

ZONING HEARING BOARD SOLICITOR  
REQUEST FOR PROPOSALS

Upper Milford Township is soliciting proposals for a Zoning Hearing Board Solicitor, in accordance with this Request for Proposals (RFP). The RFP is available at the Township Building, 5671 Chestnut Street, Old Zionsville, PA 18068, between the hours of 8:00 a.m. and 4:00 p.m. or on the Township website at: [www.uppermilford.net](http://www.uppermilford.net). All proposals must be received by 4:00 P.M. on October 25, 2019. One (1) clearly marked original and three (3) clearly marked completed copies (including all attachments) of each proposal shall be submitted and delivered to: Edward Carter, Township Manager, 5671 Chestnut Street, P.O. Box 210, Old Zionsville, Pa 18068, in an envelope marked "Proposal for Zoning Hearing Board Solicitor" in the lower left hand corner. 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 also reserves the right to negotiate with all qualified sources, or cancel in part or in its entirety the RFP when the Township determines that such action is in its best interests.

Edward Carter  
Upper Milford Township Manager

**Request for Proposals**  
**Upper Milford Township Zoning Hearing Board Solicitor**

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

All proposals must be received by **4:00 P.M. on October 25, 2019**. One (1) clearly marked original and three (3) clearly marked completed copies (including all attachments) of each proposal shall be submitted and delivered to: Edward Carter, Township Manager, 5671 Chestnut Street, P.O. Box 210, Old Zionsville, Pa 18068, in an envelope marked “**Proposal for Zoning Hearing Board Solicitor**” in the lower left hand corner.

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 also reserves the right to negotiate with all qualified sources, or cancel in part or in its entirety the RFP when the Township determines that such action is in its best interests.

2. **CONTACT PERSON**

Questions relating to this proposal may be submitted to:

Edward Carter, Township Manager  
5671 Chestnut Street,  
P.O. Box 210,  
Old Zionsville, Pa 18068  
Email: [ecarter@uppermilford.net](mailto:ecarter@uppermilford.net)  
Phone: 610-966-3223

3. **INTRODUCTION**

Upper Milford Township is a Second-Class Township located in Lehigh County, Pennsylvania.

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

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

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

The ZHB generally meets on the second Monday of each month at 7:00 P.M.

#### **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 Board of Supervisors and the Township's Solicitor regarding any matters pertaining to the ZHB.

#### **6. CONFLICT OF INTEREST**

The successful candidate shall not have conflicts of interest with the Township, 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 Township.
- A rate proposal for 2020. 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 Township issues. Specify if there are any actual or potential conflicts of interest with the Township. Include a disclosure of clients who have dealings with the Township, including all boards and commissions. Explain how your firm would handle such conflicts. Also, set out any allowance in contract price if the Township 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 Township (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 Township 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 Township.

**9. FINANCIAL DISCLOSURE**

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

**10. INTERVIEW**

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

**11. SELECTION AND CONTRACT**

The Township will select the respondent deemed most advantageous to the Township, 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 Township shall not be required to appoint the lowest cost respondent.