

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING AN AGREEMENT WITH HILLMANN CONSULTING
TO PROVIDE A REPORT ON THE ENVIRONMENTAL CONDITIONS
OF THE EXTERIOR FAÇADE SHEATHING
AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE**

WHEREAS, Hurricane Ida impacted New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds, reports of tornadoes, and heavy and sustained rainfall in some areas; and

WHEREAS, the storm caused severe damage to municipal facilities, infrastructure, vehicles and equipment, including the Municipal Complex which had extensive damage to the sections of the Police Department, exterior façade and basement where the mechanical room is located; and

WHEREAS, following the event professionals were engaged by the Insurance Company and excess carrier to review the municipal complex and provide a report on findings and issue an opinion to the carrier that is used as a basis for determination of coverage; and

WHEREAS, in the months following the initial report, municipal officials challenged the findings and requested areas not covered in the report that had also sustained damage be evaluated, which led to supplemental engagements by the insurance carrier to amend the findings, specifically addressing concerns with the exterior wall and façade; and

WHEREAS, Halliwell Engineering Associates that had been engaged on the side of the Insurance Company issued an investigation report in May of 2022, followed by MKA issuing a supplemental report in July of 2022, specifically to address concerns with the exterior façade; and

WHEREAS, in the fall of 2022, municipal officials and professionals working with the Township held meetings with the insurance carrier and their engaged professionals to discuss findings included within the reports; and

WHEREAS, in October and November of 2022, municipal officials working with legal counsel and the Risk Manager raised concerns with the findings to members of the Garden State Joint Insurance Fund and requested the carriers cover costs associated with an independent study of the exterior, that would be engaged by the Township; and

WHEREAS, in December of 2022, pursuant to Resolution 346-12.22, an agreement with BDO USA, LLP was authorized for claims administration services and for assistance with the reporting, documentation and submission requirements; and

WHEREAS, in January of 2023, representatives for BDO USA, LLP working with municipal officials, identified and met with professionals from Amphion Analytical Engineering, PA to provide a proposal to conduct a Building Envelope Moisture Intrusion Investigation that will determine the scope of damage to the cavity of the exterior wall, which requires working with an appointed environmental firm for an analysis of the sheathing within the façade; and

WHEREAS, following Hurricane Ida, Hillmann Consulting was engaged by the contractor under the Insurance Carrier to provide an independent report on air quality conditions, moisture mapping of the interior walls and an assessment of HVAC duct work to be remediated; and

WHEREAS, due to an additional study needed at the Complex, specifically review of the façade, it is necessary to engage Hillmann Consulting to coordinate with Amphion Analytical Engineering, PA for a more comprehensive review of the exterior façade; and

WHEREAS, with said prior experience reporting on the Municipal Complex, together with the professional credentials and education necessary, Hillmann Consulting possess the expertise, extensive training, and proven reputation to provide the analysis and report on the environmental conditions within the facility; and

WHEREAS, it has been determined that the Township could not procure these services pursuant to N.J.S.A. 40A:11-1 et seq. under a fair, open, and competitive process, since the contractor for the insurance carrier had previously engaged Hillmann Consulting for environmental reporting and the selection of a new vendor could disrupt the chain of custody for reporting environmental testing previously performed by Hillmann Consulting during the moisture mapping phase conducted in September of 2021; and

WHEREAS, the Township, as a local government contracting unit, may also award contracts, under an alternative process to the Fair and Open process pursuant to N.J.S.A. 19:44A-20.4 et seq., that are specialized and of an extraordinary unspecifiable nature; and

WHEREAS, Hillmann Consulting with the extensive training and proven reputation has provided a proposal for testing and reporting the environmental conditions of the exterior sheathing of the façade with an amount not-to-exceed \$_____.

WHEREAS, Hillmann Consulting has completed and submitted a Business Entity Disclosure Certification which certifies that Hillmann Consulting has not made any reportable contributions to a political or candidate committee in the Township of North Brunswick in the previous one year, and that the contract will prohibit Hillmann Consulting from making any reportable contributions through the term of the contract; and

WHEREAS, in addition, Hillmann Consulting has completed and submitted a C.271 Political Contribution Disclosure Form pursuant to N.J.S.A. 19:44A-20.26 et seq.

NOW THEREFORE BE IT RESOLVED, on this 6th day of February 2023, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an agreement with Hillmann Consulting for said services at an amount not-to-exceed \$_____ in accordance with their fee schedule.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution; and

BE IT FURTHER RESOLVED notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.

CERTIFICATION

I, Cavel Gallimore, Chief Financial Officer, hereby certify that \$16,300.00 is available for this purpose in Storm Recovery Reserve Account D-33-56-850-005-001 contingent upon reimbursement under the insurance claim and FEMA application. Contract PRO23039

 Cavel Gallimore
 Chief Financial Officer

 Justine Progebin
 Business Administrator

 Ronald Gordon, Esq.
 Township Attorney
 Approved as to legal form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on February 6, 2023.

 Lisa Russo
 Township Clerk