

CITY OF ORANGE TOWNSHIP

REQUEST FOR QUALIFICATIONS FOR
PLANNING BOARD ATTORNEY



SUBMISSION DEADLINE
10:00AM
TUESDAY, SEPTEMBER 22, 2020

CITY OF ORANGE TOWNSHIP PLANNING BOARD

ADDRESS ALL PROPOSALS & SEND VIA FEDEX TO:

CITY OF ORANGE TOWNSHIP
29 N. DAY STREET
ROOM 305
ORANGE, NJ 07050

ATTN: LAQUANA BEST, PLANNING BOARD SECRETARY

GENERAL INFORMATION & SUMMARY ORGANIZATION REQUESTING PROPOSAL

CITY OF ORANGE TOWNSHIP PLANNING BOARD
CITY OF ORANGE TOWNSHIP
29 N. DAY STREET
ORANGE NJ, 07050

CONTACT PERSON

LAQUANA BEST
PLANNING BOARD SECRETARY
CITY OF ORANGE TOWNSHIP
973-592-8506
LBEST@ORANGENJ.GOV

***The Requests for Qualifications (RFQ) may be obtained from the City of Orange Township website at: www.ci.orange.nj.us.**

PURPOSE OF REQUEST

The City of Orange Township (“City”) is requesting proposals from qualified individuals and firms to serve as the land use attorney to the City of Orange Township Planning Board. Proposals will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide services.

PERIOD OF CONTRACT

October 1, 2020 – December 31, 2020

CONTRACT FORM

The successful proposer shall be required to execute the City’s form contract, which includes the indemnification, insurance, termination and licensing provisions. A complete copy of a draft City contract is available upon request. It is also agreed and understood that the acceptance of the final payment by Contractor shall be considered a release in full of all claims against the City arising out of, or by reason of, the work done and materials furnished under this Contract.

SCOPE OF SERVICE

The successful candidates will be expected to provide legal services in the following areas in an efficient, timely and professional manner with minimal to no outsourcing:

1. Planning Board Counsel to include, but not necessarily limited to attendance at Board meetings and Board committee meetings as required; preparation of resolutions and ordinances; providing legal advice to the Board, providing legal services to the Board in relation to various matters;
2. Legal Services in relation to local redevelopment inclusive of, but not limited to legal services in relation to the designation and establishment of areas in need of redevelopment; approval of redevelopment plans; negotiation and drafting of redevelopment agreements, pilot programs and other related agreements and documents; pursuit of eminent domain; and
3. Litigation as may be appointed by the Board.

REVIEW AND AWARD

Proposals will be evaluated by the Orange Planning Board Secretary in accordance with the criteria set forth in this Request for Qualifications. Award will be based upon selection, appointment and recommendation of and by the Secretary. The Orange Planning Board will award the position, by resolution, adopted at a public meeting of the Planning Board.

The Requests for Qualifications (RFQ) may be obtained from the City of Orange Township website at: www.ci.orange.nj.us. Any questions should be directed to Ms. Best, Planning Board Secretary, at (973) 592-8506 or lbest@orangenj.gov. Qualifications will be evaluated in the manner and on the basis of most advantageous and other factors considered, in accordance with criteria set forth in the Request for Qualifications.

The qualifications for the above Professional Services sought are to be submitted separately. All qualifications are to be submitted in sealed envelopes specifying the Professional Service for which the proposal is to be submitted by 10:00 AM on **Tuesday, September 22, 2020** to: City of Orange Township Planning Board Secretary Laquana Best, 29 North Day Street, Orange, NJ 07050. Qualifications can also be submitted directly to City Hall and left in the specified Dropbox for Professional Services located in the lobby of City Hall.

All qualifications will be unsealed and opened on **Tuesday, September 22, 2020, at 10:00 AM** during a virtual bid opening. Please see details below:

Join Zoom Meeting

<https://us02web.zoom.us/j/88000653517>

Meeting ID: 880 0065 3517

Dial by your location

- +1 646 558 8656 US (New York)
- +1 301 715 8592 US (Germantown)
- +1 312 626 6799 US (Chicago)
- +1 669 900 9128 US (San Jose)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

EVALUATION CRITERIA for RFQ

1. Use of personnel and approach to scope of work
2. Experience, qualifications and reputation in relation to areas within the Scope of Work
3. Experience with and knowledge and familiarity of the Municipality and the subject matters of the Scope of Work as they relate to the Municipality
4. Resources available within the firm and their ability to perform the scope of work in a timely, efficient and professional manner without the need to outsource.
5. Availability to accommodate required meetings.
6. Other factors shown by the candidates to be beneficial to the Municipality or which the Municipality determines to be relevant.
7. Overall advantages of the candidates considering all factors as a whole.
8. Fee schedule; and
9. Compensation proposal.

SUBMISSION OF QUALIFICATIONS

Submission to the RFQ should include the following:

1. Existing positions or contracts with the municipality, if applicable.
2. The proposed supervisory and proposed personnel intended to be used to provide the services required by the scope of work and general manner in which personnel will be used to address the Scope of Work.
3. The experience and qualifications of the firm and/or key personnel in each of the areas specified in the scope of work. This should include experience in representing municipalities or similar agencies in such areas as well as general experience in serving in positions similar to the one being sought.
4. Resources available to the firm/attorney and ability to perform the scope of work in a timely, efficient and professional manner without the need to outsource.
5. Availability to accommodate required meetings.
6. Other factors shown to be beneficial to the municipality.
7. 2020 Fee Schedule: Fees will be paid from the applicant escrow account.
8. Compensation proposal for non-escrow related work (i.e. Redevelopment related services; Not to exceed \$7,500.00).

As it is difficult to estimate the total number of hours that will be required to perform the scope of work and in order for fair comparison, candidates are to provide the following information concerning compensation and cost:

- a. The hourly rate or flat rate to be charged with respect to each area of service within the Scope of Work. If a different rate or fee will be charged dependent upon level of experience or standing, such as partner, associate, etc., such should be specified. The flat rate to be charged should be broken down with respect to each area of service within the Scope of Work.
 - b. In the event the rates and fees will vary over the course of the anticipated contract, the proposed rates/fees should be reflected as applicable to each relevant time period.
 - c. The items of costs to be charged such as telephone, copy, facsimile, postage and delivery charges together with the manner and/or rates to be charged.
9. References. Information should include:
- a. Contact Person
 - b. Municipality and address
 - c. Telephone number
 - d. Firm's key personnel assigned to the project
 - e. Project name

10. Business Registration Certificate

11. Successful Proposer will be required to submit copy of general liability (errors and omissions) insurance to the City.

REQUEST FOR QUALIFICATIONS CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR PROPOSAL:

Please initial below, indicating that your proposal includes the itemized document.

A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS IS CAUSE FOR REFUSAL.
INITIAL BELOW

- A. One (1) electronic copy, One (1) original and five (5) paper copies of your complete submission.
- B. Non-Collusion Affidavit properly notarized.
- C. Disclosure and Ownership Form.
- D. Insurance Requirement Acknowledgement form.
- E. Authorized signatures on all forms.
- F. Business Registration Certificate.
- G. Affirmative Action Statement.
- H. Professional Service Entity Information form.
- I. Qualifications Submission _____

Note: N.J.S.A 52:32-44 provides that the City shall not enter into a contract for goods or services unless the other party to the contract provides a copy of its business registration certificate and the business registration certificate of any subcontractors at the time that it submits its proposal.

**THE UNDERSIGNED HEREBY ACKNOWLEDGES
THE ABOVE LISTED REQUIREMENTS**

NAME OF PROPOSER:
{Person, Firm or Corporation}

BY: _____
(NAME) (TITLE) (DATE)

EXHIBITS

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, _____, herein referred to as the contractor, agree as follows:

The contractor where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

1. Letter of Federal Affirmative Action Plan Approval
2. Certificate of Employee Information Report
3. Employee Information Report Form AA302

The contractor shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the City from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

**NON-COLLUSION AFFIDAVIT
STATE OF NEW JERSEY
COUNTY OF ESSEX**

SS:

I AM _____

OF THE FIRM OF _____

UPON MY OATH, I DEPOSE AND SAY:

1. THAT I EXECUTED THE SAID PROPOSAL WITH FULL AUTHORITY SO TO DO;
2. THAT THIS PROPOSER HAS NOT, DIRECTLY OR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FAIR AND OPEN COMPETITION IN CONNECTION WITH THIS ENGAGEMENT;
3. THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE BOROUGH OF ROSELLERELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDING THE CONTRACT FOR THE SAID ENGAGEMENT; AND
4. THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED TO SOLICIT OR SECURE THIS ENGAGEMENT AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL SELLING AGENCIES OF THE PROPOSER.
(N.J.S.A.52: 34-25)

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY
OF _____ 20____.

(TYPE OR PRINT NAME OF AFFIANT UNDER
SIGNATURE)

NOTARY PUBLIC OF

MY COMMISSION EXPIRES: _____, 20____.

DISCLOSURE OF OWNERSHIP FORM

N.J.S.A. 52:25-24.2 reads in part that “no corporation or partnership shall be awarded any contract by the State, County, Municipality or School District, or any subsidiary or agency thereof, unless prior to the receipt of the submission of the corporation or partnership, there is provided to the public contracting unit a statement setting forth the names and addresses of all individual who own 10% or more of the stock or interest in the corporation or “partnership”.

1. If the professional service entity is a partnership, then the statement shall set forth the names and addresses of all partners who own a 10% or greater interest in the partnership.
2. If the professional service entity is a corporation, then the statement shall set forth the names and addresses of all stockholders in the corporation who own 10% or more of its stock of any class.
3. If a corporation owns all or part of the stock of the corporation or partnership providing the submission, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that corporation.
4. If the professional service entity is other than a corporation or partnership, the contractor shall indicate the form of corporate ownership as listed below.

COMPLETE ONE OF THE FOLLOWING STATEMENTS:

I. Stockholders or Partners owning 10% or more of the company providing the submission:

NAME:

ADDRESS:

SIGNATURE: _____ DATE: _____

II. No Stockholder or Partner owns 10% or more of the company providing this submission:

SIGNATURE: _____ DATE: _____

III. Submission is being provided by an individual who operates as a sole proprietorship:

SIGNATURE: _____ DATE: _____

IV. Submission is being provided by a corporation or partnership that operates as a (check one of the following:

_____ Limited Partnership _____ Limited Liability Corporation

_____ Limited Liability Partnership _____ Subchapter S Corporation

SIGNATURE: _____ DATE: _____

CITY OF ORANGE TOWNSHIP

INSURANCE REQUIREMENTS AND ACKNOWLEDGEMENT FORM

Certificate(s) of Insurance shall be filed with the City Clerk's Office upon award of contract by the City Council.

The minimum amount of insurance to be carried by the Professional Service Entity shall be as follows:

PROFESSIONAL LIABILITY INSURANCE

Limits shall be a minimum of \$1,000,000.00 for each claim and \$1,000,000.00 aggregate each policy period.

Acknowledgement of Insurance Requirement:

(Signature)

(Date)

(Printed Name and Title)