

**RFP2018-33 BOND COUNSEL SERVICES FOR A PERIOD OF ONE (1) YEAR FOR
THE DEPARTMENT OF FINANCE BID OPENING JULY 3, 2018 AT 11:00AM**

RFP2018-33 BOND COUNSEL SERVICES FOR A PERIOD OF ONE (1) YEAR FOR THE DEPARTMENT OF FINANCE						
NUMBER OF RESPONDENTS:	6					
NAME OF BIDDER	WINNE BANTA BASRALIN &KAHN, P.C.	PARKER MCCAY, PA	WILENTZ, GOLDMAN & SPITZER, PA	MCMANIMON, SCOTLAND, BAUMANN (MS&B), LLC	CAPEHART & SCATCHARD, P.A.	DECOTIIS, FITZPATRICK & COLE, LLP
ADDRESS	21 MAIN STREET- SUITE 101	9000 MIDLANTIC DRIVE, SUITE 300	90 WOODBRIDGE CENTER DRIVE, SUITE 900	75 LIVINGSTON AVENUE, 2ND FLOOR	8000 MIDLANTIC DRIVE, SUITE 300S	500 FRANK W. BURR BOULEVARD, SUITE 31
CITY, STATE, ZIP	HACKENSACK, NJ 07601	MOUNT LAUREL, NJ 08054	WOODBIDGE, NJ 07095	ROSELAND, NJ 07068	MT. LAUREL, NJ 08054	TEANECK, NJ 07666
CONTACT NAME	JASON P. CAPIZZI, ESQ.	J. BROOKS DIDONATO	EVERETT M. JOHNSON, ESQ.	JOSEPH P. BAUMANN, JR.	HOWARD P. VOGEL	FRANCIS J. BORIN, PARTNER
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HART.COM">HVOGEL@CAPE HART.COM	<a href="mailto:FBORIN@DECOT
IISLAW.COM">FBORIN@DECOT IISLAW.COM
OWNERSHIP DISCLOSURE STATEMENT	INCLUDED	INCLUDED	INCLUDED	REQUIRED FROM AWARDED VENDOR	INCLUDED	INCLUDED
REQUIRED EVIDENCE EEO/AFFIRMATIVE ACTION REGULATIONS QUESTIONNAIRE	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDUM	N/A	N/A	N/A	N/A	N/A	N/A
NJ BUSINESS REGISTRATION CERTIFICATE	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
NON-COLLUSION AFFADAVIT	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
AFFIRMATIVE ACTION STATEMENT	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
AMERICANS WITH DISABILITIES ACT OF 1990 LANGUAGE	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
CERTIFICATION AND DISCLOSURE OF POLITICAL CONTRIBUTIONS	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
DISCLOSURE OF INVESTED ACTIVITIES IN IRAN	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
EIC	CERT.#41917 EXP. 04/15/2021	CERT.#4740 EXP. 04/15/2020	CERT.#5743 EXP. 09/15/2018	CERT.#2184 EXP. 11/15/2018	CERT.#4050 EXP. 08/15/2019	CERT.#19036 EXP. 05/15/2019
CERTIFICATE OF INSURANCE	REQUIRED FROM AWARDED VENDOR	REQUIRED FROM AWARDED VENDOR	REQUIRED FROM AWARDED VENDOR	REQUIRED FROM AWARDED VENDOR	REQUIRED FROM AWARDED VENDOR	REQUIRED FROM AWARDED VENDOR
CITY OF TRENTON RESIDENT POLICY	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
ETHIC COMPLAINT DISCLOSURE FORM	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
60-DAY EXTENSION COMPLIANCE	YES	YES	YES	YES	YES	YES
WILLING TO PROVIDE PRIORITY EMERGENCY SERVICES	YES	YES	YES	NO	YES	YES
REFERENCES	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
EXCEPTIONS (IF ANY)	NONE	NONE	NONE	NONE	NONE	NONE
GRAND TOTAL	SEE BREAK DOWN OF PRICING	SEE BREAK DOWN OF PRICING	SEE BREAK DOWN OF PRICING	SEE BREAK DOWN OF PRICING	SEE BREAK DOWN OF PRICING	SEE BREAK DOWN OF PRICING
FATAL FLAW	NONE	NONE	NONE	NONE	NONE	NONE

SUPPLEMENTAL INFORMATION

Support Staff & Resources

DeCotiis' professional team of dedicated and motivated attorneys and the Firm's administrative staff are sizeable enough and possess the experience and expertise to meet all of the legal needs and goals of the City. Our firm does not use subcontractors, as a result, all work performed on behalf of the City will be done directly by the Firm. As mentioned, our staff includes eighteen (18) administrative assistants, seven (7) paralegals, two (2) law clerks, four (4) accounting administrators, one (1) Information Technology Specialist, three (3) office management personnel, one (1) receptionist, one (1) backup receptionist, and four (4) office staff members. DeCotiis also has a fully-staffed copy and document production center. All of our support staff are trained and regularly use our scanning hardware which also produces photocopies. Simple documents (such as agreements, contracts, and resolutions) are routinely either forwarded to clients via email through Microsoft Exchange in a Word format or are converted to Adobe PDF. That conversion occurs at the scanning stations throughout the Firm or in that support person's desktop. We use technology-based communications to provide instant and constant communication with our clients, using the latest hardware and software from leading vendors. All of our attorneys have handheld devices and remote access to our email server; many also have laptop computers and tablets that allow for wireless computing, and we are constantly improving and upgrading our technology to keep up with industry standards. As detailed above, the Firm is uniquely qualified, both professionally and administratively, to address all of the City's needs in a timely, efficient and professional manner.

Availability and Capacity to Attend Meetings

We are just off the northern terminus of the New Jersey Turnpike at the intersection of Interstates 95 and 80 with convenient access to the entire State, including the City. As a result, one of the members of our firm's Public Finance Practice Group will be available to attend meetings, special meetings and work sessions, whether scheduled or emergent, when requested by the Mayor, the members of the City Council, the Chief Financial Officer, or any of the other members of the City's administration. In addition, we will also be available to attend meetings of the Local Finance Board and, if desired, at the rating agencies and bond and note sales.

COST PROPOSAL

We propose the following fee structure for bond counsel services; we will, however, be more than willing to tailor a fee structure that meets the City's needs:

A. For services rendered or in connection with each bond sale, a fee of \$3,500.00 plus \$1.00 per thousand dollars of bonds issued for the first \$15,000,000 of bonds issued and \$.75 per thousand dollars of bonds issued in excess of \$15,000,000. If there is more than one (1) series of bonds issued, there will be a charge of \$1,000 for each additional series.

B. For services rendered in connection with the preparation or review of each ordinance and the compiling of a certified record of proceedings in connection therewith, a fee of \$500.00 for each single purpose ordinance and \$675.00 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the

ordinary, or if a multipurpose ordinance includes more than four (4) separate purposes, there will be additional fees to be charged at the hourly rates reflected in paragraph (D).

C. The fee for any temporary financing, including, but not limited to bond anticipation notes, tax anticipation notes, special emergency notes and emergency notes, shall be billed at the hourly rates reflected in paragraph (D), with a minimum fee of: \$.50 per thousand dollars of notes issued up to \$15,000,000 and \$.40 per thousand dollars of notes issued in excess of \$15,000,000, plus, if more than one (1) series of notes are issued, \$500 for each additional series.

D. Services rendered beyond the scope of those described above will be billed at the hourly rates set forth below:

<u>Name</u>	<u>Hourly Rate</u>
William R. Mayer, Esq.	\$250.00
Cheryl J. Oberdorf, Esq.	\$250.00
Matthew C. Karrenberg, Esq.	\$250.00
Legal Assistant	\$120.00

Such services may include attendance at meetings, participation in extensive conference calls, preparation or review of a Preliminary Official Statement and Official Statement, attention to any litigation that may occur, arbitrage and tax analysis, review of applications for investments of bond or note proceeds in State and Local Government Series federal obligations, services in connection with bond insurance, a letter of credit or other credit enhancement or in connection with the sale of minibonds or any other matters as directed by the City. If the Bond sale involves the sale of obligations to the United States Department of Agriculture, Rural Development, or an application to the Local Finance Board, such services will be billed at the hourly rates set forth above, with a minimum fee of \$1,500.00, and if the bond or note sale involves participation in a New Jersey Infrastructure Bank (formerly known as the New Jersey Environmental Infrastructure Trust) financing, such services will be billed at the hourly rates set forth above, with a minimum fee of \$2,500.00.

E. In the event of a refunding bond issue providing for an escrow agreement to provide for the payment of a prior issue of bonds, there will be an additional fee of \$5,000.00 for a single refunded bond issue and \$2,500 for each additional refunded issue in addition to the fees described herein.

F. In the event of services rendered to the City the cost of which is reimbursed by a private entity, such as in connection with redevelopment projects, services shall be billed at the hourly rates for attorneys and for paralegals as established by Bond Counsel from time to time for its private clients.

G. In the event a bond or note sale is held but all bids are rejected or the sale is cancelled, or this agreement is terminated prior to the sale of bonds or notes, the fee to be charged shall be based on the hourly rates referred to herein.

H. Customary disbursements for postage, telephone, document production and reproduction, travel and out-of-pocket expenses shall be added to the fees referred to above.