

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

Resolution No. 2020-05

A RESOLUTION AWARDING CONTRACTS TO GENERAL LIABILITY ASSIGNED DEFENSE COUNSEL AND APPROVED ASSOCIATES.

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

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

WHEREAS, the BURLCOJIF, under the “Fair and Open” process, advertised a Request for Qualifications (RFQ) for three (3) one (1) year Contracts for Assigned Defense Counsel and Approved Associates, and the responses to the RFQ were to be submitted to the Executive Director’s Office by September 28, 2018; and

WHEREAS, the BURLCOJIF received nineteen (19) responses to the General Liability RFQ; however, the response submitted by Louis Cappelli, Jr., Esquire of Florio Perrucci Steinhardt & Fader was received after the deadline for submissions. All responses were referred to the BURLCOJIF Finance Committee for their review and evaluation; and

WHEREAS, the BURLCOJIF Finance Committee reviewed and evaluated all responses that were received to the RFQ, and after a majority of the Committee individually completed the evaluation process, certain firms were recommended to be awarded Contracts for 2020; and

WHEREAS, based upon the recommendation of the BURLCOJIF Finance Committee, the Executive Committee of the BURLCOJIF, through this Resolution awarding Contracts for 2019 to General Liability Assigned Defense Counsel and Approved Associates; and

WHEREAS, those recommendations were presented to the Executive Committee of the BURLCOJIF at their regular meeting on January 15, 2019, and through Resolution 2019-05, the Executive Committee awarded Contracts in accordance with the recommendations of the Finance Committee; and

WHEREAS, the Executive Committee has determined that the same Contracts should be awarded for 2020, which is the second year of the three (3) one (1) year Contracts.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Burlington County Municipal Joint Insurance Fund assembled in a public session on January 21, 2020, that the following Law Firms and Attorneys are hereby designated as Assigned Defense Counsel and Approved Associates for the Burlington County Municipal Joint Insurance Fund and each firm shall be awarded a Contract for 2020 under the “Fair and Open” process:

General Liability Claims:

1. Marshall, Dennehey, Warner, Coleman & Goggin with Richard L. Goldstein, Esquire as Assigned Defense Counsel at a rate of \$170.00 per hour of attorney time; Larry B. Berg, Esquire, Matthew J. Behr, Esquire, Kara A. Pullman, Esquire and Ashley L. Toth, Esquire as Approved Associates at a rate of \$155.00 per hour of attorney time and a Paralegal rate of \$90.00 per hour.
2. Raymond, Coleman, Heinold & Norman, LLP with Douglas L. Heinhold, Esquire and Stephen G. Raymond, Esquire as Assigned Defense Counsel at a rate of \$170.00 per hour of attorney time; Stephen E. Raymond, Esquire as an Approved Associate at a rate of \$155.00 per hour of attorney time and a Paralegal rate of \$90.00 per hour.
3. Parker McCay with John C. Gillespie, Esquire, J. Brooks DiDonato, Esquire, Linda A. Galella, Esquire, and George M. Morris, Esquire as Assigned Defense Counsel at a rate of \$170.00 per hour of attorney time; Katelyn M. McElmoyl, Esquire, Christopher W. Sexton, Esquire, Jose A. Calves, Esquire and John Neckonchuk, Esquire as Approved Associates at a rate of \$155.00 per hour of attorney time and a Paralegal rate of \$90.00 per hour.
4. Capehart Scatchard with Betsy G. Ramos, Esquire, Joseph F. Betley, Esquire, Michelle L. Corea, Esquire, Samantha Dev, Esquire, Jessica M. Anderson, Esquire, Charles F. Holmgren, Esquire, Voris J. Tejada, Jr., Esquire, Gina M. Zippilli, Esquire and Ben Ziemann, Esquire as Assigned Defense Counsel at a rate of \$170.00 per hour of attorney time; Edward Kuhn, Esquire and Ryan Duffy, Esquire as Approved Associates at a rate of \$155.00 per hour of attorney time and a Paralegal rate of \$90.00 per hour.

Note that the above rates include all reasonable office expenses (e.g.) postage, faxes, telephone, copies, etc., and in conformance with the Litigation Management Guidelines.

BE IT FURTHER RESOLVED that assignment of specific claims for defense of General Liability claims shall be made by the Fund Solicitor for the Burlington County Municipal Joint Insurance Fund, and he shall supervise and coordinate the defense of these matters in accordance with the Litigation Management Guidelines of the Burlington County Municipal Joint Insurance Fund.

BE IT FURTHER RESOLVED that the assignment of cases for defense made in accordance with prior Resolutions of the Burlington County Municipal Joint Insurance Fund shall continue with the Assigned Defense Counsel so assigned, subject to the authorization of the Fund Solicitor for the Burlington County Municipal Joint Insurance Fund to supervise the defense of these matters and to reassign the defense matters where appropriate.

BE IT FURTHER RESOLVED that this Contract is being awarded following a "Fair and Open" process pursuant to NJSA 19:44A-20.1 et. seq.

BE IT FURTHER RESOLVED that the Fund Chairman and Secretary are hereby authorized to execute Contracts with the Assigned Defense Counsel Law Firms to provide Legal Services to the Fund.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Executive Director, Fund Solicitor, and Claims Administrator of the Burlington County Municipal Joint Insurance Fund and those herein appointed for their information and attention.

This Resolution was duly adopted by the Burlington County Municipal Joint Insurance Fund at a public meeting held on January 21, 2020.

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Attest:  

Date: Jan. 21, 2020