

## Request for Qualifications

### **Purpose:**

The following procedures are designed to provide for a fair and open process in awarding professional services based on qualifications, merit and cost effectiveness through accessible advertising. Services include annual appointments and day-to-day programs, projects and contracts.

### **Scope of Services:**

### **CONFLICT SOLICITOR**

Any persons or firms interested in providing professional services to the Township of Deptford as defined in the New Jersey Statutes, NJSA 40A:11-2(6).

1) **Appointment of Conflict Solicitor.** The Conflict Solicitor shall be appointed by the Council by a majority vote of a quorum of its members and shall serve for a term of one (1) year from the first day of January of the year of appointment and until his successor has been appointed and qualified. The Conflict Solicitor shall be a licensed attorney-at-law of New Jersey. In lieu of appointing an individual attorney, Council may appoint a firm of attorneys, all members of which shall be licensed attorneys-at-law of New Jersey. The Conflict Solicitor shall be appointed in a manner consistent with the Local Public Contracts Law. The Conflict Solicitor shall execute a written contract with the Township. The Township Conflict Solicitor shall receive such compensation as shall be agreed upon by the Township.

2) **Duties.**

The Conflict Solicitor shall:

A. Represent the Township in all general legal matters in which the Township Solicitor may be conflicted from participating in, included but not limited to Land Use Law, Municipal Law and Labor Law. The Conflict Solicitor shall advise and assist the Council, the Manager and the Departments as required in the administration of Township Government and as a result of such conflict.

B. When the Township Solicitor is conflicted from a certain matter, the Conflict Solicitor shall attend meetings of the Council, draft ordinances and resolutions as directed by the Manager or the majority of the members of Council, and give opinions and rulings on questions of law which may arise from such conflict at the request of a majority of the members of Council or the Township Manager.

C. Prepare or approve any legal instruments relating to the business of the Township which may be caused by such conflict.

D. As a result of such conflict, Conflict Solicitor shall represent the Township in any litigation, and conduct trials, appeals and other proceedings

affecting the interest of the Township as he may in his discretion determine to be necessary or desirable, subject to the approval of Council.

3) **Additional Duties.**

The Conflict Solicitor shall also:

- A. Maintain records of all action suits, proceedings and matters which relate to the Township's interest but which are precipitated by the Solicitor's conflict, and report thereon as the Manger or Council may require.
- B. Have power to enter into any agreement, compromise or settlement or any litigation in which the Township is involved, and only which is precipitated by the Solicitor's conflict, subject to the prior approval or ratification of the Council.
- C. Upon the termination of his service with the Township, forthwith surrender to his successor all Township property, papers and records, together with written consent to substitution of his successor in any pending actions or proceedings.

4) **Residence.** The Conflict Solicitor need not be a resident of Deptford Township.

**Applicants'/Proposers' Responsibility in Responding to  
Township's Request for Qualifications**

The Applicant/Proposer shall in response to the Township's RFQ, at a minimum, include the following information:

- A. Qualification requirements to compete for the needed services or activity as set forth in the "duties and responsibilities" of the position defined in the Township's RFQ. Qualifications, at a minimum, shall include requirements defined as follows:
  - 1. Full name and business address.
  - 2. Listing of all post-high school education of the applicant and/or members of a professional firm seeking to provide professional services as described within the body of the RFQ.
  - 3. Dates of licensure in the State of New Jersey and any other state as to professional discipline request to serve the needs of Deptford Township.
  - 4. A listing of any professional affiliations or memberships in any professional societies or organizations, with an indication as to any offices held.

5. The number of licensed professionals employed (if a professional firm and/or affiliated with the professional entity seeking to provide services to the Township. A description of each individual's qualifications, including education, Licensure and years of professional experience.
6. A listing of all previous Public Sector entities served by the applicant/proposer licensed professional including dates of service and position(s) held.
7. Proposed cost of service(s) or activities, including the hourly rate of individuals who will perform the services or activities. The proposed cost should include:
  - a. Attorney meetings.
  - b. Site visits and expenses.
  - c. Expenses for travel, postage and telephone excluded from the hourly rate.
  - d. Additional services defined beyond the scope of regular services.
8. **Insurance.** The applicant/proposer, as a member of a profession which is subject to suit for professional malpractice, shall provide documentation that insurance for professional liability/malpractice coverage with limits as to liability acceptable for the Township of Deptford.
9. **Financial Disclosure.** The applicant/proposer as a "professional", if required by law, shall file a Financial Disclosure Statement pursuant to a Local Government Ethics Law NJSA 40A:9-22(1) et. seq.
10. **Law Against Discrimination and Affirmative Action.** The applicant/proposer as a "professional" shall file a statement as to compliance with NJSA 10:5-1 et. seq.
  - B. The applicant/proposer shall submit **five (5)** copies of his/her proposal for review and consideration by the Township Manager and Township Council.

**Basis for Award of Contract/Agreement for Professional Services**

The Township shall award all professional service contracts or agreements based on qualification, merit and cost competitiveness. Selection criteria will include:

1. Qualifications of the individual or firms who will perform the service or Activity
2. Experience and references.
3. Ability to perform the service or activity in a timely fashion, including staffing

and the staff's familiarity of the service or activity.

4. Cost Competitiveness, Min. hourly rate \$125.00 – Max. hourly rate \$150.00.
5. The Township reserves the right to conduct an interview or interviews with the prospective professional to discuss the scope of the professional services as outlined in the applicant's/proposer's proposal.
6. All awards or waivers will be by resolution acted on by Township Council at a Township meeting.
7. For annual appointments, the Township Council, Township Manager and Administrative staff will conduct a performance review a minimum of once per year in late November, early December.
8. All awards are subject to availability of funds.
9. This policy will include, but not be limited to, all of the above listed requirements.