

**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 2025; and

WHEREAS, on September 16, 2024, the Township Council approved Resolution 289-9.24, 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 14, 2024, the Purchasing Agent received, and the Municipal Clerk witnessed, the receipt of no proposals in response to PRO25005; and

WHEREAS, on December 2, 2024, pursuant to Resolution 360-12.24, the Township Council approved the re-advertisement for the receipt of proposals for Public Defender services in calendar year 2025; and

WHEREAS, on Tuesday, December 31, 2024, the Purchasing Agent received, and the Municipal Clerk witnessed, the receipt of three (3) proposals in response to PRO25005; 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 2025; 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 5-01-43-495-000-181 for services ending June 30, 2025 and the balance of funds authorized shall be certified upon the appropriation of funds from said account in FY2026.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of January 2025, 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 2025, in accordance with RFP PRO25005.

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 5-01-43-495-000-181 for services ending June 30, 2025 and the balance of funds authorized shall be certified upon the appropriation of funds from said account in FY2026. Contract PRO25005

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
CHEDID				
HUTCHINSON				
MEHTA				
DAVIS				
SOCIO				
GUADAGNINO				
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 21, 2025.

Lisa Russo
Township Clerk



TOWNSHIP OF NORTH BRUNSWICK

710 HERMANN ROAD
NORTH BRUNSWICK, NJ 08902

Tel.: (732) 247-0922

WWW.NORTHBRUNSWICKNJ.GOV

EVALUATION REPORT

2025 PUBLIC DEFENDER - REQUEST FOR PROPOSAL

JANUARY 8, 2025

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 2025.

On December 2, 2024 the Township Council passed Resolution #360-12.24 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 were three (3) proposals received by the December 31, 2024 submission deadline:

Ari Lockspeiser
28 Price Drive
Edison, NJ 08817

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

Onyeani Law Firm, LLC
76 South Orange Avenue, Suite 200
South Orange, NJ 07079

The committee members individually reviewed the proposals.

James R Shamy, Esq. received a total score of 291 out of a possible 300. Ari Lockspeiser received a total score of 265 and Onyeani Law Firm received a score of 245. James R Shamy, Esq. previously served as Conflict Public Defender for several years before being awarded the Public Defender contract in mid-2023. Based on his experience, the committee recommends the award of contract PRO25005 to James R Shamy, Esq. for submitting a proposal that is responsive to the Township's needs.

RECEIPT OF BIDS

December 31, 2024

Results from the receipt of proposals on Tuesday, December 31, 2024, at 11:00 a.m., by way of virtual

<https://us02web.zoom.us/j/85046598468?pwd=VGjFfk8CbggkNnPPHgbKqzskKOAFWV.1>

Meeting ID: 850 4659 8468

Passcode: 277573

**Present: Samantha Sickles, Purchasing Agent
Emma Von Thun, Purchasing Agent
Nellie Sowell, Clerk 3**

Resolution #360-12.24 adopted on December 2, 2024 by the Township Council authorizing receipt of bids and advertised in the Home News & Tribune as according to law.

Ms. Sowell asked for any additional bids.

11:00 a.m. Receipt of bids is closed.

Services for Calendar Year 2025

TOTAL

PRO25005 – Public Defender

Ari Lockspeiser
28 Price Drive
Edison, NJ 08817

Set Fees

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

Set Fees

ONYEANI LAW FIRM, LLC
76 South Orange, Suite 200
South Orange, NJ 07079

Set Fees

A report will be presented to the Township Council for possible award at the Township Council Meeting being held on January 21, 2025.

**Lisa Russo
Municipal Clerk**