

**REQUEST FOR PROPOSALS
ZONING HEARING BOARD SOLICITOR**

**PROPOSALS DUE
MONDAY, MAY 4, 2020 AT 1PM (EST)**

**EAST BUFFALO TOWNSHIP
BOARD OF SUPERVISORS**

589 FAIRGROUND ROAD
LEWISBURG, PA 17837
UNION COUNTY
www.ebtwp.org

**NOTICE
REQUEST FOR PROPOSALS**

East Buffalo Township Boards of Supervisors, Union County, Pennsylvania is soliciting proposals for a Zoning Hearing Board Solicitor. The RFP is available at the Township Building, 589 Fairground Road, Lewisburg, PA 17837, between the hours of 8AM and 4PM or on the Township website at www.ebtwp.org. All proposals must be received by 1PM on May 4, 2020. Proposal submission requirements are contained within the RFP. The Township reserves the right to reject any and all proposals.

Stacey Kifolo
Township Manager

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GENERAL INFORMATION

East Buffalo Township (“Township”) is requesting proposals from qualified solicitors for services as outlined.

Respondents must be licensed to practice law in the State of Pennsylvania and be a member of the Bar in good standing.

There is no expressed or implied obligation for the Township to reimburse respondents for any expenses incurred in preparing proposals.

The Township reserves the right to reject any or all proposals submitted.

The Township reserves the right to request additional information or clarifications, or to allow corrections of errors or omissions. Respondents submitting proposals may be requested to make oral presentations.

The Township reserves the right to retain all proposals submitted and to use any ideas in other proposals regardless of whether or not that proposal is selected. Submission of a proposal indicates an acceptance by the respondent of the conditions contained in this RFP unless clearly and specifically noted in the submitted proposal and confirmed between East Buffalo Township and the selected solicitor. All documents/information submitted in response to this solicitation may be available to the general public following selection of applicant.

Bidders are reminded that the specifications stated in this RFP are the minimum level required and that bids submitted must be for services that meet or exceed the minimum level of all features specifically listed. Proposals offering less than the minimums specified are not responsive.

It is the responsibility of all respondents to examine the entire RFP and seek clarification of any requirement that may not be clear and to check all responses for accuracy before submitting a proposal. Negligence in preparing a proposal confers no right of withdrawal after the submission deadline. Respondents are strongly encouraged to: (i) consider applicable laws and/or economic conditions that may affect cost, progress, and performance; (ii) correlate respondent’s knowledge and observations with the RFP document and other related data; (iii) promptly notify the Municipality of all conflicts, errors, ambiguities, or discrepancies which a respondent has discovered in or between this RFP and such other related documents.

INSTRUCTIONS AND SCHEDULE

To be considered one original proposal must be submitted to East Buffalo Township, 589 Fairground Road, Lewisburg, Pennsylvania, 17837 and one electronic copy of the proposal shall be submitted via email to ebtmanager@ptd.net. The full proposal (both paper and electronic) must be received no later than Monday, May 4, 2020 at 1PM. Faxed proposals will NOT be accepted.

Proposals received prior to the submittal deadline will be treated as confidential up to the proposal submittal date.

Proposals received after the deadline will not be considered in the evaluation process.

It is anticipated that the selection of a Solicitor will be completed by June 8, 2020.

CONTACT PERSON

Any inquiry concerning this RFP should be directed in writing to:

Stacey Kifolo, Township Manager
589 Fairground Road
Lewisburg, PA 17837
Union County
Email: ebtmanager@ptd.net

ABOUT EAST BUFFALO TOWNSHIP

East Buffalo Township is a Second-Class Township located in Union County, Pennsylvania and operates under the Pennsylvania Second Class Township Code, with a three (3) member Board of Supervisors. The Township is approximately 15.27 square miles, approximate population of 6,949, with 2,157 housing units and 466 companies.

East Buffalo Township utilizes a seven (7) member advisory Planning Commission, which meets on the third Wednesday of each month.

The three (3) member Zoning Hearing Board (ZHB) is called to order on an as needed basis.

APPOINTMENT OF A ZONING HEARING BOARD SOLICITOR

A Zoning Hearing Board Solicitor shall be appointed by a majority vote of the Township Board of Supervisors, shall serve at the will of the Township, and may be terminated at any time, for any reason, upon a vote of the majority of the Township Board of Supervisors. The Solicitor shall be an attorney-at-law licensed in Pennsylvania. The Solicitor and/or firm shall receive such compensation as agreed upon and determined by the Township.

DUTIES OF THE ZONING HEARING BOARD SOLICITOR

- Review and aid in the preparation of legal documents pertaining to the ZHB;
- Attend regular, special, and continued sessions of the ZHB;
- Conduct legal research and render legal opinions and assistance to the ZHB;
- Assist, when necessary, any other Attorney which the Board may engage;
- Represent the ZHB in litigation;
- Produce and submit decisions and findings to the Board of Supervisors and their designee for Zoning; and
- Cooperate with the Board of Supervisors and the Township's Solicitor regarding any matters pertaining to the ZHB.

CONFLICT OF INTEREST

The successful candidate shall not have conflicts of interest with the Township, and shall address and resolve any individual matters involving a conflict in advance of appointment. Such conflicts shall be disclosed as part of this submission.

MANDATORY CONTENTS OF PROPOSAL

All submitted proposals shall conform to the following general format. The respondent may supplement the format with additional information, but must include the indicated information at a minimum.

Transmittal Letter

Including the signature of a representative of the firm authorized to negotiate and enter into contracts on its behalf.

Professional Qualifications

At a minimum, the following points must be addressed:

- Contact Information: Provide the name and address of the firm, the name, telephone number, fax number, and email address of the individual responsible for the preparation of the proposal, and the principal professional assigned to the Township.
- An executive summary of not more than one (1) page, identifying and substantiating why the respondent is best qualified to provide the requested services.
- A staffing plan listing those persons who will be assigned to the engagement if the respondent is selected, including the designation of the person who would be the respondent's principal professional responsible for all services required under the

engagement. This portion of the proposal should include the relevant resume for the individual(s) who will be assigned. The information should include, at a minimum, a description of the principal's relevant professional experience, years and type of experience, and number of years with the respondent.

- A description of the respondent's experience in performing services of the type described in the RFP. Provide specific examples of work within the scope of services required under this RFP.
- The location of the respondent's office, if other than the respondent's main office, at which the respondent proposes to perform services required under this RFP. Describe your presence in Pennsylvania and any familiarity your firm has with the County of Union.
- References, including municipal clients for whom services have been provided for at least five (5) years. Provide contact names, titles, and phone numbers.
- If the respondent 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, the respondent must provide a description of the litigation and/or disciplinary action.
- A description of any ongoing investigations and/or litigation matters involving the respondent, its directors, officers, and principals, and any individuals employed by the respondent that relate to the performance of the respondent in the proposed field of expertise.
- It is important that the Solicitor representing the ZHB not have any other clients that have or would be a conflict with Township issues. Specify if there are any actual or potential conflicts of interest with the Township. Include a disclosure of clients who have dealings with the Township, including all boards and commissions. Explain how your firm would handle such conflicts. Also, set out any allowance in contract price if the Township has to retain other legal counsel because of a conflict of interest with your firm. Present evidence of firm's malpractice coverage.

Work Plan

Include a work plan that explains the approach to providing ZHB solicitor services. The work plan shall include an explanation of procedures to be used to conduct ZHB engagements and a schedule for completion of reports.

Fee Schedule

- A rate proposal for 2020. The proposal should include a Rate Schedule for the principal, associates, and paralegals, detailing personnel classifications, rates per hour, direct expenses such as auto travel, copies, etc. and any other cost that may be applicable.

- A detailed listing of the method of charging for professional and administrative services; the billable rates for all personnel of your firm who may provide services to the Township (do not list an range of rates); a description of the multipliers, overhead charges and other applicable fee information; a description of minimum billings; hourly or per meeting rates associated with attending Zoning Hearing Board evening meetings, as requested. Any costs incurred by proposer in preparing or submitting offers are the proposer's sole responsibility. The Township will not reimburse any proposer for any costs incurred prior to contract award.

INSURANCE

The respondent, as a member of a profession which is subject to suit for professional malpractice, shall provide documentation that insurance for professional liability/malpractice coverage with limits as to liability acceptable to the Township. Said certificate of insurance shall name the Township as an additional insured.

FINANCIAL DISCLOSURE

The applicant as required by law shall, with this proposal, and annually thereafter, file with the Township a Statement of Financial Interest on the form promulgated by the Pennsylvania State Ethics Commission.

INTERVIEW

The Township reserves the right to interview any or all of the respondents submitting a proposal. Although interviews may take place, the proposal should be comprehensive and complete. The Township reserves the right to request clarifying information subsequent to submission of the proposal.

SELECTION AND CONTRACT

The Township will select the respondent deemed most advantageous to the Township, with price and other factors considered. The resulting contract will include this RFP, any clarifications, or addenda thereto, the selected respondent's proposal, and any charges negotiated by the parties. The Township shall not be required to appoint the lowest cost respondent.