

RESOLUTION NO. 2015-_____

A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH GRUCCIO, PEPPER, DESANTO & RUTH, PA, VINELAND, NJ FOR LABOR ATTORNEY SERVICES FOR THE CITY OF VINELAND.

WHEREAS, the City of Vineland has heretofore advertised for proposals for Professional Services for Labor Attorney Services for the City of Vineland; and

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

WHEREAS, five (5) proposals were received and referred to the City Solicitor for evaluation and recommendation; and

WHEREAS, it has been recommended that a contract for the required services be awarded to Guccio, Pepper, DeSanto & Ruth, PA, Vineland, NJ based upon the proposal received, pursuant to a fair and open process; and

WHEREAS this contract is awarded in an amount not to exceed \$135.00 per hour, for specified services, plus reimbursable expenses, for a contract period not exceed one year beginning September 1, 2015; and

WHEREAS, the availability of funds for said Professional Services Contract to be awarded herein have been certified by the City Comptroller; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vineland that said contract for Professional Services for Labor Attorney Services, be awarded to Guccio, Pepper, DeSanto & Ruth, PA, Vineland, NJ, based upon the proposal received, pursuant to a fair and open process, in the amount not to exceed \$135.00 per hour, plus reimbursable expenses, for a contract period not exceed one year beginning September 1, 2015.

Adopted:

President of Council

ATTEST:

City Clerk

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

8/18/15

(DATE)

1. Service (detailed description): Labor Attorney Services for the City of Vineland

2. Amount to be Awarded: \$ 135.00 per hour, plus reimbursable expenses

- Encumber Total Award
 Encumber by Supplemental Release

3. Amount Budgeted: \$ _____

4. Budgeted: By Ordinance No. _____
Or Grant: Title & Year _____

5. **Account Number to be Charged: 001-0-12-14-1401-0-5023044

6. Contract Period: One year beginning September 1, 2015

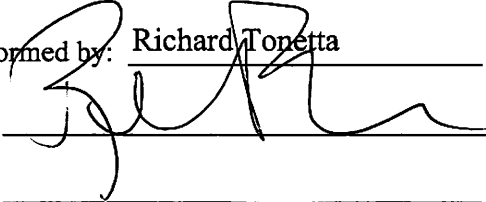
7. Date To Be Awarded: 8/25/15

8. Recommended Vendor and Address: Gruccio, Pepper, DeSanto & Ruth, PA
Vineland, NJ

9. Justification for Vendor Recommendation:(attach additional information for Council review)

- Non-Fair & Open (Pay-to-Play documents required)
 Fair & Open: How was RFP advertised? official newspaper

10. Evaluation Performed by: Richard Tonetta

11. Approved by: 

12. Attachments:

- Awarding Proposal
 Other: _____

- **Send copies to:**
Purchasing Division
Business Administration

**** If more than one account #, provide break down**

**QUALIFICATIONS AND PROPOSAL
FOR
2015 LABOR RELATIONS ATTORNEY CONTRACT
FOR
CITY OF VINELAND**

Submitted by: Gruccio, Pepper, De Santo & Ruth, PA
 817 Landis Avenue
 P.O. Box 1501
 Vineland, New Jersey 08360
 856-691-0100

SCOPE OF SERVICES

Gruccio, Pepper, De Santo & Ruth, PA (Gruccio, Pepper) hereby proposes to serve as Labor Counsel to the City of Vineland and agrees to provide the legal services requested by the City.

In detail, we would propose to furnish to the City of Vineland all specialized labor relations services required by the City from time to time in the field of collective bargaining negotiations, personnel administration, employer-employee relations, including the furnishing of advice, guidance and consultation pertaining to the same, conferring with City officials regarding existing contractual arrangements, an analysis of all existing contracts, preparing strategy for collective bargaining negotiations, negotiating the collective bargaining agreements, preparation of proposals, analysis of counter-proposals, preparing economic analysis of contract proposals, conferring with administrative personnel, representation during mediation, fact-finding or arbitration, including interest arbitration, if required, grievance handling and such other matters pertaining to labor or labor relations as may be required by the City from time to time.

Gruccio, Pepper has extensive experience providing the above specialized labor relations services to numerous public entities, including all matters impacting the employer/employee relationship with the public employer.

In many instances, the scope of our labor relations involvement with these public employers is broader than specific services related to labor negotiations. In many instances, we serve as labor relations counsel on an on-going basis. We are in regular contact with these public employers and on an as-needed basis supply them with advice with regard to personnel administration questions, including advice and representation related to grievance and disciplinary matters.

Gruccio, Pepper attorneys would be available to accommodate all required meetings of the City of Vineland including City Council meetings, meetings of the City's committees, and such other meetings as required.

Enclosed is a copy of our New Jersey Business Registration Certification.

GENERAL CRITERIA
RESUME AND QUALIFICATIONS

Firm's history:

Founded more than a quarter of a century ago, Gruccio Pepper has an established reputation throughout Southern New Jersey and provides legal services in Camden, Gloucester, Cumberland, Salem, Atlantic and Cape May Counties.

In addition to its general practice, the firm has extensive experience and background as counsel to governmental entities. The firm has served as general counsel and/or special labor counsel to various state authorities, counties, municipalities, local authorities and other governmental agencies including but not limited to representation before the Public Employment Relations Commission, the Department of Environmental Protection, the New Jersey State Department of Personnel and the United States Department of Labor. Its attorneys have lectured on public employee labor relations and the local public contracts law.

The firm also has an extensive litigation practice including the representation of several insurance carriers. The firm's trial attorneys are board certified by the Supreme Court of New Jersey.

In the corporate and business practice, the firm represents more than 300 corporations, ranging from the small, individual entrepreneur to the publicly listed company, including banking and other commercial lending institutions.

In the estate planning and administration practice, the firm prepares wills and other estate planning documents to distribute the assets of clients on a tax efficient basis and administers a large number of estates. In addition the firm acts as counsel to estate representatives and living as well as testamentary trusts.

The real estate practice of the firm includes the routine handling of seller and buyer transactions, as well as the representation of clients in complex commercial transactions and property acquisitions and in proceedings before zoning and planning boards. The firm also represents financial institutions in loan closings and project funding.

Enjoying steady growth since its inception, the firm has a present complement of 11 attorneys and 13 paralegals, computer operators, secretaries and related support personnel.

The professional association maintains offices at 817 Landis Avenue in the City of Vineland, Cumberland County since its formation.

Ability to Provide Services in a Timely Manner.

The firm has extensive practice in Camden, Gloucester, Cumberland, Salem, Atlantic and Cape May Counties, appearing regularly in various courts, before various Boards and Administrative Agencies. The firm also regularly appears before the Public Employment Relations Commission and before other State agencies having statewide jurisdiction. The firm has extensive experience and background in local government law, both representing private parties in matters before public bodies as well as in many instances serving as counsel to governmental entities. The firm has attorneys who are able to respond promptly to any request for legal assistance.

MANDATORY MINIMUM REQUIREMENTS

This firm is licensed to practice law in the State of New Jersey and eligible to appear before all state and federal courts and administrative offices of the State of New Jersey for more than ten (10) years preceding appointment.

This firm has more than ten (10) years' experience in representing municipal governments as defendants in actions before the Superior Court of New Jersey.

Names, qualifications, and experience of attorneys who would perform services for the City:

Lawrence A. Pepper, Jr. provides specialized professional services in the labor relations field to numerous private and public employers in South Jersey. He has extensive experience in negotiating collective bargaining agreements and serves as labor relations counsel for numerous public employers, including counties, municipalities, agencies and authorities. Mr. Pepper has over forty (40) years of experience in labor matters. Mr. Pepper has represented public employers in proceedings before the New Jersey Public Employment Relations Commission, the New Jersey Division on Civil Rights, the New Jersey Department of Labor, the Civil Service Commission (formerly New Jersey Department of Personnel), the Superior Court of New Jersey, the New Jersey Office of Administrative Law, the United States Department of Labor, the Equal Employment Opportunity Commission and the National Labor Relations Board.

In many instances, the scope of Mr. Pepper's labor relations involvement with these public employers is broader than specific services related to labor negotiations. In many instances, he serve as labor relations counsel on an on-going basis. Mr. Pepper is in regular contact with these public employers and on an as-needed basis supplies them with advice with regard to personnel administration questions, including advice and representation related to grievance and disciplinary matters. Mr. Pepper has presented labor relations seminars to various groups and served as the principal Moderator at a Public Employment Relations Commission/State Bar Conference concerning the Police and Fire Public Interest Arbitration Reform Act. Mr. Pepper has been a principal participant at the annual Public Employment Relations Commission/State Bar Conference, participating on a Panel discussion concerning Mediation in labor relations.

Mr. Pepper is a graduate of the University of Notre Dame and Rutgers University School of Law. He was licensed to practice law in the State of New Jersey in 1968.

Stephen D. Barse has specialized in public sector labor relations and employment for more than 25 years. His experience in this area includes representing employers in collective bargaining negotiations, mediations, arbitrations, fact-finding proceedings, grievance proceedings, unfair labor practice proceedings and disciplinary matters. Mr. Barse has represented public employers in proceedings before the New Jersey Public Employment Relations Commission, the New Jersey Division on Civil Rights, the New Jersey Department of Labor, the Civil Service Commission (formerly the New Jersey Department of Personnel), the Superior Court of New Jersey, the New Jersey Office of Administrative Law, the United States Department of Law, the Equal Employment Opportunity Commission and the National Labor Relations Board.

With respect to grievance and disciplinary matters, he has extensive experience in preparation for hearings, analysis of the strengths and weaknesses of each party's position, preparation of witnesses, and conduct of hearings.

Mr. Barse is a graduate of the University of Delaware and Georgetown University Law School. He was licensed to practice law in New Jersey in 1984.

Nicole J. Curio was admitted to the bar in 2009 after earning her law degree from Rutgers University School of Law in Camden (J.D., 2009) and her undergraduate degree from Penn State University in 2004 (B.A., 2004). While at Penn State, Ms. Curio was a member of the Communication Studies Honor Society, Lambda Pi Eta. At Rutgers, Ms. Curio was a member of the Hunter Moot Court Board. Ms. Curio was a Judicial Law Clerk to the Honorable Francis J. Orlando, Assignment Judge of the Superior Court of New Jersey, Camden County in 2009-2010. Ms. Curio is also a member of the Cumberland County Bar Association.

Ms. Curio has represented public employers in proceedings before the New Jersey Public Employment Relations Commission, the New Jersey Division on Civil Rights, the New Jersey Department of Labor, the New Jersey Department of Personnel, the Superior Court of New Jersey, and the Civil Service Commission (formerly the New Jersey Office of Administrative Law).

List of public entities:

Gruccio, Pepper serves as Labor Counsel to various municipalities and public agencies, including:

City of Absecon	Borough of Avalon
City of Bridgeton	Cape May County Board of Social Services
County of Cape May	Township of Egg Harbor
Township of Hamilton	Town of Hammonton
City of Margate	City of Vineland
City of North Wildwood	City of Northfield
Borough of Stone Harbor	City of Vineland
City of Cape May	Borough of Wildwood Crest
Landis Sewerage Authority	Buena Borough Housing Authority
City of Vineland Board of Education	Ocean City Library
Township of Mullica	

City of Vineland Special Experience

Gruccio, Pepper has been privileged to serve as Labor Counsel to the City of Vineland for several years. The Firm is thoroughly familiar with labor relations issues and City's practices and policies regarding all labor relations matters. Gruccio, Pepper has represented the City in collective bargaining negotiations, mediation, arbitration, fact-finding proceedings, grievance proceedings, unfair labor proceedings and matters before the State of New Jersey Public Employment Relations Commission. This experience provides great benefit to the City with continuity of knowledge of issues and positions.

CONFLICT OF INTEREST

We are not aware of any potential conflicts of interest or relationships between this office and the City of Vineland.

FEES

We propose being paid for such professional services a fee of One Hundred Forty (\$140.00) Dollars per hour for attorney services, which shall be paid from time to time upon the submission of proper verified legal statements to the City detailing the work actually performed. The cost of toll telephone calls, photocopy expenses, postage, travel expenses, including tolls and mileage, together with any extraordinary expense required to be incurred in the performance of services under this contract, not included in the above categories, such as Court costs, expert witness fees, or other similar costs shall be paid in addition to the aforesaid hourly fee for services.

REQUEST FOR QUALIFICATIONS
LABOR ATTORNEY
JULY 16, 2015

	Steven S. Glickman, LLC 570 Broad Street Suite 1201 Newark, NJ 07102	Gruccio, Pepper, DeSanto & Ruth, PA 817 E. Landis Ave. P.O. Box 1501 Vineland, NJ	Chance & McCann 201 West Commerce St. P.O. Box 278 Bridgeton, NJ	Capehart & Scatchard 8000 Midlantic Drive Mount Laurel, NJ	Long Marmero & Associates, LLP 44 Euclid Street Woodbury, NJ 08096
Stockholder Disclosure	YES	YES	YES	YES	YES
Affirmative Action	YES	YES	YES	YES	YES
Non-Collusion Affidavit	YES	YES	YES	YES	YES

Qualifications packages also sent to:

Buonadonna & Benson
 Decotiis
 Parker McCay



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