

**MAYOR and COUNCIL of the
BOROUGH of HO-HO-KUS
BERGEN COUNTY, NEW JERSEY**

Resolution No. 13-02

Subject: RETAIN INSURANCE ADVISORS FOR 2013

Dated: Jan. 1, 2013

WHEREAS, the Borough of Ho-Ho-Kus has for several years sought the advice and counsel of Eastern Insurors, Inc., the Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund (hereinafter called the "Agents") with respect to the various insurance coverages necessary or appropriate to protect the Borough of Ho-Ho-Kus and its properties from the several risks of being a municipality in the State of New Jersey, including fire and extended coverage, liability coverage, Worker's Compensation coverage, and any and all other forms of insurance which are necessary to keep it thoroughly protected; and

WHEREAS, the Agents have served the Borough of Ho-Ho-Kus in a professional manner and obtained appropriate coverages with the several insurance companies authorized to do business in the State of New Jersey; and

WHEREAS, it is anticipated the expenditures for the various insurance coverages will exceed the sum of \$25,000 for the calendar year 2013; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A 11-1 et seq.) requires that, where services are to be performed and are of such a qualitative nature as will not reasonably permit the drawing of specification of the receipt of competitive bids, a resolution of the governing body of the municipality shall be adopted stating the supporting reasons for not submitting said service for competitive bidding; and

WHEREAS, the insurance coverage which is required for the Borough is of such a complex nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids; and

WHEREAS, insurance premiums are subject to control of the Commissioner of Insurance of the State of New Jersey so as to adequately protect the Borough; and

WHEREAS, it is contemplated that the 2013 budget for the Borough of Ho-Ho-Kus will contain the necessary appropriations being reasonably required for the purchase of the aforesaid insurance policies.

WHEREAS, a certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as needed basis pursuant to the provisions of N.J.A.C. 5:30-5.4 et seq. and

WHEREAS, the above named professionals have completed, submitted and filed a Business Entity Certification Disclosure which certifies that the above named persons and/ or entities have not made any reportable contributions to any political or candidate committee including (committee to elect Troast and Weiss, Ho-Ho-Kus Republican organization; Ho-Ho-Kus Democratic organization; Bergen County Republican Organization and Bergen County Democratic organization) in the previous one (1) year, and that the contract will prohibit the above named professionals/business entities from making reportable contributions through the term of the contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, the Eastern Insurors Inc. (General & Risk Consultant), Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund are hereby retained as the insurance advisors for the Borough of Ho-Ho-Kus for the calendar year 2013, and they are further authorized and directed to provide all insurance coverages which are necessary or appropriate to protect the Borough of Ho-Ho-Kus and its properties from the several risks of being a municipality of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the purchase of the aforesaid insurance coverage for the Borough of Ho-Ho-Kus is being made without competitive bidding under the provisions of N.J.S.A. 40A: 11-1 et seq. in that

the purchase of insurance policies is of such a complex nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the Ridgewood News within ten (10) days of its passage as required by law.

BE IT FURTHER RESOLVED, that this contract is being awarded as a non-fair and open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.5

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the determination of value be placed on file with this Resolution.

	Moved	Second	Ayes	Nays	Absent	Abstain
Mayor Randall						
Councilmember Troast						
Councilmember Lennon						
Councilmember Shea						
Councilmember Rorty						
Councilmember Weiss						
Councilmember Shell						

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