

**REQUEST FOR PROPOSALS OF ZONING OFFICER AND CODE
ENFORCEMENT OFFICER SERVICES (RFP)**

The Council of Avondale Borough is soliciting proposals from qualified firms and individuals to provide Zoning and Code Enforcement Services. Interested applicants shall provide an individual having a minimum of three (3) years of Municipal Zoning and Code Enforcement experience. The RFP is available at the Borough Office at 110 Pomeroy Avenue, Avondale, PA between the hours of 8:30 AM and 2 PM Monday through Thursday and Friday from 8 AM to 12 PM excluding holidays or on the Avondale Borough website: www.avondaleboro.net.

All proposals shall include One (1) original and five (5) complete copies of the proposal (including all attachments). Said proposals shall be submitted and delivered to: Paul Morgan, Avondale Borough Council President, PO Box 247, 110 Pomeroy Avenue, Avondale, PA 19311 prior to 12 PM on Friday, February 2, 2024. Envelopes shall be sealed and marked "Proposal for Zoning and Code Enforcement Officer Services".

The Avondale Borough Council reserves the right to choose the proposal which, in its judgment, is best suited for the intended purposes and reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough reserves the right to re-solicit proposals.

Sharon Norris, Borough Administrator

I. GENERAL INFORMATION ON AVONDALE BOROUGH

Avondale Borough is located in Southern Chester County and operates under the Pennsylvania Borough Code form of government with a five (5) member Borough Council, an at-large mayor and a staff of two. Avondale Borough comprises 0.50 square miles and is bordered by London Grove and New Garden Townships in the heart of southern Chester County's mushroom growing region. As of the 2020 census, the population is 1,276. The Borough lies midway between Kennett Square and Oxford. It has 6.13 miles of state and local roadways. The Borough Council meets the first and third Tuesday of each month for their regular public meeting.

II. SCOPE OF SERVICES AND MINIMUM QUALIFICATIONS

- A. The Scope of Services required under this RFP includes serving as the Borough's Zoning Officer and Code Enforcement Officer to enforce the Avondale Borough Ordinance and other Avondale Borough Ordinances as outlined in the Codified Ordinances of the Borough of Avondale.
- B. The selected professional firm will also be expected to attend Zoning Hearings which are held as needed. (The Borough had one ZHB meeting in 2023.)
- C. The appointed firm is also expected to review subdivision and land development submissions for compliance with Zoning Ordinance. The Borough currently does not have a Planning Commission.
 - 1. The named Zoning Officer is expected to participate in ordinance review by the Borough Council as well as initiate recommended changes to ordinances.
- D. The professional firm, generally, shall provide all services required of enforcing all of the ordinances of Avondale Borough. The duties of the Zoning Officer and Code Enforcement Officer include, but are not limited to the following:
 - 1. Receive, examine, and process all applications and permits.
 - a. The Zoning Officer shall also issue zoning permits for special exception and conditional uses and for variances after the same have been approved;

2. Record and file all applications for zoning permits or certificates of use and occupancy, and accompanying plans and documents, and keep them for public record;
3. Inspect properties to determine compliance with the Zoning Ordinance, as well as conditions attached to the approval of variances, special exceptions, conditional uses, and curative amendments;
4. Inspect nonconforming uses, structures, and lots and to keep a filed record of such nonconforming uses, structures, and lots, together with the reasons why the Zoning Officer identified them as nonconformities, as a public record and to examine them periodically, with the view of eliminating the nonconforming uses under the existing laws and regulations;
5. Upon request of the Borough Council or Zoning Hearing Board, present to such bodies facts, records, and any similar information on specific requests to assist such bodies in reaching their decisions;
6. Be responsible for keeping the Zoning Ordinance and the Official Zoning Map up-to-date, including any amendments thereto;
7. Render a preliminary opinion regarding a proposed land use in accordance with § 916.2 of the Municipalities Planning Code;
8. Revoke a permit or approval issued under the provisions of Zoning Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any other cause set forth in Chapter 430, Zoning of the Borough of Avondale Codified Ordinances or otherwise permitted by law;
9. Perform such other duties related to administration of Zoning Ordinance or other Borough ordinances and resolutions as may from time to time be ordered by the Board of Supervisors.
 - a. Upon the approval by the Zoning Hearing Board of a special exception, or upon the approval of a conditional use by the Board of Supervisors for development located within any floodplain, as identified in Chapter [62](#), Floodplain Management, written notice of the approval shall be sent by registered mail from the Zoning Officer to the Commonwealth of Pennsylvania Department of Community and Economic Development.
 - b. To remain eligible for the National Flood Insurance Program, the Zoning Officer shall submit a biannual report to the Federal

Insurance Administration concerning the status of the program in the Borough (the report form shall be provided by the Federal Insurance Administration).

10. Receive and handle complaints pertaining to violation of Borough Ordinances.
 11. Conduct site inspections to determine if violations exist or for compliance to Notices of Violation. In addition, self initiate observation of violation while traveling within the Borough.
 12. Provide necessary follow up to complaints, including, but not limited to enforcement action before the Zoning Hearing Board or Local Magistrate.
- E. The designated individual from the professional firm must establish that they have a minimum of three years' experience in Municipal Zoning and Code Enforcement in similar sized Boroughs to Avondale Borough.
- F. Must be capable of providing review, as directed, of all submitted zoning and building permit applications for compliance in accordance with the Borough of Avondale Zoning Ordinance, the Avondale Borough Subdivision and Land Development Ordinance, Stormwater Management Ordinance, Grading Ordinance, and other applicable Ordinances.
- G. Must be capable of working with the Borough's Solicitor's and Engineer's offices as well as with the Borough Council and its staff as needed.
- H. Be familiar with State Regulations which provide overall structure for Zoning Enforcement, i.e. Municipalities Planning Code or similar Acts.
- I. Must be able to work with outside regulatory agencies such as but not necessarily limited to: The Pennsylvania Departments of Environmental Protection, Labor and Industry, Transportation, Conservation and Natural Resources; Northampton County Conservation District and any other local, State and/or Federal agencies.
- J. For consistency in interpretation of ordinances and questions from residents, the professional firm must be able to provide for one primary individual with three years zoning and code enforcement experience to serve as the main Zoning/Code Enforcement Officer for Avondale Borough.
- K. The named Zoning Officer must be able to provide regular hours in the Borough for self-initiated Zoning and building code violation review as well as those issues brought to their attention by the Borough.

- L. A total of 12 designated hours per month shall be provided.
- M. Must be able to provide additional hours as needed in the event that the scheduled hours are not adequate.
- N. All reviews shall be conducted or responded to within 7 business days. If, because of the nature of the application and extended review time is needed, the applicant shall be notified within 7 business days.
- O. Existing Borough staff will assist as able in providing support services as needed, including acting as agents in day to day administration of zoning ordinances and code enforcement. Enforcement activities and proceedings shall be the responsibility of the Professional Service.

IV. TERM

The position for the services shall be subject to renewal in accord with the Commonwealth of Pennsylvania Borough Code or otherwise determined by the Borough Council. The Borough Council reserves the right to terminate the position at any time with 60 days prior written notice. The professional firm serves at-will at the pleasure of the Avondale Borough Council until otherwise replaced.

If the service agreement between Avondale Borough and the professional is to be terminated, either party must give at least sixty (60) day notice. All plans, reports, etc., must be returned to the Borough within thirty (30) days of that notice.

V. SELECTION PROCESS

The Borough will utilize the following general selection process in determining the most qualified and best consultant(s) to serve as a provider of UCC Residential services.

- A. Interested professional firms will provide written statements of qualifications to the Borough based on the minimum requirements and information in this RFP.
- B. Avondale Borough will review and rank all statements of qualifications based upon the minimum criteria established in this RFP
- C. Firms will be short-listed to participate in an interview process. Additional evaluation steps may include, but not be limited to, an interview, a review of the firm's fee structure, a check of reference, etc.

- D. The final determination will be made by the Avondale Borough Council for appointment. The Council reserves the right to reject any or all proposals and to waive any defects or irregularities in the best interest of the Borough. The Avondale Borough Council reserves the right to make an appointment in the best interest of the Borough and to appoint the professional firm(s) that it determines would best serve the Borough's needs, which shall remain within the sole discretion of the Avondale Borough Council.

VI. PROPOSAL CONTENT

The must include the following:

A. Cover Letter

All proposals must include a cover letter to the attention of Paul Morgan, Borough Council President, and be signed by a person legally authorized to bind the applicant to its Proposal. The cover letter must include the professional firm name, the names of local partners/principals and the number of local personnel, address and telephone and fax numbers for the agency and email addresses of the person(s) who are authorized to represent the proposer.

B. Personnel

1. The names of the partners, managers and individual staff member who will serve as the primary Zoning Officer.
2. Provide resumes and indicate their experience in providing Zoning/Code Enforcement Services.
3. Current employees, public officials and former employees are not eligible to serve as the Zoning Officer.

C. References

1. List of Pennsylvania local government jurisdictions where your firm presently serves as a provider of zoning/code enforcement services.

D. Fees

1. The Borough expects to pay an hourly rate for the various required services. All firms must indicate the hourly fees charged for the proposed services and how long that rate will be in effect. If additional services such as travel, copying, phone calls or other charges will be billed in addition to the proposed professional firm's typical fees, such should be indicated within the proposal.

E. Conflict of Interest

1. The successful firm(s) shall not have conflicts of interest with the Borough and shall address and resolve any individual matters involving a conflict in advance of appointment. Such conflicts shall be disclosed as part of the proposal. Also, the selected consultant(s) will be expected to decline working for developers and builders and/or private clients of the professional firm who do business in Avondale Borough.

F. Insurance

1. The selected consultant(s) must maintain insurance coverage in accordance with the following requirements:
 - a. Worker's Compensation Insurance meeting the requirements of all applicable laws and jurisdictions.
 - b. Professional Liability Insurance - \$ 500,000 per claim
\$1,000,000 Aggregate.
 - c. Employer's Liability Insurance - \$1,000,000 Bodily Injury each accident \$1,000,000 Bodily Injury by disease--policy limit \$1,000,000 Bodily Injury by disease--each employee.
 - d. Commercial General Liability Insurance--General Aggregate \$1,000,000.
 - e. Comprehensive Automobile Liability - Combined Single Limit \$1,000,000.
2. The Borough of Avondale shall be an additional insured on all policies provided hereunder. The additional insureds shall be identified as "Borough, Borough Council, committees, employees, successors, and assigns."

G. Indemnification

1. The selected professional firm(s) and its employees shall defend, indemnify and hold harmless the Borough, its Borough Council, committees, employees, successors, and assigns from any and all claims and costs of any nature whether for personal injury, property damage or any other liability arising out of or in any way connected with the professional firm and/or its employee's negligent acts or omissions under this agreement.

VIII. Questions

Direct any questions related to this RFP to Sharon Norris, Borough Administrator at administrator@avondaleborough.net or by phone: 610-268-8501.