TOWNSHIP OF NEPTUNE
COUNTY OF MONMOUTH
STATE OF NEW JERSEY
REQUESTS FOR PROPOSALS/QUALIFICATIONS
TOWNSHIP ATTORNEY
NT2017-01

Sealed proposals will be received by the Township Clerk of the Township of Neptune, New Jersey and opened and read in public in the Executive Conference Room, located on the First Floor, in the Township of Neptune Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on **December 8, 2016 at 10:30 A.M.** for the following:

> Request for Qualifications from Law Firms Interested in Serving as "Township Attorney" to the Township of Neptune for the period January 1, 2017 through December 31, 2017. **BID/PROPOSAL #NT2017-01**

Successful applicants will be required to comply with requirements of N.J.S.A. 10:5-31, et seq. (N.J.A.C. 17:27) (Equal Employment Opportunity) and N.J.S.A. 52:32-44, et seq. (New Jersey Business Registration).

The right is reserved to reject any or all proposals if it is deemed to be in the best interest of the Township of Neptune to do so. The Township of Neptune also reserves the right to conduct interviews of any or all applicants, as it deems necessary.

By order of the Township Committee of the Township of Neptune

KEVIN B. MCMILLAN, Mayor, Township of Neptune
RICHARD J. CUTTRELL, Municipal Clerk, Township of Neptune
MICHAEL J. BASCOM, Chief Financial Officer, Township of Neptune

Request for Qualifications from Law Firms Interested in Serving as "Township Attorney" to the Township of Neptune for the Period January 1, 2017 through December 31, 2017
BID/PROPOSAL # NT2017-01

Introduction

Pursuant to the Fair and Open Process established by N.J.S.A. 19:44A-1, et seq., the Township seeks Requests for Qualifications ("RFQ") from law firms licensed to practice law in the State of New Jersey that wish to serve as Township Attorney for the Township of Neptune. The successful firm must have significant experience in representing New Jersey public entities in a variety of areas of consultation and litigation in State and Federal Courts, administrative forums and arbitration. The successful firm will provide the Township with legal guidance relating to, but not necessarily limited to:

1. Phone conferences with the Township Administrator, Township Clerk and Township Chief Financial Officer, preparation for and attendance at any regular meetings, workshop meetings, executive sessions and special meetings of the Township Committee, as well as phone conferences with members of the Township Committee and the Township Mayor.

2. Representing the Township in all litigation in the State of New Jersey (State or Federal Courts and/or Administrative forums or Arbitration Hearings) and in any and all other proceedings wherein the attorney's professional services may be required and wherein the Township is a party or its rights or interests are involved. This shall include but not be limited to all court appearances, all work associated with any litigation, including initiating suit or defending any suit, as duly authorized by the Township Committee, and any and all other activities to properly represent the Township of Neptune.

3. Keeping the Township Committee and Administration advised of the character and progress of legal proceedings, claims and other matters handled by the Attorney, and keeping a record of all such proceedings in connection with same, for and on behalf of the Township or in which the Township is interested.

4. Investigating the facts and ascertaining the legal position of the Township concerning any accident, claim or liability, and the Attorney shall in said case promptly do what may be

required for the protection of the interests of the Township, as directed by the Township Committee.

5. Legal research and/or advisory opinions as needed.

6. Research and draft ordinances and/or resolutions.

7. Review and/or draft contracts, bid specifications and legal notices.

8. Conduct programs/seminars on specified legal issues for appropriate elected officials and/or Township employees upon request by the Township Committee.

9. Notify the Township of changes in applicable law or state regulations, as well as Court decisions, that impact the operation of the Township; and

10. Any other matters as directed by the Township, including, but not limited to elections, construction, purchasing, bail forfeitures, taxation issues, contracting, labor related matters, land use, real estate, leasing or OPRA requests.

11. Representation on rent control matters and representing the Neptune Township Rent Leveling Board at all meetings and all associated matters.

The Township has adopted the following Retainer for 2016 for those professional services covered by the Retainer, and the following hourly rate schedule for all other professional legal services rendered for all non-retainer professional services performed pursuant to this RFQ:

2017 Annual Salary: $35,082.90

*Includes Phone conferences with the Township Administrator, Township Clerk and Township Chief Financial Officer, preparation for and attendance at all regular meetings, as well as phone conferences with members of the Township Committee and the Township Mayor.

Partners/Counsel:	$130.00 per hour
Associates:	$120.00 per hour
Paralegals:	$ 85.00 per hour

Professional Information and Qualifications
Each interested firm shall submit the following information:

1. Name of Firm;

2. Address of principal place of business and all attorneys or firm's offices and corresponding telephone and fax numbers. Please note specifically which attorneys will be assigned to work with the Township;

3. Areas of Practice;

4. Description of firm's attorneys' education, experience, qualifications, number of years with the firm and a descriptive narrative of their experience with projects similar to those described above;

5. Experience related to representation of Municipalities and other public entities;

6. At least four references, three of which must have knowledge of your representation of a public entity;

7. Examples of your record of success representing public entities;

8. The firm's ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff);

9. Any other information which the interested firm deems relevant;

10. A copy of your New Jersey Business Registration Certificate.

11. A completed Statement of Ownership form (Attached below).

Selection Criteria

The selection criteria used in awarding a contract or agreement for professional services as described herein shall include:

1. Qualifications of the individuals who will perform the tasks and the amounts of their respective participation;

2. Experience and references;

3. Ability to perform the task in a timely fashion, including staffing and familiarity with the subject matter; and

4. Cost effectiveness.

Submission Requirements

Responses to this RFQ must be delivered in a sealed envelope bearing the title
And Bid/Proposal Number no later than 10:30 am on **December 8, 2016** to:

Township Clerk, Neptune Township
Neptune Township Municipal Complex
25 Neptune Boulevard
Neptune, New Jersey 07753

Please submit one original and one copy of the Request for Qualifications (RFQ) on 8 ½" x 11" white paper.

NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS – NON-CONSTRUCTION

All New Jersey and out of State Business Organizations must obtain a Business Registration Certificate (BRC) from the Department of Treasury, Division of Revenue, prior to conducting business in the State of New Jersey. Proof of valid business registration with the Division of Revenue, Department of Treasury, State of New Jersey, must be submitted with this proposal. No contract will be awarded without proof of business registration with the Division of Revenue. The contract will contain provisions in compliance with N.J.S.A. 52:32-44, as amended, outlined below.

The Contractor shall provide written notice to its subcontractors and suppliers of the responsibility to submit proof of business registration to the Contractor.
Before final payment of the contract is made by the Contracting Agency, the Contractor shall submit an accurate list and proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the Contractor and each of its affiliates and each Subcontractor and each of its affiliates (N.J.S.A. 52:32-44 (g) (3) shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the "Sales and Use Tax Act" (N.J.S.A. 54:32 B-1, et seq.) on all sales of tangible personal property delivered into the State.

A Business Organization that fails to provide a copy of a registration as required pursuant to section 1 of P.L. 2001, c.134 (N.J.S.A. 52:32-44 et seq.) or subsection e. or f. of section 92 of P.L. 1977, c. 110 (N.J.S.A. 5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of $25.00 for each day of violation, not to exceed $50,000.00 for each business registration copy not properly provided under a contract with a contracting agency.

A sample Business Registration Certificate is attached. Other forms such as Certificate of Authority to collect Sales and Use Taxes or a Certificate of Employee Information Report Approval, are **not** acceptable.

Any questions in this regard can be directed to the Division of Revenue at (609) 292-1730. Form NJ-REG can be filed online at:

http://www.state.nj.us/treasury/revenue/gettingregistered.htm#busentity

TOWNSHIP OF NEPTUNE
COUNTY OF MONMOUTH
STATE OF NEW JERSEY

STATEMENT OF OWNERSHIP

The Contractor is (check one): Individual: [ ] Partnership: [ ] P.A. [ ] L.L.C. [ ]

Corporation: [ ] Joint Venture: [ ] Other: [ ] Specify: _____

NAMES: ADDRESSES:

1._____ _____

2._____ _____

3._____ _____

4._____ _____

5._____ _____

NAME OF CONTRACTOR:_____

SIGNED BY:_____

PRINT NAME & TITLE: _____

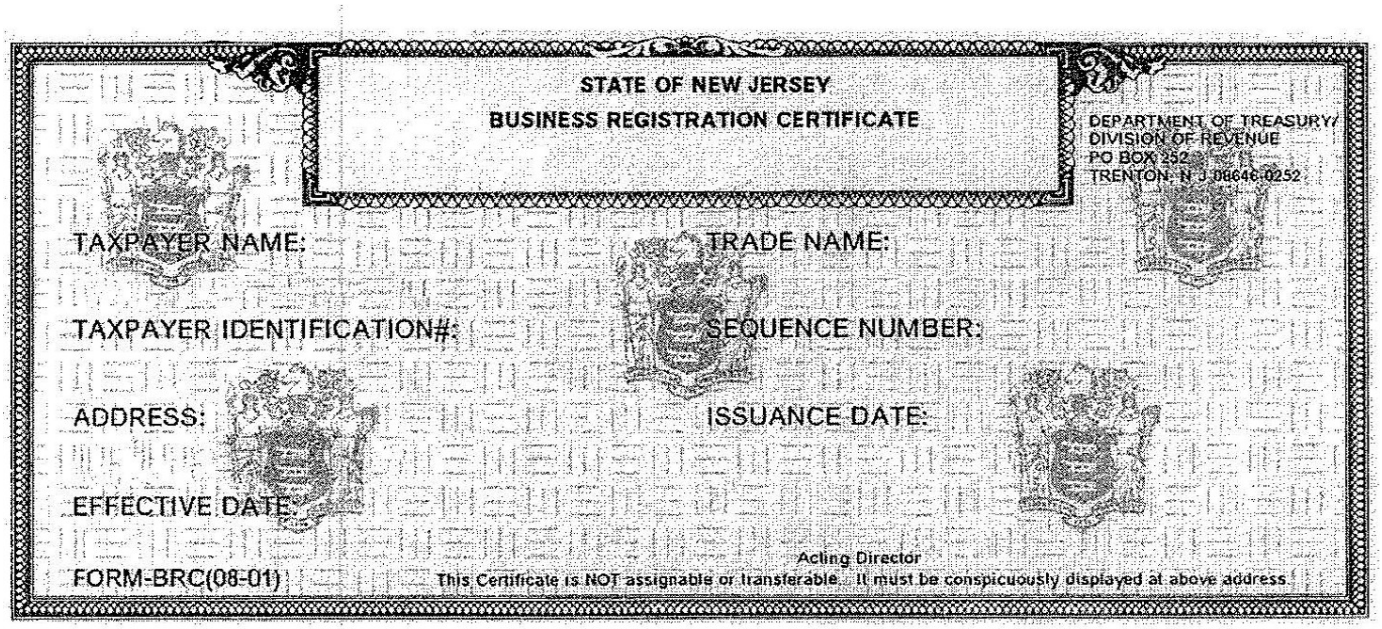
DATE:_____

NOTES:

A. Attach additional sheets as needed and check here [ ].

B. If an entity owns a 10% or greater interest in the Contractor, attach a list of the owners of 10% or greater interest for each such entity. Repeat the process of disclosure as necessary for each tier or level of ownership until the name and address of each person who owns a 10% or greater interest has been disclosed. **If no person or entity owns a 10% or greater interest in a listed entity, so state.**

Sample Busin ss Registration Certificate (for example purposes only)



STATE OF NEW JERSEY

BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:

TRADE NAME:

TAXPAYER IDENTIFICATION#:

SEQUENCE NUMBER:

ADDRESS:

ISSUANCE DATE:

EFFECTIVE DATE:

Acting Director

FORM-BRC(08-01)

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address