

WESTBURY UNION FREE SCHOOL DISTRICT  
REQUEST FOR PROPOSAL FOR THIRD PARTY ADMINISTRATOR FOR SELF  
INSURED WORKERS COMPENSATION PROGRAM

To all Providers:

Please submit a sealed proposal to provide Third Party Administrator Services for their Self Insured Workers' Compensation Program to the Westbury Union Free School District. The district will receive sealed proposals on or prior to **10:00 am on May 29<sup>th</sup>, 2025**. Whether sent by mail or by means of personal delivery, the proposer assumes responsibility for having his proposal deposited on time at the place specified. Proposals must be submitted in a sealed envelope plainly marked on the outside: **Request For Proposal – Third Pary Administrator for Workers' Compensation**.

Proposals shall be irrevocable for a minimum period of One Hundred Twenty (120) days from the date of proposal opening. Alterations to said proposals must be submitted in writing. Consideration shall be given only to those alterations, which may be caused by unforeseen circumstances beyond the control of the firm submitting said proposal. The Interim Assistant Superintendent for Finance & Operations or his / her designee shall make such determination.

The Westbury Union Free School District reserves the right to reject any or all proposals that it considers not to be in the best interest of the school district.

Please read the attached material carefully before submitting your proposal.

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**I. PURPOSE**

The Westbury Union Free School District, hereinafter referred to as “the District,” invites proposals from providers of Third Party Administrator for Self Insured Workers Compensation for the District for the period on or about July 1, 2025 – June 30, 2026, extendable up to a maximum of four (4) years.

**II. RECEIPT OF PROPOSALS**

An original and one (1) copy of the proposal must be submitted to the Business Office. Envelopes must be clearly marked **Third Pary Administrator for Workers’ Compensation** and the name and address of the proposer. Proposals must be received no later than **10:00 AM on May 29, 2025**, at the following address:

Mr. Robert Stein  
Deputy Purchasing Agent  
2 Hitchcock Lane,  
Old Westbury, NY 11568

Please note that, in the unforeseen event that the School District is closed for instruction due an emergency situation, essential employees will be on-site. Therefore, we will continue to receive proposals in response to this RFP on or before the due date and time. Whether sent by mail or by means of personal delivery, the proposer assumes responsibility for having his proposal deposited on time at the place specified.

There is no expressed or implied obligation for the District to reimburse responding firms for any expenses incurred in preparing proposals, attending pre-proposal conferences, or interview(s) in responding to this request. Proposals submitted after the stated time and date may not be considered and may be returned to the firm unopened.

During the evaluation process, the School District reserves the right, where it may serve the District's best interest, to request additional information or clarifications from proposers, or to allow corrections of errors or omissions. At the discretion of the School District, firms submitting proposals may be requested to make oral presentations as part of the evaluation process.

**III. PROPOSAL SUBMISSIONS**

All proposals must be submitted in two parts. Part 1 must address the qualification items. Part 2 must consist of complete cost and pricing information. Incomplete submissions will not be considered for award. Proposals should not be excessively long and should be submitted in a format that permits copying for review.

In addition, all proposals must include a completed Vendor Information Acknowledgment Form, References, Vendor Disclosure, Non-Collusive Certification, and Certification of Compliance with the Iran Divestment Act of 2012. All materials submitted in response to this request for proposal shall become the property of the District.

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## IV. BACKGROUND

The following is a brief description of the School District:

1. Student Enrollment at Westbury School District – approx. 4,500
2. Number of Schools – 6
3. Number of Administrative Buildings - 2
4. Management
  - a. Superintendent
  - b. Assistant Superintendent for Curriculum and Instruction - 2
  - c. Assistant Superintendent for Personnel
  - d. Assistant Superintendent for Finance & Operations

## V. SCOPE OF SERVICES

The Proposer will provide Third-Party Administrator services for Self-Insured Workers Compensation program to the District and Board, including, but not limited to the following:

### A. **Workers' Compensation Administration Services, generally.**

1. Establish a file with respect to each claim;
2. Investigate all claims and recommend the amount of loss reserve to be established with respect to each such claim;
3. Clearly document the initial plan of action, along with an initial estimate of reserves, in the claim file within 14 days from receipt of the claim, and updated every 30-60 days thereafter;
4. Provide supervisory reviews, which shall be documented at a minimum of every 90 days;
5. Furnish all claim forms necessary for proper claims administration;
6. Adjust and settle all claims within the discretionary settlement authority limit as agreed upon and noted in the Special Claim Handling Instructions, provided, however, that prior to the denial of compensability of any claim, the adjuster shall discuss the case with the DISTRICT for mutual agreement;
7. Supervise all litigation or other proceedings involving any claim, and arrange for legal representation at any judicial or administrative hearing involving any claim, provided, however, the DISTRICT reserves the right to select counsel and all defense counsel referred required prior approval from the DISTRICT;
8. Provide in-house attorneys and legal staff for litigation supervision and/or legal representation.
9. Retain and then destroy files for each claim in accordance with legal requirements;
10. Recommend Vocational Rehabilitation and Medical Case Management Services for Workers' Compensation claims, when warranted;
11. Provide loss reports on a monthly basis electronically to all required parties;
12. Prepare file for subrogation and recovery as necessary;
13. Report to all regulatory authorities, as necessary, including annual reporting to the Workers' Compensation Board for assessment purposes;
14. Assume responsibility for payment of fines, penalties, or costs, including legal fees imposed by any regulatory body, agency, or Third-Party resulting from errors, omissions, or non-compliance on behalf of the selected Proposer(s);

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15. Host monthly telephonic claim reviews and cases with upcoming hearings with participation of the claims adjuster(s) and, as needed, defense attorneys and nurse case managers. Status reports are due one (1) week prior to the review; and
16. Notify the excess carrier of all Workers' Compensation cases identified as having excess potential per the terms of each excess policy year.
17. Offer a funding/payment system that utilizes vouchers.

### **B. Other Services**

1. Audit hospital and medical bills;
2. Utilize PPO, where possible, including silent networks;
3. Attend all claim reviews and executive committee meetings;
4. Conduct ISO claim searches; MMSEA data and data transfer exchanges; reviews of medical treatment and non-cute pain treatment guidelines; investigations of claims and surveillance of claimants;
5. Provide medical cost containment services; nurse case management in-house and field services; a pharmacy benefit manager; vocational rehabilitation options; independent medical examinations; subrogation and recovery services; attorney fees; and professional testimony and depositions.
6. 24/7 Nurse Triage Claim Reporting
7. The New York Health Care Reform Act (HCRA): Submit Public Goods Pool reports electronically.

- C. Loss Control Services:** In the Proposal, please define basic services available and indicate if the Proposer will charge additional fees for the same. Services shall include, but shall not be limited to, (1) Loss Control reporting, which shall provide a summary of trend analysis information along with recommendations and an action plan to eliminate/mitigate future claims; and (2) provision of schedule of Loss Control and prevention programs available.

- D. Risk Management:** Provide a full scope of safety and health management and industrial hygiene services.

### **E. Program Takeover and Transition Services**

1. Summarize the procedures to effect a transition;
2. Provide the necessary minimum timelines; and
3. Identify all fees to be charged for the transition.

## **PART 1 – MANAGEMENT AND QUALIFICATIONS**

In setting forth its qualifications, each individual or firm submitting a proposal shall:

- a. Provide the name and or name of the firm as well as a brief description of its business activities and history.
- b. Provide information on how long the firm or individual has been in business and length of its experience in providing school districts.
- c. Identify the firm's professional staff members, who specifically will be involved in this Third Party Administrator for Self Insured Workers Compensation Program engagement, the experiences of each as the services relate to public school and the location of the office from which they work. Provide a detailed biography and/or resume outlining the experience and credentials of all staff members who will provide Services to the District.

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- d. Provide a listing and description of similar Third Party Administrator for Self Insured Workers Compensation Program and/or projects awarded with other organizations giving dates of service.
- e. Provide the name and title of person(s) submitting the proposal, the firm's main office address, and primary and secondary points of contact and their telephone and fax numbers (including area codes).
- f. Detail the experience your firm and its staff have in working with public sector clients. Describe how needs specific to the public sector were met. Highlight any experience specific to Pre K - 12 public school districts.
- g. Provide at least *three* (3) client references from similar projects. Include contact names, addresses and telephone numbers. Provide a list of current and former educational clients and describe the nature of the work experience with these clients. Identify the nature of any potential conflict of interest (in fact or appearance) the individual or agency might have in providing these services to the District.
- h. Complete the attached non-collusion statement.

### **PART 2 – COST**

Each firm submitting a proposal shall do so using the Cost Proposal form attached. Please include:

- The cost proposal must be an all-inclusive amount for the full range of services required for one year under the contract. No additional billing will be allowed for travel expenses, parking, participant materials, or other incidentals.
- Proposer may include in its proposal items not specified in this RFP, which it would consider pertinent. All such alternatives must be listed separately from the proposal and the cost thereof must be separate and itemized.
- Provide any other relevant information that will assist the School District in evaluating your Proposal

### **VI. INSURANCE REQUIREMENTS**

Notwithstanding any terms, conditions or provisions, in any other writing between the parties, the proposer hereby agrees to effectuate the naming of the District as an additional insured on the proposer's insurance policies, with the exception of workers' compensation, N.Y. State Disability and professional liability. If the policy is written on a claims-made basis, the retroactive date must precede the date of the contract.

1. The policy naming the District as an additional insured shall:
  - a. Be an insurance policy from an A.M. Best rated "Secured" insurer, licensed in New York State.

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- b. State that the Proposer's coverage shall be primary and non-contributory coverage for the District, its Board, employees and volunteers.
  - c. The District shall be listed as an additional insured by using endorsement CG 2026 or equivalent. The decision to accept an alternative endorsement rest solely with the District. A completed copy of the endorsement must be attached to the certificate of insurance.
  - d. The certificate of insurance must describe the specific services provided by the Proposer that are covered by the liability policies.
  - e. At the District's request, the Proposer shall provide a copy of the declaration page of the liability and umbrella policies with a list of endorsements and forms. If so requested, the Proposer will provide a copy of the policy endorsements and forms.
  - f. Contain a 30-day notice of cancellation
2. The Proposer agrees to indemnify the District for any applicable deductibles and self-insured retentions.
3. Required Insurance:
- a. **Commercial General Liability Insurance**  
\$1,000,000 per occurrence/ \$2,000,000 aggregate, with coverage for sexual misconduct.
  - b. **Workers' Compensation and N.Y.S. Disability**  
Statutory Workers' Compensation, Employers' Liability and N.Y.S. Disability Benefits Insurance for all employees. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable.  
A self-employed person and certain partners and corporate officers are excluded from the definition of "employee" pursuant to Workers' Compensation Law Section 2 (4). As such, individuals in such capacity are excluded from Workers' Compensation Law coverage requirements. A person seeking an exemption must file a CE-200 form with the state. The form can be completed and submitted directly online to the Workers Compensation Board.
  - c. **Professional Errors and Omissions Insurance**  
\$2,000,000 per occurrence/ \$2,000,000 aggregate for the professional acts of the Proposer performed under the contract for the District. If written on a "claims-made" basis, the retroactive date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for two years following the completion of work.
  - d. **Excess Insurance**  
\$1,000,000 each occurrence and aggregate. Excess coverage shall be on a follow-form basis.

Proposer acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract. The Proposer is to provide the District's with a certificate of insurance, evidencing the above requirements have been met, prior to the commencement of work or use of facilities. The failure of the District to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any and all rights held by the District.

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The District is a member/owner of the NY Districts Insurance Reciprocal (NYSIR). The Proposer further acknowledges that the procurement of such insurance as required herein is intended to benefit not only the District but also NYSIR, as the District's insurer.

## **VII. INTERVIEW**

The award process may include an interview with Central Office Administrative Staff. Date of interview to be determined.

## **VIII. FREEDOM OF INFORMATION LAW**

The New York State Freedom of Information Law as set forth in Public Officers Law, Article 6, Sections 84-90, mandates public access to government records. However, proposals submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the Proposer's competitive position or constitute a trade secret. Proposers who have a good faith belief that the information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law must clearly identify the pages of the proposals containing such information by typing in bold face on the top of each page, "THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW." The District assumes no liability for disclosure of information so identified, provided that the District has made a good faith legal determination that the information is not protected under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction.

## **IX. TERMINATION OF CONTRACT**

Any contract agreed to under this Request for Proposal is subject to termination by either party with thirty (30) days written notice. In the event of termination of the contract, the District's responsibility shall be to pay for unpaid services performed and authorized costs incurred by the Third Party Administrator for Self Insured Workers Compensation Program provider.

## **X. RIGHT TO REJECT A REQUEST FOR PROPOSAL**

The District reserves the right to reject without prejudice any and all quotations received under this Request for Proposal, to request additional information and clarifications from proposers, to allow corrections of errors or omissions, and to negotiate with one or more of the finalists regarding the terms of the engagement. Any information given, either orally or in writing, is not given in confidence and may be used, or disclosed to others, for any purpose at any time without obligation or compensation and without any liability of any kind whatsoever. The District intends to select the Third Party Administrator for Self Insured Workers Compensation Program provider that, in its opinion best meets the District's needs, and not necessarily the provider whose fees are the lowest.

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**XI. REQUESTS FOR CLARIFICATION/INFORMATION**

All requests for clarification or additional information as related to this Bid/Proposal shall be submitted in writing via fax or e-mail to:

Robert Stein  
Deputy Purchasing Agent  
Fax (516) 876-2351  
Email: rstein@westburyschools.org

Please include the firm's name, a contact person's name, a fax number and an email address.

**XII. ACKNOWLEDGMENT FORM**

Included within this Request for Proposal is the acknowledgment form to be used in connection with the services to be provided. Proposers should review the contents of the acknowledgment form and base his/her/its proposal on the provisions therein. The terms and conditions set forth in the Request for Proposal are incorporated into the acknowledgment form by reference and shall form a part of the Agreement executed by the Board of Education and the successful proposer.

**XIII. SCORING AND EVALUATION**

The District will evaluate each proposal using the following criteria:

<b>DESCRIPTION</b>	<b>PERCENT</b>
Professional Qualifications / Experience / Capabilities / References	60%
Cost / Fees	40%

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**VENDOR INFORMATION & ACKNOWLEDGMENT FORM**

The undersigned, as a duly authorized representative of the Vendor, hereby proposes to furnish such services, materials, supplies, and equipment as required by the General Terms and Conditions and Specifications contained within the Request for Proposal Documents at the prices indicated on the Rate Sheet Form.

Company Name \_\_\_\_\_  
(as shown on your W-9)

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Title \_\_\_\_\_

Please indicate the representative from your company who should receive all correspondence relating to this bid:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: (if different from above) \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Vendor Acknowledgement

Vendor, by checking and signing below, confirms that he/she has read and understands and will comply with the terms, conditions and specifications/scope of this Request for Proposal and any addenda, if issued.

Yes  No

Bidders Authorized Signature: \_\_\_\_\_

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**REFERENCES**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_

Dates of Contract(s) \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_

Dates of Contract(s) \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_

Dates of Contract(s) \_\_\_\_\_

Proposer's Name: \_\_\_\_\_

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**VENDOR DISCLOSURE CERTIFICATION**

**Vendor must complete either Section A or B below and returned with your proposal**

- A. This is to certify that the principal members of the company listed below are not related to any Board members, officers or employees of the Westbury Union Free School District (WUFSD) and no Board member, officer or employee of the WUFSD is directly or indirectly interested in this bid or the supplies, materials, equipment, work or services which are related to it, or in any portion of the profits thereof.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
PRINT NAME

- B. This is to certify that the following Westbury Union Free School District Board members, officers or employees are related to principal members of the company listed below or have a direct or indirect interest in this bid or the supplies, materials, equipment, work or services which are related to it, or in any portion of the profits thereof.

NAME	RELATIONSHIP	NAME OF WUFSD RELATION

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
PRINT NAME

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**PROPOSER'S CERTIFICATION OF COMPLIANCE WITH  
IRAN DIVESTMENT ACT OF 2012**

In accordance with General Municipal Law §103-g, which generally prohibits the School District from entering into contracts with persons engaged in investment activities in the energy sector of Iran, the bidder/proposer submits the following certification:

*[Please Check One]*

**Proposer's Certification**

- By submission of this bid or proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief, that each bidder/proposer is not on the list created by the Office of General Services (OGS) pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law.
  
- I am unable to certify that my name and the name of the bidder/proposer does not appear on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the State Finance Law. I have attached a signed statement setting forth in detail why I cannot so certify.

Dated: \_\_\_\_\_, 20\_\_\_\_ New York

\_\_\_\_\_  
Name of Bidder/Proposer

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Printed or Typed Name of Official and Title

Sworn to before me this  
\_\_\_\_day of\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public  
Dated:

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**BID PROPOSAL NON-COLLUSIVE CERTIFICATION**

Firm Name \_\_\_\_\_

Business Address \_\_\_\_\_

Telephone Number \_\_\_\_\_ Date of Bid \_\_\_\_\_

1. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment, and/or services as proposed on this bid.

2. Non-Collusive Bidding Certification

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal here-after made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

A. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not submit a bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where A. (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder shall so state and shall furnish with the bid a signed statement which set forth in detail the reasons therefore. Where A. (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

- (1) The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (a).
- (2) Any bid hereafter made to any subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Authorized Signature \_\_\_\_\_ Title \_\_\_\_\_

