

**TOWNSHIP OF NEPTUNE  
COUNTY OF MONMOUTH  
STATE OF NEW JERSEY  
REQUESTS FOR PROPOSALS/QUALIFICATIONS  
NEPTUNE TOWNSHIP HISTORIC  
PRESERVATION COMMISSION ATTORNEY  
NT2019-12**

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 6, 2018 at 10:30 A.M.** for the following:

Request for Qualifications from Law Firms Interested in Serving as “Neptune Township, Historic Preservation Commission Attorney” to the Township of Neptune for the period January 1, 2018 through December 31, 2018 . **BID/PROPOSAL #NT2019-12**

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

NICHOLAS WILLIAMS, 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 Law Firms Interested in  
Serving as “Neptune Township Historic Preservation  
Commission Attorney” to the Township of Neptune Historic  
Preservation Commission for the Period  
January 1, 2019 through December 31, 2019  
BID/PROPOSAL #NT2019-12**

**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 Neptune Township, Historic Preservation Commission Attorney 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, including experience in Historic Preservation Law. The successful firm will provide the Township with legal guidance relating to, but not necessarily limited to:

1. All legal services performed in connection with the Neptune Township, Historic Preservation Commission matters, including but not limited to conferences, Historic Preservation Commission meetings, telephone conferences and consultations, legal research and advisory opinions, litigation, correspondence, negotiations, application review and other matters related to Historic Preservation Commission business and the Historic Preservation Law and local Historic Preservation Ordinance.
2. Representing the Neptune Township Historic Preservation Commission 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 Historic Preservation Commission is a party or its rights or interests are involved. This shall include but not be limited to all court appearances, arbitration hearings, appeals and all work associated with any litigation, including initiating suit or defending any suit, as duly authorized by the Historic Preservation Commission.
3. Keeping the Historic Preservation Commission and Administration advised of the character and progress of legal proceedings, appeals, 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 Historic Preservation Commission.

4. Research and draft ordinances and/or resolutions.
5. Any other matters as directed by the Historic Preservation Commission.

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 maximum amount to be paid to the Attorney herein shall be \$16,000, which may only be increased if amended by approval by the Neptune Township Committee.

## **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).

## **Selection Criteria**

The 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;
4. Cost effectiveness;
5. Other factors deemed relevant based upon quality of submissions;

**If the firm is successful the following procedures will be implemented for each contract/job that the consultant is awarded within the Township:**

1. Each job for which services are requested will be based upon an estimate from the professional consultant;
2. Based upon the estimate and/or proposal a Purchase Order will be issued for which services are required prior to commencement of work;
3. The Purchase Order number shall be referenced on all jobs and on all billing;
4. If for any reason, the professional consultant believe that there are additional services that will be required to complete the job, the obligation is on the part of the professional to notify the Township of the potential additional services and costs for same;
5. No additional work shall commence or prior to authorization and issuance of an additional Purchase Order or amendment to original Purchase Order;
6. Jobs that are billed on an hourly basis may have monies left in the Purchase Order upon completion;
7. Professional Consultants are required to invoice the Township of Neptune on a monthly basis for the previous month's work. If no work has been completed no bill shall be presented;
8. Professional Consultants are to provide monthly billing that provides the name of the person, persons title, hours spent, hourly rate and a description of work;
9. The Township of Neptune will not pay invoices that have a cumulative amount of work for numerous months; Billing shall be on a monthly basis;
10. The Township of Neptune based on the availability of funds shall pay consultants for work that has been completed in the prior month at the next available meeting, provided that the Purchase Order is in place and the funds have not been exceeded;
11. Unless a specific Purchase Order is issued, consultations with staff members, members of the Board or the Governing body under one hour shall not be billable to the Township;
12. The Township of Neptune shall not be charged and will not pay interest on any invoices;

**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 6, 2018** 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:		
FORM-BRC(08-01)	Acting Director This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.	

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