

The
Law Office of John McCann, L.L.C.
13 Ponds Way
Oakland, New Jersey 07436

Telephone No. (201) 803-0530
Facsimile No. (201) 644-0666
Email: mccannlaw@comcast.net

John McCann

Debra L. Feuerstein

Member NJ, NY, MA, DC Bar

Member NJ, NY Bar

December 20, 2019

Via Hand Delivery and email

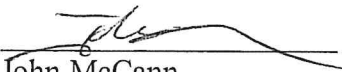
Attn: Mr. Hector Olmo,
Borough Clerk
Borough of Wallington
24 Union Boulevard
Wallington, New Jersey 07057

Re: Borough of Wallington – Request for Qualifications for Attorney Services

Dear Mr. Olmo:

Enclosed please find as required two(2) copies of this firm's response to the Borough of Wallington's request for proposal due on December 20, 2019. Should anyone have any questions I would be more than happy to address them in any setting the Borough requires.

Very truly yours,


John McCann

REQUEST FOR PROPOSALS OF
QUALIFICATIONS FOR
Outside Legal Services for the 2020
Calendar Year

	(X) Please indicate the services RFPQ submission applies to:	
1	☒	Borough Attorney
2	☒	Labor/Employment Counsel
3	☒	Appellate Practice (Federal, Superior Court, Civil Appeals)
4	☒	Board of Health Counsel
5	☒	Rent Control Board Counsel
6	☒	Bond Counsel
7	☒	Prosecutor
8	☒	Public Defender
9	☒	Redevelopment Counsel
10	☒	Planning Board Attorney
11	☒	Zoning Board Attorney
12	☒	Special Counsel
13	☒	Tax Appeals
14	☒	Alternate Prosecutor
15	☒	Alternate Public Defender
16	☒	Alternate Borough Counsel
17	☒	Conflicts Counsel
18	☒	Special Litigation Counsel
19	☒	Council on Affordable Housing Counsel
20	☒	Hearing Officer
21	☒	Affordable Housing Attorney
22	☒	Special Investigation Counsel
23	☒	Human Resources Investigation Counsel
24		
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December 20, 2019

Via Hand Delivery and email
Borough of Wallington
24 Union Boulevard
Wallington, New Jersey 07057

Attn. Hector Olmo, Borough Administrator

Re: Borough of Emerson – Request for Qualifications for Attorney Services

Dear Mr. Olmo:

This letter is submitted in response to the Borough of Wallington's (the "Borough") Request for Qualifications for Legal Services. This letter summarizes our firm's qualifications. Below is the information requested by the Borough.

COSTS

2.1 The estimated costs for providing Attorney services will be the usual and customary costs associated with specific contract of services.

2.2 An hourly rate of \$150.00 is acceptable for attorney work performed on behalf of the Borough. Travel time beyond Bergen County will be billed at the normal hourly rate for work taken on behalf of the Borough. Millage and tolls will should be reimbursed at the prevailing IRS rate and costs of tolls and parking should be reimbursed in full. Other reimbursable expenses are as follows: Photo copies \$ 0.30 per page; faxes \$0.25 per page; printing \$0.15 per page; color copies \$0.65; CD copies \$5.00 per CD; DVD copies at vendor rate; filing fees will be at cost asset by the court or administrative agency; arbitrator's and mediators will be at the costs they charge; expert fees

GENERAL REQUIREMENTS

3.1 Today Wallington is at a cross roads. Currently the Borough is considering a redevelopment plan. These types of plans are generally designed to stabilize the tax-base while attempting to satisfy the Court mandated low income housing requirements. Whether or not a plan achieves its goals is yet to be determined. The Borough could expect public opposition and will need the guidance of experienced professionals to guide its elected official. Wallington has multiple small shopping malls with high volume of traffic from residence and surrounding communities. In the face of changing economics in the retail sector of the US economy, the Borough needs to establish long -term economic goals in order to maintain a stable tax-base to attract first-time homeowners into the community. Like many of the surrounding Bergen County boroughs, Wallington faces congestion problems that it needs to address along the long term needs of the municipal government and its assets. One of Wallington's first goals should be to set achievable goals both long and short term and improve the efficiency of its services. The delivery of those services is also an increasing challenge. Volunteer participation has been on a downward trend for the last several years. Ambulance and Fire Departments across New Jersey are facing many challenges trying to maintain the quality of service that the residents have come to expect. A study of this problem is imperative for the Borough.

ADMINISTRATIVE INFORMATION REQUIREMENTS

Pursuant to Section 3.2 **Administrative Information Requirements**, please see the following response:

1. Pursuant to Section 3.2(1) of the RFQ please see the **Executive Summary** attached hereto and made part hereof as **Exhibit A**.
2. Pursuant to Section 3.2(2) of the RFQ please see the attached signed **Letter of Intent** attached hereto and made part hereof as **Exhibit B**.
3. An Executed Certifications Document **Exhibit C**.
4. Pursuant to Section 3.2(4) the Firm submits the following contact information:

Name:	The Law Office of John McCann
Address:	13 Ponds Way Oakland, NJ 07436
Contact Person:	John McCann
Telephone Number:	(201) 803-0530
Email Address:	McCannLaw@comcast.net

5. Pursuant to Sections 3.2(4) (a) (b) (c) of the RFQ, the Law Office of John McCann is a Trade name for the Limited Liability Company John McCann Esq. LLC. Pursuant to New Jersey Law it a single member LLC and is not a partially-owned subsidiary of any other firm or parent entity. The single member is: John McCann and maintains his professional address at 13 Ponds Way, Oakland New Jersey. The organizing structure is as stated, a single member LLC with a trade name The Law Office of John McCann.
6. Pursuant to Section 3.2 (6) The firm has been in existence since 2001, 18 years.
7. Pursuant to Section 3.2(7) of the RFQ, there are no judgment within the las three (3) years in which the Law Office of John McCann has been adjudicated liable of professional malpractice.
8. Pursuant to Section 3.2(8) of the RFQ, the Law Office of John McCann has not been involved in any bankruptcy proceedings nor has the firm undergone any reorganization proceedings within the last 10 years.
9. Pursuant to Section 3.2(9) of the RFQ, this letter will confirm that our firm possesses the appropriate federal and state licenses to perform legal services.
10. Attached as **Exhibit D** please find our Business Registration Certificate. All attorneys are members of the New Jersey State Bare in good standing.

PROFESSIONAL INFORMATION REQUIREMENTS

Pursuant to Section 3.3, **Professional Information Requirements** of the RFQ, please see bellow a description of The Law Office of John McCann and the principle member's experience regarding the provision of legal services for the Borough of Emerson.

3.3. Overall Experience

a) Scope of Work:

The principle of the firm, John McCann, currently serves as the Borough Attorney in Emerson New Jersey. Mr. McCann has unique eclectic experiences in providing services to a wide range of federal, state, county and municipal governments and government officials. His first public appointment was in 1993 as Fellow to United States Senator Arlen Specter as an advisor for Health Care Law and Policy. In 1998 he was appointed by the Governor and State Senate of New Jersey to the New Jersey Information Resource Council to assist the State of New Jersey in solving its Y2K problem. He served as a Councilman in Cresskill from 2000- 2008. He chaired the budget committee, insurance committee, recreation committee, and police committee as well as Council President. He, also, served on special redevelopment committee and assisted in building a recreation center without any taxpayer money. In 2008 he served as the "unofficial"

Borough Attorney. From 2003 to 2009 he has served as the General Counsel for the Federal Law Enforcement Foundation. During the same time period he represented over 20 Chiefs of Police in Bergen County as well as numerous elected officials throughout the State. In 2007 served as special counsel to the Borough of Dumont as an advisor for its Council on Affordable Housing obligations as well as special labor advisor. Served as special municipal advisor to the Borough of Closter's mayor on various municipal issues. In 2011 he was the General Counsel for the Office of the Sheriff of Bergen County. There he served as the principle in budget preparation and presented the annual budget to the Board of Chosen Freeholders. He also served as the chief compliance person for Internal Affairs, as well as supervision of all litigation, OPERA requests, the Public Information Officer, and liaison to County and State Officials working on complex legal and policy matters. From 2014 to 2018 served as General Counsel for the New Jersey State Sheriff's Association. Assisted Sheriff's across the State of New Jersey in all aspects of County Government and Law.

Through these experiences, Mr. McCann has assisted clients with public meetings, preparation of resolutions, ordinances, contracts and public notices. He has handled contract negotiations including labor and arbitrations. He has thoroughly worked in the various schemes applicable to local government, including the Local Public Contracts Law; the Open Public Meetings Act; the Open Public Records Act; Local Lands and Building Law; the Municipal Land Use Law and Local Fiscal Affairs Law; Federal Family Leave Act; and the New Jersey Family Leave Act.

- b) Chief Mickey Bradley, 6 Kossuth Place, Wayne, New Jersey (973) 305-1171, Mbradleyassociates@hotmail.com ; Honorable Donald Winant, 177 Magnolia Dumont, New Jersey 07628 (201) 450-7032, donwinant@aol.com ; Julien Neals County Counsel, Acting A County Administrator, One Bergen Plaza Hackensack New Jersey, 07601 jneals@co.bergen.nj.us
- c) As a former elected official Mr. McCann brings a unique understanding of the dedication the municipal officials have to their community. In that regard he is sensitive to the burdens placed on elected officials as to getting the job done right at a reasonable COST to the taxpayers and advises accordingly.

3.3 (2) From 2011 through 2017 Mr. McCann served as General Counsel to the Office of The Sheriff in Bergen County. From 2014 through 2018 Mr. McCann served as General Counsel to the New Jersey State Sheriff's Association.

3.3(3) Please see attached resume of Mr. McCann.

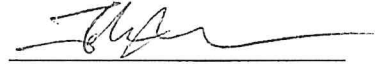
3.3(4) John McCann has no relatives who are Borough employees.

3.3(5) John McCann has and will maintain malpractice insurance during the duration of the contract of at least \$100,000.00.

3.4 (5) Mr. McCann does not have any relatives who are employees or elected officials in the Borough of Emerson.

Thank you for permitting the firm to submit this Qualifications Statement. If any additional information is needed, or if you would like to arrange a meeting with the members of the Mayor and Council, I would be more than happy to accommodate you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John McCann', written over a horizontal line.

John McCann

Exhibit A

Executive Summary

The Law Office of John McCann has been providing legal services for over 20 years throughout the state of New Jersey, New York and Massachusetts. Originally operating with a staff of 4 attorneys, in 2004 the firm has been paired down to a solo practice within the firm; that however is not the complete business model. Mr. McCann has relationships with many attorneys who work from home on a per diem basis. Expertise ranges from Medical Malpractice to residential and commercial real estate. In today's modern world of instant communication, this has proven to be a very successful business model keep costs down while providing legal expertise in specific areas of need. Over the last 13 years the firm has provided services to employer's both public and private. Matters including revising management policies, public relations supervision, contract negotiations, unfair labor practices, employee discipline, interest arbitration, administrative law, anti-discrimination (LAD), CEPA and municipal law including OPRA and redevelopment, and COHA.

John McCann is admitted to practice law in New Jersey, New York, Massachusetts, District of Columbia, and United States Federal Court Third District. Mr. McCann has not only worked in government, he served as a Councilman for nine ((9) years and brings that level of commitment to taxpayers to the clients he serves in public life. As General Counsel for the Office of the Sheriff working in a bi-partisan manner he has been acclaimed for saving the taxpayers millions of dollars on behalf of his client. As General Counsel for the New Jersey Sheriff's Association he has worked with elected Sheriffs of both political parties to assist them in pursuit of their policy objectives. He has broad range of experience both from a policy and legal perspective. He has extensive expertise in areas of government budgets and finance who has established himself as someone who can work well across political lines for the best interest of the taxpayers. He has served as legal adviser to numerous elected officials across the northeast region and in Bergen County. He has successfully negotiated numerous contracts with some of the largest labor unions in the State while at the same time providing supervision of multiple attorneys litigating on his behalf working at the highest levels of government.

Exhibit B

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John McCann

Debra L. Feuerstein

Member NJ, NY, MA, DC Bar

Member NJ, NY Bar

LETTER OF INTENT
EIN 22-3453030

December 19, 2019

Via Hand Delivery and email

Borough of Wallington
24 Union Boulevard
Wallington, New Jersey 07057

Attn. Hector Olmo, Borough Administrator

Re: Request for Qualifications for Legal Services

Dear Mr.Olmo:

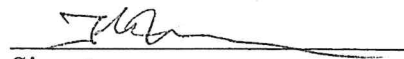
The undersigned, as Respondent has submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the Borough of Wallington ("Borough"), dated November 26, 2019, in connection with the Borough's need for legal services.

John McCann HEREBY STATES:

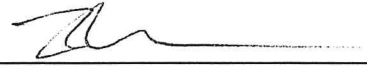
1. The Qualification Statement contains accurate, factual and complete information. We affirm the contents of our Proposal of Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and the Qualification Statement is submitted in good faith upon express understanding that any false statements may result in the disqualification of the undersigned Respondent.
2. **John McCann** is interested in being invited to respond to the Borough of Wallington request for Proposals of Qualification (RFQ). It is the intent of John McCann, to complete and submit a Qualification Statement for the provision of services set forth

above and to enter into a contract for services if selected and awarded a contract by the Mayor and Council of the Borough of Wallington.

3. **John McCann** agrees to participate in good faith in the procurement process as described in the RFQ and to adhere to the Borough's procurement schedule.
4. **John McCann** acknowledges that all costs incurred by them in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFP, or any negotiation which results there from shall be borne exclusively the Respondent.
5. **John McCann** hereby declares that the only persons participating in this Qualification Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Borough of Wallington. **John McCann** declares that this Qualification Statement is made without connection with any other person, firm or parties who have submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.
6. **John McCann** acknowledges and agrees that the Borough of Wallington may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Borough of Wallington shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.
7. **John McCann** acknowledges that any contract executed with respect to the provision of legal services must comply with all applicable affirmative action and similar laws. **John McCann** hereby agrees to take such actions as are required in order to comply with such applicable laws.
8. **John McCann** acknowledges and agrees that it will obligate to satisfy the requirements set forth in Section Two of this RFQ at the time of submission of its Proposal of Qualification Statement. **John McCann** hereby states that (as of the date hereof) it has a reasonable expectation that it will be able to satisfy such criteria and requirements as of the date of its submittal.


Signature


John McCann, Managing Member



The Law Office of John McCann

DATED: December 20, 2019

Exhibit C

CERTIFICATIONS

In addition to responding to the foregoing, John McCann Respondent certifies that:

- A. The firm's participation in the matters contemplated by this RFQ will not create any conflict of interest for the firm or any of its officers or employees.
- B. The firm is an equal opportunity employer and does not discriminate against applicants or employees on the basis of race, color, religion, sex, age, disability, national origin, or ancestry.
- C. The firm is not currently in violation of or under any investigation of review for a violation of any state or federal law or regulation that might have a material adverse impact on the firm's ability to serve if selected.
- D. The firm understands and agrees that during the time it is a member of the group of qualified firms it will not be eligible to serve as financial advisor to the Brought of Wallington, and that it does not, and will not during that time have a financial interest in any firm providing financial advisory services to the Brought of Wallington.

The Law Office of John McCann

By  _____

John McCann
Managing Member

December 19, 2019

Exhibit D

Sincerely,



James J. Fruscione
Acting Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:
JOHN MCCANN ESQ. LLC

ADDRESS:
**26 FRANKLIN STREET
TENAFLY NJ 07670**

EFFECTIVE DATE:
06/15/07

TRADE NAME:
THE LAW OFFICE OF JOHN MCCANN

SEQUENCE NUMBER:
1333448

ISSUANCE DATE:
07/11/07



Acting Director
New Jersey Division of Revenue

FORM-BRC(08-01)

~~This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.~~

Exhibit E

OWNERSHIP DISCLOSURE CERTIFICATION

This Statement Shall Be Included with Bid Submission

Name of Business The Law Office of John McCann

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned. However if a parent entity holding 10% or more is a publicly traded entity, then the respondent in complying with N.J.S.A. 52:25-24.2 may submit the name and address of each publicly traded entity, and the name and address of each person holding 10% or more beneficial interest in the publicly traded entity as of the last the last annual filing with the Security Exchange Commission (SEC), or foreign equivalent.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

☐ Partnership ☐ Corporation ☐ Sole Proprietorship ☐ Limited Partnership
☒ Limited Liability Corporation ☐ Limited Liability Partnership ☒ Other

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name: _____ Name: _____

Home Address: _____ Home Address: _____

Name: _____ Name: _____

Home Address: _____ Home Address: _____

Subscribed and sworn before me this _____ day of _____, 2019

John McCann
(Affiant)

(Notary Public)

My Commission expires:

(Print name & title of affiant)

(Corporate Seal)

DISCLOSURE STATEMENT

The attention of prospective bidders is drawn to the provisions of the Local Government Ethics Law (N.J.S.A. 40A:9-22-1, et seq.) which prohibits a Borough Officer or employee or member of his/her immediate family from having an interest in a business organization or engaging in any business transaction, or professional activity which is in substantial conflict with the proper discharge of his duties in the public interest.

In furtherance thereof, every bidder must disclose below, being a Wallington officer or employee or whether an immediate family member is a Wallington officer or employee. If the bidder is a business organization, then disclosure shall be made with respect to anyone having an interest in the business and their immediate family members.

Please answer the following:

Is the bidder, or a member of the bidder's immediate family, or anyone having an interest in the bidder's business organization including their immediate family members, an officer or employee of Borough of Wallington

NO



YES

* President, Vice President or Signature of
Authorized Representative

Print Name

Title

If yes, provide the name of the individual and identify the position held, below, and notify in writing the Office of the Borough Administrator, 24 Union Boulevard, Wallington, NJ 07057. (Attach a copy of the correspondence to this form).

NOTE: All terms used herein are to be construed in accordance with their meaning under the Local Government Ethics Law, cited above.

*** FAILURE TO SIGN THIS AFFIDAVIT BY A DULY AUTHORIZED COMPANY OFFICIAL MAY
RESULT IN REJECTION OF THIS PROPOSAL.**

Disclosure of Investment Activities in IRAN

BID/RFP/Solicitation Number:

REQ
20-001

Bidder/Offeror:

McLan

Part 1: Certification

BIDDERS ARE TO COMPLETE PART 1 BY CHECKING EITHER BOX.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:

☒

I certify, pursuant to Public Law 012. c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran

pursuant to P.L. 2012. c. 25 ("Chapter 25 List"). I further certify that I am the person listed above. or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

☐

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below.

Part 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran on additional sheets provided by you.

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name: (Print): John McCarty Signature: [Signature]

Title: Managing Member Date: 12/20/19