



31 West Summit Street  
Souderton, PA 18964  
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[www.soudertonborough.org](http://www.soudertonborough.org)

**Borough Council**

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**Code Enforcement Officer**

Steven J. Toy

**Borough of Souderton  
Request for Proposal/Qualifications:  
Borough Solicitor/Legal Services**

**PROPOSAL INFORMATION**

**Submittal Deadline:**

**4:00PM on December 1, 2023**

**Submit Qualifications to:**

Borough Manager  
Souderton Borough  
31 W. Summit Street  
Souderton, PA 18964

**Contact for Questions:**

Stacy E. Crandell  
Borough Manager  
[stacy@soudertonborough.org](mailto:stacy@soudertonborough.org)

## **REQUEST FOR QUALIFICATIONS:**

### **Borough Solicitor/Legal Services for the Borough of Souderton**

The Borough of Souderton will accept sealed qualifications for Borough Solicitor/Legal Services until 4:00PM on December 1, 2023, at Borough Hall, 31 W. Summit Street, Souderton, PA 18964.

All qualifications shall be in accordance with the Request for Qualifications (“RFQ”) specifications which are available and can be picked up at Borough Hall, 31 W. Summit Street, Souderton, PA 18964. For an electronic copy of the RFQ, please email [stacy@soudertonborough.org](mailto:stacy@soudertonborough.org) or call 215-723-4371.

Sealed envelope containing the qualifications should be identified:

### **RFQ-Borough Solicitor/Legal Services 2024**

The envelopes should be delivered via hand-delivery service or overnight mail delivery service to the Borough Manager at the address listed above, to arrive by the specified date and time specified above.

The Borough of Souderton will require twelve (12) print copies and one (1) electronic copy of the proposal.

If you have any questions regarding the contents of this RFQ, please contact Stacy Crandell, Borough Manager, as noted in the Request for Qualifications.

Stacy E. Crandell  
Borough Manager

## **REQUEST FOR QUALIFICATIONS:**

### **Borough Solicitor/Legal Services for the Borough of Souderton**

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**I. GENERAL INFORMATION:**

**A. BACKGROUND**

The Borough of Souderton is a Brough located in Montgomery County, Pennsylvania comprising approximately 7,225 residents. The Borough functions under a nine (9) member Council-Manager form of government and provides numerous services to its residents. An important part of this governance relies on quality legal services provided by a council-appointed borough solicitor. This scope of services will include the appointment of a law firm to serve in the position of Borough Solicitor, who serves at the will and pleasure of the Souderton Borough Council.

**B. PROFESSIONAL CREDENTIALING AND LEGAL SERVICES REQUIRED**

The firm selected is to have a Juris Doctorate from an accredited law school, a license to practice law in the Commonwealth of Pennsylvania and be a member in good standing of the Pennsylvania Bar Association. Experience with Pennsylvania Borough Code and knowledge of municipal law, municipal finance, personnel law, and land use regulations are required.

**C. RFQ SCHEDULE (subject to change)**

This Request for Proposal will accommodate the following tentative schedule:

- Advertise and Issue RFQs – November 6, 2023
- Submittal Deadline- December 1, 2023
- Review/Evaluation/Notification- December 4, 2023- December 11, 2023
- Oral Presentation (45 minutes presentation/15 minutes Q&A)- December 18, 2023- December 22, 2023.
- Award Contract- February 5, 2024 (maybe before)

**D. QUESTIONS**

Any questions regarding this Request for Proposal should be directed to the Borough Manager by email to:

Stacy E. Crandell  
Borough Manager  
Email: [stacy@soudertonborough.org](mailto:stacy@soudertonborough.org)

All questions must be received by 2:00pm on November 20, 2023. Inquiries received after 2:00pm will not receive responses. No responses will be provided to telephone inquiries.

**E. ADDENDA**

To ensure consistent interpretation of certain items, answers to questions the Borough deems to be in the interest of all will be made available to all other Respondents. Responses to questions will not be issued in the form of an Addendum to the Request for Qualifications.

The Borough of Souderton may, at our discretion and without explanation to the prospective proposer(s), at any time choose to discontinue this RFQ without obligation to any proposer(s) who submitted a proposal.

## **II. SCOPE OF WORK**

The Borough is soliciting qualifications from firms interested in providing borough solicitor/legal services for the Borough of Souderton for 2024. The legal services under consideration in this Request for Qualifications involve (but are not limited to):

- A. Providing a variety of proactive, high-quality, and timely legal options to the Borough Council and Staff.
- B. Attending meetings are requested by the Borough Council or other Boards & Commissions of the Borough.
- C. Being intimately familiar with the Borough Code, applicable Federal and State Laws, and other applicable documents (such as the collective bargaining agreements, policies and procedures, code enforcement process, etc.).
- D. Providing advice to the Borough on a variety of legal matters.
- E. Representing the Borough as the Borough Solicitor in legal matters.
- F. Reviewing and/or drafting ordinances, resolutions, and other documents as requested by the Borough Council, Borough Manager, or assigned staff.
- G. Negotiating and administrating contracts, as well as assisting with contract disputes.
- H. Reviewing and making recommendations on a variety of projects and proposals, which have legal ramifications.
- I. Maintaining an appropriate relationship with professional organizations in the field of municipal legal services.
- J. Staying abreast and informing the Borough of new or proposed Federal and State legislation affecting the Borough.
- K. Researching alternative approaches to resolving legal problems.
- L. Providing proactive legal counsel on issues pertaining to personnel policies and procedures and providing counsel in all compliance employment matters such as, but not limited to Federal and State employment law, Workers Compensation, EEOC, FLSA, FMLA, and OSHA requirements.
- M. Assisting the Borough Manager in staying current on Federal and State Election Laws and administration of elections for the Borough.
- N. Knowledge of land use laws and abilities of the Borough to implement and administer such laws in conformance with State requirements.
- O. Knowledge of laws and methods to facilitate effective Code Enforcement including property maintenance code provision.
- P. Knowledge of Pennsylvania Open Records and Open Meeting Laws.

### III. PROPOSAL ELEMENTS

#### A. General Requirements

1. Proposal Submission: Twelve (12) print and one (1) electronic copy of the Proposal shall be received in a sealed envelope and must be prominently marked on the outside “RFQ- Borough Solicitor/Legal Services 2024”
  - a. Sealed qualification must be submitted no later than **4:00pm on Friday, December 1, 2023** to:  
  
Borough Manager  
Borough of Souderton  
31 W. Summit Street  
Souderton, PA 18964
  - b. Qualifications must be mailed or hand delivered. No faxes or emailed qualifications will be accepted. **Late qualifications will not be accepted.**
2. Preparation costs: The Borough will not be responsible for any costs associated with the preparation, submission, or presentation of any proposal.
3. All submitted qualifications will be the property of the Borough of Souderton.
4. Open Records Law/Public Information: Under Pennsylvania Right-to-Know and other applicable laws, a record in the position of the Borough is presumed to be a public record subject to disclosure to any legal resident of the United States upon request, unless protected by a statutory exception.
5. The RFQ shall not, with the Borough’s prior written consent, be disclosed to any Proposer, in any manner whatsoever, in whole or in part, or used for any purpose other than the submission of Qualifications to the Borough.

#### B. Format of Technical Proposal

1. Title Page & Table of Contents:
  - a. Title Page should show the RFQ subject; the institution’s name; Contact Name, Title, Office Address, Telephone Number and Email Address; and the date of the proposal.
  - b. Table of Contents should identify matters submitted by section and page number.
2. Contact Information: On single cover sheet in your proposal, please provide:
  - a. The name of firm, owner, address, and telephone number;
  - b. The name and contact information for the firm’s primary contact;
  - c. E-mail address for firm principals or individuals working with the Borough;
  - d. The year the firm or individual practice was established;

3. Personnel Qualifications:
  - a. Identify the key attorney who will serve in the position of Borough Solicitor;
  - b. Provide s resume and summary of their experience for the individual who will serve in the position of Borough Solicitor;
  - c. Provide the same for other attorneys (if any) in the firm who may assist with the provision of services.
  
4. Specialized Legal Services Competence:
  - a. Provide information about the attorney and firm’s experience in providing legal services to municipal organizations. Provide at least three references from these organizations including names, contact persons, and phone numbers.
  
5. Capability:
  - a. Provide information about the attorney and firm’s capability to perform on short notice and in a timely matter. If the appointed Borough Solicitor is not available are there other means of responding to requests?
  - b. Describe the solicitor and firm’s approach to communicating with the Borough in regard to progress reports, status reports, recommendations, status of opinions, etc.
  
6. Project Management:
  - a. Provide a plan for service delivery, and an explanation of how tasks and projects are managed within the firm to ensure timely response and completion.
  
7. Client List:
  - a. Provide a list of current municipal clients.
  - b. List any clients you currently represent that could cause a conflict of interest with your responsibilities as Borough Solicitor of Souderton and describe how you would be willing to resolve these or any future conflicts of interest.

**NOTE: NO FEES AND/OR PRICING OF THE RFQ SHOULD  
BE INCLUDED IN THE TECHNICAL PROPOSAL**

### C. Format of Cost Proposal

The sealed cost proposal shall contain detailed pricing information relative to the work as described for each section of the RFQ. Please include:

1. Please provide rates for providing the services described above. Note that the Borough of Souderton is requesting fees to be submitted with two options:
  - a. Option A: *Monthly retainer plus hourly fees*  
(indicate specific items to be covered by the retainer)
  - b. Option B: *Hourly fees for all work without retainer*  
For hourly fees, please identify hourly rate of each attorney and support personnel and indicate minimum increment of time billed for services. Also, state rates for other cost items proposed to be itemized and billed.
2. A list of anticipated reimbursable expenses and the rate charged for each.
3. Any reduced fees offered to other municipalities, government entities, economic development or nonprofit organizations, and civic organizations.
4. Any other fees or charges not outlined in the other sections of the cost proposal;

Pricing will be reviewed based on reasonableness for services being provided, competitive market rates, and fee structure. The Borough is not obligated to select the proposal with the lowest fee proposal to perform these professional services.

## IV. SELECTION PROCESS:

### A. Selection Date:

Selection of the firm(s) to provide managed services and conduct the Project will be based on timely written qualifications. Oral interviews will be conducted in person to assist the Borough in the selection process. It is anticipated that the selection will be made in January/February 2024 and the start of the contract would begin at that time.

### B. Evaluation Criteria:

1. Any award to be made pursuant to this RFQ will be based upon the proposal, with appropriate consideration given to operational, technical, cost and management requirements. Evaluation of offers will be based upon the proposer's responsiveness to the RFQ, ability of the proposer to meet the needs of the Borough of Souderton.
2. The following elements will be the primary consideration in evaluating all submitted qualifications in the selection of a consultant(s):
  - a. Clarity and completeness of the proposal and the apparent understanding of the work to be performed;
  - b. General qualifications, experience, and expertise of the Proposer;
  - c. Soundness of the methods and approach to the work;
  - d. Information derived from reference checks and review of other documents completed by the Proposer; and
  - e. Comparative cost of the Firm's proposal.



**C. Site Tours**

Once the qualifications have been evaluated, Proposer's selected to proceed may receive invitation for in-person interviews with their key staff that would be responsible for supporting the Borough. A site tour of the Borough may also be requested.

**D. Reservations Regarding Selection**

The Borough reserves the right to do any or all of the following:

1. Conduct Interviews with some or all of the Respondents.
2. Reject any or all Qualifications.
3. Waive any informality or irregularity in a Proposal.
4. Hold all Qualifications for a period of thirty (30) days after the date fixed for the opening thereof.
5. Enter into good faith negotiations with the Respondents to modify service or project descriptions to a greater or lesser magnitude than described in this RFQ or any Proposal.
6. Accept the Proposal that the Borough deems at its sole discretion, to be the most favorable in the best interest of the Borough.
7. Enter into good faith negotiations with the selected Respondents regarding the pricing set forth in the Proposal prior to entering into an agreement. If the agreement's negotiations cannot be concluded successfully with the first selected Respondent, the Borough may negotiate an agreement with the second selected Respondent.
8. Re-advertise this RFQ for new Qualifications as may be deemed necessary at the sole discretion of the Borough.

**V. CONTRACT TERM**

The contract shall be effective upon appointment by Council for a period of three (3) fiscal years plus one (1) optional year upon mutual agreement by both parties.