RESOLUTION

AWARDING NON-FAIR AND OPEN CONTRACT FOR AN EXTRAODINARY, UNSPECIFIABLE SERVICE FOR HEALTH INSURANCE BROKER OF RECORD SERVICES

No. 25-11-D

WHEREAS, the Washington Township Municipal Utilities Authority ("Authority") finds it in the Authority's best interest to procure health benefits outside the NJ State Health Benefits Program due to the price increase for 2026; and

WHEREAS, an Insurance Broker is necessary to facilitate health benefits on the behalf of the Authority; and

WHEREAS, N.J.S.A. 40A:11-5(1)(a)(ii) and 40A:11-5(l) of the Local Public Contracts Law ("LPCL") exempts such Extraordinary Unspecifiable Services (EUS) from competitive bidding; and

WHEREAS, the Qualified Purchasing Agent (QPA) has filed a certificate with the Authority describing the nature of the work to be done; stating that is not reasonably possible to draft specifications; describing the informal solicitation of quotations; and describing in detail why the contract will meet applicable provisions of the statute. This resolution, the QPA's Certification and the contract of procurement will be available for public inspection; and

WHEREAS, this is an award of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5 and as required thereby: (1) the QPA has determined and hereby provides written certification that the value of the contract exceeds $17,500, (2) will submit a Business Disclosure Certification before contract award which certifies that Brown & Brown has not made any reportable contributions to a political or candidate committee in the Township of Washington in the previous year, and (3) the Contract will prohibit Brown & Brown from making any reportable contributions through the term of the contract; and

WHEREAS, the Executive Director hereby certifies that adequate funds are available for this purpose; and,

NOW, THEREFORE, BE IT RESOLVED by the **Washington Township Municipal Utilities Authority**:

(1) Upon receipt of the Business Entity Disclosure Form, the Executive Director is hereby authorized and directed to procure Insurance Broker Servies through Brown & Brown effective January 1, 2026.

(2) A copy of this Resolution, the Qualified Purchasing Agent's Certification and the Contract engaging Brown & Brown shall be kept on file and available for public inspection at the office of the WTMUA, 46 East Mill Road, Long Valley, New Jersey.

(3) This contract are made without competitive bidding as a "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law, because it involves specifications that are undeterminable in nature due to the limited number of suppliers and the diversity of the software options and functionality that each supplier provides as well as customer support requirements which are dependant on the relationship with the current meter provider and the Washington Township Tax Office.

(4) A notice of this action shall be printed in the Authority's Official Newspaper within ten (10) days of the passage of this resolution.

(5) This Resolution shall take effect immediately upon passage according to law.

CERTIFIED AS TO CONTRACT VALUE AND FUNDS AVAILABILITY
Executive Director

DATED: November 5, 2025

ATTEST:

WASHINGTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY

E. Jill Waller, Executive Secretary

Walter Cullen, Chairman

Motion to approve this resolution was made by Mr. Sparone and seconded by Mr. Napolitano Motion was carried by the following Roll Call Vote:

VOTE	Cullen	Napolitano	Drake	Sehnal	Sparone	Caetano	McLain
AYE	✓	✓	✓	✓	✓		✓
NAY							
ABSTAIN							
ABSENT						✓	
INELIGIBLE							

STANDARD CERTIFICATION DECLARATION FOR AN EXTRAORDINARY UNSPECIFIABLE SERVICE

TO: Members of the Governing Body

FROM: *Jill Waller, QPA, Executive Secretary*

DATE: 10/01/2025

SUBJECT: This is a contract for employee health insurance

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

Firm: Brown & Brown

Cost: per attached

Duration: January 1 – December 31, 2026

Purpose: insurance broker for employee health insurance

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.**

   Health insurance broker services

2. **Describe in detail why the contract meets the provisions of the statute and rules:**

   Health insurance is may be awarded without public advertising for bids and bidding pursuant to N.J.S.A.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:

non-applicable

4. Describe the informal solicitation of quotations:

Quotes were solicited from Professional Insurance Associates, Eagle Rock Management Group, Brown & Brown, United Life Brokers

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,

Name E. Jill Waller

E. Jill Waller, QPA

Title: Executive Secretary

NJSolutions JHIF
Administered by Horizon

Attached are the NJ Solutions JHIF rates for the Washington Township MUA.

Please note the following:

- The policy period is for 12 Months - January 1, 2026 through December 31, 2026
- The broker commission included is 3.5%
- The pooling level for the NJ Solutions JHIF is $250,000
- All benefits will match the State Health Benefits Plan. Attached is an “Equal to or Better Than” letter
- The attached rates and benefits were based on the information submitted at the time this proposal was evaluated. The NJSolutions JHIF reserves the right to re-evaluate our proposed rates and benefits as a result of a change in the information supplied at the time this quote was evaluated such as:

  1. The receipt of additional information that could have an impact on the rates and/or benefits offered.

  2. A change in benefit levels and/or other terms of the contract or administration agreement (e.g. Government mandated benefits).

  3. A 10% size change and/or shift in enrollment between contract types.

You can learn more about the NJ Solutions JHIF here:

https://www.njsolutionsjhif.com/

Sincerely,

Kathleen Davis

Kathleen Davis
Director of Underwriting
NJ Solutions JHIF