

RESOLUTION NO. 2016-124

RESOLUTION OF THE TOWNSHIP OF LITTLE
EGG HARBOR, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING ERIC M. BERNSTEIN
& ASSOCIATES, LLC AND GLUCK & ALLEN, LLC
AS ALTERNATE HEARING OFFICERS FOR
PERSONNEL DISCIPLINARY MATTERS FOR THE
TOWNSHIP OF LITTLE EGG HARBOR

WHEREAS, the Township Committee appointed Bonnie R. Peterson, Esq. as Hearing Officer for the Township of Little Egg Harbor by Resolution 2016-10 on January 1, 2016; and

WHEREAS, it has been determined that the Township may have a need for an Alternate Hearing Officer in the event the Hearing Officer is unavailable for or has a conflict with regards to any Personnel Disciplinary Hearings; and

WHEREAS, the Township advertised for a Request for Proposals for an Alternate Hearing Officer and received responses from Eric. M. Bernstein & Associates, LLC and Gluck & Allen, LLC; and

WHEREAS, the Township Committee has determined that both firms are duly qualified to serve as Alternate Hearing Officer for Personnel Disciplinary Matters and that the need may exist for more than one Alternate Hearing Officer, in the event of the Hearing Officer's unavailability or conflict; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for "Professional Services" and requires that the resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the law firms of Eric M. Bernstein & Associates, LLC and Gluck & Allen, LLC are hereby appointed as Alternate Hearing Officers for Personnel Disciplinary Matters for the Township of Little Egg Harbor for the term beginning January 1, 2016 and ending December 31, 2016.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an Agreement with Gluck & Allen, LLC consistent with the firm's proposal, attached hereto as Schedule A, and subject to the approval of the Township Attorney.
3. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an Agreement with Eric M. Bernstein & Associates, LLC consistent with the firm's proposal, attached hereto as Schedule A, and subject to the approval of the Township Attorney.
4. That these contracts are awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because they are for services to be performed by a person(s) authorized by law to practice a recognized profession.
5. That a notice of this action shall be printed once in the official newspaper of the Township of Little Egg Harbor.
6. That this resolution shall take effect immediately.
7. That no services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
8. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Chief Financial Officer and to Eric M. Bernstein & Associates, LLC and Gluck & Allen, LLC.

Motion to Approve: Schlick Second: Stevens Roll Call:

Gormley	<u>Yes</u>
Kehm	<u>Yes</u>
Kobryn	<u>Yes</u>
Schlick	<u>Yes</u>
Stevens	<u>Yes</u>

CERTIFICATION

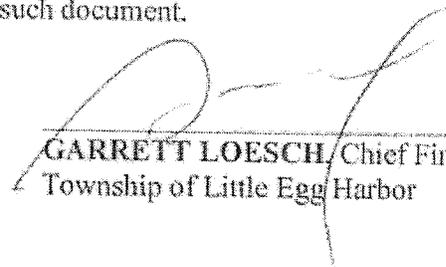
I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 26th day of May, 2016.

Diana K. McCracken, RMC
DIANA K. MCCRACKEN, Township Clerk
 Little Egg Harbor Township

CERTIFICATE OF AVAILABILITY OF FUNDS

RESOLUTION NO. 2016-124
APPOINTING ERIC M. BERNSTEIN & ASSOCIATES, LLC AND GLUCK &
ALLEN, LLC AS ALTERNATE HEARING OFFICERS FOR PERSONNEL
DISCIPLINARY MATTERS FOR THE TOWNSHIP OF LITTLE EGG
HARBOR

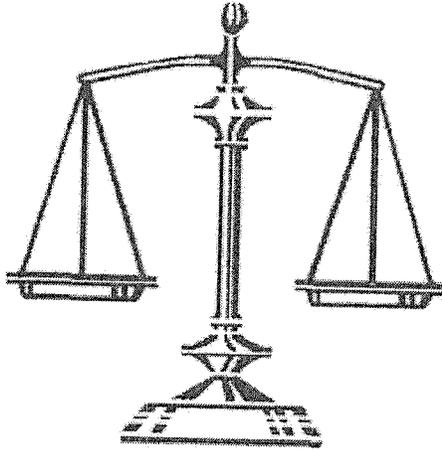
I, GARRETT LOESCH, Chief Financial Officer for the Township of Little Egg Harbor, do hereby certify that no amount shall be chargeable or certified until such time as goods and/or services are ordered and/or rendered. Prior to incurring the liability by placing the order or receiving the services, the certification of available funds shall be issued and attached to the file copy of the purchase order or other such document.



GARRETT LOESCH, Chief Financial Officer
Township of Little Egg Harbor

MSD:nmc
#3700

GILMORE & MONAHAN
A Professional Corporation
COUNSELLORS AT LAW
Allen Street Professional Center
Ten Allen Street
P.O. Box 1540
Toms River, New Jersey 08754



GLUCK & ALLEN, L.L.C.

ATTORNEYS AT LAW

217 WASHINGTON STREET
TOMS RIVER, NEW JERSEY 08753
TELEPHONE (732) 505-4800
FAX (732) 505-4813

233 Broadway, 5th Floor
NEW YORK, NEW YORK 10279
TELEPHONE (212) 286-0200
FAX (212) 883-0495

www.gluck-allen.com

Other Offices:

233 Broadway, 5th Floor New York, NY 10279, Telephone (212) 286-0200, Facsimile (212) 883-0475

GLUCK & ALLEN, LLC
ATTORNEYS AT LAW

217 WASHINGTON STREET
TOMS RIVER, NEW JERSEY 08753
TELEPHONE: (732) 505-4800 FACSIMILE (732) 505-4813
WWW.GLUCK-ALLEN.COM

JAMES J. GLUCK*
ROBERT W. ALLEN*

WAYNE R. FROHLICH**
DANIEL G. LEONE†

*RULE 140 QUALIFIED MEDIATOR
†MEMBER NJ & PA BARS
‡MEMBER NJ, NY & PA BARS
**MEMBER NJ & NY BARS

OF COUNSEL

CHARLES J. IRWIN (1931-2005)

ORIGINAL DOCUMENT

May 9, 2016

Via Hand Delivery
Garrett K. Loesch
Little Egg Harbor Township
665 Radio Road
Little Egg Harbor, NJ 08087

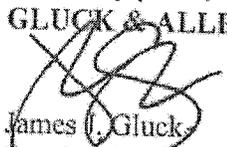
Re: Request for Proposals for Professional Services
2016 Hearing Officer for Personnel Disciplinary Matters

Dear Mr. Loesch:

Pursuant to the Request for Proposals proffered by Little Egg Harbor Township, enclosed please find our firm's submission seeking appointment for Hearing Officer for Personnel Disciplinary Matters. Pursuant to the instructions, we have enclosed one original submission package.

I trust that you will find the submission package in order. While Robert and I would be the principal contacts, our firm brings a great wealth of knowledge and experience to this potential appointment and we look forward to having the opportunity to serve the Township. Should you require further information, please advise.

Very truly yours,
GLUCK & ALLEN, LLC


James J. Gluck
For the Firm

JJG:cls
Enclosures

Other Offices:

233 Broadway, 5th Floor New York, NY 10279, Telephone (212) 286-0200, Facsimile (212) 883-0475

GLUCK & ALLEN, LLC
Little Egg Harbor Township
2016 Hearing Officer for Personnel Disciplinary Matters

EXECUTIVE SUMMARY

Gluck & Allen, LLC currently practices law in New Jersey, New York, and Pennsylvania representing corporations, municipalities and public authorities, developers, and other entities and persons in matters relating to the purchase, sale and development of real estate, general litigation, family law, municipal law, contract disputes, personal injury law, collections, municipal court, guardianships, wills, trusts, estate planning and estate administration. The firm also represents numerous insurance carriers across the nation and actively investigates, litigates, mediates and arbitrates tens of thousands of cases on an annual basis. The firm enjoys an excellent reputation in all contexts and practice areas.

All partners, associates and of counsel attorneys have been representing municipalities in various capacities since joining the firm. James Gluck has been representing municipal entities since becoming a member of the New Jersey Bar. The firm has extensive experience in the prosecution and defense of complex litigation including worker's compensation, personal injury, product liability, construction, contracts, property damage, estates, etc.

Gluck & Allen, LLC in its capacity as counsel for a multitude of public agencies in Ocean County, has extensive experience in dealing with various Joint Insurance Funds in all aspects of their business from claim submittal through litigation and trial. In addition, our firm's clients include State Farm Insurance Company, USAA Casualty Insurance Company, Liberty Mutual Insurance Company, Chartis Property & Casualty Company, GEICO General Insurance Company, Philadelphia Indemnity Insurance Company, Gallagher Bassett Services, Inc., and Harleysville Insurance Company.

A partner of the firm will be available to accommodate any required meeting of the Fund.

The firm has an internal conflict recognition system in place through electronic and manual referencing which is conducted upon receipt of any file. At this time we do not consider any of our current representations of parties or other relationships to be a conflict of interest with regard to this engagement or the Fund.

The firm maintains primary banking and trust relationships with OceanFirst Bank and TD Bank and has sufficient financial resources to perform all tasks required by the fund.

The firm is not registered as a small business enterprise ("SBE") with the New Jersey Commerce and Economic Growth Commission New Jersey's Set-aside Program.

The firm's hourly billing rate offers partner and associate rates of \$150.00 and paralegal rates of \$85.00 plus any actual costs incurred. These rates are comparable to all hourly billing rates for other municipalities served by the firm.

Other Offices:

233 Broadway, 5th Floor New York, NY 10279, Telephone (212) 286-0200, Facsimile (212) 883-0475

GLUCK & ALLEN, LLC
Little Egg Harbor Township
2016 Hearing Officer for Personnel Disciplinary Matters

STAFFING PLAN with RESUME INFORMATION

James J. Gluck, Esq. Principal contact for all services required by the Township. Admitted to New Jersey and Pennsylvania State Bars, 1994; Admitted to the United States District Court, New Jersey, 1995; J.D. Widener School of Law at the University of Delaware, 1994; B.S., New Jersey Institute of Technology, cum laude, Industrial Engineering and Management, 1990; Member of the New Jersey State Bar Association; Member and Sponsor of the National Association of Subrogation Professionals. Mr. Gluck's areas of practice include subrogation, commercial litigation, municipal and corporate law, real estate, land use and development, and estate planning and administration. Mr. Gluck is a managing member/partner of the firm since 2000. In 2012, Mr. Gluck was appointed to the position of Judge of the Municipal Court of the Township of Berkeley, Ocean County.

Robert W. Allen, Esq. Admitted to New York and New Jersey State Bars, 1994; Admitted to United States District Court in the Southern and Eastern Districts of New York and New Jersey, 1995; J.D., New York Law School, 1994; B.S., Rutgers University, Administration of Justice, 1991; Member and Sponsor of the National Association of Subrogation Professionals; Former Vice-President of the New York Law School Trial Lawyers Association; Member of the American Bar Association and New York Trial Lawyers Association. Mr. Allen's areas of practice include insurance subrogation, plaintiff's personal injury, and commercial litigation. Mr. Allen is a managing member/partner of the firm since 2000.

Wayne R. Frohlich, Esq. Admitted to the New Jersey and New York State Bars, 2001; Admitted to the United States District Court, District of New Jersey, 2007; B.A. Political Science, Rider University, 1996; Widener University School of Law 2001. Mr. Frohlich's areas of practice include municipal law, estate law, litigation, real estate, corporate law, matrimonial law, commercial transactions and the general practice of law. Mr. Frohlich has been an attorney with the firm since 2007.

Daniel G. Leone, Esq. Admitted to the New Jersey and Pennsylvania State Bars, 2015; J.D., Widener University Delaware Law School, 2010; B.A., Communication Arts and Science, The Pennsylvania State University, 2010; Member of the American Bar Association. Mr. Leone assists the firm in all of its practice areas including subrogation, municipal law, estate litigation and administration, and business law. Mr. Leone has been an attorney with the firm since 2015.

Other Offices:

233 Broadway, 5th Floor New York, NY 10279, Telephone (212) 286-0200, Facsimile (212) 883-0475

GLUCK & ALLEN, LLC
Little Egg Harbor Township
2016 Hearing Officer for Personnel Disciplinary Matters

LOCATION AND DESCRIPTION OF OFFICE STAFF RESOURCES

Main Office Location:

217 Washington Street
Toms River, New Jersey 08753
(732) 505-4800

Office Staff Resources:

James J. Gluck, Esq.; Partner
Robert W. Allen, Esq.; Partner
Wayne R. Frohlich, Esq.; Associate
Daniel G. Leone, Esq.; Associate

Christine Smith, Office Manager
Michelle Rodriguez, Accounting
Sharon Sloat, Paralegal
Nicole Cardone, Paralegal
Michael Haoui, Paralegal
Jeannie Faro, Litigation Assistant
Mary Hoffman, Litigation Assistant
Louise Hahn, Litigation Assistant
Cristal McKinnon, Litigation Assistant
Genny Miller, Litigation Assistant
Carmen Ramos, Litigation Assistant
Cady Stelman, Litigation Assistant
Lauren Fluck, File Clerk

Other Offices:

233 Broadway, 5th Floor New York, NY 10279, Telephone (212) 286-0200, Facsimile (212) 883-0475

GLUCK & ALLEN, LLC
Little Egg Harbor Township
2016 Hearing Officer for Personnel Disciplinary Matters

FIRM REFERENCES

Steven A. Zabarsky, Esq., OCJIF Fund Solicitor - 732-349-1600

Richard Ard, Claims Representative, State Farm Mutual Automobile Insurance Company
(615) 692-7881

Michelle Palmer, Senior Claim Representative, Gallagher Bassett Services, Inc. - 636-244-3313

Kathleen Monat, Claims Representative, Chartis Insurance Company - 973-541-2720

Eric Olson, Claims Representative, Pure Group of Insurance Companies - 914-705-5103

Victor Benedetto, President, Allied Recovery Solutions, Inc. - 631-627-3635

Gary Funaro, Claims Representative, Kemper Services Group - 877-744-7614x2188

Anna Boncoraglio, Claims Representative, Plymouth Rock Management Company of New Jersey - 908-219-5440

Honorable Robert J. Kraft, Former Mayor Ocean Township - 609-971-8551

John Sahradnik, Esq.; NJUAFIF Fund Solicitor - 732-349-4800

Other References:

Honorable Christopher J. Connors, Senator 9th District

Honorable Robert W. Singer, Senator 30th District

Honorable James W. Holzappel, Senator 10th District

Honorable Brian Rumpf, Assemblyman 9th District

Honorable Jeffrey W. Moran, Ocean County Surrogate

Honorable Paul J. Kennedy, Mayor Ocean Gate Borough

Thomas Vogel, Former Mayor Point Pleasant Beach Borough

Oscar Cradle, Mayor, South Toms River

Joseph Jubert, Former Chairman South Toms River Land Use Board

Honorable Gregory P. McGuckin, Assemblyman 10th District

Juan Bellu, Chairman, Toms River Municipal Utilities Authority

Al Fillman, Scibal Associates (retired)

Joe Harvey, Scibal Associates (retired)

Gemma Armenia, Qual-Lynx Services

Other Offices:

233 Broadway, 5th Floor New York, NY 10279, Telephone (212) 286-0200, Facsimile (212) 883-0475



ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.

ATTORNEYS AT LAW

34 MOUNTAIN BLVD., BUILDING A
P.O. BOX 4922
WARREN, NEW JERSEY 07059

(732) 805-3360
FACSIMILE (732) 805-3346
www.embalaw.com

May 3, 2016

Office of the Township Clerk
Little Egg Harbor Township
665 Radio Road
Little Egg Harbor, New Jersey 08087

**Re: Little Egg Harbor Township
Request for Proposals – Alternate Hearing Officer for
Personnel Disciplinary Matters
Eric M. Bernstein & Associates, L.L.C.
Qualification Statement**

Dear Sir/Madam:

We hereby submit the following Qualification Statement on behalf of Eric M. Bernstein & Associates, L.L.C. for your consideration for the Alternate Hearing Officer for Personnel Disciplinary Matters position with Little Egg Harbor Township. One (1) original is enclosed.

Attached to the Proposal with Qualifications are required State Contractor Business Registration Program form, Affirmative Action provisions and references.

Please feel free to contact me at your convenience should you have any further requests or desire to meet the attorneys of this Law Firm for an interview.

Thank you for your attention to this matter.

Very truly yours,
ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.

By: 

Eric Martin Bernstein, Esquire

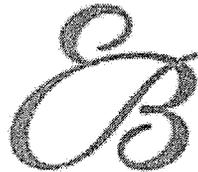
EMB/hln
Enclosures

Proposal Prepared For:

LITTLE EGG HARBOR

**ALTERNATE HEARING OFFICER FOR PERSONNEL
DISCIPLINARY MATTERS**

Submitted By:



ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.

A T T O R N E Y S A T L A W

**Eric M. Bernstein & Associates, L.L.C.
34 Mountain Boulevard
Building A
P.O. Box 4922
Warren, New Jersey 07059-4922
Phone: (732) 805-3360
Fax: (732) 805-3346
www.embalaw.com**

Office of the Township Clerk
Little Egg Harbor Township
665 Radio Road
Little Egg Harbor, New Jersey 07087

QUALIFICATION STATEMENT

We hereby submit the following Qualification Statement on behalf of Eric M. Bernstein & Associates, L.L.C. for the position of Alternate Hearing Officer for Personnel Disciplinary Matters for Little Egg Harbor Township.

RESPONDENT KEY CONTACT INFORMATION

Eric Martin Bernstein, Esquire
Eric M. Bernstein & Associates, L.L.C.
34 Mountain Boulevard
Building A
P.O. Box 4922
Warren, New Jersey 07059-4922
Telephone (732) 805-3360
Facsimile (732) 805-3346
embernstein@embalaw.com

PROPOSAL FORMS

The following Request for Proposal forms are attached to this Proposal:

Non-Collusion Affidavit
Appendix A Letter of Qualification
Appendix B Letter of Intent
Financial and Conflicts Disclosure N.J.A.C. 11:15
Certificates of Good Standing
Affirmative Action Statement
NJ State Certificate of Employee Information Report
Business Registration Certificate
Proof of Professional Liability Insurance \$5,000,000.00
Equal Employment Opportunity Language N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27
Americans with Disabilities Act Language

STATEMENT OF NO CONFLICT

No person having an interest in or employed by the Law Firm of Eric M. Bernstein & Associates, L.L.C. is related to any elected or appointed official or employee of the Little Egg Harbor Township.

ACCEPTANCE OF AUTHORIZED COMPENSATION

The Law Firm of Eric M. Bernstein & Associates, L.L.C. will accept all rates and compensation as set forth in the Request for Proposal in accordance with such rates as may be determined by the Little Egg Harbor Township by Resolution or Ordinance.

KNOWLEDGE AND EXPERTISE

All firm members specialize in representation of public entities. Within the Law Firm Eric Martin Bernstein, Esquire, assisted by Dominic P. DiYanni, Esquire, John P. Kaplan, Esquire and Philip G. George, Esquire leads the governmental representation for the Law Firm. Their resumes are included in this RFP Proposal. Our experience in Labor Counsel representation is very extensive. Eric M. Bernstein and Associates, L.L.C. and its attorneys have the following labor and employment law experience:

Negotiating Collective Bargaining Agreements	30+ years
Scope of Negotiation Issues	30+ years
Interest and Grievance Arbitrations	30+ years
§ 207 FLSA Litigation	30+ years
Civil Service Disciplinary Hearings	30+ years
Layoff Department of Personnel Approvals	30+ years
Terminations "for Cause" hearings	30+ years
Litigation of "whistleblower", hostile environment And harassment trials	30+ years
Employment rights and responsibilities training	30+ years
Preparation of employee handbooks and policies	30+ years
Various labor and employment issues (other)	30+ years

The Law Firm has a statewide reputation in Labor and Employment defense litigation, and administrative law and practice before the Civil Service Commission, Office of Administrative Law and agency disciplinary boards. Additionally the Law Firm has an experienced government litigation background and serves as Defense Counsel to many municipalities and self-insuring funds on labor and employment related matters. The Law Firm has litigated successfully in a number of matters through all New Jersey Courts and the Federal District Court of New Jersey, as well as the Third Circuit Court of Appeals and other Federal courts of appeals. Members of the Law Firm are admitted to the United States Supreme Court.

The Law Firm is also an AIG Insurance Company Approved Law Firm, Lexington Insurance Company Approved Law Firm, Selective Insurance Company Approved Law Firm, Summit Risk Insurance Approved Law Firm, a State of New Jersey Attorney General Approved Law Firm (including labor and employment law and litigation matters), as well as approved by the Statewide Municipal Excess Liability and several municipal and municipal related Joint Insurance Funds.

INDIVIDUAL ATTORNEYS

Eric Martin Bernstein, Esquire is the primary contract attorney and sole partner of Eric M. Bernstein & Associates, LLC. He has been admitted to the Bar of the State of New

Jersey since 1982 and is admitted to the Federal District Court for the District of New Jersey, the Third Circuit Court of Appeals, the District of Columbia Bar and the United States Supreme Court as well as being admitted *pro hac vice* throughout the United States. His concentration has been Labor and Employment Law, as well as, Government and Land Use law in the public and private sector since 1982. His qualifications are more fully set forth below.

Dominic P. DiYanni, Esquire has been an attorney for more than a decade handling various matters in the field of government law (state, county and local), labor and employment law, tax appeal and taxation law and litigation in all courts amongst other responsibilities. Mr. DiYanni has been a senior associate and a partner in two (2) successful law firms prior to joining this Law Firm. He has been admitted to the Bar of the State of New Jersey since 2004 and has been admitted to the Federal District Court, the United States Third Circuit Court of Appeals, the United States Tax Court and the United States Supreme Court. His qualifications are more fully set forth below.

John P. Kaplan, Esquire has had extensive experience for more than a decade in the fields of local, State and Federal government law, labor and employment, corporate and commercial law, municipal court/public defender work and housing authority law. His qualifications are more fully set forth below.

Philip G. George, Esquire assists in the litigation of various legal matters from pre-disciplinary conference through hearing, trials and appeals in the labor and employment law arena. He has been admitted to the Bar of the State of New Jersey since 1982 and is admitted to the Federal District Court for the District of New Jersey and the Third Circuit Court of Appeals. His concentration is litigation and related matters for the Government Sector, including labor and employment law. He is also a Councilperson in Highland Park. His qualifications are more fully set forth below.

QUALIFICATIONS

The Law Firm is currently Labor Counsel to the County of Atlantic, the County of Bergen, County of Passaic, Morris County Park Commission, County of Somerset, Somerset County Library Commission and the County of Union in addition to the municipalities of Hillsborough Township, Passaic City, Rutherford Borough and Bridgewater Township, as well as more than sixty (60) other public entities throughout the State. We have served and/or serve as labor counsel in numerous public entities such as, but not limited to Stillwater Township, Atlantic City Housing Authority, West Windsor Township, Paramus Borough, Franklin Township (Hunterdon), Bethlehem Township, Washington Township (Warren), Hasbrouck Heights Borough, Maywood Borough, Teterboro Borough, Allendale Borough, County of Middlesex, Clifton City, Hackensack City, Wanaque Borough, Bergenfield Borough, City of Plainfield, North Plainfield Borough, Hopatcong Borough, Spring Lake Borough, Berkeley Township, Aberdeen Township, Upper Freehold Township, Northfield City, the County of Cape May and Cumberland County Board of Social Services, just to mention a few.

The Law Firm has a strong reputation in Labor Relations, Labor and Employment litigation, and administrative law and practice before the Department of Personnel, Office of Administrative Law, PERC, EEOC, DCR and other agencies and disciplinary boards. We have handled almost 2,000 collective bargaining negotiations, interest and grievance arbitrations, employee discipline, federal and state litigation, all aspects of practice before PERC and

OAL, mediation, fact-finding and general advice and assistance. No law firm in the State has the depth and breadth of Labor and Employment experience than this firm has. The fact that we have been retained and re-retained by numerous public entities throughout the state of New Jersey serves as a confirmation of our success and the type of services that we can provide to the Little Egg Harbor Township as Alternate Hearing Officer for Personnel Disciplinary Matters.

The Law Firm is a leading choice of many municipalities as counsel due to its wide experience, from pre-trial resolution to trial to review by the Supreme Court, with current issues related to government such as "whistle-blowing", collective bargaining and disciplinary litigation, and administrative law developments.

LAW FIRM RESOURCES

The Law Firm of Eric M. Bernstein & Associates, L.L.C. has the experience and qualifications to meet the needs of the Little Egg Harbor Township as Alternate Hearing Officer for Personnel Disciplinary Matters. We look forward to working with the Little Egg Harbor Township, its officials, engineers and planners.

The Office Administrator, Ms. Heather L. Nevola, receives all new assignments, opening file and tracking systems on each case and initial assignment to the attorney. The Office Administrator also screens all calendars received from the courts and routes them to the Assigned Attorney after noting the scheduling event on the office calendaring system.

The Attorneys, Eric Martin Bernstein, Esquire, Dominic P. DiYanni, Esquire, John P. Kaplan, Esquire and Philip G. George, Esquire, have primary responsibility for file preparation and readiness, submission of all status reports to the client, attendance at meetings or conducting telephonic conferences, and representation of the client at agency hearings or in court. The Assigned Attorney prepares all pleadings, discovery demands or motions, and conducts all legal research.

Eric Martin Bernstein, Esquire oversees all work of the Assigned Attorneys, and reviews and approves all non-routine administrative or litigation decisions, such as complex ordinance drafting, COAH certification applications, trial and appeal determinations, and billing for the client prior to submission to the client.

The Law Firm uses in-house state-of-the-art computer technology server-based IT computers and email systems to meet its client's needs. Due to the computer literacy of all attorneys in the Law Firm, minimal secretarial involvement is required for both routine and complex services within the Law Firm at the present time. Secretarial assistance for routine production or emergent matters is available in the event additional work production is required due to the nature of a particular case or the scheduling of cases.

At the present time, no paralegal or legal assistant is assigned any attorney responsibilities in the work of the Law Firm. The Law Firm has available contract paralegal assistance in the event such becomes necessary on a case by case basis.

**AVAILABILITY TO ACCOMMODATE ANY REQUIRED MEETING OF
LITTLE EGG HARBOR TOWNSHIP**

The Law Firm will be available for all required regularly scheduled meetings as well as specially called meetings of the Little Egg Harbor Township.

The Law Firm also maintains contact electronically via email with designated client contact persons, expanding the ability to communicate with its clients key persons. This contact also facilitates the paperless exchange and approval of documents in a timely fashion for review by elected and appointed officials well ahead of planned meetings in most cases.

COST PROPOSAL

Event/Activity	Rate per Hour
The Law Firm of Eric M. Bernstein & Associates, L.L.C. will accept all rates and compensation as set forth in the Request for Proposal in accordance with such rates as may be determined by the Little Egg Harbor Township by Resolution or Ordinance.	
Hourly Rate – negotiations, arbitrations, meetings or conferences with officials, labor or other negotiations, all litigation services, in court or in-office, including client meetings, depositions, motion or conference hearings, and trial time. All Attorneys	\$125.00 per hour
Flat Rate - Paralegals (when requested and authorized)	\$60.00 per hour
Postage (includes Federal Express and USPS Priority)	Market Rate
Copying (in house, legal or letter sized)	\$0.20 per page
Copying/Printing (outside supplier, briefs and volume)	Market Rate
Facsimile transmittal (sending only)	\$0.20 per page
Electronic transmission (email or other)	None

CONFLICTS OF INTEREST

The Law Firm represents that representation of the Little Egg Harbor Township will not give rise to any conflict which might adversely affect that representation. In addition, New Jersey Regulatory Disclosure of Financial Interest/Conflict of Interest Data Form pursuant to N.J.A.C. 11:15- 2.6(c)(10) is attached in the Appendix.

CERTIFICATION OF PROFESSIONAL STANDING

All members of the Law Firm of Eric M. Bernstein & Associates, L.L.C. and all staff attorneys assigned for the provision of professional services for the Little Egg Harbor Township are admitted to practice in the State of New Jersey and the Federal District Court of the District of New Jersey, and are in good standing.

No members of the Law Firm of Eric M. Bernstein & Associates, L.L.C. and no staff attorneys assigned for the provision of professional services for Little Egg Harbor Township are disbarred, suspended or otherwise prohibited from professional practice by any federal, state or local agency.

STATE CONTRACTOR BUSINESS REGISTRATION PROGRAM

The current required State Contractor Business Registration Program Form of Eric M. Bernstein & Associates, L.L.C. is attached.

AFFIRMATIVE ACTION

Eric M. Bernstein & Associates, L.L.C. fully complies with all Civil Rights Statutes and Regulations, Non-Discrimination Laws and Affirmative Action Provisions of the New Jersey Procurement Law, and the Affirmative Action Provisions which will be followed if Eric M. Bernstein & Associates, L.L.C. is awarded a contract are attached.

COMPLIANCE WITH GENERAL TERMS AND CONDITIONS

Eric M. Bernstein & Associates, L.L.C. will comply with all General Terms and Conditions required by the Little Egg Harbor Township and will enter into a standard Professional Services Contract with the Little Egg Harbor Township. Eric M. Bernstein & Associates, L.L.C. further represents it will comply with any Litigation Guidelines of the Little Egg Harbor Township.

SIGNATURE

Dated: May 3 , 2016

Eric M. Bernstein & Associates, L.L.C.

By:



Eric Martin Bernstein, Esquire
For the Law Firm