

**BOROUGH OF LAKE COMO
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

REQUESTS FOR PROPOSAL/QUALIFICATIONS FOR SPECIAL TAX COUNSEL

Sealed proposals will be received by the Borough Clerk of the Borough of Lake Como, County of Monmouth, State of New Jersey, on **December 8, 2022 at 11:00 A.M.**

Request for Proposal/Qualifications from Attorneys interested in serving as Special Tax Counsel to the Borough of Lake Como for the period January 1, 2023 through December 31, 2023.

Successful applicants will be required to comply with requirements of N.J.S.A. 30:5-33, et seq. (N.J.A.C. 37:27), Equal Employment Opportunity, N.J.S.A. 52:32-44, et. seq., New Jersey Business Registration, N.J.S.A. 10:5-31 Affirmative Action.

The Borough of Lake Como reserves the right to reject any and or all proposals if it is deemed to be in the best interest for the Borough to do so. The Borough of Lake Como also reserves the right to conduct interviews of any and or all applicants, as it deems necessary.

Please visit the Borough's website at www.lakecomonj.org for the complete Request For Proposal.

By order of the Mayor and Council of the Borough of Lake Como

**Request for Qualifications from Attorneys Interested in
Serving as “Special Tax Counsel”
to the Borough of Lake Como for the Period
January 1, 2023 through December 31, 2023**

Introduction

Pursuant to the Fair and Open Process established by N.J.S.A. 39:44A-3, et. Seq., the Borough seeks Requests for Proposal (“RFP”) from attorneys licensed to practice law in the State of New Jersey that wish to serve as Special Tax Counsel for the Borough of Lake Como. The successful attorney must have significant experience in representing New Jersey public entities in the capacity as a labor attorney, as well as litigation experience in Municipal, State and/or Federal Courts, administrative forums and/or arbitration. The successful attorney will provide the following services:

The Special Tax Counsel must be an attorney at law of New Jersey and shall provide all necessary and desirable legal counsel and advice requested by the Borough.

1. Hourly rate of Attorney, Associates, Para Legal, and any other charges for services.
2. Break down of billing method.

Professional Information and Qualifications

Each interested attorney shall submit the following information:

1. Name of Attorney and firm in which attorney is associated;
2. Address of principal place of business and all attorney’s offices, corresponding telephone and fax numbers and e-mail addresses.
3. Areas of Practice;
4. Description of attorney’s education, experience, qualifications, number of years with the current firm and a descriptive narrative of their experience with projects similar to those required herein;
5. Experience related to representation of Municipalities and other public entities;
6. At least three (3) references, of which must have knowledge of your representation of a public entity;
7. Examples of your record of success representing municipalities;

8. The attorney's ability to provide the services in a timely fashion and availability for appearances on behalf of the Borough (including staffing, familiarity and location of key staff);
9. Any other information which the interested attorney deems relevant;
10. A copy of your New Jersey Business Registration Certificate;
11. A completed Statement of Ownership form (attached).
12. A completed Affirmative Action form (attached)

Selection Criteria

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

1. Qualifications of the individual 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 and availability for appearances on behalf of the Borough, including staffing and familiarity with the subject matter; and
4. Submissions will be evaluated by the Governing Body of the Borough on the basis of the most advantageous, with due consideration to the qualifications and experience of the respondent and quotations submitted and a number of other factors and criteria. The retainer and fee rate quotation will be considered but will not be the controlling factor.

Submission Requirements

Responses to this RFQ must be e-mailed as a PDF and one, unbound, original must be delivered in a sealed envelope bearing the title and received no later than **11:00 A.M. on December 8, 2022** to:

Amy L. Boney
Borough of Lake Como
1740 Main Street
Lake Como, NJ 07719
aboney@lakecomonj.org

Please copy the Borough Administrator, Andrew Huisman, on your e-mail submission at ahusiman@lakecomonj.org

NEW JERSEY BUSINESS REGISTRATION REQUIREMENTS – NON-CONSTRUCTION

All New Jersey and out of state business organizations must obtain a Business Registration Certificate (BRC) from the Department of Treasury, Division of Revenue, prior to conducting business in the State of New Jersey. Proof of valid business registration with the Division of Revenue, Department of Treasury, State of New Jersey, must be submitted with this proposal. No contract will be awarded without proof of business registration with the Division of Revenue. The contract will contain provisions in compliance with N.J.S.A. 52:32-44, as amended, outlined below.

The contractor shall provide written notice to its subcontractors and suppliers of the responsibility to submit proof of business registration to the contractor. Before final payment of the contract is made by the contracting agency, the contractor shall submit an accurate list and proof of business registration of each subcontractor used.

For the term of the contract, the contractor and each of its affiliates and each subcontractor and each of its affiliates (N.J.S.A. 52:32-44 (g) (3)) shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the "Sales and Use Tax Act" (N.J.S.A. 54:32 B-3, et seq.) on all sales of tangible personal property delivered into this state.

A business organization that fails to provide a copy of a registration as required pursuant to section 3 of P.L. 2003, c.334 (N.J.S.A. 52:32-44 et. seq.) or subsection e. or f. of section 92 of P.L. 3977, c.330 (N.J.S.A. 5:32-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25.00 for each day of violation, not to exceed \$50,000.00 for each business registration copy not properly provided under a contract with a contracting agency.

Other forms, such as a Certificate of Authority to collect Sales and Use Taxes or a Certificate of Employee Information Report Approval, are **not** acceptable.

Any questions in this regard can be directed to the Division of Revenue at (609) 292-3730. Form NJ-REG can be filed online at:

<http://www.state.nj.us/treasury/revenue/gettingregistered.htm#busentity>

**BOROUGH OF LAKE COMO
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

STATEMENT OF OWNERSHIP

The Firm is (check one):

Individual _____ Partnership _____ P.A. _____ L.L.C. _____

Corporation _____ Joint Venture _____ Other (specify) _____

I certify that the names and addresses of all persons and entities who own a 30% or greater interest in the Firm are as follows (if "none", so state):

NAMES: ADDRESSES:

- 3. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

NAME OF FIRM: _____

SIGNED BY: _____

PRINT NAME & TITLE: _____

DATE: _____

NOTES:

A. Attach additional sheets as needed and check here.....

B. If an entity owns a 10% or greater interest in the Firm, attach a list of owners of 10% or greater interest for each entity. Repeat the process of disclosure as necessary for each tier or level of ownership until the name and address of each person who owns a 10% or greater interest has been disclosed. **If no person or entity owns a 10% or greater interest in a listed entity, so state.**

AFFIRMATIVE ACTION AFFIDAVIT

(To be completed by firms with less than 50 employees)

STATE OF NEW JERSEY)

) SS:

COUNTY OF ____)

I, _____ of the Borough of _____ in the County of _____ and the State of _____ of full age, being duly sworn according to law on my oath depose and say that:

- 1. I am (President, Partner, Owner of the firm of _____, a bidder making a proposal upon the above named project.
- 2. _____ does not have 50 employees or more inclusive of all officers and employees of every type.
- 3. I am familiar with the affirmative action requirements of PL 1975,c.127 and rules and regulations issued by the Treasurer, State of New Jersey, pursuant thereto.
- 4. _____, has complied with all the affirmative action requirements of the State of New Jersey, including those required by N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 and the rules and regulations issued by the Treasurer, State of New Jersey, pursuant thereto.
- 5. I am aware that if _____ does not comply with N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 and rules and regulations issued pursuant thereto, that no monies will be paid by the State of New Jersey, County of _____, Borough of _____ until an affirmative action plan is approved. I am also aware that the contract may be terminated and the _____ may be debarred from all public contracts for a period of up to five (5) years.
- 6. In the event my workforce increases to 50 employees, I must contact the State Affirmative Action Office and complete and Employee Information Report.

Signature of Authorized Representative

Name and Title

Subscribed and sworn to
before me this ____ day
of _____

(Seal) Notary Public of N.J.