

PUBLIC NOTICE FOR THE SOLICITATION OF
PROFESSIONAL SERVICE CONTRACTS FOR THE
PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

NOTICE IS HEREBY GIVEN that sealed submissions will be received by the Municipal Clerk of the Borough of Roselle Park on Monday, December 8, 2016, at 11:30 a.m. in the Municipal Complex located at 110 E. Westfield Avenue, Roselle Park, New Jersey for the following Professional Services:

Municipal Prosecutor
Municipal Public Defender

Submission information is detailed in this notice. All submission packets must contain an annual rate and be clearly marked for the Professional Service under consideration. Two copies of each package must be included one of which is an electronic copy to: dcali@rosellepark.net

All Professional Service contractors are required to comply with the requirements of 52:32-44 (Business Registration of Public Contractors), N.J.S.A. 10:5-1, et seq. and N.J.A.C. 17:27 et seq. (Contract Compliance and Equal Employment Opportunities in Public Contracts).

Submissions by corporations and partnerships shall include a completed disclosure of ownership form (N.J.S.A. 52:25-24.2) and a non-collusion affidavit.

The Borough Council reserves the right to reject any and all submissions due to any defects or waive informalities and accept any submissions that in their judgment will be in the best interest of the Borough. The Borough Council shall award the contract or reject any and all submissions no later than sixty (60) days from receipt of same.

Doreen Cali
Borough Clerk

SPECIFICATIONS FOR PROFESSIONALS
BOROUGH OF ROSELLE PARK

CONTRACT APPOINTMENTS SHALL BE FROM
JANUARY 1, 2017 THROUGH DECEMBER 31, 2017

Municipal Prosecutor

The Municipal Prosecutor shall be an attorney at law of New Jersey and shall provide all necessary and desirable legal counsel and advice requested for the prosecution of cases before the Municipal Court of the Borough, and shall conduct the prosecution of such cases except such crimes and offenses as it may be the duty county or state officer to prosecute.

Requirements

The attorney must have the following:

At least 5 years experience as a lawyer

At least 2 years experience as prosecutor

Satisfy all other requirements as set forth by New Jersey state law and Borough of Roselle Park Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

Resume of attorney and staff attorneys that would be providing legal services.

Brief narrative of abilities

3 references

Annual cost for attorney

Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years

Statement as to whether any of the principals of the firm or the firm itself has received a target letter from a grand jury

Certification as to the truth of the above two statements

2 copies must be submitted one of which is an electronic copy to: dcali@rosellepark.net

Public Defender

The Public Defender shall be an attorney at law of New Jersey and shall interview all indigent defendants qualifying for assistance as provided under the standards established by the office of the Public Advocate of the State of New Jersey, and shall defend same in the Municipal Court of the Borough and provide such legal advice and counsel to such individuals as may be required in any proceedings before the Municipal Court of the Borough

Requirements

The attorney must have the following:

At least 5 years experience as a lawyer

At least 2 years experience as public defender

Satisfy all other requirements as set forth by New Jersey state law and Borough of Roselle Park Municipal Ordinance

Clearly label package as to position under submission:

Package to include:

Resume of attorney and staff attorneys that would be providing legal services.

Brief narrative of abilities

3 references

Annual cost for attorney

Statement as to whether any of the principals of the firm or the firm itself has been convicted of a crime within the last 5 years

Statement as to whether any of the principals of the firm or the firm itself has received a target letter from a grand jury

Certification as to the truth of the above two statements

2 copies must be submitted one of which is an electronic copy to: dcali@rosellepark.net

FAIR & OPEN PUBLIC SOLICITATION PROCESS FOR
PROFESSIONAL SERVICES

Pursuant to N.J.S.A. 19:44A-20.5 et. seq. the standardized submission requirements shall include:

- (i) Names and roles of individual(s) who will be assigned to perform the tasks and a description of their professional experience with Borough of Roselle Park and/or experience with other municipalities and project similar to the matter being advertised.
- (ii) Professional licenses and/or certifications held by the individual(s) to be assigned to the work required.
- (iii) Educational background and experience of the individual(s) to be assigned to the work required.
- (iv) Description of the support staff available to the individual(s) to be assigned.

The selection criteria to be used in awarding contracts shall include, but not be limited to:

- (i) Qualifications of all individuals who will perform the tasks and the amounts of their respective participation.
- (ii) Experience and reputation in the field.
- (iii) Ability to perform the task(s) in a timely fashion, including staffing and familiarity with the subject matter.
- (iv) Availability of the Professional Service entity personnel, facilities and other resources.
- (v) Professional Service entity financial stability and strength.
- (vi) Cost consideration including, but not limited to, standardized submission requirements, historical costs for similar contracts, expertise involved.
- (vii) Responsiveness to the Public Notice and Specifications; Submission demonstrates a clear understanding of the scope of work related objectives.
- (viii) Compliance with the submission documents.

This solicitation is for the length, effective from date of award by resolution of Borough Council through to completion.

The award of this contract is based upon funds being encumbered and contingent upon the availability of funds in the appropriate municipal budget.

Professional services entities responding to this solicitation shall submit one (1) original and one electronic copy to: dcali@rosellepark.net , by December 8, 2016 at 11:30 am

CERTIFICATION REGARDING CONTRIBUTIONS

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

I am the _____ of the firm of _____.

the Professional Service Entity making the submissions for the above named Service, and that I executed the said submission with full authority to do so; that said Professional Service Entity acknowledges that it is aware that the Borough of Roselle Park pursuant to Ordinance 2-4 prohibits the awarding of any public contract to any Professional Service Entity that has contributed in excess of two hundred (\$200.00) dollars to a campaign committee of any Borough of Roselle Park candidate or holder of the public office having ultimate responsibility for the award of the contract, or to any Borough of Roselle Park or Union County Party Committee, or to any political action committee (PAC) that is organized for the primary purpose of promoting or supporting Borough of Roselle Park municipal candidates or municipal officeholders, within one (1) calendar year immediately preceding the date of the contract or agreement.

I further warrant that pursuant to Roselle Park Borough Ordinance 2-4, a “professional service provider” seeking a public contract means: an individual, including the individual’s spouse, if any, and any child living at home; person; firm; corporation; professional corporation; partnership; organization; or association. The definition of a service provider includes all principals who own one (1%) percent or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the provider as well as any subsidiaries directly controlled by the service provider.

I further warrant that I have reviewed Borough Ordinance 2-4.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment for contempt of Court.

Subscribed and sworn before me
this _____ day of _____

2-4 AWARDING OF PUBLIC PROFESSIONAL SERVICE CONTRACTS.

2-4.1 Prohibition on Awarding Public Contracts to Certain Contributors.

a. Any other provision of law to the contrary notwithstanding, the Borough or any of its purchasing agents or agencies or those of its independent authorities, as the case may be, shall not enter into an agreement or otherwise contract to procure services, including banking services/relationships or insurance coverage services, from any professional service provider, if that provider has solicited or made any contribution of money, or pledge of a contribution, including in-kind contributions in excess of two hundred (\$200.00) dollars to a campaign committee of any Borough of Roselle Park candidate or holder of the public office having ultimate responsibility for the award of the contract, or to any Borough of Roselle Park or Union County Party Committee, or to any political action committee (PAC) that is organized for the primary purpose of promoting or supporting Borough of Roselle Park municipal candidates or municipal officeholders, within one (1) calendar year immediately preceding the date of the contract or agreement.

b. No professional service provider which enters into negotiations for, or agrees to, any contract or agreement with the Borough or any department or agency thereof or of its independent authorities for the rendition of professional, banking or insurance coverage services or any other no-bid consultants shall knowingly solicit or make any contribution of money, or pledge of a contribution, including in-kind contributions in excess of two hundred (\$200.00) dollars, to any Borough of Roselle Park candidate or holder of the public office within the Borough having ultimate responsibility for the award of the contract, or to any Borough of Roselle Park or Union County Party Committee, or to any PAC that is organized for the primary purpose of promoting or supporting Borough of Roselle Park municipal candidates or municipal officeholders between the time of first communications between that service provider and the Borough regarding a specific professional services agreement and the later of the termination of negotiations or the completion of the contract or agreement.

c. For purposes of this section, a “professional service provider” seeking a public contract means: an individual, including the individual’s spouse, if any, and any child living at home; person; firm; corporation; professional corporation; partnership; organization; or association. The definition of a service provider includes all principals who own one (1%) percent or more of the equity in the corporation or business trust, partners, and officers in the aggregate employed by the provider as well as any subsidiaries directly controlled by the service provider.

d. For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be:

1. The Borough of Roselle Park Council, if the contract requires approval or appropriation from the Council or a public officer who is responsible for the award of a contract if that public officer is appointed by Council; or

2. The Mayor of the Borough of Roselle Park, if the contract requires the approval of the Mayor or a public officer who is responsible for the award of a contract if that public officer is appointed by the Mayor; or

3. Both number one and two.

(Ord. No. 2395)

2-4.2 Contributions Made Prior to the Effective Date.

No contribution of money or any other thing of value, including in-kind contributions in excess of two hundred (\$200.00) dollars, made by a professional service provider to any Borough of Roselle Park candidate for Mayor or Council, or municipal or County party committee or PAC referenced in this section shall be deemed a violation of this section, nor shall an agreement for property, goods, or services, of any kind whatsoever in excess of two hundred (\$200.00) dollars, be disqualified thereby, if that contribution or agreement was made by the professional service provider prior to the effective date of this section. (This section was adopted November 7, 2013) (Ord. No. 2395)

2-4.3 Contribution Statement by Professional Service Provider.

a. Prior to awarding any contract or agreement to procure services, including banking or insurance coverage services, with any professional service provider, the Borough or any of its purchasing agents or agencies, as the case may be, shall receive a sworn statement from the professional service provider made under penalty of perjury that the bidder or offeror has not made a contribution in excess of two hundred (\$200.00) dollars in violation of Section 2-4 hereof;

b. The professional service provider shall have a continuing duty to report any violations of this section that may occur during the negotiation or duration of a contract. The certification required under this subsection shall be made prior to entry into the contract or agreement with the Borough and shall be in addition to any other certifications that may be required by any other provisions of law.

(Ord. No. 2395)

2-4.4 Violations and Penalties.

a. All Borough of Roselle Park professional service agreements shall provide that it shall be a breach of the terms of the government contract for a professional service provider, as defined in Section 2-4, to violate Section 2-4 or to knowingly conceal or misrepresent contributions given or received, or to make or solicit contributions through intermediaries or any Union County Party Committee for the purpose of concealing or misrepresenting the source of the contribution.

b. Any professional service provider, as defined in Section 2-4, who knowingly fails to reveal a contribution made in violation of this section, or who knowingly makes or solicits contributions through an intermediary, including but not limited to a Union County Party Committee, for the purpose of concealing or misrepresenting the source of the contribution, shall be disqualified from eligibility for future Borough of Roselle Park contracts for a period of four (4) calendar years from the date of the violation.

c. Any person violating any of the provisions of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5.

(Ord. No. 2395)