

Borough of Chambersburg

Notice re: Solicitation of Proposals for Non-Uniformed Pension Plan Legal Services

The Borough of Chambersburg is seeking proposals for legal services relative to the Non-Uniformed Employee defined benefit pension plan it sponsors. The RFP, including specifications, procedures to compete for the work, and all required disclosures are available on the Borough's website at www.chambersburgpa.gov or by contacting Carol Ehrenreich by email at cehrenreich@chambersburgpa.gov, by fax to (717) 264-8408 or by written request addressed to Carol Ehrenreich, Human Resources Supervisor, Borough of Chambersburg, 100 South 2nd Street, Chambersburg, PA 17201. Be sure to include your name, address, e-mail, telephone and fax numbers on all correspondence.

The specifications are set forth in the RFP. The RFP includes detailed questions associated with qualifications, experience, expertise and compensation to be charged. In order to compete for the work, a response to the RFP should be made as per the RFP on or before 3:00 PM on February 15, 2016. As set forth in the RFP, the response should include several disclosures including a completed Disclosure Statement. The Borough reserves the right to request additional information from any or all respondents, to waive any defect or abnormality to award or not award all or any portion of the described work, to issue modifications to the RFP, to award a portion of the work to one responding firm and to award a portion of the work to another responding firm, or to otherwise move forward in the best interest of the Borough.

REQUEST FOR PROPOSALS

Pension Related Legal Services

Borough of Chambersburg

Non-Uniformed Employee Pension Plan

**PROPOSALS MUST BE RECEIVED NO LATER
THAN 3:00 PM ON FEBRUARY 15, 2016.**

A. PLAN AND SPONSOR

The Borough of Chambersburg currently maintains a defined benefit pension plan for all of its Bargaining and Non-Bargaining, non-uniformed employees. The Borough desires to create a defined contribution option for the pension plan that employees may elect to participate in instead of the defined benefit provisions.

The Borough is located in Franklin County, Pennsylvania.

B. REQUESTED SERVICES (including specifications and qualifications)

Selected firm must be experienced in and capable to respond to all municipal legal needs related to pensions, including the initial project of amending the existing plan documents to provide for a 401(a) defined contribution plan option. The Borough may in the future require advice relative to benefit eligibility, qualification and calculation; legal issues associated with investment of pension funds; interpretations of Act 205, Act 600 and Act 44; responding to benefit claims, interface with Internal Revenue and State pension regulatory agencies; documentation of pension plans and interpreting new pension laws and providing proactive benefits related legal counsel.

1. Please document your experience related to the above matters over the last five years. Please specify how many Pennsylvania local governmental plan documents you have written in the last five years.
2. To how many Pennsylvania local government pension arrangements do you provide legal advice? Please list five with contact information.
3. How many Act 600 pension plans do you provide legal advice to?
4. What percentage of the work performed by your firm is for Pennsylvania local governmental pension arrangements?
5. What is the rate schedule to be utilized to perform the above work? Please supply an estimate to amend the Non-Uniformed Plan documents.

C. PROCEDURES TO COMPETE FOR CONTRACT

Applicants must submit ten (10) copies of the proposal within a single sealed envelope or container. The envelope or container should have the following notation: **“PROPOSAL - CHAMBERSBURG BOROUGH PENSION RELATED LEGAL SERVICES”**. Respondent’s e-mail address, telephone, and fax numbers must be included with proposal.

Proposals must be received by 3:00 P.M., February 15, 2016, at:

Borough of Chambersburg
100 South 2nd Street
Chambersburg, PA 17201

All questions regarding this RFP must be in written form and be directed only to Jeffrey Stonehill, Borough Manager, Borough of Chambersburg, 100 South 2nd Street, Chambersburg, PA 17201, or e-mail: jstonehill@chambersburgpa.gov by 3:00 P.M., on February 8, 2016. No phone calls/inquiries will be accepted and no other employees shall respond to any questions, written or verbal. The questions and subsequent answers will be documented and distributed to all RFP recipients prior to the submission deadline.

The Borough’s Pension Committee will review all proposals and make its recommendation to the Town Council of the Borough of Chambersburg, which is ultimately solely responsible for selecting the winning applicant and awarding the contract. The procedures for receiving and evaluating applicants to determine the most qualified include a review of the applicant’s qualifications, experience, expertise, and fees, as well as completion of the required disclosures. Note that while fees are a consideration, the contract will not necessarily be awarded to the lowest cost applicant. The contract shall be awarded to the most qualified applicant based on a review of several factors, including the applicants’ past record of performance with similar municipal clients, the quality and content of written proposals and/or interview presentation, specialized experience and technical competence, familiarity with applicable laws, and overall cost of services. Upon review the Borough may request additional information from each, some, or all applicants or request to interview each, some or all applicants. The Borough retains the right to reject any proposal at the outset of the process where requested information has been omitted or where the application is submitted after the deadline. If the Borough is not satisfied with the proposals received, the Borough may place subsequent advertisements with any appropriate revisions or cancel the solicitation of services.

Acceptance of a proposal is anticipated to be completed by February 22, 2016. Upon award of the contract, within 10 days the Borough shall provide the unsuccessful applicants a copy of the successful application (minus protected information), disclosure forms and a summary of the relevant evaluation factors considered. This information shall be posted and displayed as required.

Applicants should provide all of the information requested on the following pages, attaching additional sheets as necessary.

D. FIRM DESCRIPTION

Provide general details on your firm including location, number of clients, number of governmental plans for which you provide services and employees and total service offered. Also specify the amount of Errors and Omissions coverage carried.

E. INDIVIDUALS PROVIDING SERVICES

Please list the individuals who will be providing services to the Plans. A brief biographical summary of each should at minimum include the individual's title, professional designations and number of years of experience in the specified field. Also the responsibilities for providing services assigned to the individuals should be listed. Include any advisors or subcontractors to be employed.

F. DISCLOSURE FORM

APPLICANTS: Certain questions on this Disclosure Form will refer to a *"List of Municipal Officials."* To assist you in preparing your answers, you should consider the following names to be a complete list of pension system and municipal officials and relevant employees.

ELECTED OFFICIALS			
Name:	Title:	Name:	Title:
Darren Brown	Mayor	Herbert Dolaway	Borough Council
Allen Coffman	Borough Council President	Alice Elia	Borough Council
Heath Talhelm	Borough Council Vice President	John Scott	Borough Council
Samantha Bietsch	Borough Council	Kathy Leedy	Borough Council
Louisa Cowles	Borough Council	Jeremy Cate	Borough Council
Sharon Bigler	Borough Council		
EMPLOYEES OR APPOINTED OFFICIALS			
Name:	Title:	Name:	Title:
Jeffrey Stonehill	Borough Manager	Jason Cohen	Director of Finance
Dave Finch	Assistant Borough Manager	Carol Ehrenreich	Human Resources Supervisor

1. List the names and titles of each individual who will be providing professional services relative to this contract including advisors and subcontractors.

2. Relative to question 1 above, describe the following:
 - A. Are any of the above current or former officials or employees of the Borough of Chambersburg? When were they last employed by the Borough of Chambersburg?

 - B. Are any of the above a registered federal or state lobbyist?

 - C. What are the responsibilities of each individual with regard to the proposed services?

3. Have you in the last year or do you now retain a third-party intermediary, agent or lobbyist to directly or indirectly communicate with the Borough of Chambersburg? If so, please describe.

4. Has your firm or anyone in your firm solicited a contribution to any municipal office in the Borough of Chambersburg or to the political party or political actions committee of a municipal official at the Borough of Chambersburg or candidate for elected office at the Borough of Chambersburg?

5. Confirm that no one at your firm will communicate with (or cause or agree to allow a third party to communicate with) officials or employees of the Borough of Chambersburg after February 1, 2016, except for requests for technical clarification which should be directed to Jeffrey Stonehill, Borough Manager.

6. List all contributions made by your firm or an Affiliated Entity to a municipal official or candidate for office in the Borough of Chambersburg made on or after February 1, 2016. An affiliated entity means:
 - (1) A subsidiary or holding company of a lobbying firm or other business entity owned in whole or in part by a lobbying firm.
 - (2) An organization recognized by the Internal Revenue Service as a tax-exempt organization under Section 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §501(c)) established by a lobbyist or lobbying firm or an affiliated entity.

7. List any direct financial, commercial or business relationship with any municipal official or pension system of the Borough of Chambersburg held by your firm or any Affiliated Entity.

8. List any gift including money, services, loan, travel, lodging, entertainment, discount or other thing of value, to any official, employee of the Borough of Chambersburg or a fiduciary of its pension plan.

9. Confirm that no one at your firm or an Affiliated Entity was employed by the Borough of Chambersburg in the last 12 months.

10. Disclose all contributions of at least \$500.00 (singly or in the aggregate) made within the last five years by an officer, director, Executive-Level Employee or owner of at least 5% of your firm or an Affiliated Entity to any candidates for public office or the holders of such offices in the Commonwealth, and to any political committees of such candidates or office holders. An Executive-Level Employee is:
 - (1) An employee of your firm or an Affiliated Entity who can either affect or influence the outcome of the actions, policies or decisions of your firm or the actions of an Affiliated Entity relating to pensions and the conduct of business with a municipality or pension system; or
 - (2) Is directly involved in the implementation or development of policies relating to pensions, investments, contracts or procurement or to the conduct of business with a municipality or pension system.

11. With respect to contributions disclosed in question 9, please provide:
 - A. The names and addresses of the individuals making the contributions;
 - B. The relationship of the individual disclosed in part A of this question to your firm;

- C. The name and office or position (held or sought) of the person receiving the contribution;
 - D. The amounts of the contributions; and
 - E. The dates of such contributions
12. List any other disclosures made pursuant to Act 44 of 2009.