**TOWNSHIP OF \_\_\_\_\_\_**

 **REQUEST FOR PROPOSAL FOR TOWNSHIP ATTORNEY**

**DUE FRIDAY, \_\_\_\_\_\_, 20XX**

**I. PURPOSE AND INTENT**

Township of \_\_\_\_\_\_, \_\_\_\_\_\_ County, is requesting proposals for the position of Township Attorney. Applicants should submit written proposals to [name], [address]. The Township Attorney shall be responsible for advising the Board, its Committees, and Manager on all legal questions arising in the conduct of Township business.

**II. PROPOSAL SUBMISSION**

An original, unbound hard copy and **nine (9) full**, complete and exact electronic copies shall be submitted in a sealed envelope and must be marked as "Township of \_\_\_\_\_\_ Township Attorney" and addressed to:

\_\_\_\_\_\_

\_\_\_\_\_\_

\_\_\_\_\_\_

\_\_\_\_\_\_

The proposal must be received no later than 12:00 p.m. on **Friday, \_\_\_\_\_\_, 20XX.**  Faxed or email proposals will NOT be accepted. The Township will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. Any inquiries concerning this RFP should be directed via email to \_\_\_\_\_\_.

All information and documents submitted in response to this solicitation shall be available to the general public. The Township reserves the right to reject any or all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Township further reserves the right to make investigations as it deems necessary to the qualifications of any and all applicants submitting proposals. The Township reserves the right to re-solicit proposals.

**III. MINIMUM QUALIFICATIONS**

The Township requires the services of a firm or individual that is able to provide legal advice on a variety of matters. The firm or individual should have significant municipal experience as more particularly detailed on Exhibit "A".

**IV. MANDATORY CONTENTS OF PROPOSAL**

The Applicant's proposal should include and address the following:

1. Contact Information: Provide the name and address of the firm; the name, telephone number, fax number, and e-mail address of the individual responsible for the preparation of the proposal, and the principal professional and/or professionals assigned to the Municipality.
2. A three-year rate proposal for 2021, 2022, and 2023. The proposal should include a rate schedule detailing Personnel Classifications, rates per hour, direct expenses such as auto travel, copies etc. and any other costs that may be applicable. If selected the contract shall be "at will" and may be terminated at any time, for any reason, upon a vote of the majority of the Township Council.
3. An executive summary of not more than two (2) pages, identifying and substantiating why the respondent is best qualified to provide the requested services.
4. 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 information for the individuals 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.
5. A description of the firm and the scope of services offered and areas of specialties of the firm (i.e., labor, environmental, land use, bond counsel, communications).
6. A description of the respondent’s experience in performing services of the type described in this RFP. The respondent shall have extensive experience as a municipal solicitor in the Commonwealth of Pennsylvania, including experience with the Pennsylvania Home Rule Charter municipalities, supplemented by the Pennsylvania First Class Township Code. Provide specific examples of work within the scope of services required under this RFP.
7. A description of the systems that will be established for monthly reporting of the status of projects, requests, and litigation.
8. The location of 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 \_\_\_ area of \_\_\_\_ County.
9. References, including at least three (3) municipal clients. Provide the contact names, titles, phone numbers and email addresses.
10. If the respondent or any principal has been subject to any professional disciplinary action over the last three (3) years, the bidder must provide a description of the litigation and/or disciplinary action.
11. It is important that the attorney representing the Township not have any other clients that have or would be in 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 had dealings with the Township of \_\_\_\_\_\_, including all boards and commissions. Explain how your firm would handle such a conflict. 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 policy.
12. Write a narrative on your firm’s philosophy about the attorney -council relationship and how that relationship will be built over time.
13. Detail your professional liability/malpractice insurance coverage applicable to the services described herein. Include insurance certificates summarizing such insurance coverage.

**V. INTERVIEW**

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

**VI. SELECTION PROCESS**

All proposals will be reviewed by the Township Council and the Township Manager to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For respondents that satisfy III "Minimum Qualifications" and IV "Mandatory Contents of Proposal" the Township's evaluation will include but will not be limited to the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order of significance:

1. The respondent's general approach to providing the services required under this RFP.
2. The respondent's documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP.
3. The qualifications and experience of the respondent's management, supervisory or other key personnel assigned to the engagement, with emphasis on documented experience in successfully completing work on contracts of similar size and scope to the services required by this RFP.
4. The overall ability of the respondent is to mobilize, undertake and successfully complete the scope of work in a timely fashion. This criterion will include, but not be limited to, the following factors: the number and qualifications of management, supervisory and other staff proposed by the respondent to perform the services required by this RFP; the availability and commitment to the engagement of the respondent's management, supervisory and other staff proposed.
5. Costs and fee schedules.
6. Other criteria as deemed appropriate by the Township.

**VII.**  **SELECTION AND CONTRACT**

Township of \_\_\_\_\_\_ 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 changes negotiated by the parties. The Township shall not be required to appoint the lowest cost respondent.

**Exhibit A**

**Township of** \_\_\_\_\_\_

**Minimum Requirements Township Attorney**

1. Multi-disciplined individual or firm with experience in municipal law, municipal litigation and tort claim laws, Pennsylvania employment and personnel issues. The respondent shall haveexperience serving municipalities in the Commonwealth of Pennsylvania. The applicant must demonstrate a high degree of knowledge, experience, and ability with the following:
2. Home Rule Law
3. Demonstrated understanding and experience with the Municipalities Planning Code
4. Land Use (Zoning, Subdivision and Building/Property Codes)
5. Labor Relations
6. Pennsylvania Oil and Gas regulations and case law
7. The PA Sunshine Act
8. The PA Right to Know Act
9. The respondent also must demonstrate a degree of knowledge, experience, and ability with the following:
10. The operation of local governmental units in Pennsylvania.
11. Experience in a Home Rule Form of Government.
12. Knowledgeable in government ethics laws.
13. Preparation and review of ordinances, resolutions, agreements, contracts, forms, and
14. other documents required by the Municipality.
15. Zoning and Land Development.
16. Litigation experience for plaintiffs and defendants, not only at the Common Pleas level, but at the Commonwealth Court level as well as higher levels.
17. Municipal Borrowing and finance procedures.
18. Expertise in review of reimbursement agreements with County, State and Federal agencies.
19. The respondent must attend and provide legal advice at all Township of \_\_\_\_\_\_ Township Council meetings. Attendance may also be required at the Township’s Planning Commission meetings as well.
20. The respondent shall comply with and be subject to all provisions of federal, state and local laws.
21. Qualifications: The Township Attorney may be either an individual or a partnership or a professional legal corporation learned in the law and in good standing and active legal practice in the Commonwealth of Pennsylvania. Include a list of any other professional qualifications; experiences and/or credentials you feel are relevant to this RFP.

6) Compensation: The compensation of the Township Attorney shall be as fixed by contract and based upon the Three (3) year rate proposal submitted.

7) Scope of Authority: All of the legal affairs of the Township shall be under the general supervision of the Township Attorney. Except as otherwise provided by the Township Manager, no official, Board member or employee of the Township may employ additional Township legal counsel without express authorization to do so from the Township Manager.

8) Duties: The Township Attorney shall render such legal services as may be necessary or desirable for the best interests of the Township and shall, upon request, furnish the Township Manager, with a written opinion upon any question of law submitted by any of them in their official capacity.