

**A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES
AGREEMENT WITH JAMES R. SHAMY, ESQ.
TO SERVE AS PUBLIC DEFENDER**

WHEREAS, the Township of North Brunswick has a need to acquire a professional to perform the duties as Public Defender for calendar year 2024; and

WHEREAS, on October 2, 2023, the Township Council approved Resolution #308-10.23, 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 9, 2023, the Purchasing Agent received, and the Municipal Clerk witnessed, the receipt of one proposal in response to PRO24005; 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 a contract with James R. Shamy, ESQ. to serve as Public Defender; and

WHEREAS, the response submitted by James R. Shamy, ESQ. (with offices located at 178 Livingston Ave New Brunswick, NJ 08901) has 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, compensation for these services shall be paid at a rate of \$200.00 per session, for regular and special sessions as scheduled by the Court Administrator, \$50.00 per Court Administration approved consultation, and reimbursable expenses in an amount not-to-exceed \$25,000.00 for calendar year 2024; and

WHEREAS, the Chief Financial Officer has certified that \$2,000.00 is available for this purpose in trust account D-33-56-850-006-002, \$15,000.00 is available for this purpose in account 4-01-43-495-000-181 for services ending June 30, 2024 and the balance of funds authorized shall be certified upon the appropriation of funds from said account in FY2025.

NOW, THEREFORE, BE IT RESOLVED on this 16th day of January 2024, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an agreement with James R. Shamy, ESQ. to serve as Public Defender, with an authorization not-to-exceed \$25,000.00, for calendar year 2024, in accordance with RFP PRO24005.

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, certify that \$2,000.00 is available for this purpose in trust account D-33-56-850-006-002, \$15,000.00 is available for this purpose in account 4-01-43-495-000-181 for services ending June 30, 2024 and the balance of funds authorized shall be certified upon the appropriation of funds from said account in FY2025 Contract PRO24005

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
MEHTA				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
HUTCHINSON				
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 16, 2024.

Lisa Russo
Township Clerk



TOWNSHIP OF NORTH BRUNSWICK

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EVALUATION REPORT 2024 PUBLIC DEFENDER - REQUEST FOR PROPOSAL DECEMBER 29, 2023

As part of its annual award of 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 Public Defender for calendar year 2024.

On October 2, 2023 the Township Council passed Resolution #308-10.23 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:

Joseph Battaglia	Chief of Police
Brian Hoiberg	Police Captain
Justine Progebin	Business Administrator

Each committee member assessed their own affiliations and financial interest, as well as the affiliations and financial interests of family members, to ensure that there was no conflict with potential vendors. Each member signed a statement attesting to the fact that there was no conflict of interest.

The committee reviewed and discussed 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:

1. Understanding and Prior Experience with the township – 30 points
2. Experience and Qualifications of Individuals – 20 points
3. Overall company history – 30 points
4. Agreement to the Pricing Model – 20 points

There was one (1) proposal received by the November 9, 2023 submission deadline:

James R Shamy, Esq.
178 Livingston Avenue
New Brunswick, NJ 08901

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

James R Shamy, Esq. received a total score of 291 out of a possible 300.

James R Shamy, Esq. has served as Conflict Public Defender for the North Brunswick Municipal Court for several years now. In addition, James R. Shamy was awarded the remainder of the 2023 professional services contract for Public Defender in mid-2023.

The committee recommends the award of contract PRO24005 to James R Shamy, Esq. for submitting a proposal that is responsive to the Township's needs.

RECEIPT OF PROPOSALS

November 9, 2023

Results from the receipt of proposals on Tuesday, November 28, 2023, at 11:00 a.m., by way of virtual <https://meet.goto.com/929278565>

**Present: Samantha Sickles, Assistant Purchasing Agent
Lisa Russo, Municipal Clerk
Nellie Sowell, Clerk 3**

Resolution #308-10.23 was adopted on October 2, 2023 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
PRO24005 – Public Defender	No Bond required	
James R Shamy, Esq. 178 Livingston Avenue New Brunswick, NJ 08901		Set Fees

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

**Lisa Russo
Municipal Clerk**