

Purpose of Request

Special Counsel Services O.P.R.A.

The City of Linden is requesting proposals from qualified individuals and firms ("contractor(s)" or "proposer(s)") to provide Special Counsel Services O.P.R.A. of a specialized nature to the City. Proposals will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide services.

General Information & Summary

Organization Requesting Offer

City of Linden, 301 North Wood Avenue, Linden NJ 07036

Submission Deadline

Friday, November 6, 2026 at 10:00 A.M.

Electronic Submission Only

All offer submissions must be received by the City of Linden through the MuniVendor eProcurement platform. No physical/paper nor any other electronic response type will be accepted.

Contract Period

January 1, 2027 through December 31, 2027

Contract Form

The successful offeror shall be required to execute the City's form contract, which includes the indemnification, insurance, termination and licensing provisions. It is also agreed and understood that the acceptance of the final payment by the Offeror shall be considered a release in full of all claims against the City arising out of, or by reason of, the work done and materials furnished under any contract awarded.

City of Linden Facts & Figures

The City of Linden is a municipal government entity. The City was incorporated in 1925 and operates pursuant to N.J.S.A. 40A:61-1 et seq. The City's population is approximately 45,752 and it consists of approximately 11 square miles of area. The City employs approximately 671 people in about 25 departments and agencies. It owns various municipal buildings, parks and recreation facilities. The City's operating budget is approximately \$144,053,553.31. The City provides significant and diverse services to its residents, including those in the senior, disabled, veterans and other communities.

Contact People

- With questions relating to this specific RFQ, contact Joe Bodek at jbodek@linden-nj.gov.
- With questions related to procurement, contact Jessica Slawinski by email only at jslawinski@linden-nj.gov.
- All questions must be submitted by email only no later than Monday, October 26, 2026.

Questions submitted in writing after Monday, October 26, 2026 will not be answered.

Nature & Scope of Services

The City of Linden is requesting proposals for Special Counsel Services to advise the City Clerk's office on matters relative to the Open Public Records Act. (OPRA)

- The City of Linden is requesting proposals for Special Counsel. Counsel will, on an "as needed basis", be assigned and required to provide representation in such matters as the City may require, including all aspects of litigation, negotiations, research and transactional work.
- Counsel may be called upon to attend meetings.
- Counsel may also be called upon to provide other types of legal services of a specialized nature.

Technical Proposal Standard Requirements

Offerors should submit a technical section that contains, at minimum, the following:

- The name of the offeror, the principal place of business and, if different, the place where the services will be provided;
- Offeror must demonstrate extensive experience in the relevant subject matters.
- The education, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles;
- A listing of all other engagements where services of the types being proposed were provided in the past five (5) years. This should include other City governments and other levels of government. Contact information for the recipients of the similar services must be provided. The City may obtain references from any of the parties listed;
- Please provide a description of any particular area(s) of expertise you or your firm may possess that have not been included in the response provided above.
- A statement that neither the firm nor any individuals assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or local agency;
- A statement that the offeror will comply with the General Terms and Conditions required by the City and enter into the City's standard Professional Services Contract;
- A copy of the offeror's Business Registration Certificate;
- Completion of all forms included in the MuniVendor eProcurement Portal on the Documents Section (Step 3 of your response).
 - Acknowledgement of Receipt of Addenda
 - Affirmative Action Compliance Notice
 - Americans with Disabilities Act of 1990

- Bid Document Checklist
- Non-Collusion Affidavit
- Disclosure of Iran Investments
- Disclosure of Prohibited Activities in Russia or Belarus
- Mandatory Affirmative Action Language for Goods and Services - Professional Services Contracts
- Non Collusion Affidavit (must be notarized - include a scanned copy of your notarized document in your uploaded response)
- Ownership Disclosure Statement
- Stockholder Disclosure Certification (must be notarized - include a scanned copy of your notarized document in your uploaded response)

Note: N.J.S.A 52:32-44 provides that government agencies may not enter into a contract for goods or services unless the other party to the contract provides a copy of its business registration certificate and the business registration certificate of any subcontractors at the time that it submits its proposal. MuniVendor automatically inserts your business registration certificate from your MuniVendor vendor profile. If you plan to utilize subcontractors, then please include copies of those subcontractor's business registration certificates in your technical proposal upload. The contracting party must also collect the state use tax where applicable.

Technical Proposal Specialized Requirements

- Proposer must demonstrate extensive trial experience in Federal and State Courts and administrative agencies;
- Proposer must have a minimum of ten (10) years of experience in litigation/defense and municipal work and a minimum of five (5) years experience servicing other governmental entities. Minimal 5 years experience in handling matters related the NJ Open Public Records Act (OPRA);
- A description of all other areas of litigation/defense work of the proposer, with emphasis on a description of those services of interest to a City government client;

Cost Proposal

Offerors should submit a cost proposal which would include any proposed retainer, the services to be provided for the retainer, if services will be provided at a flat rate, if all or any services will be billed through hourly rates and what are the established rate(s). The City does not provide payment for or reimbursement for travel expenses.

Offer Evaluation

The City will select the most advantageous offer(s) based on all of the evaluation factors set forth at the end of this RFQ. The City will make the award(s) that is in the best interest of the City. Each offer must satisfy the objectives and requirements detailed in this RFQ. The successful offeror(s) shall be determined by an evaluation of the total content of the offer submitted. The City reserves the right to:

- Not select any of the offers;
- Select only portions of a particular offeror's offer for further consideration; (However, offerors may specify portions of the offer that they consider "bundled".)
- Award a contract for the requested services at any time within the calendar year after review of the offeror's qualifications and approval of same by the City; Every offer should be valid through this time period.
- The City shall not be obligated to explain the results of the evaluation process to any offeror.
- The City may require offerors to demonstrate any services described in their offer prior to award.
- The City reserves the right at the City's sole discretion to refuse any offer submitted.

RFQ Limitations

This RFQ is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the City by issuance of this RFQ.

Use of Information - Non Disclosure

Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like ("Information") furnished or disclosed by the City to the offeror in connection with this RFQ shall remain the property of the City. When in tangible form, all copies of such information shall be returned to the City upon request. Unless such information was previously known to the offeror, free of any obligation to keep it confidential, or has been or is subsequently made public by the City or a third party, it shall be held in confidence by the offeror, shall be used only for the purposes of this RFQ, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

General Terms & Conditions

- The City reserves the right to reject any or all offers, if necessary, or to waive any informalities in the offers, and, unless otherwise specified by the offeror, to accept any item, items or services in the offer(s) should it be deemed in the best interest of the City to do so.
- In case of failure by the successful offeror, the City of Linden may procure the articles or services from other sources, deduct the cost of the replacement from money due to the offeror under the contract and hold the offeror responsible for any excess cost occasioned thereby.
- The offeror shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional and Automobile Liability.
- Each offer submitted must be submitted by the person authorized to do so (the "Organization's Authorized Official").
- The contract shall be in effect through December 31, 2027 unless otherwise stated.

- In accordance with Affirmative Action Law, P.L. 1975, c.127 (N.J.A.C. 17:27) with implementation of July 10, 1978, successful proposers must agree to submit individual employer certifications and numbers or complete Affirmative Action employee information report (form AA-302). Also, during the performance of this contract, the contractor agrees as follows: (a) The contractor or subcontractor where applicable, will not discriminate against any employee because of age, race, creed, color, national origin, ancestry, marital status or affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex or handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and section for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause: (b) the contractor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex or handicap; (c) the contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or worker's representative of the contractor's commitments under this act and shall post copies of the notice; (d) the contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the treasurer pursuant to the P.L. 1975, c.127, as amended and supplemented from time to time.
- By submission of the offer, the offeror certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful offeror shall, at its expense, defend any and all actions or suits charging such infringement, and will save the City harmless in any case of any such infringement.
- No offeror shall influence, or attempt to influence, or cause to be influenced, any City officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.
- No offeror shall cause or influence, or attempt to cause or influence, any City officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the offeror or any other person.
- Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the City's Law Department decision shall be final and conclusive.
- The City of Linden shall not be responsible for any expenditure of monies or other expenses incurred by the offeror in preparing or submitting its offer.
- The checklist, affidavits, notices and the like presented in this Request for Qualifications are a part of this Request for Qualifications and shall be completed and submitted as part of your offer.