



**REQUEST FOR
PROPOSAL/QUALIFICATIONS
FOR
MUNICIPAL PROFESSIONALS:
Borough Attorney,
Joint Planning/Zoning Board Attorney,
Borough Bond Attorney**

Issued by the

BOROUGH OF MAGNOLIA

Date Issued: November 1, 2018

Responses Due: November 29, 2018

REQUEST FOR PROPOSAL & QUALIFICATIONS (RFP)

**FOR
MUNICIPAL PROFESSIONALS**

I. PURPOSE AND INTENT

Through this Request & Qualifications (RFP), the Borough of Magnolia (hereinafter the "Borough") seeks to engage a vendor as (position) for the 2019 Borough year commencing January 01, 2019 or upon appointment, whichever is later. This contract will be awarded through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.

II. PROPOSAL SUBMISSION

An original, clearly marked as the "ORIGINAL" and one (1) full, complete and exact copies of each proposal shall be in sealed envelopes and must be marked with the "NAME OF POSITION" and addressed to:

Borough Clerk
Borough of Magnolia
438 West Evesham Avenue
Magnolia, New Jersey 08049

The proposal must be received no later than **November 29, 2018 at 4:00 P.M.**

Proposals will be publicly opened on November 29, 2018 at 4:00 P.M. in Court Room of the Borough Hall, 438 West Evesham Avenue, Magnolia, NJ 08049.

FAXED PROPOSALS WILL NOT BE ACCEPTED.

Any inquiry concerning this RFP should be directed in writing to:

Christine M. Pippet
Borough Clerk
Borough of Magnolia
438 West Evesham Avenue
Magnolia, NJ 08049

All documents/information submitted in response to this solicitation shall be available to the general public as required by the New Jersey Open Public Records Act N.J.S.A. 47:1A-1 et seq. The Borough of Magnolia will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Borough of Magnolia reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough of Magnolia further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all vendors submitting proposals. In the event that all proposals are rejected, the Borough of Magnolia reserves the right to re-solicit proposals.

III. GENERAL INFORMATION ON THE BOROUGH OF MAGNOLIA

The Borough of Magnolia operates under the Borough form of Government. The Borough of Magnolia is approximately 1 square mile, has a population of 4,409 an annual operating budget of approximately \$5 million, approximately 27 full time employees. The Borough generally

meets the first Wednesday of the month, and the third Thursday as well as special meetings on an as needed basis.

IV. MINIMUM QUALIFICATIONS

Minimum Qualifications differ for each professional specialty; please see Exhibit A for specifics. However, all applicants need to provide the following items contained in Section V.

V. MANDATORY CONTENTS OF PROPOSAL

Definitions

While an applicant does not have to match each item exactly, the following is what is generally meant when used in this RFP.

- Scope: magnitude of the project, and value of the contract.
- Size: when used in this context refers to such things as: budget, miles of roads, number of employees, acres of recreation area, size of municipal bonds, population, number of homes.
- Similar: refers to such things as towns that are partially or wholly in the Pinelands, have areas of dense suburban development, have areas of non-dense woodlands, have large recreation complexes, contain streams and lakes, contain federally regulated wetlands and have large commercial areas.

In addition to demonstrating an ability to meet all minimum qualifications in Exhibit A, the firm must also include and address the following:

1. Contact Information: Provide the name and address of the firm; the name, telephone number, fax number, and e-mail address of the individual responsible for the preparation of the proposal.
2. A fee proposal for the 2019 Borough year. **A proposal showing minimum and maximum ranges is not acceptable.** The proposal for Solicitor will include an annual retainer for meeting attendance not to exceed 24 meetings annually, phone calls to and from governing body members including the municipal clerk, and emails to and from governing body members including the municipal clerk. All legal matters beyond this retainer will be charged at an hourly rate which rate should be included in the proposal.
3. An executive summary of not more than two pages, identifying and substantiating why the vendor is qualified to provide the requested services.
4. A staffing plan listing those persons who will be assigned to the engagement if the vendor is selected, including the designation of the person who would be the vendor's officer responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for the individuals who will be assigned. This information should include, at a minimum, a description of the person's relevant professional experience, years and type of experience, and number of years with the vendor.

5. A description of the vendor's experience in performing services of the type described in this RFP. Specifically identify client size and specific examples of work within the scope of services required under this RFP in similarly sized municipalities. **It is imperative to show experience in similarly sized towns.**
6. The location of the office, if other than the vendor's main office, at which the vendor proposes to perform services required under this RFP. Describe your presence in New Jersey and any familiarity your firm has with the Camden County area.
7. Five references for which similar services have been provided for. Experience with similarly sized municipalities is a plus. Provide the contact names, titles and phone numbers.
8. If the vendor or any principal therein has been subject to any professional disciplinary action over the last three years, the bidder must provide a description of the litigation and/or disciplinary action.
9. In its proposal, the vendor must identify any existing or potential conflicts of interest and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this engagement, or the Borough.

VI. INTERVIEW

The Borough Council reserves the right to interview any or all of the applicants submitting a proposal. Although interviews may take place, the proposal should be comprehensive and complete on its face. The Borough reserves the right to request clarifying information subsequent to submission of the proposal.

VII. SELECTION PROCESS

All proposals will be reviewed by the Borough Clerk to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For vendors that satisfy IV "Minimum Requirements" and V "Mandatory Contents of Proposal" the Borough will evaluate proposals based on the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order of significance:

- a. The vendor's general approach to providing the services required under this RFP.
- b. The vendor's documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP.
- c. The qualifications and experience of the vendor's management, supervisory or other key personnel assigned to the engagement, with the emphasis on documented experience in successfully completing work on contracts of similar size and scope to the services required by the RFP.
- d. The overall ability of the vendor to mobilize, undertake and successfully complete the scope of work in a timely fashion. These criteria will include, but not be limited to, the following factors: the number and qualifications of management, supervisory and other staff proposed by the vendor to perform the services required by this RFP; the availability and commitment to the engagement of the vendor's management, supervisory and other staff proposed.
- e. Costs and fee schedules.

VIII. SELECTION AND CONTRACT

The Borough will select the vendor deemed most advantageous to the Borough, price and other factors considered. The resulting contract will include this RFP, any clarifications or addenda thereto, the selected vendor's proposal, and any changes negotiated by the parties.

Exhibit A

Borough of Magnolia

Request for Proposal & Qualifications for Municipal Professionals

Minimum Qualifications

Applicant vendors **must** establish that they meet the following minimum qualifications:

Borough Attorney

Joint Planning/Zoning Board Attorney

Borough Bond Attorney (#4, 5 and 9 do not apply)

- A. Multi-disciplined firm with experience in municipal law, municipal litigation and tort claim laws, COAH law and familiarity with Titles 40 and 40A of N.J.S.A. The applicant shall have five (5) years' experience as a municipal attorney for a municipality in the State of New Jersey, three years which should be in a similarly sized municipality.
- B. The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
 1. The operation of local government units in New Jersey.
 2. Acquisition of real estate (Open Space).
 3. Assisting with acquiring and administering grants.
 4. Administering Council on Affordable Housing (COAH) programs and Regional Contribution Agreements.
 5. Municipal Land Use Law
 6. Extensive knowledge of Local Public Contracts Law.
 7. Selling of Borough real estate and/or property.
 8. Experience working in a municipality that is self-insured via a Joint Insurance Fund (JIF).
 9. Putting together Employment Practices Liability (EPL) policies to protect the Borough.
 10. Experience in a Borough form of government is a plus.
 11. Knowledgeable in election law, "pay to play" laws and government ethics laws.
 12. Bond law.
 13. Employment law.

The applicant must be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing. Include a list of any other professional qualifications; experience and/or credentials you feel are relevant to this RFP/Q.