

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK  
AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH BDO, USA, LLP  
TO PROVIDE CLAIMS ADMINISTRATION SERVICES  
FOR MUNICIPAL CLAIMS RELATED TO HURRICANE IDA AS AN  
EXTRAORDINARY UNSPECIFIABLE SERVICE**

**WHEREAS**, Hurricane Ida impacted New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds 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 and basement where the mechanical room is located; and

**WHEREAS**, in September of 2021, the Township filed claims under the Garden State Joint Insurance Fund (JIF) to begin remediation efforts; and

**WHEREAS**, in addition, the Township made application with the Federal Emergency Management Agency (FEMA) for federal Hurricane Ida Recovery Funding for expenses associated with restoration and under the FEMA Public Assistance Program for future mitigation efforts; and

**WHEREAS**, in October of 2022, due to the complexity of the claim for the Municipal Complex, it was determined necessary to contract for claims administration services to assist with the documentation and submission; and

**WHEREAS**, in December of 2022, pursuant to Resolution 346-12.22, an agreement with BDO USA, LLP was authorized as an Extraordinarily Unspecifiable Service contract for work related to the insurance claim(s), with a one-year contract term and an amount not-to-exceed \$150,000.00 for Phase I – Claims Documentation and Analysis; and

**WHEREAS**, in March of 2023, representatives for BDO USA, LLP provided notice to the Township that Phase I was nearing completion and provided a cost estimate for Phase II – for assembly and submission of detailed claim documentation, with an amount not-to-exceed \$\_\_\_\_\_; and

**WHEREAS**, the proposal submitted by BDO USA, LLP for said insurance claim work has been presented to the excess carrier for a determination of coverage as an eligible expense for reimbursement under the insurance claim(s); and

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5 et seq., services which are specialized and qualitative in nature, requiring expertise, extensive training and proven reputation in the field of endeavor, the amount of which exceeds the bid threshold, may be negotiated and awarded by the governing body by resolution without public advertising as an extraordinarily unspecifiable service contract; and

**WHEREAS**, under an alternative process to the Fair and Open process pursuant to Pay-to-Play Law N.J.S.A. 19:44A-20.4 et seq., the Township, as a local contracting unit, may award contracts for services that are specialized and extraordinarily unspecifiable in nature; and

**WHEREAS**, BDO USA, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that BDO USA, LLP 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 BDO USA, LLP from making any reportable contributions through the term of the contract, and

**WHEREAS**, in addition, BDO USA, LLP 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 3<sup>rd</sup> day of April 2023, that the Township Council of the Township of North Brunswick does hereby authorize an amendment to the agreement with BDO USA, LLP as an Extraordinarily Unspecifiable Service contract, with an amended amount not-to-exceed \$ \_\_\_\_\_, and a one-year contract term, in accordance with an agreed fee schedule; and

**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 \$ \_\_\_\_\_ is available for this purpose in Storm Recovery Reserve Account D-33-56-850-005-001. Contract PRO22061

\_\_\_\_\_  
Cavel Gallimore  
Chief Financial Officer

\_\_\_\_\_  
Justine Progebin  
Business Administrator

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

**RECORDED VOTE:**

<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOTES</b>
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 April 3, 2023.

\_\_\_\_\_  
 Lisa Russo  
 Township Clerk