

PROPOSALS FOR PROFESSIONAL SERVICES  
2012-2013

LEGAL SERVICES

- ① Wilentz, Goldman & Spitzer, P.A.  
90 Woodbridge Center Drive, Suite 900  
Woodbridge, NJ 07095
- ② Apruzzese, McDermott, Mastro & Murphy, P.C.  
25 Independence Boulevard  
Warren, NJ 07059
- ③ DeCotiis, FitzPatrick & Cole, LLP  
500 Frank W. Burr Blvd., Suite 31  
Teaneck, NJ 07666
- ④ Weiner Lesniak, LLP  
629 Parsippany Road  
Parsippany, NJ 07054
5. Schenck, Price, Smith & King, LLP  
220 Park Avenue  
Florham Park, NJ 07932
6. Schwartz, Simon, Edelstein & Celso, LLC  
100 South Jefferson Road, Suite 200  
Whippany, NJ 07981

	Partners	Counsel/Senior Associates	Junior Associates	Paralegals
Schwartz, Simon, Edelstein & Celso	\$175/hour	\$165/hour	\$150/hour	\$110/hour
Schenck, Price, Smith & King	\$165/hour	\$165/hour	\$145/hour	\$100/hour
DeCotiis, FitzPatrick & Cole	\$175/hour	\$175/hour	\$175/hour	\$75/hour
Weiner Lesniak	\$185/hour	\$185/hour	\$185/hour	\$65/hour
Apruzzese, McDermott, Mastro & Murphy	\$190/hour	\$190/hour	\$190/hour	---
Wilentz, Goldman & Spitzer	\$200/hour	\$200/hour	\$200/hour	---

## REQUEST FOR PROPOSAL FOR LEGAL SERVICES

The Board of Education of the Township of Union is seeking proposals for legal services from firms which have a strong demonstrated ability to handle diverse legal matters for a school district involving special education, litigation, collective bargaining and any other legal matters, as assigned by the General Counsel. Professional licensure in good standing is required.

Proposals must be in writing and must contain hourly rates for all services and fees for disbursements, if any. All fee proposals shall be fixed for one (1) year from the date of award and may not be changed or withdrawn except by permission of the Board. Proposals shall also contain a Certificate of Employee Information Report (AA) and a Business Registration Certificate. Proposals shall be submitted no later than June 8<sup>th</sup>, 2012. Proposals must contain a Curriculum Vitae for all attorneys who may be assigned to handle assigned matters. The award shall be made to a vendor whose response is most advantageous to the Board, price and other factors considered.

Proposals will be opened and read aloud in the Board of Education Conference Room at the Administration Building, 2369 Morris Avenue, Union, New Jersey on June 8<sup>th</sup> 2012 at 11:00 a.m. Your proposal must be received prior to that date and time.

Any questions or requests for clarification may be submitted to James J. Damato, General Counsel, Union Board of Education, 2369 Morris Avenue, Union, New Jersey 07083; 908-851-6411

Commissioner of Education decisions, court decisions, and all pending legislation which may affect the operation of a school district. Additionally, we provide ongoing advice concerning legislative and judicial developments that affect our clients, as well as in-service training and guidance on all legal matters. We have implemented a system to e-mail legal alert updates to our clients and also post the updates on our website. We have enclosed copies of our recent Legal Alerts in **Exhibit D.**

### Fee Proposal

We are proposing hourly rates of One Hundred and Seventy-Five Dollars (\$175.00) for Partners, One Hundred and Sixty-Five Dollars (\$165.00) for Counsel and Senior Associates, and One Hundred and Fifty Dollars (\$150.00) for Junior Associates. We further economize for the Board by occasionally utilizing Paralegals and Law Clerks, who are billed at the hourly rate of One Hundred Ten Dollars (\$110.00).

All hourly services would be billed monthly in itemized fashion in increments of no less than one-tenth of an hour. Expenses and disbursements made by the firm on the board's behalf would be separately itemized and reimbursed by the board. Examples include, without limitation, photocopying in excess of 25 pages, messenger services, overnight mail, stenographic transcripts, and court filing fees. As mentioned previously SSE&C does not charge for travel.

We believe that our hourly rates are competitive given the nature of the issues which confront school districts daily. However, we are amenable to discussing our rates further in order to assure the most cost efficient provision of quality services as reasonably possible for the board.

### Closing

In closing, we believe we offer a depth of service unmatched by any other law firm, and would deem it a privilege to provide Legal Services to the Union Township Board of Education for the 2012-13 school year. We would be happy to schedule a personal meeting with the board to review and discuss your particular needs, to answer additional questions or provide details concerning our proposal.

Please feel free to contact me if you require anything further.



photocopying, messenger services, overnight delivery services, stenographic transcripts and court filing fees, all of which shall be charged to the Board at cost. We will not bill for travel time.

V. REFERENCES

We enclose a list of current school district clients and invite you to contact any of the listed districts for a reference as to the quality of our services. For specific references, we provide the following:

*Fair Lawn Board of Education*, 37-01 Fair Lawn Avenue, Fair Lawn, NJ 07410; Bruce Watson, Superintendent: (201) 794-5500 ext. 7005;

*Cherry Hill Board of Education*, 45 Ranoldo Terrace, Cherry Hill, NJ 08034; Dr. Maureen Reusche, Superintendent; James Devereaux, Asst. Supt.-Business; Nancy Adrian, Director of Human Resources: (856) 429-5600 ext. 4309, 4328, 4353 respectively;

*Watchung Hills Regional High School District Board of Education*, 108 Stirling Road, Warren, NJ 07059, Dr. Frances Stromsland, Superintendent: (908) 647-4800 ext. 4889.

This will confirm that neither our firm nor any personnel who would be assigned to your District have ever been prohibited from working with public entities in the State of New Jersey. We certify that our firm is in compliance with the requirements of the New Jersey Law Against Discrimination, *N.J.S.A. 10:5-1 et seq.*, and the Affirmative Action requirements of *N.J.S.A. 10:5-31* and *N.J.A.C. 17:27-1 et seq.* We have enclosed copies of our Business Registration Certificate and Pay to Play Disclosure Form.

We thank you for the opportunity to submit this proposal and would be pleased to meet in person to discuss our firm's qualifications and the range of services we could provide to the Union Board of Education.

Respectfully submitted,

SCHENCK, PRICE, SMITH & KING, LLP

  
PAUL H. GREEN

and federal courts, both at the trial and appellate levels, and he has substantial jury trial experience. He also has significant experience mediating and arbitrating civil disputes, as well as handling matters before administrative agencies. His counseling work includes providing employment and labor advice to management, designing appropriate workplace policies and training managers and other employees in anti-harassment policies. In addition to his legal career, Mr. Mannion has had an extensive and varied military career, both in active duty and in the reserves.

Resumes describing each attorney's education, experience, qualifications, and number of years with the firm as attached hereto as **Exhibit B**. In addition to the attorneys listed above, the Board will have access to all the firm's attorneys, ensuring whatever legal needs the Board may have, the firm will be prepared to protect its interests.

**Primary Contact Person:** The person primarily responsible for the services required by the Board will be **GEORGE G. FRINO**. The following is his contact information:

George G. Frino, Esq.  
DeCotiis, FitzPatrick & Cole, LLP  
Glenpointe Centre West  
500 Frank W. Burr Boulevard - Suite 31  
Teaneck, NJ 07666  
Direct dial: (201) 907-5277  
Facsimile: (201) 928-0588  
E-mail: [GFrino@decotiislaw.com](mailto:GFrino@decotiislaw.com)

### **PUBLIC SCHOOL CLIENTS**

A list of some of our current and former public school clients, include the following:

- Atlantic City Board of Education
- Fort Lee Board of Education
- Board of Education of the City of Englewood
- Pleasantville Board of Education
- Linden Board of Education
- Denville Board of Education
- Franklin Board of Education
- Rahway Public Schools

### **FEE PROPOSAL**

The firm has always been sensitive to the fiscal pressures on its public sector clients and, for that reason, has historically provided reduced rates to such entities. While the firm's normal hourly rates for partners range from \$250.00 to \$500.00 per hour and the range for associates is from \$125.00 to \$250.00 per hour, the firm proposes to charge a blended rate of \$175.00 per hour for all attorney work performed on behalf of the Board. We also propose a discounted

development of initial proposals through fact finding and beyond. I am well-versed in analysis and development of contract language and construction or modification of employee salary guides.

I am readily accessible to clients via cell phone or e-mail, and strive to return telephone calls within the hour whenever possible. In the rare event that an immediate response is needed and I am not available, we have sufficient depth to ensure that an experienced school law attorney will be available to swiftly handle the inquiry.

Additionally, partners Sid Sayovitz, Monica Peck, and Joanne Butler, as well as Counsel Eric Andrews, may all lend their particular expertise. Their biographies, along with those of other attorneys who may work with us, are submitted -- along with some marketing materials -- for your review. Of course, there are numerous other attorneys in the firm who may lend their expertise depending upon the issue involved. All of the firm's attorneys are duly licensed to practice law in the State of New Jersey as many are licensed as well in other jurisdictions, including New York and Pennsylvania.

We are prepared to provide legal advice at meetings of the Board and/or administration; prepare and render oral and/or written legal opinions, upon request, to the Superintendent, Business Administrator and the Board; prepare monthly status reports related to pending matters; provide legal assistance in the drafting or review of documents, policies, regulations and resolutions; advise the Board in staff contract negotiations issues; represent the Board in collective negotiations; prepare or review all invitations to bid, job specifications, and legal contracts; serve as legal representative of the Board, its members, and/or staff (when Board-authorized) in any judicial or administrative proceedings; and perform such other duties as the Board or Superintendent may require.

#### IV. FEE STRUCTURE

We propose the following rates for professional services rendered:

For services provided by partners and senior associates, \$165.00 (One Hundred Sixty-Five Dollars) per hour;

For services provided by junior associates, \$145.00 (One Hundred Forty-Five Dollars) per hour;

Work by law clerks and paralegals shall be billed at the hourly rate of \$100.00 (One Hundred Dollars).

The above rates include all clerical and other overhead costs except as set forth below.

All services shall be billed monthly in an itemized fashion in increments of no less than one-tenth of an hour. Certain expenses and disbursements made by the Firm on the Board's behalf will be separately itemized and reimbursed by the Board. Examples of such billed expenses, without limitation, include

hourly rate for paralegals of \$75.00 per hour. Bills are sent on a monthly basis and payment is due within thirty (30) days thereafter. The firm would hold these rates for the duration of our agreement with the Board.

Reimbursable expenses include:

Photocopies	\$ .30 per page;	Faxes	\$ .25 per page
Printing	\$ .10 per page;	Color Copies	\$ .65 per page
CD Copy	\$1.50;	DVD Copy	\$3.00

Disbursements for other expenses would be separately billed in accordance with the Board's requirements. DeCotiis has a review process in place to ensure the accuracy of our clients' bills. Each client's bill is reviewed by a supervising partner to ensure that the work performed by our attorneys was done in the most cost-efficient manner. Adjustments are made when necessary.

### REQUIRED DOCUMENTS

Pursuant to the requirements of the RFP, attached hereto as **Exhibit C** please find the following required information: Employee Information Report and Business Registration Certificate.

### CONCLUSION

Thank you again for this opportunity to submit a response to the Request for Proposals for Legal Counsel to Union Board of Education. We would, of course, be honored to be appointed to serve the Board. We are committed to providing our clients with the highest level of quality service at a reasonable cost, using attorneys licensed by and who reside in the State of New Jersey. If any additional information is needed, or if you would like us to meet with you or the members or staff of the Board to discuss our qualifications, please feel free to contact me.

Sincerely yours,

**DeCotiis, FitzPatrick & Cole, LLP**

By: 

Joseph M. DeCotiis, Managing Partner

cc: George G. Frino, Esq.

Enclosures

# WEINER | LESNIAK<sub>LLP</sub>

ATTORNEYS AT LAW

[www.weinerlesniak.com](http://www.weinerlesniak.com)

JACQUELINE A. DEGREGORIO  
A Member of the Firm

[jdegregorio@weinerlesniak.com](mailto:jdegregorio@weinerlesniak.com)

May 23, 2012

James J. Damato, Esq.  
Board Secretary/General Counsel  
Union Public Schools  
2369 Morris Avenue  
Union, New Jersey 07083-5712

**Re: Proposal for Professional Service**

Dear Mr. Damato:

Kindly accept this letter as Weiner Lesniak LLP's response to the Union Township Board of Education's invitation to submit a Request for Proposal from this law firm for the new fiscal year to handle litigation matters as assigned by the Board and general counsel.

Weiner Lesniak LLP is a forty-two (42) attorney, Parsippany, New Jersey and Hauppauge, New York law firm performing a diversity of legal work. The firm practices in all areas of public sector representation and defense, education law, labor/employment law, commercial, tort and civil rights litigation, bankruptcy, environmental litigation, land use and planning and real estate transactions.

Weiner Lesniak LLP has a long history of committed client service and we are a "proactive" firm. We pursue a progressive advocacy philosophy and we understand the sometime emergent nature of representing boards of education. We pride ourselves on prompt responses to all inquiries, especially telephone calls, and provide quick, accurate written responses when needed. We also have dedicated our practice to being available as needed to each of our clients. To that end, we make ourselves available to attend all meetings, negotiations or hearings at your convenience.

Weiner Lesniak LLP welcomes the opportunity to continue providing experienced, reliable and competent litigation counsel to the Union Township Board of Education. We propose to provide all legal services at a blended hourly rate of \$185.00 for attorneys and \$65.00 for paralegals. Expert fees and expert costs will be billed to the Board as will copying costs at \$.20 per page, faxes at \$1.00 per page, and postage and express mail



James J. Damato, Esq.  
Board Secretary/General Counsel  
Union Township Board of Education

May 23, 2012  
Page 2

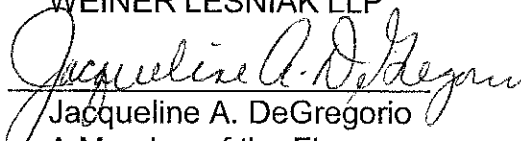
costs at the cost to us. In other words, we are to be reimbursed for all necessary disbursements and expenses incurred on your behalf.

I have enclosed this firm's Business Registration Certificate, Certificate of Employee Information Report and firm brochure along with a copy of my resume.

If you should have any questions or need further information, please feel free to contact the undersigned.

Very truly yours,  
WEINER LESNIAK LLP

By:

  
Jacqueline A. DeGregorio  
A Member of the Firm

JAD/jc  
Enclosure

Damato Proposal For Professional Service 5-23-12 JAD

Employment Section of the New Jersey State Bar Association and one of the authors of "New Jersey Labor and Employment Law."

Mr. Clarke currently serves as the Chief negotiator for the Bayonne Board of Education; New Brunswick Board of Education; Union Township Board of Education; Kinnelon Board of Education and Manasquan Board of Education.

### **Resources**

Our firm maintains an experienced administrative and clerical support staff which is available on a 24-hour basis if our clients needs dictate. Our staff is proficient in preparing pleadings for emergent matters which is not uncommon in labor and employment matters. This requires our support staff to prepare pleadings within a matter of hours so that we can appear in court to seek injunctions regarding illegal strikes and/or picketing. In addition, our firm provides paralegal services for those matters that lend themselves to that type of support.

### **Fee Schedule**

Our general billing procedures provide for the transmittal of a detailed invoice each month in which services are performed. Hourly rates are billed in units of 1/10 of an hour and all services are fully described with an indication of the day on which performed. Disbursements are also indicated. Invoices for items such as transcripts, expert fees, etc. billed to us by others will be sent to you for direct payment, with the request that you provide us with a copy of your payment transmittal letter for our files. We also bill for expenses such as copying, messenger service, computerized legal research and other similar items. Our hourly rate will continue to be \$190.00 per hour. In addition, our fees for disbursements are: \$.25/p. for b/w copies; \$1.00/p. color copies; \$1.00/p. facsimiles; and \$1.00/p. for scanning.

### **Clients**

A representative list of our labor and employment clients includes:

Allamuchy Board of Education; Bayonne Board of Education; Township of Belleville; Borough of Belmar; Borough of Bernardsville; Brick Township; Clara Maass Medical Center; Community Medical Center; Township of Clark; Cooper Tire; Coppertone; East Hanover Board of Education; Fairleigh Dickinson University; General Public Utilities Inc.; GPU Energy, Inc.; Great Meadows Board of Education; Hackettstown Board of Education; Helvoet Pharma; Borough of Highlands; Holmdel Township; Town of Kearny; Kimball Medical Center; Kinnelon Board of Education; Livingston Technologies; Manasquan Board of

Middlesex County College for more than 30 years and we serve as general counsel for Brookdale Community College as well.

We submit our proposal with the promise that we would consider such an appointment a top priority client relationship. To further comply with the Request For Proposal, we have also enclosed herewith the following:

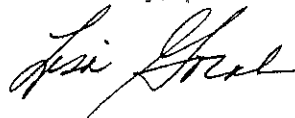
**Exhibit A – Curriculum Vitae for Anthony Pannella and Lisa Gorab;**

**Exhibit B – Mandatory Affirmative Action Language along with the Certificate of Employee Information Report and Certificate of Insurance**

The broad range of experience and expertise offered by our firm is matched by our efforts to ensure responsiveness to our clients' needs. For the Union Township Board, we propose the hourly rates of \$200, in addition to reimbursement for costs such as computer research, UPS Overnight, messenger, long distance telephone calls, telecopy, photocopy and the like.

We would welcome the opportunity to meet with you and the Union Township Board to discuss this proposal. Thank you for consideration of our firm.

Sincerely,



LISA A. GORAB

enclosures