

**TOWNSHIP OF PENN
REQUEST FOR PROPOSALS & QUALIFICATIONS (RFP)
FOR LEGAL SERVICES (TOWNSHIP SOLICITOR)**

1. PURPOSE AND INTENT

Through this Request for Proposal (RFP), the Township of Penn seeks to engage a respondent as Solicitor for the Township of Penn, upon appointment.

2. PROPOSAL SUBMISSION

One original proposal, clearly marked as *ORIGINAL*, shall be submitted in a sealed envelope labeled 'Township Solicitor Request for Proposals' and addressed to:

Donna M. Sweeney
Township Manager
Penn Township
20 Wayne Avenue
Hanover, PA 17331

The proposal must be received no later than **4:00 p.m. on October 17, 2025**. Faxed or e-mailed proposals will NOT be accepted.

Any inquiry concerning this RFP should be directed in writing to:

Donna M. Sweeney
Township Manager
Penn Township
20 Wayne Avenue
Hanover, PA 17331
manager@penntwp.com

All documents/information submitted in response to this solicitation will be available to the general public. The Township of Penn will not be responsible for any costs associated with the oral and/or written presentation of any submitted proposals. The Township of Penn reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in any proposals. The Township of Penn also reserves the right to negotiate with all qualified sources or to cancel in part or in its entirety this RFP, when the Township determines that such action is in its best interests.

The Township of Penn further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all respondents submitting proposals.

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3. GENERAL INFORMATION

The Township of Penn is located in York County, Pennsylvania. The Township has a five (5) member Board of Commissioners and an appointed Manager. The Township is approximately 12.90 square miles in size; has a 2020 Census population of 17,487; a 2025 General Fund budget of \$18.5 million; and over 80 fulltime/part- time employees. The Board of Commissioners meets on the third Monday of each month as well as for special meetings on an as-needed basis.

4. MINIMUM QUALIFICATIONS

The Township of Penn requires the services of a firm or individual able to provide legal advice on a variety of matters. See Exhibit A for details on the services needed.

5. PERFORMANCE STANDARDS

- A. All work performed or managed must be of the highest quality and must be performed in a timely manner.
- B. All services to be performed under any ensuing contract must be performed in the most cost-effective manner possible, while still achieving any stated objectives of the Township.

6. TERM OF CONTRACT

Contract shall be “at will” and may be terminated at any time, for any reason, upon a vote of the majority of the Board of Commissioners.

7. INSURANCE

The selected candidate shall, at their sole cost and expense, procure and maintain in full force and effect, covering the performance of the services rendered under this agreement, insurance in the types and limits specified below. In addition to the insurance coverage and limits listed herein, the selected candidate shall obtain any other insurance coverage as may be required by law.

A. General Liability Insurance

Limits of Liability: \$1,000,000 in the aggregate and per occurrence.

Coverage: Premise operations, blanket contractual liability,
personal injury liability (employee exclusion deleted),
products and completed operations, independent

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contractors, employees and volunteers as additional insured, joint liability, and broad form property damage (including completed operations).

B. Worker's Compensation and Employers' Liability Insurance

Limits of Liability: Statutory Limits

C. Automobile Liability Insurance

Limit of Liability: \$1,000,000 per occurrence combined single limit for bodily injury (including death) and property damage.

D. Professional Liability Insurance

Limit of Liability: \$1,000,000 by claim and \$2,000,000 in the aggregate.

Coverage for occurrences happening during the performance of services required under any ensuing contract shall be maintained in full force and effect under the policy. The policy shall include "tail coverage" for any work performed on behalf of the Township after the termination of said contract.

All insurance provided for in this section shall be obtained under valid and enforceable policies issued by insurers of recognized responsibility licensed to do business in the Commonwealth of Pennsylvania. The Township requires that Certificates of Insurance evidencing the existence of such insurance be submitted to the Township at least 10 calendar days before work is begun. If the term of said contract coincides with the term of the selected individual/firm's insurance coverage, a Certificate from the expiring policy will be accepted, but a Certificate evidencing renewed coverage of any new policy enacted must be presented to the Township no later than 30 days after the effective date of said policy.

Evidence of the individual's/firm malpractice coverage must also be submitted.

The Township reserves the right to review categories and levels of insurance coverage held by the selected firm in an ongoing program of risk management during the term of an agreed-upon contract. The selected individual/firm will be notified, in writing, of coverage requirements as determined by any such review and the individual/firm agrees to secure such requested coverage.

8. UNDUE INFLUENCE

The successful candidate agrees not to hire any Township Personnel who may exercise or who have exercised discretion in the awarding, administration or continuance of this

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agreement/contract for up to and including one (1) year following the termination of the employee from Township service. Failure to abide by this provision shall constitute a breach of this agreement.

9. MANDATORY CONTENTS OF PROPOSAL

In addition to demonstrating an ability to meet all minimum qualifications described in Exhibit A, the interested individual/firm must also include an address, or provide specific information relating to the following:

- 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 similar information for the principal professional to be assigned to the Township.
- B. A two-year rate proposal for calendar years 2026 and 2027. The proposal should include a Rate Schedule for principal, associates and paralegals detailing Personnel Classifications, rates per hour, direct expenses (such as auto travel, copies, etc.), and any other costs that may be applicable.
- C. An executive summary of not more than two (2) pages identifying and substantiating why the respondent is best qualified to provide the requested services.
- D. A staffing plan listing those persons who will be assigned to the contract 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 contract. This portion of the proposal should include the relevant resume information for the individuals to be assigned. The information must 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.
- E. A description of the respondent's overall experience in performing services of the type described in this RFP. The respondent shall have extensive experience as a municipal solicitor in the Commonwealth of Pennsylvania. Provide specific examples of work done within the scope of the services required under this RFP.
- F. A description of the systems that will be established for monthly reporting of the status of projects, requests and litigation, with corresponding costs/fees.
- G. The location of respondent's office, if other than the respondent's main office, at which the respondent proposes to perform services required under this

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RFP. Describe your presence within the Commonwealth of Pennsylvania and any familiarity your firm has specifically with the County of York.

- H. References, including at least three (3) municipal clients, three (3) current clients for whom services have been provided for at least three (3) years, and two (2) clients for whom services have been provided within the past seven (7) years. Provide relevant names, titles, telephone numbers and email addresses.
- I. 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 and details as to any resolution(s).
- J. A description of any ongoing investigations and/or litigation matters involving the respondent, its directors, officers, principals, and any individuals employed by the respondent that relates to the performance of the respondent in the proposed field of expertise.
- K. It is important that the Solicitor chosen to represent the Township 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 must retain other legal counsel because of a conflict of interest with your firm.
- L. 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 a range of rates); a description of the multipliers, overhead charges and other applicable fee information; a description of minimum billings; and hourly or per meeting rates (including travel costs) associated with attending Township of Penn meetings, as requested.
- M. Any costs incurred by proposer in preparing or submitting offers are the proposer's sole responsibility and the Township will not reimburse any proposer for any costs incurred prior to contract award. Proposals submitted become the property of the Township of Penn and will not be returned.

10. INTERVIEW

The Township Manager and/or Township Board of Commissioners reserve the right to

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interview any or all the respondents submitting a proposal. Although interviews may take place, any proposals submitted should be comprehensive and complete on its

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

11. SELECTION PROCESS

All proposals will be reviewed by the Township Manager and/or Township Board of Commissioners to determine responsiveness. Non-responsive proposals will be rejected without further evaluation. For respondents who satisfy the Minimum Qualifications and the Mandatory Contents of the Proposal, the Township's evaluation will include, but not be limited to, the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order or 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/required by this RFP.
- C. The qualifications and experience of the respondent's management, supervisory or other key personnel assigned to any contracted for responsibilities and duties, with emphasis on municipal experience and to the services required by this RFP.
- D. The overall ability of the respondent 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: (1) the number and qualifications of management, supervisory and other staff proposed by the respondent to perform the services required by this RFP, and (2) the availability and commitment to the assignment of the respondent's management, supervisory and other staff proposed.
- E. Cost and fee schedules.
- F. Other criteria as deemed appropriate by the Township of Penn Board of Commissioners.

12. SELECTION AND CONTRACT

The Township of Penn will select the respondent deemed most advantageous to the Township with price, qualifications and other factors being 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 Township of Penn shall not be required to appoint the lowest cost respondent.

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13. FILES

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

14. EXCEPTIONS

Any exceptions to terms, conditions, or other requirements in any part of this RFP must be clearly described and clearly labeled "exceptions" or "conditions" within 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 to it.

15. QUESTIONS/CLARIFICATIONS

Any official questions and/or clarifications shall be directed in writing to the person noted below by close-of-business on October 14, 2025. Questions raised after this cut-off date/time will remain unanswered.

Donna M. Sweeney
Township Manager
Penn Township
20 Wayne Avenue
Hanover, PA 17331
manager@penntwp.com

Questions raised may be answered in writing and distributed to all firms involved by e-mail and/or regular mail.

16. AUTHORITY TO DISTRIBUTE RFP PACKAGES

The Township Manager's office is the sole entity authorized to provide this RFP package to interested firms or individuals.

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**Exhibit A
Municipal Professionals Minimum Qualifications
General Solicitor**

Respondents must establish that they meet the following minimum qualifications:

1. Multi-disciplined individual/firm with experience in municipal law, municipal litigation and tort claim laws, and Commonwealth of Pennsylvania employment and personnel issues. The respondent shall have experience working for municipalities in the Commonwealth of Pennsylvania. The respondent must demonstrate a high degree of knowledge, experience and abilities including, but not limited to, the following:
 - a. Working with local government, including First Class Townships of the Commonwealth of Pennsylvania
 - b. Experience working for a First Class Township Form of Government
 - c. Pennsylvania laws, codes and regulations
 - d. Business law, particularly in areas of bankruptcy, contracts and purchasing
 - e. Preparation and review of ordinances, resolutions, agreements, contracts, forms and other documents required by a Township
 - f. Zoning regulations
 - g. Subdivision, land development and environmental matters
 - h. Bond and finance procedures
 - i. Acquisition and disposition of real estate and real property
 - j. Tax law, debt collection, business law, bankruptcy, real estate matters, construction contracts, management and dispute resolution, and various administrative and judicial procedures
 - k. Litigation experience for plaintiffs and defendants, not only at the Court of Common Pleas level, but also at the Commonwealth Court level
 - l. Government ethics laws
 - m. Expertise in reviewing contract documents for contractors, performance, responsibilities and liability requirements
 - n. Expertise in writing deed descriptions for property transfers
 - o. Expertise in review of reimbursement agreements with State and Federal agencies for Township projects
 - p. Expertise in review of risk management for construction contracts
2. The respondent must be available to attend and provide legal advice at all public meetings, when asked, and other meetings as may be necessary/required.
3. The respondent must be licensed to practice law in the Commonwealth of Pennsylvania and be a member of the Bar in good standing. Include a list of any other professional qualifications, experiences and/or credentials respondent feels are relevant to this RFP.

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4. The respondent shall comply with and be subject to all provisions of federal, state and local laws.

5. Appointment

The Township Commissioners may appoint a Township Solicitor, on a full-time, part-time or retainer basis, for an indefinite term. The Township Solicitor is not an official of the Township and shall hold no public office.

6. Qualifications

The Township Solicitor may be either an individual or a partnership of a professional legal corporation/firm, learned in the law, in good standing, and active in a legal practice in the Commonwealth of Pennsylvania.

7. Compensation

The compensation of the municipal Solicitor shall be as fixed by contract.

8. Scope of Authority

All of the legal affairs of the Township shall be under the general supervision of the Township Solicitor. Except as otherwise provided by the Township Board of Commissioners, no official, Commissioner or employee of the Township may employ additional legal counsel without express authorization to do so from the Township Board of Commissioners.

9. Duties

The Township Solicitor shall render such legal services as may be necessary or desirable for the best interests of the Township of Penn and shall, upon request, furnish the Township Board of Commissioners and/or Manager with a written opinion upon any question of law submitted by any of them in their official capacity.

10. Special Counsel

The Township Board of Commissioners may specially employ legal counsel in connection with any legal matters involving the Township of Penn or any of its officials or employees as needed.

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An Authorization to Release Records (see below) must be completed and submitted with this RFP. Failure to complete and submit this required sheet, which authorizes Disciplinary Counsel disclosure, shall be considered grounds for rejection of the tendered proposal.

AUTHORIZATION TO RELEASE RECORDS

I do hereby provide to the Township of Penn written authorization for the release of any and all records including, but not limited to, complaints, investigative reports, recommendations and sanction actions pertaining to any complaints filed against the undersigned with the Office of the Disciplinary Counsel.

Name of Candidate _____

Bar Registration No. _____

Date _____