



**The Camden County
Workforce Development Board, Inc.**

REQUEST FOR QUALIFICATIONS

for

LEGAL SERVICES

CCWDB # 2020-1

SECTION 1: Instructions to Firms

1.1 Submissions Being Solicited in Fair and Open Process

The Camden County Workforce Development Board, Inc., (“CCWDB”) is soliciting submissions from qualified General Counsel.

CCWDB is soliciting submissions under this Request for Qualifications (“RFQ”) in a fair and open process pursuant to N.J.S. 19:44A-20.4 et seq.

Written submissions responding to the requirements contained in this RFQ should be submitted to the following physical address or email address:

Camden County Workforce Development Board, Inc.
1111 Markkress Rd., Suite 101
Cherry Hill, New Jersey 08003
Attn: Jeffrey S. Swartz, Executive Director
receptionist@ccwib.com

To be considered, please submit one (1) copy of your qualification/response directed to the above-mentioned address no later than **12:00 noon on May 27, 2020**. **All submissions received by the CCWDB by 12:00 noon on May 27, 2020 will be publicly opened (including emails) by CCWDB at its offices at the above address. Awards shall be made publicly by resolution of the members of CCWDB at a subsequent meeting.** Late submissions will not be accepted and/or will be returned unopened. No oral, written or other form of amendment will be accepted by the CCWDB after this time, unless requested by the CCWDB. The CCWDB reserves the right to reject any or all submissions, to waive any requirements of the RFQ and to modify or amend, with the consent of the respondent, submissions. All submissions become the property of the CCWDB.

Proposals must be either emailed with the name of the RFP shown in the subject line; mailed with the name of the RFP shown on the outside of the envelope; or personally delivered to our office in a sealed envelopes with the name of the RFP clearly marked on the outside of the envelope. Proposals may not be faxed.

The CCWDB assumes no responsibility for delays in any form of carrier, mail or electronic delivery service causing the proposal to be received at the CCWDB office later than the above-referenced scheduled opening.

It is the responsibility of the respondent to monitor the Workforce Development Board Website for updates and responses to questions (www.CCWIB.com). The preparation of an RFQ response shall be at the expense of the respondent. The CCWDB will not reimburse firms for any costs associated with the preparation or submittal of any response.

A full copy of the RFQ can be obtained at www.ccwib.com or may be requested by email at receptionist@ccwib.com by supplying agency name, address, phone, email and contact information. The preparation of an RFQ response shall be at the expense of the respondent. The CCWDB will not reimburse firms for any costs associated with the preparation or submittal of any response.

By responding to this RFQ, you acknowledge and consent to the conditions set forth herein relative to the submission, review and consideration of your response.

The CCWDB reserves the right to return to the Applicant without review any response which is incomplete, including a response which does not include the certification and signature required above.

Questions regarding this solicitation should be submitted in writing to the CCWDB at receptionist@ccwib.com and will receive a written response. Each such question and response will also be sent to any other potential Applicant who notifies the CCWDB in writing of its desire to receive those responses.

1.2 Contact Information

It is the responsibility of the respondent to inquire about clarification of any aspect of the RFQ that is not understood. Questions for clarification should be addressed in writing via email no later than May 15,2020:

Jeffrey S. Swartz, Executive Director
Camden County Workforce Development Board
receptionist@ccwib.com

1.3 Qualification Format

Responses should cover all information requested in Section 3 of this RFQ and should also address the selection criteria in Section 1.4. Your response must be placed in a sealed envelope and clearly labeled with the title "Qualification to Serve as General Counsel for the Camden County Workforce Development Board and the firm's name and business address. Each qualification must be accompanied by a letter of transmittal not exceeding two (2) pages. The letter must include the full legal name and business address of the firm.

Submissions which, in the sole judgment of the CCWDB, fail to meet the requirements of the RFQ or which are in any way conditional, incomplete, obscure, contain additions or deletions from requested information, or contain errors may be rejected.

Submissions should provide a straightforward and concise delineation of the respondent qualification and commitment to satisfy the requirements of the RFQ.

1.4 Criteria Used for Basis of Award

Submissions will be evaluated on the basis of the most advantageous price and other factors considered. The evaluation will consider the criteria of experience and reputation in the field, professional expertise, including accreditation, licensing and/or membership in appropriate professional associations, knowledge of the CCWDB and the subject matter to be addressed under the contract, past performance on other work for the CCWDB, availability to accommodate any required meetings of the CCWDB, availability of personnel and other resources to do the work on the schedule set forth by the CCWDB, designated professional and support staff and location of offices, strength of assurances of performance provided, if required, financial stability and strength of the submitting firm, on-going criminal investigations or litigation, references in general, insurance provided, fee and compensation qualification, and other factors as demonstrated to be in the best interest of the CCWDB.

As the members of the CCWDB shall utilize the criteria set forth above in making an award pursuant to this RFQ, you are urged to provide sufficient information on the above criteria in your submission.

Selection of the award shall be based solely on the CCWDB's evaluation of the submissions and the criteria set forth above. The CCWDB reserves the right to interview the respondents. The CCWDB also reserves the right to negotiate the terms and conditions of the contract to obtain the most advantageous situation for the CCWDB.

1.5 Compliance with Laws

The firm selected shall comply with all applicable federal, state and local statutes, rules and regulations. Firms chosen will be required to comply with P.L. 1975 c.127 (affirmative action requirements).

1.6 Indemnification

The selected firm shall defend, indemnify and hold harmless the CCWDB, its officers, agents and employees from any and all claims and costs of any nature whether for personal injury, property damage or any other liability arising out of or in any way connected with the any acts or omissions of the respondent or any of its principals, employees or agents under this request for qualification or under any agreement executed with the CCWDB.

1.7 Subcontractors

If the firm intends to subcontract out any part of the work contained in the scope of this RFQ, the firm shall provide a complete description of the services to be subcontracted, an estimate of the overall amount of work to be subcontracted, the rationale behind the need to subcontract, and a comprehensive description of the qualification and experience of the proposed subcontractor. The CCWDB reserves the right to disapprove any proposed subcontractor and to revoke previous approval of a subcontractor should the need arise.

1.8 Conflict of Interest

Firms must identify any conflict of interest that may arise from providing services to the CCWDB. The CCWDB reserves the right: 1) to disqualify any firm or reject any qualification at any time solely on the grounds that a real or perceived legal or policy conflict of interest is presented; 2) to require the firm to take any action or supply information necessary to remove the conflict; or 3) to terminate any contract arising from this solicitation if any such relationship would constitute or have potential to create a real or perceived conflict of interest that cannot be resolved to CCWDB's satisfaction.

1.9 Qualification as Public Information and Property of CCWDB

The information submitted in each qualification may be subject to public disclosure pursuant to State and Federal law. All qualifications will become the property of the CCWDB. Qualifications submitted will not be returned to respondents unless they are received late.

SECTION 2: Evaluation of Qualification and Selection Procedures

2.1 Initial Screening

A screening of all qualifications will be conducted to determine overall responsiveness. Qualifications determined to be incomplete or non-responsive will be disqualified.

2.2 Evaluation of Submission Documents

The qualifications of each firm will be evaluated based upon the requirements of this RFQ and the criteria set forth above in Section 1.4. This evaluation process will take into account all items submitted in Section 3 of the RFQ and will not be based solely upon the Fee Schedule submitted by the firm. The review will focus on the experience and expertise of the firm in providing similar services in the State of New Jersey to other Workforce Development Boards. This step of the overall evaluation may include verification of credentials and stated experience.

SECTION 3: Submission Requirements *(Please respond in as much detail as possible and label sections in order as follows)*

- 3.1** Description of Firm and Capabilities. Provide a history and description of your firm and its capabilities.
- 3.2** Staffing Levels. Detail the staff level of your firm including principals and associates as of the date of this RFQ.
- 3.3** Personnel. Please provide brief résumés of the individuals in your firm who would provide the services, indicating the senior partner or principal. Provide a brief résumé for each such person and describe his/her other experience in rendering services of the nature the CCWDB seeks. Indicate the role of each individual expected to serve the CCWDB.
- 3.4** Experience. Please briefly summarize your experience providing services for Workforce Development Boards both in and outside of New Jersey. Include experience with Camden County and the CCWDB.
- 3.5** References. Provide three (3) references which can be contacted during the RFQ process indicating the name, contact person, his/her title and address and telephone number for whom you have provided similar services over the past two years. Indicate your role and a list of work completed for such client.
- 3.6** Ownership Affidavit. Respondent is required to submit the attached Ownership Affidavit (See Exhibit A).
- 3.7** Conflicts Statement. Describe any existing or potential conflicts of interest your firm might have, or which reasonably might arise, due to your involvement with the CCWDB. If no conflicts are expected, then please respond with “No Conflicts”.
- 3.8** Regulatory Investigations/Litigation Statement. Provide details of any criminal investigation or pertinent litigation pending against your firm or members of your firm. If no criminal investigation or pertinent litigation is pending, then please respond “No criminal investigation or pertinent litigation pending”.
- 3.9** Affirmative Action Statement. The successful firm shall be required to comply with the requirements of P.L. 1975, c. 127 and submit an employee information report or certificate of employee information report upon request. Please submit a statement proclaiming abilities to comply with affirmative action requirements. (See Exhibit B for more information)
- 3.10** Proof of Insurance. Document and detail your insurance coverage applicable to the services described herein. Such coverage must be adequate to sufficiently cover the services detailed herein and must include, at a minimum, general liability insurance coverage and professional liability insurance coverage.
- 3.11** Business Registration Certificate. Firms are required to obtain Business Registration Certification (“BRC”) in

accordance with Exhibit C and provide a copy of their BRC with their submission. If the submission is made by a joint venture, the joint venture must provide the BRC. If two or more entities plan to create a joint venture, if selected, the entities submitting the qualification must each/all provide their BRC.

- 3.12** Other Information. Please discuss any other factors not mentioned above which you believe are relevant to the CCWDB's selection of your firm.

- 3.13** Fee Schedule. Please attach your fee schedule for providing the services requested in this RFQ. Include the fee structure for all staff that will be assigned to the CCWDB for this transaction, as applicable. In addition, please detail your firm's billing procedures and rates as to overhead and out-of-pocket expenses. As noted in Section 1.4, the CCWDB reserves the right to negotiate the terms and conditions of the contract to obtain the most advantageous situation for the CCWDB.

- 3.14** Debarment, Suspension, Ineligibility and Voluntary Exclusion. Respondent is required to submit the attached Certification (See Exhibit D).

EXHIBIT A - OWNERSHIP AFFIDAVIT

STATE OF _____)

:SS

COUNTY OF _____)

_____ being sworn according to law, on his/her oath deposes and says:

1. That he/she is authorized to make this affidavit on behalf of

(Name of Firm)

2. That in compliance with Chapter 33 of Public Laws of 1977, which provides that no corporation or partnership shall be awarded any state, county, municipal or school district contract for the performance of any work or the furnishing of any materials or supplies unless prior to the receipt of the Qualification or accompanying the Qualification of said corporation or partnership there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock of any class, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein, the following is a complete list of all stockholders in the corporation/ partnership with ten percent (10%) or greater interest therein.

[Additional pages may be attached]

By: _____

Title: _____

Subscribed and sworn to before me this
_____ day of _____, 20__

Notary Public, State of _____
My commission expires _____.

EXHIBIT B

EXHIBIT B – PROFESSIONAL SERVICES

MANDATORY EQUAL EMPLOYMENT OPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27
GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post

copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq. as amended and supplemented from time to time and the Americans with Disabilities Act

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

EXHIBIT B (continued)

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information report Form AA302

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Public contracts Equal Employment Opportunity Compliance as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public

Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant **to Subchapter 10 of the Administrative Code at N.J.A.C.17:27.**

EXHIBIT C

COMPLIANCE WITH CONTRACTOR BUSINESS REGISTRATION PROGRAM

Effective September 1, 2004, P.L. 2004, c. 57 expands the State Contractor Business Registration Program to contracting units as defined in the Local Public Contracts Law (see attached sample Business Registration Certificate). This means that **ALL BIDDERS (AND THEIR SUBCONTRACTORS) COMPETING FOR COUNTY CONTRACTS MUST PROVIDE A COPY OF THEIR BUSINESS REGISTRATION CERTIFICATE AT THE TIME THE BID IS SUBMITTED. FAILURE TO DO SO IS A FATAL DEFECT IN YOUR BID QUALIFICATION WHICH CANNOT BE CURED.** Questions regarding this law may be directed to the New Jersey Department of Taxation. To obtain a Business Registration Certificate go to: <http://www.nj.gov/treasury/revenue/busregcert.shtml>.

EXHIBIT D - Debarment, Suspension, Ineligibility and Voluntary Exclusion
INSTRUCTIONS FOR CERTIFICATION
(Form following instructions must be completed.)

1. By signing and submitting this qualification, the prospective recipient of Federal assistance funds is providing the certification as set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (USDOL) may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to which this qualification is submitted if at any time the prospective recipient of Federal funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction”, “debarred”, “suspended”, “ineligible”, “lower tier covered transaction”, “participant”, “person”, “primary covered transaction”, “principal” “qualification”, and “voluntary excluded”, as used in this clause, have the meanings as set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this qualification is submitted for assistance in obtaining a copy of those regulations.
5. The prospective recipient of Federal assistance funds agrees by submitting this qualification that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction unless authorized by the USDOL.
6. The prospective recipient of Federal assistance funds further agrees by submitting this qualification that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participants in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may, but is not required to check the List of Parties Excluded from Procurement or Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the USDOL may pursue available remedies, including suspension and/or debarment.

**CERTIFICATION REGARDING THE DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, titled Participants' Responsibilities. The Regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211)

I am _____ of the firm _____
(Your Title) (Name of Your Organization)

(Address of Your Organization)

CHOOSE THE FOLLOWING

- () A. I hereby certify on behalf of _____
(Name of Your Organization)
that neither it nor its principals are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- () B. I am unable to certify to any of the statements set forth in this certification. I have attached an explanation to this form.

(Signature)

Type Name & Title

Date: _____