulting Services. Said Proposals/Statements will be received by the North Caldwell Borough Administrator no later than 11:00AM on Tuesday, December 7, 2021 at North Caldwell Borough Hall, 141 Gould Avenue, North Caldwell after which said Proposals/Statements will be opened and evaluated.

All Proposals/Statement must be in accordance with instructions in the Request for Qualifications (RFQ) document obtained from the Borough of North Caldwell and must be enclosed in a sealed envelope bearing the name and address of the respondent and the words "RFQ for Risk Management Consulting Services". The envelope must be addressed to Kevin O'Sullivan, Borough Administrator, 141 Gould Avenue, North Caldwell, NJ 07006 and may be delivered by hand, overnight courier or mail. The envelope containing the Proposal/Statement must be received by the Borough Administrator by the date and time set forth above. No late Proposals/Statements will be accepted.

RFQ documents may be examined and obtained at the office of the Borough Clerk, 141 Gould Avenue, North Caldwell, NJ 07006 by appointment between the hours of 8:30am and 4:30pm at Borough Hall or at www.northcaldwell.org/purchasing.

All respondents are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. (P.L. 1975 c.127 as amended) and N.J.A.C. 17-27-1.1 et seq.

The Borough of North Caldwell reserves the right to waive any minor irregularities in or to reject any or all Proposals/Statements.

By order of the Borough of North Caldwell.

NOTE: **The Borough of North Caldwell will consider proposals only from firms or organizations that have demonstrated the capability and willingness to provide high quality services in the manner described in this RFQ.**

Tami Michelotti
Borough Clerk

GENERAL INFORMATION & SUMMARY

ORGANIZATION REQUESTING PROPOSAL

Borough of North Caldwell
141 Gould Avenue
North Caldwell, NJ 07006

CONTACT PERSON

Please direct all questions in writing to:
Borough of North Caldwell
141 Gould Avenue
North Caldwell, NJ 07006
Attention: Kevin O'Sullivan, Borough Administrator
Phone: 973-228-6410 x 101
Fax: 973-228-2914
E-Mail: kosullivan@northcaldwell.org

RETURN DATE AND TIME

No later than 11:00AM Tuesday, December 7, 2021

PURPOSE OF REQUEST

The Borough of North Caldwell desires to appoint a Risk Management Consultant who will be responsible for assisting the Borough in identifying its insurable exposures and to recommend professional methods to reduce, assume or transfer the risk loss. The Consultant shall review with the Borough any additional coverages that the Consultant feels should be carried but are not available from the Morris County Municipal Joint Insurance Fund (hereinafter "Fund") and, subject to the Borough's authorization, place such coverages outside the Fund. The Consultant shall assist the Borough in the preparation of applications, renewals, statements of values and similar documents requested by the Fund. The Consultant shall review the Borough's assessment as prepared by the Fund and assist the Borough in the preparation of its annual insurance budget.

PERIOD OF CONTRACT

Three (3) years from the date of award.

CONTRACT

The contract will run concurrently with the Borough's Fund membership and will be awarded for a three (3) year period, beginning January 1, 2022 and ending December 31, 2024.

It is also agreed and understood that the acceptance of the final payment by the Contractor shall be considered a release in full of all claims against the Borough arising out of, or by reason of, the work done and materials furnished under the Contract.

DETAILED REQUIREMENTS OF THE
REQUEST FOR PROPOSAL FOR RISK MANAGEMENT CONSULTANT SERVICES

SCOPE OF SERVICES:

Any persons or firms interested in providing professional services to the Borough of North Caldwell ("Borough") as defined in the New Jersey Statutes, N.J.S.A. 40A:11-2(6).

1. **Appointment of Risk Management Consultant.** The Risk Management Consultant shall be appointed by the Borough Council (hereinafter "Council") by a majority vote of a quorum of its members and shall serve for a term of three (3) years from the first day of January. The Risk Management Consultant shall be a New Jersey licensed property/casualty insurance agent or broker with demonstrated prior experience in the management of public insurance risks. The Risk Management Consultant shall be an "Insurance Producer", pursuant to N.J.S.A. 17:22-A, but shall not be a Fund Commissioner.

2. **Duties.**

The Risk Management Consultant (hereinafter the "Consultant") shall:

A. Assist the Borough in identifying its insurable property and casualty exposures and recommend professional methods to reduce, assume or transfer the risk loss.

B. Assist the Borough in understanding and selecting the various coverages available from the Morris County Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund.

C. Review with the Borough any additional coverages that the Consultant feels should be carried but are not available from the Fund and subject to the Borough's authorization place such coverages outside the Fund.

D. Assist the Borough in the preparation of applications, statements of values, and similar documents requested by the Fund, it being understood that this agreement does not include any appraisal work by the Consultant.

E. Assist the Borough in identifying its cyber security needs and exposures and recommend training and professional methods to reduce, assume or transfer the risk loss.

F. Assist the Borough in reviewing and assessing personnel policies and other policies as necessary to reduce potential exposures associated with said policies.

G. Review the Borough's assessment as prepared by the Fund and assist the Borough in the preparation of its annual insurance budget.

H. Review the loss and engineering reports and generally assist the safety committee in loss containment objectives. Conduct and attend no less than four (4) Municipal Safety Committee meetings per annum to promote the safety objectives and goals of the municipality and the Fund.

- I. Assist, where needed in the settlement of claims, with the understanding that the scope of the Consultant's involvement does not include the work normally done by a public adjustor.
- J. Review Certificates of Insurance from contractors, vendors and professionals when requested by the Borough.
- K. Attend the majority of meetings of the Fund and perform such other services as required by the Borough or the Fund.
- L. Any other services required by the Fund's Bylaws.

**APPLICANT'S/PROPOSER'S RESPONSIBILITY IN RESPONDING TO
BOROUGH REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES**

- 1. The Risk Management Consultant shall be a New Jersey licensed property/casualty insurance agent or broker with demonstrated prior experience in the management of public insurance risks. The Risk Management Consultant shall be an "Insurance Producer", pursuant to N.J.S.A. 17:22-A, but shall not be a Fund Commissioner.
- 2. Must have a minimum of five (5) years' experience representing municipalities in risk management services.
- 3. Must have sufficient support staff to provide all services required by the Borough.
- 4. Must list past and present public employers represented as Risk Management Consultant.
- 5. Proposed cost of the services or activities may be proposed as an hourly rate with a not to exceed, a flat fee, or as a percentage of annual assessment. The proposed cost should include:
 - a. Meetings.
 - b. Site visits and expenses.
 - c. Expenses for travel, postage and telephone excluded from the hourly rate.
 - d. Additional services defined beyond the scope of regular services.
- 6. Insurance. The applicant/proposer, as a member of a profession which is subject to suit for professional malpractice, shall provide documentation that insurance for professional liability/malpractice coverage with limits as to liability acceptable to the Borough.
- 7. Law Against Discrimination and Affirmative Action. The applicant/proposer as a "professional" shall file a statement as to compliance with N.J.S.A. 10:5-1 et. Seq. (Laws Against Discrimination) and P.L. 1975, c.127 (Affirmative Action).
- 8. Non-Collusion Affidavit.
- 9. The applicant/proposer shall submit **three (3) original, hard copies (clearly marked as "original") and one (1) complete copy on a thumb drive.**

10. The checklist, affidavits, notices and the like presented at the end of this Request for Proposal are a part of this Request for Proposal and shall be completed and submitted as part of this proposal.

BASIS for AWARD CONTRACT/AGREEMENT for PROFESSIONAL SERVICES

The Borough shall award all professional service contracts or agreements based on qualification, merit and cost competitiveness. Selection criteria will include.

1. Qualifications of the individual or firm who will perform the service or activity.
2. Experience and references.
3. Ability to perform the service or activity in a timely fashion, including staffing and the staff's familiarity of the service or activity.
4. Cost Competitiveness.
5. The Borough reserves the right to conduct an interview or interviews with the prospective Professional to discuss the scope of the professional services as outlined in the applicant's/proposer's proposal.
6. All awards or waivers will be by resolution acted on by the Borough Council at a Borough Council meeting.
7. All awards are subject to availability of funds.
8. This policy will include, but not be limited to, all of the above listed requirements.

REQUEST FOR PROPOSAL CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH EVERY PROPOSAL:

Please initial below, indicating that your proposal includes the itemized document.

A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS IS CAUSE FOR REFUSAL

INITIAL
BELOW

- | | |
|---|-------|
| A. Three (3) originals and one (1) complete copy on a thumb drive. | _____ |
| B. Non-Collusion Affidavit properly notarized. | _____ |
| C. Public Disclosure Statement, properly notarized, listing the names of all persons owning ten (10) percent or more of the proposing entity. | _____ |
| D. Authorized signatures on all forms. | _____ |
| E. Business Registration Certificate(s) – Must be submitted prior to award | _____ |

Note: N.J.S.A. 52:32-44 provides that the Borough shall not enter into a contract for goods or services unless the other party to the contract provides a copy of its business registration certificate for the State of New Jersey, and the business registration certificate of any subcontractors, at the time that it submits its proposal. The contracting party must also collect the state use tax where applicable.

THE UNDERSIGNED HEREB Y ACKNOWLEDGES **THE ABOVE LISTED REQUIREMENTS**

NAME OF PROPOSER:

Person, Firm or Corporation

BY: (NAME)

(TITLE)

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

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, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity 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, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding with, 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 and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted Township employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted Township employment goals determined by the Division, pursuant to N.J.A.A. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, 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 any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles 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 targeted 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, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decision 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 subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office 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 Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
BOROUGH OF NORTH CALDWELL ss:

I am _____

Of the Firm of _____

UPON MY OATH, I DEPOSE AND SAY:

1. That I executed the said proposal with full authority so to do;
2. That this proposer has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of fair and open competition in connection with this engagement;
3. That all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Borough of North Caldwell relies upon the truth of the statements contained in said proposal and in the statements contained in this affidavit in awarding the contract for the said engagement; and
4. That no person or selling agency has been employed to solicit or secure this engagement agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial of selling agencies of the proposer. (N.J.S.A. 52: 34-25).

(Type or print name of Affiant under signature)

Subscribed and sworn to before me this _____ day of _____, 20 ____.

Notary public of _____

My Commission expires: _____, 20 ____

STOCKHOLDER DISCLOSURE CERTIFICATION
N.J.S.A. 52:25-24.2 (P.L. 1977 c.330)
FAILURE OF THE BIDDER/RESPONDENT TO SUBMIT THE REQUIRED
INFORMATION IS CAUSE FOR AUTOMATIC REJECTION

CHECK ONE:

☐ 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.

Check which business entity applies:

- | | | |
|---|--|--|
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Corporation Sole | <input type="checkbox"/> Proprietorship |
| <input type="checkbox"/> Limited Partnership Corporation | <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Limited Liability |
| <input type="checkbox"/> Subchapter S Corporation | <input type="checkbox"/> Other _____ | |

Complete if the bidder/respondent is one of the 3 types of Corporations:

Date incorporated: _____

Where incorporated: _____

Business Address:

| | | | |
|----------------|------|-------|-----|
| Street Address | City | State | Zip |
|----------------|------|-------|-----|

| | | |
|-------------|------|-------|
| Telephone # | Fax# | Email |
|-------------|------|-------|

Listed below are the names and addresses of all stockholders, partners or individuals who own 10% or more of its stock of any classes, or who own 10% or greater interest therein.

Name and Home Address

Name and Home Address

CONTINUE ON ADDITIONAL SHEETS IF NECESSARY: ☐ Yes ☐ No

Signature: _____ Date: _____

Printed Name and Title _____

Sworn and subscribed
before me this
day of _____ 20 ____