



Legislation Text

File #: 23-0908, Version: 1

Dept/ Agency: Administration/Office of the Business Administrator

Action: () Ratifying (X) Authorizing () Amending

Type of Service: Exception to Public Bidding for Health Insurance Brokerage Services

Purpose: To provide Health Insurance Brokerage Services for Management and Oversight of all Insurance Brokerage Services and Consulting and Brokerage Services for Medical and Voluntary Products - Active and Retiree Populations.

Entity Name: Fairview Insurance Agency Associates

Entity Address: Randolph, New Jersey 07869

Contract Amount: Not to exceed \$150,000.00

Funding Source: 2023 Budget/Office of the Business Administrator/NW011-200-2001-A-60210-B2023

Contract Period: September 1, 2023 through August 31, 2024 with two (2) one (1) year options to extend the contract not to exceed three (3) years in aggregate

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open (X) No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Exception to Public Bidding: N.J.S.A. 40A:11-5 (m) Insurance, which includes brokerage services.

WHEREAS, the City of Newark ("City") is in need of Insurance Consultant/Broker Services for various employee Benefits, including more specifically, management and oversight of all insurance brokerage services, as well as active and retiree medical and voluntary benefits; and

WHEREAS, New Jersey Local Public Contract Law authorizes exception to public bidding in compliance with New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-5 (m) Insurance, which includes brokerage services; and

WHEREAS, Fairview Insurance Agency Associates, of Randolph, New Jersey 07869 has submitted a proposal and it is in the best interest of the City to award a contract to Fairview Insurance Agency Associates based upon expertise, training, and proven reputation with providing management and oversight of all Health Insurance Consulting/Brokerage Services and consulting and brokerage services for medical and voluntary products for active and retiree populations for the period beginning September 1, 2023 through August 31, 2024 in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) per year, with an option to extend the contract after August 31, 2024 with two (2) one (1) year options to extend the contract not to exceed three (3) years in aggregate; and

WHEREAS, the Business Administrator and Personnel Director have determined and certified, in writing, that the value of this contract will exceed \$17,500.00; and

WHEREAS, the actions contemplated by this Resolution shall result in the award of a Non-Fair and Open Contract in accordance with N.J.S.A. 19:44A-20.5; and

WHEREAS, Fairview Insurance Agency Associates has completed and submitted a Business Entity Disclosure Certification, which certifies that Fairview Insurance Agency Associates has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and the contract will prohibit Fairview Insurance Agency Associates from making any reportable contributions through the term of the contract; and

WHEREAS, the Municipal Council adopted New Jersey Municipal Code § 2:4-22C.1, which adopted the State of New Jersey's Pay-to-Play statutory requirements pursuant to N.J.S.A. 19:44A-20.5, as may be amended and supplemented, governing eligibility for municipal contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designees, the Business Administrator or the Personnel Director, are hereby authorized and directed to enter into and execute a contract with Fairview Insurance Agency Associates, of Randolph, New Jersey 07869 to provide all oversight and management of all insurance consulting/brokerage services and consulting and brokerage services for medical and voluntary products for active and retiree populations for the City of Newark, for the period beginning September 1, 2023 through August 31, 2024 in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) per year, with an option to extend the contract after August 31, 2024 with two (2) one (1) year options to extend the contract not to exceed three (3) years in aggregate.
2. The contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect, pursuant to N.J.A.C. 5:30-5.5(e). Funds for this contract in the amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) shall be provided from the Office of the Business Administrator Funding Line: 011-200-2001-A-60210-B2023.
3. This contract is being awarded pursuant to the Non-Fair and Open Procedures of the Pay-to-Play Law, N.J.S.A. 19:44A-20.5 et seq., and pursuant to the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5(1)(m)), which authorizes the award of a contract for all oversight and management of all insurance consulting/brokerage services and consulting and brokerage services for medical and voluntary products for active and retiree populations for the City of Newark, without public bidding. The contract will contain language prohibiting any contributions in violation of any state or local law, ordinances, and regulations.
4. The Business Entity Disclosure Certification and the Determination of Value shall be placed on file with this Resolution.

5. There shall be no amendments or changes to the contract without approval of the Municipal Council.
6. There shall be no advance payments on this contract in accordance with N.J.S.A. 40A:5-16.
7. A copy of this executed contract herein authorized shall be filed in the Office of the City Clerk by the Business Administrator and/or Personnel Director and shall be made available for public inspection.
8. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of its passage.

STATEMENT

This Resolution authorizes the Mayor of the City of Newark and/or his designees, the Business Administrator or the Personnel Director, pursuant to N.J.S.A. 40A:11-5(m) to enter into and execute a contract with Fairview Insurance Agency Associates, of Randolph, New Jersey 07869 to provide all management and oversight of all insurance consulting/brokerage services and consulting and brokerage services for medical and voluntary products for the City of Newark, for the period beginning September 1, 2023 through August 31, 2024 in an amount not to exceed \$150,000.00 per year, with an option to extend the contract after August 31, 2024 with two (2) one (1) year options to extend the contract not to exceed three (3) years in aggregate.