TOWNSHIP OF MEDFORD

COMBINED REQUEST FOR QUALIFICATIONS
AND REQUEST FOR PROPOSALS

2027 ANNUAL PROFESSIONAL SERVICES CONTRACTS -- ATTORNEYS

Please take notice that the Township of Medford is soliciting Qualification Statements and Proposals through the fair and open process set forth in N.J.S.A. 19:44A-20.4, et seq., from interested and qualified persons and/or firms for the following professional legal services.

In addition to submitting the General Requirements for All Professional Appointments form, *please include this form with your responses*.

Indicate below the services you or your firm propose to perform:

_____ Township Attorney

Special Counsel Pool:

_____Conflicts Counsel/ Misc. Municipal Litigation

_____Labor Counsel

_____Bond Counsel

_____ Township Prosecutor

_____ Public Defender

_____ Planning Board Attorney

_____ Zoning Board Attorney

I. Qualification Requirements: (Acknowledge by checking the appropriate requisites)

_____ For all appointments, must be a NJ licensed attorney, in good standing, with law offices in the State of New Jersey.

_____ For Township Attorney and all categories under the Special Counsel Pool, the primary attorney assigned to perform work on behalf of the Township must have a minimum of ten (10) years practicing in the specific legal field.

_____ For Township Prosecutor and Public Defender, the primary attorney assigned to perform work on behalf of the Township must have a minimum of five (5) years practicing in Municipal Court, including trying cases, arguing motions and enforcing/ defending municipal code enforcement violations.

_____ For Planning Board Attorney and Zoning Board Attorney, the primary attorney assigned to perform work on behalf of the Township must have a minimum of seven (7) years practicing Municipal Land Use Law before Land Use boards in NJ and a minimum of three (3) years experience with NJ Pinelands rules and regulations.

_____ The qualified person and/or firm has run a conflict-of-interests evaluation and has determined that no conflict-of-interests, as outlined in the Model Rules of Professional Responsibility, precludes performing work on behalf of the Township.

II. Mandatory Contract Terms *(In addition to the contract terms outlined in the General Requirements for All Professional Appointments form the signed proposed professional services agreement with Medford Township must include the following provisions):*

_____ The primary attorney(s) assigned to each legal field and performing work on behalf of the Township of Medford shall not be substituted without prior notice to the Township.

_____ Legal fees shall be comparable to the rates charged by legal practitioners within the Burlington County region for the respective area of practice/ legal field.

_____ For Township Attorney, the professional services agreement shall indicate the hourly fees for general legal work and specialized legal work, along with hourly fees for partner, associate/counsel and paralegal, as applicable, for handling all other matters as Township attorney, including preparation and/or review of proposed reports, agreements, contracts, studies, procurement matters, real estate transactions, routine litigation matters (as assigned) and municipal management issues.

_____ For the Special Counsel Pool, the professional services agreement shall indicate the hourly fees (or other arrangement acceptable to the Township) for partner, associate/counsel and paralegal, as applicable, for each area of practice/ legal field the proposer is seeking a contract.

_____ For Township Prosecutor and Public Defender, the professional services agreement shall indicate a fee based upon a flat rate for handling each regularly scheduled court session. To the extent special court sessions may be scheduled for trials or other situations, the proposer may submit an hourly fee for such. Additionally, the proposer shall submit a reasonable hourly fee for handling any municipal court appeals to the Superior Court, presenting cases for license suspensions or revocation to the governing body (such as alcoholic beverage license infraction) and other matters.

_____ For Planning Board Attorney and Zoning Board Attorney, the professional services agreement shall indicate the hourly fees for partner, associate/counsel and paralegal, as applicable, whether to be charged to land use board applicants or to the Township for general land use board business.

III. Specific Requirements or Duties:

Note: For any documents submitted to the Township, Planning Board or Zoning Board, all legal professionals shall transmit such documents in Microsoft Word or Excel format, as appropriate, or in a searchable, transposable .pdf format.

Township Attorney:

1. Knowledge and understanding of municipal law as provided for in New Jersey statutes, administrative regulations, and case law, as well as NJ Pinelands regulations.

2. Experience in municipal law litigation including trials/motions, appeals, administrative hearings, etc., including knowledge and understanding of Court Rules and other related procedural matters for municipal law related litigation.

3. Ability to advise the Township as to the form and sufficiency of ordinances, resolutions and all other actions prior to their effective date.

4. Review and approval of all contracts, documents and instruments prior to their execution by or on behalf of the Township.

5. Knowledge and understanding of the course of appeals from Orders, decisions, or judgments affecting any interests of the Township.

6. Ability to advise the Township prior to entering into any agreement, compromise, or settlement of any litigation in which the Township is involved.

7. Ability to maintain a record of all actions, suits and proceedings within the responsibility of the Township Attorney and to provide reports to the Township from time to time as required.

8. Ability to render opinions in writing upon any question of municipal law that are submitted by the Township with respect to its powers duties, and responsibilities.

9. Ability to advise the Township to retain special counsel, experts, or other professionals as may be required to further the best interests and/or legal position of the Township.

10. Ability to advise the Township on compliance with the Open Public Meetings Act, Roberts Rules of Order and the conduct of open and closed public meetings.

Special Counsel Pool:

1. Knowledge and understanding of the specific area of expertise and its relation to municipal law as provided for in New Jersey statutes, administrative regulations, and case law.

2. Experience, as applicable, in litigation matters covering the specific area of expertise, including jury and bench trial experience, motions, appeals, administrative hearings, etc.

3. Knowledge and understanding of Court Rules and other related procedural matters for municipal law related litigation.

4. Knowledge and understanding of the course of appeals from orders, decisions, or judgments affecting any interests of the Township.

5. Ability to advise the Township prior to entering into any agreement, compromise, or settlement of any litigation in which the Township is involved.

6. Ability to maintain a record of all actions, suits and proceedings within the responsibility of the Special Counsel and to provide reports to the Township from time to time as required.

7. Ability to render opinions in writing upon any question of the specific area of expertise and its relation to municipal law at the request of the Township.

8. Ability to advise the Township to retain experts or other professionals as may be required to further the best interests and/or legal position of the Township.

Township Prosecutor and Public Defender:

1. Ability to prosecute or defend all crimes and offenses cognizable before the Municipal Court of the Township including, but not limited to violations of Title 39, 23, 2A, 2C, and Ordinances of the Township of Medford.

2. Prosecutor only – Ability to meet with local law enforcement officers of Medford Township to advise them of procedures and practices to bring about the proper enforcement of the laws operative within Medford Township; and advise the Township Manager on procedures and practices designated to bring about proper enforcement of the laws within Medford Township.

3. Knowledge and understanding of laws and ordinances and case law interpreting same in relation to item #1 above.

4. Experience in Municipal Court litigation including trials, motions and appeals, including knowledge and understanding of Court Rules and other related procedural matters in the prosecution and/or defense of cases.

5. Ability to perform such other duties as State statutes, Township ordinances, or administrative rules and regulations may provide.

Planning Board Attorney and Zoning Board Attorney:

1. Knowledge and understanding of New Jersey statutes, administrative regulations, and case law in relation to the Planning or Zoning board's application of the NJ Municipal Land Use Law or NJ Department of Environmental Protection and NJ Pinelands Commission actions or decisions.

2. Experience in municipal land use litigation including trials, motions, administrative hearings, appeals, etc., including knowledge and understanding of Court Rules and other related procedural matters for municipal litigation.

3. Ability to advise the Planning or Zoning board as to the form and sufficiency of all actions relating to NJ Municipal Land Use Law matters and conformity with or adherence to Township Ordinances prior to their effective date.

4. Knowledge and understanding of the course of appeals from Orders, decisions, or judgments effecting any interests of the Township or the Planning or Zoning board.

5. Ability to advise the Planning or Zoning board prior to entering into any agreement, compromise, or settlement of any NJ Municipal Land Use Law litigation in which the Township is involved.

6. Ability to maintain a record of all actions, suits and proceedings within the responsibility of the Planning or Zoning Board Attorney and to provide reports to the Township from time to time as required.

7. Ability to render opinions in writing upon any question of NJ Municipal Land Use Law that are submitted by the Township with respect to its powers, duties, and responsibilities, or the powers, duties and responsibilities of the Planning or Zoning board.

8. Ability to advise the Township to retain special counsel, experts, or other professionals as may be required to further the best interests and/or legal position of the Planning or Zoning board or the Township.

9. Ability to advise the Planning or Zoning Board on compliance with the Open Public Meetings Act, Roberts Rules of Order and the conduct of open and closed public meetings.

10. For Planning Board only -- Extensive understanding of the NJ Local Housing & Redevelopment Law and its application to the duties and responsibilities of the Planning Board.

11. Knowledge and understanding of the Township's affordable housing requirements and Housing Element of the Township Master Plan relating to developing affordable housing units.

12. Submit all bills for professional fees for each application/applicant at least quarterly and not later than 30 days of a decision on the application. Failure to comply with the billing protocol will be to absolve the Township of the obligation to pursue the applicant for the professional's fees.