

**RESOLUTION
BOROUGH OF CLAYTON
APPOINTING HARDENBERGH INSURANCE AS INSURANCE BROKER FOR THE
BOROUGH OF CLAYTON FOR THE YEAR 2021,
PURSUANT TO THE LOCAL PUBLIC CONTRACTS LAW
(N.J.S.A. 40A:11-1, ET SEQ.)**

R-8-21

WHEREAS, it is necessary for the proper conduct of the order of business that the Borough of Clayton, County of Gloucester, and State of New Jersey, designate and name an insurance broker for its insurance needs; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires the governing body of a contracting unit to publish a notice in a newspaper authorized by law to publish its legal advertisements, setting forth the nature, duration, service and amount of the contract where such contract is awarded for “professional services” without competitive bidding;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Clayton as follows:

1. That Hardenbergh Insurance is hereby appointed as Insurance Broker for the Borough of Clayton for the year 2021.
2. That the appropriate officers of the Borough of Clayton are hereby authorized to enter into the contract with Hardenbergh Insurance for the services above specified, for a term of one year. The broker shall be paid for services rendered in accordance with the normal brokerage commissions that are included in premium payments made by the Borough.
3. This contract is awarded without competitive bidding as “Extraordinary, Unspecifiable Services” under the provisions of the Local Public Contracts Law, and more specifically noted in N.J.S.A. 40A:11-5.1 (m).
4. A notice of the award of this contract shall forthwith be printed once in The Sentinel or South Jersey Times, the official newspaper of the Borough of Clayton, authorized by

law to publish the legal advertisements of the Borough of Clayton, setting forth the nature, duration, service and amount of the contract, and further stating that this resolution and the annexed contract are on file and available for public inspection in the Office of the Clerk of the Borough of Clayton.

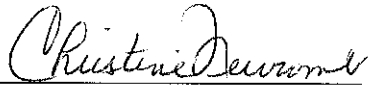
ADOPTED, at the reorganization meeting of the Mayor and Council of the Borough of Clayton on January 7, 2021.

BOROUGH OF CLAYTON



Thomas Bianco, Mayor

ATTEST:



Christine Newcomb
Municipal Clerk

CERTIFICATION

I, Christine Newcomb, Municipal Clerk of the Borough of Clayton, do hereby certify that the foregoing Resolution was presented and duly adopted by the Borough Council at the reorganization meeting of the Borough of Clayton, held on January 7, 2021.

Christine Newcomb
Municipal Clerk

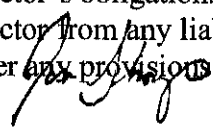
LOCAL PUBLIC CONTRACT LAW
MANDATORY AMERICANS WITH DISABILITIES ACT EQUAL OPPORTUNITY
FOR INDIVIDUALS WITH
DISABILITIES

Hardenbergh Insurance Group (Contractor) and the Borough do hereby agree that the provision of Title II of the Americans with Disabilities Act of 1990 ("the Act") (42 U.S.C. 12101 et seq.) which prohibits discrimination on the basis of disability by public entities in all service, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant thereunto, are made a part of this contract. In providing any aid, benefit or services on behalf of the Borough pursuant to this contract, the Contractor agrees that the performance shall be in strict compliance with the Act.

In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the Borough in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the Borough, its agents, servants, and employees from and against all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administration proceeding or incurred with connection therewith. In any and all complaints brought pursuant to the Borough grievance procedure, the contractor agrees to abide by any decision of the type of entity which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the Borough or the Borough incurs any expense to cure the violation of the ADA which has been brought pursuant to its grievance, the Contractor shall satisfy and discharge the same at its own expense.

The Borough shall, as soon as practicable after a claim has been made against it, give written notice thereof to the Contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the Borough or any of its agents, servants, and employees, the Borough shall expeditiously forward or have forwarded to the Contractor every demand, complaint, notice, summons, pleading, or other process received by the Borough or its representatives.

It is further agreed and understood that the Borough assumes no obligations to indemnify or save harmless the Contractor, its agents, Servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the Borough from taking any other actions available to it under any provisions of this Agreement or otherwise at law.



Jon Sharp, President
Date: November 25, 2020

Continuation 6498

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

This report was prepared by the Bureau of Economic Warfare and is a confidential document. It contains information which is not to be disclosed to the public. The approval of this report is required for its release to the public. The approval will be given by the Bureau of Economic Warfare.

BARBENDON INSURANCE GROUP
PO BOX 3000
MARLTON

NO 000000



Elizabeth M. Herndon
ELIZABETH M. HERNDON
BIRMINGHAM



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: HARDENBERGH INSURANCE GROUP, INC.

Trade Name:

Address: 8000 SAGEMORE DR STE 8101
MARLTON, NJ 08053

Certificate Number: 0450589

Effective Date: December 26, 1979

Date of Issuance: October 26, 2015

For Office Use Only:

20151026160036351

STATEMENT OF ASSURANCE

The Hardenbergh Insurance Group is not currently in violation of any regulatory rules and regulations that may have an impact on our firm's operation.

A handwritten signature in black ink, appearing to read "Jon Sharp", is positioned above a horizontal line.

Jon Sharp, President

Date: November 25, 2020

COMPENSATION AND FEES

- Hardenbergh Insurance Group will be paid 6% of the Borough's 2021 assessment promulgated by the Gloucester, Salem, Cumberland Counties Joint Insurance Fund for the contract period.
- In addition, for any coverage authorized by the Borough to be placed outside the fund, Hardenbergh Insurance Group shall receive as its full compensation the standard brokerage commissions paid by the insurance carrier(s).
- We will discuss this further provided we are invited to make oral presentations.

STATEMENT OF REVENUE COMPENSATION SOURCES

Hardenbergh Insurance Group can be compensated in several ways for the services we provide to our clients.

We primarily derive our compensation from insurance companies in the form of direct commissions on each insurance placement. These commissions are paid pursuant to our then existing agency/brokerages agreement with the subject insurance company or insurance wholesaler and in alignment with an established commission schedule. In some instances, our agreement with a particular insurance company or wholesaler requires that we receive a placement fee in lieu of a traditional commission.

We also derive compensation directly from clients when we act as a consultant or provide risk management, loss control, claim management and other services. These arrangements are subject to a separate written agreement with the client in which the fee amount is set out in detail and agreed upon.

In some cases, we may receive compensation from insurance companies based on the overall volume and profitability of business that we, our corporate parent or affiliates place with an insurance company. While these contingent commission agreements may vary from insurance company to insurance company, in no instances are they based upon or affected by client specific factors. As a matter of corporate policy, Hardenbergh Insurance Group expressly prohibits the receipt of any contingent commissions, fees or placement incentives that are client specific.

We may also earn interest income on premium payments held by us on behalf of clients from the date of our receipt through the date such payments are transferred to the insurance company. When clients elect to pay their premiums using a traditional third-party premium finance note, we may participate in the interest income, in accordance with state regulations.

Hardenbergh Insurance Group and their employees may also receive from insurance companies with which they place business; incentives and rewards, such as trips, prizes and entertainment.

Hardenbergh Insurance Group believes that our clients and prospective clients have a right to fair and meaningful disclosure regarding our sources of revenue. Clients and prospective clients are welcome to contact a Hardenbergh Insurance Group representative with any questions regarding the above disclosure.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

SS

COUNTY OF BURLINGTON

I, Jon Sharp, in the Township of Marlton, in the County of Burlington, and the State of New Jersey, of full age, being duly sworn according to law on my oath depose and say that:

I am President in the firm of Hardenbergh Insurance Group the bidder making this proposal for work under a Request for Sealed Qualifications for Professionals Services Under a Fair and Open Process, and that I executed the said Proposal with full authority to do so: that said Bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise take any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said Proposal and in this Affidavit are true and correct, and made with full knowledge that the

BOROUGH OF CLAYTON

relies upon the truth of the statements contained in said Proposal and in the statements contained in this Affidavit in awarding the Contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for commission, percentage brokerage, or contingent fee, except Bona Fide employees of the Contractor, and as may be permitted by law.

By: _____

Jon Sharp, President

Subscribed and Sworn to before me this
24th day of November 2020.

Kathleen Miller

Kathleen Miller
Notary Public
New Jersey

My Commission Expires 6-2-21
No. 50039122

STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business: Hardenbergh Insurance Group

☒ I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

☐ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation	<input type="checkbox"/> Sole Proprietorship
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Limited Liability Corporation	<input type="checkbox"/> Limited Liability Partnership
<input checked="" type="checkbox"/> Subchapter S Corporation	<input type="checkbox"/>	<input type="checkbox"/>

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name: Brian Blaston

Home Address: 1110 Concord Drive, Haddonfield, NJ 08033

Name: Christopher Powell

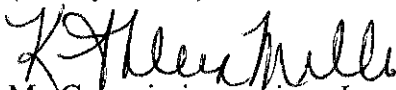
Home Address: 30 Kristen Lane, Mantua, NJ 08051

Name: Jon Sharp

Home Address: 227 Balsam Court, Medford, NJ 08055

Subscribed and Sworn before me this 24th day of November, 2020.

(Notary Public)



My Commission expires: June 2, 2021

(Affiant)

Jon Sharp, President

Print name & title of affiant

(Corporate Seal)

Kathleen Miller

Notary Public

New Jersey

My Commission Expires 6-2-21

No. 50039122