

RESOLUTION NO. 2025-46

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS FOR VARIOUS PROFESSIONAL SERVICES IN ACCORDANCE WITH PROPOSALS RECEIVED IN A FAIR AND OPEN PROCESS.

WHEREAS, the City of Vineland has advertised for proposals/qualifications (COV RFP #2024-49) for the following Professional Services: Occupational Health Services, Auditing Services, Municipal Advisor, Municipal Bond Counsel, Planning Services, Associate Solicitor, PT Municipal Court Prosecutors (1 or 2), PT Municipal Court Public Defender, PT Alternate Municipal Court Public Defender, Affordable Housing Attorney, Bankruptcy Attorney, Environmental Attorney, Labor Attorney, Legal Services – Energy Capacity and FERC Support, Municipal Foreclosure Attorney, Professional Labor Relations Specialist, Public Power Attorney, Tax Attorney, Workers Compensation Attorney, Title Insurance and Business Planning & Strategic Government Relations Consulting Services and (COV RFP #2025-70) for Construction Management Services; and

WHEREAS, the Requests were published in the City’s official newspaper and the City’s website; and

WHEREAS, proposals were received and opened on November 15, 2024, December 18, 2024 and January 22, 2025 by the Qualified Purchasing Agent and referred to the City Solicitor, Business Administrator, Chief Financial Officer and for evaluation and recommendation; and

WHEREAS, it has been recommended that a Professional Services Agreement for the required services be awarded based upon the history with the City in its representation and based upon and in accordance with the proposal submitted and received, pursuant to a fair and open process to the following Professionals:

1. OCCUPATIONAL HEALTH SERVICES: Premier Orthopaedic and Sport Medicine Associates of Southern New Jersey, Vineland, New Jersey
2. AUDITING SERVICES: Ford-Scott & Associates LLC, Ocean City, New Jersey
3. MUNICIPAL ADVISOR: Phoenix Advisors, Hamilton, New Jersey
4. MUNICIPAL BOND COUNSEL: McManimon, Scotland and Baumann, LLC, Roseland, New Jersey
5. PLANNING SERVICES: Clarke Caton Hintz, Trenton, New Jersey **and** CME Associates, Parlin, New Jersey
6. ASSOCIATE SOLICITOR: Medio Law Firm, Vineland, New Jersey
7. CHIEF MUNICIPAL COURT PROSECUTOR – PART-TIME: Charles A. Fiore, Esq., Williamstown, New Jersey
8. PART-TIME MUNICIPAL COURT PROSECUTOR: Law Office of Damon G. Tyner LLC, Vineland, New Jersey
9. PART-TIME MUNICIPAL COURT PUBLIC DEFENDER: S. Daniel Hutchinson, Esq., Woodbury, New Jersey
10. AFFORDABLE HOUSING ATTORNEY: Surenian, Edwards, Buzak and Nolan, LLC, Point Pleasant Beach, New Jersey
11. BANKRUPTCY ATTORNEY: Medio Law Firm, Vineland, New Jersey
12. ENVIRONMENTAL ATTORNEY: DeCotiis, FitzPatrick, Cole and Giblin, LLP, Paramus, New Jersey
13. LABOR ATTORNEY: Barker, Gelfand, James and Sarvas, Linwood, New Jersey **and** Brown & Connery, LLP, Westmont, New Jersey
14. LEGAL SERVICES – ENERGY CAPACITY AND FERC SUPPORT SERVICES: DeCotiis, FitzPatrick, Cole and Giblin, LLP, Paramus, New Jersey

15. MUNICIPAL FORECLOSURE ATTORNEY: Law Office of Damon G. Tyner LLC, Vineland, New Jersey
16. PROFESSIONAL LABOR RELATIONS SPECIALIST: Laramie Public Affairs, LLC, Deptford, New Jersey
17. PUBLIC POWER ATTORNEY: Decotiis, FitzPatrick, Cole and Giblin, LLP, Paramus, New Jersey
18. TAX ATTORNEY: DiFrancisco & Bateman, Warren, New Jersey **and** Testa Heck Testa and White, Vineland, New Jersey
19. WORKERS COMPENSATION ATTORNEY: Eli B. Kuhnreich, Esq., Vineland, New Jersey
20. BUSINESS PLANNING & STRATEGIC GOVERNMENT RELATIONS CONSULTING SERVICES: Laramie Public Affairs, LLC, Deptford, New Jersey
21. CONSTRUCTION MANAGEMENT SERVICES: New Road Construction Management, Cherry Hill, New Jersey and ARH Associates, Hammonton, New Jersey

WHEREAS the Professional Services Agreements are awarded based upon the proposals submitted and opened on November 15, 2024, December 18, 2024 and January 22, 2025, which are incorporated herein as if set forth herein at length, copies of which are kept in the Office of the Qualified Purchasing Agent, for a contract period of February 1, 2025 through January 31, 2026; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vineland that the Mayor and Clerk are authorized to execute Agreements for Professional Services as listed herein after, based upon the proposals received, pursuant to a fair and open process, at the rates as set forth in said proposals, for a contract period of February 1, 2025 through January 31, 2026.

1. OCCUPATIONAL HEALTH SERVICES: Premier Orthopaedic and Sport Medicine Associates of Southern New Jersey, Vineland, New Jersey
2. AUDITING SERVICES: Ford-Scott & Associates LLC, Ocean City, New Jersey
3. MUNICIPAL ADVISOR: Phoenix Advisors, Hamilton, New Jersey
4. MUNICIPAL BOND COUNSEL: McManimon, Scotland and Baumann, LLC, Roseland, New Jersey
5. PLANNING SERVICES: Clarke Caton Hintz, Trenton, New Jersey **and** CME Associates, Parlin, New Jersey
6. ASSOCIATE SOLICITOR: Medio Law Firm, Vineland, New Jersey
7. CHIEF MUNICIPAL COURT PROSECUTOR – PART-TIME: Charles A. Fiore, Esq, Williamstown, New Jersey
8. PART-TIME MUNICIPAL COURT PROSECUTOR: Law Office of Damon G. Tyner LLC, Vineland, New Jersey
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10. AFFORDABLE HOUSING ATTORNEY: Surenian, Edwards, Buzak and Nolan, LLC, Point Pleasant Beach, New Jersey
11. BANKRUPTCY ATTORNEY: Medio Law Firm, Vineland, New Jersey
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14. LEGAL SERVICES – ENERGY CAPACITY AND FERC SUPPORT SERVICES: DeCotiis, FitzPatrick, Cole and Giblin, LLP, Paramus, New Jersey
15. MUNICIPAL FORECLOSURE ATTORNEY: Law Office of Damon G. Tyner LLC, Vineland, New Jersey
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17. PUBLIC POWER ATTORNEY: Decotiis, FitzPatrick, Cole and Giblin, LLP, Paramus, New Jersey
18. TAX ATTORNEY: DiFrancisco & Bateman, Warren, New Jersey **and** Testa Heck Testa and White, Vineland, New Jersey
19. WORKERS COMPENSATION ATTORNEY: Eli B. Kuhnreich, Esq., Vineland, New Jersey
20. BUSINESS PLANNING & STRATEGIC GOVERNMENT RELATIONS CONSULTING SERVICES: Laramie Public Affairs, LLC, Deptford, New Jersey
21. CONSTRUCTION MANAGEMENT SERVICES: New Road Construction Management, Cherry Hill, New Jersey and ARH Associates, Hammonton, New Jersey

Adopted: January 28, 2025

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President of Council pfs

ATTEST:

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City Clerk kp



**BID EVALUATION FORM – AWARDING**

DEPARTMENT: Administration DATE: 11/19/24

The undersigned recommends that a contract be awarded for the following:

- 1. BID TITLE: Occupational Health Services
- 2. BID NUMBER: 2024-49
- 3. AMOUNT TO BE AWARDED: \_\_\_\_\_  
 ENCUMBER TOTAL AWARD                       ENCUMBER BY SUPPLEMENTAL RELEASE
- 4. ENGINEER'S ESTIMATE: \_\_\_\_\_
- 5. AMOUNT BUDGETED: \$ \_\_\_\_\_
- 6. ACCOUNT NUMBER TO BE CHARGED: \_\_\_\_\_
- 7. TRACKING ID: \_\_\_\_\_ COMMODITY CODE: \_\_\_\_\_
- 8. DATE BIDS RECEIVED: \_\_\_\_\_
- 9. DATE TO BE AWARDED: asap
- 10. RECOMMENDED VENDOR NAME AND ADDRESS: Premier Orthopaedics

11. IS RECOMMENDED VENDOR APPARENT LOWEST BIDDER?     Yes     No

12. COMMENTS/SPECIAL INSTRUCTIONS: Only bidder. Bidder has been our Occ Health Group for many years and does outstanding job

13. EVALUATION PERFORMED BY: Robert Dickenson, BA ext 4602  
(NAME, TITLE AND EXTENSION NUMBER)

14. APPROVED BY: *Robert Dickenson*  
SIGNATURE (DIRECTOR, DEPARTMENT HEAD, SUPERVISOR)

15. ATTACHED: (CHECK-OFF LIST)
- Tabulation of Bids
  - Justification for Recommendation (if applicable)
  - Evaluation Data (if applicable)



**REQUEST FOR RESOLUTION FOR CONTRACT AWARDS UNDER  
40A:11-5 EXCEPTIONS  
(PROFESSIONAL SERVICES, EUS, SOFTWARE MAINTENANCE, ETC)**

1. GOODS OR SERVICES (DETAILED DESCRIPTION): Municipal Auditor

2. TYPE:  RFP  RFQ NUMBER: 2024-49

NON-FAIR & OPEN (PAY TO PLAY DOUCMENTS REQUIRED)  
 FAIR & OPEN: HOW WAS RFP ADVERTISED? \_\_\_\_\_

3. AMOUNT TO BE AWARDED: \$82,500  
 ENCUMBER TOTAL AWARD  ENCUMBER BY SUPPLEMENTAL RELEASE

4. BUDGETED ITEM:  YES  NO ACCOUNT NUMBER: Various

5. CAPITAL ORDINANCE:  YES  NO ORDINANCE NUMBER: \_\_\_\_\_

6. TRACKING ID(S): \_\_\_\_\_ COMMODITY CODE(S): 946

7. CONTRACT PERIOD (IF APPLICABLE): 02/01/2025-01/31/2026

8. DATE TO BE AWARDED: 01/28/2025

9. RECOMMENDED VENDOR NAME AND ADDRESS: Ford, Scott & Associates, L.L.C.  
1635 Haven Avenue, Ocean City, NJ 08226

10. JUSTIFICATION FOR VENDOR RECOMMENDATION (INCLUDE ADDITIONAL INFORMATION FOR COUNCIL):  
The City is satisfied with prior years performances. Only response received.

11. EVALUATION PERFORMED BY: Susan Baldosaro, CFO  
(NAME, TITLE AND EXTENSION NUMBER)

12. APPROVED BY: Susan Baldosaro  
SIGNATURE (DIRECTOR, DEPARTMENT HEAD, SUPERVISOR)

13. ATTACHMENTS:  AWARDDING PROPOSAL  OTHER: \_\_\_\_\_

**FEE SCHEDULE**

The following is a schedule of compensation rates for work to be performed in calendar year 2025 according to staff position:

	<u>HOURLY RATE</u>
Partners	\$175.00 to \$250.00
Managers	\$120.00 to \$150.00
Supervisors	\$100.00 to \$120.00
Senior Accountants	\$80.00 to \$100.00
Staff Accountants	\$70.00 to \$90.00
Assistants	\$50.00 to \$80.00

Our fees are on a "not to exceed" basis, and is based on the number of hours estimated to perform the engagement. As indicated previously, we anticipate the following staff levels to be assigned to this engagement:

- Partners - 2
- Senior Accountant - 1
- Staff Accountants - 2
- Additional staff to be assigned as needed to meet the requirements of the engagement

The proposed fee for the audit of the City of Vineland for the year ending December 31, 2024 is \$81,000.

The proposed fee for the review of the financial statements of the Length of Service Awards Program for the year ending December 31, 2024 is \$1,500.

At the time of preparation of this proposal, we do not anticipate potential audit problems. If a matter should arise during the course of our fieldwork, we will discuss the issue with City management. In the event that it is determined that further audit fieldwork or other special procedures are required to be performed that are outside of the scope of our audit engagement, we will request a separate engagement letter to confirm the work to be performed by us.

### DEBT FINANCING EXPERIENCE

Our Firm has extensive experience in municipal debt financings. We have appeared before the Local Finance Board in Trenton on financing applications. We have also met with Rating Agencies, Moody's and Standard and Poors, on municipal credit ratings. During the past year, our Firm was involved in 26 debt financings totaling \$405,495,450. Those financings included:

	<b>ENTITY</b>	<b>AMOUNT OF FINANCING</b>
1.	Borough of Avalon	\$22,382,000
2.	Borough of Collingswood	\$5,755,000
3.	Borough of Collingswood	\$2,850,000
4.	Borough of Longport	\$4,452,000
5.	Borough of Stone Harbor	\$30,568,000
6.	Borough of Stone Harbor	\$26,610,000
7.	Borough of Wildwood Crest	\$17,740,000
8.	City of Brigantine	\$22,000,000
9.	City of Brigantine	\$7,065,000
10.	City of Margate	\$11,400,000
11.	City of Margate	\$13,920,000
12.	City of North Wildwood	\$17,550,000
13.	City of Ocean City	\$9,490,000
14.	City of Ocean City	\$48,865,000
15.	City of Ocean City	\$30,000,000
16.	City of Sea Isle City	\$40,500,000
17.	City of Sea Isle City	\$11,900,000
18.	City of Somers Point	\$8,500,000
19.	City of Ventnor	\$9,100,000
20.	City of Ventnor	\$16,400,000
21.	City of Vineland	\$8,580,000
22.	City of Wildwood	\$5,000,000
23.	Town of Hammonton	\$8,643,450
24.	Town of Hammonton	\$13,100,000
25.	Township of Dennis	\$3,590,000
26.	Township of Lower	\$9,535,000

**Other Services**

**Municipal Budget Assistance**

Our firm has extensive experience in assisting municipalities with their annual budgets. Our services include a review of the annual budget developed by management and City Council, and attendance at budget meetings and the budget hearing. Our knowledge of Local Budget Laws (N.J.S.A. 40A:4) has often been called upon by our clients to assist them during the budget process.

**Accounting and Financial Reporting**

With most of our municipal clients, in addition to performing the annual audit, we are often engaged to assist in preparing other financial documents required by State statutes. The Annual Debt Statement and the Annual Financial Statement (unaudited) for the year ended December 31<sup>st</sup> are required to be filed with the State of New Jersey by January 31 and February 10, respectively, of the following year. Ford, Scott & Associates, L.L.C. has always ensured that the State mandated deadlines for these filings are met for each of its clients. However, as with all such requirements, proper accounting records maintained by local units are critical to timely preparation and filing.

**Long-Term and Short-Term Debt Issues**

When issuing long-term and short-term debt, there are many things for local units to consider, including the timing of bond and note sales, compliance with statutory requirements, and the potential impact on property taxes. We are available to provide assistance to our clients by preparing illustrations of the effect of such financing on local tax rates, which provide a tool for good management over long-term debt and municipal budgeting. These additional services would include:

- Assistance in compiling data with relation to the preparation of Official Statements
- Assistance in compiling data with relation to the preparation of Local Finance Board applications
- Assistance in compiling data with relation to Secondary Market Disclosure Requirements



## **SERVICES PROVIDED**

Our expertise in the field of municipal accounting and auditing, combined with a highly qualified staff, enables us to perform governmental audits and related services in a timely manner, while providing personal attention to the engagement to ensure that each client receives the highest level of professional service possible. Our accounting and auditing experience will allow us to perform the engagement in an efficient and very effective manner. We are available to attend regular and special meetings of City Council as needed.

To clarify what is entailed in a typical audit engagement, we have summarized in the section that follows the various stages of the audit.

### **The Audit Process**

Prior to beginning the audit, the engagement partner and audit manager will meet to discuss the audit and communicate with the Chief Financial Officer to determine the timing of the audit. Our primary objective will be to establish a workable schedule with City officials to ensure that the audit will be completed in an efficient and timely manner. Accordingly, it is important to provide the Chief Financial Officer and Tax Collector the necessary time to prepare proper year-end closing entries. In addition, we will review the scope of the audit and any applicable laws and regulations with the City. After this planning meeting, the audit process will begin.

Once a timeline has been established, we will coordinate the schedules of staff assigned to the engagement to ensure that audit fieldwork is completed efficiently and effectively, as well as provide for adequate time for filing of the audit with the State of New Jersey, Department of Community Affairs, Division of Local Government Services. During this planning phase, we will perform analytical review procedures to identify areas of potential audit risk.

During the next phase of the audit process, we will perform a review of internal control systems to identify internal administrative and accounting controls and evaluate their effectiveness. From our prior documentation of the various internal control systems, we will look for and document changes in the systems and consider testing to determine if control procedures are operating as described. At this time, we will also perform risk assessments, perform preliminary testing, and determine the level of substantive testing deemed necessary.

As part of our examination of year-end account balances, we will confirm account balances and transactions with individuals (for property tax and utility transactions as applicable), banking institutions, and other governmental entities as deemed necessary. In addition, we will obtain legal counsel's representation as to the status of legal matters pending which may have an effect on the City's financial statements. We will also obtain representation from City officials regarding completeness of disclosure and the integrity of the accounting records.

The final phase of our audit process concludes with a draft version of the audit report and financial statements, as well as supplementary schedules, including the Schedules of Expenditures of Federal and State Awards, if required. After this draft version has been reviewed by appropriate City personnel, we will proceed with the preparation of the final audit report, which will be filed with the Division of Local Government Services, the City Clerk, and other City officials. Included in our final audit is the Management Letter, which is furnished to management and members of City Council, and suggests improvements in internal controls, and other recommendations, noted during our audit.



**REQUEST FOR RESOLUTION FOR CONTRACT AWARDS UNDER  
40A:11-5 EXCEPTIONS  
(PROFESSIONAL SERVICES, EUS, SOFTWARE MAINTENANCE, ETC)**

1. GOODS OR SERVICES (DETAILED DESCRIPTION): Municipal Advisor  
\_\_\_\_\_
  
2. TYPE:  RFP     RFQ    NUMBER: 2024-49  
  
 NON-FAIR & OPEN (PAY TO PLAY DOUCMENTS REQUIRED)  
 FAIR & OPEN: HOW WAS RFP ADVERTISED? \_\_\_\_\_
  
3. AMOUNT TO BE AWARDED: Supplemental for services requested  
 ENCUMBER TOTAL AWARD             ENCUMBER BY SUPPLEMENTAL RELEASE
  
4. BUDGETED ITEM:  YES     NO    ACCOUNT NUMBER: Various
  
5. CAPITAL ORDINANCE:  YES     NO    ORDINANCE NUMBER: Various
  
6. TRACKING ID(S): \_\_\_\_\_ COMMODITY CODE(S): 946
  
7. CONTRACT PERIOD (IF APPLICABLE): 02/01/2025 - 01/31/2026
  
8. DATE TO BE AWARDED: 01/28/2025
  
9. RECOMMENDED VENDOR NAME AND ADDRESS: Phoenix Advisors  
2000 Waterview Drive, Ste 101, Hamilton, NJ 08691
  
10. JUSTIFICATION FOR VENDOR RECOMMENDATION (INCLUDE ADDITIONAL INFORMATION FOR COUNCIL):  
The City is satisfied with prior years services and professional history.  
\_\_\_\_\_  
\_\_\_\_\_
  
11. EVALUATION PERFORMED BY: Susan Baldosaro, CFO  

(NAME, TITLE AND EXTENSION NUMBER)
  
12. APPROVED BY: *Susan Baldosaro*  

SIGNATURE (DIRECTOR, DEPARTMENT HEAD, SUPERVISOR)
  
13. ATTACHMENTS:  AWARDDING PROPOSAL     OTHER: \_\_\_\_\_



G. Proposed cost of the service(s) or activities, including the hourly rate of individuals who will perform the services or activities. The proposed cost should include:

- a. Meetings.
- b. Site visits and expenses.
- c. Expenses for travel, postage and telephone excluded from the hourly rate.
- d. Additional services defined beyond the scope of regular services.

## COMPENSATION

Phoenix Advisors' non-hourly compensation is all-inclusive – we do not charge for out-of-pocket expenses, fees for travel time or attendance at meetings without prior notification. We are always available to answer conceptual questions and discuss market conditions and strategies for potential projects. When you request specific services (per below), you will receive a separate engagement letter detailing compensation and the Scope of Services to be provided.

### PROPOSED FEES FOR SERVICES (per transaction, except as otherwise indicated):

Bond Issuance: \$9,500 plus \$0.50 per \$1,000 issued  
➤ minimum of \$13,500

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Note Issuance: \$1,000 plus \$0.25 per \$1,000 issued

\* An additional fee of \$2,000 applies when notes are sold with a Preliminary Official Statement.

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Hourly rates for specialized consulting services not related to the issuance of debt, such as redevelopment advisory, asset valuation, budget projections and other consulting projects, billable quarterly in arrears:

- |                     |                |
|---------------------|----------------|
| ➤ Managing Director | \$195 per hour |
| ➤ Associate/Analyst | \$145 per hour |
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**Ask about our SMART program – a comprehensive suite of financial services that feels like an extension of your finance office. For a quarterly fee, this service includes continuing disclosure, discounted debt issuance fees, Debt Caddie DTC interfacing, rating agency relations and more!**



**FEEES FOR ADDITIONAL SPECIALIZED SERVICES\*\*** (per transaction, except as otherwise indicated):

Continuing Disclosure Services:

- \$1,600 annual base fee for up to three (3) outstanding issues, plus:
  - \$100 for each additional issue with continuing disclosure obligations.
  - \$450 initial set-up charge per new issue, discounted to \$200 if Phoenix Advisors is Municipal Advisor on the transaction.
  - \$250 for each Event Notice filed under SEC Rule 15c2-12, waived if Phoenix Advisors is Municipal Advisor on the transaction.
- All fees are accumulated and invoiced annually.

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Bank Loan Bond Issuance:	All-inclusive fee of \$7,500
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Conduit Financing (NJIB, USDA, etc.):	All-inclusive fee of \$3,500
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Lease-Purchase Financing:	All-inclusive fee of \$3,500
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Energy Savings Improvement Program (ESIP) Financings:	\$9,500 plus \$0.50 per \$1,000 issued ➤ minimum of \$13,500
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Rating Agency Surveillance Presentation:	All-inclusive fee of \$1,250
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Redevelopment Advisory:	Hourly rates
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Asset/Utility Valuation:	Hourly rates
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Budget/Fiscal Consulting:	Hourly rates
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\*\* If necessary or requested.



### CITY OF VINELAND EXPERIENCE

Phoenix Advisors has had the pleasure of serving as the City of Vineland's Financial Advisor since 2019. During this time, we have assisted the City with securing a strong rating and issuing bonds, notes and refunding bonds at low interest rates. Among the issues completed are:

<u>Dated Date</u>	<u>Issue</u>	<u>Par Amount</u>
11/6/2024	General Improvement Bonds, Series 2024	\$8,580,000
11/8/2023	General Improvement Bonds, Series 2023	\$40,000,000
11/8/2023	Bond Anticipation Notes, Series 2023	\$18,124,000
11/8/2022	Bond Anticipation Notes, Series 2022	\$26,557,000
11/9/2021	Bond Anticipation Notes, Series 2021	\$12,000,000
11/10/2020	Bond Anticipation Notes, Series 2020	\$16,400,000
10/28/2020	General Improvement Bonds, Series 2020	\$9,650,000
10/21/2020	Electric Utility Refunding Bonds, Series 2020 (Federally Taxable)	\$55,665,000
11/13/2019	Bond Anticipation Notes, Series 2019	\$17,550,000
10/1/2019	General Improvement Bonds, Series 2019	\$7,000,000
6/4/2019	Electric Utility Refunding Bonds, Series 2019	\$56,735,000

### MUNICIPAL EXPERIENCE

Our professionals take pride in their service to public entities and their focus on the local level, having completed over 1,800 transactions for municipalities in New Jersey, totaling more than \$15.2 billion of par. We understand the complexities of municipal budgeting, given continuous capital needs and the limitations imposed by the State. Whether facing such issues as zoning, planning, recreation, quality of life, or managing your tax and debt burden, Phoenix Advisors understands the importance of clear financial impact analysis in the decision-making process.

- ✓ **Bridgewater Township**
- ✓ **Clifton City**
- ✓ **Lakewood Township**
- ✓ **New Brunswick City (SMART®)**
- ✓ **Vineland City**
- ✓ **Ocean City (SMART®)**
- ✓ **Camden City**
- ✓ **Mount Holly Township (SMART®)**
- ✓ **Princeton (SMART®)**
- ✓ **Secaucus Town**





**REQUEST FOR RESOLUTION FOR CONTRACT AWARDS UNDER  
40A:11-5 EXCEPTIONS  
(PROFESSIONAL SERVICES, EUS, SOFTWARE MAINTENANCE, ETC)**

1. GOODS OR SERVICES (DETAILED DESCRIPTION): Municipal Bond Counsel

2. TYPE:  RFP  RFQ      NUMBER: 2024-49

NON-FAIR & OPEN (PAY TO PLAY DOUCMENTS REQUIRED)  
 FAIR & OPEN: HOW WAS RFP ADVERTISED? \_\_\_\_\_

3. AMOUNT TO BE AWARDED: Supplemental for services requested  
 ENCUMBER TOTAL AWARD       ENCUMBER BY SUPPLEMENTAL RELEASE

4. BUDGETED ITEM:  YES  NO      ACCOUNT NUMBER: Various

5. CAPITAL ORDINANCE:  YES  NO      ORDINANCE NUMBER: Various

6. TRACKING ID(S): \_\_\_\_\_ COMMODITY CODE(S): 946

7. CONTRACT PERIOD (IF APPLICABLE): 02/01/2025 - 01/31/2026

8. DATE TO BE AWARDED: 01/28/2025

9. RECOMMENDED VENDOR NAME AND ADDRESS: MS&B McManimon, Scotland, Baumann  
75 Livingston Avenue, Second Floor, Roseland, NJ 07068

10. JUSTIFICATION FOR VENDOR RECOMMENDATION (INCLUDE ADDITIONAL INFORMATION FOR COUNCIL):  
The City is satisfied with services from prior years. MS&B has an extensive history with the City's  
debt service authorization and issuances.

11. EVALUATION PERFORMED BY: Susan Baldosaro, CFO  
(NAME, TITLE AND EXTENSION NUMBER)

12. APPROVED BY: Susan Baldosaro  
SIGNATURE (DIRECTOR, DEPARTMENT HEAD, SUPERVISOR)

13. ATTACHMENTS:  AWARDDING PROPOSAL  OTHER: \_\_\_\_\_

A G R E E M E N T

THIS AGREEMENT ("Agreement"), made as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the CITY OF VINELAND, in the County of Cumberland, a body politic of the State of New Jersey, herein designated as the "Client" and McMANIMON, SCOTLAND & BAUMANN, LLC, Attorneys at Law with offices at 75 Livingston Avenue, Roseland, New Jersey, 07068 hereinafter designated as "Counsel":

WITNESSETH:

The Client desires to engage the services of Counsel for one or more of the services described herein which may consist of (i) services related to public finance and (ii) services related to redevelopment, environmental, litigation or other non-public finance services. To the extent that the Client requests such services of Counsel for any of such services, they shall be billed as follows:

**I. Public Finance**

1. Counsel, in consideration of the making and the signing of this Agreement, agrees to render the following services:

A. Counsel will prepare or review all bond ordinances adopted or to be adopted by the governing body.

B. Counsel will assemble a certified record of proceedings to evidence the proper adoption of each bond ordinance in accordance with the provisions of the Local Bond Law and other applicable New Jersey statutes.

C. When the Client determines to issue bonds or notes, Counsel will prepare the necessary resolutions or other operative documents to set up the bond or note sale and will submit them to the Client's general counsel for review. Counsel will seek the advice of the Client's financial advisor and/or auditor in connection with the appropriate maturity schedule for the bonds or notes to be sold and will review legal issues relating to the structure of the bond or note issue. Counsel will assist the Client in seeking from other governmental authorities such approvals, permissions and exemptions as Counsel determines are necessary or appropriate in connection with the authorization, issuance and delivery of bonds or notes. Counsel will review those sections of the official statement, private placement memorandum or other form of offering or disclosure document to be disseminated in connection with the sale of the bonds or notes and will arrange for the printing and the distribution of such offering or disclosure document. Counsel will prepare and review the notice of sale pertaining to the competitive sale of the bonds or notes and will arrange for the printing of such notice of sale in The Bond Buyer, as applicable, and will answer inquiries made by the investment community concerning the bond or note sale. Counsel will assist the Client in presenting information to bond rating organizations and providers of credit enhancement relating to legal issues affecting the issuance of bonds or notes. Counsel will render legal advice as necessary

concerning the submission of bids for the bonds or notes in accordance with the notice of sale and the requirements of law. After the bond or note sale, Counsel will prepare the bonds or notes for execution, will prepare and see to the execution of the necessary closing certificates, including the continuing disclosure undertaking of the Client, and will establish the time and the place for the delivery of the bonds or notes to the successful bidder. Counsel will coordinate the closing, at which time the bonds or notes will be delivered, payment will be made for the bonds or notes, and Counsel will issue a final approving legal opinion with respect to the validity and binding effect of the bonds or notes, the source of payment and security for the bonds or notes and the excludability of interest on the bonds or notes from gross income for federal and New Jersey income tax purposes, if applicable.

D. Counsel will provide basic advice in regard to the effect of the federal arbitrage regulations on the issuance of bonds or notes and the investment of the proceeds thereof.

E. Counsel will provide such other services as may be requested from time to time by the Client including any referendum, validation proceedings or other action relating to the Client or the authorization and issuance of a financing instrument by the Client.

2. The Client will make payment to Counsel for services rendered in accordance with the following schedule:

A. For services rendered in connection with each bond sale, a fee of \$4,500, plus \$1.00 per thousand dollars of bonds issued for the first \$15,000,000 of bonds issued and \$.75 per thousand dollars of bonds issued in excess of \$15,000,000. If there is more than 1 series of bonds issued, there will be an additional charge of \$1,000 for each such additional series.

B. For services rendered in connection with (i) the preparation or review of each bond ordinance and (ii) the compiling and review of a certified record of proceedings in connection therewith, an aggregate fee of \$600.

C. For services rendered in connection with each note sale, a fee of \$2,500, plus \$.50 per thousand dollars of notes issued up to \$15,000,000 of notes issued and \$.40 per \$1,000 of notes in excess of \$15,000,000. If more than one series of notes are issued, there will be an additional charge of \$500 for each such additional series.

D. For services rendered in connection with arbitrage compliance and related tax analysis, a fee of \$750.

E. In the event that a letter of credit, bond insurance, or similar credit enhancement facility is used in connection with either a bond or note issue, an additional fee of \$1,000 will be charged.



F. In the event of the issuance of bonds or notes through the New Jersey Infrastructure Bank, an additional fee of \$3,500 will be charged.

G. In the event of a refunding bond issue consistent with the provisions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be an additional fee of \$5,000 for each refunded issue.

H. Services rendered on an hourly basis, including preparation of an application to and an appearance before the Local Finance Board, attendance at meetings, litigation, continuing disclosure undertakings and preliminary and final official statement or other offering or disclosure document work, will be billed at the blended hourly rate of \$225 per hour for attorneys and \$155 per hour for legal assistants. Services rendered in connection with any required filings with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access Dataport will be billed at a flat rate of \$250 per filing. Counsel shall not charge the Client for administrative work and services performed by secretarial staff.

I. Counsel's fee is usually paid at the closing of the bonds or notes, and Counsel customarily does not submit any statement until the closing unless there is a substantial delay in completing the financing. In the event that legal services described herein are provided in connection with a bond or note sale and the bond or note sale is not consummated or is completed without the delivery of Counsel's bond opinion as bond counsel, or this Agreement is terminated prior to the sale of bonds or notes, the fee for services to be charged shall be based on the hourly rates as set forth in paragraph I(2)(H).

J. Reasonable and customary out of pocket expenses and other charges, including but not limited to, photocopying, express delivery charges, travel expenses, telecommunications, telecopy, filing fees, computer-assisted research, book binding, messenger service or other costs advanced on behalf of the Client, shall be added to the fees referred to in this Agreement and shall be itemized in each invoice presented to the Client.

## **II. Redevelopment, Environmental, Litigation and Non-Public Finance Services**

1. To the extent that the Client desires to engage Counsel for general legal services in connection with (i) redevelopment projects, (ii) environmental issues including the giving of advice or preparation of work product at the direction of the Client related to or concerning the identification, investigation, remediation or preparing of grant applications to assist the Client in responding to potential or actual environmental conditions, (iii) litigation, including representation in any and all action authorized by the Client and relating to a threatened, pending or actual legal proceeding or any condemnation or alternate dispute resolution matters or (iv) any other legal services, such services shall be billed as follows:

2. The Client will make payment to Counsel for such general legal services at the blended hourly rates set forth in paragraph I(2)(H). Services rendered to the Client the cost of which is reimbursed by a developer through a developer-funded escrow account pursuant to an

escrow agreement between the developer and the Client shall be billed at the blended hourly rate of \$395 for attorneys and \$195 for legal assistants. In addition to the hourly time charges described above, Counsel will be reimbursed for out-of-pocket expenses as set forth in paragraph I(2)(J).

3. Services rendered in connection with the issuance of bonds or refunding bonds pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 et seq., the New Jersey Economic Stimulus Act of 2009, or other applicable law, will be billed (i) if issued in the manner set forth in the Local Bond Law, in accordance with the fee schedule set forth in paragraph I(2) or (ii) in accordance with an agreed upon fee at the time of issuance if issued pursuant to a trust indenture or general bond resolution.

### **III. General Provisions**

1. This Contract has been awarded under a Fair and Open process consistent with N.J.S.A. 19:44A-20.7.

2. Upon execution of this Agreement, the Client will be Counsel's client and an attorney-client relationship will exist between Client and Counsel. Counsel assumes that all other parties will retain such counsel, as they deem necessary and appropriate to represent their interests in the transactions contemplated hereby. Counsel's services are limited to those contracted for in this Agreement; the Client's execution of this Agreement will constitute an acknowledgment of those limitations. Counsel's representation of the Client will not affect, however, our responsibility to render an objective bond opinion. Counsel's representation of the Client and the attorney-client relationship created by this Agreement will be concluded upon termination of this Agreement.

3. At the request of the Client, papers and property furnished by the Client will be returned promptly upon receipt of payment for outstanding fees and Client charges. Counsel's own files, including lawyer work product, pertaining to the transactions contemplated hereby will be retained by Counsel. For various reasons, including the minimization of unnecessary storage expenses, Counsel reserves the right to dispose of any documents or other materials retained by Counsel after the termination of this Agreement.

4. Counsel and the Client hereby incorporate into this contract the mandatory language of N.J.A.C. 17:27-3.4(a) and the mandatory language of N.J.A.C. 17:27-3.6(a) promulgated pursuant to N.J.S.A. 10:5-31 to 38 (P.L. 1975, c. 127, as amended and supplemented from time to time), and Counsel agrees to comply fully with the terms, the provisions and the conditions of N.J.A.C. 17:27-3.4(a) and N.J.A.C. 17:27-3.6(a), provided that N.J.A.C. 17:27-3.4(a) shall be applied.

5. Counsel and the Client hereby incorporate into this contract the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 USC §121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs and

activities provided or made available by public entities, and the rules and regulations promulgated thereunder.

6. The primary contact attorney for services performed pursuant to this Agreement shall be Matthew D. Jessup.

7. Counsel hereby represents that it has filed with the Client proof of professional liability insurance with coverage amounts acceptable to the Client.

8. This Agreement shall be in full force and effect until such time as either party gives written notice to the other of termination.

IN WITNESS WHEREOF, the CITY OF VINELAND has caused this Agreement to be duly executed by its proper officers and has caused its corporate seal to be hereto affixed, and Counsel has caused this agreement to be duly executed by the proper party as of the day and year first above written.

CITY OF VINELAND

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
Clerk

McMANIMON, SCOTLAND & BAUMANN, LLC

By: \_\_\_\_\_



BID EVALUATION FORM – AWARDING

DEPARTMENT: Administration/Planning DATE: 1/2/25

The undersigned recommends that a contract be awarded for the following:

1. BID TITLE: Professional Services 2025 - Planning Services

2. BID NUMBER: COV RFP #2024-49

3. AMOUNT TO BE AWARDED: \$10,000

ENCUMBER TOTAL AWARD

ENCUMBER BY SUPPLEMENTAL RELEASE

4. ENGINEER'S ESTIMATE: N.A.

5. AMOUNT BUDGETED: \$65,000

6. ACCOUNT NUMBER TO BE CHARGED: 5-01-20-180-1110-23044

7. TRACKING ID: \_\_\_\_\_ COMMODITY CODE: \_\_\_\_\_

8. DATE BIDS RECEIVED: 11/15/24

9. DATE TO BE AWARDED: 1/14/25

10. RECOMMENDED VENDOR NAME AND ADDRESS: Clarke Caton & Hintz 100 Barrack St. Trenton, NJ 08608

11. IS RECOMMENDED VENDOR APPARENT LOWEST BIDDER?  Yes  No

12. COMMENTS/SPECIAL INSTRUCTIONS: \_\_\_\_\_

13. EVALUATION PERFORMED BY: Kathleen Hicks, Supervising Planner x4616  
(NAME, TITLE AND EXTENSION NUMBER)

14. APPROVED BY: \_\_\_\_\_  
SIGNATURE (DIRECTOR, DEPARTMENT HEAD, SUPERVISOR)

15. ATTACHED: (CHECK-OFF LIST)

Tabulation of Bids

Justification for Recommendation (if applicable)

Evaluation Data (if applicable)



**BID EVALUATION FORM – AWARDING**

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7. TRACKING ID: \_\_\_\_\_ COMMODITY CODE: \_\_\_\_\_

8. DATE BIDS RECEIVED: 11/15/24

9. DATE TO BE AWARDED: 1/14/25

10. RECOMMENDED VENDOR NAME AND ADDRESS: CME Associates 3141 Bordentown Ave. Parlin, NJ 08859

11. IS RECOMMENDED VENDOR APPARENT LOWEST BIDDER?  Yes  No

12. COMMENTS/SPECIAL INSTRUCTIONS: \_\_\_\_\_

13. EVALUATION PERFORMED BY: Kathleen Hicks, Supervising Planner x4616  
(NAME, TITLE AND EXTENSION NUMBER)

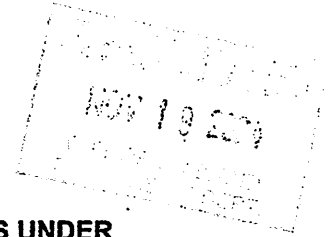
14. APPROVED BY: \_\_\_\_\_  
SIGNATURE (DIRECTOR, DEPARTMENT HEAD, SUPERVISOR)

15. ATTACHED: (CHECK-OFF LIST)

Tabulation of Bids

Justification for Recommendation (if applicable)

Evaluation Data (if applicable)



REQUEST FOR RESOLUTION FOR CONTRACT AWARDS UNDER  
40A:11-5 EXCEPTIONS  
(PROFESSIONAL SERVICES, EUS, SOFTWARE MAINTENANCE, ETC)

1. GOODS OR SERVICES (DETAILED DESCRIPTION): Affordable Housing Attorney

2. TYPE:  RFP  RFQ NUMBER: 2024-49

NON-FAIR & OPEN (PAY TO PLAY DOUCMENTS REQUIRED)  
 FAIR & OPEN: HOW WAS RFP ADVERTISED? \_\_\_\_\_

3. AMOUNT TO BE AWARDED: As needed  
 ENCUMBER TOTAL AWARD  ENCUMBER BY SUPPLEMENTAL RELEASE

4. BUDGETED ITEM:  YES  NO ACCOUNT NUMBER: T-23-00-000-0000-85701

5. CAPITAL ORDINANCE:  YES  NO ORDINANCE NUMBER: \_\_\_\_\_

6. TRACKING ID(S): \_\_\_\_\_ COMMODITY CODE(S): \_\_\_\_\_

7. CONTRACT PERIOD (IF APPLICABLE): \_\_\_\_\_

8. DATE TO BE AWARDED: \_\_\_\_\_

9. RECOMMENDED VENDOR NAME AND ADDRESS: Surenianm, Edwards, Buzak & Noloan LLC

10. JUSTIFICATION FOR VENDOR RECOMMENDATION (INCLUDE ADDITIONAL INFORMATION FOR COUNCIL):  
Experienced in COAH Regulations

11. EVALUATION PERFORMED BY: Sandra Forosisky  
(NAME, TITLE AND EXTENSION NUMBER)

12. APPROVED BY: *Sandra Forosisky*  
SIGNATURE (DIRECTOR, DEPARTMENT HEAD, SUPERVISOR)

13. ATTACHMENTS:  AWARDDING PROPOSAL  OTHER: \_\_\_\_\_

## **Reid Wanda**

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**Subject:** FW: Professional Service Resolution

**From:** Tonetta Richard <rtonetta@vinelandcity.org>

**Subject:** Professional Service Resolution

Wanda, et al,

I have considered the proposals for professional services and recommend the following for consideration by Council and all concerned

For Public Power Attorney DeCotiis, Fitzpatrick, Cole and Giblin, LLP

For Energy Capacity and FERC DeCotiis, Fitzpatrick, Cole and Giblin, LLP

For Environmental Attorney DeCotiis, Fitzpatrick, Cole and Giblin, LLP

For Chief Municipal Prosecutor Chares A. Fiore, Esq.

For part time Municipal Prosecutor Law Office of Damon G. Tyner, LLC

For Municipal court Public Defender S. Daniel Hutchinson, Esq.

For Business Planning and Strategic Government Relations Laramie Public Affairs, LLC

For Labor Attorney DiFrancisco & Bateman and Testa Heck Testa and White

For Workers Compensation Eli Kuhnreich, Esq

For Associate Solicitor Medio Law Firm

For Professional Labor Relations Specialist Laramie Public Affairs LLC

For Bankruptcy Medio Law Firm

for Affordable Housing Attorney I recommend Surenian, Edwards, Buzak & Nolan LLC

For Tax Attorney DiFrancisco & Bateman LLC and Testa, Heck, Testa and White PC

For Foreclosure Attorney Law Office of Damon G. Tyner LLC

As we did not receive any response for Title Services, they will not be awarded at this time

I believe these are all that were entrusted to me for recommendations.

If any questions please call me

Rick

Richard P. Tonetta, Esq.

Director Dept. of Law and Solicitor

City of Vineland

640 East Wood Street

Vineland, New Jersey 08360

## Reid Wanda

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**From:** Tonetta Richard  
**Sent:** Friday, January 24, 2025 12:43 PM  
**To:** Reid Wanda; Lopez Regina; Petrosky Keith; Franchetta Richard; Fanucci Anthony R; Spinelli Paul; Vargas Albert; Arthur Elizabeth; English Scott; Gomez Cruz  
**Cc:** Meneghetti Jeanine; Maillet David  
**Subject:** Agenda

Wanda,

We just received submissions for Construction Management Services. It is part of the RFP process. Please add this to the Resolution:

Construction Management: New Road Construction Management , Cherry Hill, NJ and ARH Associates, Hammonton, NJ

Richard P. Tonetta, Esq.  
Director Dept. of Law and Solicitor  
City of Vineland  
640 East Wood Street  
Vineland, New Jersey 08360