

## NEW YORK LIQUIDATION BUREAU

### **REQUEST FOR PROPOSAL – Integrated System for Time Keeping and Allocation, Payroll, and Human Resource Management March 31, 2008**

---

#### **I. BACKGROUND**

The New York Liquidation Bureau (the “Bureau”) is seeking a consultant or software vendor to propose and implement an integrated solution for its current timekeeping, payroll and salary allocation systems.

The Bureau carries out the responsibilities of the Superintendent of Insurance in his capacity as liquidator, rehabilitator, conservator or ancillary receiver of all entities under his receivership pursuant to Articles 74, 75, 76 and 77 of the New York Insurance Law and Article 6A of the Workers’ Compensation Law (the “Receiver”). The Bureau acts on the Receiver’s behalf in discharging his duties to protect policyholders and creditors of insurance companies that have been placed into his receivership (“Estates”). The Bureau’s objective is to maximize the assets and resolve the liabilities of such companies in an effort to return rehabilitated companies to the marketplace or to distribute the assets of liquidating companies to creditors. The current listing of Estates under the Receiver’s receivership may be found at <http://www.nylb.org/Estates.htm>. It is likely that new companies and/or Estates will be added to the Bureau portfolio. The Bureau is also responsible for certain claims-handling functions with respect to claims which meet the criteria for coverage under the Property/Casualty Insurance Security Fund, Public Motor Vehicle Liability Security Fund and Workers’ Compensation Security Fund (collectively, the “New York Security Funds”).

The Bureau invites all qualified consultants (each a Proponent”) to draft and submit to the Bureau (at the Proponent’s expense) proposals (each a “Proposal”) in accordance with the requirements outlined in this Request for Proposal (“RFP”). The selected consultant (the “Awardee”) will be performing services solely on behalf of the Superintendent as Receiver, not in his capacity as Regulator.

#### **II. DESCRIPTION OF SERVICES**

The Bureau requests the services of a consultant to deliver and implement a fully integrated system to perform automated timekeeping, time allocation, payroll and human resource management functions for the Bureau’s approximately 320 employees (“System”). The key objectives in implementing the System are:

- 1) Maximizing efficiency, accuracy, effectiveness, and minimizing cost of HR and payroll services;
- 2) Providing managers with computerized access to timekeeping, human resources and payroll data and the capability to generate fully customizable management reports;
- 3) Providing employees with computerized access to relevant information, including timekeeping, payroll and/or human resources information; and

## NEW YORK LIQUIDATION BUREAU

### **REQUEST FOR PROPOSAL – Integrated System for Time Keeping and Allocation, Payroll, and Human Resource Management March 31, 2008**

---

- 4) Providing a flexible System that is widely compatible and can easily integrate with current accounting systems to ensure the widest possible use of information captured by or stored within the System.

The System is expected to collect timekeeping data, including without limitation hours worked, non-working hours and overtime, and track employee's leave usage and enforcement of paid and unpaid leave policies. The Bureau requires that the Proponent's System have a flexible interface to the payroll system and to the Bureau's Financial General Ledger system (JD Edwards World) based on employee time charged to various business entities under the Bureau's management. The Bureau's management shall be able to, with the Proponent's System, generate and customize reports on collected and stored data. The Proponent's System should have the capability to allocate and/or record time by matter or project and should incorporate descriptive fields for a narrative of tasks performed.

The Bureau requires that the System provide all services described in this RFP as a fully integrated solution and will not consider proposals suggesting a combination of various modules that individually address the requirements described in this RFP.

### **III. RULES AND INSTRUCTIONS**

In order to facilitate a fair evaluation of all Proposals, the Bureau requires that all Proposals maintain a uniform format. Accordingly, all Proposals must strictly adhere to the requirements outlined in this RFP. The Bureau may, in its sole discretion, modify, rescind or provide an addendum to this RFP, require Proponents to revise their Proposals or supply additional information in response, and/or invite any Proponent to appear for an interview.

All compliant Proposals will be reviewed by a committee that will, under the supervision of the Bureau's Chief Compliance Officer, consider the Proponents based exclusively on the Proposals submitted and any subsequent interviews with Proponents and/or additional information submitted by Proponents at the request of the Bureau. The Bureau, in its sole discretion, will make its selections from all compliant RFPs submitted.

Proposals must specifically supply all items of information requested in Section IV below in the exact format set forth in Section IV. Material deviations from the required format will likely result in disqualification of the Proposal. If any item in Section IV does not apply to Proponent, Proponent must specifically indicate that the item is not applicable. Proponents may not satisfy an item of requested information by submitting or referring to a brochure, promotional or descriptive literature, or any other document, unless the request expressly permits such submission or reference.

Proposals must be formatted in 12-point or larger font. Each Proponent shall submit one original and four copies of their Proposal. Each Proposal must be signed and dated by the Proponent. In

## NEW YORK LIQUIDATION BUREAU

### **REQUEST FOR PROPOSAL – Integrated System for Time Keeping and Allocation, Payroll, and Human Resource Management March 31, 2008**

---

submitting a signed Proposal, Proponent certifies that the information in the Proposal is materially complete, truthful and accurate. Each Proponent shall be bound by the information contained in its Proposal, including fees quoted for services. Proposals may be withdrawn from consideration at any time by written submission to Chief Compliance Officer John Pearson Kelly at the address listed below.

Proposals must be sent via mail, overnight courier or hand delivery to:

New York Liquidation Bureau  
123 William Street  
New York, New York 10038-3889  
Attn: John Pearson Kelly, Esq.  
Chief Compliance Officer  
RFP: HR and Payroll Services

**Proposals must be received no later than 5:00 p.m., EST, on April 11, 2008**, unless such deadline is extended in writing by, and at the sole discretion of, the Bureau. Late Proposals will be disqualified from consideration.

**Proponents may submit written questions no later than 5:00 p.m., EST, on April 4, 2008**, via e-mail to [jpkelly@nylb.org](mailto:jpkelly@nylb.org) or via mail to John P. Kelly, Chief Compliance Officer at the address listed above.

Proposals will be held under seal and will be opened at a closed meeting under the supervision of the Chief Compliance Officer.

Except as provided in this RFP and as otherwise necessary for conducting business operations previously established with the Bureau, Proponents may not communicate with Bureau personnel who are involved in the review, evaluation or selection of Proponents. Proponents may not directly or through an intermediary attempt to influence the process of evaluation and selection, except through the submission of a Proposal and any subsequent interview. The Bureau will disqualify Proponents who engage in prohibited communications of a material nature, as determined by the Bureau.

#### **IV. PROPOSAL**

Proposals shall set forth the following information:

##### **A. Name of Proponent and Contact Information.**

1. State the name of Proponent.

## NEW YORK LIQUIDATION BUREAU

### **REQUEST FOR PROPOSAL – Integrated System for Time Keeping and Allocation, Payroll, and Human Resource Management March 31, 2008**

---

2. State the address of the Proponent's corporate headquarters and of the primary office which will be engaged in the service ("Engagement Office").
3. List all other office addresses.
4. State the Proponent's general telephone and fax number.
5. State Proponent's tax identification number and certificate of authority to do business in the State of New York.
6. Provide a general overview and history of Proponent, including the number of years in business and total number of employees.
7. List a primary contact person, including such person's specific contact information.
8. List an alternate contact person, including such person's specific contact information.

#### **B. Proponent's Expertise.**

1. Describe the Proponent's organizational form (*e.g.*, partnership, professional corporation, etc.).
2. Indicate the number of people, broken out by organizational level, located within the Engagement Office that will execute implementation of the service.
3. Describe the structure and functions of key staffing positions that will have responsibility for implementation of the proposed services.
4. Describe the Proponent's experience in providing and maintaining systems similar to the System sought for human resource, payroll and time management services.
5. Provide a list of the Engagement Office's current and prior government and insurance industry projects, indicating the client names, the type(s) of services performed, and the scope of each project. For each current or prior governmental client, provide the name and telephone number of a contact person.
6. Describe the Proponent's quality assurance plan, and describe what indicators the Proponent will use to determine the effectiveness of each of the services that will be provided through this RFP.
7. Indicate whether the Bureau will have an assigned account representative for this purpose, and if so, what the specifics of that role will be.
8. Describe the key features of the Proponent's solution and its benefits to the Bureau functions, including but not limited to human resources management, employee benefits administration, employee time and attendance, employee time allocation (allocating time to various business entities under the Bureau's management), and payroll.
9. Describe how the Proponent's System will collect timekeeping data, including hours worked, non-working hours and overtime, and how that data would interface with the Bureau's payroll system.
10. Describe how the Proponent's System will handle absence management and how it would benefit the Bureau in tracking leave usage and enforcement of paid and unpaid leave policies, including paid vacation, holidays, personal leave, unpaid FMLA leave, etc.

## NEW YORK LIQUIDATION BUREAU

### **REQUEST FOR PROPOSAL – Integrated System for Time Keeping and Allocation, Payroll, and Human Resource Management March 31, 2008**

---

11. Describe how the Proponent will provide a flexible interface to the Bureau's Financial General Ledger system (JD Edwards World) based on employee time charged to various business entities under the Bureau's management.
12. Describe how the Proponent's System will provide the capability to allocate and/or record time by matter or project, and if the systems incorporate or can accommodate descriptive fields where descriptions for the various business entity serviced, project or matter worked on, and/or narrative of tasks performed may be entered.
13. Describe the Proponent's System's capability to generate and customize reports for management.
14. Provide a complete inventory of the System's hardware platform(s) and software application(s), including any hardware platform(s) or software application(s) necessary to implement, maintain and/or support the System.
15. Describe which file exports and online data transfer/links Proponent's System will support.
16. Describe how the System will transfer and/or store current and historic data.
17. Provide a formal transition plan that includes a general list of the tasks to be performed and a timeline required for data transfer and training.
18. Describe the best practices and standards the Proponent will follow and/or implement in information management.
19. Describe how the Proponent's System will provide for data security and integrity as well as confidentiality of any data stored.
20. Describe how the Proponent will ensure that the System will receive the full benefits of upgrades and advances in technology, at no additional cost, within the lifetime of the contract agreement.
21. Set forth any other facts relevant to establishing Proponent's expertise in the selected area(s) of expertise.

#### **C. Proponent History and Licensing.**

1. State Proponent's number of years in business.
2. State all names used by Proponent within the past 10 years.
3. State all prior primary addresses of Proponent within the past 10 years.
4. For all Proponents who have worked on one or more Bureau matters in the last 10 years, set forth a description of each such Bureau matter, including the consultant(s) primarily responsible for the matter, the key issues and difficulties confronted, and the resolution of the matter.
5. For every judgment entered against Proponent and/or any of its consultants as a result of a claim against Proponent and/or any of its consultants for professional malpractice, negligence or other malfeasance, set forth the date, all monetary relief granted, all injunctive relief granted, and the amount of the monetary judgment that currently remains unsatisfied, if any.

## NEW YORK LIQUIDATION BUREAU

### REQUEST FOR PROPOSAL – Integrated System for Time Keeping and Allocation, Payroll, and Human Resource Management March 31, 2008

---

6. Set forth the number of settlements within the last 10 years resulting in a payment of greater than \$10,000 in connection with any claims for professional malpractice, negligence or other malfeasance brought against Proponent or any of its consultants.
7. If Proponent or any of its consultants has been convicted of any crime (felony or misdemeanor), set forth the relevant facts relating thereto.
8. If Proponent or any of its consultants has been the subject of any investigation by any governmental authority within the last five years, provide a brief description of the circumstances of each investigation, including the name of the investigating authority, the nature of the investigation, the date on which the investigation was commenced, and the status or disposition of the investigation.
9. Provide a brief statement regarding all sanctions, suspensions, and disciplinary actions imposed upon Proponent or any of its consultants by any professional or regulatory body in any state within the last 10 years.

#### **D. Potential Conflicts of Interest.**

Identify any potential conflicts of interest (in fact or appearance) with the Bureau, including but not limited to:

1. Insurance Company Affiliations.
  - a. Where Proponent currently provides consultancy services to an insurance company and/or its insured(s), provide a list of all such insurance companies.
  - b. For any consultant of Proponent currently possessing a greater than five percent ownership interest in any insurance company, set forth the name of the consultant and the name of the insurance company.
2. Provide a list of all insurance regulators, insurance receivers, guaranty associations, guaranty funds, security funds or insurance industry organizations with which the Proponent currently has a business or other relationship.
3. List all of Proponent's employees who are related by blood or marriage to and/or are living in the same household as any Bureau employee(s).
4. List all of Proponent's current employees who were previously employed by Bureau.
5. List all Bureau current employees who were previously employed by Proponent.

#### **E. Miscellaneous Information.**

1. For informational purposes only, set forth Proponent's fee schedules for governmental entities, not-for-profit companies and private industry.
2. Describe liability insurance coverage arrangements showing that the firm is adequately insured to cover claims.
3. Set forth facts sufficient to demonstrate that Proponent is an equal opportunity employer and complies with all relevant federal, state and municipal equal employment opportunity and non-discrimination laws, regulations and executive

## NEW YORK LIQUIDATION BUREAU

### **REQUEST FOR PROPOSAL – Integrated System for Time Keeping and Allocation, Payroll, and Human Resource Management March 31, 2008**

---

- orders. Proponent may attach hard copies of any equal employment opportunity policy statements or other relevant official firm documents.
4. Set forth whether Proponent has any unsatisfied judgments against it or has ever been the subject of a bankruptcy or receivership action or proceeding.
  5. Provide any additional pertinent information not already provided in response to the above.

#### **V. ADDITIONAL TERMS AND INFORMATION**

The information contained herein shall be used for the sole purpose of responding to this RFP. The Bureau will not, and is not under any obligation to, pay the costs, in whole or in part, incurred during the preparation of a Proposal and during the selection process.

The Bureau, in its sole discretion, reserves the right to accept or reject any or all Proposals, to utilize any or all ideas expressed within the Proposals, and/or to adopt any or all parts of the Proposals submitted. All Proposals shall, upon receipt by the Bureau, become the property of the Bureau.

The Bureau may in its sole discretion: (a) request additional information or clarification from any Proponent; and/or (b) invite any Proponent to appear for an interview.

The Bureau may, in its sole discretion, rescind, modify or provide an addendum to this RFP and, in connection therewith, allow Proponents to revise their responses or supply additional information.

This RFP does not commit the Bureau to select a Proponent or enter into a contract with a Proponent.

Upon completion of the selection process, the Bureau will notify in writing all Proponents that have been selected. The Bureau will endeavor to notify all Proponents that have not been selected.

#### **VI. TIME SCHEDULE**

Distribution of RFP: Monday, March 31, 2008

Sealed proposals due: Friday, April 11, 2008