

REQUEST FOR PROPOSALS
TO PROVIDE
MEDICAL BOARD SERVICES

Issued by

Board of Trustees
Employees Retirement System
City of St. Louis

Date of Issue
May 26, 2016

Date of Closing
3:00 p.m., CDT
June 13, 2016

The Board of Trustees of the Employees Retirement System of the City of St. Louis (the "Board of Trustees") is presently seeking proposals on a competitive basis to identify the firm that can provide the highest quality Medical Board Services. The contract will be for three (3) years with an option to renew for an additional three (3) years commencing September 1, 2016.

I. MEDICAL BOARD:

The Medical Board must be composed of three (3) physicians who shall arrange for and pass upon all medical examinations required under the Chapter 4.16 of the Revised Code of the City of St. Louis (the "Code"), shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the Board of Trustees its conclusions and recommendations upon all matters referred to it. See Section 4.16.110(E) of the Code.

Such Medical Board acts as a body and not as three individual physicians. Its written medical findings and professional conclusions rendered to the Board of Trustees are given the exceptional legal force of being admissible as evidence in and of themselves and do not require the presence and oral supporting testimony of any member of the Medical Board.

II. SERVICES TO BE PROVIDED:

- A. An evaluation by the Medical Board of the applicant's medical records including the diagnosis and etiology as submitted by the applicant's personal physician;
- B. A physical examination which shall include, but not necessarily be limited to the following:
 - (1) Vital signs (blood pressure, heart rate, pulses, respiration);
 - (2) Height, weight and build;
 - (3) Comprehension, alertness and attitude;
 - (4) Cardiovascular status;
 - (5) Visual function;
 - (6) Function of extremities (upper and lower);
 - (7) Neurologic (Motor and Sensory);
 - (8) Disfigurement of missing appendages if any;
 - (9) Limitation of motion;
 - (10) Medical or physical aids used at present time;
- C. A written report of the Medical Board's findings, including a recommendation to pass or fail the

candidate in accordance with Section 4.16.040(D) and Section 4.16.110(K) of the Code.

- (1) The Medical Board's written report will determine if a member seeking disability benefits is "totally disabled."
 - (2) Members wholly prevented from engaging in any occupation for wage or profit will be certified by the Medical Board as "totally disabled." See Section 4.16.040(D)(2) of the Code. (Each finding by the Medical Board must affirmatively and specifically certify whether or not the member is "wholly prevented from engaging in any occupation for wage or profit.")
 - (3) The Medical Board shall apply as a guideline standards of impairment and disability of the whole person as established by special committees of the American Medical Association. See Section 4.16.040(D)(2) of the Code.
 - (4) The Medical Board will consider the degree of impairment of part or parts of the body, including mental illness, each or all in relation to the whole person.
 - (5) The Medical Board may recommend the re-evaluation of a member in accordance with Section 4.16.040(D)5 of the Code.
- D. A re-evaluation of the applicant upon the request of the Board of Trustees;
- E. A functional capacity examination upon the request of the Board of Trustees;
- F. In the event a member appeals the determination of the Medical Board, the members of the Medical Board may be required to give testimony as an expert witness. Instances where the Medical Board is required to testify are extremely rare. There have been no such occurrences in over ten (10) years.

It is estimated, but not guaranteed, that approximately forty (40) medical evaluations may be required annually. The successful firm shall understand and agree that the Board of Trustees does not guarantee a specific amount of work under the contract.

III. FORM OF PROPOSAL:

- A. The proposal must be in writing.

- B. The proposal must be submitted in a sealed envelope clearly identified as **"Proposal for Medical Board Services"** and mailed or delivered to:
- Mr. Richard R. Frank, Secretary
Employees Retirement System
of the City of St. Louis
1114 Market Street, Suite 900
St. Louis, MO 63101
- C. Proposals will be accepted until **3:00 p.m., CDT, June 13, 2016.**
- D. All who respond must submit fifteen (15) copies of their proposal.
- E. The proposal must be signed by an officer of your company and indicate that such officer is authorized to commit on behalf of your firm.
- F. Any previously received proposals for this service should be considered to have been rejected by the Board of Trustees, and anyone interested in providing these services must resubmit any prior proposal furnished to the Board of Trustees.
- G. In the event the Board receives more than one proposal from any bidder, the Board will reject all proposals from the bidder.

IV. SELECTION CRITERIA:

The following criteria will be used to evaluate responses and to select the finalists:

- A. Complete responses to all response items, including the questionnaire;
- B. Ability to meet all service requirements;
- C. Experience in providing similar services to other clients;
- D. Qualifications and experience of individuals to be assigned to this engagement;
- E. Quality of written proposals;
- F. Quality of oral presentation, if any;
- G. Cost of the medical evaluation; and

- H. Timeliness of the medical examination and submission of the written report.
- I. Compliance with the requirements set out in the System's Procurement Action Policy, a copy of which is attached.

Following review of the proposals received, the Board may schedule a conference with each of the firms judged to meet the criteria most closely.

V. TERMS AND CONDITIONS:

- A. The Board of Trustees reserves the right to negotiate with any or all bidders regarding the proposals, to award the contract to other than the firm submitting the lowest cost proposal, without negotiation, and to reject any or all proposals.
- B. The award will be to the proposal which, in the Board's opinion, is in the best interest of the Employees Retirement System of the City of St. Louis (the "System"), taking into consideration all aspects of the response, including the total net cost to the Board of Trustees.
- C. The Board of Trustees will not be responsible for any expenses incurred in the preparation of any proposal or presentation.
- D. The firm selected must provide proof that it is current with respect to all applicable City taxes and licenses prior to the initiation of the contract. Please note, a City Business License is required during the entire term of any agreement for services and no such license will be issued without a Statement of Clearance issued jointly by the Collector of Revenue and the License Collector.
- E. The System may at any time, with or without cause, terminate the contract when it is in the best interest of the System.
- F. The successful firm must agree that in performing any services pursuant to a contract or agreement awarded pursuant to this Request for Proposals that neither the successful firm nor anyone under the successful firm's control, will permit discrimination against any employee, worker or applicant for employment because of race, color, age, religion, sex, familial status,

disability, sexual orientation, Genetic information, gender identity or expression, national origin or ancestry. The successful firm must agree that it will take affirmative action to ensure that applicants are employed, and that employees are treated fairly during employment, without regard to their race, color, age, religion, sex, familial status, disability, sexual orientation, gender identity or expression, national origin or ancestry.

- G. As a condition for the award of this contract, the successful firm, shall, pursuant to the provisions of Sections 285.530 through 285.555 of the Missouri Revised Statutes 2000, as amended, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with any contract or agreement awarded through this Request for Proposals. The successful firm's authorized agent shall also sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with any contract or agreement awarded through this Request for Proposals.
- H. The successful bidder must make and keep accurate time records regarding its billings and must keep those records for two (2) full calendar years and make said records available to the System and/or its auditors upon request for audit purposes.
- I. The Board of Trustees reserves the right to cancel this Request For Proposals at any time; to void this Request For Proposals and the review process and/or terminate negotiations at any time; to revise any conditions and stipulations contained herein, as convenient or necessary; to further negotiate financial and other arrangements; to establish further criteria for selection; to ask respondent to submit additional information with respect to any aspect of respondent's submission whatsoever; and to negotiate with respondent as to any aspect of respondent's proposal whatsoever.
- J. By accepting this Request For Proposals and/or submitting a proposal in response thereto, respondent agrees for itself, its successors and assigns, to release, indemnify, and hold the Board of Trustees, the System and the City of St. Louis along with all of their various agents, commissioners, directors, consultants, attorneys, officers and employees harmless from and against any and all claims and demands of whatever nature or type, which any such respondent, its

representatives, agents, contractors, successors or assigns may have against any of them as a result of issuing this Request For Proposals, revising this Request For Proposals, conducting the selection process and subsequent negotiations, making a final recommendation, selecting a contractor and/or negotiating or executing an agreement incorporating the commitments of the selected contractor.

- K. Respondent shall carefully examine this Request for Proposals and shall make all necessary investigations to fully inform themselves as to the local conditions and requirements under which work is to be performed. Respondent shall familiarize themselves with all applicable federal, state, and local statutes, regulations, ordinances relating to the conduct of work pursuant to this Request for Proposals, and shall comply with all applicable federal, state, and local laws, ordinances, and rules and regulations. No pleas of ignorance of conditions, statutes or ordinances will be accepted as an excuse for any failure or omission on the part of the respondent to fulfill every requirement of the Request for Proposals and to perform as described in such respondent's proposal.
- L. No proposal received after the specified date and time will be considered, unless the specified date and time included in this document is extended or all proposals are rejected and a subsequent Request for Proposals is issued.
- M. All permits or licenses required by all applicable federal, state, local governments for conduct of work and provision of products pursuant to this Request For Proposals shall be obtained and paid for by the respondent.
- N. By submitting a response to this Request for Proposals, respondent acknowledges having read this Request for Proposals in its entirety and agrees to all terms and conditions set out in this Request for Proposals.
- O. By submitting a response to this Request for Proposals, respondent acknowledges and agrees that the Board has the right to make any additional inquiry or investigation they deem appropriate to substantiate or supplement information contained in respondent's proposal, and authorizes the release to the Board and/or Board personnel and/or consultants of any and all information sought in such inquiry or investigation.

- P. Any misrepresentations or false statements contained in a response to this Request for Proposals, whether intentional or unintentional, shall be sufficient grounds for the Board to remove respondents from competition for selection at any time.
- Q. By submitting a response to this Request for Proposals, respondent commits that, if selected, respondent is willing and able to carry out the work proposed in accordance with the schedule proposed and as described in respondent's proposal.
- R. By submitting a response to this Request for Proposals, respondent acknowledges that:
- a. This Request For Proposals is not a contract or a commitment of any kind by the Board and does not oblige the Board to award a contract or to pay any cost incurred in the submission of a response. The Board reserves the right to accept or reject in whole or in part, submittals received in response to this request, to negotiate with any qualified source, to request and receive additional information with respect to the respondent and/or respondent's proposal, or to cancel in whole or in part this Request For Proposals. Failure to provide any of the requested data within the specified submission period may cause the Board to reject the submittal or require the data to be submitted forthwith.
 - b. All submitted materials will become the property of the Board, may become public documents at any time during the selection process, and will become public documents at the conclusion of the selection process. Any and all documents submitted by the respondent may become public if and when they are submitted to any advisory or legislative public body, or pursuant to the Missouri Sunshine Law.
 - c. By submitting a response to the Request for Proposals, respondent expressly waives any and all rights that it may have to object to, protest or judicially challenge the following:
 - A. Any part of this solicitation and Request for Proposals process, including but not limited to the selection procedure sections of the Request for Proposals; and
 - B. The invitation, evaluation and award process, including but not limited to the review and

analysis of qualifications of the respondents, evaluation of proposals, tentative or final selection of successful respondents, evaluation of proposals, or other aspects of the respondent selection and award.

- S. Respondents will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The respondent must submit a written withdrawal request signed by the respondent's duly authorized representative(s) addressed to the System in the same manner as any response to the this Request for Proposals.
- T. In the event that it becomes necessary to clarify or revise this Request for Proposals, such clarification or revision will be by addendum. There are no designated dates for release of addenda. Therefore, interested respondents should check the System's website on a daily basis from time of Request for Proposals issuance through Request for Proposals deadline date. It is the sole responsibility of the respondent to be knowledgeable of all addenda related to this Request for Proposals.
- U. The Board of Trustees and its staff and auditors shall be afforded access during the term of any contract adopted pursuant to this Request for Proposals, and for five (5) years following termination of any such contract, to all of the company's books and records without limitation whatsoever for the purpose of conducting audits. All books and records shall be open to inspection and/or reproduction to the extent necessary to adequately permit evaluation and verification of the company's full compliance with contract documents. In those situations where the company's records have been generated from computerized data or records, in addition to hard copy (reports), contractor shall provide such information on disk or in a suitable alternative electronic format.
- V. This Request for Proposals in no manner obligates the Board of Trustees to the eventual purchase of services offered until confirmed by an executed written contract or written agreement approved by the Board of Trustees. Progress toward this end is solely at the discretion of the Board of Trustees and may be terminated at any time prior to the signing of the written contract or written agreement.

- W. This Request for Proposals, and any contract or agreement with respondents that may result, shall be governed by the laws of the State of Missouri.
- X. In connection with the furnishing of goods and services under any contract resulting from this Request for Proposals, the individual/firm shall comply with all applicable requirements and provisions of the Americans with Disabilities Act (ADA).
- Y. The Board of Trustees reserves the right to interview, or call for a presentation from, any respondent submitting a proposal, as well as form additional evaluation criteria for the presentations. The Board of Trustees also reserves the right to discuss the proposals with any or all respondents. Nothing in this Request for Proposals is intended to be, nor should anything herein be construed as, an offer of engagement. A selection or designation of a successful respondent shall not be construed as an offer of engagement until and unless a written contract/agreement is fully negotiated and executed by the parties. For the contract/agreement to take effect, all applicable parties with the authority to bind the respective entity must sign the agreement.

VI. GENERAL INFORMATION:

- A. Enclosed, for your information, is a copy of Sections 4.16.040(D) and 4.16.110(K) of the Revised Code of the City of St. Louis concerning Disability Retirement.
- B. Any questions regarding this proposal may be directed to Ms. Denise M. Droege electronically at DroegeD@stlouis-mo.gov
- C. Contact with members of the Board of Trustees, other than the aforementioned designated contact person, is strictly prohibited, and may result in disqualification from the RFP process.
- D. The following schedule has been established for the selection process:

Date of issue of RFP: May 26, 2016

Date of closing for proposals: June 13, 2016 at 3:00

Effective Date of Contract: September 1, 2016

MEDICAL BOARD SERVICES QUESTIONNAIRE

Please complete the questionnaire and return it with your proposal. In the event you need more space attach additional pages and insure the name of your firm and the question you are responding to is listed on the page.

1. List the name, address and telephone number of the firm making the proposal; name, address and telephone number of the person with the firm to serve as primary contact in reference to the proposal.

2. Provide the following information on your firm:

- a. A brief history of the firm and the services it provides. The description should include the number of years the firm has been in business, facilities, staff, and specialties.

- b. Name, resume, qualifications and experience of key personnel with the firm who will be directly responsible for performing medical services for the Board; their role and scope of their involvement; and all other responsibilities assumed by them.

- c. Location of examination site(s).

- d. Hours during which services will be available.

e. Any specialized testing or diagnostic equipment available.

f. Describe as a percentage, the amount of time your firm examines patients for disability benefits on behalf of employers and retirement systems.

g. Describe, as a percentage, the amount of time your firm examines patients for disability benefits on behalf of employers.

3. Provide a detailed description of your firm's procedures for conducting the medical evaluation and physical examinations of candidates applying for disability retirement benefits.

4. Provide copies of forms used in the evaluation of candidates for disability retirement, and copies of the forms that demonstrate situations in which recommendations were made to approve and/or deny disability retirement benefits.

5. How soon after the evaluation of the candidate will the final recommendation be available?

6. Provide a comprehensive fee structure your firm proposes for its services. Identify those items and/or expenses not included in your fee structure.

7. Frequency with which physicians from the firm have provided expert witness testimony as to the qualification of an applicant for disability retirement benefits. (Describe the type of legal proceedings.)

8. Provide a list of three (3) references, including number of years as a client, type of services performed, name, address, and telephone number of a contact person.

9. Explain why your firm is best suited to meet the medical services needs of the Board of Trustees.

10. Describe and attach your firm's current processes and/or policies to help recruit, hire, develop and promote minorities and women into key positions at our firm. Describe the diversity of the workforce who will be performing work related to the services sought by this Request for Proposals.

Section 4.16.040(D) of the Revised Code of the City of St. Louis

Disability Retirement.

1.

Eligibility and Written Application. If a member who has completed five years of creditable service is totally disabled, as defined hereafter, prior to his or her normal service retirement date, he or she will be retired upon written application to the Board of Trustees by him or her or by his or her employer and he or she will receive a disability retirement pension. A member must file said written application within one (1) year from the date said member terminates employment due to said disability.

2.

Total Disability Defined. A member will be considered totally disabled if the Medical Board certifies he or she is wholly prevented from engaging in any occupation for wage or profit and the Board of Trustees approves his or her application for benefits. The Medical Board will apply as a guideline standards of impairment and disability of the whole person as established by special committees of the various specialists for the American Medical Association. The degree of impairment of part or parts of the body, including mental illness, each or all in relation to the whole person, to be determined by the Medical Board.

3.

Pension Calculations. Upon retirement for disability a member will be entitled to receive a disability retirement pension calculated as for normal service retirement using the benefit compensation base for the year of his or her termination of employment and based on his or her years of creditable service and final average compensation as of his or her last day on the payroll of the employer.

4.

Determination of Date Benefits are Payable. The Board of Trustees, in approving the application for disability retirement, shall determine the date from which benefits are payable, which date shall be the first of the month that is not over two months prior to date of approval. No

disability benefits shall be payable during any period the member is receiving compensation from his or her employer.

5.

Medical Examination. Once each year during the first five years following the retirement of the member on a disability retirement pension and once in every three-year period thereafter, the Board of Trustees may, and upon his or her application shall, require any member who has retired because of total disability to undergo a medical examination. Such examination will be made at a place designated by the Medical Board, and by a physician or physicians designated by such Medical Board. Should such retiree refuse to submit to such medical examination, his or her pension may be discontinued until his or her withdrawal of such refusal and should his or her refusal continue for one year, all rights in and to his or her pension may be revoked by the Board of Trustees.

6.

Offset of Pension Benefits. Any amounts which may be paid or payable by the City under the provisions of any workers' compensation or similar law to a member on account of any disability shall be offset (deducted from) and payable in lieu of any disability retirement benefits payable to said member on account of the same disability.

7.

Discontinuance of Pension. Should the Medical Board report and certify to the Board of Trustees that a retired member receiving a disability pension, at any time before attainment of age sixty-five, is able to engage in a gainful occupation, and should the Board of Trustees concur in such report, the Board of Trustees shall direct that the disability retirement pension be discontinued. Should the Board of Trustees find that a retired member receiving a disability pension is engaged in a gainful occupation at any time before attainment of age sixty-five, the pension may be reduced or discontinued at the option of the Board of Trustees.

8.

Reemployment—Restoration of Creditable Service. Should a retired member receiving a disability pension again become

an employee, his or her disability retirement pension shall cease and he or she shall immediately become a member of the retirement system as of the date of reemployment. His or her creditable service at the time of his or her disability retirement shall be restored in full force and effect.

Section 4.16.110(K) of the Revised Code of the City of St. Louis

K.

Medical Board. The Board of Trustees shall designate a Medical Board to be composed of three physicians who shall arrange for and pass upon all medical examinations required under the provisions of this ordinance, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement, and shall report in writing to the Board of Trustees its conclusions and recommendations upon all the matters referred to it.

Operational Addendum to Statement of Investment Policy

**Procurement Action Policy for the
Employees Retirement System of the
City of St. Louis**

In accordance with Section 4.16.100(E) of the Revised Code of the City of St. Louis 1994, as amended, and Section 105.702 of the Missouri Revised Statutes 2000, as amended, and within the bounds of its fiduciary responsibilities under law, including but not limited to the provisions of Section 105.688 RSMo., the Board of Trustees of the Employees Retirement System of the City of St. Louis (the "Board") desires to take actions to encourage diversity and assure equal opportunities for minorities and women with respect to contracts and agreements involving the Employees Retirement System of the City of St. Louis (the "System"). To accomplish that goal, the Board adopts the following plan:

- 1) In soliciting proposals from service providers, the Board will include, as a specification, the requirement the proposed firm describe its efforts to recruit, encourage or enhance diversity in its workplace and describe minority or women ownership interests (partnership or equity ownership interest) in the firm.
 - a. Service providers will provide sufficient information to ascertain the percentage of minorities and the percentage of women in key decision making positions in the firm, along with a description of their positions.
 - b. Service providers will provide a copy of their current processes and/or policies established to help recruit, hire, and develop a diverse workforce, including but not limited to, minorities and women at their firm.
 - c. Service providers will describe the extent and nature of ownership interests of the firm (partnership or equity interests) held by diverse persons, including but not limited to minorities and women. Said service providers will also outline the extent and nature of the key decision making roles held by diverse persons, including but not limited to, minorities or women with a partnership or equity ownership interest in the firm

- 2) In soliciting proposals from Investment Managers and Investment Consultants, the Board's Investment Consultant will publicize the contract or agreement process in a manner likely to inform qualified firms owned by diverse persons, including, but not limited to, minorities and women.
- 3) In accordance with the Board's fiduciary obligations, diversely owned service providers, including but not limited to, minority or women-owned service providers who submit qualified proposals that meet the criteria for any Board approved Request for Proposals shall be directly and contemporaneously compared, via quantitative and qualitative analysis, against other qualified firms submitting proposals. The Board shall give consideration to all said qualified diversely owned service providers, including but not limited to, minority or women-owned service providers whose economic value to the System, its participants and beneficiaries is economically preferable to or indistinguishable from other qualified firms that have submitted proposals. The Board hereby instructs its Investment Consultant to provide the Board with the quantitative and qualitative analysis for any qualified diversely-owned Investment Manager, including but not limited to minority or women-owned Investment Manager and to make a recommendation to the Board regarding whether or not the economic value to the System, its participants and beneficiaries is preferable or indistinguishable from other qualified Investment Managers who have submitted proposals.
- 4) The Board will gather information from each System service provider on a periodic basis pertaining to the following:
 - a. The efforts the firm made to recruit a diverse workforce, including but not limited to, minorities and women as employees;
 - b. The positions of diverse persons, including but not limited to, minorities and women employed by the firm;
 - c. The diverse persons, including but not limited to minorities and women, who have a partnership or equity interest in the firm and whether or not they have a combined significant ownership interest; and

- d. The key decision making firm roles played by diverse persons, including but not limited to, minorities and women who have a partnership or equity interest in the firm.
- 5) Each solicitation for System service providers performing any services pursuant to a contract or agreement awarded pursuant to a Request for Proposals must state that neither the bidder nor anyone under the bidder's control, will permit discrimination against any employee, worker or applicant for employment because of race, color, age, religion, sex, familial status, disability, sexual orientation, gender identity or expression, national origin, ancestry or genetic information. In addition, each bidder must agree that the bidder will take affirmative action to ensure that applicants are employed, and that employees are treated fairly during employment, without regard to their race, color, age, religion, sex, familial status, disability, sexual orientation, gender identity or expression, national origin or ancestry.
- 6) The Board will review this Procurement Action Policy periodically after its adoption. Based on the review, the Board will determine whether any changes in the Policy are necessary.
- 7) This Procurement Action Policy shall only apply prospectively.
- 8) To qualify as a diversely owned or minority or women-owned service provider, such firm shall:
 - a. be domiciled in the United States;
 - b. be owned or controlled by one or more individuals who collectively are diverse persons, women or who qualify as a minority as defined below. Ownership is classified as having a combined significant or controlling interest in the firm; and
 - c. have such diverse persons or women or minority owners involved in the daily business operations of the firm.

As used herein, the term "diversity" or "diverse person" encompasses efforts to expand opportunity to persons protected under Missouri laws and/or City of St. Louis ("City") ordinances which bar discrimination in places of public accommodation, state and/or City contracting, employment or housing based on race, color, religious creed, age, familial status, national origin, ancestry, disability, sexual orientation, genetic information, gender identity or expression, but also to Missouri-based firms, and to emerging firms which have been in business less than five (5) years.

As used in this policy, the term "minorities" includes, but is not necessarily limited to, African Americans, Native Americans, Hispanic Americans, and Asian Americans.

- a. African American (not of Hispanic Origin) - All persons having origins in any of the Black racial groups of Africa.
- b. Hispanic- All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese speaking culture or origin, regardless of race.
- c. Asian or Pacific Islander- All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes China, India, Japan, Korea, the Philippine Islands, and Samoa.
- d. Native American- All persons having origins of at least one quarter descent in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition as evidenced by a tribal enrollment card recognized by the Federal Bureau of Indian Affairs, a Native Hawaiian organization, or an Alaska Native Corporation.