

SOLICITOR – BOND COUNSEL

BARNEGAT SCHOOL DISTRICT PUBLIC NOTICE

The Barnegat School District is seeking proposals for Legal Services from July 1, 2023 through June 30, 2026 as follows:

Bond Counsel Services

A copy of the RFP may be inspected or picked up at the Board office, 550 Barnegat Blvd North, Barnegat, NJ 08005 between the hours of 8:00 am and 3:30 pm, Monday through Friday. Further information may be obtained by calling Stephen Brennan, School Business Administrator/ Board Secretary, (609)698-5800 ext. 11102 or via email at sbrennan@barnegatschools.com. Proposals are due in the business office by 10:00 am, Thursday, April 27, 2023.

A. BACKGROUND

Barnegat Township Schools is a Pre-k through 12 District that employs approximately 700 employees. The District consists of 6 schools, a Central Office, and Transportation/B&G Office. Further information may be obtained by visiting the school district's website at www.barnegatschools.com.

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

B. SERVICES SPECIFICATIONS

Scope of Service:

The Board of Education desires to appoint an attorney or firm who will be the primary legal representative of the Board of Education in all matters relating to the issuance of public debt instruments including bonds and bond anticipation notes of the Board. Applicant should demonstrate knowledge of municipal bond and finance law. Any experience or knowledge of matters that directly affect the Board of Education should be addressed.

Mandatory Minimum Qualifications:

1. Must be licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administrative offices of the State of New Jersey for a period of not less than five (5) years preceding appointment
2. Must have a minimum of five (5) years of experience representing school boards in connection with the approval issuance of school board bonds and/or notes.
3. All statements of proposals for professional service contracts shall include at a minimum the following information.

- a) Names of individuals who will perform required tasks as well as the listing of their licenses
 - i) Identify the person who will be primarily responsible for the services required by the Board of Education and provide a description of the experience of the primary person with projects and issues similar to those more specifically set forth in this RFP's and on behalf of the Board of Education.
 - ii) Identify persons who will serve as back up to the primary person including resumes of all parties.
- b) Describe ability to provide services in a timely fashion including a description of your staffing and a description of your familiarity with the services required by the Board of Education of the Barnegat School District

Services to be included in the service areas:

1. Legal Bond counsel and advice to the Board and Administration.
2. 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.
3. Written legal opinions upon request.
4. Prepare all necessary legal documents.
5. Work cooperatively with legal counsel of insurance companies, consortiums or other collectives with whom the Board may be affiliated.
6. Fulfill other legal duties as are commonly accepted and assigned.

C. Proposal

The Barnegat School District seeks, from all participating respondents, information that will assist the district in selecting the respondent who will provide the highest quality services at a fair and competitive price in a prompt and professional manner.

All respondents shall prepare a presentation package to be submitted with the RFP.

An elaborate proposal is not required, nor desired. The proposal should be simple and straightforward.

The Presentation Package shall include, at a minimum, the following:

1. Technical Criteria

Description of Services

Respondents should list all services to be rendered with their explanation in detail on how they will provide the services. Respondents shall also provide evidence of how services of similar type were provided to other public/private schools in New Jersey. Respondents, by submitting a proposal, acknowledge that they fully understand the scope of service, work and

activity to be performed. Respondents are to provide evidence of any innovation and/or successful approach on providing the services requested.

2. Management Criteria

A. Business Organization

The respondent shall submit a full description of the business organization to include, but not be limited to:

- i) Name, address, phone, fax, website, e-mail address and other information of the professional firm or individual;
- ii) An organizational chart noting the names of all principals and partners;
- iii) Resumes of key staff members; and
- iv) Other information concerning individuals of the professional firm that would assist the school district in the evaluation process.

B. Qualifications; Relevant Experience

The respondent must provide documentation that he/she has experience as a Solicitor as follows:

- i) Three (3) letters of recommendation from public/private school districts in New Jersey.
- ii) Evidence of providing services as listed in the specifications to public/private school districts.
- iii) Copies of all professional or educational licenses that are required to perform the services as listed in the specifications.
- iv) List of any judgments within the last three (3) years and/or a list of bankruptcy or organization proceeding within the last ten (10) years; and
- v) Other information concerning the firm and /or individuals of the firm that would assist the school district in the evaluation process.
- vi) Availability of personnel, facilities, equipment and other resources to provide the services requested.
- vii) A minimum of five (5) years' experience representing New Jersey School districts as a school attorney.
- viii) License to practice law in New Jersey.
- ix) Demonstrated experience in school law and knowledge of Title 18A (including student disciplinary laws, residency laws, school board powers and duties), Open Public Meeting Act, Open Public Records Act, Civil Service Laws, Public School Contract Act, and Public School Property Act; experience in Commissioner matters before Office of Administrative Law.
- x) Personal and professional integrity.
- xi) Strong oral and written communication skills.
- xii) Strong technology literacy.

3. Cost Criteria

Fee Proposal

The proposal should include a schedule of potential fees charged to the district.

Contract Expenses

Respondents are to note the following as it pertains to expenses related to the contract:

i) Expenses Not Related to the Contract: District Procedures

There may be a circumstance where a request is made for the respondent to provide services not directly related to the contract. These services not related to the contract are not to be provided by the respondent. The district will procure these services separately.

ii) Extraordinary Expenses

Extraordinary expenses to be incurred by the respondent in the performance of his/her duties may be brought to the Board prior to the actual expenditure. The board, upon recommendation of the appropriate administrator, may consider reimbursing the expense, or the Board may procure the services separately.

D. EVALUATION PROCESS: METHODOLOGY OF AWARDING CONTRACT

All RFP responses are to be evaluated on the basis of whose response is the most advantageous to the district, price and other factors considered, and whose response will provide the highest quality of service at fair and competitive prices.

The Barnegat Board of Education will use a one hundred (100) point system in evaluating all proposals. The criteria to be evaluated are identified below:

	<u>Category</u>	<u>Value Points</u>
I.	<i>Management Criteria</i>	40
	A. Business Management B. Qualifications & experience of agency C. Responsiveness and completeness of the proposal.	
II.	<i>Technical Criteria</i>	40
	A. Description of services	
III.	<i>Cost Criteria</i>	20
	A. Fee Proposal	

E. EVALUATION OF PROPOSALS -- Evaluation Committee

All proposals will be evaluated pursuant to guidance issued in N.J.A.C. 5:34-4.2 Model Evaluation Criteria and in accordance with guidance issued Office of State Comptroller's publication

Best Practices for Awarding Services Contracts

The committee will be familiar with the need for the services to be performed in the request for proposals.

The Business Administrator will review and evaluate all proposals as they pertain to the procurement process.

F. AWARD OF CONTRACT

It is the intention of the Board of Education to award the contract to the respondent whose response is the most advantageous to the Board, price and other factors considered; and who will provide the highest quality service at fair and competitive prices.

It is the intention of the Board of Education to award the contract for Board Solicitor at the May 23, 2023 regular, public Board meeting.

Other Required 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 one electronic thumb drive copy of your proposal.

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

H. CONTRACT TERM

The term of the contract for Services shall be from July 1, 2023 through June 30, 2026 and may be renewed annually.

I. SUBMISSION DEADLINE

The deadline to submit proposals is:

**THURSDAY, APRIL, 27 2023
10:00 a.m.**

J. 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.

K. AWARD OF CONTRACT

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