

REQUEST FOR PROPOSAL

For the Provision of Legal Fee and Expense Auditing Software

NEW YORK LIQUIDATION BUREAU

BACKGROUND INFORMATION

The New York Liquidation Bureau (the “Bureau”) carries out the responsibilities of the New York State Superintendent of Insurance as Receiver, administering the affairs of impaired or insolvent insurance companies that are in court-ordered receivership. The Bureau currently manages the affairs of 69 estates.

The Bureau seeks the services of a software vendor and consultant (the “Proponent”) to provide a customized legal bill auditing software program and supporting services as more fully described in Section II below. The Bureau invites the submission of proposals (the “Proposal” or “Proposals”) at the Proponent’s expense in accordance with the rules set forth in Section III below. The selected Proponent (the “Awardee”) will perform services solely on behalf of the Superintendent as Receiver.

II. DESCRIPTION OF SERVICES

The Bureau seeks to purchase an SQL/web-based software application for the electronic receipt and review of legal fee and expense invoices from its outside law firms. The software application should:

- be collaborative in nature and allow the transfer of information between the Bureau and its law firms;
- integrate with existing claims and accounting systems written in Visual Basic v6 and backend MS SQL 2000/2005;
- be based on MS SQL 2000/2005/2008;
- utilize the industry-standard transmission format – LEDES;
- allow the receipt of paperless invoices in an electronic format;
- provide varying levels of legal bill review tailored to the needs of specific cases;

- use encryption to protect confidential information transmitted between law firms and the bureau;
- facilitate advanced invoice review against pre-established litigation guidelines and permissible billing practices which will allow the Bureau to make decisions either on a specific invoice or all invoices submitted in a particular matter;
- allow the review of law firm invoices on an "ongoing" basis as the matter proceeds;
- notify the firm when invoices have been approved, utilizing systems located at the Bureau;
- provide sufficient flexibility to permit the routing of invoices to appropriate claims or litigation managers using Bureau-specified criteria;
- allow for budget set-up and review of paid invoice against the established budget;
- include messaging and e-mail capabilities for communication with law firms, utilizing systems located at the Bureau;
- support multilevel approval capability;
- be capable of certain standard reports, including Expense Management, Productivity Management and Compliance Management, which will allow prompt review and correction of law firm practices;
- permit amended, improved and new reporting as required by the Bureau;
- provide a fully functional and easy-to-use query capability that allows for "drill down" of information in standard reports and the creation of unique, detailed queries as required by the Bureau;
- provide training in the use of the application;
- include a complete knowledge transfer, including all developed source code to be provided to the Bureau's ITS Division for continued support and management.

The requested scope of services does NOT include any activities relative to the actual review of legal fee invoices or the implementation of the software within the Bureau's operations. The Bureau reserves the right to automatically reject any Proposals that offer services beyond the scope of its request.

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 Proponents based on the Proposals submitted and any subsequent interviews with Proponents and/or additional information submitted by Proponents at the request of the Bureau.

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 may 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 its Proposal. Each Proposal must be signed and dated by the Proponent. In submitting a signed Proposal, Proponent certifies that the information in the Proposal is materially complete, truthful and accurate.

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 overnight courier or hand delivery to:

New York Liquidation Bureau
123 William Street
New York, New York 10038-3889
Attn: John Pearson Kelly
Chief Compliance Officer
RFP: Legal Fee and Expense Auditing Software

Proposals must be received no later than 5:00 p.m., EST, on April 17, 2009, 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 15, 2009, via e-mail to jpkelly@nylb.org.

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. The Bureau will disqualify Proponents who engage in prohibited communications of a material nature, as determined by the Bureau.

IV. CONTENTS OF PROPOSAL

In addition to a description of the requested software, Proposals shall set forth the following information:

A. GENERAL INFORMATION

1. Name of Proponent, addresses of Proponent's headquarters and offices, location of office or offices that will provide Services to the Bureau, and names of Proponent's primary and alternate contact persons and their contact information. Please provide the Proponent's website address, if applicable.
2. Proponent's tax identification number.
3. The names of Proponent's parent companies, subsidiaries and affiliates.
4. A general overview and history of Proponent, including without limitation the number of years in business, and total number of employees.

B. REPUTATION AND INTEGRITY

1. A brief statement regarding the integrity and reputation of Proponent and its employees, including whether in the last 10 years Proponent or any of its partners or senior officers has been the subject of any criminal conviction or any final, non-appealable civil judgment for malfeasance (including actions or proceedings by governmental authorities).
2. A brief statement regarding whether Proponent is or has been the subject of any investigation by any governmental or regulatory authority, licensing body or trade group or association within the last 10 years.

C. EXPERTISE

1. A statement of Proponent's qualifications and experience in performing the required services, including examples of comparable projects, project dates and references.
2. Resumes of all professional personnel who will be providing services to the Bureau.

D. POTENTIAL CONFLICTS OF INTEREST

1. A list of all known employees of Proponent or any parents, subsidiaries or affiliates of Proponent who are related by blood or marriage to any Bureau employees and/or who are living in the same household as any Bureau employee.
2. A list of all known employees of Proponent or any parents, subsidiaries or affiliates of Proponent who were previously employed by the Bureau.
3. Whether Proponent or any parents, subsidiaries or affiliates of Proponent have been involved in litigation against the Receiver, the Bureau and/or its estates within the last 10 years as a party, witness or otherwise.
4. A brief statement regarding whether Proponent has previously provided services to the Bureau, including whether Proponent has any financial interest in any organization that has contracted to provide services to the Bureau.

E. FEES

A statement of price, fees and expenses for the software and services to be provided.

F. MISCELLANEOUS

1. A list of three client references for which Proponent provided services in the last three years.
2. A brief statement demonstrating 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 orders. Proponent may attach hard copies of any equal employment opportunity policy statements or other relevant official firm documents.
3. Any additional pertinent information not already provided in the Proposal.

VI. EVALUATION AND AWARD

This RFP does not commit the Bureau to select an Awardee or enter into a contract with any Proponent. The Bureau reserves the right to: (a) rescind or revoke this RFP prior to execution of a contract with the Awardee; and (b) utilize any ideas from the Proposals. The Bureau may in its sole discretion: (a) reject a Proposal if it is non-responsive or non-compliant with the requirements set forth in this RFP; or (b) waive minor discrepancies in any Proposal. All materials submitted in response to this RFP become the property of the Bureau and will not be returned.

In selecting an Awardee, the Bureau will consider, among other factors it deems appropriate, whether the Proponent: (1) has the appropriate expertise to provide the particular services sought pursuant to this RFP; (2) has demonstrated that it will commit appropriate staffing and resources to perform the Services; and (3) is in good standing in the State of New York and conducts its business in an ethical manner. The Bureau is not bound to accept the lowest-priced Proposal. Additionally, the Bureau may decide to proceed with only a portion of the Services described in this RFP and therefore select an Awardee for only a portion of the Services described in this RFP.

VII. 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 under no obligation to, pay the costs, in whole or in part, incurred by Proponent during the preparation of a Proposal. The Bureau disclaims responsibility and liability for any costs related to Proponent's participation in this RFP.