

**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 April of 2023, pursuant to Resolution 114-4.23, the agreement with BDO USA, LLP was amended to include Phase II - Assembly and submission of claim documentation, with an amount not-to-exceed \$200,000.00 and an amended amount not-to-exceed \$350,000.00; and

WHEREAS, in June 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 III – for allocation of claim schedules and continued review with insurance representatives, with an amount not-to-exceed \$100,000.00, with an amended amount not-to-exceed \$450,000.00; 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 26th day of June 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 \$450,000.00, 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 \$100,000.00 is available for this purpose (Phase III) 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:

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 June 26, 2023.

Lisa Russo
Township Clerk