Purpose:

The following procedures are designed to provide for a fair and open process in awarding professional services based on qualifications, merit and cost effectiveness through accessible advertising. Services include annual appointments and day-to-day programs, projects and contracts.

Scope of Services: SPECIAL OPRA COUNSEL

Any persons or firms interested in providing professional services to the Township of Deptford as defined in the New Jersey Statutes, NJSA 40A:11-2(6).

1) **Appointment of Special OPRA Counsel.** The Township Special OPRA Counsel shall be appointed by the Council by a majority vote of a quorum of its members and shall serve for a term of one (1) year from the first day of January of the year of appointment and until his successor has been appointed and qualified. The Special OPRA Counsel shall be an attorney-at-law of New Jersey. In lieu of appointing an individual attorney, Council may appoint a firm of attorneys, all members of which shall be attorneys-at-law of New Jersey. The Special OPRA Counsel shall be appointed in a manner consistent with the Local Public Contracts Law and shall execute a written contract with the Township and the Township Special OPRA Counsel shall receive such compensation as shall be agreed upon by the Township.

2) **Duties.**

   The Township Special OPRA Counsel shall:

   A. Represent the Township in all OPRA/common law records requests and litigation on behalf of public entities.

   B. Respond to requests for records directed to municipality and police and preparing OPRA/common law right of access responses for public entities.

   C. Prepare response letters with detailed legal basis for denials and or redactions.

3) **Residence.** The Special OPRA Counsel need not be a resident of Deptford Township.

**Applicants'/Proposers' Responsibility in Responding to
Township's Request For Qualifications**

The applicant/proposer shall in response to the Township's RFQ, at a minimum, include the following information:

A. Qualification requirements to compete for the needed service or activity as set forth in the "duties and responsibilities" of the position defined in the Township's RFQ. Qualifications, at a minimum, shall include requirements defined as follows:

    1. Full name and business address.

    2. Listing of all post high school education of the applicant and/or members of a professional firm seeking to provide professional services as described within the body of the RFQ.

    3. Dates of licensure in the State of New Jersey and any other state as to the professional discipline requested to serve the needs of Deptford Township.

    4. A listing of any professional affiliations or membership in any professional societies or organizations, with an indication as to any offices held.

    5. The number of licensed professionals employed (if a professional firm) and/or affiliated with the professional entity seeking to provide services to the Township. A description of each individual's qualifications, including education, licensure and years of professional experience.

    6. A listing of all previous Public Sector entities served by the applicant/proposer licensed professional including dates of service and position(s) held.

    7. Proposed cost of the service(s) or activities, including the hourly rate of individuals who will perform the services or activities. The proposed cost should include:

        a. Attorney meetings
        b. Site visits and expenses
        c. Expenses for travel, postage and telephone excluded from the hourly rate
        d. Additional services defined beyond the scope of regular services

    8. **Insurance.** The applicant/proposer, as a member of a profession which is subject to suit for professional malpractice, shall provide documentation that insurance for professional liability/malpractice coverage with limits as to liability acceptable to the Township of Deptford.

    9. **Additional submissions enclosed**:

        a. Business Registration
        b. Certificate of Liability

10. **Financial Disclosure.** The applicant/proposer as a "professional", if required by law, shall file a Financial Disclosure Statement pursuant to a Local Government Ethics Law NJSA 40A:9-22(1) et.seq.

11. **Law Against Discrimination and Affirmative Action.** The applicant/proposer as a "professional" shall file a statement as to compliance with NJSA 10:5-1 et. Seq.

B. The applicant/proposer shall submit **two (2) copies** of his/her proposal to the attention of the Township Clerk for review and consideration by the Township Manager and Township Council.

Basis for Award of Contract/Agreement for Professional Services

The Township shall award all professional service contracts or agreements based on qualification, merit and cost competitiveness. Selection criteria will include:

1. Qualifications of the individual or firms who will perform the service or activity.

2. Experience and references.

3. Ability to perform the service or activity in a timely fashion, including staffing and the staff's familiarity of the service or activity.

4. Cost Competitiveness. Municipal Fee Schedule 2024.

5. The Township reserves the right to conduct an interview or interviews with the prospective professional to discuss the scope of the professional services as outlined in the applicant's/proposer's proposal.

6. All awards or waivers will be by resolution acted on by the Township Council at a Township meeting.

7. For annual appointments, the Township Council, Township Manager and Administrative staff will conduct a performance review a minimum of once per year in late November, early December.

8. All awards are subject to availability of funds.

9. This policy will include, but not be limited to, all of the above listed requirements.

"The Township shall require that all public documents held by outside vendors/professionals be copied and provided to the Township, without charge, if requested by the Township. The vendor/professional shall comply with a request for public documents by the Township within five (5) working days of the request."