

NOTICE OF SOLICITATION

Notice Posted: 6-16-2015

Due Date and Time: July 2, 2015 at 10:00 a.m.

TAKE NOTICE: The Bayonne Municipal Utilities Authority 630 Avenue C, Rm. 11, Bayonne, NJ 07002 (hereinafter referred to in this notice and the various submission documents as the “Client/Owner,” “Authority” and/or “BMUA”) is seeking to an professional services provider (hereinafter referred to in this notice and the various submission documents as the “respondent,” “provider,” “contractor,” “submitting party,” “applicant,” “vendor,” “service provider,” and/or “professional service provider”) for the following profession title or service in accordance with a “fair and open” contracting process as defined in the New Jersey Local Unit Pay to Play Law (N.J.S.A. 19:44-20.4 et seq.):

PROFESSIONAL SERVICE/TITLE SOUGHT: “BMUA - Special Legal Counsel - Public Finance - Contract Management - Litigation - Regulatory and Environmental”

DESCRIPTION: The BMUA desires to appoint an attorney or firm who will be the primary legal representative of the BMUA in all matters relating to public finance and the issuance and management of financial and debt instruments and to represent the Authority both in general litigation and in specific matters related to contract management, grant applications, labor, employment, local government law and state and federal environmental regulations on an as needed basis. Applicant should demonstrate knowledge of New Jersey municipal bond and finance law and the other legal areas noted above. Any experience or knowledge of matters directly affecting the City of Bayonne and/or the BMUA should be addressed.

Any contract awarded shall be subject to cancellation by the BMUA on 30 days notice with any work performed to the date of cancellation prorated accordingly.

AT A MINIMUM, THE RESPONDING FIRM OR ENTITY:

1. Must be licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administrative offices of the State of New Jersey for a period of not less than ten (10) years preceding appointment.
2. Must have a minimum of ten (10) years experience representing municipal entities representing municipal entities in connection with public finance, the issuance of debt obligations and the other areas of law set forth above.
3. Must maintain a bona fide office in the State of New Jersey.
4. Must have sufficient support staff available to provide all general and specific legal services required by the BMUA with respect to the professional services set forth above: including, but not limited to, legal research, preparation & appearance at trial, negotiations, meetings or other legal proceedings, the preparation of resolutions, contracts and other legal documents.
5. Must list past and present public entities represented as Special Legal Counsel.
6. **INSURANCE REQUIREMENT.** The responding firm or entity must maintain professional liability (errors and omissions) insurance in an aggregate amount of at least \$1,000,000 during any contract awarded and shall prior to commencing work under any contract awarded or at any time requested by the BMUA furnish the BMUA with a certificate of insurance as evidence that it has procured and maintains the required coverage and shall give the BMUA a sixty (60) day notice of cancellation, non-renewal, or change in such insurance coverage. If the responding firm is awarded a contract and fails to obtain or maintain the required insurance, the firm or entity agrees fully indemnify the BMUA for any costs occasioned by the BMUA on account of any damage, claim or liability suffered by or arising against the BMUA with respect to the firms actions under said contract including, but not limited to, attorney fees, and defense costs as well as the amount of any ultimate award or judgment.

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EEO COMPLIANCE. The contractor or subcontractor, where applicable, must agree to comply with any regulations promulgated pursuant to P.L. 1975, c. 127 (c. N.J.S.A. 10:5-31, et seq.), or in accordance with a binding determination of the applicable county employment goals determined by the Div. of Contract Compliance & EEO pursuant to N.J.A.C. 17:27-5.2 promulgated pursuant to P.L. 1975, c. 127, (c. N.J.S.A. 10:5-31, et seq.), as amended and supplemented from time to time, and with the Americans with Disabilities Act; and understands that final execution of any contract for goods or services will be contingent upon documentation of that compliance in as detailed in the "general instructions and submission" criteria.

BE ADVISED THAT, absent an express written notice to the contrary in the detailed requirements, all proposals:

1. Are to be submitted on the standardized “**SUBMISSION FORMS – Professional Service Contract**” AND
2. Are Subject to the standardized “**GENERAL INSTRUCTIONS and CONTRACT REQUIREMENTS**”.

The above mentioned standardized documents are available either as links to this posting or under the topic heading where this posting is found. Should you be unable to obtain these from the website, copies of the solicitation package are also available at the office of the Bayonne Municipal Utilities Authority, 630 Avenue C, 1st Floor, Rm. 11, Bayonne, NJ 07002. The BMUA office is open during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

SUBMISSION PROCESS, DEADLINE, CONTENTS, RECEIPT AND RIGHTS RESERVED:

1. Sealed Responses should be clearly marked on the outside of the envelope as a “**Response to Solicitation - BMUA - Special Legal Counsel - Public Finance - Contract Management - Litigation - Regulatory and Environmental**”.
2. They should be mailed or delivered the attention of “**Tim Boyle, Executive Director BMUA, 630 Avenue C, Room 11, Bayonne, NJ 07002**” so that they are **RECEIVED on or before the Due Date and Time noted above**. Unless the due date and time are extended by the Authority, Submissions received late will not be considered.
3. **SUBMISSIONS SHOULD INCLUDE:**
 - A. The above noted “SUBMISSION FORMS – Professional Service Contract” which forms include and/or require:
 - (i). The “Proposal, Qualifications and Costs Submission Form” signed and dated by the provider and clearly referencing any additional sheets or attachments (such as a submission letter, provider service or experience description, and/or fee schedule).
 - (ii). A signed and notarized “Non-Collusion Affidavit.”
 - (iii). A signed Disclosure of Ownership form.
 - B. A copy of the vendor's current "NJ Business Registration Certificate."
 - C. Such other documents and materials as may be appropriate to show the qualifications and experience of the provider or to meet the requirements of this submission.
4. The Executive Director and/or his designated representative will receive submissions up to the submission deadline noted above and will immediately thereafter publicly open all submission received in the Dorothy E. Harrington Council Chambers on the First Floor of the aforesaid Bayonne Municipal Building, 630 Avenue C, Bayonne, NJ where and at which time submissions will be read aloud and be otherwise available for public scrutiny.
5. The Authority reserves the right to extend the submission deadline at any time prior to opening of the sealed submissions, to reject all submissions without the need for cause or prior notice, to reject particular submissions due to defects in mandatory items, to waive non-mandatory items and to accept any submissions that in their judgment will be in the best interest of the Authority.