

Through

**Northwestern Pennsylvania  
Emergency Response Group**

**Venango County, Pennsylvania  
As the NW PA ERG Fiduciary Agent**

**REQUEST FOR PROPOSAL**

For The

**Services of Solicitor  
for the  
Northwestern Pennsylvania Emergency Response Group**

## Request for Proposal

This is a Request for Proposal for the services of Solicitor for the Northwestern Pennsylvania Emergency Response Group (NW PA ERG) Executive Board consisting of representatives from the counties of Crawford, Erie, Forest, and Warren, and the City of Erie.

The services of Solicitor will include legal review and guidance for documents developed by the NW PA ERG Executive Board including, but not limited to, Memorandums of Understanding, Memorandums of Agreement, Cooperative Agreements, etc.

The NW PA ERG Executive Board will receive proposals **until 5:00 pm (EDT) on April 4, 2017** to the attention of the NW PA ERG Administrative Point of Contact to establish a contract for an attorney to perform the services of Solicitor for the NW PA ERG. Late proposals will not be considered.

For information regarding this notice, interested respondents shall contact the Administrative Point of Contact found on page 4 – item **4.0 Point of Contact**.

<b>Issue RFP:</b>	<b>2-22-2017</b>
<b>Deadline for Questions:</b>	<b>3-14-2017</b>
<b>Answers to Questions Posted:</b>	<b>3-21-2017</b>
<b>Deadline to Submit Proposals:</b>	<b>4-04-2017</b>
<b>Tentative Award Selection and Initiation of Contract Negotiation:</b>	<b>4-11-2017</b>

## Section 1.0 Introduction and Purpose

The NW PA ERG is one of nine regional Task Forces in Pennsylvania and represents Emergency Services, Law Enforcement, Civil Officials, Health Care Organizations and others involved in disaster preparedness, response, and recovery activities in the following Pennsylvania counties: Crawford, Erie, Forest and Warren, and the City of Erie.

An Executive Board directs the NW PA ERG; and, sub-committees including Communication, Emergency Management, Health and Medical, Law Enforcement, and Specialized Teams support both the NW PA ERG and the Executive Board. Further, the NW PA ERG supports multiple assets ranging across the disciplines of the committees. An Executive Board Representative will coordinate with the contractor upon approval of the Executive Board and execution of the contract.

The NW PA ERG Executive Board is requesting proposals from qualified and experienced legal professionals for the provision of services of Solicitor to the NW PA ERG Executive Board.

The successful applicant will provide services as Solicitor as requested by the NW PA ERG Executive Board. The contract will be a firm fixed hourly rate contract; and, the NW PA ERG Fiscal Agent, Venango County will execute the contract.

## 2.0 Dates

Following release of the RFP, **all applicants interested in submitting a proposal in response to this RFP must register by email with the Administrative Point of Contact listed in “Section 4.0 Point of Contact” by February 29, 2017.** The NW PA ERG will receive ***by email only***, all questions regarding this RFP. The NW PA ERG Point of Contact (*See Section 4.0.*) will answer all questions ***emailed*** to them. The final day for receiving RFP questions is March 14, 2017. The NW PA ERG will post all questions and responses on its website at [www.nwpadisasterresponse.org](http://www.nwpadisasterresponse.org) by March 21, 2017.

## 3.0 Schedule of Events

Event	Date
Issue RFP	<b>2-22-2017</b>
Deadline for Questions	<b>3-14-2017</b>
Answers to Questions Posted	<b>3-21-2017</b>
Deadline to Submit Proposals	<b>4-04-2017</b>
Tentative Award Selection and Initiation of Contract negotiation	<b>4-11-2017</b>

NW PA ERG Executive Board reserves the right to alter this schedule. The NW PA ERG will post all changes to the schedule of events on its website [www.nwpadisasterresponse.org](http://www.nwpadisasterresponse.org) . Respondents will adhere to the Schedule of Events.

#### 4.0 Point of Contact

The NW PA ERG Point of Contact for this Services of Solicitor request for proposal is:

<b><u>Administrative Point of Contact</u></b>
Allen W. Clark, Exec. Board Chair
NW PA Emergency Response Group
% Crawford County Department of Public Safety 903 Diamond Park Suite 6A Meadville, PA 16335-2613 Office: 814-724-2552 Mobile: 814-720-4871 24 Hour: 814-724-2548 Fax: 814-724-4605
Email: aclark@co.crawford.pa.us

#### 5.0 Scope of Work

The Scope of Work of the Solicitor includes

1. reviewing all legal documents prepared by the NW PA ERG Executive Board for legal accuracy,
2. review of all MOUs, contracts, etc. “proposed” to the Executive Board,
3. attending public and private meetings as requested by the Executive Board,
4. submitting a monthly status report of NW PA ERG Executive Board projects and hours of work provided completing those projects, and
5. acting as counsel for various aspects of the NW PA ERG Executive Board.

#### 6.0 Deliverables

Not Applicable

#### 7.0 Proposal Requirements

All proposals shall contain the following:

- 7.1 *Introduction:* The applicant should describe, in simple terms, how they propose to provide the services of Solicitor for the NW PA ERG Executive Board. The respondent will provide information that confirms that the respondent understands the scope of work. Name and address of firm, as well as a contact person who submitted the proposal, should be included.
- 7.2 *Organizational & Professional Profile:* Describe your organization in terms of its history, primary business, and former or current customers. Please include:
- Ownership information
  - Physical and mailing address
  - Other company locations/offices, if any

- Primary contact
- Telephone number, fax number, and email address of the company's primary contact
- Name of principals and each person's duties. Include the background and experience of these employees

7.3 *Relevant Experience & Qualifications:* Applicants to this RFP must demonstrate the following requirements.

- Must be a member in good standing of the Pennsylvania Bar Association.
- As Solicitor, must be dependable for acting as general counsel to the NW PA ERG Executive Board, who manages the distribution and use of Department of Homeland Security, Homeland Security Grant Program annual grant awards of \$400,000.00+ each year.
- Solicitor is required to carry \$1,000,000 of Professional Liability Insurance.
- Solicitor must provide either;
  - If a firm, designate the lead attorney and a descending order of availability of other attorneys in the firm in the event the lead attorney is absent or unavailable; OR
  - If a sole practitioner, designate an attorney or attorneys who will act in your absence or unavailability.
- The successful applicant shall be required to divulge to the Executive Board all other similar-appointments in which they serve. The Executive Board will have the authority to make the determination as to whether or not said appointment is a conflict of interest with NW PA ERG Executive Board interests. If a situation arises, in which a conflict of interest is at issue, the Executive Board will expect the Executive Board's interests to take priority for representation by the Solicitor.

***All individuals participating in this project will carry adequate liability, errors and omissions, and workers compensation insurance.***

7.4 *Contract Price and Budget:* Applicants shall provide a total retainer price and a detailed cost proposal tied to the Scope of Work.

7.5 *References:* Provide at least three (3) references for comparable services scope of work, client name, phone number, and client contact name. Limit this to one (1) page per reference.

7.6 *Insurance* - The successful applicant shall carry \$1,000,000.00 of Professional Liability Insurance.

- The vendor shall furnish the NW PA ERG Executive Board a certificate(s) of insurance including endorsements affecting coverage. The certificate(s), signed by a person authorized by the insurance company (ies) to bind coverage on its behalf, if executed by a broker, notarized copy of authorization to bind, or certify coverage shall be attached.

### *7.7 Indemnification*

The vendor shall assume the defense of and indemnify and hold harmless the NW PA ERG, the Executive Board, its affiliates, agents and its employees from and against all claims, demands, actions, suits and proceeding by others and against all liability, both negligent and non-negligent, arising directly or indirectly out of the actions of the vendor in their performance of this contract.

### *7.8 Gift Policy:*

This policy prohibits any official or employee from receiving a gift of any monetary value from any source doing or seeking to do business with the NW PA ERG and the Executive Board or attempting to influence the judgment of an official or employee. Further, the NW PA ERG will not accept any gifts for or on behalf of the NW PA ERG, unless first presented to the Executive Board for rejection or acceptance at a public meeting. The NW PA ERG advises applicants that any violation of this policy may result in employee discipline, including termination. By tendering this submission, the applicant agrees to abstain from offering or giving anything of monetary value to any NW PA ERG official, employee or member of their immediate families.

*7.9 Non-Collusion Affidavit:* The successful Applicant must sign and submit a Non-Collusion Affidavit upon issuance of contract.

*7.10 Suspension/Debarment:* The potential applicant must certify that they are not currently under suspension or disbarment by the Commonwealth, any other state, or the federal government. If the potential attorney cannot so certify, then they must submit along with the proposal a written explanation of why they cannot make the certification.

*7.11 Equal Opportunity Employment:* Applicant must certify that employment is available to all persons qualified regardless of age, race, sex, income, sexual preference, national origin, religion or disability.

## **8.0 Evaluation Criteria**

The NW PA ERG Executive Board will only accept applicants that meet the two primary criteria, Technical Assessment and Total Cost. The evaluation elements for each criterion are below:

Technical Assessment – Only “Qualified Applicants” will be considered for recommendation.

Qualified Applicants minimally must:

- Be a member in good standing of the Pennsylvania Bar Association.
- Document a minimum of three (3) years of experience as an attorney.
- Document a minimum of three (3) separate occasions of providing services as Solicitor for a governmental entity.
- Documentation of the educational and training skill level of subordinate staff if assigned to these duties.

Total Cost – Only “Qualified Applicants” (as defined above) are eligible for price review. Prices from applicants found not be qualified (either because of deficiencies in their Technical Assessment or from Administrative deficiencies e.g. failure to submit the proposal on time) will not be considered. **The bid form shall contain no exceptions.**

The NW PA ERG will receive **by email only** all questions regarding this RFP. The NW PA ERG Point of Contact (*See Section 4.0.*) will answer all questions **emailed** to them.

## **9.0 Filing of Proposals and Deadline for Receipt**

**All proposals are to be provided by the close of business (5:00 pm Eastern Standard Time) on April 4, 2017 to the Administrative Contact** at the address listed on page 4. Proposals should be clearly marked “**NW PA ERG Solicitor**”

One (1) original and one (1) copy of the response to the RFP should be accompanied with an electronic copy of the written proposal in an Adobe Acrobat (\*.pdf) format and a WORD format saved on a CD. Proposals by law firms must include a Letter of Transmittal including the name of the law firm, the State of incorporation and the personal signature signed by an officer with the authority to bind the Applicant’s proposal. Proposals may be either mailed or hand-delivered. No faxed or emailed proposals accepted. **No proposals accepted if received after the deadline.**

Technical representatives and a representative from the Administrative Entity will review all proposals after the deadline date.

**All costs associated with the preparation of written and cost proposals in response to this RFP are borne by the respondent.**

## **10.0 Award of Contract**

The NW PA ERG will award the contract to the responsible applicant whose proposal is the most advantageous to the NW PA ERG considering the evaluation criteria. The NW PA ERG Executive Board anticipates selection of the law firm to occur by **April 11, 2017**. Because the County of Venango acts as the Fiscal Agent for the NW PA ERG, Venango County will issue the award of contract. Notification of the intention to award will tentatively occur around **April 18, 2017** with contract negotiation to follow.

**The NW PA ERG reserves the right to reject any and/or all proposals or parts of proposals at its discretion. The NW PA ERG reserves the right to defer the award of any portion of the scope of work or to defer the award of the project in its entirety. If NW PA ERG rejects any or all proposals, it may solicit new proposals if a new solicitation is in NW PA ERG’s best interest.**

## **11.0 Invoicing**

The NW PA ERG Point of Contact for will review all submitted invoices and

accompanying documentation. If the NW PA ERG Executive Board approves these invoices, the NW PA ERG will forward the invoices to the NW PA ERG's Fiscal Agent for issuance of payment.

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