

## **EXHIBIT “D”**

### **CITY OF SALEM**

#### **REQUEST FOR PROPOSAL FOR THE POSITION OF**

## **MUNICIPAL PROSECUTOR**

### **Position and Term:**

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

### **Description of Services:**

Serve as Municipal Prosecutor to the City of Salem in accordance with N.J.S.A. 2B:25-1 et. seq. This shall include, among other things, the attendance of all regularly scheduled Municipal Court sessions and any special sessions. Engage in plea negotiations and trial of all Municipal Court cases. Compile and handle all issues of pre-trial discovery. Interface with the Judge, Defense Attorneys, pro se parties, law enforcement officers, County Prosecutor and Attorney General. Engage in all necessary pre-trial investigation and secure experts, if necessary. Engage in legal research and preparation of any and all necessary briefs, motions and memoranda of law.

### **Compensation:**

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

Salary is fixed at \$19,081.00 (or as finally determined in the annual salary ordinance of the City) per year for all services. The Municipal Prosecutor is also entitled to bill the City for expenses incurred or advanced on behalf of the City in relation to services provided 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 as a Municipal Prosecutor.

### **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 and/or offer of employment 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 municipal court procedure, plea negotiations and trial.
3. Please describe your experience with regard to general knowledge of New Jersey Statutes Title 2C, Title 39 and municipal ordinances.
4. Please describe your experience with regard to non-municipal court matters, including plea and settlement negotiations, pre-trial discovery and trial.
5. Please describe your experience with regard to the Municipal Land Use Law.
6. 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.

7. Disclose and describe whether you have ever been sued for malpractice.
8. Disclose and describe any arrests or convictions against you.
9. What is the location of your Office? In Salem City; in Salem County or out of Salem County.
10. Describe the resources of your office. Include details of support staff. Include information on other qualified attorneys in your office who would be available in the event you were absent or unavailable.