

Radnor Township Township Solicitor

GENERAL CONDITIONS AND SPECIFICATIONS

BACKGROUND:

The Township of Radnor, located in suburban Philadelphia, is a Home Rule Township operating in accordance with the codes and laws of the Commonwealth of Pennsylvania. Governed by an elected seven-member Board of Commissioners, the Township's chief executive officer is the Township Manager.

Radnor Township is seeking a proposal for Township Solicitor. The Board, by a majority vote of its total membership, shall appoint a Township Solicitor to serve at the pleasure of the Board. The Board shall fix the compensation of the Township Solicitor. The Township Solicitor shall be a member of the Bar of the Supreme Court of Pennsylvania and shall not hold other elected or appointed public office in the township. The Township Solicitor shall serve as the legal advisor to the Board, department heads, administrative officers, boards, authorities and commissions, except as otherwise provided by law. The Township Solicitor shall represent the township in legal proceedings or hearings and perform any other duties prescribed by this Charter, by ordinance or as directed by the Board. It is the intent of the Township Charter that only one (1) person shall be the legal advisor to the township, but the Board may authorize other legal counsel for special purposes from time to time.

The consultant will work under the direction of the Board of Commissioners.

Proposals Due – Tuesday, December 3, 2019, 10:30 AM, EST, via email to rzienkowski@radnor.org, Twelve (12) hard copies of the proposal, as well as one thumb drive with a PDF of the proposal, are required to be delivered to Radnor Township by noon.

Radnor Township
Robert A. Zienkowski, Township Manager
301 Iven Avenue
Wayne, PA 19087

The cost of preparing proposals is the responsibility of proposers.

Proposals may be either mailed or hand-delivered. If the proposal is sent by mail or commercial express service, the proposer shall be responsible for actual delivery of the proposal to the proper Township office before the deadline. All timely proposals become the property of the Township.

Late proposals will not be considered. Proposals received after the deadline will be returned unopened.

It is anticipated that award of this contract will take place at the December 16, 2019 regularly scheduled Board of Commissioners meeting.

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All of the requirements outlined below shall be fully incorporated into the professional services contract between Radnor Township and the consulting firm.

SCOPE OF SERVICES:

The Township Solicitor shall have those duties prescribed by law, the Charter and ordinance, including the duty to:

1. Attend meetings of the Board as required and serve as parliamentarian of such meetings and attend meetings of such other Township boards, commissions and authorities as the Board may request from time to time.
2. Advise and assist members of the Board and the Township Manager/Secretary in drafting proposed ordinances.
3. Advise and assist the Secretary in preparing public notices of regular and special meetings of the Board and of other Township boards, commissions and authorities and of other Township business requiring public notice and approve such notices prior to legal advertising and posting.
4. Approve for legality all contracts, agreements or other legal documents prior to execution by authorized Township officials.
5. Furnish the Board, committees of the Board and the Manager, when requested, his opinion upon any question of law which may be submitted to him by any of them in their official capacities.
6. File all liens as required.
7. Perform such other functions as required in § 6.06 of the Charter.

PROPOSAL REQUIREMENTS:

Proposals shall include:

- Statement of interest
- Description of proposed services relating specifically to the scope of services outlined in Scope of Services
- Identification and resume of attorney(s)/law firm who will perform proposed services and their professional qualifications.
- Specific description of such attorney(s)/law firm experience in past representation of governmental entities as per the duties listed above and defined.
- Statement that the proposed attorney(s)/law firm will be available to provide services throughout the term of this agreement and beyond such day if additional litigation or related representation is required by the Township.
- Identify any potential conflict of interest that may need to be evaluated by the Township and the Proposer before representation can be undertaken.

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CONTRACT PERIOD:

The term of the agreement shall be for two (2) years. By mutual agreement of the parties, this contract may be renewed for up to two (2) additional one-year periods.

The Township may terminate said contract with or without cause, without penalty, by giving the Vendor thirty (30) day written notice of intent to cancel. Township will pay for all services requested and provided to the date of cancellation unless otherwise negotiated and agreed to by both parties.

COMMUNICATIONS:

Proposers are cautioned that the Township assumes no responsibility for oral explanations or interpretations of solicitation documents. No verbal responses by any Township personnel will have any bearing on the bid response nor be incorporated into any subsequent award.

Official communication with the Township should be directed to the following email address: rozenkowski@radnor.org.

Any addendum will be issued to all firms via email should one be required.

CONTRACT AWARD/EVALUATION OF PROPOSALS:

Contracts may be awarded according to the scope of services as specified in Scope of Services and Proposal requirements above. The Township reserves the sole right to award multiple contracts as deemed proper and/or necessary. The award will be made to the responsible and qualified proposer(s) whose proposal best meets the needs of the Township as set forth herein.

The minimum scope of services desired is defined in this Request for Proposal (RFP). The Township shall have the right to modify this scope, as it deems necessary. The terms of the Agreement between the Township and Firm shall be subject to review and modification by the Board of Commissioners. The Township reserves the right to reject any or all proposals, or parts thereof or items therein, and to waive technicalities required as deemed in the best interest of the Township. Omission of any information may be sufficient cause for rejection of the proposal.

Proposals will be evaluated based on the following criteria listed in order of importance:

- Expertise and experience representing Home Rule Townships;
- A record of success in representing Home Rule Townships across all forums specified in Scope of Services;
- Expertise and experience representing a First-Class Township;
- Expertise and experience representing employers before arbitrators who are likely to appear on a list provided by the American Arbitration Association and/or the

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Pennsylvania Bureau of Mediation;

- Degree of Completeness of response to RFP and degree to which the proposer followed instructions for submittal;
- Provide the name of the primary contact person;
- State the hourly rate that primary and any other professional resource will charge to perform the work described in the RFP. State the rate that primary contact (and any other professional resource, if applicable) will bill for travel time (if required) if that rate is lower than your proposed hourly rate for this work. State any flat fee arrangements that you would like the Township to consider for the work described in the RFP.

Proposers are strongly advised not to prepare their proposal submissions based on any assumption or understanding that negotiations will take place. Proposers are advised to respond to this RFP fully and with forth-rightness at the time of proposal submission.

The Township reserves the sole right to accept or reject proposals in the best interest of the Township.

ORAL PRESENTATION:

Proposers may be required to clarify their proposals by making individual presentations upon request of the Township.

VENDOR QUALIFICATIONS:

Proposers must provide a least three (3) references (names of contract persons and phone numbers), preferably from public employers they have represented in the past two (2) years.

The reputation of proposers regarding adequacy of their resources and facilities and past records of their skillful performance of work of the type and magnitude required herein shall be considered when making the award.

FUNDING:

The failure of the Township to appropriate sufficient funds in any fiscal year to provide funds for this agreement shall entitle the Township to terminate upon written notice to contractor.

INSURANCE:

The successful attorney(s)/law firm shall maintain adequate public liability, property damage, malpractice and workers compensation insurances, insuring as they may appear the interest of all parties to said contacts. Certification of said insurance coverage shall be submitted to the Township at the time of the execution of each respective contract. Malpractice and liability coverage shall be as indicated in Exhibit 1, attached.

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UNDUE INFLUENCE:

The attorney(s)/law firm agrees not to hire any Township personnel who have exercised discretion in the awarding, administering or continuance of this Contract for up to one (1) year following the termination of the employee from Township service. Failure to abide by this provision shall constitute a breach of the contract.

SUBMISSION FORMAT AND CONTENT:

1. The Submission shall contain a general statement regarding the Responder's understanding of the Scope of Services to be provided. Attorney(s)/Law Firm shall provide twelve (12) copies of their proposal and a thumb drive with a PDF copy of their proposal. All hard copies are to have the individual sections tabbed.
2. The Submission shall clearly state the attorney(s)/law firm qualifications to perform the services listed.
3. Submit current reference(s) with a contact person and phone number and email address of client(s) for whom you have provided Township Solicitor services in the last ten years.
4. Provide the names and resumes for the specific individual(s) to be assigned to this engagement and the specific area(s) of responsibility they will be assigned. No other individuals are to be assigned to this engagement without the prior approval of the Township of Radnor.
5. Provide the firm's most recent annual report, if applicable.
6. Provide evidence of insurance as required.
7. Provide a description of the compensation your firm would expect on an annualized basis for providing the Scope of Services requested.
 - a. Compensation shall be subject to final negotiations.
 - b. Provide hourly rates / monthly retainer fees for all disciplines, for the years 2020 and 2021.

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