

**BOROUGH OF MOOSIC
REQUEST FOR PROPOSALS & QUALIFICATION (RFP)
FOR PROFESSIONAL SERVICES (BOROUGH SOLICITOR)**

1. PURPOSE AND INTENT

Through this Request for Proposal (RFP), the Borough of Moosic seeks to engage a respondent as Solicitor for the Borough of Moosic, upon appointment.

2. PROPOSAL SUBMISSION

An original proposal clearly marked as the ORIGINAL and four (4) full, complete and exact copies of each proposal shall be submitted in a sealed envelope and must be marked as "Borough Solicitor Request for Proposals" and addressed to:

Paul Thomas
Borough Administrator
Moosic Borough
715 Main Street
Moosic, PA 18507

The proposal must be received no later than 4:00 p.m. on November 14, 2025. Faxed or e-mailed proposals will NOT be accepted.

Any inquiry concerning the RFP should be directed in writing to:

Paul Thomas
Borough Administrator
Moosic Borough
715 Main Street
Moosic, PA 18507
pthomas@moosicborough.org

All documents/information submitted in response to this solicitation shall be available to the general public. The Borough of Moosic will not be responsible for any costs associated with the oral or written and/or presentation of the proposals. The Borough of Moosic reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough of Moosic also reserves the right to negotiate with all qualified sources, or to cancel in part or in its entirety this RFP when the Borough determines that such action is in its best interests.

The Borough of Moosic further reserves the right to make such investigations as it deems necessary as to the qualification of any and all respondents submitting proposals.

3. GENERAL INFORMATION

The Borough of Moosic is located in Lacakwanna County, Pennsylvania. The Borough has a seven (7) member Council and Mayor. The Borough is approximately 6.5 square miles, has a 2020 Census population of 5,989, and 2025 General Fund budget of \$6,597,269 and approximately 38 full-time, part-time, and seasonal employees. The Borough Council meets on the second Monday of each month as well as special meetings on an as-needed basis.

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4. MINIMUM QUALIFICATIONS

The Borough of Moosic requires the services of a firm or individual that is able to provide for all legal matters on a variety of issues and situations. See Exhibit A for details on needed services.

5. PERFORMANCE STANDARD

- A. All work performed or managed must be of the highest quality and shall be performed in a timely manner.
- B. All services to be performed under the ensuing appointment shall be performed in the most professional manner, in achieving the objectives of the Borough.

6. TERM OF APPOINTMENT

Appointment shall be "at will" and may terminate at any time, for any reason, upon a vote of the majority of the Borough Council.

7. INSURANCE

The selected candidate shall, at his/her sole cost and expense, procure and maintain in full force and effect covering the performance of the services rendered under this agreement, insurance in types and limits specified below. In addition to the insurance coverage and limits listed herein, the selected candidate shall obtain any other insurance coverage as may be required by law.

1. General Liability Insurance

Limits of Liability: \$1,000,000 in aggregate and per occurrence.

Coverage: Premise operations, blanket contractual liability, personal injury liability (employee exclusion deleted), products and completed operations, independent contractors, employees and volunteers as additional insured, joint liability, and broad form property damage (including completed operations).

2. Worker's Compensation and Employers' Liability Insurance

Limits of Liability: Statutory Limits

3. Automobile Liability Insurance

Limits of Liability: \$1,000,000 per occurrence combined single limit for bodily injury (including death) and property damage liability.

4. Professional Liability Insurance

Limits of Liability: \$1,000,000 by claim and \$2,000,000 in the aggregate.

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Coverage for occurrences happening during the performance of services required under this agreement shall be maintained in full force and effect under the policy. The policy shall include "tail coverage" for work performed on behalf of the Borough after the termination of his/her employment.

All insurance provided for in this section shall be obtained under valid and enforceable policies issued by insurers of recognized responsibility which are licensed to do business in the Commonwealth of Pennsylvania. The Borough requires that Certificates of Insurance evidencing the existence of such insurance shall be submitted to the Borough at least 10 calendar days following appointment.

The Borough reserves the right to review categories and levels of insurance coverage held by the selected individual or firm in an ongoing program of risk management. The appointed individual or selected firm will be notified, in writing, of coverage requirements as determined by this review and the firm agrees to secure such requested coverage.

8. UNDUE INFLUENCE

The successful candidate agrees not to hire, financially compensate or otherwise influence any Borough official or personnel who may exercise or who has exercised discretion in the awarding, administration or continuance of this appointment for up to and including one (1) year following the termination of the official or employee from Borough service. Failure to abide by this provision shall constitute a breach of this appointment agreement.

9. MANDATORY CONTENTS OF PROPOSAL

In addition to demonstrating an ability to meet all minimum qualifications described in Exhibit A, the firm must also include and address the following:

- A. 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 assigned to the Borough.
- B. A two-year rate proposal for 2026 and 2027. The proposal should include a Rate Schedule for principal and any associates and paralegals, detailing Personnel Classifications, rates per hour, direct expenses such as auto travel, copies, etc. and any other costs that may be applicable.
- C. An executive summary of not more than two (2) pages, identifying and substantiating why the respondent is best qualified to provide the requested services.
- D. 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.

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- E. 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.
- F. A description of the systems that will be established for monthly reporting of the status of projects, requests and litigation.
- G. 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 the County of Lackawanna and the municipalities therein.
- H. References, including at least three (3) municipal clients, three (3) current clients for whom services have been provided for at least three (3) years, and two (2) clients for whom services have been provided within the past seven (7) years. Provide the contact names, titles telephone numbers and email addresses. .
- I. If the respondent or any principal therein has been engaged as a defendant in any litigation involving a sum of \$100,000 or more and/or has been subject to any professional disciplinary action over the last three (3) years, the respondent must provide a description of the litigation and/or disciplinary action.
- J. 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.
- K. It is important that the Solicitor representing the Borough not have any other current clients that have or would potentially be in conflict with Borough issues. Specify if there are any actual or potential conflicts of interest with the Borough. Respondents must include a disclosure of clients who have had dealings with the Borough, including all boards and commissions. Explain how your firm would handle such conflicts. Also, set out any allowance in compensation if the Borough has to retain other legal counsel because of a conflict of interest with your firm. Present evidence of firm's malpractice coverage.
- L. A detailed listing of the method of charging for professional and administrative services, the billable rates for all personnel of your firm who may provide services to the Borough (do not list a range of rates), a description of the multipliers, overhead charges and other applicable fee information, a description of minimum billings, hourly or per meeting rates associated with attending Borough of Moosic evening meetings, as requested.

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- M. Any costs incurred by proposer in preparing or submitting offers are the proposer's sole responsibility. The Borough will not reimburse any proposer for any costs incurred prior to contract award. Proposals shall become the property of Moosic Borough and will not be returned.

10. INTERVIEW

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

11. SELECTION PROCESS

All proposals will be reviewed by the Borough Administrator and Borough Council to determine responsiveness. Non-responsive proposals will be rejected without evaluation. For respondents that satisfy the Minimum Qualifications and the Mandatory Contents of Proposal, the Borough'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 or significance:

1. The respondent's general approach to providing the services required under this RFP.
2. The respondent's municipal experience and the engagement addressed by this RFP.
3. The qualifications and experience of the respondents' management, supervisory or other key personnel assigned to the engagement, with emphasis on municipal experience and to the services required by this RFP.
4. The overall ability of the respondent 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 respondents' management, supervisory and other staff proposed.
5. Costs and fee schedules.
6. Other criteria as deemed appropriate by the Moosic Borough Council.

12. SELECTION AND CONTRACT

The Borough of Moosic will select the respondent deemed most advantageous to the Borough with price, qualifications 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. The Borough of Moosic shall not be required to appoint the lowest cost respondent.

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13. FILES

At the termination of the appointment of the solicitor, he/she shall promptly return to the Borough all files complete with all documents, memos, legal research notes, correspondence and all other material contained therein including but not limited to electronic data, at no cost to the Borough.

14. EXCEPTIONS

Any exceptions to terms, conditions, or other requirements in any part of this RFP must be clearly described and clearly labeled "exceptions" or "conditions" within in the candidate's proposal. Otherwise, the Borough will consider that all items offered are in strict compliance with this RFP, and the successful proposer will be responsible for compliance.

15. QUESTIONS/CLARIFICATIONS

Any official questions and/or clarifications shall be directed, in writing, to the person noted below by November 14, 2025. Questions raised after this cut-off will remain unanswered.

Paul Thomas
Borough Administrator
Moosic Borough
715 Main Street
Moosic, PA 18507
pthomas@moosicborough.org

Questions may be answered in writing and distributed to all firms by e-mail or regular mail.

16. AUTHORITY TO DISTRIBUTE RFP PACKAGES

The Borough Administrator's office is the sole entity authorized to provide this RFP package to interested firms or individuals.

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Exhibit A

Municipal Professionals Minimum Qualifications

General Solicitor

Respondents must establish that they meet the following minimum qualifications:

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 working for municipalities in the Commonwealth of Pennsylvania. The respondent must demonstrate a high degree of knowledge, experience and ability including but not limited to the following:
 - a. Working within local government, including Municipal/Boroughs of the Commonwealth of Pennsylvania
 - b. Experience in a Municipal/Borough Form of Government
 - c. Pennsylvania laws, codes and regulations
 - d. Business law, particularly in areas of bankruptcy, contracts and purchasing
 - e. Preparation and review of ordinances, resolutions, agreements, contracts, forms and other documents required by the Borough
 - f. Zoning regulations
 - g. Subdivision, land development and environmental matters
 - h. Bond and finance procedures
 - i. Acquisition and disposition of real estate
 - j. Tax law, debt collection, business law, bankruptcy, real estate, construction contracts, management and dispute resolution, various administrative and judicial procedures
 - k. Litigation experience for plaintiffs and defendants, not only at the Common Pleas level, but at the Commonwealth Court level as well
 - l. Government ethics laws
 - m. Expertise with Collective Bargaining Units and Agreements
 - n. Expertise in reviewing contract documents for contractors, performance, responsibilities and liability requirements
 - o. Expertise in writing deed descriptions for property transfer
 - p. Expertise in review of reimbursement agreements with State and Federal agencies for Borough projects
 - q. Expertise in review of risk management for construction contracts
2. The respondent must be available to attend and provide legal advice at all public meetings, when asked, and other meetings as may be directed.
3. The respondent must be licensed to practice law in the Commonwealth of Pennsylvania and be a member of the Bar in good standing. Include a list of any other professional qualifications, experience and/or credentials you feel are relevant to this RFP.
4. The respondent shall comply with and be subject to all provisions of federal, state and local laws.

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5. Appointment The Borough Council may appoint a Borough Solicitor, on a full-time, part-time or retainer basis, for an indefinite term. The Borough Solicitor is not an official of the Borough and shall hold no public office.
6. Qualifications The Borough Solicitor may be either an individual or a partnership of a professional legal corporation, learned in the law and in good standing and active legal practice in the Commonwealth of Pennsylvania.
7. Compensation The compensation of the municipal Solicitor shall be fixed by contract.
8. Scope of Authority All of the legal affairs of the Borough shall be under the general supervision of the Borough Solicitor. Except as otherwise provided by the Borough Council, no official, commissioner or employee of the Borough may employ additional legal counsel without express authorization to do so from the Borough Council.
9. Duties The Borough Solicitor shall render such legal services as may be necessary or desirable for the best interests of the Borough of Moosic and shall, upon request, furnish the Borough Council and/or Administrator with a written opinion upon any question of law submitted by any of them in their official capacity.
10. Special Counsel The Borough Council may specially employ legal counsel in connection with any legal matters involving the Borough of Moosic or any of its officials or employees as needed.

The Authorization to Release Records must be completed and submitted. Failure to complete and submit this required sheet, which authorizes Disciplinary Counsel disclosure, shall be considered grounds for rejection of the tended proposal.

AUTHORIZATION TO RELEASE RECORDS

I do hereby provide to the Borough of Moosic written authorization for the release of any and all records including, but not limited to complaints, investigation reports, recommendations and sanction actions pertaining to any complaints filed against the undersigned with the Office of the Disciplinary Counsel.

Name of Candidate _____

Bar Registration No. _____

Date _____