

**GENERAL INFORMATION AND SPECIFICATIONS FOR PROSPECTIVE  
CONTRACTORS SUBMITTING QUALIFICATIONS AND PROPOSALS  
FOR 2012 CONTRACT FOR POSITION OF  
CUMBERLAND SALEM REGIONAL MUNICIPAL COURT PUBLIC DEFENDER**

- I. Invitation to Submit Qualifications and Proposal** The Cumberland Salem Regional Municipal Court is requesting qualifications and proposals from individuals and/or firms for the following contract for calendar year 2012: CS Regional Municipal Court Public Defender. The qualifications and proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5, *et. seq.*
- II. Submitting and Delivery of Qualifications and Proposals.** Qualifications and proposals must be submitted on or before November 23, 2011 and may be submitted either by mail or in person by the prospective contractor or his agent. Qualifications and proposals must be enclosed in a sealed envelope and plainly marked "Qualifications and Proposal for 2012 CS Regional Municipal Court Public Defender Contract" and the envelope also shall have plainly marked on it the name and address of the prospective contractor. Please submit 2 copies of your proposal.
- III. Time and Place for Acceptance of Qualifications and Proposals.** The Upper Deerfield Township Clerk has been designated as the person authorized to receive all qualifications and proposals. All qualifications and proposals must be submitted in sealed envelopes to the Upper Deerfield Township Clerk, Township of Upper Deerfield, 1325 Highway 77, Seabrook, New Jersey, 08302, either by mail or in person by the prospective contractor or his agent on or prior to November 23, 2011 at 10:00 a.m., prevailing time. The Upper Deerfield Township Clerk will record the date and time of receipt of all proposals on the sealed envelope. No proposal will be received after the time designated for receipt.
- IV. Contract Description and Qualifications.** The CS Regional Municipal Court Public Defender shall perform all of the services customarily performed by a Municipal Public Defender of a regional court the size of the CS Regional Municipal Court. Such services include, but are not necessarily limited to, the following:
- a. Attend two part time court sessions per month (primarily on Mondays) plus any special meetings as required of the CS Regional Municipal Court;
  - b. Shall be the duty of the municipal public defender to represent, except in the case of temporary unavailability or conflict of interest, any defendant

charged with an offense in municipal court who is an indigent municipal defendant entitled to representation pursuant to NJSA 2B-24;

- c. Shall be an attorney at-law of New Jersey in good standing; and
- d. Shall be responsible for handling all phases of the defense, including but not limited to discovery, pretrial and post-trial hearings, motions, removals to federal district court and other collateral functions reasonably related to the defense,

The contractor shall possess all required State of New Jersey licenses or certifications.

The resumes or *curricula vitae* of all individuals who will perform services under the contract on behalf of the CS Regional Municipal Court shall be submitted with the prospective contractor's proposal.

The prospective contractor's proposal shall clearly set forth the proposed financial compensation to be paid to the contractor under the contract.

A proposed contract may be submitted with the contractor's proposal.

**V. Selection Process & Award of Contract.** Upon receipt of qualifications and proposals, the Upper Deerfield Township Clerk will transmit copies of each proposal to the personnel committee that consists of four members of the CS Regional Municipal Court Committee. Proposals will be evaluated on the basis of the most advantageous, price and other factors considered. The evaluation will consider:

- a. Minimum of five years experience as a municipal Public Defender and reputation of the prospective contractor in the field that is the subject matter of the contract;
- b. Knowledge of the CS Regional Municipal Court municipalities, issues that are unique to these municipalities and the subject matter to be addressed under the contract;
- c. Availability to accommodate any required Court meetings of the CS Regional Municipal Court;
- d. Compensation proposal; and
- e. Other factors as demonstrated to be in the best interest of the CS Regional Municipal Court.

Upon completion of the review process, the personnel committee shall transmit its findings and recommendations to the CS Regional Municipal Court Committee who will then make a recommendation to the Provider municipality of the CS Regional Municipal Court, Upper Deerfield Township, whose governing body may award the subject contract for calendar year 2012 on or after January 5, 2012 by resolution.

- V. Obligation of Prospective Contractor.** At the time of receipt of proposals, each prospective contractor will be presumed to have read and to be thoroughly familiar with the contents of the notice of availability of requests for qualifications and proposals that has been posted on the Township of Upper Deerfield website and with the contents of this document. The failure or omission of any prospective contractor to receive or examine either document shall in no way relieve any prospective contractor from any obligation with respect to the proposal submitted.
- VI. Investigation of Qualifications.** The CS Regional Municipal Court Committee will make such investigations as it deems necessary to determine the responsibility of the prospective contractor and the prospective contractor shall furnish the CS Regional Municipal Court Committee all such information as may be requested by the CS Regional Municipal Court Committee notwithstanding the fact that the release of such information to the CS Regional Municipal Court Committee may result in the disqualification of the prospective contractor and the proposal submitted.
- The CS Regional Municipal Court Committee reserves the right to reject any proposal if the evidence submitted by, or the investigation of, such prospective contractor fails to satisfy the CS Regional Municipal Court Committee that such prospective contractor properly is qualified to carry out the obligations of the contract for the work as provided and as described in this document.
- VII. Signing of Proposal Documentation.** The qualification and proposal documentation that is submitted by the prospective contractor shall be signed by the individual or on behalf of the entity to be bound by the contract.
- VIII. New Jersey Business Registration Certificate.** Business organizations or individuals doing business in New Jersey are required to register with the Department of Treasury, Division of Revenue. Prospective contractors submitting proposals shall submit a copy of their business registration certificate to the CS Regional Municipal Court at the time that the proposal is submitted to the CS Regional Municipal Court. See N.J.S.A. 52:32-44b (1). Failure to comply

with this paragraph shall result in disqualification of the prospective contractor.

**IX. Miscellaneous.**

- a. Nothing herein shall be construed as an obligation on the part of the CS Regional Municipal Court to award the subject contract under the fair and open procedures described above and the CS Regional Municipal Court Committee, after review of qualifications and proposals that have been submitted, if deemed to be in the best interests of the CS Regional Municipal Court, specifically reserves the right to award the subject contract by utilizing the non-fair and open procedures that are set forth at N.J.S.A. 19:44A-20.5, *et. seq.*
- b. All contracts awarded by the Township of Upper Deerfield as the Provider of the CS Regional Municipal Court shall be governed by and interpreted in accordance with the Laws of the State of New Jersey.
- c. If awarded a contract, you or your company/firm shall be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (EEO in public contracts).
- d. For additional information contact: Roy Spoltore, Township Clerk/Administrator, Upper Deerfield Municipal Building, 1325 Highway 77, Seabrook, New Jersey, 08302, 856-451-3811.