

EAST NOTTINGHAM TOWNSHIP

158 Election Road Oxford, PA 19363

(610)932-8494

REQUEST FOR PROPOSAL (RFP) FOR TOWNSHIP SOLICITOR

I. PURPOSE AND INTENT

Through this RFP, East Nottingham Township seeks to engage a vendor as Township Solicitor for the 2019 calendar year, on or about January 7, 2019 to January 6, 2020, or upon appointment, whichever is sooner.

II. PROPOSAL SUBMISSION

An original, clearly marked as “ORIGINAL”, plus five (5) complete and exact copies of each proposal shall be placed in a sealed envelope and must be marked “Township Solicitor” and addressed to:

Secretary Kelli Karlton
East Nottingham Township
158 Election Rd.
Oxford, PA 19363

It is strongly recommended to email a copy of the proposal to: secretary@zoominternet.net

Proposals must be received no later than **Friday, December 7, 2018 at 4:00 p.m.** Faxed proposals will not be accepted. Inquires should be directed in writing to supervisorwatson@gmail.com

All documents/information submitted in response to this solicitation shall be available to the general public. The Township will not be responsible for any costs associated with the presentation of any proposals.

The Township reserves the right to reject any proposal, with or without cause, and waive any irregularities or informalities in the proposals. The Township further reserves the right to make such investigations as it deems necessary regarding qualifications of any or all vendors submitting proposals.

III. GENERAL INFORMATION ABOUT EAST NOTTINGHAM TOWNSHIP

East Nottingham Township is located in Chester County, Pennsylvania. It operates under the Second Class Township Code with a Board of Supervisors of five (5). The Board typically meets the second Tuesday of each month for their monthly public meeting. The Township has a total of approximately 20.1 square miles and an annual general fund budget of \$6.6 million (2019). The township has a total of 8 employees.

IV. DUTIES OF SOLICITOR

- a. Prepare or approve, if directed, or requested to do so, any bonds, obligations, contracts, leases, conveyances, ordinances, and assurances to which the Township may be a party.
- b. Commence and prosecute all actions brought by the Township for or on account of any of the estates, rights, trusts, privileges, claims or demands of the Township, as well as defend the Township or any Township Officer against all actions or suites brought against the Township or Township

Officers in which any of the estates, rights, privileges, trusts, ordinances, or accounts of the Township may be brought into question before any Court in this Commonwealth.

- c. Perform every other professional act incident to the office with the Township Solicitor that may be authorized or required by the Board of Supervisors.

V. MINIMUM QUALIFICATIONS

All applicants shall have the following minimum qualifications:

- a. If the Applicant is a one-person law firm, the person must be licensed to practice law in the Commonwealth of Pennsylvania.
- b. If the Applicant is a partnership, association, or professional corporation, the attorneys who perform work for the Township shall be licensed to practice law in the Commonwealth of Pennsylvania.
- c. The Applicant must have experience in municipal law, municipal litigation and tort claim laws, and Pennsylvania employment, labor and personnel related laws. The Applicant, or the primary attorney assigned by a multi-attorney firm, shall have experience as a Solicitor in a township or municipality in the Commonwealth of Pennsylvania.

The Applicant must demonstrate considerable knowledge, experience, and ability with:

1. The operation of local governmental units in Pennsylvania
2. Acquisition and disposition of real estate (Open Space)
3. Municipal land use law
4. Knowledge of local public contracts law
5. Public bidding
6. Assembling Employment Practices Liability (EPL) policies to protect the Township
7. Experience with Second Class Township government
8. Knowledge in government ethics, sunshine law, and right-to-know law
9. Attend and provide knowledgeable legal advice at Township meetings, work sessions, and committee meetings, as requested
10. Maintain availability by cell phone and email
11. Provide timely responses to staff and the Board of Supervisors
12. Draft ordinances for the Board's approval, with assistance from the staff at times
13. Assist the Board and Staff with interpretation of codes, ordinances, laws, and regulations
14. Draft and review agreements between the Township and other entities
15. Represent the Township as needed in court proceedings
16. Recommend outside legal counsel to represent the Township, when warranted.
17. Work with outside legal counsel in representing the Township.

Include any other professional qualifications, experiences, or credentials you believe are relevant.

VI. MANDATORY PROPOSAL CONTENT

In addition to meeting the minimum qualifications, the Applicant must include and address:

- a. Full contact information for the person(s) preparing the proposal and the principal attorney that will be assigned to the Township.

- b. A fee proposal for the 2019 calendar year. Minimum and maximum ranges are not acceptable. An hourly rate shall set forth the hourly rate of all professionals who will be performing work.
- c. An executive summary asserting why the applicant is best qualified.
- d. A staffing plan listing those who will be assigned to the engagement, including the principal professional responsible for all services within the engagement. Relevant resume information should be included for the principle professional: professional experience, years of experience, and years with the vendor.
- e. Applicant's experience in performing services of this nature by identifying comparable clients and the scope of work performed for them.
- f. Location of the Applicant's office where the services will be performed.
- g. References for two (2) current or former townships/municipalities with two (2) continuous years of service.
- h. If the Applicant or any principal therein has been engaged as a defendant in any litigation involving a sum of \$100,000 or more and/or has been subject to any professional disciplinary action over the last three (3) years, a description of the litigation and/or disciplinary action must be included.
- i. A description of any ongoing investigations and/or litigation matters involving the Applicant, its directors, officers, principals, and any individuals employed by the Applicant that relate to the performance of the Applicant.
- j. Identify any existing or potential conflicts of interest and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this engagement.

VII. INTERVIEW

The Board of Supervisors reserve the right to interview any and all applicants submitting a proposal. Although interviews may occur, the proposal should be comprehensive and complete on its face. The Township reserves the right to request clarifying information subsequent to proposal submission.

VIII. SELECTION PROCESS

All proposals will be reviewed to determine completeness. Incomplete proposals may be rejected without evaluation. Those evaluated will include, but not limited to, the following evaluation criteria, separate or combined in some matter, and not necessarily listed in order of significance:

- a. General approach to providing services required under this RFP.
- b. Municipal experience, specifically to the engagement described in this RFP.
- c. Qualifications and experience, supervisory or other key personnel assigned to the engagement, documented experience in successfully completing legal work of similar size and scope in this RFP.
- d. Overall ability to mobilize, undertake, and successfully complete the scope of work effectively and efficiently. The criterion will include, but not be limited to, the following: number and qualifications of management, supervisory, and other staff proposed by the Applicant to perform the services required by this RFP, the availability and commitment to the engagement of the Applicant's management, supervisory, and other staff proposed.
- e. Costs and fee schedules.
- f. Other criteria as deemed appropriate by the Board of Supervisors.

The Board of Supervisors will select the Applicant deemed most advantageous to the Township, with price and other factors considered.

IX. CONTRACT

The resulting contract will include this RFP, any clarifications of addenda thereto, the selected Applicant's proposal, and any changes negotiated by the parties. The contract will be "at will" and may be terminated at any time, for any reason, upon vote of the majority of the Board of Supervisors.