TOWNSHIP OF NEPTUNE
COUNTY OF MONMOUTH
STATE OF NEW JERSEY
REQUESTS FOR PROPOSALS/QUALIFICATIONS
BOND COUNSEL
NT2017-05

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 "Bond Counsel" to the Township of Neptune for the period
January 1, 2017 through December 31, 2017
BID/PROPOSAL # NT2017-05

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 Township
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 "Bond Counsel" to the Township of Neptune for the Period January 1, 2017 through December 31, 2017
BID/PROPOSAL #NT2017-05

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 Bond Counsel 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. Matters involving public finance including, but not limited to the financing of various capital projects through the adoption of appropriate bond ordinances and the issuance of bonds and/or bond anticipation notes and other matters as directed by the Township Committee, including but not limited to the authorization, issuance, sale and delivery of bonds and/or bond anticipation notes for the Township, including legal services related to or necessary in connection therewith.

2. The preparation of any bond ordinances, the preparation of the resolution authorizing the financing, the preparation and review of the Notice of Sale and the bonds or bond anticipation notes, the assistance in the preparation and review of the Official Statement, the preparation of all closing documents necessary for the issuance of the bonds or bond anticipation notes, attendance at the closing at which time the bonds or bond anticipation notes will be delivered, payments being made therefore and deliver a final approving opinion for the bond or bond anticipation notes issue.

3. Preparation, review and distribution of Preliminary Official Statements and Official Statements, as directed by the Township Committee.

4. Temporary financings of the Township involving private placement and not involving preparation of an Official Statement, as directed by the Township Committee.

5. Any other matters as directed by the Township related to financing.

The Township has adopted the following rate schedule for professional legal services rendered for all professional services performed pursuant to this RFQ:

Base fee of $4,100.00 plus $1.00 per $1,000.00 of bonds issued;

For temporary financings of the Township involving a private placement and not involving the preparation of an Official Statement, $1,000.00 for its approving opinion and $0.50 per $1,000.00 of notes issues.

Preparation and review of Ordinances, $400 for each single purpose ordinance and $550.00 for each multiple ordinance, exclusive of consultations, meetings or discussions, which are to be invoiced at an hourly rate.

For all other services requiring an hourly rate:

Partners/Counsel:	$160.00
Associates:	$120.00
Paralegals:	$100.00 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).

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.144 (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: _____

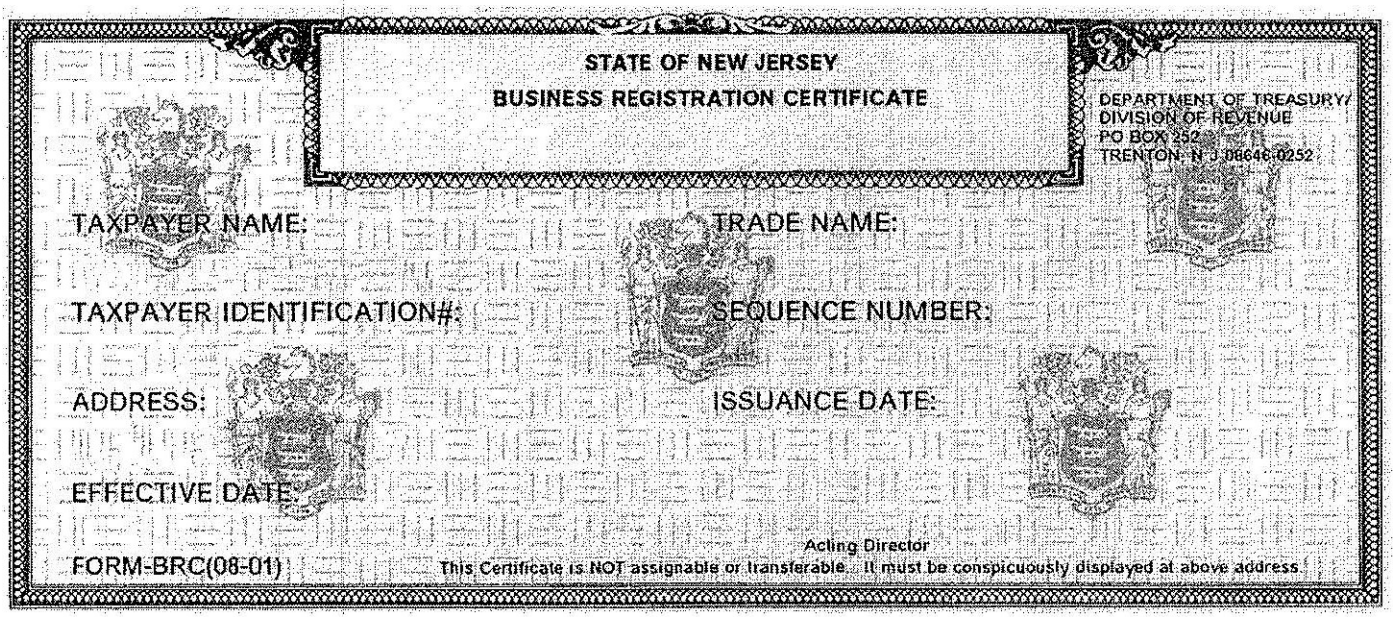
DATE:_____

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 Business 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