

# PERRY TOWNSHIP

680 Moselem Springs Road  
Shoemakersville, PA 19555-9415

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## REQUEST FOR PROPOSALS (RFP) FOR MUNICIPAL SOLICITOR

### I. PURPOSE AND INTENT

Through this Request for Proposal (RFP), Perry Township, hereinafter the "Township" seeks to consider a vendor as Solicitor for the 2022 Township year commencing January 1, 2022 or upon appointment, whichever is later. This contract will be awarded through a fair and open process.

### II. PROPOSAL SUBMISSION

An original, clearly marked as the "ORIGINAL" and three (3) full, complete and exact copies of each proposal shall be submitted in sealed envelopes and must be marked with the "Proposal for Solicitor Services- 2022" and addressed to:

**Township Administrator  
Perry Township  
680 Moselem Springs Road  
Shoemakersville, PA 19555**

The proposal must be received no later than **December 1, 2021**.

#### **Faxed 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. The Township reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Township further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all vendors submitting proposals.

### III. MINIMUM QUALIFICATIONS

- 1.) The applicant shall comply with and be subject to all provisions of (Article XI of the Second Class Township Code, as amended, Sections 1101-1103) set forth herein as follows (Disclaimer: Each vendor is responsible to review the Second Class Township Code to apply pertinent sections. The Second Class Township Code as written is controlling and the foregoing is reprinted only for informational purposes):

Section 1101. Township Solicitor. The Board of Supervisors may appoint and determine the compensation of a township solicitor. The township solicitor shall be licensed to practice law in this Commonwealth and may be one person or a law firm, partnership, association or professional corporation. The township solicitor serves at the pleasure of the Board of Supervisors.

Section 1102. Solicitor to Have Control of Legal Matters. The township solicitor shall direct and control the legal matter of the township, and no official or official body of the township, except as otherwise provided under law, shall employ an additional attorney without the assent or ratification of the Board of Supervisors.

Section 1103. Duties of Solicitor. The township solicitor, when directed or requested so to do, shall prepare or approve any bonds, obligations, contracts, leases, conveyances, ordinances and assurances to which the township may be a party. The township for or on account of any of the estates, rights, trusts, privileges, claims or demands, as well as defend the township or any township officer against all actions or suits brought against the township or township officer in which any of the estates, rights, privileges, trust, ordinances or accounts of the township maybe brought in question before any court in this Commonwealth and do every professional act incident to the office which the township solicitor may be authorized or required to do by the Board of Supervisors or by any resolution. The township solicitor shall furnish the Board of Supervisors, upon request, with an opinion in writing upon any question of law.

- 2.) Multi-disciplined firm with experience in municipal law, municipal litigation and tort claim laws, Pennsylvania employment and personnel issues. The applicant shall have five (5) years experience as a municipal township solicitor for a municipality in the State of Pennsylvania.
- 3.) The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
  - a.) The operation of local governmental units in Pennsylvania.
  - b.) Acquisition and disposition of real-estate (Open Space).
  - c.) Assisting with acquiring and administering grants.
  - d.) Municipal Land Use Law.
  - e.) Extensive knowledge of Local Public Contracts Law.
  - f.) Selling of Township real estate and/or property.
  - g.) Assembling Employment Practices Liability (EPL) policies to protect the Township.
  - h.) Experience in a Board of Supervisors-Manager form of Government.

- i.) Knowledgeable in government ethics laws.
  - j.) Attend and provide knowledgeable legal advice at all Board of Supervisors meetings.
- 4.) The applicant must be licensed to practice law in the State of Pennsylvania and be in a member of the Bar in good standing. Include a list of any other professional qualifications; experiences and/or credentials you feel are relevant to this RFP.

#### IV. MANDATORY CONTENTS OF PROPOSAL

In addition to demonstrating an ability to meet all minimum qualifications, the firm must also 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 assigned to the Township.
- 2.) A fee proposal for the 2022 Township year. A proposal showing minimum and maximum ranges is not acceptable.
- 3.) A description of the vendor's experience in performing services of the type described in this RFP. Specifically identify client size and provide specific examples of work within the scope of services required under this RFP **in similarly sized municipalities. It is imperative to show experience in similarly sized municipalities.**
- 4.) The location of vendor's office, if other than the vendor's main office, at which the vendor proposes to perform services required under this RFP. Describe your presence in Pennsylvania and any familiarity your firm has with Berks County.
- 5.) References, including municipal clients
- 6.) If the vendor 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 bidder must provide a description of the litigation and/or disciplinary action.
- 7.) Identify any existing or potential conflicts of interest, and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this engagement, or the Township.

## **V. INTERVIEW**

The Board of Supervisors reserve the right to interview any or all of the applicants submitting a proposal. Although interviews may 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**

- 1.) Interested professional firms will provide written statements of qualifications (SOQs) to the Township based on the minimum requirements and information in this RFP.
- 2.) Perry Township will review and rank all SOQs based upon the minimum criteria established in this RFP
- 3.) The final determination will be made by the Perry Township Board of Supervisors for appointment. The Board of Supervisors reserves the right to reject any or all proposals and to waive any defects or irregularities in the best interest of the Township. The Board of Supervisors reserves the right to make an appointment in the best interest of the Township and to appoint the professional firm(s) that it determines would best serve the Township's needs, which shall remain within the sole discretion of the Township Board of Supervisors

## **VII. SELECTION AND CONTRACT**

The Township will select the vendor deemed most advantageous to the Township, with fees and other factors considered. The resulting contract will include this RFP, any clarifications or addenda thereto, the selected vendor's proposal, and any changes negotiated by the parties.

Questions can be forwarded to [perrytwshpmunbld@comcast.net](mailto:perrytwshpmunbld@comcast.net)