

**GENERAL INFORMATION AND SPECIFICATIONS FOR PROSPECTIVE CONTRACTORS**  
**SUBMITTING QUALIFICATIONS FOR 2021 CONTRACT**  
**FOR POSITION OF PLANNING BOARD SOLICITOR**

- I. Invitation to Submit Qualifications.** The Township of Upper Deerfield is requesting qualifications from individuals and/or firms for the following contract for the year 2021: Planning Board Solicitor. 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 December 9, 2020 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 2021 Planning Board Solicitor Contract" and the envelope also shall have plainly marked on it the name and address of the prospective contractor. Please submit 1 original copy of your proposal.
- III. Time and Place for Acceptance of Qualifications.** 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 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 December 9, 2020 at 11:00 a.m., prevailing time. The Township Clerk will record the date and time of receipt of all proposals on the sealed envelope. No proposal will be received after the time designated for receipt.
- IV. Contract Description and Qualifications.** The Planning Board Solicitor shall perform all of the services customarily performed by a Planning Board Solicitor of a municipality the size of the Township of Upper Deerfield. Such services include, but are not necessarily limited to, the following:
- a. Attend all regular and special meetings of the Planning Board;
  - b. Prepare all required resolutions;
  - c. Receive, review and respond to all correspondence pertaining to the Planning Board's legal matters;
  - d. Review, research and render such written and/or verbal opinions as the Planning Board may require;
  - e. Render any and all other legal services required by the Planning Board;
  - f. Provide legal representation to the Planning Board with respect to all actual and threatened litigation.

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 Township of Upper Deerfield shall be submitted with the prospective contractor's qualifications.

The financial compensation for the Planning Board Solicitor position is as follows:

- 1) The retainer amount, for the solicitor's attendance at the Planning Board regular and special meetings each month, including conversations with the Planning Board Secretary, Planner, Engineer and Board Members, shall be \$9,500 annually with payments equal to one-twelfth of the retainer each month. The retainer shall also include preparation of resolutions where no escrow is required and includes any required secretarial or clerical services;
- 2) Contractor may charge \$125 per hour for services to be compensated pursuant to an escrow posted by an applicant.

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

**V. Selection Process & Award of Contract.** Upon receipt of qualifications, the Township Clerk will transmit copies of each statement of qualifications to a review committee. Qualifications will be evaluated on the basis of the following considerations:

- a. A description of the contractors experience as a planning board solicitor and reputation of the prospective contractor in the field that is the subject matter of the contract;
- b. Knowledge of the Township of Upper Deerfield, issues that are unique to Upper Deerfield and the subject matter to be addressed under the contract;
- c. Availability to accommodate any required meetings of the Township of Upper Deerfield Planning Board;
- d. Any professional certifications possessed by the contractor;
- e. Other factors as demonstrated to be in the best interest of the Township of Upper Deerfield Planning Board.
- 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 Township may award the subject contract on or about January 7, 2021 by resolution.

**VI. 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 qualifications submitted.

**VII. Investigation of Qualifications.** The Township of Upper Deerfield will make such investigations as it deems necessary to determine the responsibility of the prospective contractor and the prospective contractor shall furnish the Township of Upper Deerfield all such information as may be requested by the Township of Upper Deerfield notwithstanding the fact that the release of such information to the Township of Upper Deerfield may result in the disqualification of the prospective contractor and the statement of qualifications submitted.

The Township of Upper Deerfield 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 Township of Upper Deerfield 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.

**VIII. 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.

**IX. 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 Township of Upper Deerfield at the time that the proposal is submitted to the Township of Upper Deerfield. See N.J.S.A. 52:32-44b (1). Failure to comply with this paragraph shall result in disqualification of the prospective contractor.

**X. Miscellaneous.**

- a. Nothing herein shall be construed as an obligation on the part of the Township of Upper Deerfield to award the subject contract under the fair and open procedures described above and the Township of Upper Deerfield, after review of the qualifications that have been submitted, if deemed to be in the best interests of the Township of Upper Deerfield, 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 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.