

ZONING HEARING BOARD SOLICITOR
REQUEST FOR PROPOSALS

Avondale Borough is soliciting proposals for a Zoning Hearing Board Solicitor, in accordance with this Request for Proposals (RFP). The RFP is available at the Avondale Borough Office, 110 Pomeroy Avenue, Avondale, PA 19311 between the hours of 8:00 a.m. and 2:00 p.m. or on the Borough website at: www.avondaleboro.net. All proposals must be received by 2:00 P.M. on February 2, 2024. One (1) clearly marked original and three (3) clearly marked completed copies (including all attachments) of each proposal shall be submitted and delivered to: Paul Morgan, President, Avondale Borough Council, 110 Pomeroy Avenue, Avondale, PA 19311, in an envelope marked "Proposal for Zoning Hearing Board Solicitor" in the lower left hand corner. The Borough reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough also reserves the right to negotiate with all qualified sources, or cancel in part or in its entirety the RFP when the Borough determines that such action is in its best interests.

Request for Proposals
Avondale Borough Zoning Hearing Board Solicitor

1. Avondale Borough (“Borough”) is pleased to issue this Request for Proposals (“RFP”) for a Zoning Hearing Board Solicitor.

All proposals must be received by **12:00 P.M. on Friday, February 1, 2024**. One (1) clearly marked original and three (3) clearly marked completed copies (including all attachments) of each proposal shall be submitted and delivered to: Paul Morgan, President, Avondale Borough, 110 Pomeroy Avenue, PO Box 247, Avondale, PA 19311 in an envelope marked “**Proposal for Zoning Hearing Board Solicitor**” in the lower left hand corner.

The Borough reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough also reserves the right to negotiate with all qualified sources, or cancel in part or in its entirety the RFP when the Borough determines that such action is in its best interests.

2. **CONTACT PERSON**

Questions relating to this proposal may be submitted to:

Sharon Norris, Administrator
Email: administrator@avondaleboro.net
Phone: 610-268-8501

3. **INTRODUCTION**

Avondale Borough is located in Chester County, Pennsylvania.

4. **APPOINTMENT OF A ZONING HEARING BOARD SOLICITOR**

A Zoning Hearing Board Solicitor shall be appointed by a majority vote of the Council, shall serve at the will of the Council, and may be terminated at any

time, for any reason, upon a vote of the majority of the Borough Council. 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 Borough.

The ZHB generally meets on an as needed basis. The Borough held one Zoning Hearing Board meeting in 2023.

5. 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; and
- Cooperate with the Borough Council and the Borough's Solicitor regarding any matters pertaining to the ZHB.

6. CONFLICT OF INTEREST

The successful candidate 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 this submission.

7. MANDATORY CONTENTS OF PROPOSAL

- 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 Borough.
- A rate proposal for 2024. 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.
- 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 Lehigh.
- References, including municipal clients for whom services have been provided for at least five (5) years. Provide the 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 Borough issues. Specify if there are any actual or potential conflicts of interest with the Borough. Include a disclosure of clients who have dealings with the Borough, including all boards and commissions. Explain how your firm would handle such conflicts. Also, set out any allowance in contract price if the Borough has to retain other legal counsel because of a conflict of interest with your firm. Present evidence of firm's malpractice coverage.
- 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 Borough (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 Borough will not reimburse any proposer for any costs

incurred prior to contract award.

8. INSURANCE

The applicant, 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 Borough.

9. FINANCIAL DISCLOSURE

The applicant as required by law shall annually file with the Borough a Statement of Financial Interest on the form promulgated by the Pa State Ethics Commission.

10. INTERVIEW

The Borough 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 Borough reserves the right to request clarifying information subsequent to submission of the proposal.

11. SELECTION AND CONTRACT

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