



MOUNT OLIVE TOWNSHIP SCHOOL DISTRICT

227 US Route 206, Suite 10
Flanders, NJ 07836
973.691.4000

Nicole C Schoening, CPA, SFO
Business Administrator
nicole.schoening@motsd.org

REQUEST FOR PROPOSAL - RFP# 2024-03 LEGAL SERVICES

SUBMISSION DEADLINE
THURSDAY, OCTOBER 19, 2023
10:00 a.m.

A. BACKGROUND

The Mount Olive Township School District services students from Prek-12th grade with an enrollment of approximately 4800 students consisting of 4 elementary schools, a middle school and a high school, approximately 975 staff members, with general fund budget of \$118,000,000. Further information may be obtained by visiting the school district's website at www.motsd.org.

Proposers are advised that for any specific matter the Board may retain the services of another Attorney.

B. SERVICES SPECIFICATIONS

Scope of Service:

The Attorney shall be required to perform all legal services for the Board on an as-needed basis. Attorneys may submit proposals to provide services in General Counsel, Special Education, Labor/Personnel or for all service areas listed in the RFP.

General Council Services to be provided:

- * Provide legal research and/or advisory opinions as needed.
- * Review and/or draft all contracts, Inter-Local and Inter-Agency agreements.
- * Attend any and/or all meetings of the Board of Education as directed.
- * Be readily available for meetings with the President, representatives of the Board of Education or district administrators upon request.
- * Advise the Board of Education of changes in state and federal law and regulations, as well as court decisions, which will impact the district.
- * Review and advise for legal notices, resolutions, Board policies and matters of district governance.
- * Review and advise with matters including, but not limited to, procurement and execution of contracts and contract disputes solution.



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- * Provide advice and counsel on all matters related to regular students including discipline, attendance, adherence to rules and regulations, etc.
 - * Representation of the Board with respect to matters involving interface with the municipal governing body, including planning and adjustment boards, financial matters, jurisdictional matters, etc. and with state agencies such as the EDA, DOE, EPA, as needed.
 - * Provide assurance statements as required for financial audits, bonding matters and grant compliance.

Special Education Counsel Services to be provided:

- * Review special education issues upon request and provide guidance to the Board and Administration.
- * Represent the district in mediation, upon request.
- * Representation of the district in all stages of mediation, including administrative law, commissioner, State Board and court proceedings until due process filed by parent/guardian. After which time, be available to consult with insurance appointed legal counsel.
- * Serve as the district's liaison to the legal representatives/advocates of parents.
- * Review special education contracts upon request.
- * Any additional matters as directed by the Board of Education.

Labor/Personnel Counsel Services to be provided:

- * Advise the Board in legal matters with respect to labor relations and personnel administration.
- * Review grievances with the administration and assist in writing administrative responses to the same.
- * Represent the Board in all arbitrations, administrative proceedings, court proceedings, etc. involving labor relations or personnel administration.
- * Advise the Board on employment, employee discipline, seniority, tenure and other personnel administration matters.
- * Advise on proposed contract language and bargaining proposals.
- * Develop possible salary guides in accordance with Board guidelines.
- * Prepare final contract documents upon settlement and ratification of tentative agreements.

Services to be included in each of the service areas:

- * Legal counsel and advice to the Board and Administration.



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- * Timely advice and counsel on emergent matters. Counsel response is expected, at least verbally to be followed in writing, within a maximum of 24 hours upon inquiry made by the Board or Administration.
 - * Written legal opinions upon request.
 - * Initiate and/or defend lawsuits as necessary at the direction of the Board.
 - * Prepare all necessary legal documents.
 - * Attend any and/or all meetings of the Board, meetings with committees or third parties, upon request.
 - * Work cooperatively with legal counsel of insurance companies, consortiums or other collectives with whom the Board may be affiliated.
 - * Represent the school district in all judicial and/or administrative proceedings within the specific service area in which the district or any of its Board members, administrators or agents may be a party or have an interest.
 - * Provide written, timely notification to the Board of changes in school law or state regulations, including court and administrative decisions that may impact the operation of the school.
 - * Conduct in-service programs on specified legal issues for appropriate staff members, upon request.
 - * Fulfill other legal duties as are commonly accepted and assigned.

Minimum Requirements:

- * At least ten (10) years of experience in public school law, public school litigation and familiarity with NJSA and NJAC.
- * Experience as a public school attorney in the State of New Jersey.
- * Be licensed to practice law in the State of New Jersey and be a member of the Bar in good standing.
- * One attorney shall be designated to represent the interests of the Board. This individual shall have been admitted and/or licensed in his/her profession in NJ and be in good standing.
- * The firm shall have three or more licensed professionals on staff whose major focus and work has been and remains providing professional services to and advising public entities.
- * If awarded a contract, your firm shall be required to comply with the requirements of NJSA 10:5-31 et seq. and NJAC 17:27.

C. PROPOSAL

The proposal shall include the following items:



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- * Transmittal Letter: Each proposing Attorney shall submit a transmittal letter with their proposal that identifies the firm that is submitting the proposal and includes a commitment by said Attorney that they will serve as District Attorney if their proposal is accepted by the Board.
 - * Description of Services and Experience: All proposing Attorneys should describe their practices and the services to be provided as well as acknowledge that they understand the scope of services sought by the Board.
 - * Names of individuals who will perform required tasks as well as the listing of their licenses, qualifications and experience. Identify persons who will serve as back up to the primary person including resumes of all parties.
 - * Fee structure: Submit an hourly rate for which the Attorney agrees to provide services, identifying whether clerical and other overhead costs will be billed separately. If the Attorney is requesting a retainer, a detail of what the retainer will cover must be included.
 - * Recommendations from at least three clients, New Jersey School Districts preferred.
 - * Documents:
 1. Ownership Disclosure Statement
 2. Non-Collusion Affidavit
 3. C. 271 Political Contribution Disclosure Form
 4. Contractor/Vendor Questionnaire/Certification
 5. Affirmative Action Questionnaire, Affidavit and Exhibit A
 6. New Jersey Business Registration Certificate
 7. Certificate of Employee Information Report
 8. Disclosure of Investment Activities in Iran
 9. Certification of Non-Debarment (Prior to Award of Contract)

Please provide one original and two copies of your proposal.

D. INTERVIEW

The Board of Education reserves the right to interview any or all of the applicants submitting a proposal. Although interviews may take place, the proposal should be



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comprehensive and complete on its face. The Board reserves the right to request clarifying information subsequent to the submission of the proposal.

E. CONTRACT TERM

The term of the contract for Services shall be for the 2023-2024 school year and may be renewed annually.

F. SUBMISSION DEADLINE & PROCESS:

Deadline - **THURSDAY, OCTOBER 19, 2023 10:00 a.m.**

The Proposal should be delivered to the attention of:

Nicole C Schoening, CPA, SFO
Business Administrator

nicole.schoening@motsd.org

Attn: RFP 2024-01-Legal Services

G. EVALUATION OF PROPOSALS

The School District intends to award a professional services contract for the defined scope of work under the Fair and Open Process in accordance with NJSA 19:44A-20.4 et seq.

The proposals will be evaluated by the Board of Education, Superintendent, Business Administrator and such other members of the administration as may be called upon based on their level of interaction with the District Attorney based upon information supplied by each Professional in response to this RFP and the following criteria:

1. Ability to meet all minimum qualifications.
2. Overall knowledge and familiarity with the operations of the school district.
3. Experience of the firm in providing similar services to other public bodies, with special emphasis on experience in NJ.
4. Qualifications and experience of the professional.
5. Qualifications and experience of other members of the professional's firm.
6. Interview, if conducted.
7. The fee and hourly rates proposed.



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H. AWARD OF CONTRACT

The contract will be awarded as a professional service in accordance with NJSA 18A:18A-5(1).

It is the intention of the Board of Education to award the contract based on an evaluation of relative experience, qualifications and who will provide the highest quality of service at fair and competitive prices.