

RESOLUTION NO. 12-23

A RESOLUTION AWARDING CONTRACTS TO ASSIGNED DEFENSE LAW FIRMS

WHEREAS, the Burlington County Insurance Commission (COMMISSION) has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

WHEREAS, the Commissioners of the Burlington County Insurance Commission find that it is necessary and appropriate to obtain certain legal services so that the claims filed against members of the Burlington County Insurance Commission and for which the Burlington County Insurance Commission is obligated to provide a legal defense may be properly defended; and

WHEREAS, the COMMISSION under the “Fair and Open” process, advertised a Request for Qualifications (RFQ) for one (1) year Contracts for Defense Law Firms and the responses to the RFQ were to be submitted to PERMA Risk Management Services by November 30, 2022, and

WHEREAS, the COMMISSION received Proposals from 8 different law firms with seven of the firms submitting proposals to serve in both capacities and one firm submitting a proposal to serve only as General Liability Defense Counsel

WHEREAS, on November 30, 2022 the COMMISSION Chair and Solicitor reviewed and evaluated all responses that were received to the RFQ, except one, which response the Solicitor could not review due to a conflict between the respondent and the Commissioner stemming out of an unrelated matter Alternate Commissioner Rocco performed the review with the Chair for one response. The Chair and Solicitor discussed the responses and determined that certain firms were recommended to be awarded Contracts for 2023; and

WHEREAS, those recommendations were presented to the COMMISSION at its regular meeting on December 12, 2022 and the COMMISSION authorized the Solicitor to prepare a Resolution awarding the Contracts in accordance with the recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Burlington County Insurance Fund Commission assembled in a public session on January 20, 2023, that the following Law Firms are hereby designated as Defense Counsel for the Burlington County Insurance Commission and each firm shall be awarded a Contract for 2023 under the “Fair and Open” process:

General Liability Claims:

1. Eric M. Bernstein & Associates, PC at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
2. Brown & Connery, LLP at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
3. Madden & Madden at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.

4. Malamut & Associates, LLC at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
5. Mattleman, Weinroth & Miller, PC at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
6. Weiner Law Group at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.

Workers' Compensation Claims:

1. Eric M. Bernstein & Associates, PC at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
2. Brown & Connery, LLP at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
3. Malamut & Associates, LLC at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
4. Mattleman, Weinroth & Miller, PC at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.
5. Weiner Law Group at a rate of \$175.00 per hour for Partners; \$165.00 per hour for Associates; and \$100.00 per hour for Paralegals.

Note that the above rates include all reasonable office expenses (e.g.) postage, faxes, telephones, copies, etc.

BE IT FURTHER RESOLVED that assignment of specific claims for defense of General Liability and Workers' Compensation claims shall be made by the Commission Chair.

BE IT FURTHER RESOLVED that the assignment of cases made prior to the adoption of this Resolution shall continue with the Law Firms so assigned.

BE IT FURTHER RESOLVED that this Contract is being awarded following a "fair and open" process pursuant to *N.J.S.A. 19:44A-20.1, et seq.*

BE IT FURTHER RESOLVED that the Commission Chair and Secretary are hereby authorized to execute the Contract with the assigned Defense Counsel Law Firms to provide Legal Services to the COMMISSION.

BE IT FURTHER RESOLVED that the copies of this Resolution shall be provided to the Executive Director, Commission Solicitor and other appropriate individuals for their information and attention.

ADOPTED by THE BURLINGTON COUNTY INSURANCE COMMISSION at a properly noticed meeting held on January 20, 2023.

BY: 
ASHLEY BUONO ESQ., CHAIR

ATTEST:

BY: 
EVE CULLINAN, VICE CHAIR