

**REQUEST FOR PROPOSAL/QUALIFICATIONS  
FOR  
MUNICIPAL PROFESSIONALS**

**Issued by the  
Township of Middletown**



**Date Issued: January 3, 2018**

**Responses Due by:  
January 12, 2018 – 11:00 a.m.**

**Opening of Proposals**

**January 12, 2018 – 11:00 a.m.**

**REQUEST FOR PROPOSAL & QUALIFICATIONS (RFP)  
FOR  
MUNICIPAL PROFESSIONALS**

**I. PURPOSE AND INTENT**

Through this Request for Proposal & Qualifications (RFP), the Township of Middletown (hereinafter the “Township”) seeks to engage a vendor as (position) for the 2018 Township year commencing January 17, 2018 or upon appointment, whichever is later. This contract will be awarded through a fair and open process.

**II. PROPOSAL SUBMISSION**

An original copy of each proposal shall be submitted via e-mail and must be marked with the “NAME OF POSITION” in the subject line and addressed to:

rfp@middletownbucks.org

The proposal must be received no later than January 12, 2018 at 11:00 a.m.

Proposals will be publicly opened on January 12, 2018 at 11:00 a.m. in the Township Manager’s Conference Room of the Municipal Building, 3 Municipal Way, Langhorne, PA 19047.

**Faxed proposals will NOT be accepted.**

**Any inquiry concerning this RFP should be directed via e-mail to:**

rfp@middletownbucks.org

All documents/information submitted in response to this solicitation shall be available to the general public. 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. The Township reserves the right to re-solicit proposals.

### III. GENERAL INFORMATION ON THE TOWNSHIP OF MIDDLETOWN

The Township of Middletown is located in Bucks County, Pennsylvania and operates under the Second Class Township Code form of government, with a five (5) member Board of Supervisors and a Manager. The Township is approximately 19.4 square miles, has a 2010 Census population of 45,438, an annual General Fund budget of \$16.5 million, approximately 200 employees (approximately 100 who are full time, the remainder part-time or seasonal). The Township owns an 18 hole golf course and Country Club (Middletown Country Club), as well as the Styers Farm and the Market at Styers Orchard. The Board of Supervisors meet the first and third Monday's of each month as well as special meetings on an as needed basis.

### IV. MINIMUM QUALIFICATIONS

See Exhibit A

### V. MANDATORY CONTENTS OF PROPOSAL

In addition to demonstrating an ability to meet all minimum qualifications in Exhibit A, 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 specific fee proposal for the 2018 calendar year. A proposal showing minimum and maximum ranges is not acceptable.
- 3) An executive summary of not more than two (2) pages, identifying and substantiating why the vendor is best qualified to provide the requested services.
- 4) A staffing plan listing those persons who will be assigned to the engagement if the vendor is selected, including the designation of the person who would be the vendor's principal professional responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for the individuals who will be assigned. This 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 vendor.
- 5) A description of the vendor's experience in performing services of the type described in this RFP. Specifically identify client size and 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.**
- 6) 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 the Bucks County area.

7) Five (5) references, including at least three (3) municipal clients, including three (3) current clients for whom services have been provided for at least three (3) years and two (2) former clients for whom services have been provided with the past seven (7) years. Provide the contact names, titles and phone numbers.

8) 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.

9) A description of any ongoing investigations and/or litigation matters involving the applicant, its directors, officers and principals and any individuals employed by the applicant that relate to the performance of the vendor in the proposed field of expertise.

10) In its proposal, the vendor must 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.

## **VI. INTERVIEW**

The Township Manager and/or 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.

## **VII. SELECTION PROCESS**

All proposals will be reviewed by the Township Manager or her designee to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For vendors that satisfy IV “Minimum Requirements” and V “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 vendor’s general approach to providing the services required under this RFP.
- (b) The vendor’s documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP.
- (c) The qualifications and experience of the vendor’s management, supervisory or other key personnel assigned to the engagement, with emphasis on documented experience in successfully completing work on contracts of similar size and scope to the services required by this RFP.
- (d) The overall ability of the vendor to mobilize, undertake and successfully complete the scope of work in a timely fashion. This criterion will include, but not be limited to, the following factors: the number and qualifications of management, supervisory and other staff proposed by the vendor to perform the services required by this RFP; the availability and commitment to the engagement of the vendor’s management, supervisory and other staff proposed.
- (e) Costs and fee schedules.

## **VII. SELECTION AND CONTRACT**

**The Township will select the vendor deemed most advantageous to the Township, price 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.

# Exhibit A

## Township of Middletown

### Request for Proposal & Qualifications for Municipal Professionals

#### Minimum Qualifications

Applicant vendors **must** establish that they meet the following minimum qualifications:

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## Township of Middletown Minimum Requirements

### **Township Conflict Solicitor: (Board Appointment)**

A. Whenever a professional conflict shall develop prohibiting the Township Solicitor from properly advising the Board of Supervisors, the Township Conflict Solicitor shall serve in the place of the Township Solicitor. The applicant shall comply with and be subject to all provisions of Article XI of the Second Class Township Code. Article XI, Sections 1101, 1102, and 1103 are set forth herein as follows:

**Section 1101.** Township Conflict Solicitor – The Board of Supervisors may appoint and determine the compensation of a township conflict solicitor. The township conflict 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 conflict solicitor serves at the pleasure of the Board of Supervisors.

**Section 1102.** Conflict Solicitor to Have Control of Legal Matters – The township conflict solicitor shall direct and control the legal matters 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 Conflict Solicitor – The township conflict 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 conflict solicitor shall commence and prosecute all actions brought by 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, trusts, ordinances or accounts of the Township may be brought in questions before any court in this Commonwealth and do every professional act incident to the office which the township conflict solicitor may be authorized or required to do by the Board of Supervisors or by any resolution. The township conflict solicitor shall furnish the Board of Supervisors, upon request, with an opinion in writing upon any question of law.

B. Multi-disciplined firm with experience in municipal law, municipal litigation and tort claim laws, Pennsylvania employment and personnel issues. The applicant shall have seven (7) years experience as a municipal township conflict solicitor for a municipality in the State of Pennsylvania, two (2) years of which should be in a municipality with a General Fund budget in excess of \$10 million and/or over 80 full time employees.

C. The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:

- (1) The operation of local governmental units in Pennsylvania.
- (2) Acquisition of real-estate (Open Space).
- (3) Assisting with acquiring and administering grants.
- (4) Municipal Land Use Law
- (5) Extensive knowledge of Local Public Contracts Law.
- (6) Selling of Township real estate and/or property.
- (7) Putting together Employment Practices Liability (EPL) policies to protect the Township.
- (8) Experience in a Board of Supervisors-Manager Form of Government.
- (9) Knowledgeable in government ethics laws.
- (10) Attend and provide knowledgeable legal advice at Board of Supervisors Meetings as assigned.

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/Q.

**Township Conflict Engineer: (Board Appointment)**

A. Whenever a professional conflict shall develop that prohibits the Township Engineer from properly advising the Board of Supervisors, the Township Conflict Engineer shall serve in the place of the Township Engineer. The applicant shall comply with and be subject to all provisions of Article XII of the Second Class Township Code. Article XII Sections 1201, 1202 and 1203 are set forth herein as follows:

**Section 1201.** Township Conflict Engineer – The Board of Supervisors may appoint and determine the compensation of a township conflict engineer who shall be a registered professional engineer. The township conflict engineer serves at the pleasure of the Board of Supervisor.

**Section 1202.** Engineer’s Duties; Preparation of Plans – The township conflict engineer shall perform duties as the Board of Supervisors may direct for the construction, reconstruction, maintenance and repair of streets, roads, pavements, sanitary sewers, bridges, culverts and other engineering work. The township conflict engineer shall prepare plans, specifications and estimates of the work undertaken by the Township and furnish the Board of Supervisors with reports, information or estimates on any Township engineering work or on questions submitted by the Board of Supervisors.

**Section 1203.** Certificate of Commencement and of Completion of Municipal Improvements – The township conflict engineer shall certify to the Township secretary the date of commencement and of completion of all municipal improvements, the cost of which, in whole or in part, is to be paid by the owners of the abutting property. The certification shall be made a part of the permanent records of the Township. The certified time of commencement and completion is collusive on all parties. The term “certified time of completion” means the time of the completion of the whole contract for the improvement.

B. All applicable licenses to perform general engineering in Pennsylvania. Applicant must have at least seven (7) years experience as a municipal engineer in a similarly sized municipality. Firm must be multi-disciplined with expertise in road construction, construction management, dam inspection and maintenance with engineers who hold licenses in these areas, planners & landscape engineers on staff, experience in environmental assessments (wetlands, archaeological, endangered species, hydrologic studies), GIS, materials testing, surveying, traffic studies, drainage, and extensive knowledge of stormwater management issues.

The applicant must demonstrate the ability to:

- a. Prepare, or cause to be prepared, plans, designs and specifications for public works projects and improvement.
- b. Provide and maintain surveys, maps, plans, specifications and control records with respect to public works projects in the Township.
- c. Provide technical and engineering advice and assistance to the Township Board and Township Manager.
- e. Attend all Board of Supervisors meetings as requested by the Township Manager.
- g. Prepare, review and approve construction plans and specifications for all capital improvement projects as directed by the Township Manager.

- h. Successful record of applying for and receiving road improvement grants.
- i. Ability to respond to resident concerns when an engineering project impacts their property.
- j. Experience in engineering inspections of both residential developments and large commercial/industrial projects (over 20,000 sq/ft).
- k. Experience administering performance bond and maintenance bonds on behalf of the Township.
- l. Must demonstrate experience with engineering design, inspection and contract administration of annual municipal road projects totaling more than \$1 million.
- m. Documented experience with design, inspection and contract administration of large and small recreation projects.

**Township Labor Agreement Attorney: (Board Appointment)**

A. Firm or attorney specializing in public sector labor relations and whose practice is primarily or solely comprised of representing management. The applicant shall have seven (7) years experience as a municipal labor attorney for a municipality in the State of Pennsylvania, five (5) years of which should be in a municipality with at least two (2) Collective Bargaining Associations (CBA's), at least one of which should be a police or fire union.

B. The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:

1. Collective Bargaining with major public sector unions (Ex: FOP, PBA, AFSCME, Teamsters) representing management.
2. Interest arbitration.
3. Grievance arbitration.
4. Formulating management proposals.
5. Employer-Employee Relations Act, ADA, FMLA

C. Applicant must list any public sector labor union clients they are currently representing.

D. 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/Q.

**General Labor Attorney: (Board Appointment)**

A. Firm or attorney specializing in public sector labor relations and whose practice is primarily or solely comprised of representing management. The applicant shall have seven (7) years experience as a municipal labor attorney for a municipality in the State of Pennsylvania, five (5) years of which should be in a municipality with at least two (2) Collective Bargaining Associations (CBA's), at least one of which should be a police or fire union.

B. The applicant also must demonstrate a high degree of knowledge, experience and ability with the following:

1. Employer-Employee Relations Act, ADA, FMLA

C. Applicant must list any public sector labor union clients they are currently representing.

D. 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/Q.

**Traffic Engineer: (Board Appointment)**

All applicable licenses to perform traffic engineering in Pennsylvania. Firm must have at least seven (7) years experience in a similarly sized municipality. Must have experience with doing traffic studies and recommendations on a myriad of issues, including but not limited to:

- Impact of PennDOT projects
- Impact of County Engineering projects
- Speed humps
- Traffic calming devices
- Bike trails/routes
- Providing recommendations on failing intersections and traffic signalization projects.
- Providing recommendations to relieve traffic congestion
- Speed surveys
- Must be familiar with the Bucks County, Route 1/I-95 area and it's unique traffic patterns and problems, including the unique traffic patterns associated with the Oxford Valley Mall and Sesame Place.
- Accident history
- Right of Way acquisitions