NOTICE POSTED: July 25, 2014
DUE DATE: August 5, 2014 @ 10:00 a.m. prevailing time
PUBLIC READING: All proposals will be opened at the City Council Chambers on August 5, 2014 @ 10:30 a.m.

TAKE NOTICE: The City of Bayonne, 630 Avenue C, Rm. 15, Bayonne, NJ 07002 (hereinafter referred to in this notice and the various submission documents as the "Client/Owner," "City of Bayonne" and/or "City") is seeking Qualifications and/or Proposals for Professional Services Providers (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 professional services 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.):

The CITY OF BAYONNE is soliciting bids for the provision of the following professional services:

PROFESSIONAL SERVICE/TITLE SOUGHT:

PANEL COUNSEL (general matters and litigation)

Panel Counsel to represent the CITY OF BAYONNE and/or its employees performing in the course of their employment in connection with the following matters:

1. Litigation arising out of any and all lawsuits filed in either State Superior Court, State Municipal Court, State Administrative Law Court, State Worker's Compensation Court, Federal Court, including but not limited matters sounding in tort and contract.

2. Representation of the City of Bayonne, Bayonne Police Department and individual police officers named as defendants in civil actions including civil rights actions in which the City may be required to provide a defense pursuant to N.J.S.A. 40A:14-156.

3. Render advice and opinion(s) and represent the City in Bankruptcy matters.

4. Render advice and opinion(s) and represent the City in labor and employment negotiations and litigation including disciplinary matters; act as hearing officers for disciplinary matters.

5. Render advise and opinion(s) as to general municipal matters.

6. Work includes but is not limited to rendering advice and counsel including written opinions; research and report writing; negotiations on behalf of client and representation and defense in matters of litigation.

CONTRACT TERM:

The contract time period will be for one (1) year commencing from the contract date.

GENERAL REQUIREMENTS:

Must maintain a bona fide office in the State of New Jersey and hold a license to practice law for at least three (3) years and be eligible to appear before all state and federal courts in New Jersey, as well as New Jersey administrative agencies and the Office of Administrative Law; have familiarity with N.J. and federal law (where applicable) in the following areas of practice; criminal defense, tort including personal injury, contract, workers compensation, administrative law, labor and employment law, administrative disciplinary matters, bankruptcy, civil rights litigation, general municipal law.

INSURANCE REQUIREMENTS:

Must have professional liability insurance with minimum limits of $2,000,000 per claim/$2,000,000 aggregate.

WORK PRODUCT/DELIVERABLES:

All documents and writings necessary to render advice to the City and to represent and defend the CITY OF BAYONNE and/or its employees performing in the course of their employment inclusive of court appearances.

FEE SCHEDULE:

The fee schedule for Panel Counsel is $165 per hour for all matters except those matters involving the defense of City of Bayonne Police Officers, in which cases the fee schedule shall be $100 per hour and worker's compensation matters will be paid at a flat fee of $1,250 per case.

EVALUATION PROCESS:

An evaluation team will review all proposals. The team will determine if the proposals satisfy the Proposal Requirements, determine if a proposal should be rejected and then evaluate the proposals based upon the Evaluation Criteria. The highest-ranking respondent will then be recommended to the governing body for award of contract, based on price and other factors. **In specific areas,**

multiple contracts may be awarded. Listed below are the criteria that the CITY OF BAYONNE will consider in the evaluation of each proposal. The arrangement of the criteria does not imply order of importance in the selection process. All criteria will be used to select the successful respondent.

1. Requirements

Possess the general requirements stated herein.

2. Understanding of the Requested Work

The proposals will be evaluated for general compliance with instructions and requests issued in the RFQ-RFP. Non-compliance with significant instructions shall be grounds for disqualification of proposals.

3. Knowledge and Technical Competence

This includes the ability of the respondent to perform all of the tasks and fulfill adequately the stated requirements.

4. Management, Experience and Personnel Qualifications

Expertise of the respondent shall be demonstrated by past contract successes providing government agencies with similar services. The respondent will be evaluated on knowledge, experience, prior collaboration and successful completion of projects/services similar to those requested in this RFQ-RFP. In additional to relevant experience, respondents shall provide personnel qualifications in the Proposal.

5. Ability to Complete the Services in a Timely Manner

This is based on the estimated duration of the tasks and the respondent's ability to accomplish these tasks as stated.

6. Cost

Price shall be based on rates set forth in the RFQ or where a cost proposal is required (RFP), as submitted in the cost proposal. Prices are firm for twelve (12) months. Any services not included as part of any resulting contract scope of services or cost proposal must be approved and authorized by the CITY OF BAYONNE before such work is initiated. The CITY OF BAYONNE shall pay for such approved services, at the rate or cost agreed upon between the CITY OF BAYONNE and contractor.

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 Profession Service RFQ-RFP SUBMISSION FORMS” AND
2. Are Subject to the Standardized “General Instructions, Submission and Selection Criteria for Professional Service Contracts”.
The above mentioned standardized documents are available on the City of Bayonne Website “http://www.BayonneNJ.org” under the heading “Notice of Solicitation for Professional Service” or by going directly to “http://www.BayonneNJ.org/bids” and clicking on the link bearing their name. Should you be unable to obtain these from the website, copies of the solicitation package are also available at the office of the City Law Division, 630 Avenue C, 1st Floor, Rm. 15, Bayonne, NJ 07002. The Law Division is open during regular business hours, 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

SEALED RESPONSES SHOULD INCLUDE:

1. The above noted Standardized Profession Service RFQ-RFP SUBMISSION FORMS which include:
a. 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).
b. A signed and notarized “Non-Collusion Affidavit.”
c. A signed Disclosure of Ownership form.
2. A copy of the vendor's current "NJ Business Registration Certificate." Information on this certificate can be obtained on the web at "http://www.state.nj.us/treasury/revenue/busregcert.htm".
3. 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 RFQ-RFP.

SUBMISSION DEADLINE AND PUBLIC READING:

Sealed responses must be received in the City Law Division, 630 Avenue C, 1st Floor, Room 15, Bayonne, New Jersey 07002 on or before the date and time (“due date” set forth in this notice (also referred to as the “submission deadline”). The City’s Corporation Counsel and/or her designated representative will receive submissions up to the submission deadline.

The City 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 its judgment is in the best interest of the City.

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Susan Ferraro, Esq., Acting Corporation Counsel, 630 Avenue C, Rm. 15, Bayonne, NJ 07002