

**TOWNSHIP OF NEPTUNE
COUNTY OF MONMOUTH
STATE OF NEW JERSEY
REQUESTS FOR PROPOSALS/QUALIFICATIONS
PUBLIC DEFENDER
NT2017-03**

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 7, 2017 at 10:30 A.M.** for the following:

Request for Qualifications from Attorneys Interested in Serving as "Public Defender to the Township of Neptune for the period January 1, 2018 through December 31, 2018. **BID/PROPOSAL #NT2018-03**

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 Township of Neptune reserves the right 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. In the Township's discretion, the Township may also modify the terms and conditions of this RFP by hiring two Public Defenders, in lieu of hiring one Public Defender and one Alternate Public Defender. Terms and conditions for such modification are set forth herein.

By order of the Township Committee of the Township of Neptune

DR. MICHAEL BRANTLEY, 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 Attorneys Interested in Serving as
“Public Defender to the Township of Neptune for the Period
January 1, 2018 through December 31, 2018
BID/PROPOSAL # NT2018-03**

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 attorneys licensed to practice law in the State of New Jersey that wish to serve as Public Defender and Alternate Public Defender for the Township of Neptune. The successful attorney must have significant experience in representing Individuals as a defense attorney and/or as a Public Defender in criminal or quasi-criminal matters in Municipal Courts and State Courts of the State of New Jersey, as well as litigation experience in Municipal, State and/or Federal Courts, administrative forums and/or arbitration. The successful attorney will provide the following services:

The Public Defender and the Alternate Public Defender must be an attorney at law of New Jersey and shall interview all indigent defendants qualifying for assistance as provided under the standards established by the office of the Public Advocate of the State of New Jersey, and shall defend same in the Municipal Court of the Township and provide such legal advice and counsel to such individuals as may be required in any proceedings before the Municipal Court of the Township. The Public Defender and Alternate Public Defender may not be associated with the same office, so that potential conflicts are minimized.

The Township has adopted the following Retainer/Salary for 2018 for those professional services covered by the Retainer:

Public Defender:

2018 Annual Salary: \$21,493.62

The Township reserves the right to hire two Public Defenders in lieu of one Public Defender and one Alternate Public Defender. In that event, the annual salaries established by the Township for each position shall be \$10, 746.81. If the Township chooses this alternative, it is expected by the Township that each of the Public Defenders shall appear in Municipal Court matters in as close to fifty percent (50%) of the Court dates for the year as is possible. **If the applicant has any objections to this alternative, the applicant should provide such objections, and reasons therefore, in his/her proposal.**

Professional Information and Qualifications

Each interested attorney shall submit the following information:

1. Name of Attorney, and firm in which attorney is associated;
2. Address of principal place of business and all attorney's offices and corresponding telephone and fax numbers.
3. Names and Addresses of other attorneys associated with the same Law Firm.
4. Areas of Practice;
5. Description of attorney's education, experience, qualifications, number of years with the current firm and a descriptive narrative of their experience with projects similar to those required herein;
6. Experience as a Public Defender in the State of New Jersey;
7. Experience as Defense Counsel in criminal and quasi-criminal actions in the State of New Jersey, including but not limited to Municipal Court matters and/or State Court matters.
8. At least four references, three of which must have knowledge of your representation as Defense Counsel, with a preference of at least one of those references having knowledge of the attorney's qualifications as a Public Defender;
9. Examples of your record of success representing individuals, including but not limited to indigent defendants;
10. The attorney's ability to provide the services in a timely fashion and availability for appearances as Defense Counsel on behalf of individuals.
11. Any other information which the interested attorney deems relevant;
12. A copy of your New Jersey Business Registration Certificate;
14. 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 individual 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 and availability for appearances on behalf of the Township, 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 7, 2017** 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 232 TRENTON, N.J. 08646-0252
TAXPAYER NAME:	TRADE NAME:	
TAXPAYER IDENTIFICATION#:	SEQUENCE NUMBER:	
ADDRESS:	ISSUANCE DATE:	
EFFECTIVE DATE:		
FORM-BRC(08-01)	Acting Director	This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.