

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK
AUTHORIZING PROFESSIONAL SERVICE AGREEMENTS WITH
MCCARTER & ENGLISH, LLP AND
MCMANIMON, SCOTLAND & BAUMANN, LLC
TO PROVIDE BOND COUNSEL SERVICES**

WHEREAS, the Township of North Brunswick has a need to acquire Bond Counsel Services for calendar year 2023; and

WHEREAS, on October 11, 2022, the Township Council approved Resolution #298-10.22, authorizing the solicitation of Requests for Proposals (RFP) for said professional services; and

WHEREAS, services were procured in formal manner in accordance with Local Public Contracts Law N.J.S.A. 40A:11-4.1a et seq., under both a fair and open and competitive process to assure that each person and/or firm is provided an equal opportunity to respond to the RFP; and

WHEREAS, on Thursday, November 10, 2022, the Purchasing Agent received, and the Municipal Clerk witnessed, the receipt of five proposals in response to PRO23008; and

WHEREAS, the Evaluation Committee, designated to review proposals and make a recommendation, has completed the review process and included herein their Evaluation Report; and

WHEREAS, the Evaluation Committee recommends authorizing contracts with the following two firms: McCarter & English, LLP (Four Gateway Center, 100 Mulberry Street, Newark, NJ 07102) and McManimon, Scotland & Baumann, LLC (75 Livingston Avenue, Second Floor, Roseland, NJ 07068) to provide Bond Counsel services for calendar year 2023; and

WHEREAS, proposals have been reviewed and the responses submitted by McCarter & English, LLP and McManimon, Scotland & Baumann, LLC have been determined to be responsive under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. and any provisions of the revised statutes of the State of New Jersey; and

WHEREAS, it is in the best interest of the Township of North Brunswick to enter into agreements with McCarter & English, LLP and McManimon, Scotland & Baumann, LLC to provide Bond Counsel services for calendar year 2023; and

WHEREAS, McCarter & English, LLP, serving as the lead counsel, shall be compensated for these services as outlined within their contract; and

WHEREAS, the Chief Financial Officer shall certify and appropriate funds from the budgeted and capital improvement authorizations relating to services rendered; and

WHEREAS, McManimon, Scotland & Baumann, LLC, serving as the conflict counsel, shall be compensated for these services as outlined within their contract; and

WHEREAS, the Chief Financial Officer shall certify and appropriate funds from the budgeted and capital improvement authorizations relating to services rendered.

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of January, 2023, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness agreements with McCarter & English, LLP and McManimon, Scotland & Baumann, LLC to provide Bond Counsel services for calendar year 2023 in accordance with RFP PRO23008.

BE IT FURTHER RESOLVED notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.

CERTIFICATION

I, Cavel Gallimore, Chief Financial Officer, hereby certify that funds will be made available from funds from the budgeted and capital improvement authorizations relating to services rendered by McCarter & English, LLP. Contract PRO23008

In addition, I shall certify and appropriate funds from the budgeted and capital improvement authorizations relating to services rendered by McManimon, Scotland & Baumann, LLC. Contract PRO23028

Cavel Gallimore
Chief Financial Officer

Justine Progebin
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE:

| COUNCIL MEMBER | YES | NO | ABSTAIN | NOTES |
|----------------|-----|----|---------|-------|
| HUTCHINSON | | | | |
| GUADAGNINO | | | | |
| ANDREWS | | | | |
| DAVIS | | | | |
| SOCIO | | | | |
| MEHTA | | | | |
| MAYOR WOMACK | | | | |

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on January 3, 2023.

Lisa Russo
Township Clerk



TOWNSHIP OF NORTH BRUNSWICK

710 HERMANN ROAD
NORTH BRUNSWICK, NJ 08902

Tel.: (732) 247-0922 ext 435
Website: WWW.NORTHBRUNSWICKNJ.GOV

Evaluation Report Request for Proposal – PRO23008 December 28, 2022

As part of its professional service agreements in accordance with “Fair and Open” procurement process established in the State of New Jersey pursuant to N.J.S.A. 19:44A-20.1 et seq., North Brunswick Township solicited Requests for Proposals (RFP) for Bond Council for calendar year 2023.

On October 11, 2022, the Township Council passed resolution #298-10.22 authorizing the solicitation of proposals for this service. The process under a formal RFP allows for factors other than price to be taken into consideration when awarding a contract. This process also requires that a committee be established to evaluate proposals in accordance with “weighted” criteria established prior to solicitation of proposals.

Pursuant to N.J.A.C. 5:34-4.3, the Township established a three (3) person committee comprised of the following individuals:

Cavel Gallimore, Chief Financial Officer
Marrissa Heyman, Supervising Account Clerk
Stephanie Benanti, Account Clerk

The committee reviewed and discussed both the Request for Proposal and alternative evaluation criteria. The committee agreed to the criteria to be evaluated and the numerical weighting to be assigned to each. The established weighting criterion was as follows:

- Understanding of Service: 30 points
- Prior Experience of Individual/Team Identified: 20 points
- Overall Company History with Similar Services: 30 points
- Agreement to Pricing Model: 20 points
- Total: 100 possible points

Five (5) proposals were received by the submission deadline of November 10th, 2022:

Decotiis, FitzPatrick, Cole & Giblin, LLP
61 Paramus Rd. Suite 250
Paramus, NJ 07652

Malamut and Associates, LLC
457 Haddonfield Road, Suite 500
Cherry Hill, NJ 08002

McCarter & English
Four Gateway Center, 100 Mulberry Street
Newark, NJ 07102

McManimon, Scotland & Baumann LLC
75 Livingston Ave
Roseland, NJ 07068

Parker McCay, PA
9000 Midlantic Drive, Suite 300
Mount Laurel, NJ 08054

The committee members all individually reviewed each proposal. The committee then met to discuss the proposals, experience, proposed methodology and other factors.

The committee members then individually filled out Committee Evaluation forms, assigning numerical scores for each criterion.

When the scoring was added for all vendors, the firms were ranked as follows:

| | |
|--------------------------------------|-----|
| McCarter & English, LLP | 300 |
| McManimon, Scotland & Baumann | 300 |
| Malamut and Associates LLC | 276 |
| Parker McCay, PA | 266 |
| Decotiis, FitzPatrick, Cole & Giblin | 255 |

The committee therefore recommends appointment of both Bond Counsel firms: McCarter & English and McManimon, Scotland & Baumann to serve as Bond Counsel.

RECEIPT OF PROPOSALS

November 10, 2022

Results from the receipt of Requests for Proposals on Thursday, November 10, 2022 at 11:00 a.m., Municipal Complex, 710 Hermann Road, North Brunswick, N.J.

**Present: Justine Progebin, Business Administrator/Purchasing Agent
Samantha Sickles, Assistant Purchasing Agent
Lisa Russo, Municipal Clerk
Nellie Sowell, Clerk 3**

Resolution #298-10.22 was adopted on October 11, 2022 by Township Council authorizing receipt of proposals and advertised in the Home News & Tribune as according to law.

Receipt of proposals is closed.

The following receipt of proposals were received:

| | Bond | Total |
|--|-------------------------|-----------------|
| PRO23008 – Bond Counsel | No Bond required | |
| DeCotiis, Fitzpatrick, Cole & Giblin LLP 61 South Paramus Road, Suite 250 Paramus, NJ 07202 | | Set Fees |
| McCarter & English 100 Mulberry Street, Four Gateway Center Newark, NJ 07102 | | Set Fees |
| Malamut and Associates, LLC 457 Haddonfield Road, Suite 500 Cherry Hill, NJ 08002 | | Set Fees |
| McManimon, Scotland & Baumann LLC 75 Livingston Avenue Roseland, NJ 07068 | | Set Fees |
| Parker McCay, PA 9000 Midlantic Drive, Suite 300 Mount Laurel, NJ 08054 | | Set Fees |

A report will be presented to the Township Council for possible award at the Reorganization Township Council Meeting.

**Lisa Russo
Municipal Clerk**