



# EAST FALLOWFIELD TOWNSHIP

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East Fallowfield, PA 19320-4437  
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## BOARD OF SUPERVISORS

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## TOWNSHIP MANAGER

Scott M. Swichar

## TOWNSHIP TREASURER

Pani Martin

## TOWNSHIP SECRETARY

Lisa Valaitis

## ZONING HEARING BOARD SOLICITOR

### REQUEST FOR PROPOSALS

The East Fallowfield Township Zoning Hearing Board is soliciting proposals for a ZHB Solicitor, in accordance with this Request for Proposals (RFP). RFPs are available at the Township Building, 2264 Strasburg Road, East Fallowfield, PA 19320, between the hours of 8:00AM and 4:00PM or on the Township website: [www.eastfallowfield.org](http://www.eastfallowfield.org)

All proposals must be submitted to the Township, attn: Scott Swichar, by 4:00PM on Tuesday, February 19, 2019. One (1) original, and three (3) full, complete and exact copies of each proposal shall be submitted in a sealed envelope and must be marked as "Proposal for Zoning Hearing Board Solicitor," together with an electronic copy (PDF on a CD or flash drive) of the same. The proposals shall include an executive summary of not more than one (1) page, identifying and substantiating why the respondent is best qualified to provide the requested services, and the hourly billing rate (in bold).

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

**Scott M. Swichar**  
**Township Manager**

**East Fallowfield Township**  
**Chester County**  
**REQUEST FOR PROPOSALS (RFP)**  
**ZONING HEARING BOARD SOLICITOR**

**1. PURPOSE AND INTENT**

The Township of East Fallowfield seeks to engage a Solicitor for the East Fallowfield Zoning Hearing Board.

**2. PROPOSAL SUBMISSION**

One (1) original, and three (3) full, complete and exact copies of each proposal shall be submitted in a sealed envelope and must be marked as "Proposal for Zoning Hearing Board Solicitor" together with an electronic copy (PDF on a CD or flash drive) of the same and addressed to: Scott Swichar, Township Manager, 2264 Strasburg Road, East Fallowfield, PA 19320. The proposal must be received no later than Tuesday, February 19, 2019 at 4:00 PM.

Any inquiry concerning this RFP should be directed in writing to Scott Swichar, Township Manager, by Email: [sswichar@eastfallowfield.org](mailto:sswichar@eastfallowfield.org) or Phone: 484-800-6908

All documents/information submitted in response to this solicitation may be available to the general public in accordance with the PA Right To Know Law. The Zoning Hearing Board reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Zoning Hearing Board also reserves the right to negotiate with all qualified sources, or to cancel in part or in its entirety the RFP when the Board determines that such action is in its best interests. The East Fallowfield Zoning Hearing Board further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all respondents submitting proposals.

**3. APPOINTMENT OF ZONING HEARING BOARD SOLICITOR**

A Zoning Hearing Board Solicitor shall be appointed by a majority vote of the Zoning Hearing Board and shall serve at the will of the Board and may be terminated at any time, for any reason, upon a vote of the majority of the Zoning Hearing Board. The Solicitor shall be an attorney-at-law of Pennsylvania. The Solicitor and/or firm shall receive such compensation as agreed upon and determined by the Zoning Hearing Board subject to the East Fallowfield Township Board of Supervisors having appropriate funding to carry out the objectives of the Zoning Hearing Board in accordance with the provisions of the Municipalities Planning Codes.

**4. DUTIES OF THE ZONING HEARING BOARD SOLICITOR**

- a. Review and aid in the preparation of legal documents pertaining to the Zoning Board;
- b. Attendance at regular, special and continued sessions of the Zoning Hearing Board;
- c. Conduct legal research and render legal opinions and assistance to the Zoning Hearing Board;
- d. Assist, when necessary, any other Attorney which the Board may engage;
- e. Assist the Zoning Hearing Board in any other manner that may be necessary;
- f. Representation of the Zoning Board in litigation;
- g. Cooperate with Board of Supervisors and Township Solicitor regarding any matters pertaining to the Zoning Hearing Board.

#### 5. CONFLICT OF INTEREST

The successful candidate shall not have conflicts of interest with the Township or Zoning Hearing Board, 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.

#### 6. MANDATORY CONTENTS OF PROPOSAL

- a. 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 attorney assigned to the Township.
- b. An executive summary of not more than one (1) page, identifying and substantiating why the respondent is best qualified to provide the requested services, and the hourly billing rate (in bold).
- c. It is important that the Solicitor representing the Zoning Hearing Board not have any other clients that have or would be in 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 had 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.
- d. Hourly billing rate for performing duties as detailed above (section 4).

#### 7. 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 East Fallowfield Township.

## 8. 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 Pennsylvania State Ethics Commissions.

## 9. INTERVIEW

The Zoning Hearing Board, Township Manager, and representative(s) from the Board of Supervisors 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 on its face. The Zoning Hearing Board reserves the right to request clarifying information subsequent to submission of the proposal.

## 10. SELECTION PROCESS

All proposals will be reviewed by the Township Manager and Zoning Hearing Board to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For respondents that satisfy the Minimum Qualifications and the Mandatory Contents of Proposal the Township's evaluation will include but will not be limited to the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order of significance:

- a) The respondent's general approach to providing the services required under this RFP.
- b) The respondent's municipal experience and to the engagement addressed by this RFP.
- c) The qualifications and experience of the respondent's management, supervisory or other key personnel assigned to the engagement, with emphasis on municipal experience and to the services required by this RFP.
- d) Other criteria as deemed appropriate by East Fallowfield Township Zoning Hearing Board.

## 11. SELECTION AND CONTRACT

The Zoning Hearing Board 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 respondent's proposal, and any changes negotiated by the parties. The Zoning Hearing Board shall not be required to appoint the lowest cost respondent.

## 12. FILES

At the termination of the employment of the solicitor, he/she shall promptly return to the Township all files complete with all documents, memos, legal research notes, correspondence and all other material contained therein including but not limited to electronic data, at no cost to Township.

## 13. EXCEPTIONS

Any exceptions to terms, conditions, or other requirements in any part of this RFP must be clearly pointed out in the candidate's proposal. Otherwise, the Township will consider that all items offered are in strict compliance with this RFP, and the successful proposer will be responsible for compliance.