

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Authorizing the publication of a Request for Proposals for Allegheny County Council Solicitor.

Whereas, as noted by the preamble to the Home Rule Charter of Allegheny County, the separation of powers within County government is a fundamental goal of home rule: “[a] home rule government that separates the legislative and executive functions previously vested solely in the Board of County Commissioners will provide checks and balances on the powers of government and protect the rights, privileges and powers reserved or guaranteed to the people by the Constitutions of the United States of America and the Commonwealth of Pennsylvania;” and

Whereas, as also noted by the Charter preamble: “[a] home rule government with a legislative County Council with members elected by district and at large will represent the diversity of our County’s citizens and provide better access to County government;” and

Whereas, since shortly after its inception, Allegheny County Council has retained the services of a solicitor independent of the Allegheny County Law Department; and

Whereas, it is the judgment of Allegheny County Council that continuing to retain independent counsel inures to the benefit of the residents and taxpayers of Allegheny County, insofar as it advances the expressly stated goal of the separation of powers, and also improves the efficiency and functionality with which the Council remains accessible to and represents the diversity of the County’s citizens; and

Whereas, it is accordingly the desire of Council to request proposals from attorneys and law firms with relevant experience and training to provide continuing legal representation to the Council;

The Council of the County of Allegheny therefore hereby moves as follows:

Allegheny County Council hereby authorizes the publication of notice of the Request for Proposals for Allegheny County Solicitor attached hereto: (1) to the County website no later than May 27, 2022, (2) to the County’s usual purchasing/RFP internet portal no later than May 27, 2022, (3) to the newspaper of general circulation within the County in which Council’s 2022 meeting schedule was published as soon as is practicable after the passage of this Motion, and (4) to other location(s) or publication(s) recommended by the Executive Committee prior to Noon on May 27, 2022.

PRIMARY SPONSOR: PRESIDENT CATENA

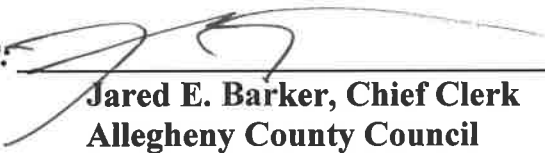
CO-SPONSORS:

Read and approved in Council, this 24th **day of** May, 2022,

Council Agenda No. 12316-22



Patrick Catena
President of Council

Attest: 

Jared E. Barker, Chief Clerk
Allegheny County Council



COUNTY OF ALLEGHENY

OFFICE OF THE COUNTY COUNCIL

119 COURTHOUSE • 436 GRANT STREET

PITTSBURGH, PA 15219

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[HTTP://WWW.ALLEGHENYCOUNTY.US/COUNCIL](http://www.alleghenycounty.us/council)



Allegheny County Council Request for Proposal SOLICITOR

Issued: May 24, 2022
Due Date: June 24, 2022

**ALLEGHENY COUNTY COUNCIL
REQUEST FOR PROPOSAL FOR SOLICITOR
DUE June 24, 2022**

I. PURPOSE AND INTENT

Allegheny County Council is requesting proposals for the position of Solicitor. Applicants should submit written proposals to:

Allegheny County Council
Attn: Ken Varhola
436 Grant Street- Room 119
Pittsburgh, PA 15219

The Solicitor shall be responsible for advising the Council, its Committees, and Executive Staff on all legal questions arising in the conduct of Council business.

II. PROPOSAL SUBMISSION

An original, unbound hard copy and one (1) additional full, complete and exact electronic copie shall be submitted in a sealed envelope and must be marked as "Allegheny County Council Solicitor" and addressed to:

Allegheny County Council
Attn: Ken Varhola
436 Grant Street- Room 119
Pittsburgh, PA 15219

The proposal must be received no later than 12:00 p.m. on June 24, 2022. Faxed or email proposals will NOT be accepted. Council will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. Any inquiries concerning this RFP should be directed via email to SolicitorRFP@AlleghenyCounty.US

All information and documents submitted in response to this solicitation shall be available to the general public. Council reserves the right to reject any or all proposals, with or without cause, and waive any irregularities or informalities in the proposals. Council further reserves the right to make investigations as it deems necessary to the qualifications of any and all applicants submitting proposals. Council reserves the right to re-solicit proposals.

III. MINIMUM QUALIFICATIONS

Council requires the services of a firm or individual that is able to provide legal advice on a variety of matters. The firm or individual should have significant municipal experience as more particularly detailed on Exhibit "A".

IV. MANDATORY CONTENTS OF PROPOSAL

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

1. Contact Information: Provide the name and address of the firm; the name, telephone number, fax number, and e-mail address of the individual responsible for the preparation of the proposal, and the principal professional and/or professionals assigned to this engagement.
2. A three-year rate proposal for 2022, 2023, and 2024. The 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. If selected the contract shall be "at will" and may be terminated at any time, for any reason, upon a vote of the majority of Council.
3. An executive summary of not more than two (2) pages, identifying and substantiating why the respondent is best qualified to provide the requested services.
4. A staffing plan listing those persons who will be assigned to the engagement if the respondent is selected, including the designation of the person who would be the respondent's principal professional responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for the individuals who will be assigned. The information should include, at a minimum, a description of the principal's relevant professional experience, years and type of experience, and number of years with the respondent.
5. A description of the firm and the scope of services offered and areas of specialties of the firm (i.e., general municipal law, labor, environmental, land use, governance, ethics and Right to Know).
6. A description of the respondent's experience in performing services of the type described in this RFP. The respondent shall have extensive experience as a municipal solicitor in the Commonwealth of Pennsylvania. Provide specific examples of work within the scope of services required under this RFP.
7. A description of the systems that will be established for monthly reporting of the status of projects, requests, and litigation.
8. The location of respondent's office, if other than the respondent's main office, at which the respondent proposes to perform services required under this RFP. Describe your presence in Pennsylvania and any familiarity your firm has with Allegheny County.
9. References, including at least three (3) municipal clients. Provide the contact names, titles, phone numbers and email addresses.
10. If the respondent or any principal has been subject to any professional disciplinary action over the last three (3) years, the bidder must provide a description of the litigation and/or disciplinary action.
11. It is important that the attorney representing Council not have any other clients that have or would be in conflict with Council issues. Specify if there are any actual or potential conflicts of interest with Allegheny County. Include a disclosure of clients who have had dealings with Allegheny County, including all boards and commissions. Explain how your firm would handle such a conflict.
12. Write a narrative on your firm's philosophy about the attorney -council relationship and how that relationship will be built over time.
 - a. Detail your professional liability/malpractice insurance coverage applicable to the services described herein. Include insurance certificates summarizing such insurance coverage.

V. INTERVIEW

Council reserves the right to interview any or all of the respondents submitting a proposal. Although interviews will take place, the proposal should be comprehensive and complete on its face. Council reserves the right to request clarifying information subsequent to submission of the proposal.

VI. SELECTION PROCESS

All proposals will be reviewed by the Council and Chief of Staff, Ken Varhola, to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For respondents that satisfy III, "Minimum Qualifications" and IV, "Mandatory Contents of Proposal" the Council's evaluation will include but will not be limited to the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order of significance:

1. The respondent's general approach to providing the services required under this RFP.
2. The respondent's documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP.
3. The qualifications and experience of the respondent's management, supervisory or other key personnel assigned to the engagement, with emphasis on documented experience in successfully completing work on contracts of similar size and scope to the services required by this RFP.
4. The overall ability of the respondent is to mobilize, undertake and successfully complete the scope of work in a timely fashion. This criterion will include, but not be limited to, the following factors: the number and qualifications of management, supervisory and other staff proposed by the respondent to perform the services required by this RFP; the availability and commitment to the engagement of the respondent's management, supervisory and other staff proposed. Diversity in terms of women or minority attorney involvement is considered a positive.
5. Costs and fee schedules.
6. Other criteria as deemed appropriate by Council.

VII. SELECTION AND CONTRACT

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

Exhibit A
Allegheny County Council
Minimum Requirements Solicitor

- 1) Multi-disciplined individual or firm with experience in municipal law, municipal litigation and tort claim laws, Pennsylvania employment and personnel issues. The respondent shall have experience serving municipalities in the Commonwealth of Pennsylvania. The applicant must demonstrate a high degree of knowledge, experience, and ability with the following:
 - a. The operation of local government units in Pennsylvania.
 - b. Knowledge of Allegheny County's Home Rule Charter and Administrative Code
 - c. Demonstrated understanding and experience with the PA Sunshine Act
 - d. Land Use (Zoning, Subdivision and Building/Property Codes)
 - e. Employment law and Labor Relations
 - f. Litigation experience in the Common Pleas Courts as well as appellate courts and Federal Courts.
 - g. The PA Public Officials and Employee Ethics Act
 - h. The PA Right to Know Act
 - i. Preparation and review of ordinances, resolutions, agreements, contracts, forms, and other documents required by Council.
 - j. Municipal Borrowing and finance procedures.
 - k. Expertise in review of agreements with local, State and Federal agencies.
- 2) The respondent must attend and provide legal advice at all Council meetings. Attendance may also be required at committee meetings as well.
- 3) The respondent shall comply with and be subject to all provisions of federal, state and local laws.
- 4) Qualifications: The Solicitor may be either an individual or a partnership or a 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.
- 6) Compensation: The compensation of the Solicitor shall be as fixed by contract and based upon the Three (3) year rate proposal submitted.
- 7) Scope of Authority: All of the legal affairs of the County Council shall be under the general supervision of the Solicitor. Except as otherwise provided by Council r, no official, or employee of the County may employ additional legal counsel to advise Council without express authorization to do so from Council.
- 8) Duties: The Solicitor shall render such legal services as may be necessary or desirable for the best interests of the Council and shall, upon request, furnish Council with a written opinion upon any question of law submitted by any of them in their official capacity.