

SPECIAL COUNSEL – REAL PROPERTY TAX
ASSESSMENT AND LITIGATION

The Township of West Caldwell, having its offices at 30 Clinton Road, West Caldwell, New Jersey, through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 is soliciting proposals from qualified attorneys for the appointment and position of Special Counsel – Real Property Tax Assessment and Litigation for the calendar year 2010.

1. **Appointment of Attorney.** An Attorney shall be appointed by the Mayor and Council to handle real property tax assessments and to litigate all matters affecting the interest of the Township in property tax matters for a term of one (1) year. Special Counsel – Real Property Tax Assessment and Litigation shall be appointed in a manner consistent with the Local Public Contracts Law.

The hourly rate for all legal services for calendar year 2010 will be \$150 (one hundred and fifty) per hour and the hourly rate for paralegal and related support staff will be \$100 (one hundred) per hour.

2. **Duties and Responsibilities.** Special Counsel for Real Property Tax Assessment and Litigation shall perform such duties as are prescribed by general law and local ordinance. In addition, subject to the approval of the Mayor and Council, the Special Counsel for Real Property Tax Assessment and Litigation shall:
 - a. Perform all legal work required by the Tax Assessor to support and defend local tax assessments.
 - b. Work closely with the Tax Assessor to review and evaluate all challenged tax assessments.
 - c. Represent the Township in any real property tax litigation and conduct all trials, appeals, and other proceedings affecting the interest of the Township in property tax matters.
 - d. Maintain all legal papers, documents, memoranda, reports and other records relating to the legal duties of the Township Special Counsel for Real Property Tax Assessment and Litigation. Upon termination of services with the Township, forthwith surrender to the Township all such property and furnish written consent to substitution of his/her successor in any pending actions or proceedings.
 - e. Provide general advice as directed by the Tax Assessor or Mayor and Council.

3. **Minimum Qualifications:** Proposers for the position of Special Counsel – Real Property Tax Assessment and Litigation shall meet the following minimum qualifications:
 - a. Must be an attorney in good standing licensed to practice law in the State of New Jersey.
 - b. Must have at least ten (10) years experience practicing law.
 - c. Must have at least five (5) years experience in representing municipalities and taxpayers in real property tax assessment and litigation matters.
 - d. Must be responsive to telephone calls and inquiries.
 - e. Must be able to handle diverse issues and matters.

4. **Special Counsel.** Whenever it is deemed to be in the best interests of the Township, the Special Counsel – Real Property Tax Assessment and Litigation may recommend or the Mayor and Council may appoint on their own motion a special counsel or law firm within the limits of available appropriations to assist in the representation of the Township in connection with any issue or capacity as the Mayor and Council may determine or the Township Attorney may recommend. Such appointment is subject to approval of a majority of the Mayor and Council consistent with Township by-laws.

5. **Residence.** Special Counsel – Real Property Tax Assessment and Litigation need not be a resident of the Township of West Caldwell.

PROPOSER'S RESPONSIBILITY IN RESPONDING TO TOWNSHIP'S REQUEST FOR PROPOSALS FOR PROFESSIONAL SERVICES

In response to this R.F.P. each proposer shall provide at a minimum the following information:

1. Qualification Information:

- a. Full Name.
- b. Firm Name, Address and Telephone Number.
- c. Years practicing with Firm.
- d. Your Legal Specialty.
- e. Your Firm's Legal Specialties.
- f. Proof of good standing to practice law.
- g. A listing of all of your post high school education.
- h. Dates of your licensure in the State of New Jersey and any other state as to the professional discipline requested to serve the needs of the Township.

- i. A listing of your professional affiliations or membership in any professional societies or organizations, with an indication as to any offices held.
 - j. The number of attorneys employed (if a professional firm) and/or affiliated with your Firm, and a listing of the name, law school and year of law school graduation of all attorneys that will be providing legal services to the Township pursuant to this proposal;
 - k. A listing of all previous public sector entities served by the proposer including dates of service and position(s) held;
 - l. The relevant legal experience that qualifies you for the position of Special Counsel – Real Property Tax Assessment and Litigation;
 - l. Any other relevant legal or work experience that you would like the Township to Consider in evaluating your qualifications for the position of Special Counsel – Real Property Tax Assessment and Litigation;
 - m. A listing of any and all ethics or disciplinary charges assessed against you and/or your Firm and the details surrounding same including the disposition of the charge(s).
 - n. The name, address and telephone number of three client references that can be contacted by the Township.
 - o. Proposed cost of service(s) or activities, not including the hourly rate for attorneys, paralegals and support staff. The proposed cost should include:
 - i. Expenses for postage, faxes, copying and telephone excluded from the hourly rate.
 - ii. Additional services defined beyond the scope of regular services.
 - p. Any additional information that you would like the Township to consider in evaluating your proposal.
- 2. Insurance.** The proposer, as a member of a profession that is subject to suit for professional malpractice, shall provide documentation that insurance for professional liability/malpractice coverage with limits as to liability that will be in place to protect the Township of West Caldwell. If appointed, proposer shall furnish a certificate of insurance naming the Township of West Caldwell as an additional insured under such policies.
- 3. Law Against Discrimination and Affirmative Action.** The proposer shall file a statement as to compliance with N.J.S.A. 10:5-1 et. seq. (Laws against Discrimination) and P.L. 1975, C. 127 (Affirmative Action).
- 4. Copies.** Proposer shall furnish **eleven (11) copies** of their proposal.

EVALUATION CRITERIA AND BASIS FOR AWARD OF CONTRACT

The Township shall award all professional service agreements based upon qualifications, merit, references and experience with issues confronting the Township of West Caldwell. The specific evaluation criteria will include:

1. Individual and Firm experience and reputation;
2. Knowledge of the Township of West Caldwell and the legal services to be provided as Special Counsel – Real Property Tax Assessment and Litigation;
3. Availability to accommodate the meeting schedule and required needs of the Mayor and Council and the Township's Administrative Departments; and
4. Other factors the Mayor & Council deem to be in the best interest of the Township of West Caldwell and its taxpayers.

A final award shall be made by Resolution adopted by a majority of the Mayor and Council based upon the proposal made to the Township that has been determined to be **the most advantageous to the Township, price and other factors considered.** The Mayor and Council reserves the right to negotiate the terms and conditions with any qualified proposer before making its determination and appointment. All awards are and shall be subject to the availability of funds.

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