

BOROUGH OF BERLIN

REQUEST FOR QUALIFICATIONS FOR MUNICIPAL BOND COUNSEL

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 59 South White Horse Pike, Berlin, New Jersey 08009, on Tuesday, May 10, 2022 at 10:00 a.m., prevailing time, for the following:

Municipal Bond Council

Term: January 1, 2022 to December 31, 2022.

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 Michaela Bosler, RMC, 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 Bond Counsel 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:

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.

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.