

Radnor Township
Township Labor Counsel for Employment Matters

GENERAL CONDITIONS AND SPECIFICATIONS

BACKGROUND:

The Township of Radnor, located in suburban Philadelphia, is a Home Rule Township operating in accordance with the codes and laws of the Commonwealth of Pennsylvania. Governed by an elected seven-member Board of Commissioners, the Township's chief executive officer is the Township Manager.

Radnor Township is seeking a proposal for Township Labor Counsel. The Township Labor Counsel firm is appointed by the Township Manager with the confirmation of a majority vote of the total membership of the Board of Commissioners for a two-year term. There is an option for the Township to renew the contract for additional years after the three-year contract. The Township has 2 collective bargaining agreements in place.

The Township employs approximately 120 part-time and full-time employees.

The consultant will work under the direction of the Township Manager.

Proposals Due – Monday, April 23, 2018, 10:30 AM, EST, via email to rozenkowski@radnor.org, Twelve (12) hard copies of the proposal, as well as one thumb drive with a PDF of the proposal, are required to be delivered to Radnor Township by noon.

Radnor Township
Robert A. Zienkowski, Township Manager
301 Iven Avenue
Wayne, PA 19087

The cost of preparing proposals is the responsibility of proposers.

Proposals may be either mailed or hand-delivered. If the proposal is sent by mail or commercial express service, the proposer shall be responsible for actual delivery of the proposal to the proper Township office before the deadline. All timely proposals become the property of the Township.

Late proposals will not be considered. Proposals received after the deadline will be returned unopened.

It is anticipated that award of this contract will take place at the May 7, 2018 regularly scheduled Board of Commissioners meeting.

All of the requirements outlined below shall be fully incorporated into the professional services contract between Radnor Township and the consulting firm.

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SCOPE OF SERVICES:

The Township anticipates needing the services of highly qualified outside legal counsel to advise and assist with Labor Human Resource related matters.

The Township may ask outside counsel to:

1. conduct negotiations;
2. handle grievance arbitrations
3. handle Act 111 interest arbitrations;
4. handle Act 195 interest arbitrations;
5. review Township policies;
6. render opinions on FLSA exempt/non-exempt status of employees;
7. review Township discipline decisions before they enter the grievance process;
8. represent the Township before the State Civil Service Commission;
9. represent the Township before the Pennsylvania Labor Relations Commission;
10. provide training to Township officials and supervisors on important topics;
11. respond promptly to human resource questions on all aspects of employment and labor law, e.g. FMLA, USERRA, NLRA, etc. or all other Human Resource matters as they arise.

PROPOSAL REQUIREMENTS:

Proposals shall include:

- Statement of interest
- Description of proposed services relating specifically to the scope of services outlined in Scope of Services
- Identification and resume of attorney(s) who will perform proposed services and their professional qualifications.
- Specific description of such attorney(s) experience in collective bargaining and disputes related to the implementation of collective bargaining agreements; past representation of governmental entities in collective bargaining; experience with binding interest arbitration; knowledge of and experience practicing before arbitrators likely to appear on a list provided by the American Arbitration Association and/or the Pennsylvania Bureau of Mediation.
- Statement that the proposed attorney(s) will be available to provide services throughout the term of this agreement and beyond such day if additional litigation or related representation is required by the Township.
- Identify any potential conflict of interest that may need to be evaluated by the Township and the Proposer before representation can be undertaken.

CONTRACT PERIOD:

The term of the agreement shall be for two (2) years. By mutual agreement of the parties, this contract may be renewed for up to two (2) additional one-year periods.

The Township may terminate said contract with or without cause, without penalty, by

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giving the Vendor thirty (30) day written notice of intent to cancel. Township will pay for all services requested and provided to the date of cancellation unless otherwise negotiated and agreed to by both parties.

COMMUNICATIONS:

Proposers are cautioned that the Township assumes no responsibility for oral explanations or interpretations of solicitation documents. No verbal responses by any Township personnel will have any bearing on the bid response nor be incorporated into any subsequent award.

Official communication with the Township should be directed to the following email address: rzienkowski@radnor.org.

Any addendum will be issued to all firms via email should one be required.

CONTRACT AWARD/EVALUATION OF PROPOSALS:

Contracts may be awarded according to the scope of services as specified in Scope of Services and Proposal requirements above. The Township reserves the sole right to award multiple contracts as deemed proper and/or necessary. The award will be made to the responsible and qualified proposer(s) whose proposal best meets the needs of the Township as set forth herein.

The minimum scope of services desired is defined in this Request for Proposal (RFP). The Township shall have the right to modify this scope, as it deems necessary. The terms of the Agreement between the Township and Firm shall be subject to review and modification by the Board of Commissioners. The Township reserves the right to reject any or all proposals, or parts thereof or items therein, and to waive technicalities required as deemed in the best interest of the Township. Omission of any information may be sufficient cause for rejection of the proposal.

Proposals will be evaluated based on the following criteria listed in order of importance:

- Expertise and experience representing public employees in labor and employment matters across all forums specified in Scope of Services;
- A record of success in representing public employers in labor and employment matters across all forums specified in Scope of Services;
- Expertise and experience representing a Home Rule and a First-Class Township;
- Expertise and experience representing employers before arbitrators who are likely to appear on a list provided by the American Arbitration Association and/or the Pennsylvania Bureau of Mediation;
- Degree of Completeness of response to RFP and degree to which the proposer followed instructions for submittal;
- Provide the name of the primary contact person;

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- State the hourly rate that primary and any other professional resource will charge to perform the work described in the RFP. State the rate that primary contact (and any other professional resource, if applicable) will bill for travel time (if required) if that rate is lower than your proposed hourly rate for this work. State any flat fee arrangements that you would like the Township to consider for the work described in the RFP.

Attorney(s)/Law Firm are strongly advised not to prepare their proposal submissions based on any assumption or understanding that negotiations will take place. Attorney(s)/Law Firm are advised to respond to this RFP fully and with forth-rightness at the time of proposal submission.

The Township reserves the sole right to accept or reject proposals in the best interest of the Township.

ORAL PRESENTATION:

Attorney(s)/Law Firm may be required to clarify their proposals by making individual presentations upon request of the Township.

VENDOR QUALIFICATIONS:

Attorney(s)/Law Firm must provide a least three (3) references (names of contract persons and phone numbers), preferably from public employers they have represented in the past two (2) years.

The reputation of attorney(s)/law firm regarding adequacy of their resources and facilities and past records of their skillful performance of work of the type and magnitude required herein shall be considered when making the award.

FUNDING:

The failure of the Township to appropriate sufficient funds in any fiscal year to provide funds for this agreement shall entitle the Township to terminate upon written notice to contractor.

INSURANCE:

The successful vendor shall maintain adequate public liability, property damage, malpractice and workers compensation insurances, insuring as they may appear the interest of all parties to said contacts. Certification of said insurance coverage shall be submitted to the Township at the time of the execution of each respective contract. Malpractice and liability coverage shall be as indicated in Exhibit 1, attached.

UNDUE INFLUENCE:

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The attorney(s)/law firm agrees not to hire any Township personnel who have exercised discretion in the awarding, administering or continuance of this Contract for up to one (1) year following the termination of the employee from Township service. Failure to abide by this provision shall constitute a breach of the contract.

SUBMISSION FORMAT AND CONTENT:

1. The Submission shall contain a general statement regarding the Responder's understanding of the Scope of Services to be provided. Attorney(s)/Law Firm shall provide twelve (12) copies of their proposal and a thumb drive with a PDF copy of their proposal. All hard copies are to have the individual sections tabbed.
2. The Submission shall clearly state the attorney(s)/law firm qualifications to perform the services listed.
3. Submit current reference(s) with a contact person and phone number and email address of client(s) for whom you have provided municipal labor counsel services in the last ten years.
4. Provide the names and resumes for the specific individual(s) to be assigned to this engagement and the specific area(s) of responsibility they will be assigned. No other individuals are to be assigned to this engagement without the prior approval of the Township of Radnor.
5. Provide the firm's most recent annual report, if applicable.
6. Provide evidence of insurance as required.
7. Provide a description of the compensation your firm would expect on an annualized basis for providing the Scope of Services requested.
 - a. Compensation shall be subject to final negotiations.
 - b. Provide hourly rates / monthly retainer fees for all disciplines, for the years 2018 and 2019.

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