

CITIZENS PROPERTY INSURANCE CORPORATION
2101 MARYLAND CIRCLE
TALLAHASSEE, FLORIDA 32303-1001



REFER ALL INQUIRIES TO
SUMMER REEVES, PROCUREMENT OFFICER
(850) 513-3738
CITIZENS.PURCHASING@CITIZENSFLA.COM

REQUEST FOR PROPOSALS NO: 21-0008
FOR
BUSINESS INSURANCE AGENT OF RECORD

POSTING DATE: March 30, 2021

PROPOSAL SUBMISSION DEADLINE: prior to 2:30 p.m. ET on May 3, 2021

I. WHAT IS THE OPPORTUNITY?

1.1. DESCRIPTION OF SERVICES REQUESTED: Citizens Property Insurance Corporation (**Citizens**) is seeking competitive sealed proposals (**Proposals**) from insurance brokerage firms (**Brokers**) capable of providing for the quotation, placement, and servicing of business insurance products for Citizens. Broker will also provide consultation relating to insurance requirements for Citizens' contractual service providers.

Citizens is seeking to award a contract to one (1) Broker who will procure various business coverages on behalf of Citizens throughout a multi-year contract term. This contract will include a three (3) year base term and an optional two (2) year renewal term that may be exercised at Citizens' sole discretion.

This RFP is a change in approach from the four (4) corporate insurance solicitations issued by Citizens in 2020. Those competitive solicitations were specific to certain business insurance coverages, and the contracts were awarded for a one (1) year term.

Business Insurance Coverages. Citizens currently purchases the insurance coverages listed below. Citizens' current policies will expire on October 1, 2021 and December 31, 2021. Citizens current policies are listed in Exhibit 1.

Modifications may occur due to changes in business needs or insurance product markets.

1. Workers Compensation and Employer's Liability Insurance
2. Commercial General Liability
3. Commercial Property
4. Commercial Auto
5. Financial Institution Bond/Crime
6. Umbrella Liability (GL, Auto, Employer's Liability) Insurance
7. Directors & Officer's and Fiduciary Liability Insurance
8. Employment Practices Liability Insurance; and
9. Cyber Liability Insurance

Minimum Requirements. Broker must meet the following minimum requirements in order to submit a Proposal under this RFP: (i) Broker must have been in business at least five (5) years providing business insurance services substantially similar to those sought under this RFP; (ii) Broker must provide the services through an on-staff account representative that is a Florida licensed general lines agent (**Account Representative**); (iii) the Account Representative must have at least five (5) years of

experience serving as agent of record on business insurance policies; and (iv) for workers compensation, the Account Representative must have served as agent of record on at least three (3) workers compensation policies in Florida covering two hundred (200) or more employees each.

Broker Services. The following Services are expected to be delivered by Brokers responding to this RFP. Any exceptions should be clearly identified in Broker's Proposal.

- 1.1.1 Business Insurance Consultation. Broker shall make sound recommendations to Citizens with respect to coverages, policy limits, and other insurance options relating to the procurement of insurance coverage. Broker shall promptly notify Citizens of any pertinent developments in the insurance industry or markets.

As requested by Citizens, Broker shall meet with Citizens' Contract Manager to review Citizens' insurance portfolio, discuss one (1) or more existing policies, or recommend additional coverage opportunities or changes to coverage. As requested by Citizens, Broker shall be available to discuss and present insurance coverage recommendations at Citizens' Board of Governors meetings.

- 1.1.2 Market Access. As requested by Citizens, Broker shall represent Citizens in accessing the market for commercial business insurance coverages. Broker shall provide this representation through on-staff insurance agents appointed and authorized to produce each proposed insurer policy.

Upon execution of the Contract, Broker shall meet with Citizens to discuss Citizens' existing coverages and to consider any potential new coverages. Prior to the inception and expiration of each coverage throughout the term of the Contract, Broker shall meet with Citizens' Contract Manager to develop a strategy and a schedule for completion of all steps necessary to timely secure new or continued coverage. The timeframe for quoting and selecting coverages must provide sufficient time for advanced approval of the purchase by Citizens' Board of Governors, to the extent such approval is needed.

Broker shall obtain quotes from multiple insurers prior to the time of any renewal and, also upon request of Citizens. Broker shall ensure that all quotations and proposals are submitted and received in a timely manner. Broker shall timely provide received quotations to Citizens' Contract Manager. Broker shall perform the market quotation submission within thirty (30) calendar days of Citizens request, or for existing policies, by no later than sixty (60) calendar days prior to coverage renewal or termination, or as otherwise agreed to by the Parties in writing.

Broker shall prepare a comparative analysis of all quotations and proposals submitted by insurers, to include analysis of both coverage and price. Broker shall present the comparative analysis, together with copies of pertinent quotations and proposals, to Citizens' Contract Manager no later than forty-five (45) calendar days prior to the date of renewal, termination, or agreed upon placement, or as otherwise agreed to by the parties in writing.

Subsequent to Citizens' direction to place coverage, and prior to the policy renewal or inception date, Broker shall provide the appropriate insurance binder to Citizens' Contract Manager. Upon receipt of the insurance policy from the insurer, Broker shall analyze it and confirm compliance with the coverage proposed to and accepted by Citizens. Broker shall then forward a complete copy of the policy to Citizens.

If the Account Representative is not appointed to produce the selected policy, then the appointed on-staff insurance agent shall serve as the agent of record for the policy; provided, however, that the Account Representative shall remain Citizens' primary contact for Services related to that policy except as otherwise agreed to by Citizens' Contract Manager in writing.

- 1.1.3 Policy Administration. For all policies that Broker serves as agent of record, Broker shall assist with all billing, invoicing, policy endorsements, and claims filing. Within three (3) business days of Citizens' request, Broker shall provide Citizens with a written schedule detailing all of Citizens' policies in force, the corresponding coverage amounts, deductibles, premiums paid,

and claims incurred. Within three (3) business days of Citizens' request, Broker shall provide a detailed report of all losses incurred by Citizens by policy type.

Broker shall assist with initiating and filing a claim with all appropriate insurers promptly after such loss is reported to Broker by Citizens. Broker shall use its best efforts to assist Citizens' Contract Manager to fully investigate the claim and to develop documentation of the cost impact of the claim. As requested by Citizens' Contract Manager, Broker shall continue to assist in the presentation to, investigation by, and settlement of the claim with any insurers.

- 1.1.4. **Contractor Coverage Consultation.** As requested by Citizens, and for an hourly fee as identified in Section 7.2 of Attachment D, Broker shall advise Citizens regarding suitable insurance coverages for Citizens' various service providers (**Contractor Coverage Consultation**). This may include reviewing whether a contractor's coverages comply with the minimum insurance requirements set forth in their contract with Citizens. Citizens anticipates approximately fifty (50) hours of Contractor Coverage Consultation services per year, however, there is no guarantee of how many hours of these services may be requested each year.

Except with respect to Contractor Coverage Consultation Services, per Attachment D, Broker agrees that any fees and costs associated with the Services will be paid to Broker by the selected insurance carriers.

- 1.2 CITIZENS BACKGROUND:** Citizens is a not-for-profit government entity established in 2002 by the Florida Legislature to provide property insurance to those in Florida who are unable to purchase coverage in the private market. Citizens is governed by 627.351(6), Florida Statutes and operates pursuant to a Plan of Operation that is approved by the Financial Services Commission of the State of Florida. Citizens' operations are supervised by a Board of Governors who are appointed by the Governor, CFO, President of the Senate and Speaker of the House. Citizens' primary offices are in Jacksonville and Tallahassee, Florida. More information about Citizens can be found at www.citizensfla.com.

- 1.3 CALENDAR OF EVENTS:** Listed below are important events, dates and times relevant to this RFP. These events and dates are subject to change at Citizens' sole discretion. It is each Broker's responsibility to comply with these timeframes and to monitor Citizens' website for any changes.

CALENDAR OF EVENTS		
EVENT	DUE DATE AND TIME	APPLICABLE INFORMATION AND LOCATION
RFP Released	March 30, 2021	Posted to Citizens website at: https://www.citizensfla.com/solicitations
Pre-Bid Conference	April 5, 2021 11:00 AM ET	Telephone number: (904) 490-0703 Access Code: 588747597# <i>Broker attendance at this meeting is not mandatory.</i> Posted to Citizens website at: https://www.citizensfla.com/solicitations
Questions Due	Must be received PRIOR TO: April 8, 2021 2:00 PM ET	Submit via email: citizens.purchasing@citizensfla.com
Answers Posted	April 15, 2021 (Anticipated Date)	Posted to Citizens website at: https://www.citizensfla.com/solicitations

Proposals Due	Must be received PRIOR TO: May 3, 2021 2:30 PM ET	See Section II. How Do I Respond below
Evaluation Committee Public Meeting to rank Proposals and Announce Intent to Award a Contract	June 8, 2021 2:00 PM ET	<u>Public Meeting (telephonic)</u> Telephone number: (904) 490-0703 Access Code: 588747597# <i>Broker attendance at this meeting is not mandatory.</i> Posted to Citizens website at: https://www.citizensfla.com/solicitations

Any person requiring an accommodation because of a disability should contact the Procurement Officer at least five business days prior to the public meeting. A person who is hearing or speech impaired can use the Florida Relay Service at (800)955-8771 (TDD operator).

II. HOW DO I RESPOND?

- 2.1 PROPOSAL SUBMISSION:** Proposals should be received no later than the due date and time listed in the Calendar of Events. Failure to submit in a timely manner may result in a Proposal being deemed non-responsive. Proposals shall be submitted via email.

Submit Proposals via email addressed to citizens.purchasing@citizensfla.com with the subject line RFP No. **21-0008, Business Insurance Agent of Record**. Brokers should receive an acknowledgement message within one business day of submitting their Proposal via email. Brokers who do not receive such acknowledgement should immediately contact the Procurement Officer to confirm whether their Proposal has been received. Citizens is not obligated to extend the Proposal due date/time to allow for email transmission delays/errors.

Citizens is unable to receive a Proposal via email if the material is provided using compressed (e.g., .zip) or encrypted files, or if the total size of the email and attachments is ten (10) megabytes (MB) or greater. Brokers may divide their Proposal submission into multiple emails, as needed to meet the file size requirements.

- 2.2 PROPOSAL CONTENTS:** To be eligible for award, Brokers are to submit the following (collectively, the Proposal):

1. Attachment A, Vendor Certification Form. This document will provide basic information about the Broker and provide certain assurances necessary to qualify the Broker for a potential award of contract. This document will be used in determining the responsibility of the Broker.
2. Attachment B, Vendor Questionnaire. This document will provide specific information about the Broker's proposed services and will be used as a basis for evaluation and potential contract award.
3. Attachment C, Pricing Information. This document will provide specific information about the Broker's proposed pricing and will be used as a basis for evaluation and potential contract award.

Brokers may also submit a short cover letter. Brokers should not include any other material with a Proposal unless those materials are specifically referenced in one of the above Attachments. Citizens is not obligated to review or accept any extraneous materials.

III. WHAT ARE THE RULES?

- 3.1 QUESTIONS:** Brokers may submit questions, requests for clarification, or requests for changes regarding the RFP via email. Questions must be received by the Procurement Officer by the date and time indicated in the Calendar of Events. Brokers are encouraged to reference the specific section or attachment to which the question pertains. Questions submitted will not constitute a protest to the RFP or serve as a notice of intent to protest. Answers will constitute an amendment to the RFP only to the extent a substantive change is made.
- 3.2 NO CONTACT OR LOBBYING:** Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents.
- Violation of this provision may be grounds for rejecting a Proposal. The foregoing prohibition against contact includes contacting any Citizens employee (other than the Procurement Officer), members of the Citizens Board of Governors, or any third party acting on Citizens' behalf with regard to the solicitation.
- 3.3 CHANGES TO RFP:** If any changes are made to this RFP, such changes will be formally noted through an amendment or addendum on Citizens' website, which is located at <https://www.citizensfla.com/solicitations>. It is each Broker's obligation to monitor Citizens' website to review amendments or addendums.
- 3.4 PUBLIC RECORDS:** By participating in this RFP process and submitting a Proposal, Broker acknowledges the requirements of the Florida Public Record laws found in Chapter 119, Florida Statutes and s. 24(a), Art. I of the Florida Constitution (Public Record Laws). All Proposals and written communications regarding this RFP become public records upon receipt by Citizens and therefore are subject to public disclosure. *[Note: Proposals are temporarily exempt from disclosure during the RFP process as provided in Section 119.071(1)(b), Florida Statutes.]*

If Broker asserts that any portion of its Proposal or written communication is confidential or exempt from disclosure under the Public Record Laws (Protected Record), then Broker **MUST** comply with the following process:

- A. Clearly identify each portion of its Protected Records that it believes is statutorily protected from disclosure;
- B. Submit a separate copy, via email, of the Proposal or written communication with only protected portions redacted; and
- C. Submit a separate redaction log that provides a legal justification (e.g., Trade Secret Protection) for each redaction.

If Broker does not identify its Protected Records as specified herein, Citizens may produce Broker's non-redacted copy in response to a public records request.

If Broker has submitted a separate electronic copy of the Proposal or written communication with only protected portions redacted as specified herein, Citizens will produce the redacted copy provided by Broker in response to the public record request. In the event a third party is requesting a copy of the redacted portion of Broker's Proposal and Broker continues to assert in good faith that redacted portions are confidential or exempt from disclosure under the Public Records Laws, then Broker shall be solely responsible for defending its position or seeking a judicial declaration. Notwithstanding the provisions of this section, in accordance with Federal or State law, Citizens will comply with any court order or government agency mandate to produce a Protected Record.

- 3.5 EVALUATION PROCESS:** Proposals will be provided to the evaluation committee members for individual review using the allocation of points indicated below. Prior to or concurrent with evaluation committee member review, Citizens will review all Proposals to determine whether the minimum qualifications and other requirements are met. Proposals that do not comply will be disqualified from consideration. At any time before awarding a contract, Citizens reserves the right to seek clarifications deemed necessary for proper evaluation of Proposals.

ATTACHMENT	EVALUATION CRITERIA		MAXIMUM POINTS
B	Vendor Questionnaire	Company Overview & Prior Relevant Experience	30
		Proposed Services	35
		Broker Personnel Qualifications	25
C	Pricing		10
Total Points:			100

Pricing Score. Any Broker who proposes a Total Weighted Price of \$0 in Attachment C will be awarded a Pricing Score of 10 points.

All other proposed Total Weighted Prices will be evaluated as follows: the lowest proposed Total Weighted Price will be awarded 3 points and henceforth be known as Lowest Non-zero Cost (LNC). Responses of other Brokers will be scored using the following methodology: LNC divided by the Non-zero Response Cost (NRC) being considered times maximum points score of 3 will equal the points awarded.

$$\text{Formula: (LNC / NRC) x 3 = Score}$$

Evaluation Committee and Notice of Agency Decision. The average scores of the evaluation committee will be combined with the Pricing score to determine the initial ranking of Brokers. Evaluators may change their initial scores based on their discussions with other evaluation committee members and any subject matter experts. A contract may be awarded to the responsive and responsible Broker(s) whose Proposal receives the highest average score. Citizens does not anticipate awarding to more than one Broker under this RFP, but Citizens may award to two Brokers as determined appropriate to meet Citizens' needs for the business coverages specified in Section 1.1. A Notice of Intended Award/ranking of Brokers will be posted on Citizens website.

- 3.6 VENDOR RESPONSIBILITY REVIEW:** In accordance with Section 287.057, Florida Statutes, a contract pursuant to this RFP can only be awarded to a "responsible vendor." A responsible vendor means "a vendor who has the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance." Section 287.012(25), Florida Statutes. Citizens may determine Broker responsibility either before or after a Proposal is evaluated, provided that a final determination will be made before Citizens enters into a contract with an awarded Broker.

Citizens will determine Broker responsibility based on (a) information provided in Broker's Proposal; (b) information obtained from independent research including information obtains from third parties or the internet; and (c) any clarifications or supplemental material provided by Broker at Citizens' request. To

this end, Citizens may request Broker to provide recent financial information, disclose potential conflicts of interests, and disclose any history of legal actions (including license suspensions, criminal records, administrative complaints, etc.).

- 3.7 EXECUTION OF CONTRACT:** Brokers receiving an award under this RFP will be required to sign a final Contract that includes terms and conditions substantially as set forth within **Attachment D, Draft Contract**. Citizens' expectation is that the terms and conditions within Attachment D will be closely adhered to. After receiving an award, Broker may propose limited changes to the Draft Contract as needed to conform the Draft Contract to industry standards and practices, specific attributes of Broker, or any specific attributes of a Proposal. Over the term of the contract, Citizens may amend for logical follow-on work within the general scope.

Broker shall have no vested right to do business with or receive payment from Citizens until a Contract is signed by all parties. Brokers will be required to maintain a current authorization to do business within the State of Florida, which will be verified on an annual basis through the [Department of State, Division of Corporations](#).

- 3.8 PROTESTS:** There are two conditions under which this RFP may be challenged:

- A. There may be a protest of the terms, conditions, and specifications contained in the RFP, including any provisions governing the methods for ranking bids, proposals, replies, awarding contracts, reserving rights for further awards, or modifying or amending any contract. **A notice of intent to protest, made pursuant to this condition, must be filed in writing with Citizens' Clerk within 72 hours after Citizens posts notice of the applicable RFP term, condition or specification (excluding Saturdays, Sundays and state holidays);** or
- B. A person adversely affected by Citizens' decision or intended decision to award a contract pursuant to Sections 287.057(1) or (3)(c), Florida Statutes, may challenge the decision. **A notice of intent to protest, made pursuant to this condition, must be filed in writing with Citizens' Clerk within 72 hours after Citizens posts notice of its decision or intended decision (excluding Saturdays, Sundays and state holidays).**

Questions to the Procurement Officer do not constitute formal notice of protest.

After the timely filing of a written notice of intent to protest, the protestor must then file a formal written protest. **The formal written protest must be filed within 10 calendar days after the date the notice of protest is filed.** The formal written protest must state with particularity the facts and law upon which the protest is based and comply with Citizens' Board of Governors Procedure: Procurement Protests (Section 4-5.00). Any protest concerning this RFP shall be governed by Section 627.351(6)(e), Florida Statutes, and Citizens' Board of Governors Procedure: Procurement Protests, located at: <https://www.citizensfla.com/documents/20702/42664/Procurement+Protest+Procedure/816d9bfb-e636-40ec-a9f5-34873d053bf7>.

Failure to timely file an intent to protest or timely file a formal written protest, within the time prescribed pursuant to 627.351(6)(e), F.S., constitutes a waiver of proceedings.

The address of Citizens' Clerk for the filing of the notice of intent to protest or the formal written protest is:
Citizens Property Insurance Corporation
Attn: Althea Gaines, Clerk
2101 Maryland Circle
Tallahassee, FL 32303
Email: Agency.Clerk@citizensfla.com

- 3.9 COSTS OF PREPARING PROPOSALS AND FUTURE USE:** Citizens is not liable for any costs incurred by Broker in responding to this RFP, including costs for materials, meetings and/or travel. Other than Broker's intellectual property, all Proposals become the property of Citizens. To the extent allowed by law, Citizens shall have the right to use all ideas, or adaptations of those ideas, contained in any Proposal. Acceptance or rejection of the Proposals will not affect this right.
- 3.10 WITHDRAWAL OF A PROPOSAL:** All Proposals submitted by Brokers will remain firm and may not be withdrawn for a period of one hundred eighty (180) calendar days from the date submitted. Any Proposal that expresses a shorter duration may, in the Procurement Officer's sole discretion, be accepted or rejected. Notwithstanding the above, a Proposal may be withdrawn from consideration by written request of Broker to the Procurement Officer before the Proposal Due Date.
- 3.11 MINOR IRREGULARITIES:** Citizens reserves the right to waive any minor irregularity concerning a Proposal if Citizens determines that doing so will serve Citizens' best interests. This includes the right to allow a Broker, after the Proposal Due Date, to submit documents that were inadvertently omitted from a Proposal or that contained incomplete information if that will not provide Broker with a competitive advantage. Citizens is under no obligation to waive a minor irregularity and may reject any Proposal not submitted in the manner specified by this RFP.
- 3.12 NO MISREPRESENTATIONS:** All information provided, and representations made by Broker relating to this RFP or contained in Broker's Proposal are material and important and will be relied upon by Citizens in awarding the contract. Any intentional or negligent misstatement may be treated as a fraudulent inducement to award Broker the contract.
- 3.13 SUBSEQUENT NEGOTIATIONS AND AWARDS:** If a Contract cannot be reached with the intended awardee, or if a Contract is terminated by Citizens or terminated without cause by a Broker, Citizens reserves the right to enter a substitute contract with the next-ranked eligible Broker under this RFP. If Citizens fails to contract with the next-ranked eligible Broker it may continue in this manner sequentially through all eligible Brokers until a Broker willing to perform at acceptable pricing, terms and conditions is found.

END OF DOCUMENT