

**City of Union City Request for Proposals From Law Firms Interested
in Serving as “Special Construction Code Litigation Counsel” for 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 Requests for Proposals (“RFP”) from law firms licensed to practice law in the State of New Jersey that wish to provide special counsel and litigation services to the City, as directed by the Corporation Counsel, the Board or other appropriate official within the City involving Construction Code penalty enforcement litigation. The successful firm must have significant experience in representing New Jersey municipalities as well as handling matters involving the Uniform Construction Code, the office of Construction Official, the Penalties Enforcement Act of 1999, and appearances before the Superior Court of New Jersey, Hudson County. 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. Research and draft resolutions and agreements;
3. Represent the City and its officials in contested matters and litigation with regard to the collection of penalties and other enforcement action under the Uniform Commercial Code;
4. Meet and confer with representatives of the Construction Office and represent the City on matters involving the Uniform Construction Code before the Superior Court of New Jersey, Hudson County, the Hudson County Construction Board of Appeals and other tribunals.
5. Attend meetings of the Board of Commissioners upon request;
6. Conduct programs on specified legal issues for appropriate elected officials and/or city employees upon request; and
7. 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 and specifically construction code matters involving Construction Boards of Appeals, Municipal Court, Enforcement of Penalties, Orders to Show Cause for Injunctive relief and Collection actions;
6. At least four (4) references, three (3) of which must have knowledge of your representation of a public entity;
7. Examples of your record of success representing public entities;
8. The firm's ability to provide the services in a timely fashion (including staffing, familiarity and location of key staff);
9. Proposed fee structure and cost details, including the hourly rates (if applicable) 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 keeping in mind that the City does not pay more than \$150.00 per hour for legal services; and
10. Any other information which the interested firm deems relevant.

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;
4. Cost competitiveness;
5. The City reserves the right to select one or more counsel or to reject all proposals in its discretion.

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, RMC, City Clerk
City of Union City
3715 Palisade Avenue
Union City, New Jersey 07086

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