

**PROFESSIONAL SERVICES CONTRACTS TO BE AWARDED BY
ESTABLISHED QUALIFICATION CRITERIA**

The Atlantic City Municipal Utilities Authority solicits statements of qualification of applicants for appointment to the following professional positions. Responses should address the general criteria and mandatory minimum criteria for the position sought. All responses will be treated as confidential and reviewed only by the governing body, unless otherwise required by law. Responses must be received in the Office of the Executive Director, 401 N. Virginia Avenue, Atlantic City, New Jersey 08404, no later than 11:00 A.M. March 10, 2022. All responses shall be opened and announced publicly, immediately thereafter by the Authority Clerk. Responses will be reviewed by the governing body and all appointments will be announced at a public meeting. Unless otherwise noted, appointments shall be effective from March 15, 2022 through February 14, 2023.

GENERAL PROPOSAL REQUIREMENTS

The request for qualifications is to be formatted as follows to assure consistency:

- Section A. Understanding of the Scope of Services to be provided for the Authority
- Section B. Qualifications & Experience
- Section C. Resume & Qualifications of Key Personnel
- Section D. Client Reference List
- Section E. Conflict of Interest(s): This section should disclose any potential conflicts of interest that the firm may have in performing these services for the Authority
- Section F. Miscellaneous/Other information (This section is for any further pertinent data and information not included elsewhere in the RFQ and found necessary by the proposer).

PLEASE PROVIDE ONE ORIGINAL AND SEVEN (7) COPIES.

MISCELLANEOUS REQUIREMENTS

1. The Atlantic City Municipal Utilities Authority will not be responsible for any expenses incurred by any firm in preparing or submitting a proposal.
2. All proposals shall provide a straightforward, concise delineation of the firm's capabilities to satisfy the requirements of this Request for Qualifications.
3. Emphasis should be on completeness and clarity of content.
4. The contents of the proposal submitted by the successful firm(s) and this Request for Qualifications may become part of the contract for these services.
5. The successful firms will be expected to execute a contract with the Authority, and any other disclosure statements required by law.
6. Proposals shall be signed in ink by the individual or authorized principal of the responding party.
7. Proposals submitted shall be valid for a minimum of 60 days from the date of opening.

8. The Atlantic City Municipal Utilities Authority reserves the right to reject any and all proposals received by reason of this Request for Qualifications, or to negotiate separately in any manner necessary to serve the best interests of the Authority.
9. Any selected firm is prohibited from assigning, transferring, conveying, subletting, or otherwise disposing of this Agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, company, or corporation without the prior written consent of the Authority.
10. The selected firm(s) shall be required to comply with the requirements of P.L. 1975, c.127 (see attached affirmative action language) and submit an employee information report or certificate of employee information report approval.
11. This requirement will be addressed upon execution of the Agreement.
12. The selected firm(s) shall be required to provide a Business Registration Form(s).
13. The selected firm(s) may be required to provide Proof of Insurance.
14. All costs of responding to the RFQ, negotiating any contracts related thereto, complying with any requirements of the RFQ, including political reporting requirements shall be borne solely by the RFQ respondent.
15. Proposals will not be returned and shall become public records subject to Open Public Records Act (N.J.S.A. 47:1A-1, et seq.).

EVALUATION OF PROPOSALS

The proposal will be independently evaluation based on the criteria listed below:

1. Proven record of experience, including referrals, in providing the type of services detailed herein.
2. Ability to provide services in a timely manner.
3. Personnel qualifications.
4. Understanding of the services requested, including completeness and clarity of documents submitted, and qualitative nature of the services proposed.

SPECIFIC PROPOSAL REQUIREMENTS

SOLICITOR

GENERAL CRITERIA: The Atlantic City Municipal Utilities Authority desires to appoint a municipal attorney who will be the chief, general legal officer of the Authority. Applicants should demonstrate knowledge of general New Jersey public utilities law, municipal law, civil law and municipal contract law. Any experience or knowledge of matters directly affecting the Atlantic City Municipal Utilities Authority should be addressed.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be licensed to practice law in the State of New Jersey for a period of not less than ten (10) years preceding the proposed appointment, and eligible to appear before all state and federal courts in New Jersey, as well as New Jersey administrative agencies and the Office of Administrative Law.

2. Must have a minimum of five (5) years experience in the general representation of municipal governments or municipal authorities.
3. Must list past and present municipal or government authorities represented.
4. Must maintain a bona fide principal office in the State of New Jersey.
5. Must have sufficient support staff available to provide all general legal services required by the Authority including, but not limited to, legal research, preparation of resolutions, preparation of ordinances, preparation of contracts and other legal documents.

LABOR AND EMPLOYMENT COUNSEL

GENERAL CRITERIA: The Atlantic City Municipal Utilities Authority desires to appoint an attorney or firm who will be the Authority's primary representative in all matters relating to labor relations. Applicants should demonstrate knowledge of and experience in the representation of public employers. Any experience or knowledge of matters that directly affect the Atlantic City Municipal Utilities Authority should be addressed.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administrative agencies of the State of New Jersey for a period of not less than ten (10) years preceding appointment.
2. Must have a minimum of seven (7) years of experience representing public employers in Labor relation matters.
3. Must have sufficient support staff to provide all services required by the Authority including, but not limited to, legal research, preparation of legal memoranda, contracts and other legal documents.
4. Must maintain a bona fide principal office in the State of New Jersey.
5. Must list past and present public employers represented as Labor Counsel.

BOND COUNSEL

GENERAL CRITERIA: The Atlantic City Municipal Utilities Authority desires to appoint an attorney or firm who will be the primary legal representative of the Authority in all matters relating to the issuance of public debt instruments including bonds and bond anticipation notes of the Authority. Applicant should demonstrate knowledge of municipal bond and finance law. Any experience or knowledge of matters that directly affect the Atlantic City Municipal Utilities Authority should be addressed.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administrative offices of the State of New Jersey for a period of not less than ten (10) years preceding appointment.
2. Must have a minimum of ten (10) years of experience representing municipal entities in connection with the approval of bond ordinances and the issuance of municipal bonds and/or notes.

3. Must maintain a bona fide office in the State of New Jersey.
4. Must have sufficient support staff to provide all services required by the Authority including, but not limited to, the preparation of all documents necessary and incidental to the issuance of bonds and other municipal obligations.
5. Must list past and present public entities represented as Bond Counsel.

SPECIAL COUNSEL

GENERAL CRITERIA: The Atlantic City Municipal Utilities Authority desires to appoint an attorney or firm to represent the Authority in both general and specific matters related to municipal governments on an as needed basis. Applicants should demonstrate knowledge of general New Jersey public utilities law, municipal law, civil litigation and municipal contract law. Any experience or knowledge of matters directly affecting the Atlantic City Municipal Utilities Authority should be addressed.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be licensed to practice law in the State of New Jersey for a period of not less than five (5) years preceding the proposed appointment, and eligible to appear before all state and federal courts in New Jersey, as well as New Jersey administrative agencies and the Office of Administrative Law.
2. Must have a minimum of five (5) years of experience in the general representation of municipal governments or municipal authorities.
3. Must list past and present municipal or government authorities represented.
4. Must maintain a bona fide principal office in the State of New Jersey.
5. Must have sufficient support staff available to provide all general legal services required by the Authority including, but not limited to, legal research, preparation of resolutions, preparation of ordinances, preparation of contracts, and other legal documents.

HEARING OFFICER

GENERAL CRITERIA: The Atlantic City Municipal Utilities Authority desires to appoint an attorney who will be the Authority's hearing officer in all employment related disciplinary hearings, including civil service, police review hearings, and other administrative hearings. At the direction of the Executive Director, the Hearing officer will schedule and hold hearings either requested or required involving the major disciplinary matters of Authority employees. The appointee will also act as a hearing officer in matters in which factual appeals can be made to the Authority. At the request of Executive Director, the appointee will hold hearings on grievances filed by Authority labor unions in disputes involving collective bargaining agreements. Applicants should demonstrate knowledge of and experience in the conduct of administrative and employment related employment and police hearings, including disciplinary and civil service matters. All hearings shall be followed by a written decision outlining the facts as the Hearing Officer sees it from the hearing presentation within a reasonable amount of time, as required by law, following the hearing.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be licensed to practice law in the State of New Jersey, eligible to appear before state and federal courts and administrative agencies.
2. May be a retired Judge of the Superior Court of New Jersey or retired Administrative
3. Law Judge with extensive experience in handling cases from the New Jersey Department of Personnel; or
4. Must have a minimum of seven (7) years handling public sector disciplinary hearings and grievance hearings involving public sector collective bargaining agreements.
5. Must have sufficient support staff to provide all services required by the Authority including, but not limited to the preparation of any written decisions and other legal documents, as may be required in the hearing.
6. Must maintain a bona fide principal office in the State of New Jersey.
7. Must list all past and present public employers and any collective bargaining units represented as Labor Counsel.
8. Identify or advise of any potential conflicts of interest.

CONSULTING ENGINEER

GENERAL CRITERIA: The Atlantic City Municipal Utilities Authority desires to appoint a firm or firms to provide consulting engineering services to the Authority. Applicants should demonstrate knowledge and experience with respect to all aspects of engineering services required by a municipal entity. Any experience or knowledge of matters that directly affect the Atlantic City Municipal Utilities Authority should be addressed. The successful firm(s) shall comply with all applicable federal, state, and local statutes, rules, and regulations.

MANDATORY MINIMUM REQUIREMENTS:

1. Must be certified to provide engineering services in the State of New Jersey.
2. Must have a minimum of five (5) years experience in providing consulting services to municipalities including demonstrated experience with road programs, drainage improvement projects, combined sewer projects, utility upgrades and replacement, public building improvement programs, recreational facilities, land surveying and mapping projects.
3. Must be experienced in obtaining permits and approvals from various state, county, and local regulatory agencies.
4. Must maintain a staff of New Jersey licensed or certified professionals sufficient to service the Atlantic City Municipal Utilities Authority including, but not limited to civil engineers, land surveyors, planners, environmental scientists, and construction administrators.
5. Must maintain a principal office location in close proximity to the Authority to be able to respond to emergent matters promptly.
6. Must be experienced in the preparation of grant applications.
7. Must have project managers with at least five (5) years of municipal experience.

8. Must list past and present municipalities served as Consulting Engineer.

INSURANCE REQUIREMENTS

Prior to commencing work under contract, the successful firm shall furnish the Atlantic City Municipal Utilities Authority with a certificate of insurance as evidence that it has procured the insurance coverage required herein. A carrier approved by the Atlantic City Municipal Utilities Authority must provide the coverage. Firms must give the Atlantic City Municipal Utilities Authority a sixty (60) day notice of cancellation, non-renewal, or change in insurance coverage. The successful firm(s) shall provide and maintain the following minimum limits of insurance coverage during the period of performance required under the contract resulting from this Request for Qualifications:

PROFESSIONAL LIABILITY INSURANCE

Minimum of \$1,000,000.00 errors and omissions per occurrence to be amended based upon the specific work and values involved.

WORKERS COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE

- Statutory coverage for New Jersey
- \$100,000.00 Employer's Liability

GENERAL LIABILITY INSURANCE

Minimum of \$1,000,000.00 per occurrence to be amended based upon the specific work and values involved. The Atlantic City Municipal Utilities Authority shall be named as additional insured with respect to general liability.

AUTOMOBILE LIABILITY INSURANCE

Minimum of \$1,000,000.00 per occurrence /\$1,000,000.00 aggregate. This coverage is required if the operation of any vehicle is required in the performance of the services detailed herein (including but not limited to the use of a vehicle to make any on-site visits).

INDEMNIFICATION

The selected firm(s) shall defend, indemnify, and hold harmless the Authority, its officers, agents, and employees from any and all claims and costs of any nature. Whether for personal injury, property damage, or other liability arising out of or in any way connects with the firm's acts or omissions under this agreement.