

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF NORTH BRUNSWICK
EXTENDING THE EMERGENCY DECLARATION AND
AUTHORIZING CONTRACT(S) ON AN EMERGENT BASIS FOR TEMPORARY
HEATING, VENTILATION, AIR CONDITIONING (HVAC) NECESSARY TO
MAINTAIN CLIMATE CONTROL TO THE MUNICIPAL COMPLEX**

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 could have endangered the community's health, safety, and welfare if not responded to in an immediate manner; and

WHEREAS, on September 2, 2021, the Mayor for the Township of North Brunswick declared an emergency for the municipality; and

WHEREAS, in September of 2021, Rapid Recovery was engaged as the general contractor for the claim filed by the Garden State Joint Insurance Fund with the excess carrier to begin remediation efforts; and

WHEREAS, as of December of 2022, representatives with excess carrier under the claim with Garden State Joint Insurance Fund had not agreed to a project scope, and further Rapid Recovery was unable to provide a timeline for climate elements, citing uncertainty with the condition of system components, leaving the Municipal Complex over a year with no climate control; and

WHEREAS, the network infrastructure for the municipality is located within the Municipal Complex and had been affected by the physical impacts of continued climate variability, leaving the system vulnerable to failure points and was hitting a critical level going into a second winter season; and

WHEREAS, in December of 2022, pursuant to Resolution 340-12.22, it was deemed necessary to Declare an Emergency and authorize contract(s) with capable vendor(s) on an emergent basis to secure the climate conditions within the Municipal Complex; and

WHEREAS, on March 6, 2023, pursuant to Resolution 98-3.23, Servpro Disaster Recovery Services was authorized on an emergent basis to provide a project scope and action plan to replace Rapid Recovery (including sub-contractors) for temporary climate control; and

WHEREAS, as of December of 2023, the Township has not received approval with excess carrier under the claim filed with the Garden State Joint Insurance Fund for the recommended scope of remediation and restoration; and

WHEREAS, the infrastructure network plays an essential role for the operation of the municipal departments and it has been deemed necessary to contract with capable vendor(s) on an emergent basis to secure the climate conditions within the Municipal Complex; and

WHEREAS, pursuant to Local Public Contracts Law N.J.S.A. 40A:11-6 et seq. any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of Township of North Brunswick, in the County of Middlesex, New Jersey, does hereby confirm the emergency and authorize the execution of negotiated contract(s) as deemed necessary to bring climate control to the Municipal Complex.

CERTIFICATION

I, Cavel Gallimore, Chief Financial Officer, hereby certify that funds shall be made available within the Storm Trust Account, contingent upon the receipt of funds from the Joint Insurance Fund in accordance with the terms of the contract(s).

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 December 18, 2023.

Lisa Russo
Township Clerk