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**Extraordinary Unspecifiable Services
 Summary of Local Finance Notice AU 2002-02**

Requirement	Legal Citation
Local Government makes documented effort by purchasing agent to secure at least two competitive quotations	N.J.S.A. 40A:11-6.1(a)
DLGS finds the solicitation of quotes for insurance purposes is practicable	
Includes insurance coverage, consultant services, administrative services, claims administration services, risk assignment, participation in a JIF or a risk management program	
Prior to awarding the contract, a designated official should file a certificate with governing body which: 1. Clearly describes the nature of the work to be done; 2. States that the law permits insurance to be treated as an EUS pursuant to [see table on right] 3. Describes the informal solicitation of quotations; and 4. Must be on DCA form (see LFN AU 2002-02 for form)	Overall: N.J.A.C. 5:34-2.3(b) Pursuant to: N.J.S.A. 40A:11-5(1)(m) and N.J.S.A. 40A:11-5(1)(a)(ii)
The governing body must pass a resolution which states that the contract is being awarded as an EUS pursuant to N.J.S.A. 40A:11-5(1)(m) and N.J.S.A. 40A:11-5(1)(a)(ii) along with supporting reasons for awarding under EUS.	N.J.S.A. 40A:11-5(1)(a)(i)
After award, the Local Unit must publish a notice of award in a local newspaper. The notice must include: (1) amount of contract; (2) nature of contract; (3) duration of contract; (4) description of service; and (5) where the contract can be inspected.	N.J.S.A. 40A:11-5(1)(a)(i)

EUS Statutory Requirements for RFQ/RFP

Statutory Requirements	References	Non-Fair and Open	Fair and Open
Notice to Proposers	N.J.S.A. 19:44A-20.7	✗	✓
OSC Record Retention Language	N.J.A.C. 17:44-2.2; N.J.S.A. 52:15C-14(d)	✓	✓
Evaluation Criteria	N.J.S.A. 19:44A-20.7	✗	✓
Mandatory EEO/AA language "Exhibit A"	N.J.S.A. 10:5-31 et seq.; N.J.A.C. 17:27	✓	✓
Anti-Discrimination Provisions	N.J.S.A. 10:2-1	✓	✓
Annual Political Contribution Disclosure	N.J.S.A. 19:44A-20.27	✓	✓
Broker contracts: Notification of commission or other fees broker will receive	N.J.S.A. 17:22A-41.1	✓	✓
No Surprises Act	Consolidated Appropriations Act, Pub. L. No. 116-260 (2020)	✓	✓

EUS - Statutory Forms and When They're Due

Required Forms	References	When Forms Are Due	Non-Fair and Open	Fair and Open
Ownership Disclosure Form	N.J.S.A. 52:25-24.2	With Quote Submission	✓	✓
Business Registration Certificate	N.J.S.A. 52:32-44	Prior to Contract Award	✓	✓
Disclosure of Investment Activities in Iran Certification	N.J.S.A. 40A:11-2.1; N.J.S.A. 52:32-58	Prior to Contract Award	✓	✓
Prohibited Activities in Russia-Belarus Certification	N.J.S.A. 52:32-60.1	Prior to Contract Award	✓	✓
Ch. 271 Compliance - Pay to Play	N.J.S.A. 19:44A-20.26	Not later than 10 days prior to entering into contract	✓	✗
EEO/AA Form AA-302 or Letter of Federal Approval or Certificate of Employee Information Report	N.J.S.A. 10:5-32; N.J.A.C. 17:27-3.1; N.J.A.C. 17:27-4.2	After Notice of Award, Prior to Signing Contract	✓	✓
Permissive Form				
Non-Collusion Affidavit		With Quote Submission		

Resources:

- Division of Local Government Services Local Finance Notices
 - [AU 2002-2 Extraordinary Unspecifiable Services \(2/26/2002\)](#)
 - 2006-7: [Political Contribution Disclosure Compliance Laws Update \(3/7/2006\)](#)
Describes use of Political Contribution Disclosures and other issues
 - 2006-1: [New Political Contribution Disclosure Compliance Law Affecting Local Units \(1/11/2006\)](#)
Describes the provisions of P.L. 2005, c.271
 - 2005-32: [Chapter 19 Political Contribution Disclosure Compliance Update - Additional Guidance \(12/20/2005\)](#)
Implementation assistance on Chapter 19
 - 2005-30: [Chapter 19 Local Finance Notice \(11/14/2005\)](#)
Initial guidance on Political Contribution Disclosure Compliance laws
- [DLGS Pay to Play Resources - website landing page](#)
 - Includes Ch. 271 form and legislative districts
- [DLGS P2P FAQ Chapter 19 \(nj.gov\)](#)
- [DLGS Guide to the New Jersey Local Unit Pay to Play Law](#)
- [Department of Banking and Insurance - Bulletin No. 21-14 "No Surprises Act"](#)
- [Department of Banking and Insurance - Bulletin No. 08-16 Producer Compensation Disclosures](#)

Office of the State Comptroller Submission Forms

OSC Homepage	
Pre-advertisement Notification for contracts valued at \$12.5 million or more (Forms B1 and B2)	Pre-Advertisement Notification (Form B1)
	Post-Award Notification (Form B2)
Post-award Notification for contracts valued at \$2.5 million or more but less than \$12.5 million (Form A)	Post-award Notification (Form A)
Post-award Notification for emergency contracts valued at \$2.5 million or more (Form D)	Post-award Notification for Emergency Contracts (Form D)

Further Reading:

[A Performance Audit of Selected Fiscal and Operating Practices of the Borough of Roselle, January 27, 2021](#)

- The Borough relied on its health insurance broker’s analysis when selecting health insurance carriers without undertaking any critical examination of the premiums used by the broker in the analysis. OSC determined the Borough would have saved \$1.9 million if it had enrolled in the State Health Benefits Program.
- OSC recommended that the Borough conduct a cost-benefit analysis of its health insurance and evaluate the costs of participating in the SHBP. This analysis should include a thorough review of the insurance broker estimates and the reasonableness of such estimates.

[Buena Regional School District, A Performance Audit of Selected Fiscal and Operating Practices, July 10, 2020](#)

- The District failed to file certifications with its Board stating that the contract met the EUS exception and the details of those awards were not published in the District’s official newspaper as required by Public School Contracts Law.
- The broker failed to notify the District of any commission, service fee, brokerage, carrier incentive offers, or other valuable consideration received.

[The Township of Harrison, Selected Fiscal and Operating Practices, March 20, 2014](#)

- Harrison did not perform an analysis of its private insurance compared to joining SHBP. Such analysis could have saved taxpayers money.