



REQUEST FOR QUALIFICATIONS FOR SPECIAL COUNSEL FOR
EMPLOYMENT LITIGATION

RESPONSE TO QUESTIONS

1. The parameters for this RFQ have not been updated and reflect the New Jersey Secure Choice Board RFQ regarding tax counsel. Can you please advise when these areas will be revised to include the Employment Litigation requirements and scope of services?

We apologize for the inconvenience. The correct version of the Employment Litigation RFQ was posted on March 29, 2023.

2. From my review via the link, it appears the information needs to be completed on line on a step by step basis. Please advise if/how I may obtain a PDF version of the subject RFQ.

A PDF version can be accessed from the following link:

<https://www.njoag.gov/about/divisions-and-offices/division-of-law-home/outside-counsel/request-for-qualifications-for-special-counsel/>

3. Could you please advise the answer to the following questions for the Special Counsel RFQ under Firm Profile and Experience:
Questions H and I: Would work done by this firm for the Bergen County or Hudson County Prosecutor's Offices be considered work done for a "State agency or department"?

No, unless the firm is representing a county prosecutor's office pursuant to Wright v. State.

4. Question K: Asks for “major private sector clients” – Can we indicate clients such as municipalities and counties since this firm primarily represents public entities (municipalities and counties) which are not State agencies or departments, and are not “private sector clients”?

Yes.

5. With respect to question 5.2 A, “Demonstrate specifically how the firm meets the Minimum Qualifications set for above,” does that relate back *solely* to question number 2? More specifically, should the response to question 5.2 A address the following (from question 2): “Each lawyer whom the firm proposes will be primarily responsible for matters assigned under this Request for Proposal must have five or more years of experience in employment litigation matters as described in the Scope of Services.

Yes.

6. In addition to the question below, can you please confirm that all forms referenced in Exhibit A must be submitted with the proposal? Section 5.4 A states, “Your proposal must include all completed and signed required State law compliance forms set forth herein.” However, several of the paragraphs in Exhibit A state that the form “must be completed and submitted either with the proposal or with the signed Retention Agreement.” (e.g., I(C), Ownership Disclosure and I(D) Employee Information Report, as well as IV(A) Chapter 271 Annual Disclosure Statement Filing Requirement, which does not seem to apply unless a firm receives contracts in excess of \$50,000).

All forms referenced in Exhibit A must be submitted with the response to the RFQ, with the exception of requirements that specifically state that the document in question may be submitted with the signed retention agreement.