

**TOWNSHIP OF NEPTUNE  
COUNTY OF MONMOUTH  
STATE OF NEW JERSEY  
REQUESTS FOR PROPOSALS/QUALIFICATIONS  
ZONING BOARD OF ADJUSTMENT ATTORNEY  
NT2018-10**

Sealed proposals will be received by the Township Clerk of the Township of Neptune, New Jersey and opened and read in public in the Neptune Municipal Building 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 Individuals and/or Firms interested in serving as the, "Zoning Board of Adjustment Attorney," To the Zoning Board of Adjustment, of the Township of Neptune for the period January 1, 2018 through December 31, 2018. **BID/PROPOSAL # NT2018-10**

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 Zoning Board of Adjustment 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

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 Individuals and/or Firms Interested in  
Serving as “Zoning Board of Adjustment Attorney” to the Township of  
Neptune Zoning Board of Adjustment for the Period January 1, 2018  
through December 31, 2018  
BID /PROPOSAL # NT2018-10**

**Introduction**

Pursuant to the Fair and Open Process established by N.J.S.A. 19:44A-1, et seq., the Township of Neptune Zoning Board of Adjustment seeks Requests for Qualifications (“RFQ”) from Individuals and /or Firms licensed to practice Law in the State of New Jersey that wish to serve as Zoning Board of Adjustment Attorney . The successful individual/Firm must have significant experience in representing New Jersey public entities in a variety of areas of Law.

**The successful Firm will provide the Zoning Board of Adjustment with Professional guidance relating to but not necessarily limited to the following:**

Legal services performed in connection with Zoning Board of Adjustment matters, including but not limited to conferences, regular and any special Board of Adjustment meetings, telephone conferences and consultations, legal research and advisory opinions, litigation, correspondence, negotiations, application review, travel and other matters directed and assigned by the Township Director of Engineering and Planning.

Representing the Neptune Township Zoning Board of Adjustment in litigation in the State of New Jersey and in any and all other proceedings wherein the Attorney’s Professional Services may be required and wherein the Zoning Board of Adjustment 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 Zoning Board of Adjustment.

Keeping the Zoning Board of Adjustment 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 Zoning Board.

Research, draft ordinances and/or resolution, and any other matters as directed by the Zoning Board of Adjustment.

The Zoning Board of Adjustment Attorney, as stipulated in the RFQ, is expected to be present at all meetings. If there is a change, adequate notice shall be given.

The Zoning Board of Adjustment Attorney shall bill services in accordance with the schedule outlined below: All billing shall be received monthly and sent with an executed Municipal Voucher. Billing shall be in accordance with NJSA 40: 55D-1, et seq.

The Township has adopted the following hourly rate schedule for Professional Legal Services rendered for Professional Legal Services performed pursuant to this RFQ:

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

The above schedule shall be utilized for all general and routine matters for the Zoning Board of Adjustment. With respect to single bulk variance applications, the Zoning Board of Adjustment Attorney shall charge no more than a fee of two-hundred dollars (\$200.00) for a single bulk variance application, inclusive of the resolution.

## **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 or other individuals will be assigned to work with the Zoning Board of Adjustment, and in what capacity;
3. Area 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 with Names and Numbers of contact person.
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**

This 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 7, 2017** to:

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

Please submit one original and two copies 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 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:		
FORM-BRC(08-01)	Acting Director	This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.