

RESOLUTION 10-3

**A RESOLUTION ESTABLISHING A FAIR AND OPEN PROCESS
FOR THE AWARDING OF A PROFESSIONAL SERVICES
CONTRACT FOR THE QUINTON TOWNSHIP PLANNING BOARD**

WHEREAS, the Quinton Township Planning Board (“Planning Board”) requires the services of a Solicitor due to the resignation of Ross Levitsky, Esq.; and

WHEREAS, retaining the services of qualified professionals for such a position has long been exempt from “public bidding” by State Law N.J.S.A. 40A:11-5(a) due to the important policy consideration of allowing a public body to appoint candidates they deem to be most qualified and advantageous to the needs and goals of the public body; and

WHEREAS, State Law N.J.S.A. 19:44A-20.7 permits a Planning Board to establish a “fair and open process” that allows for public solicitation of qualifications of persons interested in providing such services; and

WHEREAS, the Planning Board has determined that establishing such a process protects its right to appoint the most qualified candidates while making the process more open and competitive;

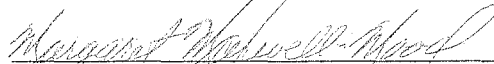
NOW THEREFORE BE IT HEREBY RESOLVED by the Quinton Township Planning Board as follows:

1. The qualifications evaluation criteria for Solicitor attached hereto as Exhibit “A” is adopted in accordance with N.J.S.A. 19:44A-20.7.

2. The Planning Board Secretary shall advertise a notice of solicitation of qualifications for such positions in a form substantially similar to Exhibit “B” attached hereto. The Planning Board Secretary shall publish said notice at least 10 calendar days in advance of the date set forth therein as the deadline to submit proposals.

3. The Planning Board Secretary shall make the necessary arrangements to publicly open and announce all proposals received. The Planning Board Secretary shall forthwith thereafter review all proposals received and transmit them to the Planning Board Members with a report and recommendation.

4. Award of any contracts based on the submissions received shall be made by Resolution of the Quinton Township Planning Board, after receipt of the materials from the Planning Board Secretary at an open public meeting.


Margaret Maxwell-Mood, Chairman

I hereby certify the above to be a true copy of a resolution adopted by the Quinton Township Planning Board at a meeting held on Tuesday February 9, 2010.

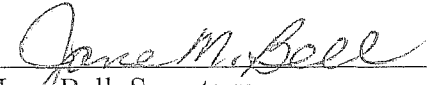

Jane Bell, Secretary

EXHIBIT "A"

QUINTON TOWNSHIP PLANNING BOARD

REQUEST FOR PROPOSAL FOR THE POSITION OF
PLANNING BOARD ATTORNEY

Position and Term:

The Quinton Township Planning Board requests proposals from attorneys licensed in the State of New Jersey interested in servicing in the position for Planning Board Solicitor from March 9, 2010 until December 31, 2010.

Fair and Open Process:

These proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.5. Applicants who meet with the Minimum Requirements for the position as set forth below, and are willing to provide the described services for the disclosed compensation, shall be evaluated on the basis of experience and qualifications as set forth in the criteria described below.

In order to be considered, applicants must submit their reply to the Planning Board Secretary located at 885 Quinton Road, P.O. Box 65, Quinton, New Jersey 08072 (phone 856-935-2325) on or before 3:00 p.m.. on March 5, 2010. At that time and place all proposals received shall be publically opened and announced by the Planning Board Secretary or her designee.

Proposals will thereafter be received by the Planning Board, who shall award the contract for the services. The award of the Contract will be based on the following criteria: (i) responsiveness to the Qualification Evaluation and other required submissions; (ii) general experience and reputation in the field; (iii) specific experience/knowledge of the Township of Quinton and the subject matter to be addressed under the Contract; (iv) qualifications and experience which most closely match the needs of the Planning Board; (v) availability to accommodate meeting and interface requirements with the Planning Board and Township Officials for meetings, phone conferences, attendance at events and office consultations; (vi) office resources, including backup staff, which are deemed most adequate to service the needs of the Planning Board; and (vii) the applicant who is deemed otherwise most advantageous based on all information submitted or gathered in connection with the proposal.

The Planning Board reserves the right to: (i) not select any of the applicants; (ii) require applicants to submit to a personal interview and/or submit additional or clarifying information; (iii) to reject any or all proposals; (iv) to waive any informalities in the proposals; and (v) procure the articles or services from other sources if deemed most advantageous to the objectives of the Planning Board.

The Planning Board's determination of the applicant who is most advantageous to the goals and objectives of the Borough shall be final and conclusive.

The award of the contract shall be determined by majority vote on a resolution to be read by title at an open public meeting.

Minimum Requirements:

Must be fully licensed and in good standing to practice law in the State of New Jersey.

Description of Services:

Serve as legal counsel for the Quinton Township Planning Board. Attend regular and special meetings of the Planning Board. Attend Planning Board meetings as requested. Interface with the Planning Board secretary, members of the Planning Board and applicants. Prepare resolutions for the Planning Board as requested by the Planning Board.

Compensation:

Compensation shall be based on a professional services contract to be submitted with the applicant's proposal. It is anticipated that the annual value of this Contract will exceed \$17,500.00.

Qualifications Evaluation:

1. Minimum Requirements. Please attach resume and/or other documentation demonstrating compliance with the "Minimum Requirements" detailed above.
2. Please describe your experience with regard to the Open Public Meetings Act.
3. Please describe your experience with regard to Resolution preparation.
4. Please describe your experience with regard to Municipal Land Use Law and Land Use Boards.
5. Please describe whether there is any disciplinary proceedings pending against you in any jurisdiction or whether discipline has been previously imposed against you in any jurisdiction. If discipline has previously been imposed, state the date, jurisdiction, nature of the ethics violation and the penalty imposed. If proceedings are pending, specify the jurisdiction, the charges and the likely time of their disposition.
6. Disclose and describe whether you have ever been sued for malpractice.

7. Disclose and describe any arrests or convictions against you.
8. What is the location of your Office? In Quinton Township; in Salem County or out of Salem County.
9. Describe the resources of your office. Include details of support staff. Include information on other qualified attorneys in your office who would be available to the Planning Board in the event you were absent or unavailable.

PUBLIC NOTICE

The Quinton Township Planning Board is soliciting proposals through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 for Planning Board Solicitor.

Interested applicants can obtain the Request for Proposal package by contacting Jane Bell, Planning Board Secretary, by phone number 856-935-2325; or by mail, or in person during regular business hours, at the Municipal Building located at 885 Quinton Road, P.O. Box 65, Quinton, New Jersey 08072.

Interested applicants must submit their proposals by 3:00 p.m. on March 5, 2010, to the Office of the Planning Board Secretary located at 885 Quinton Road, P.O. Box 65, Quinton, New Jersey 08072. At that time and place all proposals received shall be publically opened and announced by the Planning Board Secretary or her designee.