

RESOLUTION NO. 2020- 205

A RESOLUTION AUTHORIZING AN EXTRAORDINARY, UNSPECIFIABLE SERVICE AGREEMENT WITH MARSH WORTHAM, A DIVISION OF MARSH USA INC., HOUSTON, TEXAS FOR INSURANCE BROKER OF RECORD SERVICES FOR THE VINELAND MUNICIPAL ELECTRIC UTILITY INSURANCE PROGRAM.

WHEREAS, there exists a need for Insurance Broker of Record Services for the Municipal Electric Utility Insurance Program; and

WHEREAS, the City of Vineland has a need to acquire such services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

WHEREAS, the Director of Municipal Utilities has recommended that a contract be awarded to Marsh Wortham, a division of Marsh USA Inc., Houston, Texas for Insurance Broker of Record Services for the Municipal Electric Utility Insurance Program, for the period January 17, 2020 through January 16, 2021, for the amount of \$979,342.12; and

WHEREAS, Marsh Wortham has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that Marsh Wortham has not made any reportable contributions to a political or candidate committee in the City of Vineland in the previous one year and that the contract will prohibit Marsh Wortham from making any reportable contributions through the term of the contract to a political or candidate committee in the City of Vineland; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Business Administrator has certified that this meets the statute and regulations governing the award of said contract.

NOW, THEREFORE, BE IT RESOLVED by this City Council that:

1. Marsh Wortham, a division of Marsh USA Inc., Houston, Texas, be and the same is hereby designated as the broker of record for the Municipal Utility Insurance Program for the period January 17, 2020 through January 16, 2021, in the amount of \$979,342.12.
2. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement and other related documents on behalf of the City of Vineland pursuant to N.J.S.A. 19:44A-20.5.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with this Resolution.
4. The Purchasing Agent be and the same is hereby authorized and directed to issue a purchase order contract to Marsh Wortham, a division of Marsh USA Inc., Houston, Texas for Insurance Broker of Record Services for the Municipal Electric Utility Insurance Program
5. This contract is awarded in accordance with N.J.S.A. 40A:11-5(1)(m) of the Local Public Contracts Law which permits the award of a contract without public advertising for bids and bidding thereof if the subject matter thereof consists of insurance, including the purchase of insurance coverage and consultant services, which exception shall be in accordance with the requirements for extraordinary, unspecifiable services.
6. A notice of this action shall be printed once in the Daily Journal.

Adopted:

President of Council

ATTEST:

City Clerk

STANDARD CERTIFICATION DECLARATION FOR AND
EXTRAORDINARY UNSPECIFIABLE SERVICE (EUS)

To: Members of the Governing Body

From: Robert E. Dickenson, Jr., Business Administrator

Date: April 28, 2020

Subject: This is a contract for Insurance Broker of Record Services - Municipal Electric Utility Insurance Program

This is to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: **Marsh Wortham, a division of Marsh USA Inc., Houston, Texas**

Cost: **\$979,342.12**

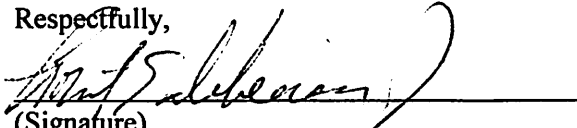
Duration: **January 17, 2020 through January 16, 2021**

Purpose: **Insurance Broker of Record Services for the Municipal Electric Utility Insurance Program**

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service (N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b)). I do hereby certify to the following:

1. Provide a clear description of the nature of the work to be done:
Placement of insurance coverages and related brokerage service in accordance with N.J.S.A. 40A:11-5(1)(a)(ii).
2. Describe in detail why the contract meets the provisions of the statute and rules:
Insurance is exempted by virtue of N.J.S.A. 40A:11-5(1)(a)(ii) and 40A:11-5(1)(m).
3. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because:
Professional evaluation of various insurance products demand specific training and experiences in markets, alternatives, and
4. **Marsh Wortham is hereby authorized to negotiate directly with any interested insurance company as respects changes in existing insurances policies and in closing, changing, increasing or canceling insurance carried under temporary binders or covernotes. Marsh Wortham shall also solicit quotations for varying insurance products needed by the Electric Utility from numerous providers and provides recommendation as to the best combination of policies.**
5. I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,


(Signature)
Business Administrator

(Original to be retained by City Clerk with the affirmed copy of the resolution; signed duplicate to be kept by Business Administrator.)



01/17/2020

City of Vineland
211 N West Ave
Vineland, NJ 08362

RE: BROKER'S/AGENT'S LETTER OF AUTHORIZATION

Policy #: Zurich PWG 0086330-04

To Whom It May Concern:

This is to advise that effective 01/17/2020, we have appointed Marsh Wortham as the sole and exclusive Broker/Agent of Record with respect to our property insurance policy. This appointment rescinds all previous appointments and the authorization contained herein shall remain in full force and effect until cancelled in writing by us.

Marsh Wortham is hereby authorized to negotiate directly with any interested insurance company as respects changes in existing insurance policies and in closing, changing, increasing or canceling insurance carried under temporary binders or covernotes. However, Marsh Wortham shall not be responsible for any deficiencies in, or any return premiums and/or commissions due on, any insurance coverage not placed by Marsh Wortham until they have had a reasonable opportunity to review, provide us with recommendations, and implement the placement of any changes agreed upon.

This letter also constitutes authorization to any and all underwriters to furnish Marsh Wortham representatives with all information pertaining to any and all insurance contracts, rates, rating schedules, surveys, reserves, retention or other data they may require as respects the Insurance.

We request that insurers waive any and all waiting or notification periods that might normally or customarily be granted following receipt of a formal notice such as this.

Thank you for your courtesy and cooperation.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Robert E. Dickenson, Jr.", written in a cursive style.

Robert E. Dickenson, Jr.
Business Administrator
City of Vineland



--- INVOICE ---

City of Vineland
211 N. West Ave
Vineland, NJ 08360

Lockbox Address for Payments
PO BOX 301513 - Dallas, TX 75303-1513

Invoice#	Trn.Date - Policy Number - Ins	Pay	Trn Cov	Eff.Date	Inv. Balance
624891	03/19/20 PWG0008633005	16535 G7554 NEW CP		03/01/20	507,833.00
	Other Fee: NJ PLIGA Surcharge 50% part of 100% Order				
624892	03/19/20 PWAHRXX20	10717 G7524 NEW CP		03/01/20	81,690.00
	3.5% part of 100% Order				
624959	03/20/20 B0621EMWVC000120	I6614 G6484 NEW CP		03/01/20	129,939.29
	5% part of 100% Order				
624960	03/20/20 B0621EMWVC000120	I7688 G6484 NEW CP		03/01/20	259,879.83
	10% part of 100% Order				

TOTAL DUE: \$979,342.12