

SOLICITATION FOR PROPOSAL (SFP)

WORKERS' COMPENSATION INSURANCE ASSIGNED RISK PLAN

QUESTIONS & ANSWERS

- Q. With respect to SFP PART ONE – SCOPE OF WORK, SECTION 3. B. ANNUAL MEETINGS WITH AGENTS, can the Department please offer clarity with respect to the following two (2) requirements:
- a) “Unless waived, the first such meeting must be held between October 17 and November 21, 2023”. Is the expectation that the carrier selected to service the Nebraska WCIP for the 1/1/2024 contract hold this meeting in 2023?
- A. Yes, we would expect the carrier selected to hold a meeting in 2023.
- b) “Following the 2023 meeting, unless waived, an agent meeting must be held annually except that no such meeting is required during the last year of the agreement period, renewal periods, or extension thereof”. After the 2023 meeting, what is the Department’s expectation with respect to the noted exception? If a carrier commits to a three (3) year term, with extensions of up to two (2) additional years, how often is the carrier expected to hold such meetings during the contract period?
- A. Following the meeting in 2023, the carrier should hold a meeting once in both 2024 and 2025. A meeting in 2026 and during any extension period is not required, however, we would encourage a meeting during these times to have a chance to communicate with both the representatives of the agents’ associations and the Department.
- Q. With respect to SFP PART TWO – GENERAL TERMS AND CONDITIONS, SECTION 8. PROPOSALS BECOME PUBLIC RECORD, can the Department please offer insight with respect to the following four (4) questions:
- a) Are all SFP proposal sections (Plan of Operation, Exhibits and Bid Pricing) considered a public record?
- A. Records submitted to a public agency is considered to be a public record unless an exception under [Neb.Rev.Stat. §84-712.05](#) applies.
- b) If carriers mark any SFP proposal section as “confidential” how will the Department treat the information?
- A. Records submitted to a public agency is considered to be a public record unless an exception under [Neb.Rev.Stat. §84-712.05](#) applies

- c) Can the Department help us understand the process of what happens when they receive a public records request and which parties will be notified of the request?
- A. When a request for a document is submitted to the Department, the record is gathered and counsel for the Department reviews to determine whether or not an exception to release is present under the aforementioned statute. Under Nebraska law, records are considered “public” in nature unless the exception applies. If it is a public record, the Department will send the documents to the requestor. If it denies the request, the requestor has an option to take the matter to Lancaster County District Court and have a District Court Judge make a determination regarding the document and whether or not it is public in nature.
- d) Does the Department anticipate posting any SFP proposal sections on a public website?
- A. The Department does not plan to publish the SFP proposals to the website.