



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-1221, Version: 1

**Dept/ Agency:** Administration/Office of the Business Administrator

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

**Type of Service:** EUS Contract

**Purpose:** Health Insurance Brokerage Services

**Entity Name:** Frenkel Benefits, LLC

**Entity Address:** 210 Hudson Street, Suite 601, Jersey City, New Jersey 07311

**Contract Amount:** Not to exceed \$300,000.00

**Funding Source:** 2019 Budget

**Contract Period:** January 5, 2019 through January 4, 2020

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

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

( ) Private Sale ( ) Grant ( ) Sub-recipient (X) N/A

**Additional Information:**

Insurance exception to public bidding in compliance with requirements of an Extraordinary Unspecifiable Service (EUS).

**WHEREAS**, the City of Newark ("City") is in need of Insurance Consultant/Broker Services for various employee Benefits, including more specifically, active prescription and retiree benefits; and

**WHEREAS**, the City of Newark desires to enter into contract to provide active prescription and retiree benefits; and

**WHEREAS**, pursuant to Resolution 7R1-a, adopted May 23, 2018, the City entered into a contract with Frenkel Benefits, LLC, 210 Hudson Street, Suite 601, Jersey City, New Jersey 07311 to provide health insurance consulting/brokerage services, for the period beginning January 1, 2017 through December 31, 2017, with an option to extend the contract after December 31, 2017 for additional one year term in the aggregate not to exceed three (3) years; and

**WHEREAS**, the services performed have been efficient and professional and the Mayor and the Business Administrator desire to engage Frenkel Benefits, LLC to continue to provide health insurance consulting/brokerage services for the City and more specifically for active prescription and retiree benefits, for the period commencing January 5, 2019, through January 4, 2020 for an amount not to exceed \$300,000.00; and

**WHEREAS**, the Mayor and the Business Administrator request that the Municipal Council waive the requirements of City Ordinance 2:4-22E, which requires Competitive Contracting to procure Insurance Brokerage Services; and

**WHEREAS**, the contract may otherwise be awarded as an 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 which shall be in accordance with the requirements of *N.J.S.A. 40A:11-5*

(1) (a) (ii), "Extraordinary Unspecifiable Service"; 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**, Frenkel Benefits, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Frenkel Benefits, LLC has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit Frenkel Benefits, LLC from making any reportable contributions through the term of the contract; and

**WHEREAS**, Local Public Contract Law *N.J.S.A. 40A:11-1*, et seq. requires a resolution of the Governing Body authorizing the award of contracts for Extraordinary Unspecifiable Services and further requires that the contract itself must be available for public inspection; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain threshold.

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

1. The Mayor and/or his designees, the Business Administrator or the Personnel Director, are authorized to execute contract with Frenkel Benefits, LLC, 210 Hudson Street, Suite 601, Jersey City, New Jersey 07311, to provide health insurance consulting/brokerage services, including, more specifically for active prescription and retiree benefits for the City of Newark, for the period of one year commencing January 5, 2019 through January 4, 2020, for an amount not to exceed \$300,000.00.
2. The Municipal Council waives the competitive contracting requirements set forth in City Ordinance 2:4-22E for this contract.
3. The contract is ratified from January 5, 2019, through the date of adoption of this authorizing resolution.
4. A Certification of Extraordinary Unspecifiable Service and Determination of Value are attached and shall be filed with the Office of the City Clerk.
5. Pursuant to *N.J.A.C. 5:30-5(a)*, Temporary Budget, attached is the Chief Finance Officer's Certification, which states partial funds in the amount of \$75,000.00 are available in the 2019 Temporary Budget, Fund 011, 011-200-2001-A-60210-B2019 Agency 200, Organization 2001,

Object 60210, the balance to be provided in the 2019 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk.

6. There shall be no amendments or changes to the contract without approval of the Municipal Council.
7. A copy of this executed contract herein authorized shall be filed in the Office of the City Clerk by the Business Administrator 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 10 days of its passage.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designees, the Business Administrator or the Personnel Director, pursuant to *N.J.S.A. 40A:11-5 (m)* and *N.J.S.A. 40A:11-5(1) (a) (ii)*, to execute and enter into a contract with Frenkel Benefits, LLC, 210 Hudson Street, Suite 601, Jersey City, New Jersey 07311, to provide health insurance consulting/brokerage services including, more specifically, for active prescription and retiree benefits for the City of Newark, in the amount of \$300,000.00 for the period of one year commencing January 5, 2019 through January 4, 2020.