

**City of Union City Request for Proposals From Law Firms Interested  
in Serving as “Special Counsel – Bond” to the City of Union City For  
the Period July 1, 2013 through June 30, 2014**

**Introduction**

Pursuant to the Fair and Open Process described under N.J.S.A. 19:44A-1, et seq., the City seeks Request for Proposals (“RFP”) from law firms licensed to practice law in the State of New Jersey that wish to provide bond counsel services to the City as directed by the Corporation Counsel or other appropriate office within the City for a contract period beginning on July 1, 2013 and ending on June 30, 2014. All candidates are required to comply with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. as amended. (Affirmative Action). The successful firm must have significant experience representing New Jersey municipalities and/or other public entities in bond matters. The successful firm will provide the City with legal guidance relating to, but not necessarily limited to:

1. Legal research and/or advisory opinions as needed;
2. Render the bond counsel opinion regarding the validity and binding effect of the bonds, the source of payment and security for the bonds, and the excludability of interest on the bonds from gross income for federal income tax purposes;
3. Prepare and review of documents necessary or appropriate to the authorization, issuance, sale, and delivery of the bonds, coordination of the authorization and execution of these documents, and review and, where appropriate, drafting of enabling legislation;
4. Assist the Issuer in seeking from other governmental authorities any approvals, permissions, and exemptions necessary or appropriate in connection with the authorization, issuance, sale, and delivery of the bonds;
5. Review legal issues relating to the structure of the bond issue;
6. Prepare election proceedings or pursue validation proceedings;
7. Review or prepare those sections of the offering document to be disseminated in connection with the sale of the bonds that relate to the bonds, financing documents, bond counsel opinion, and tax exemption;
8. Assist the Issuer in presenting information to bond rating organizations and credit enhancement providers relating to legal issues affecting the issuance of the bonds; and

9. Review or prepare the notice of sale or bond purchase contract for the bonds and review or draft the continuing disclosure undertaking of the Issuer.

10. Represent the City in any litigation resulting from the issuance or intent to issue bonds;

11. Attend meetings of the Board of Commissioners upon request;

12. Notify the City of changes in municipal bond or municipal finance law or regulations, as well as Court decisions, that impact the City; and

13. Any other matters as directed by the City.

Each candidate shall submit proof of business registration with the New Jersey Division of Taxation (P.L. 2004, C.57) and must comply with the Affirmative Action requirement contained at N.J.A.C. 17:27 *et seq.*

### **Professional Information and Qualifications**

Copies of this standardized submission requirements and selection criteria are on file and available from the Office of the City Clerk. Each interested firm shall submit the following information:

1. Name of Firm;
2. Address of principal place of business and all attorneys or firm's offices and corresponding telephone and fax numbers. Please note specifically which attorneys will be assigned to work with the City;
3. Areas of Practice;
4. Description of firm's attorneys' education, experience, qualifications, number of years with the firm and a description of their experience with projects similar to those described above;
5. Experience related to representation of public entities in bond matters;
6. At least four (4) references, three (3) of which must have knowledge of your representation of a public entity in bond matters;
7. Examples of your record of success representing public entities in bond matters;
8. The firm's ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff);

9. Cost details, including the hourly rates of each of the individuals who will perform the services and the time estimates for each individual, all expenses, and where appropriate, total cost of “not to exceed” amount;
10. Statement of corporate ownership (c.52:25-24.2).

### **Selection Criteria**

The selection criteria used in awarding a contract or agreement for professional services as described herein shall include:

1. Qualifications of the individuals who will perform the tasks and the amounts of their respective participation;
2. Experience and references;
3. Ability to perform the task in a timely fashion, including staffing and familiarity with the subject matter; and
4. Cost competitiveness.

### **Submission Requirements**

Sealed RFPs will be publicly opened by the Union City Clerk in his offices at Union City Hall, 3715 Palisade Avenue, Union City, at 11:00 a.m. on June 28, 2013. The RFP must be received no later than the above stated time and date by:

William Senande, City Clerk  
City of Union City  
3715 Palisade Avenue  
Union City, New Jersey 07087

Please submit one original and five (5) copies of the RFP. Use white 8 ½” x 11” paper.