



Marysville Borough

MARYSVILLE BOROUGH
PERRY COUNTY, PENNSYLVANIA
REQUEST FOR PROPOSALS
Solicitor SERVICES

OVERVIEW OF THE REQUEST FOR PROPOSAL (RFP) PROCESS

Marysville Borough invites interested Law firms and individuals with municipal Solicitor experience to submit written proposals for Solicitor services, including meeting attendance, supervision of outside counsel retained, drafting ordinances and resolutions, prepare written agreements, provide written or verbal opinions on a question of law , and other solicitor services that may be necessary.

This Request for Proposal (RFP) is a component of the competitive procurement process, aids in servicing Marysville's best interests, and provides those interested firms a fair opportunity to have their services considered. The process of competitive negotiation is not to be confused with competitive sealed bidding. Competitive sealed bidding is normally used when goods or services are precisely described and price is generally the deciding factor. Competitive negotiation does not use price as the determining factor. Competitive negotiation allows Marysville Borough to be flexible in negotiating to arrive at a mutually agreeable pricing structure. For reference purposes, each firm receiving this RFP is referred to as a firm. The firm selected to provide services to Marysville Borough is referred to as the selected firm. This RFP states the specific instructions for the submission of proposals, the procedure and criteria used to select a firm, and the contractual terms governing the relationship between the Borough and the selected firm.

BACKGROUND INFORMATION

Marysville, PA is a picturesque town located in the southern tip of Perry County. The 2 1/2 miles square borough is bounded by mountains to the north and the south, by the Susquehanna River to the east, and by Rye Township to the west. US Routes 11 & 15 serve as the primary transportation corridor for Marysville residents. The Borough was settled in 1755, incorporated as the Borough of Haley in 1866, and then incorporated as the Borough of Marysville in 1867.

ISSUING OFFICE

Marysville Borough is the sole point of contact for this RFP. Direct any and all questions regarding this RFP or the procedural requirements to Zachary Border, Borough Manager, at 717-957-3110 or zborder@marysvilleboro.com.

MINIMUM REQUIREMENTS

The selected firm must provide personnel meeting the following minimum criteria:

1. A minimum of ten (10) years of experience as a municipal solicitor.
2. A list of references in other municipalities where services have been or are being provided.
3. The applicant shall comply with and be subject to all provisions of the PA Borough Code, Chapter 11, Subchapter D, sections 116 through 118.
4. 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) Experience with labor and contract negotiations for Police, and Public Works Employees
 - (c) Assisting with acquiring and administering grants.
 - (d) Municipal Land Use Law
 - (e) Extensive knowledge of Local Public Contracts Law.
 - (f) Selling of Borough real estate and/or property.
 - (g) Experience in a Borough Council-Mayor Form of Government.
 - (h) Knowledgeable in government ethics laws.
 - (i) Attend and provide knowledgeable legal advice at all Borough Council Meetings and other Committee Meetings, as needed.

The applicant must be licensed to practice law in the State of Pennsylvania and be a member of the Bar in good standing. Include a list of any other professional qualifications; experience and/or credentials you feel are relevant to this RFP.

Any firm that meets the conditions of this RFP may submit a proposal for consideration. Marysville Borough does not discriminate on the basis of race, color, national origin, sex, religion, age, disability, or familial status in employment or the provision of services.

TERMS OF CONTRACT

The Borough Solicitor is appointed by Borough Council and serves at its pleasure.

DEADLINE FOR PROPOSALS

All proposals are to be received on or before 3:00 p.m. on Friday, October 22, 2021. Marysville Borough is not liable for any costs incurred by any firm in the preparation and/or negotiation of any proposal submitted in response to this RFP.

SUBMISSION OF PROPOSAL

Proposals submitted in response to this RFP must conform to the following specifications:

1. The responding firm must identify their point of contact as well as the name of the person performing the primary services.
2. Proposals must provide a straight-forward and concise description of the firm's ability to meet the requirements of this RFP.
3. Three (3) hard copies of the proposal, all containing original signatures, are to be submitted along with one electronic submission emailed to zborder@marysvilleboro.com.
4. Hard copy proposals are to be placed in a sealed envelope marked "RFP FOR BOROUGH SOLICITOR."
5. Proposals may be submitted by US Mail or hand-delivered to the Borough. Hand-delivered proposals will be accepted between the hours of 7:00 a.m. and 3:00 p.m., Monday through Friday
6. Proposals should be addressed to:

Zachary Border
Borough Manager
Marysville Borough
200 Overcrest Road
Marysville, PA 17053
zborder@marysvilleboro.com

PRESENTATIONS

Firms responding to this RFP may be required to make oral presentations to Borough Council and/or Borough staff.

REJECTION OF PROPOSALS

The Borough reserves the right to accept or reject any and all proposals and to accept or reject any part of any proposal submitted in response to this RFP. Only proposals containing firm and qualified costs will be considered. Proposals must be presented in accordance with the requirements of this RFP. In order to be considered, proposals must be submitted independently and without collusion with any another firm.

CONFIDENTIALITY

Sensitive information may clearly be considered "trade or corporate secrets" (information protected by copyright or patent) and may be labeled as such by the firm. To the extent possible and permissible by law, the Borough will make its best effort to maintain the confidentiality of this information. However, the Borough accepts no liability for any adverse action resulting from the release of any information contained in any proposal submitted, including that information labeled as confidential.

REQUIRED INSURANCE

Firms responding to this RFP are required to produce proof of adequate insurance and bonding.

REGULATORY AGENCY COMPLIANCE

All activities under this RFP are bound by applicable State and Federal regulations and policies, as well as by all policies and procedures of the Borough.

SCOPE OF SERVICES TO BE PROVIDED

The selected firm shall include, but is not limited to, the following solicitor services:

1. Attending the regularly scheduled Borough Council and Planning Commission meetings, including, but not limited to emergency meetings, executive sessions, and other meetings convened by either the Council or the Commission on an as requested/as directed basis per Borough Council and/or the Planning Commission.
2. Provide legal Counsel with respect to all matters of concern of the Borough, including supervision of:
 - a. Counsel retained by any insurance company to represent the Borough under the terms of any contract or policy of insurance providing indemnity and/or defense to the Borough, Borough Council, the Borough Planning Commission, and/or the Borough's employees and/or agents.
 - b. Bond Counsel engaged by the Borough for any lawful issuance of bonds for the financing of projects undertaken by the Borough.
2. Advise the Council and Commission and commence and prosecute all actions brought by the Borough for or on account of any of the estates, rights, trusts, privileges, claims, or demands, as well as defend all actions or suits against the Borough in order to vindicate the Borough's rights and effectuate the Borough's purposes.
3. Draft Borough Ordinances and Resolutions as directed or requested by Borough Council.
4. Prepare or approve bonds, obligations, contracts, leases, conveyances and assurances to which the Borough may be a party.
5. Execute any professional act incident to the office of Solicitor which may be authorized or required by Borough Council.
6. Provide written or verbal opinions to Council or the Commission upon any question of law which may be submitted by them.

COST OF SERVICES

1. Provide the solicitor firm's pricing schedule for providing services. The rate schedule shall identify rates for all applicable personnel; i.e., professionals, and support staff.
2. Identify rates for various types of services as they would apply to the requirements of the Borough; i.e., rates for meetings, research time and/or design services. If the firm does not differentiate between types of services, the proposal must clearly identify its services and rates.
3. Identify the minimum period of time billed for services; i.e., telephone calls, conferences, correspondence, etc.
4. Provide the Borough with detailed monthly activity reports and detailed invoices.
5. Identify the type of service and reimbursement rates for expenses such as mileage, copying documents, faxes, and word processing charges.
6. Provide the Borough with an out-of-pocket expense rate schedule, if applicable.

BASIS OF SELECTION BY THE BOROUGH

The Borough will evaluate proposals and select a Borough Solicitor using the following criteria:

1. The firm's plan to provide services to the Borough as described herein.
2. The firm's qualifications, experience, and success in providing the services set forth in this RFP.
3. References from existing clients of the firm.
4. The quality and adequacy of the proposal, specifically the firm's responsiveness to the requirements of the Borough.
5. The resumes of key personnel that will provide services to the Borough.
6. The designation of a single point for the coordination of services to be provided.
7. Any other factors relevant to the firm's willingness and capacity to satisfy the needs of the Borough