

## PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN** that sealed submissions will be received by the Bloomfield Parking Authority (the “Authority”) for applicants to provide: (i) General Counsel/Bond Counsel Services and (ii) Auditing Services. This Request for Proposals (“RFP”) is being issued pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq. Proposals should address the general criteria and mandatory minimum criteria for the position sought. All proposals will be treated as confidential and reviewed only by the governing body, unless otherwise required by law. Proposals must be received by the Authority at 230 Broad Street, Bloomfield, New Jersey 07003, ATTN: Karan Hochman, Executive Director, no later than 2:00 PM, Wednesday, February 13, 2013. Respondents must submit an original and three (3) copies of any proposal, which shall be contained in a sealed envelope, clearly marked “BLOOMFIELD PARKING AUTHORITY - PROPOSAL FOR PROFESSIONAL SERVICES”, with appropriate language inserted to indicate that the proposal is made for General Counsel/Bond Counsel or for Auditing Services, as applicable. All proposals shall be opened and announced publicly, immediately thereafter. Proposals will be reviewed by the governing body of the Authority and all appointments will be announced at a public meeting. Unless otherwise noted, appointments shall be for a one year period and subject to the execution of an appropriate contract.

### GENERAL PROPOSAL REQUIREMENTS

The request for qualifications is to be formatted as follows to assure consistency:

- Section A. Understanding of the Scope of Services to be provided for the Authority
- Section B. Proposed Fee Schedule
- Section C. Qualifications & Experience
- Section D. Resumes & Qualifications of Key Personnel
- Section E. Client/Reference List
- Section F. Conflict of Interest(s): This section should disclose any potential conflicts of interest that the firm may have in performing these services for the Authority
- Section G. Miscellaneous/Other information (This section is for any further pertinent data and information not included elsewhere in the RFP and found necessary by the proposer).

### **MISCELLANEOUS REQUIREMENTS**

1. The Authority will not be responsible for any expenses incurred by any firm in preparing or submitting a proposal. All proposals shall provide a straightforward, concise delineation of the firm’s capabilities to satisfy the requirements of this Request for Qualifications. Emphasis should be on completeness and clarity of content.
2. The contents of the proposal submitted by the successful firm(s) and this Request for Qualifications may become part of the contract for these services. The successful firm(s) will be expected to execute said contract with the Authority.
3. Proposals shall be signed in ink by the individual or authorized principal of the responding party. Proposals submitted shall be valid for a minimum of sixty (60) days from the date of opening.
4. The Authority reserves the right to reject any and all proposals received by reason of this Request for Proposals, or to negotiate separately in any manner necessary to serve the best interests of the Authority.

5. Any selected firm is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of any agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, company or corporation without the prior written consent of the Authority.
6. The selected firm(s) shall be required to comply with the requirements for Business Entity Disclosure Certification, Equal Employment Opportunity laws and regulations, American With Disabilities Act of 1990, P.L. 2004, C19, “The New Jersey Local Unit Pay-to-Play” law (N.J.S.A. 19:44A-20.4 et seq.), and New Jersey Campaign Contributions and Expenditure Reporting Act (N.J.S.A. 19:44A-1 et seq.).
7. The selected firm(s) shall be required to comply with the requirements of P.L. 1975, c.127 (see attached affirmative action language) and submit an employee information report or certificate of employee information report approval. This requirement will be addressed upon execution of the Agreement.
8. The selected firm(s) may be required to provide Proof of Insurance.
9. Completion of the Minority/Woman/Veteran Owned Business Questionnaire.

### **EVALUATION OF PROPOSALS**

The proposal will be independently evaluated on the basis of the criteria listed below:

- Proven record of experience, including referrals, in providing the type of services detailed herein, including but not limited to bond litigation, municipal projects, and work with parking authorities.
- Ability to provide services in a cost-effective and timely manner.
- Ability to assume the responsibilities of the Bloomfield Parking Authority’s General and Bond Counsel with minimal disruption of service during the handover period from previous legal counsel.
- Personnel qualifications.
- Understanding of the services requested (including completeness and clarity of submission), by the Authority and the qualitative nature of the services proposed.
- Additional criteria described below.

### **SPECIFIC PROPOSAL REQUIREMENTS**

#### **GENERAL COUNSEL/BOND COUNSEL**

**GENERAL CRITERIA:** The Authority desires to appoint an attorney or firm who will be general counsel to the Authority and who will serve as the primary legal representative of the Authority in all matters relating to the issuance of public debt instruments. Applicants should demonstrate knowledge of general State of New Jersey municipal and parking authority law, and municipal bond and finance law. Any experience or knowledge of matters directly affecting the Authority should also be addressed.

#### **MANDATORY MINIMUM REQUIREMENTS:**

1. Must have a minimum of ten (10) years of experience in the general representation of municipal authorities.

2. Must have a minimum of ten (10) years of experience representing municipal entities in connection with the issuance of debt obligations.
3. Must list past and present municipal authorities represented as general counsel and/or bond counsel.
4. Must maintain a bona fide principal office in the State of New Jersey.
5. Must have sufficient support staff available to provide all general legal services required by the Authority including, but not limited to, legal research, preparation of resolutions, preparation of ordinances, preparation of contracts and other legal documents, and the preparation of all documents necessary and incidental to the issuance of bonds and other municipal obligations.
6. Must provide the following hourly rates:
  - General counsel services
  - Litigation related counsel services
  - Paralegal staff hourly rates for all categories of anticipated services.
  - Administrative staff hourly rates for all categories of anticipated services.
  - Any other staffing categories that the provider envisions might possibly be required in the performance of their duties as general counsel.

### **AUDITORS**

**GENERAL CRITERIA:** The Authority desires to appoint a firm of certified public accountants to act as auditors for the Authority. Applicant should demonstrate knowledge of auditing laws and regulations and experience in providing advice to municipal entities on records compliance issues as well as knowledge of the Authority's financials. Any experience or knowledge of matters that directly affect the Authority should be addressed.

### **MANDATORY MINIMUM REQUIREMENTS:**

1. The firm must employ a minimum of five (5) certified public accountants who have been licensed in that capacity for a period of not less than five (5) years each prior to the date of appointment.
2. Must have a minimum of ten (10) years' experience in providing auditing services to public bodies, in particular, parking authorities, within the State of New Jersey.
3. Must maintain a current principal office within the State of New Jersey.
4. Must describe any special services available to municipal clients.
5. Must list all past and present municipal clients.
6. Must specify Audit fee and hourly rates for various other related services on an as-needed basis for following classifications: Staff Accountant, Supervisor, Manager and Partner and any other Personnel.

**MINORITY/WOMAN/VETERAN OWNED BUSINESS  
QUESTIONNAIRE FOR BIDDERS**

The Bloomfield Parking Authority, in accordance with the stated policy of non-discrimination and equal employment opportunity has a goal of encouraging minority, woman and veteran owned business enterprises. To assist us in monitoring our achievement of this goal, please indicate below whether your company is or is not a minority owned, woman owned and/or veteran owned business, and return this form with your bid proposal.

\_\_\_\_\_ Minority Owned

\_\_\_\_\_ Veteran Owned

\_\_\_\_\_ Woman Owned

\_\_\_\_\_ Minority, Woman and Veteran Owned

**Definition of Minority Business Enterprise**

Minority Business Enterprise means a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by persons who are African American, Hispanic, Asian American, American Indian or Alaskan native, defined as follows:

**African American:** a person having origins in any of the black racial groups of Africa.

**Hispanic:** a person of Mexican, Puerto Rican, Central or South American or other non-European Spanish culture or origin regardless of race.

**Asian:** a person having origins in any of the original peoples of the Far East, South East Asia, Indian subcontinent, Hawaii or the Pacific Islands.

**American Indian or Alaskan Native:** a person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.

**Woman Business Enterprise:** a business which is a sole proprietorship, partnership or corporation at least 51% of which is owned and controlled by a woman or women.

**Veteran Business Enterprise:** a business which is a sole proprietorship, partnership or corporation of at least 51% which is owned and controlled by a United States veteran.

In the event your company is not a woman, minority or veteran owned business but does have woman, minority or veteran ownership, please indicate the percentage of each form of ownership below:

\_\_\_\_\_ % Minority Owned

\_\_\_\_\_ Veteran Owned

\_\_\_\_\_ % Woman Owned

\_\_\_\_\_ % Minority, Woman and Veteran Owned