

EXHIBIT "C"
CITY OF SALEM
REQUEST FOR PROPOSAL FOR THE POSITION OF
MUNICIPAL ATTORNEY

Position and Term:

The City of Salem requests proposals from New Jersey attorneys or law firms interested in serving in the position of "Municipal Attorney" from January 1, 2018 to December 31, 2018.

Description of Services:

Serve as legal counsel for the Mayor and Common Council of the City of Salem. Attend all regular (usually two evenings per month) and special meetings of the City Council. Attend City Council Committee meetings as requested. Interface with the City Clerk/Administrator, usually at least weekly. Prepare resolutions and ordinances for the City as requested by the Mayor, City Council or Clerk/Administrator. Apprise the City and its officials and offices of developments in the law requiring compliance, policy development or other action. Prepares and/or reviews contracts, leases, bid specifications, bid proposals, applications, submissions and/or other documents requiring execution or other action by the City. Must be available for consultation with various City Officials, including Police Chief, Municipal Court Administrator, Zoning Officer, Code Officials, Public Works Department Heads, City Engineer, City Treasurer, Tax Collector, Tax Assessor, etc. Serves as legal counsel as needed to various City Boards, including Shade Tree Advisory Board, Public Library Board, Board of Health, etc. Represents the City and/or City Officials in all litigation matters, except where counsel is provided by insurance coverage and in such instances, serves as principal contact with appointed counsel. Represents the City in all disciplinary actions involving City employees and all "Civil Service" appeals before the Office of Administrative Law or PERC Arbitrations. Represents the City in all license renewal hearings or enforcement proceedings relating to licensed activities including: liquor license establishments, automotive repair establishments and residential landlords. Represents City in all Tax Appeals before the County Board of Taxation and/or Tax Court. Interfaces with City Labor Counsel, Board Counsel and City Auditor.

Compensation:

Compensation shall be based on a professional services contract to be negotiated by the City with the applicant deemed to be most advantageous.

Salary is fixed at \$85,000.00 (or as finally determined in the annual salary ordinance of the City) per year for all services, except that: in rem foreclosures; federal court litigation; extraordinary litigation or transactions; and/or matters for which the City will require an escrow or reimbursement from a developer or other third party; may be billed at the attorney's specified "municipal rate", not to exceed \$250.00 per hour. The Municipal Attorney is also entitled to bill the City for expenses incurred or advanced on behalf of the City in relation to services provided, including extraordinary copying, postage or other expense at the rates customarily charged by the Attorney.

Minimum Requirements:

Must be fully licensed and in good standing to practice law in the State of New Jersey.

Minimum of 3 years of experience representing a New Jersey municipality.

Fair and Open Process:

These proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5. Applicants who meet with the Minimum Requirements for the position as set forth below, and are willing to provide the described services for the disclosed compensation, shall be evaluated on the basis of experience and qualifications as set forth in the criteria described below.

In order to be considered applicants must submit their reply to the Office of the City Clerk at 17 New Market Street, Salem, New Jersey 08079 (phone # 856.935.0372) **on or before 11:00 a.m. on December 8, 2017**. At that time and place all proposals received shall be publically opened and announced by the City Clerk or his designee.

Proposals will thereafter be received by the Mayor and Common Council of the City of Salem, who shall award the contract for the services. The award of the Contract will be based on the following criteria: (i) responsiveness to the Qualification Evaluation and other required submissions; (ii) general experience and reputation in the field; (iii) specific experience/knowledge of the City of Salem and the subject matter to be addressed under the Contract; (iv) qualifications and experience which most closely match the needs of the City; (v) availability to accommodate meeting and interface requirements with the

Mayor and City Council and City Officials for meetings, phone conferences, attendance at events and office consultations; (vi) office resources, including backup staff, which are deemed most adequate to service the needs of the City; and (vii) the applicant who is deemed otherwise most advantageous based on all information submitted or gathered in connection with the proposal.

The City reserves the right to: (i) not select any of the applicants; (ii) require applicants to submit to a personal interview and/or submit additional or clarifying information; (iii) to reject any or all proposals; (iv) to waive any informalities in the proposals; and (v) procure the articles or services from other sources if deemed most advantageous to the objectives of the City.

The City's determination of the applicant who is most advantageous to the goals and objectives of the City, shall be final and conclusive.

The award of the contract shall be determined by majority vote on a resolution to be read by title at an open public meeting.

No applicant shall influence, or attempt to influence or cause to be influenced, any City Official, Officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment. No applicant shall cause or influence, or attempt to cause or influence, any City Official, Officer or employee to secure unwarranted privileges or advantages.

Qualifications Evaluation:

1. Minimum Requirements. Please attach resume and/or other documentation demonstrating compliance with the "Minimum Requirements" detailed above.
2. Please describe your experience with regard to the Open Public Meetings Act.
3. Please describe your experience with regard to Resolution and Ordinance preparation.
4. Please describe your experience with regard to the Local Lands and Building Law.
5. Please describe your experience in representing a municipality in relation to Police matters.
6. Please describe your experience in representing a municipal water utility and/or a municipal sewer utility.

7. Please describe your experience with regard to the Municipal Land Use Law, and including specifically serving as counsel to the Municipal Zoning Officer.
8. Please describe your experience with regard to Title 19, including specifically serving as counsel to the Municipal Clerk in the capacity they serve in the primary and general election function.
9. Please describe your knowledge and experience with regard to Civil Service compliance, appointment, discipline, lay-off and termination procedures, regulations and appeals. Include specifics regarding representation of a public employer in a termination appeal before the Merit System Board with regard to both regular and law enforcement personnel.
10. Please describe your experience in representing a public employer with regard to PERC.
11. Please describe your experience in advising, representing or counseling a public employer with regard to workplace harassment issues, policies, compliance or matters. Please include specifically whether you have provided "workplace harassment policy training seminars" to employees; and whether you have ever conducted a workplace harassment investigation for a public employer.
12. Please describe your knowledge and experience in representing the Municipal Tax Assessor. Include specifics of experience with tax appeal practice before the County Board of Taxation and/or the Tax Court. Include any experience you may have with regard to revaluations. Finally, include information on your knowledge and experience in relation to tax exemption applications for charitable or religious claimants.
13. Please describe your knowledge and experience with regard to the In Rem Foreclosure process.
14. Please describe your knowledge and experience with regard to actions against municipally issued license holders, including specifically liquor license holders.
15. Please describe your knowledge and experience with regard to the Redevelopment Law and process. Include specifics as to Redevelopment Agreements and PILOTS.

16. Please describe whether there is any disciplinary proceedings pending against you in any jurisdiction or whether discipline has been previously imposed against you in any jurisdiction. If discipline has previously been imposed, state the date, jurisdiction, nature of the ethics violation and the penalty imposed. If proceedings are pending, specify the jurisdiction, the charges and the likely time of their disposition.
17. Disclose and describe whether you have ever been sued for malpractice.
18. Disclose and describe any arrests or convictions against you.
19. What is the location of your Office? In Salem City; in Salem County or out of Salem County.
20. Describe the resources of your office. Include details of support staff. Include information on other qualified attorneys in your office who would be available to City Officials in the event you were absent or unavailable.