

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the East Orange Parking Authority (the “Authority”) for applicants to provide General Counsel/Bond Counsel Services. This Request for Proposals (“RFP”) is being issued pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 *et seq.* Proposals should address the general criteria and mandatory minimum criteria for the position sought. All proposals will be treated as confidential and reviewed only by the governing body, unless otherwise required by law. Proposals must be received by the Authority at 60 Evergreen Place, Suite 503, East Orange, New Jersey 07018, ATTN: Tasha Jackson, Operations Manager, no later than 11:00 AM, Tuesday, January 17, 2017. Respondents must submit an original and five (5) hard copies, along with one (1) CD, of any proposal, which shall be contained in a sealed envelope, clearly marked “EAST ORANGE PARKING AUTHORITY - PROPOSAL FOR GENERAL COUNSEL/BOND COUNSEL SERVICES”. All proposals shall be opened and announced publicly, immediately thereafter. Proposals will be reviewed by the governing body of the Authority and all appointments will be announced at a public meeting. Unless otherwise noted, appointments shall be for a one year period and subject to the execution of an appropriate contract.

GENERAL PROPOSAL REQUIREMENTS

A proposal submitted in response to this RFP must include, identify and/or demonstrate, as applicable, the following:

- Understanding of the Scope of Services to be provided for the Authority
- Proposed Fee Schedule
- Qualifications & Experience
- Resume & Qualifications of Key Personnel
- Client/Reference List
- Conflict of Interest(s) - disclose any potential conflicts of interest that the firm may have in performing these services for the Authority
- Miscellaneous/Other information (ie, any further pertinent data and information not included elsewhere in the RFP and found necessary by the proposer).

MISCELLANEOUS REQUIREMENTS

1. The Authority will not be responsible for any expenses incurred by any firm in preparing or submitting a proposal. All proposals shall provide a straightforward, concise delineation of the firm’s capabilities to satisfy the requirements of this RFP. Emphasis should be on completeness and clarity of content.
2. The contents of the proposal submitted by the successful firm(s) and this RFP may become part of the contract for these services. The successful firm(s) will be expected to execute said contract with the Authority.

3. Proposals shall be signed in ink by the individual or authorized principal of the responding party. Proposals submitted shall be valid for a minimum of sixty (60) days from the date of opening.
4. The Authority reserves the right to reject any and all proposals received by reason of this RFP, or to negotiate separately in any manner necessary to serve the best interests of the Authority.
5. Any selected firm is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of any agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, company or corporation without the prior written consent of the Authority.
6. The selected firm(s) shall be required to comply with the requirements for Business Entity Disclosure Certification, Equal Employment Opportunity laws and regulations, American With Disabilities Act of 1990, P.L. 2004, C19, “The New Jersey Local Unit Pay-to-Play” law (N.J.S.A. 19:44A-20.4 et seq.), and New Jersey Campaign Contributions and Expenditure Reporting Act (N.J.S.A. 19:44A-1 et seq.).
7. The selected firm(s) shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (see **Exhibit A** attached hereto – Mandatory Equal Employment Opportunity Language) and submit an employee information report or certificate of employee information report approval. This requirement will be addressed upon execution of the contract for the services detailed herein.
8. The selected firm(s) may be required to provide Proof of Insurance.

EVALUATION OF PROPOSALS

Proposals will be independently evaluated on the basis of the criteria listed below:

- ◆ Proven record of experience, including referrals, in providing the type of services detailed herein.
- ◆ Ability to provide services in a cost-effective and timely manner.
- ◆ Personnel qualifications.
- ◆ Understanding of the services requested (including completeness and clarity of submission), the Authority and the qualitative nature of the services detailed herein.
- ◆ Additional criteria described below.

SPECIFIC PROPOSAL REQUIREMENTS

GENERAL CRITERIA: The Authority desires to appoint an attorney or firm who will be general counsel to the Authority and who will serve as the primary legal representative of the Authority in all matters relating to the issuance of public debt instruments. Applicants should demonstrate knowledge of general State of New Jersey municipal and parking authority law, and municipal bond and finance law. Any experience or knowledge of matters directly affecting the Authority should also be addressed.

MANDATORY MINIMUM REQUIREMENTS:

1. Must have a minimum of ten (10) years experience in the general representation of municipal authorities.
2. Must have a minimum of ten (10) years experience representing municipal entities in connection with the issuance of debt obligations.
3. Must list past and present municipal authorities represented as general counsel and/or bond counsel.
4. Must maintain a bona fide principal office in the State of New Jersey.
5. Must have sufficient support staff available to provide all general legal services required by the Authority including, but not limited to, legal research, preparation of resolutions, preparation of ordinances, preparation of contracts and other legal documents, and the preparation of all documents necessary and incidental to the issuance of bonds and other municipal obligations.
6. Must propose a compensation structure for general counsel services that includes a flat fee in connection with attendance at regularly scheduled or special meetings of the Authority Board (typically one (1) meeting per month), plus an hourly rate for additional general counsel services.

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, 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 or sex. Except with respect to affectional or sexual orientation, 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 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 non-discrimination 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 or sex.

The contractor or subcontractors, where applicable, will send to each labor union or representative 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 the 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 attempt in good faith to employ minority and female 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, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, or sex, and that it will discontinue to 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.

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:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Contract Compliance & EEO as may be requested by the Division 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 Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**