

# THE BOROUGH OF Ohiopyle

17 Sherman Street  
Ohiopyle, PA 15470  
Fayette County, Pennsylvania

## REQUEST FOR PROPOSAL FOR SOLICITOR SERVICES

### I. PURPOSE AND INTENT

The Borough of Ohiopyle, Fayette County, is requesting proposals for the position of Borough Solicitor. Applicants should submit proposals to Patricia Hoehn. The Borough Solicitor shall be responsible for advising the Council, Mayor, its Committees and Secretary on all legal matters arising in the conduct of Borough business.

### II. PROPOSAL SUBMISSION

The sole point of contact in the Borough for this RFP shall be:

Patricia Hoehn, Borough Secretary  
724-329-1662  
[ohiopyleborough@gmail.com](mailto:ohiopyleborough@gmail.com)  
PO Box 83  
Ohiopyle, PA 15470

To be considered for this selection, hard copies of the proposals must be received by Ohiopyle Borough on or before **March 1, 2024**. The Borough prefers to receive proposals and attachments via email. U.S. mail is acceptable to the P.O. Box detailed above. The Borough will notify those law firms of their selection for interviews.

Please direct any questions to Patricia Hoehn, Borough Secretary. The Borough will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. Ohiopyle Borough reserves the right and sole discretion to reject any proposal received as a result of this RFP.

### III. CONTENTS OF PROPOSAL

The applicant's proposal should include and address the following:

1. Contact Information
  1. Present the names, phone numbers, and email addresses of the person(s) who will be primarily responsible for providing the legal services to the Borough and the solicitor who will be the main point of contact.
  2. For the identified person(s), please provide biographies of their experience in representing municipalities, their area of expertise in municipal law, and a resume.

- a. Present a typical letter of representation utilized for a municipality.
  - b. Present recent advisory opinion letter for a municipality as a sample of your work.
  - c. Please name each municipality and their respective Municipal Manager for those municipalities where you and/or your firm have served as municipal solicitor. Include contact information and the dates of your terms as municipal solicitor for each applicable municipality.
  - d. Please do the same for Authorities and/or School Districts where you and/or your firm have served as solicitors.
2. For any of the above noted entities—municipality, authority, school district—where you have served as solicitor, have you attended all regular business meetings? Please provide the hourly or flat rate to attend those meetings.
3. Please give a comprehensive list of any and all successful intergovernmental agreements where you acted as the primary negotiator that are now or were in effect for some time. Be sure to list the significant positive benefits that these agreements have yielded to the participating municipalities/authorities/ or school districts.
4. Distinguish your legal services from other firms representing municipalities (characteristics that differentiate your firm from other firms).
  - a. Please provide a description of the firm and the scope of services offered and areas of specialties of the firm (i.e., labor, environmental, land use, bond counsel, communications).
5. It is important that the solicitor representing the Borough not have any other clients that have or would be in conflict with Borough issues. Specify if there are any actual or potential conflicts of interest with the Borough. Include a disclosure of clients who have had dealings with the Borough of Ohiopyle, or PA DCNR, including all boards and commissions. Explain how your firm would handle such a conflict. Also, set out any allowance in contract price if the Borough has to retain other legal counsel because of a conflict of interest with your firm.
6. Write a brief narrative on your firm's philosophy about the solicitor-council relationship and how that relationship will be built over time.
7. The Borough solicitor may be either an individual or a partnership or professional legal corporation learned in the law and in good standing and active legal practice in the Commonwealth of Pennsylvania. Include a list of any other professional qualifications; experiences and/or credentials you feel are relevant to this RFP.

#### **IV. INSURANCE**

Please submit the declaration page from the firm's current professional liability insurance policy within the proposal.

## **V. SECURITY**

Please provide a description of how you or your firm keeps your client data secure from cyber-attacks and related risks.

1. Do you or does your firm provide cyber security awareness training for all users? If yes, please describe.
2. Do you or does your firm conduct phishing security testing?
3. Do you or does your firm regularly back up your data?
  - a. Are there off-site back-ups of your data?
  - b. Do you conduct test restores of your back-ups?
4. Do you or does your firm have a disaster recovery plan?
5. Do you or does your firm have anti-virus in all computers? If so, please describe.
6. Do you or does your firm require multi-factor authentication (MFA) on your network when accessing it remotely?
7. Do you or does your firm have a firewall between the internet and your firm's data? If yes, please describe.
8. Do you or does your firm have a managed services provider? If so, please name the company.
9. What is your or your firm's software patch cycle?
  - a. If you do not know or do not have one, please let us know.
  - b. If you do have one, how long does it take for you or your firm to install critical or other security patches?
10. Do you or does your firm require passwords to access all computers?
  - a. If yes, are you required to change passwords?
  - b. If yes, how often?
11. Do you use MFA on all email accounts?
12. Are the smart phones used to receive email and access other firm data protected?
  - a. If yes, please describe.

## **VI. COSTS**

Please include the following within the proposal:

1. List the charges, if any, for telephone calls, email review and response, file review, copying, typing, printing, transmission, messenger services, etc.
2. Present a detailed cost proposal, including an hourly fee schedule for partners, associates and paralegals that may perform work for the Borough. Indicate the retainer fee, if any.
  - a. If a retainer fee is included in your proposal, please list the retainer and what basic services are associated therewith.

3. The cost proposal should include a rate schedule detailing personnel classifications, rates per hour, direct expenses such as auto travel, copies etc. and any other costs that may be applicable.
4. In what increments of time will Ohiopyle Borough be billed?
5. In what situations will Ohiopyle Borough be billed for more than one solicitor's attendance at trails, meetings, depositions, witness interviews, and conferences among solicitors?

## **VI. SELECTION AND CONTRACT**

The Borough of Ohiopyle will select the respondent deemed most advantageous to the Borough, with price and other factors considered. The resulting contract will include this RFP, and clarifications, or addenda thereto, the selected respondent's proposal, and any changes negotiated by the parties. The Borough shall not be required to appoint the lowest cost respondent.