TOWN OF GUTTENBERG REQUEST FOR QUALIFICATIONS FROM LAW FIRMS INTERESTED IN SERVING AS "SPECIAL COUNSEL FOR EMPLOYMENT MATTERS AND EMPLOYMENT LITIGATIONS" TO THE TOWN OF GUTTENBERG FOR THE PERIOD OF JANUARY 1, 2014 TO DECEMBER 31, 2014

Introduction

The Town of Guttenberg ("Town") is a municipality of Hudson County, New Jersey . Pursuant to N.J.S.A. 19:44A-20.5 et seq, the Town seeks Requests for Qualifications ("RFQ") from law firms licensed to practice law in the State of New Jersey that wish to provide special counsel for employment matters and employment litigation services to the Town as directed by the Town Attorney or other appropriate officials within the Town. The successful firm must have significant experience in representing New Jersey municipalities in all aspects of employment and municipal law. The successful firm will provide the Town with legal guidance relating to, but not necessarily limited to:

1. Legal research and/or advisory opinions as needed;

2. Research and draft ordinances and/or resolutions;

3. Represent the Town in litigation in federal and state courts and administrative forums;

4. Review and/or draft contacts, bid specifications and legal notices;

5. Attend meetings of the Town Council upon request;

6. Conduct programs on specified legal issues for appropriate elected officials and/or Town employees upon request;

7. Notify the Town of changes in municipal law or state regulations, as well as Court decisions, that impact the operation of the Town; and

8. Any other matters as directed by the Town.

All necessary documents can be downloaded from the official Guttenberg website, www.guttenbergnj.org

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 Town.

3. Areas of Practice:

4. Description of firm's attorney's education, experience, qualifications, number of years with the firm and a description of their experience with projects similar to those described above;

5. Experience related to representation of public entities;

6. Examples of your record of success representing public entities;

7. The firm's ability to provide the services in a timely fashion (including staffing, familiarity and location of key staffing);

8. Cost details, including the hourly rates of each of the individuals who will perform the services and all expenses; and

9. Any other information which the interested firm deems relevant.

10. New Jersey Business Registration Certificate.

11. Fully executed Non-Collusion Affidavit which is attached.

12. Fully executed Disclosure of Ownership form which is attached.

13. Mandatory Equal Employment Opportunity Language (if applicable).

Section 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 competitiveness; and

5. Other factors, if demonstrated to be in the best interest of the Town.

Submission Requirements

RFQ must be postmarked or hand-delivered no later than December 5, 2013 at 2:00 p.m. to:

Alberto Cabrera, Town Clerk
Office of the Town Clerk
Guttenberg Town Hall
6808 Park Avenue
Guttenberg, New Jersey 07093

Please submit one original and seven (7) copies to the RFQ. Use white 8 ½ x 11 paper. Please also deliver one (1) copy to the office of Charles P. Daglian, attorney for the Town of Guttenberg at 34 Jones Street, Jersey City, New Jersey 07306.

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 or 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 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 and 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 and 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.S.A. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.S.A. 17:27-5.2.

The contractor and 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 or age, race, creed, color, national origin, ancestry, martial 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 and 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.

TOWN OF GUTTENBERG

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 individuals 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 mor 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 ON THE FOLLOWING STATEMENTS:

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

   Name: **Address:**

   _____

   _____

   _____

SIGNATURE:_____ **DATE:**_____

II. No Stockholder or Partner owns 10% of 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:_____

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NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY :
: SS.
COUNTY OF HUDSON :

I, _____ of the _____
of _____, in the County of _____and the State of New Jersey, of full age, being duly sworn according to law on my oath depose and say that:

I am _____

of the firm of_____
the Professional Service Entity making the submission for the above named Service, and that I executed the said submission with full authority to do so; that the Professional Service Entity has not, directly or indirectly, entered into any agreements, participated in any collusion, or otherwise taken any action in restraint of fair and open competition in connection with the above named Service; and that all statements contained in said submission and in this affidavit are true and correct, and made with full knowledge that the Town of Guttenberg relies upon the truth of the statements contained in said submission and in the statements contained in this affidavit in awarding the contract for said Service.

I am further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee.

Subscribed and sworn to before me
this_____day of _____, 2013

_____
Notary Public
State of _____
My Commission Expires_____

_____
(Signature or Professional)

_____
(Type or print name of Affiant and Title under signature)