THE BOROUGH OF EAST RUTHERFORD
2020 REQUEST FOR QUALIFICATIONS

The Borough of East Rutherford is soliciting Qualification Statements from interested persons and/or firms for the provision of the professional services listed below. Through a Request for Qualification ("RFQ") process, persons and/or firms interested in assisting the Borough with the provision of such service must prepare and submit a Qualification Statement in accordance with the procedure and schedule in the RFQs. The Borough will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described (in the sole judgment of the Borough). The Borough intends to qualify (a) persons and/or firm that (a) possess the professional, financial and administrative capabilities to provide the proposed service, and (b) agree and meet the terms and conditions determined by the Borough that provide the greatest benefit to the taxpayers of East Rutherford.

The selection of Qualified Respondents is not subject to the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq*. The selection is subject to the "New Jersey Local Unit Pay-to-Play Law, *N.J.S.A. 19:44A-20.4, et seq*., however. The Borough has structured a procurement process that seeks to obtain the desired results, while establishing a competitive process, to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ. The factors to be considered by the Borough include, but are not limited to: (i) experience and reputation in the profession; (ii) knowledge of the subject matter to be addressed under contract; (iii) availability to accommodate any required meetings of the Borough or Borough agency; (iv) any other factors demonstrated to be in the best interest of the Borough of East Rutherford.

Instruction and Qualification documents may be picked up at the Office of the Borough Clerk, One Everett Place, East Rutherford, New Jersey 07073 or downloaded from the municipal website www.eastrutherfordnj.net. Completed Qualification Statements must be submitted to, and be received by, Danielle Lorenc, Municipal Clerk, One Everett Place, East Rutherford, New Jersey 07073 on or before 10:00 a.m. on Friday, February 14, 2020. Respondents are instructed to label the outside of the envelope or package to the effect that the enclosure consists of a Qualification Statement in response to this request for the professional service. Qualification Statements will not be accepted by facsimile transmission or email. The responses will be opened after 10:00 a.m. on Friday, February 14, 2020 in the Office of the Borough Clerk.

The professional service for which the Borough seeks Qualification Statements are:

Special Counsel For Conflict Tax Appeals and Building Code Enforcement

The instructions for Qualification Statements are filed in the office of Danielle Lorenc, Borough Clerk, One Everett Place, East Rutherford, New Jersey 07073, and may be inspected by prospective Respondents during regular business hours.

Completed Qualification Statements must be submitted in the manner designated above, must be enclosed in sealed envelopes bearing the name and address of the Respondent, and the name of the service on the outside, addressed to the Borough of East Rutherford.

BY ORDER OF THE MAYOR AND COUNCIL OF THE BOROUGH OF EAST RUTHERFORD.

Danielle Lorenc, RMC
Borough Clerk

NOTE: The Borough of East Rutherford will consider proposals only from firms or organizations that have demonstrated the capability and willingness to provide high quality services in the manner described in this Request for Qualifications.

REQUEST FOR QUALIFICATIONS

FOR THE PROVISION OF THE FOLLOWING

PROFESSIONAL SERVICE FOR 2020:

Special Counsel For Conflict Tax Appeals and Building Code Enforcement

ISSUE DATE: January 28, 2020

DUE DATE: February 14, 2020

Issued by:

Borough of East Rutherford

THE SUBMISSION DEADLINE FOR QUALIFICATION STATEMENTS
PURSUANT TO THIS RFQ IS
FEBRUARY 14, 2020,
UNLESS EXTENDED BY THE BOROUGH

SECTION 1

INTRODUCTION AND GENERAL INFORMATION

1.1 Introduction and Purpose.

The Borough is soliciting Qualification Statements from interested persons and/or firms for the provision of municipal professional service, as described herein. Through a Request for Qualification process described herein, persons and/or firms interested in assisting the Borough with the provision of such services must prepare and submit a Qualification Statement in accordance with the procedure and schedule in this RFQ. The Borough will review Qualification Statements only from those firms that submit a Qualification Statement which includes all the information required to be included as described herein, in the sole judgment of the Borough. The Borough intends to qualify persons and/or firms that (a) possess the professional, financial and administrative capabilities to provide the proposed services, and (b) will agree to work under the compensation terms and conditions determined by the Borough to provide the greatest benefit to the taxpayers of East Rutherford.

1.2 Procurement Process and Schedule.

The selection of Qualified Respondents is not subject to the provisions of the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq.* The selection is subject to the "New Jersey Local Unit Pay-to-Play" Law, *N.J.S.A. 19:44A-20.4, et seq.*, however. The Borough has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that persons and/or firms are provided an equal opportunity to submit a Qualification Statement in response to the RFQ. Qualification Statements will be evaluated in accordance with the criteria set forth in Section 2 of this RFQ, which will be applied in the same manner to each Qualification Statement received.

Qualification Statements will be reviewed and evaluated by the Borough and its designated advisors (collectively, the "Review Committee"). The Qualification Statements will be reviewed to determine if the Respondent has met the minimum professional, administrative, and financial areas described in this RFQ. Under no circumstances will members of the Review Committee review responses to an RFQ for a position which they or their firm submitted a response. Based upon the totality of the information contained in the Qualification Statement, including information about the reputation and experience of each Respondent, the Borough will, in its sole judgment, determine which Respondents are qualified from professional, administrative and financial standpoints. Each Respondent that meets the requirements of the RFQ, in the sole judgment of the Borough, will be designated as a Qualified Respondent and will be given the opportunity to participate in the selection process determined by the Borough.

The RFQ process commences with the issuance of this RFQ. The subsequent steps involved in the process and the anticipated completion dates are set forth in Table 1, Procurement Schedule. The Borough reserves the right to, among other things, amend, modify, or alter the Procurement Schedule upon notice to all potential Respondents.

All communications concerning this RFQ, or the RFQ process, shall be directed to the Borough's Designated Contact Person, in writing.

Designated Contact Person:

Danielle Lorenc
Borough Clerk
One Everett Place
East Rutherford, NJ 07073

Qualification Statements must be submitted to, and be received by, the Borough, via mail or hand delivery, by 10:00 a.m. on February 14, 2020. Qualification Statements will not be accepted by facsimile transmission or email.

Subsequent to issuance of the RFQ, the Borough (through the issuance of addenda to all firms that have received a copy of the RFQ) may modify, supplement, or amend the provisions of this RFQ in order to respond to inquiries received from prospective Respondents or as otherwise deemed necessary or appropriate by, and in the sole judgment of the Borough.

TABLE 1

ANTICIPATED PROCUREMENT SCHEDULE

	ACTIVITY	DATE
1.	Receipt of Qualification Statements	February 14, 2020
2.	Opening of Qualification Statements	On or after February 14, 2020
3.	Appointment of Professional Consultants	Within 60 days of receipt of Qualification Statements

Section 1.3. Conditions Applicable to RFQ.

Upon submission of a Qualification Statement in response to this RFQ, the Respondent acknowledges and consents to the following conditions relative to the submission, review, and consideration of its Qualification Statement:

- This document is an RFQ and does not constitute an RFP.
- This RFQ does not commit the Borough to issue an RFP.
- All costs incurred by the Respondent in connection with responding to this RFQ shall be borne solely by the Respondent.
- The Borough reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to this RFQ from further consideration for these procurements.

- The Borough reserves the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information.
- All Qualification Statements shall become the property of the Borough and will not be returned.
- Any and all Qualification Statements not received by the Borough by 10:00 a.m. on February 14, 2020 will be rejected.
- Neither the Borough, nor its respective staff, consultants, or advisors, including but not limited to the Review Committee, shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualification Statement, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Qualification Statement or for participating in this procurement process.

Section 1.4. Rights of Borough.

The Borough reserves, holds, and may exercise, at its sole discretion, the following rights and options with regard to this RFQ and the procurement process in accordance with the provisions of applicable law:

- To determine that any Qualification Statement received complies or fails to comply with the terms of this RFQ.
- To supplement, amend, or otherwise modify the RFQ through issuance of addenda to all prospective Respondents who have received a copy of this RFQ.
- To change or alter the schedule for any events called for in this RFQ upon the issuance of notice to all prospective Respondents who have received a copy of the RFQ.
- To conduct investigations of any or all of the Respondents, as the Borough deems necessary of convenient, to clarify the information provided as part of the Qualification Statement and to request additional information to support the information included in any Qualification Statement.
- To suspend or terminate the procurement process described in this RFQ at any time, in its sole discretion. If terminated, the Borough may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

The Borough shall be under no obligation to complete all or any portion of the procurement process described in this RFQ.

1.5 Addenda or Amendments to RFQ.

During the period provided for the preparation of responses to the RFQ, the Borough may issue addenda, amendments, or answers to written inquiries. Those addenda will be noticed by the Borough and will constitute a part of the RFQ. All responses to the RFQ shall be prepared with full consideration of the addenda issued prior to the proposal submission date.

1.6 Cost of Proposal Preparation.

Each proposal and all information required to be submitted pursuant to the RFQ shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the Borough, its staff, or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Qualification Statement or other information required by the RFQ.

1.7 Proposal Format.

Responses should cover all information requested in Sections 3.1 and 3.2 of this RFQ.

Responses which, in the judgment of the Borough, fail to meet the requirements of the RFQ or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

Qualification Statements shall remain open for a period of 60 calendar days from the submission deadline date. The Borough will either award a contract within the applicable time period or reject all proposals. Notwithstanding that, however, the Borough may extend the decision to award or reject all proposals beyond the 60 days when the proposals of any Respondent who consent thereto may, at the request of the Borough, be held for consideration for such longer period as may be agreed.

SECTION 2

SCOPE OF SERVICES

It is the intent of the Borough to solicit Qualified Statements from Respondents that have expertise in the provision of the following professional service:

Special Counsel For Conflict Tax Appeals and Building Code Enforcement

Firms or persons responding to this RFQ must be able to demonstrate that they will have the continuing capabilities to perform these services.

SECTION 3

SUBMISSION REQUIREMENTS

Section 3.1 General Requirements.

The Qualification Statement submitted by the Respondent must meet or exceed the professional, administrative, and financial qualifications set forth in this Section 3 and shall incorporate the information requested below. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

Section 3.2 Information Requirements.

The Respondent shall, as part of its Qualification Statement, provide the following information:

1. Experience and reputation of the person/firm in the field
2. Training and licensing of the person/firm
3. Availability to accommodate the needs of the Borough's meeting schedule
4. Knowledge of the Borough's needs and history and the subject matter to be addressed under the contract
5. 2020 Feel Schedule
6. Any other information that Respondent deems relevant.

SECTION 4

INSTRUCTIONS TO RESPONDENTS

4.1 Submission of Qualification Statements.

Respondents must submit an original and one (1) copy of their Qualification Statement to the Designated Contact Person:

Danielle Lorenc
Borough Clerk
One Everett Place
East Rutherford, NJ 07073

Qualification Statements must be received by the Borough no later than 10:00 a.m. on February 14, 2020, and must be mailed or hand delivered. Qualification Statements forwarded by facsimile or email will not be accepted.

To be responsive, Qualifications Statements must provide all requested information, and must be in strict conformance with the instructions set forth herein. Qualification Statements and all related information must be bound, signed, and acknowledged by the Respondent.

SECTION 5

EVALUATION

The Borough's objective in soliciting Qualification Statements is to enable it to select a firm or organization that will provide high quality services to the citizens of East Rutherford. The Borough will consider Qualification Statements only from firms or organizations that, in the Borough's judgment, have demonstrated the capability and willingness to provide high quality services to the citizens of the Borough in the manner described in this RFQ.

Proposals will be evaluated by the Borough on the basis of the most advantageous, all relevant factors considered. The evaluation will consider:

1. Prior municipal experience and reputation in the field;

2. Knowledge of the Borough and the subject matter addressed under the contract;

3. Availability to accommodate the required meetings of the Borough; and

4. Other factors demonstrated to be in the best interest of the Borough.

The Borough shall not be obligated to explain the results of the evaluation process to any Respondent.