

REQUEST FOR PROPOSAL GROUP LEGAL SERVICES PLAN CITY OF ST. LOUIS

SEPTEMBER 2020

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Introduction

Mercer Health & Benefits (Mercer) has been authorized to solicit written proposals on behalf of the City of St. Louis (City), for the provision of voluntary employee-paid group legal services for the employees of the City.

The proposals will be evaluated according to the selection criteria set forth in this RFP.

There are approximately 6,700 active employees eligible for this benefit. MetLife Legal Plans has provided legal coverage for full-time employees and their eligible dependents since April 1995. Current enrollment is at 9%.

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Objectives

The City has several objectives in soliciting bids for the aforementioned plan.

- Identify a firm that will effectively and efficiently administer a quality legal plan for City of St. Louis employees.
- Offer employees the opportunity to meet individual needs and preferences.
- Competitive premium rates.
- Multi-year rate guarantees.

Criteria for Selection

The successful firm will be required to enter into a contract with the City prior to the effective date. Proposals submitted will be considered based on, but not limited to, the following:

- The size and financial stability of the proposing firm including the availability of financial and operating resources as required to complete the work.
- Specialized experience, qualification and technical competence of the provider, its principals, project manager and key staff.
- Experience in the administration to large organizations.
- Capacity and capability of the firm to perform the work within the time limitations.
- Approach to the project and any unusual problems anticipated.
- Ability of the firm to provide innovative solutions.
- A comprehensive plan with fully covered services including office visits with network attorneys.
- Direct access to local attorneys.
- Premium rates for participating employees.
- Multi-year rate guarantee.
- The needs of the City for continuity of services.
- Overall marketing strategy.
- M/WBE and/or DBE participation.
- The degree to which the proposal addressed the proposal requirements.
- Fee or fee structure.
- Proximity of the firm to the City.
- Past record and performance of the firm with respect to schedule compliance, cost control and quality of work.
- Approach to the project and any unusual problems anticipated.
- Ability of the firm to meet statutory or ordinance requirements.
- Other items that arise as the result of the proposal or interview.

The City reserves the right to:

- Accept any of the proposals submitted;
- Reject any and all proposals submitted; and/or
- Modify or amend any proposal prior to acceptance; and/or
- Proceed to enter into any agreement(s) that may be deemed to be in the best interest of City employees.

Timetable and Bid Process

1. The electronic submission of Bidder's proposal for the financial response must be completed in the Financial Response section.
2. At the time of contract award, the Bidder selected must provide:
 - i. Proof that it is current with respect to all applicable State and City earning taxes and City business license.
 - ii. Tax identification number.

Proposals will be reviewed by a Selection Committee. The Selection Committee is comprised of one member selected by the Mayor; one member selected by the Comptroller; one member selected by the President of the Board of Aldermen, the Director of Personnel or his/her designee and one member of the staff of the Department of Personnel. A recommendation from the Committee will be submitted to the Director of Personnel.

Blake Strebler is the designated contact person for the City of St. Louis in connection with this RFP. No contact with any committee member is permitted. Unauthorized contact regarding this RFP may result in disqualification or rejection of a proposal. All contact and questions that arise concerning this RFP shall be in written form, citing the specific RFP paragraph or issues in question, and submitted via e-mail to Blake Strebler (Blake.Strebler@mercer.com) no later than 4:00 p.m. CDST on October 12, 2020.

Mercer shall maintain a list of all entities requesting copies of the RFP and shall make available all questions and responses to each entity requesting a copy of the RFP:

TIMETABLE

Task	Completion Date
Request for Proposal Released	September 21, 2020
Bidder Questions Due to City	October 12, 2020
Proposal Due Date	October 19, 2020
Effective Date	January 1, 2021

1. All documents must clearly indicate the name of the responding Bidder, as well as the name, address, email and telephone number of the primary contact at Bidder for this proposal. All rate proposals require the confirming signature of an officer of Bidder. Please add signature information to Financial Bid form.
2. Responses to this RFP must not be conditional, incomplete, or contain any alterations from the format provided. Please state any assumptions clearly and directly.
4. Submitted proposals must include a cover letter signed by a person authorized to contractually obligate the Bidder(s) to the scope, terms, specifications, and pricing contained in the proposal, and must include a signed statement that all proposals, including price are firm for not less than one hundred and eighty (180) days from the proposal submission date.
5. As part of the proposals, Bidders should confirm in writing that the proposal is consistent with the requirements outlined herein and clearly defines any and all programs. Proposals must be presented in the format of the bid forms included in this RFP. All questions must be answered and all instructions must be followed. All proposals must be submitted by the deadline in their entirety.
6. Sealed proposals, as well as the required electronic copy (via email) of the RFP Response Documents and required attachments for providing the services described herein must be received in accordance with the instructions delineated in this RFP. Proposals received after that date and time will be rejected, and Bidders notified.
7. Each Bidder(s) must prepare, seal, and submit one (1) original plus five (5) paper copies and an electronic copy (via email) of the required proposal documents by the due date and time in a sealed envelope(s) or mailing container(s) to the contact listed below. All proposals are due no later than 4:00 p.m. CDST on October 19, 2020.

The original and five (5) hard copies (total of 6) should be addressed and delivered to:

City of St. Louis
 Department of Personnel
 Employee Benefits Section
 Attention: Monica Green, Human Resources Manager
 1114 Market Street, Suite 700
 St. Louis, MO 63101

The exterior of the sealed envelope(s) or mailing container must be marked:

Proposal Legal Services Plan

An electronic copy of Bidder's proposal must be emailed to the Department of Personnel at Greenmo@stlouis-mo.gov and Mercer at Blake.Strebler@mercer.com no later than 4:00 p.m. CDST on October 19, 2020, in order to be considered.

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Proposal Requirements

Proposal Assumptions

Your proposal should assume that:

- Effective date for coverage is January 1, 2021.
- Contract situs state will be Missouri.
- Subsequent plan years will be on the City payroll cycle, fiscal year, July-June with some date variances from year to year.
- The City, its employees, and its agents will be indemnified and held harmless with respect to any and all claims, suits, actions, liabilities, and costs of any kind arising from the activities of the administrator as agreed under contract.
- Your answers should be based on your current capabilities.
- All information represented in this RFP or subsequently disclosed during the proposal process must be used exclusively for the purpose of responding to this request.

Specific Requirements

- Provide all enrollment and communication marketing materials.
- Provide a sample contract.
- Coverage will be effective for new participants at the beginning of the pay period, not the beginning of the month.
- Coverage would end at the end of the pay period last worked.
- The current billing process for City programs must be adhered to.
- The City self-bills and premiums will be remitted by the City on behalf of its employees. The City makes payments on a bi-weekly (26 payments) basis, in arrears, through a City generated report.
- Bi-weekly pay files to be submitted to the vendor via secure means provided by the

vendor; this will allow for the vendor to keep an audit on the membership.

- As part of the City's Plan, this Plan will be fully paid by employees through payroll deductions with after-tax dollars. Full payroll deductions will be submitted to the vendor after deductions are received from the City's Payroll and these deductions will satisfy full premium payment for that bi-weekly pay period. However, in the event any employee payroll deduction is below the required premium - for example, due to a leave of absence - it is the vendor's responsibility to bill/collect from the employee. The City has no obligation for payment of any premiums beyond remitting premiums deducted as explained above.

Account management and service requirements

The City requires adherence to the following:

- Account management attendance is required at meetings for implementation and communication purposes, if requested.
- The City may conduct third party financial and/or operational audits of your service, as the City deems appropriate, at the City's expense. The City expects that you will cooperate in any such third-party audits.
- If at any time, the City conducts an investigation or audit any of your services as a result of questionable performance, this investigation and the expenses required to remedy found inadequacies will be at your expense.
- No brokerage commission or fees will be paid.
- Rates must be guaranteed for a minimum of twenty-four (24) months.
- The City requires a 90-day notice of all renewal inquiries.
- A contract will be executed prior to the effective date.
- The Bidder must have the appropriate licensure or authority to do business in the State of Missouri. The Bidder must be current in all City earning taxes and City license payments prior to execution of a contract. City tax and license information can be found on

the City's websites at: <https://www.stlouis-mo.gov/collector/earnings-tax-home.cfm>, and <https://www.stlouis-mo.gov/government/departments/license>

- Perform all premium and renewal accounting.
- Prepare necessary filings for compliance with applicable federal and state reporting and disclosure requirements.
- Provide primary customer service function, answer employee questions, and resolve complaints.
- Accept automated enrollment data feed from the City in the agreed upon secure data format.
- Provide a secure means to exchange files in different formats, such as Excel, Word, PDF, in addition to a file exchange site.

Reporting Requirements

Please include copies of standard reports you currently provide. The City may need to request other reports on an as-needed basis. Capabilities must be available to provide requested reports within 10 business days.

Quarterly utilization reports must include, but not necessarily be limited to, the following: Type of service provided (telephone consultation; office consultation; court appearances); pending cases; closed cases; total cases. The City may also request a yearly survey to be done to determine employee satisfaction.

RFP Requirements Acknowledgement by Bidder

Do you agree to each of the administration requirements specified above? If not, explain.

Having familiarized ourselves with the requirements for the City of St. Louis, we fully understand the amount and qualities of service required and propose to furnish services as specified herein.

I certify that I am an officer of the organization and authorized to act on its behalf.

Signature

Title

Company Name

Date

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Plan Design

The Group legal program for the City should be designed as a non-ERISA program. It should include basic benefits without any pre-existing limitations, waiting periods, co-payments, hour limits or frequency limits. All full-time employees who have access to payroll deductions will be eligible to enroll during the initial enrollment period or during the annual open enrollment held each Spring. New employees may enroll when first eligible for employee benefits on the two frequencies below:

1. City Employees (excluding Police Division commissioned officers) – On the first pay period following first 30 days from new hire date.
2. Police Division Commissioned Officers – On the first pay period following the hire date.

Please provide a recommended plan design based on the company's demographics. If you are recommending additional benefits please list them separately.

1. Does your company agree to underwrite the proposed plan exactly as described? If not, note any variations and the reasons for them and include any cost differential associated with the variations. Copy of the current plan is included in Appendix C.
2. How do participants enroll and disenroll?
3. Will you accept existing members? Will existing members need to complete a new enrollment form?
4. Are pre-existing matters excluded?
5. Do you provide conversion or a direct pay plan upon employee termination? If so, do premiums remain the same as premiums for active employees? If not, explain.
6. Does your plan include unlimited office consultations on covered and non-covered matters?
7. Under what circumstances, if any, would an employee's membership be canceled?
8. Provide the number of attorneys, their specialty, if other than general law, and their location within the St. Louis metropolitan area in your program.

9. Do you have a dedicated telephone number for City employees to access?
10. What process is in place to assure employee confidentiality.
11. Describe "fully covered" matters. Are all services fully covered? Which services are discounted as opposed to fully covered.
12. Are employment matters excluded? Describe fully any other exclusion.
13. What matters in your plan are limited to telephone advice only? Why?
14. Are there any hour limits? Waiting periods? Dollar caps? Co-pays?
15. What covered legal services could result in out-of-pocket costs for employees?
16. Please provide complete Summary Plan benefit descriptions of the recommended services.
17. Can employees receive advice on matters regarding the City?

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Questionnaire

Company Information

1. Please provide the address of your company's home office, as well as the location of any regional or local office responsible for the services proposed. Include the name, telephone number, fax number, website URL, and e-mail address of the contact person for this proposal.
2. List your federal tax ID number.
3. Please provide a brief description of your company, parent company and any affiliates that may apply. What is the AM Best Company rating for your company?
4. Please provide brief description of your company's history in providing group legal services to the public sector and other large organizations.
5. How long has your company been providing plans to employer groups? How many corporate sponsored programs do you currently have in place? How many corporate sponsored participants?
6. Ordinance 70767 regarding Minority and Women Business Enterprises can be found on the City's Website per , <https://www.stlouis-mo.gov/internal-apps/legislative/upload/Ordinances/BOAPdf/70767CS.pdf>. Proposals should discuss how Bidder will comply with said provisions.

Please describe minority and woman representation as it relates to attorneys available to City of St. Louis employees.

7. Describe any pending agreement to merge or sell your company. Also include a copy of your latest annual report.
8. List the names of five (5) clients similar in size to the City's group for which your firm has provided legal services. Give address, telephone number, email address and title of person to be contracted for reference. Provide the same information for three (3) clients that have terminated your firm in the last two years. By responding to this question, you are authorizing the City of St. Louis to contact such persons.

9. Does your company carry errors and omissions coverage? What is the liability limit?
10. The selected bidder shall comply with all laws, ordinances, and regulations applicable to the services contemplated herein. By responding to this RFP, you are stating that you are familiar with all federal, state, local laws, ordinances, codes, rules and regulations that may in any way affect the services and products to be provided.
11. As a condition for the award of a contract from this RFP, the bidder shall, pursuant to the provisions of Sections §285.525 through §285.555 of the Revised Statutes of Missouri, by sworn affidavit (attached hereto in Appendix A) and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with this contract. The bidder shall also complete and submit an affidavit (attached hereto in Appendix A) affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contract pursuant to the above stated statutes.
12. Do you provide performance guarantees? If so, please include a copy of your standard guarantees in your proposal.

Attorney Network and Access

1. What percentages of law firms have been on your network for five years or longer? What is the annual network turnover rate? How do you communicate with attorneys?
2. How is your attorney network managed?
3. What are the credentials for joining your network? How often do you recredential?
4. What is the requirement for professional liability insurance?
5. How many attorneys are in your network? What are the average years of experience?
6. How do participants access network attorneys? How do participants access non-network attorneys? What do participants use for proof of eligibility?
7. Are participants required to use plan attorneys?
8. Are plan attorneys restricted in the amount of time they spend with participants?

9. Can participants use their own attorneys?
10. What are your methods for reimbursing participating attorneys?
11. How much coverage of malpractice insurance do you carry per attorney and for the network?
12. Please complete a geo access report (with a 30-mile radius) utilizing the provided employer census.

Enrollment

1. What is your average annual enrollment participation for a voluntary plan?
2. Do you have a minimum enrollment requirement?
3. What happens to the program if the minimum enrollment requirement is not met in the first year? In the first two or three years?
4. What kind of enrollment should we expect based on the company's demographics and communication strategy laid out in this RFP?
5. Is your plan portable? Who can port, how long, and how does the billing work?
6. How do you track and verify eligibility?

Customer Service and Claims Processing

1. Where is your customer service office located? What are the operating hours?
2. What percentage of calls are blocked?
3. What is the typical information the customer service representatives provide?
4. Explain how participants use the center.
5. Are claims forms required?
6. How is a claim paid? What is your average turn-around-time for paying claims?
7. Do you operate a full-service website? Describe the online capabilities?
8. How is an employee complaint handled? How quickly is it resolved? What is the ratio of complaint to referrals?
9. Do you have an appeals process?

10. Do you have a standard reporting package? What reports are available?

Operations

1. What is your average annual enrollment rate for a voluntary plan?
2. What is your average annual retention rate for a voluntary plan?
3. Please provide a sample usage report.

Quality Control

1. Please describe your quality control procedures.
2. How are grievances handled?
3. How do you get feedback from participants on your plan and attorneys? What do you do with the feedback?

Communications

1. What are your plan member fulfillment services?

How much time is required to implement a case? Please provide an implementation timeline.

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Financial Response

1. What is the rate for the recommended plan? Please include a composite, employee only and family rate.
2. Have you included any additional benefits in the proposed plan design? If so, what is the base rate to add/take away those benefits?
3. What period is the rate guaranteed for?
4. Do you offer an automatic renewal? How is the renewal process handled?

Signature

Title

Company Name

Date

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Appendix:

- A. Affidavit (Unauthorized Alien Employees)
- B. MBE/WBE Information
- C. Current Plan Design

APPENDIX A

Affidavit

EXHIBIT _____

STATE OF _____)
) SS.
 COUNTY OF _____)

AFFIDAVIT

Before me, the undersigned Notary Public, personally appeared _____ (**Name**) who, by me being duly sworn, deposed as follows:

My name is _____ (**Name**), I am of sound mind, capable of making this Affidavit, and personally acquainted with the facts herein stated:

I am the _____ (**Position/Title**) of _____. (**Bidder**)

I have the legal authority to make the following assertions:

1. _____ (**Bidder**) is currently enrolled in and actively participates in a federal work authorization program with respect to the employees working in connection with this Agreement, as required pursuant to Sections § 285.525 through § 285.555 of the Revised Statutes of Missouri, as amended.
2. Pursuant to Sections § 285.525 through § 285.555 of the Revised Statutes of Missouri, as amended, _____ (**Bidder**) does not knowingly employ any person who is an unauthorized alien in connection with this Agreement.

 Affiant

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this ____ day of _____, 20__.

 Notary Public

My Commission Expires: _____

APPENDIX B

MBE/WBE Information

A copy of Ordinance No. 70767 is included with the RFP documents.

APPENDIX C

Current Plan Design

A copy of the current plan design is included with the RFP documents.

Mercer Health & Benefits LLC
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