

**BOROUGH OF BERLIN**

**REQUEST FOR QUALIFICATIONS FOR  
MUNICIPAL ATTORNEY, MUNICIPAL AUDITOR,  
MUNICIPAL BOND COUNSEL, MUNICIPAL ENGINEER, MUNICIPAL WATER & SEWER  
ENGINEER, MUNICIPAL PROSECUTOR, MUNICIPAL PUBLIC DEFENDER, MUNICIPAL  
PLANNING BOARD PLANNER, MUNICIPAL PLANNER, MUNICIPAL PLANNING BOARD  
ATTORNEY, MUNICIPAL PLANNING BOARD ENGINEER, ARCHITECT OF RECORD,  
SPECIAL COUNCIL FOR WELL # 12, SPECIAL COUNCIL FOR COAH, RISK  
MANAGEMENT CONSULTANT**

NOTICE IS HEREBY GIVEN that pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5, sealed qualifications will be received by the Borough of Berlin at its offices at 41 South White Horse Pike, Berlin, New Jersey 08009, on December 16, 2016 at 10:00 a.m., prevailing time, for the following:

Municipal Attorney	Municipal Planner
Municipal Auditor	Municipal Planning Board Attorney
Municipal Bond Counsel	Municipal Planning Board Engineer
Municipal Engineer	Architect of Record
Municipal Water & Sewer Engineer	Special Council for Well # 12
Municipal Prosecutor	Special Council for COAH
Municipal Public Defender	Risk Management Consultant
Municipal Planning Board Planner	

Term: January 1, 2017 to December 31, 2017.

I. **PURPOSE:** The purpose of this Request for Qualifications is to solicit interest from qualified firms and/or individual to provide professional services for the Borough of Berlin. A qualified firm and/or individual will be selected through a competitive, quality-based, fair and open process at the sole discretion of the Borough.

II. **PROCEDURES FOR RESPONDING TO REQUEST FOR QUALIFICATIONS.**

1. Three (3) copies of the qualification, inclusive of all information required at Section D hereof, should be provided. In addition, seven (7) separate individual USB thumb drives (flash drives) shall also be supplied to facilitate distribution to Mayor and Council (**one flash drive for each member, if requesting for multiple positions, please put them all on the one flash drive that goes to each member**). Qualifications must be submitted to the Borough Clerk, Borough of Berlin, 59 South White Horse Pike, Berlin, New Jersey 08009. Any qualifications received after said opening, whether by mail or otherwise, will be deemed non-responsive. No qualifications will be accepted after the date set forth above. Qualifications must be submitted in a sealed envelope with the name of the firm or individual submitting the proposal clearly marked on the outside of the envelope. It is recommended that each proposal package be hand-delivered. The Borough assumes no responsibility for delays in any form of carrier, mail, or delivery service causing the proposal to be received after the

above-referenced due date and time. Submission by fax, telephone, or email is not permitted. The final selection shall be made in the sole discretion of the Mayor and Council.

2. All questions regarding this Request for Qualifications should be made in writing to Lois Sahina, Acting Clerk, Borough of Berlin, 59 South White Horse Pike, Berlin, New Jersey 08009.

**III. CRITERIA FOR EVALUATION OF QUALIFICATIONS.** The Request for Qualifications Review Committee will independently evaluate each submission and selection will be made upon the following criteria:

1. Experience and reputation in the field;
2. Knowledge of the subject matter of the services to be provided to the Borough;
3. Knowledge of the Borough, its affairs and operations;
4. Availability to accommodate any required meetings of the Borough;
5. Rate Structure;
6. Compliance with the minimum qualifications established by the Borough for the position;
7. Other factors determined to be in the best interest of the Borough.

**IV. PROPOSAL REQUIREMENTS:** The Borough of Berlin is requesting qualifications for Municipal Attorney, Municipal Auditor, Municipal Bond Counsel, Municipal Engineer, Municipal Water & Sewer Engineer, Municipal Prosecutor, Municipal Public Defender, Municipal Planning Board Planner, Municipal Planner, Municipal Planning Board Attorney, Municipal Planning Board Engineer, Architect of Record, Special Counsel for Well # 12, Special Counsel for COAH, and Risk Management Consultant. Proposals should include the following sections, further detailed below.

1. Scope of Services
2. Resume
3. Facilities
4. Conflict of Interest
5. Fees

V. **DETAILED EXPLANATIONS:** The following explains what the Borough expects in each of the major sections:

1. **SCOPE OF SERVICES:** - The Borough of Berlin is requesting qualification statements to provide professional services for the Borough of Berlin for all professionals set forth below. Your response should detail the firm or individual's qualifications to provide that type of service.

The minimum qualifications established by the Borough for the professional appointments are as follows:

**A. MUNICIPAL ATTORNEY:**

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 15 years preceding appointment. Must have a minimum 15 years' experience representing municipal entities and be experienced with regard to the Municipal Land Use Law, the Municipal Budget Law, the Municipal Bond Law, the Open Public Meetings Act, the Open Public Records Act, the Open Public Bidding Law and Fair Housing Act. Must demonstrate experience representing other municipalities in COAH litigation. Must have experience preparing municipal resolutions and ordinances, and preparing and issuing opinion letters for the issuance of bonds and/or bond anticipation notes.

**B. MUNICIPAL AUDITOR:**

Must be a certified public accountant and be certified by the State of New Jersey as a registered municipal accountant. The applicant must have a minimum 15 years' experience representing municipal entities in connection with municipal audits, budgets and the issuance of bonds and/or bond anticipation notes. The applicant must have sufficient support staff to provide all services required by the Borough of Berlin including, but not limited to, the preparation of the municipal budget, municipal audit, debt statements, official statements and all other documents relating to the issuance of bonds, as well as all other financial matters pertaining to municipal government.

**C. MUNICIPAL BOND COUNSEL:**

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 ten (10) years preceding appointment. Must have a minimum of ten (10) years' experience representing municipal entities in connection with the approval of bond ordinances and the issuance of municipal bonds and/or notes. Must have sufficient support staff to provide all services required by the Borough of Berlin including, but not limited to, the preparation of all documents necessary and incidental to the issuance of the

bonds and other municipal obligations. Must list past and present public entities represented as Bond Counsel.

**D. MUNICIPAL ENGINEER:**

A firm must designate one (1) engineer to serve as Municipal Engineer. The designated engineer must be licensed as an engineer in the State of New Jersey for at least 15 years, and have represented municipalities and municipally-owned water and sewerage utilities for at least ten (10) years. The individual engineer should be a certified municipal engineer. The engineer must be thoroughly familiar with the Municipal Land Use Law, and the Pinelands Comprehensive Plan and all Pinelands Rules and Regulations. The engineer must also be experienced in preparing bid specifications for various municipal construction projects and knowledge and experience in preparing and submitting grant applications. The firm and/or engineer must have sufficient support staff to provide all services required by the Borough of Berlin including, but not limited to, the preparation of all plans and documents necessary and incidental to the performance of the engineer's duties and responsibilities.

**E. MUNICIPAL PLANNER:**

Must be licensed by the New Jersey State Board of Professional Planners for at least 15 years and served as a municipal planner for at least ten (10) years. The planner must be thoroughly familiar with the Municipal Land Use Law and Fair Housing Act and must have experience preparing Master Plans, and zoning and land use ordinances. The planner must have experience regarding the Pinelands Comprehensive Management Plan and be familiar with all Pinelands' rules and regulations. The planner must also be knowledgeable of COAH regulations and procedures. The firm and/or planner must have sufficient support staff to provide all services required by the Borough of Berlin including, but not limited to, the preparation of all plans and documents necessary and incidental to the performance of the planner's duties and responsibilities.

**F. MUNICIPAL PLANNING BOARD ATTORNEY:**

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. The planning board attorney must have a minimum three (3) years' experience representing individuals and/or entities before municipal planning boards. Prior representation of a planning board is preferable. The planning board attorney must be knowledgeable and experienced with regard to the Municipal Land Use Law, and the Pinelands Comprehensive Management Plan and all Pinelands Rules and Regulations.

**G. MUNICIPAL PLANNING BOARD ENGINEER:**

A firm must designate one engineer to serve as planning board engineer. The

designated engineer must be licensed as an engineer in the State of New Jersey for at least 15 years, and have represented municipalities, planning boards and/or zoning boards for at least ten (10) years. The planning board engineer must be thoroughly familiar with the Municipal Land Use Law. The firm and/or engineer must have sufficient support staff to provide all services required by the Borough of Berlin, including, but not limited to, the review of planning board applications to ensure compliance with the Municipal Land Use Law and borough ordinances, and the preparation of reports and other documents necessary and incidental to the performance of the engineer's duties and responsibilities. The engineer must also be knowledgeable and experienced with regard to the Pinelands Comprehensive Management Plan and all Pinelands Rules and Regulations.

**H. MUNICIPAL WATER & SEWER ENGINEER:**

A firm must designate one (1) engineer to serve as Municipal Engineer. The designated engineer must be licensed as an engineer in the State of New Jersey for at least 15 years, and have represented municipalities and municipally-owned water and sewerage utilities for at least ten (10) years. The individual engineer should be a certified municipal engineer. The engineer must also be experienced in preparing bid specifications for various municipal water & sewer projects and knowledge and experience in preparing and submitting grant applications. The firm and/or engineer must have sufficient support staff to provide all services required by the Borough of Berlin including, but not limited to, the preparation of all plans and documents necessary and incidental to the performance of the engineer's duties and responsibilities.

**I. MUNICIPAL PROSECUTOR:**

Must be licensed to practice law in the State of New Jersey and be eligible to appear before all state courts. Must have a minimum five (5) years' experience prosecuting matters in municipal court in the State of New Jersey.

**J MUNICIPAL PUBLIC DEFENDER:**

Must be licensed to practice law in the State of New Jersey and eligible to appear before all state courts. Must have a minimum five (5) years' experience as a Public Defender in municipal courts in the State of New Jersey.

**K. MUNICIPAL PLANNING BOARD PLANNER:**

Must be licensed by the New Jersey State Board of Professional Planners for at least 15 years and served as a municipal planner for at least ten (10) years. The planner must be thoroughly familiar with the Municipal Land Use Law and Fair Housing Act and must have experience preparing Master Plans, and zoning and land use ordinances. The planner must have experience regarding the Pinelands Comprehensive Management Plan and be familiar with all Pinelands' rules and regulations. The planner must also be knowledgeable of COAH

regulations and procedures. The firm and/or planner must have sufficient support staff to provide all services required by the Borough of Berlin including, but not limited to, the preparation of all plans and documents necessary and incidental to the performance of the planner's duties and responsibilities.

**L. SPECIAL COUNSEL FOR WELL # 12**

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 ten (10) years preceding appointment. Must be experienced representing municipal entities and have civil trial experience.

**M. SPECIAL COUNSEL FOR COAH:**

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 ten (10) years preceding appointment. Must have a minimum ten (10) years' experience representing municipal entities and must be experienced with regard to the Municipal Land Use Law, and the Fair Housing Act. Must demonstrate experience representing municipalities in COAH litigation.

**N. ARCHITECT OF RECORD**

Must be licensed by the New Jersey State Board of Architects for a period of not less than ten (10) years preceding appointment. Must be experienced in both residential and commercial architecture projects. The architect must also be experienced in preparing bid specifications and knowledge and experience in preparing and submitting grant applications. The firm and/or engineer must have sufficient support staff to provide all services required by the Borough of Berlin including, but not limited to, the preparation of all plans and documents necessary and incidental to the performance of the architect's duties and responsibilities.

**O. RISK MANAGEMENT CONSULTANT/INSURANCE BROKER OF RECORD:**

Must have three (3) years of experience in providing Risk Management consulting services to municipalities and/or counties. The firm must have sufficient staff to provide all services required by the Borough of Berlin, including, but not limited to:

1. Assist the Borough in identifying its insurable Property and Casualty exposures and to recommend professional methods to reduce, assume or transfer the risk or loss.
2. Assist the Borough in understanding and negotiating for the various coverage's available from the Fund, and insurance companies.

3. Review with the Borough any additional coverage available from the Fund and subject to the Borough's authorization to place such coverage outside the Fund.
4. Assist the Borough in the preparation of applications, statements of values and similar appraisal work by the Consultant.
5. Review Certificates of Insurance from contractors, vendors, and professionals when requested by the Borough.
6. Review the Borough's assessment as prepared by the Fund and assist the Borough in the preparation of its annual insurance budget.
7. Review the loss and engineering reports and generally assist the safety committee in its loss containment objectives.

2. **RESUME** - All resumes submitted to the Borough of Berlin shall include the following:

1. Name and address of your firm and the corporate officer authorized to execute agreements.
2. A brief description of your firm's history, ownership, organizational structure, location of its management, and licenses to do business in the State of New Jersey.
3. The names, experience, qualifications, and applicable licenses held by the individual primarily responsible for servicing the Borough and any other person(s), whether as employees or subcontractors, with specialized skills that would be assigned to service the Borough.
4. A listing of local governmental clients with which you have similar contracts; include the name, address and telephone number of the contact person. Please designate at least two (2) governmental entities as references.
5. A statement of your firm's insurance coverage. Firms need not provide an insurance certificate specific to the Borough in responding to this RFP. An insurance certificate will be required prior to commencing work after selection of a firm to provide services relative to a specific project.
6. A statement of assurance to the effect that your firm is not currently in violation of any regulatory rules and regulations that may have an impact on your firm's operations.

3. **FACILITIES – OFFICE LOCATIONS:**

1. For your firm's facilities which will service this project:
  - i) The location
  - ii) Firm personnel assigned to this location
  - iii) Activities of the firm performed at this location

2. For those facilities and activities located elsewhere, please explain the activities performed elsewhere and why these are best performed at a different office. Firms where all activities are performed at one location should leave this paragraph blank.

4. **CONFLICT OF INTEREST:** - Disclosure of any potential conflicts of interest that the firm may have in performing these services for the Borough of Berlin.

5. **FEES** - Set forth in detail your compensation proposal.

**VI. COMPLIANCE:** In addition, all qualifications shall comply with P.L. 1977, c.33 requiring submission of a statement of corporate ownership, N.J.S.A. 52:32-44 requiring submission of a New Jersey Business Registration Certificate; and with P.L. 1975, c.127 and N.J.A.C. 17:27-1 et seq., requiring compliance with equal employment opportunity and affirmative action laws and the submission of proof of compliance therewith.

**VII. RESERVATION OF RIGHTS:** The Borough reserves the right to reject any and all qualifications, in whole or in part, and to waive any immaterial defect or informality in any proposal as may be permitted by law.