# THE WAYNE COUNTY EMPLOYEES' RETIREMENT SYSTEM, MICHIGAN

# REQUEST FOR QUALIFICATIONS FOR PROPERTY & CASUALTY INSURANCE AGENT OF RECORD

**CONTROL NO. 2011-02** 

Issue Date: Monday, August 29, 2011

Pre-proposal Questionnaire Deadline: September 6, 2011

Response Deadline: Wednesday, September 14, 2011 at 4:00 p.m. local time

Proposals will be publicly opened and read Wayne County Employees' Retirement System

28 W. Adams, Suite 1900 Detroit, Michigan 48226

Contact: Robert Grden

Director

**Phone:** (313) 224-2822 **Fax:** (313) 224-7677

Email: rgrden@co.wayne.mi.us

**Description**: The Wayne County Employees Retirement System (WCERS) is requesting responses to this Request for Qualifications (RFQ) for the purpose of selecting a qualified Property and Causality Insurance Agency respondent to provide **Fiduciary Liability Insurance and Directors and Officers Liability Insurance** for the Wayne County Employees Retirement System's Board of Trustees, Directors and Officers at 28 West Adams Suite 1900. Detroit, Michigan 48226.

A copy of this RFQ can be obtained from the Wayne County Employee's Retirement System website at **http://www.wcers.org**. Until the expiration date of this solicitation, it is incumbent upon the Respondent to check the website for additional information and/or addenda. The RFQ can also be obtained from the Wayne County Employees Retirement System's Board of Trustees office at 28 West Adams Suite 1900. Detroit, Michigan 48226. If you have any questions, please call (313) 224-2822.

Written questions regarding the substance of the RFQ or scope of services must be submitted via e-mail to the purchasing contact listed above no later than the Pre-Response Question Deadline indicated above.



Sealed Responses are due prior to the Response Deadline indicated above and must be delivered to the Wayne County Employees Retirement System's Board of Trustees 28 West Adams Suite 1900. Detroit, Michigan 48226. Late responses will not be accepted – NO EXCEPTIONS.

Robert A. Ficano County Executive

## **TABLE OF CONTENTS**

SECTION 1 - INSTRUCTIONS	3
SECTION 2 - SPECIFICATIONS AND SCOPE OF WORK	7
SECTION 3 - EVALUATION CRITERIA AND SUBMITTAL REQUIREMENTS	9
SECTION 4 – SAMPLE FORM OF CONTRACTError! Book	kmark not defined.
SECTION 5 – REQUIRED FORMS	11

#### **SECTION 1 - INSTRUCTIONS**

**COMMUNICATIONS:** In an effort to create a more competitive and unbiased procurement process, the WCERS desires to establish a single point of contact throughout the procurement process. From the issue date of this RFQ, until a Successful Respondent(s) is selected, all requests for clarification or additional information regarding this RFQ or contacts with WCERS personnel or Wayne County personnel concerning this RFQ or the evaluation process must be solely to the contact person listed on the cover page of this RFQ.

A violation of this provision is cause for the Wayne County Employees Retirement System to reject the Respondent's Response. If it is later discovered that a violation has occurred, the WCERS may reject any Response or terminate any contract awarded pursuant to this RFQ. No contact regarding this document with other County employees is permitted.

- 2) PRE-RESPONSE INFORMATION AND QUESTIONS: Each response that is timely received will be evaluated on its merit and completeness of all requested information. In preparing responses, Respondents are advised to rely only upon the contents of this RFQ and accompanying documents and any written clarifications or addenda issued by the Wayne County Employees Retirement System. If a Respondent finds a discrepancy, error, or omission in the RFQ package, or requires any written addendum thereto, the Respondent is requested to notify the Wayne County Employees System's contact noted on the cover of this RFQ, so that written clarification may be sent to all prospective Respondents. THE WAYNE COUNTY EMPLOYEES RETIREMENT SYSTEM IS NOT RESPONSIBLE FOR ANY ORAL INSTRUCTIONS. All questions must be submitted in writing to the Wayne County Employees System's contact only before the Pre-Response Question Deadline indicated on the front of this document. No contact regarding this document with other County employees is permitted. All answers will be issued in the form of a written addendum.
- 3) RFQ MODIFICATIONS: Clarifications, modifications, or amendments may be made to the RFQ at any time prior to the Response Deadline at the discretion of the County. It is the Respondent's responsibility to periodically check the Wayne County Employees Retirement System's website until the posted Response Deadline to obtain any issued addenda.
- **4) PRE-RESPONSE MEETING:** The date, time and location of the meeting, if any, are indicated on the cover page of this RFQ. N/A
- 5) RESPONSE SUBMISSION: To be considered, the Response must be prepared in the manner and detail specified in this RFQ.
  - a. Responses must be submitted to the Wayne County Employees Retirement System at the location indicated on the cover of this document, before the date and time indicated as the deadline. It is each Respondent's responsibility to insure that the Wayne County Employees System receives its response prior to the deadline. This responsibility rests entirely with the Respondent, regardless of delays resulting from postal handling or for any other reasons. Responses will be accepted at any time during the normal course of business only, said hours being 8:00 a.m. to 4:00 p.m. local time, Monday through Friday, except for legal holidays.
  - b. Responses received after the above deadline will not be accepted and will be returned to the Respondent unopened. The Wayne County Employees Retirement System's timestamp shall be the official time.
  - c The opening of a Response does not constitute the Wayne County Employees Retirement System's acceptance of the Respondent as a responsive and responsible Respondent.
  - d. Responses must be enclosed in a sealed envelope, box, or package, and clearly marked on the outside with the following: Project name, Control Number, Deadline date and time, and Respondent's name, address, phone, fax, and contact name.
  - e Submission of a Response establishes a conclusive presumption that the Respondent is thoroughly familiar with the RFQ and specifications and terms of the Form of Wayne County Employees Retirement System, and the Wayne County Employees Retirement System's Procurement Ordinance and that the Respondent understands and agrees to abide by each and all of the stipulations and requirements contained therein.

- f All prices and notations must be typed or printed in ink. No erasures are permitted. Mistakes may be crossed out and the person(s) signing the Response must initial corrections in ink.
- g. Responses sent by telegraph, facsimile, or other electronic means will not be considered.
- h. All costs incurred in the preparation and presentations of the Response, as well as any resulting contract, are the Respondent's sole responsibility; no such costs will be reimbursed to any Respondent. All documentation submitted with the Response will become the property of the Wayne County Employees Retirement System.
- i. Responses are subject to public disclosure after the deadline for opening in accordance with state law under the Freedom of Information Act (FOIA).
- 6) PROPOSAL GUARANTEE: Not Applicable.
- **RESPONSE SIGNATURES:** An authorized official must sign the Responses. Each signature represents binding commitment upon the Respondent to provide the goods and/or services offered to the Wayne County Employees Retirement System if the Respondent is determined to be the most responsive and responsible Respondent.
- 8) CONTRACT AWARD: The Wayne County Employees Retirement System reserves the right to withdraw the RFQ, to award to one Respondent, to any combination of Respondents, by item, group of items, or total RFQ. The Wayne County Employees Retirement System may waive informalities if it is in the Wayne County Employees Retirement System's interest. The Respondent(s) to whom the award is made will be notified at the earliest possible date. Tentative acceptance of the Response, intent to recommend award of a contract, and actual award of the contract will be provided by written notice sent to the Respondent at the address designated in the Response.
- 9) RESPONSE MODIFICATIONS: Clarifications, modifications, or amendments to any Response that has been submitted, but prior to the Response Deadline Date, may be made only within the discretion and written approval of the Director of the Wayne County Employees Retirement System.
- **DUPLICATE RESPONSES:** No more than one (1) Response from any Respondent, including its subsidiaries, affiliated companies and franchisees will be considered by the WCERS. In the event multiple Responses are submitted in violation of this provision, the Wayne County Employees Retirement System will have the right to determine which Response will be considered, or at its sole option, reject all such multiple Responses.
- **11) WITHDRAWAL:** Responses may only be withdrawn by written notice prior to the Deadline date set for the opening of Response. No Response may be withdrawn after the deadline for submission.
- **REJECTION:** The Wayne County Employees Retirement System reserves the right to reject any or all Responses, or to accept or reject any Response in part, and to waive any minor informality or irregularity in Responses received, if it is determined by the Director of the Wayne County Employees Retirement System or designee that the best interest of the Wayne County Employees Retirement System will be served by doing so
- 13) PROCUREMENT POLICY: Procurement for the Wayne County Employees Retirement System will be handled in a manner providing fair opportunity to all businesses. This will be accomplished without abrogation or sacrifice of quality and as determined to be in the best interest of the Wayne County Employees Retirement System. The Director of the Wayne County Employees Retirement System contracts, subject to approval of the Board Of Trustee, where required.
- **NON-DISCRIMINATION:** Wayne County Employees Retirement System will not contract with any person or firm that discriminates against employees or applicants for employment because of any factor not related to job performance. The Respondent must comply with all federal, state and local laws and policies that prohibit discrimination in employment contracts. The Respondent must include in its subcontracts provisions that prohibit subcontractors from discriminating in their employment practices.
- **NO RESPONSE:** Businesses who receive this RFQ but who do not submit a Response should return a notice stating the reason(s) for not responding. Failure to return this may result in removal of the business' name from all bidder lists.

- **CONTRACT NEGOTIATION:** All Responses must be firm for at least 120 days from the due date of the Response. If, for any reason, a contract is not executed with the selected Respondent within 14 days after notice of recommended award, then the Wayne County Employees Retirement System may recommend the next most responsive and responsible Respondent. There is no contract until the Wayne County Employees Retirement System's policies have been fulfilled.
- **DISQUALIFICATION OF RESPONDENTS:** Any one or more of the following causes may be considered sufficient for the disqualification of a Respondent and the rejection of the Response:
  - a. Evidence of collusion among Respondents.
  - b. Lack of competency as revealed by either financial, experience, or equipment statements.
  - c. Lack of responsibility as shown by past work.
  - d. Uncompleted work under other contracts which, in the judgment of the WCERS, might hinder or prevent the prompt completion of additional work if awarded.
- **DISCUSSIONS:** Discussions may be conducted with responsible Respondents, in order to clarify and assure full understanding of, and conformance to, the solicitation requirements. Discussions may be conducted with Respondents who submit Responses determined to be reasonably susceptible of being elected for award, but Responses may be accepted without such discussions.

Respondents shall be accorded fair and equal treatment with respect to any opportunity for discussions and revisions of Responses. Such revisions may be permitted after submission and prior to award for the purpose of obtaining best and final offers. If during discussions there is a need for any substantial clarification of or change in the RFP, the RFP shall be amended to incorporate such clarification or change. The Respondent shall reduce any substantial oral clarification of a Response to writing.

**SUBCONTRACTORS:** In an effort to promote supplier diversity, Wayne County Employees Retirement System encourages Respondents to identify and include qualified disadvantaged businesses as subcontractors when proposing to provide products and services to the WCERS.

The Contract will not be assignable to any other business entity without the Wayne County Employees Retirement System's approval.

20) RESPONDENT RESPONSIBILITIES: The Respondent must be capable, either as a firm or a team, of providing all services as described under SECTION 2 – SCOPE OF WORK and to maintain those capabilities until notification of the fact that their Response was unsuccessful. Exclusion of any service for this Response may serve as cause for rejection. The selected Respondent must remain capable of providing all services as described under SECTION 2 – SCOPE OF WORK and must maintain those capabilities until the agreement is successfully finished. The successful Respondent will be responsible for all Services in this Response whether they are provided or performed by the Successful Respondent or Subcontractor(s). Further, the Wayne County Employees Retirement System will consider the Successful Respondent to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the cost of any contract. The Successful Respondent must identify all Subcontractors and the Services they provide. The Successful Respondent is responsible for all payments and liabilities of all Subcontractor(s).

The Wayne County Employees Retirement System reserves the right to approve or reject, in writing, any proposed Subcontractor. If the WCERS rejects any proposed Subcontractor in writing, the Successful Respondent shall be responsible to assume the proposed Subcontractor's responsibilities. The Successful Respondent may propose another Subcontractor if it does not jeopardize the effectiveness or efficiency of the contract. Nothing contained in the Response or in the contract shall create or be construed as creating any contractual relationship between any Subcontractor and the Wayne County Employees Retirement System.

21) WAYNE COUNTY EMPLOYEES RETIREMENT SYSTEM PARTICIPATION: The Wayne County Employees Retirement System will provide appropriate personnel support for implementation of these agreements. The Respondent's Response should identify Wayne County Employees Retirement System FTEs required and tasks to be performed by Wayne County Employees Retirement System personnel. For the purpose of contract administration, WCERS will designate a person to serve as WCERS Contract Manager. The Wayne County Employees Retirement System Contract Manager will serve as the primary liaison between the Wayne County

Employees Retirement System and the Successful Respondent and will coordinate overall management and administration of the contract for the Wayne County Employees Retirement System.

**DISCLOSURE OF CONTENTS:** All information provided in the Response shall be held in confidence and shall not be revealed or discussed with competitors, until after award of the contract except as provided by law or court decision. All material submitted with the Response becomes the property of the WCERS and may be returned only at the Wayne County Employees Retirement System's option.

Respondents must make no other distribution of their Responses other than authorized by this RFQ. A Respondent who shares cost information contained in its Response with other Wayne County Employees Retirement System personnel or competing Respondent personnel shall be subject to disqualification.

Respondents shall not be provided any information about other Responses or prices or where the Respondent stands in relation to others at any time during the evaluation process. Any request for such information by a Respondent, its subcontractor or an affiliated party may be viewed as a compromise to the evaluation process and the requesting Respondent may be eliminated from further consideration.

#### **SECTION 2 - SPECIFICATIONS AND SCOPE OF WORK**

- 1) INTRODUCTION: Through this Request for Qualifications (RFQ), the Wayne County Employees Retirement System hereby invites businesses who meet the qualifications and specifications set forth herein to submit Responses for the purpose of being Agent of Record for the Wayne County Employees Retirement System Property & Casualty Insurance services. This would include Fiduciary Liability Insurance for the Wayne County Employees Retirement System and Directors and Officers Liability Insurance.
- 2) GENERAL INFORMATION: The Wayne County Employees Retirement System currently administers retirement, defined benefit and defined contribution pension plans, disability and death benefits for employees of Wayne County and the Wayne County Airport Authority. The Wayne County Employees Retirement System currently manages over one billion dollars in assets. The Wayne County Employees Retirement System is governed by eight trustees supported by staff. There are four active trustee representatives who are elected by active employees, two are retiree trustees elected by retirees of the system, and two are Ex-Officio members; the Chairperson of the Wayne County Commission, and one appointed by the Wayne County Executive.
- 3) MINIMUM QUALIFICATIONS: Respondents (specifically, the business that will be contractually bound under the contract with the Wayne County Employees Retirement System) will be deemed non-responsible and rejected without any further evaluation if they do not meet the following mandatory qualifications:
  - a) The Respondent or its subcontractor or its key personnel must have 10 years experience with Property and Casualty (Professional Liability) Insurance.
  - b) The Respondent must be licensed to conduct business in the State of Michigan with experience in handling Public Entity-Fiduciary Liability and Public Officials-insurance programs similar to the policies currently in place with the system and the ability to provide a wide range of other insurance related services.
  - c) Two (2) qualified principals and or account representatives each with a minimum of 5 years experience in commercial lines and or CPCU, ARM or other insurance professional designations assigned to this account.
  - d) Have two million dollars of premium in force in the municipal marketplace and at least 5 years of experience in the municipal market place.
  - e) Evidence of Agent/Brokers Errors and Omissions Insurance with a minimum limit of \$ 2,000,000.00 per occurrence. This insurance must be maintained with the limit of \$ 2,000,000.00 for the duration of the contract.
  - f) Maintain compliance with the requirements of the Equal Employment Opportunity Act and Federal Civil Rights Act when applicable.
  - g) Have at least 5 years experience with 3 or more governmental/municipal accounts with property and liability insurance with annual premiums of \$ 100,000.00 for each governmental/municipal account.
  - h) Submit at least 3 references.

#### 5) SCOPE OF SERVICES:

- a) Provide the marketing and placement of various insurance coverage to the Wayne County Employees Retirement System Board of Trustees and Staff.
- b) Become familiar with the Wayne County Employees Retirement System's insurance program and individual policies through review of current and past operating budgets, loss history, financial statements, site visits and any other evaluation methods. Develop an understanding of the history (past present and future) risk management issues and exposures facing the Wayne County Employees System and how these factors affect the System's insurance buying abilities.
- c) Work with the assigned insurance carries to design policies most advantageous to the Wayne County Employees Retirement System in terms of exposure coverage, policy forms, exclusions deductibles or coordination with other policies overall cost and any other relevant factors.
- d) Meet with the Director of the Wayne County Employee Retirement System on a semiannual basis to review all insurance policies in force, significant brokerage changes, outstanding claims, potential losses, market conditions, and any other issues affecting the Wayne County Employees Retirement System's insurance programs.
- e) Assist the Wayne County Employee Retirement System with "Notice to Carrier" claims.
- f) Agent shall review the existing insurance policies and submit recommendation including pricing, deductibles and coverage.

**6)CONTRACT TERM:** The contract is for a term of three (3) years, with a two-year renewal option at the sole discretion of the Wayne County Employee's Retirement System. It is anticipated that this contract will commence on November 1, 2011.

#### SECTION 3 - EVALUATION CRITERIA AND SUBMITTAL REQUIREMENTS

1) **EVALUATION:** All Responses received will be evaluated by an Evaluation Committee comprising of Wayne County Employees Retirement System representatives. The following factors, listed in relative order of importance, will be considered in making the selection:

#### **Experience and Qualifications**

a) Each Response submitted in response to this RFQ shall focus on the above criteria. The Evaluation Committee also may consider past performance of the Respondent on other contracts with the Wayne County Employees Retirement System or other entities. Responses will be evaluated equally and fairly; no preference will be given to any Respondent based solely on previous experience with WCERS or Wayne County or to an incumbent thereof. The Wayne County Employees Retirement System reserves the right to make additional inquiries and may request the submission of additional information.

#### 2) GENERAL SUBMITTAL REQUIREMENTS:

- a) NUMBER OF COPIES: One original, plus eight (8) copies for a total of nine (9) of the entire Response must be submitted to the Wayne County Employees Retirement System. The original must be marked as an original. Each copy must be identical to the original. Responses are to be submitted in labeled 3ring binders.
- b) **RESPONSE FORMAT:** Each Response should be prepared simply and economically. Responses shall include the requirements listed below and in the following section.
- c) **RESPONSE CONTENT:** The Respondent must include the following items, or the Response may be deemed non-responsive and rejected without any further evaluation.
  - i) An Executive Summary of your Response (maximum 3 pages).
  - ii) All forms contained or listed in Section 5 in this RFP, fully completed:
  - iii) A copy of Respondent's latest audited, reviewed, or compiled financial statements (balance sheet, income statement, statement of cash flows, footnotes) prepared by an independent certified public accountant. If your company is not required by federal, state and local law, financial institutions, or company management to have audited, reviewed, or compiled financial statements prepared by an independent certified public accountant, you may submit an internally generated balance sheet and income statement instead. The Respondent must include the following fully completed items or the Response may be deemed non-responsive and rejected without any further evaluation. Submit these in the following order:
  - iv) Evidence showing that the Respondent meets each of the Minimum Qualifications listed in the Scope of Work of this RFQ. (See next section for more detail.)
  - v) A complete response to each of the items in the next section, which are specific to the evaluation criteria. (See next section for more detail.)
  - vi) Copy of current Error and Omissions Policy declaration page identifying current coverage and limits.
  - vii) Copy of your Michigan Property and Casualty License.

3) SUBMITTAL REQUIREMENTS SPECIFIC TO EVALUATION CRITERIA: Submit a complete response to each of the following items. List them in the order below:

**Experience and Qualifications** 

- a) .Experience and Qualifications:
  - (1) Describe how you meet or exceed the minimum qualifications in the Scope of Work in this document.
  - (2) Describe the experience (including years of experience) in providing similar services.
  - (3) Provide at least three (3) references for similar projects, including name of establishment, address, dates of service, contact name and telephone number.
  - (4) Describe the experience and qualifications of key personnel. Include detailed resumes and work locations.
  - (5) Describe how long your agency has been in the insurance business and its organization structure.
  - (6) Provide list of current Public Entity Accounts.
  - (7) In the Fiduciary Liability Insurance markets that you are directly contracted with identify those that currently write governmental/municipal risks.
  - (8) Will any of your markets guarantee a three (3) year rate program.
- 4) EXCEPTIONS: Respondent shall clearly identify any proposed deviations from the language contained herein. Each exception must be clearly defined and referenced to the proper paragraph in this RFP. The exception shall include, at a minimum, the Respondent's proposed substitute language and opinion as to why the suggested substitution will provide equivalent or better service and performance. If no exceptions are noted in the Respondent's Response, the Wayne County Employees Retirement System will assume complete conformance with this specification and the successful Respondent will be required to perform accordingly. Responses not meeting all requirements may be rejected. Responses taking exception to any language in the Form of Contract may be rejected as nonresponsive.
- 5) SHORTLISTING: The Wayne County Employees Retirement System may shortlist the Respondents based upon responses to the above items. If necessary, the County will conduct interviews/demonstrations. The County will notify each Respondent on the shortlist, if such presentation is required. These presentations will provide an opportunity for the Respondents to respond to questions posed by the evaluation committee and to clarify their Responses through exhibition and discussion. The Wayne County Employees Retirement System will not reimburse oral presentation costs of any Respondent.

## SECTION 4 – REQUIRED FORMS

#### FORMS INCLUDED IN THIS SOLICITATION DOCUMENT:

(1) Response Form

\*Download solicitations, addenda and forms at: www.wcers.org

#### RESPONSE FORM

Failure to complete this form shall result in your Response being deemed non-responsive and rejected without further evaluation.

#### TO: WAYNE COUNTY EMPLOYEES RETIREMENT SYSTEM:

The Undersigned hereby offers and agrees to furnish the goods and/or services in compliance with all terms, scope of work, conditions, specifications, and addenda in the Request for Qualifications.

#### ADDENDA:

The undersigned has read, understands and is fully cognizant of the Information to Respondents, Offer and
Form of Contract, all Exhibits thereto, together with any written addendum issued in connection with any of the
above. The undersigned hereby acknowledges receipt of the following addendum(s):,,
(write "none" if none). In addition, the undersigned has completely and appropriately filled out all
required forms.

#### **OBLIGATION:**

The undersigned, by submission of this Offer, hereby agrees to be obligated, if selected as the Contractor, to provide the stated goods and/or services to the Wayne County Employees Retirement System, for the term as stated herein, and to enter into a Contract with the Wayne County Employees Retirement System, in accordance with the Conditions, Scope and Terms, as well as the Form of Contract, together with any written addendum as specified above.

#### **COMPLIANCE:**

The undersigned hereby accepts all administrative requirements of the RFQ and will be in compliance with such requirements.

#### NONCOLLUSION:

The undersigned, by submission of this Response Form, hereby declares that this Response is made without collusion with any other business making any other Response, or which otherwise would make a Response.

#### **PERFORMANCE GUARANTEE:**

The undersigned further agrees that if awarded the Agreement, it will submit to the Wayne County Employees Retirement System any required performance guarantee (i.e. irrevocable letter of credit or cash deposit).

#### **SUBMITTAL REQUIREMENTS:**

The undersigned certifies it has attached a complete response to each of the submittal requirements listed in the Evaluation Criteria and Submittal Requirements section of this RFQ.

# No Response shall be accepted which has not been manually signed in ink in the appropriate space below:

I certify, under penalty of perjury, that I have the legal authorization to bind the firm hereunder:

For clarification of this offer, contact:
Name:
Title:
Phone:
Fax:
Email:
name) as(title)
, 201