

GENERAL INFORMATION AND SPECIFICATIONS FOR PROSPECTIVE CONTRACTORS
SUBMITTING QUALIFICATIONS FOR 2020 CONTRACT FOR POSITION OF
CUMBERLAND SALEM REGIONAL MUNICIPAL COURT PUBLIC DEFENDER

- I. Invitation to Submit Qualifications.** The Cumberland Salem Regional Municipal Court is requesting qualifications from individuals and/or firms for the following contract for calendar year 2020: CS Regional Municipal Court Public Defender. The qualifications are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, *et. seq.*
- II. Submitting and Delivery of Qualifications.** Qualifications must be submitted on or before November 27, 2019 and may be submitted either by mail or in person by the prospective contractor or his agent. Qualifications must be enclosed in a sealed envelope and plainly marked “Qualifications for 2020 CS Regional Municipal Court Public Defender Contract” and the envelope also shall have plainly marked on it the name and address of the prospective contractor.
- III. Time and Place for Acceptance of Qualifications and Proposals.** The Upper Deerfield Township Clerk has been designated as the person authorized to receive all qualifications. All qualifications must be submitted in sealed envelopes to the Upper Deerfield Township Clerk, Township of Upper Deerfield, 1325 Highway 77, Seabrook, New Jersey, 08302, either by mail or in person by the prospective contractor or his agent on or prior to November 27, 2019 at 11:00 a.m., prevailing time. The Upper Deerfield Township Clerk will record the date and time of receipt of all proposals on the sealed envelope. No qualifications will be received after the time designated for receipt.
- IV. Contract Description and Qualifications.** The CS Regional Municipal Court Public Defender shall perform all of the services customarily performed by a Municipal Public Defender of a regional court the size of the CS Regional Municipal Court. Such services include, but are not necessarily limited to, the following:
- a. Attend three part time court sessions per month (on Tuesdays) plus any special meetings as required of the CS Regional Municipal Court;
 - b. Shall be the duty of the municipal public defender to represent, except in the case of temporary unavailability or conflict of interest, any defendant charged with an offense in municipal court who is an indigent municipal defendant entitled to representation pursuant to NJSA 2B-24;
 - c. Shall be an attorney at-law of New Jersey in good standing; and
 - d. Shall be responsible for handling all phases of the defense, including but not limited to discovery, pretrial and post-trial hearings, motions, removals to federal district court and other collateral functions reasonably related to the defense,

The contractor shall possess all required State of New Jersey licenses or certifications.

The resumes or *curricula vitae* of all individuals who will perform services under the contract on behalf of the CS Regional Municipal Court shall be submitted with the prospective contractor’s proposal.

The financial compensation for the CS Regional Public Defender position is as follows:

- 1) The Public Defender shall be paid \$15,000 annually for three court session appearances per month with payments equal to one-twelfth of the annual payment each month;

A proposed contract may be submitted with the contractor's qualifications.

V. Selection Process & Award of Contract. Upon receipt of qualifications, the Upper Deerfield Township Clerk will transmit copies of each proposal to the personnel committee that consists of four members of the CS Regional Municipal Court Committee. Qualifications will be evaluated on the basis of the following considerations:

- a. A description of the contractors experience as a municipal Public Defender and reputation of the prospective contractor in the field that is the subject matter of the contract;
- b. Knowledge of the CS Regional Municipal Court municipalities, issues that are unique to these municipalities and the subject matter to be addressed under the contract;
- c. Availability to accommodate any required Court meetings of the CS Regional Municipal Court;
- d. Any professional certifications possessed by the contractor;
- e. Other factors as demonstrated to be in the best interest of the CS Regional Municipal Court.
- f. Certification of no ethical complaints or malpractice within the last five years. If a complaint was filed, provide a detailed explanation of each such complaint;
- g. A certificate of professional liability insurance coverage with limits of not less than five hundred thousand dollars per person, per occurrence.
- h. A certificate of general liability insurance coverage with limits of not less than five hundred thousand dollars per occurrence.
- i. A certificate of Workers' Compensation Coverage with statutory limits

Upon completion of the review process, the personnel committee shall transmit its findings and recommendations to the CS Regional Municipal Court Committee who will then make a recommendation to the Provider municipality of the CS Regional Municipal Court, Upper Deerfield Township, whose governing body may award the subject contract for calendar year 2020 on or after January 5, 2020 by resolution.

V. Obligation of Prospective Contractor. At the time of receipt of qualifications, each prospective contractor will be presumed to have read and to be thoroughly familiar with the contents of the notice of availability of requests for qualifications that has been posted on the Township of Upper Deerfield website and with the contents of this document. The failure or omission of any prospective contractor to receive or examine either document shall in no way relieve any prospective contractor from any obligation with respect to the statement of qualifications submitted.

- VI. Investigation of Qualifications.** The CS Regional Municipal Court Committee will make such investigations as it deems necessary to determine the responsibility of the prospective contractor and the prospective contractor shall furnish the CS Regional Municipal Court Committee all such information as may be requested by the CS Regional Municipal Court Committee notwithstanding the fact that the release of such information to the CS Regional Municipal Court Committee may result in the disqualification of the prospective contractor and the qualifications submitted.

The CS Regional Municipal Court Committee reserves the right to reject any statement of qualifications if the evidence submitted by, or the investigation of, such prospective contractor fails to satisfy the CS Regional Municipal Court Committee that such prospective contractor properly is qualified to carry out the obligations of the contract for the work as provided and as described in this document.

- VII. Signing of Qualifications Documentation.** The qualification documentation that is submitted by the prospective contractor shall be signed by the individual or on behalf of the entity to be bound by the contract.

- VIII. New Jersey Business Registration Certificate.** Business organizations or individuals doing business in New Jersey are required to register with the Department of Treasury, Division of Revenue. Prospective contractors submitting qualifications shall submit a copy of their business registration certificate to the CS Regional Municipal Court at the time that the proposal is submitted to the CS Regional Municipal Court. See N.J.S.A. 52:32-44b (1). Failure to comply with this paragraph shall result in disqualification of the prospective contractor.

IX. Miscellaneous.

- a. Nothing herein shall be construed as an obligation on the part of the CS Regional Municipal Court to award the subject contract under the fair and open procedures described above and the CS Regional Municipal Court Committee, after review of qualifications that have been submitted, if deemed to be in the best interests of the CS Regional Municipal Court, specifically reserves the right to award the subject contract by utilizing the non-fair and open procedures that are set forth at N.J.S.A. 19:44A-20.5, *et. seq.*
- b. All contracts awarded by the Township of Upper Deerfield as the Provider of the CS Regional Municipal Court shall be governed by and interpreted in accordance with the Laws of the State of New Jersey.
- c. If awarded a contract, you or your company/firm shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (EEO in public contracts).
- d. For additional information contact: Roy Spoltore, Township Clerk/Administrator, Upper Deerfield Municipal Building, 1325 Highway 77, Seabrook, New Jersey, 08302, 856-451-3811..