

**ATHENS TOWNSHIP ZONING HEARING BOARD SOLICITOR  
REQUEST FOR PROPOSALS (RFP)—PUBLIC NOTICE**

Athens Township, which is a Township of the Second Class located in Bradford County, Pennsylvania, is soliciting proposals for a Zoning Hearing Board Solicitor, in accordance with the Request for Proposals (RFP). The RFP is available at the Athens Township Municipal Building, which is located at 45 Herrick Ave., Sayre, PA 18840, between the hours of 8:00AM and 4:00PM or on the Athens Township website at <https://athenstownship.org/legal.php>.

All proposals must be received on or before **12:00PM (NOON), Thursday, December 10, 2020, prevailing time**. 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 flash drive) of the same. Proposals shall be submitted and delivered to: Athens Township C/O Cynthia Parrish, ZHB Secretary, 45 Herrick Ave., Sayre, PA 18840. **Faxed proposals will not be accepted.**

Athens Township reserves the right to reject any and all proposals, with or without cause, and waive any immaterial defects, irregularities or minor informalities in the proposals. The Township also reserves the right to negotiate with all qualified candidates, or cancel the RFP (in part or in its entirety) when the Township determines that such action is in the best interest of the Township, in its sole discretion.

Cynthia Parrish  
Zoning Hearing Board Secretary

**REQUEST FOR PROPOSALS (RFP)**  
**ATHENS TOWNSHIP ZONING HEARING BOARD SOLICITOR**

1. **PUBLIC NOTICE AND PROPOSAL SUBMISSION:**

Athens Township, which is a Township of the Second Class located in Bradford County, Pennsylvania (hereinafter referred to as "Township"), is pleased to issue this Request for Proposals ("RFP") for a Zoning Hearing Board Solicitor.

All proposals must be received on or before **12:00PM (NOON), Thursday, December 10, 2020, prevailing time**. Proposals shall be submitted and delivered to: Athens Township C/O Cynthia Parrish, ZHB Secretary, 45 Herrick Ave., Sayre, PA 18840 in an envelope marked "Proposal for Zoning Hearing Board Solicitor". **Faxed proposals will not be accepted.**

Athens Township reserved the right to reject any and all proposals, with or without cause, and waive any immaterial defects, irregularities or minor informalities in the proposals. The Township also reserves the right to negotiate with all qualified candidates, or cancel the RFP (in part or in its entirety) when the Township determines that such action is in the best interests of the Township, in its sole discretion.

2. **CONTACT PERSON:**

Questions relating to this proposal may be submitted to:

Cynthia Parrish  
ZHB Secretary  
Athens Township  
45 Herrick Ave.  
Sayre, PA 18840  
[Email: cparrish@athenstownship.org](mailto:cparrish@athenstownship.org)  
Office phone: (570) 888-2325

**All questions relative to this RFP must be submitted to the Township on or before 12:00PM (Noon) on Thursday, December 3, 2020, prevailing time.**

3. **COMMUNITY INFORMATION:**

Athens Township is a Township of the Second Class located in Bradford County, Pennsylvania. The Township is comprised of a total area of 43 square miles with a population of 5,251. Additional information about the Township can be found online at the Township website (<https://athenstownship.org>).

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

An Athens Township Zoning Hearing Board Solicitor shall be appointed by majority vote of the Athens Township Zoning Hearing Board (hereinafter referred to as “Zoning Hearing Board”). The Zoning Hearing Board has the exclusive right to appoint its own solicitor and the appointed individual must be a registered professional attorney-at-law licensed in the Commonwealth of Pennsylvania and be a member of the Bar in good standing. If the candidate is a one-person law firm, then the person must possess an active license to practice law in the Commonwealth of Pennsylvania.

The Zoning Hearing Board Solicitor shall serve at the discretion of the Township. The contract shall be considered “at-will” and may be terminated at any time, for any reason, upon a majority vote of the Zoning Hearing Board, in their sole discretion. The Solicitor and/or firm shall receive such compensation as agreed upon and determined by the Township. Compensation for the Zoning Hearing Board Solicitor shall be approved by a majority vote of the Athens Township Board of Supervisors.

The Zoning Hearing Board generally meets on the 4<sup>th</sup> Tuesday of each month at 6:30PM, prevailing time. Hearings are scheduled on an as-needed basis.

5. **DUTIES OF THE ZONING HEARING BOARD SOLICITOR:**

The duties and responsibilities of the Zoning Hearing Board Solicitor shall include, but not necessarily be limited to, the following:

- i. Review and aid in the preparation of legal documents pertaining to the Zoning Hearing Board.
- ii. The timely preparation of Opinions, Findings of Fact/Conclusions of Law, and Orders for all Zoning Hearing Board appeals/hearings in accordance with the requirements of the Commonwealth of Pennsylvania

Municipalities Planning Code (MPC) and all applicable laws of the Commonwealth.

- iii. Attend and provide knowledgeable legal advice at all regular, special, and continued sessions of the Zoning Hearing Board, as requested.
- iv. Maintain availability to provide timely responses to Township administrative staff.
- v. Conduct legal research and render legal opinions and assistance to the Zoning Hearing Board.
- vi. Assist the Zoning Hearing Board with interpretations of codes, ordinances, case law, and other applicable laws/regulations, as requested.
- vii. Represent the Zoning Hearing Board as needed in court proceedings.
- viii. Cooperate with the Township regarding any matters pertaining to the Zoning Hearing Board.

6. **REQUIRED KNOWLEDGE, EXPERIENCE AND ABILITIES:**

Candidates must demonstrate a high degree of knowledge, experience and abilities with the following:

- i. Knowledgeable in local government ethics, Right-to-Know and Sunshine Laws.
- ii. The operation of local government units in the Commonwealth of Pennsylvania.
- iii. Experience in public notification, legal advertising, and records management.
- iv. Extensive knowledge of the Commonwealth of Pennsylvania Second Class Township Code, the Pennsylvania Municipalities Planning Code (MPC) and all related statutes.
- v. Extensive knowledge of all case law concerning land use and zoning in the Commonwealth of Pennsylvania.

7. **CONFLICT OF INTEREST:**

The successful candidate appointed to the Zoning Hearing Board Solicitor position shall not have any conflicts of interest with the Township, and shall address and resolve any individual matters involving a conflict of interest in advance of appointment. Any and all potential conflicts of interest shall be disclosed as part of a submittal of a proposal to be considered for appointment to the Zoning Hearing Board Solicitor position.

**8. MANDATORY CONTENTS OF PROPOSAL:**

- i. *Contact Information.* Please provide the following contact information:
  - Name and address of proposal respondent's firm/organization.
  - Name, address, telephone number, facsimile number and email address of the individual responsible for the preparation of the proposal.
  - Name, address, telephone number, facsimile number and email address of the principal professional that would be assigned to the Township.
  
- ii. *Rate Proposal.* The proposal shall include a Rate Schedule for the principal, associates, and paralegal (as applicable) for the Fiscal Year 2021, Fiscal Year 2022, and Fiscal Year 2023. The Township operates on a calendar year budgetary cycle. The Rate Schedule shall include personnel classifications, rates per hour, direct expenses (ex. Transportation costs, photocopies) and any other administrative costs that may be applicable. If a retainer rate is included, please provide a description of what work falls under that charge.
  
- iii. *Executive Summary.* An executive summary of not more than two (2) pages, identifying and substantiating why the respondent is best qualified to serve in the professional capacity of Athens Township Zoning Hearing Board Solicitor.
  
- iv. *Staffing Plan.* A staffing plan listing the person(s) who will be assigned to the engagement if the respondent is selected (as applicable). The staffing plan shall include the designation of the person who would be the respondent's principal legal professional assigned to and responsible for all services required under the engagement. This portion of the proposal shall include the relevant resume for the individual(s) who will be assigned. The information shall include, at a minimum, a description of the principal's relevant professional experience, years and type of experience, and number of years employed by the respondent.
  
- v. *Relevant Experience.* A description of the respondent's experience in providing and performing similar professional services of the type described in the RFP. Provide specific examples of work within the scope of professional services required under and set forth within this RFP.

- vi. *Location of Business Offices.* The location of the respondent's office, if other than the respondent's main office, at which the respondent proposes to perform the professional services required under and set forth within this RFP. Describe your presence in the Commonwealth of Pennsylvania and Bradford County.
- vii. *References.* Please provide a minimum of three (3) references, including at least two (2) municipal clients, for whom services have been provided for at least two (2) years. Provide the contact names, titles, and phone numbers for each reference.
- viii. *Litigation/Professional Sanctions.* If the respondent or any principal therein has been engaged as a defendant in any litigation involving a sum of one-hundred-thousand-dollars (\$100,000.00) or more and/or has been subject to any professional disciplinary action over the last three (3) years, the respondent shall 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 shall also be included in the proposal, if applicable.
- ix. *Conflicts of Interest.* Specify whether or not the respondent has 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.
- x. *Insurance.* Respondents shall provide documentation and evidence of insurance coverage for professional liability/malpractice coverage.
- xi. *Compensation and Billing.* Please identify the method of charging for professional and administrative services that your firm utilizes. Identify the billable rates for 2021 for all personnel of your firm who may provide professional services to the Township for this engagement. Providing a range of rates is not considered responsive to this RFP. Provide a description of any multipliers, overhead charges, minimum billings or any other applicable fee information. Please also provide the hourly or per meeting rates associated with the attendance of any scheduled Zoning Hearing Board evening meeting.

Any associated costs incurred by respondents in preparing or submitting a proposal to the Township shall not be the responsibility of the Township and shall be the sole responsibility of the respondents.

9. **OATH OF OFFICE AND STATEMENT OF FINANCIAL INTERESTS:**

The successful candidate that is appointed to the position of Zoning Hearing Board Solicitor by majority vote of the Zoning Hearing Board shall take an Oath of Office pursuant to the requirements of the Second Class Township Code prior to assuming and performing the duties of the office.

The Zoning Hearing Board Solicitor position is subject to the annual filing requirements of the Commonwealth of Pennsylvania Public Official and Employee Ethics Act (§ 1104. Statement of financial interests required to be filed).

10. **INTERVIEW(S):**

The Township reserves the right to interview any, all, a portion of, or none of the respondents submitting a proposal that is responsive to this RFP. Although interviews may take place, the proposal should be comprehensive and complete. The Township reserves the right to request clarifying information subsequent to the submission of any proposal received by the Township.

11. **SELECTION AND APPOINTMENT:**

The Township will select the respondent deemed most advantageous to the Township and in the best interests of the Township, in its sole discretion. Price, the qualifications of professional(s), staff, and relevant references are among the factors to be considered by the Township. The Township shall not be required to appoint the lowest cost respondent.