

*City of DuBois*

**STRATEGIC MANAGEMENT PLANNING PROGRAM PROPOSAL**

**DUBOIS CITY AND SANDY TOWNSHIP POLICE AND NON-UNIFORM PENSION AND  
CONTRACTUAL CONSOLIDATION**

**REQUEST FOR PROPOSAL**

**RESPOND NO LATER THAN:**

**February 19, 2024**

**City of DuBois**

**16 West Scribner Ave, PO Box 408  
DuBois, PA 15801**

**Chris.nasuti@duboispa.gov  
sarbaugh@sandytownship.net**

## INTRODUCTION

- A. The City of DuBois is seeking a legal firm researching effective and efficient methods to consolidate uniform and non-uniform employee pension plans; identifying and, if required, recognizing collective bargaining units that will represent uniformed and non-uniformed employees of the New City of DuBois; negotiating the terms of new collective bargaining agreements for the City's newly identified Police collective bargaining unit and Non-Uniformed collective bargaining unit; preparing amended civil service rules and regulations for those employees covered by civil service and developing a mechanism for transition through which current police officers of both Sandy Township and the City of DuBois shall have (i) continued employment with the New City of DuBois and (ii) continued civil service status and protection; reviewing existing personnel policies and procedures and drafting consolidated employee handbook; and identifying, researching, and resolving additional issues related to labor and employment matters that may arise.

See Section II for a full Scope of Work.

### A. PROPOSAL SUBMISSION

1. Five (5) copies of the sealed proposal, as well as a CD/flash drive with the Technical Proposal and Price Proposal, must be submitted not later than February 19 at 2:00 p.m. to 16 West Scribner Ave, PO Box 408, DuBois, PA 15801
2. The envelope(s) must be clearly marked on the outside **“DuBois City and Sandy Township Police and Non-Uniform Pension and Contractual Consolidation proposal.”**
3. Fee/Cost information shall be in a separate sealed envelope marked **“DuBois City and Sandy Township Police and Non-Uniform Pension and Contractual Consolidation price proposal.”**
4. Proposal must be mailed, or hand delivered. No faxed proposals will be accepted.
5. Proposals will be handled confidentially by the City of DuBois and Sandy Township during the pre-award process.
6. Acceptance of a proposal and contract award shall be contingent upon the City of DuBois being granted State Funding for the Strategic Management Planning Program.
7. The Municipality will not be responsible for any expenses incurred by a Proposer in connection with this procurement.
8. All proposals shall be valid and binding for a period of 90 days.

## B. QUESTIONS

Any questions concerning the Request for Proposal should be directed to [chris.nasuti@duboispa.gov](mailto:chris.nasuti@duboispa.gov) and [sarbaugh@sandytownship.net](mailto:sarbaugh@sandytownship.net)

### I. GENERAL CONDITIONS

- A. No verbal instructions or verbal information to proposer (hereafter proposer or contractor) will be binding on the Municipality. These written specifications will be considered clear and complete unless written attention is called to any apparent discrepancies or incompleteness before the opening of the proposals. Should any alterations to these specifications be made in the form of written addenda, they will be emailed to all contractors. These addenda shall then be part of these specifications.
- B. Submission of a proposal will be considered as conclusive evidence of the contractor's complete examination and understanding of the specifications.
- C. The City of DuBois reserves the right to reject any or all proposals; the right to request additional information from any proposer; the right in its sole discretion, to accept the proposal considered most favorable; and the right to waive minor irregularities in the procedures or proposals if it is deemed in the best interest of the City of DuBois.

The City of DuBois reserves the right to negotiate with proposers to establish variations from the original proposal(s), including proposed cost, which may be in the interest of the City of DuBois.

- D. The award will be made to the responsive and responsible contractor whose proposal, conforming to specifications, will be most advantageous to the City of DuBois. Price and other factors will be considered, such as delivery time, quality, service, experience and specific skills and disciplines represented on the consulting team, etc. The award may or may not be made to the consultant or contractor with the lowest cost price proposal.
- E. The City of DuBois shall have the right, without voiding the contract, to amend the items or work covered by the specifications. In case such amendments are made, an equitable price adjustment shall be made between the City of DuBois and the Contractor. All adjustments in price shall be made in writing.
- F. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin or handicap. The contractor will take affirmative action to ensure that applicants are employed without regard to race, color, religion, sex, age, handicap, or national origin. Contractors will take steps to insure employees are treated during employment without regard to race, color, religion, sex, age, handicap, or nation origin. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or

recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

- G. The contractor shall not initiate work or incur any cost until such time as the City of DuBois receives confirmation that grant funds shall be available, at which time the City of DuBois shall issue a Notice to Proceed.
- H. **CONTRACT TERMINATION:** A contract may be cancelled by the City of DuBois by giving the contractor a minimum of seven (7) business days written notice to the contractor.
- I. **INDEMNIFICATION:** The contractor shall hold the City of DuBois harmless from and indemnify the City of DuBois against any and all claims, demands and actions based upon or arising out of any activities performed by the contractor and its employees and agents under this Contract and shall, at the request of the City of DuBois, defend any and all actions brought against the City of DuBois based upon any such claims or demands.
- J. **INSURANCE:** The successful contractor, prior to commencing work, shall provide at its expense, the following insurance to the City of DuBois, evidenced by Certificates of Insurance. Each certificate shall require that notice be given, thirty (30) days prior to cancellation or material change in the policies, to the Municipality's representative.

Workers' Compensation including Occupational Disease and Employer's Liability Insurance

- 1. Statutory-amounts and coverage as required by Pennsylvania Workmen's Compensation and Occupational Disease Laws.
- 2. Employer's Liability – Bodily injury by:
  - a. Accident \$100,000 each
  - b. Disease \$500,000 minimum policy limit
  - c. Disease \$100,000 each employee

Liability

**The successful contractor shall maintain a commercial general liability insurance policy, using an occurrence form of coverage. The required coverage forms are:**

- 1. Comprehensive**
- 2. Premises – Operation**
- 3. Contractual Insurance**
- 4. Independent Contractor**

**The Comprehensive General Liability Policy shall have a minimum limit of liability of \$300,000 per occurrence.**

**Automobile liability coverage with minimum combined single limits of \$300,000 per occurrence.**

**The successful contractor shall obtain total minimum coverage limits of \$1,000,000 per occurrence. The additional limits above the General Liability and Automobile Liability policies (required above) may be provided by Excess and/or Umbrella Liability policies.**

**All policies except Professional Liability shall name the Municipality, its officers, agents, and employees as an additional insured. This coverage shall be reflected on the Certificates of Insurance.**

## II. SCOPE OF WORK

The City of DuBois has applied for grant funds offered by the Commonwealth of Pennsylvania, Department of Community and Economic Development's Strategic Management Planning Program (STMP). The City of DuBois is seeking a legal firm to conduct the following tasks:

- A. Prepare recommendations for the Researching effective and efficient methods to consolidate uniform and non-uniform employee pension plans.
- B. Identifying and, if required, recognizing collective bargaining units that will represent uniformed and non-uniformed employees of the New City of DuBois beginning on the Consolidation Date.
- C. Negotiating the terms of new collective bargaining agreements for the City's newly identified Police collective bargaining unit and Non-Uniformed collective bargaining unit, to become effective on January 6, 2026.
- D. Preparing amended civil service rules and regulations for those employees covered by civil service and developing a mechanism for transition through which current police officers of both Sandy Township and the City of DuBois shall have (i) continued employment with the New City of DuBois and (ii) continued civil service status and protection.
- E. Reviewing existing personnel policies and procedures and drafting consolidated employee handbook.
- F. Identifying, researching, and resolving additional issues related to labor and employment matters that may arise during the Transition Period and after the Consolidation Date.

### III. SCHEDULE

All proposals shall include an implementation schedule for the tasks listed in the scope of work. The implementation schedule may be negotiated and/or altered based upon Municipal priority and timing of STMP funding.

### IV. PROPOSAL

Proposals are to be submitted in two (2) parts with each sealed in a separate envelope. The first part of the proposal (marked “Technical Proposal”) shall include the technical aspects as thereafter explained but shall not include any discussion of fees or out-of-pocket expenses to be billed to the Municipality. The second part of the discussion (marked “Price Proposal”) shall include details as to fees charged and out-of-pocket expenses to be billed. Submission may be received electronically with a five (5) copies of each of the Technical Proposal and the Price Proposal received by way of mail within seven (7) business days after declared deadline. The Municipality also requires a CD or flash drive with the “Technical Proposal” and “Price Proposal” be included. All proposals shall be valid for a period of 90 days.

A. Technical Proposals should include the following information in the order detailed:

1. Title Page – List the RFP subject, the name of the firm, the local address, telephone number, name of the contact person and date.
2. Table of Contents – Include a clear identification of the material included in the proposal by page number.
3. Letter of Transmittal – Limit to two (2) pages. State a positive commitment to perform the required work within the time requested. Also, provide the name(s) of the person(s) who will be authorized to make representation for your firm, their title, and telephone numbers.
4. Profile of Proposer – State whether your firm is local, national or international in size. Give the location of the office from which the work is to be done and the number of partners, managers, supervisors, seniors, and other professional staff employed at the office. Briefly describe the range of activities performed by the local office.
5. Summary of the Proposer’s Qualifications – Describe recent local and/or regional experience similar to the type requested in the proposal and provide the names and telephone numbers of client references who might be contacted regarding your firm’s work. At least three (3) references are requested.

Provide a brief resume for each of the persons to be assigned to the engagement.

6. Additional Data – Include in this section any pertinent information not covered in any of the previous sections. If there is no additional information to present, please so state.

B. Price Proposals shall include the following information for each year:

1. Compensation – The estimated **maximum** number of hours and hourly rates by staff classification necessary to complete the engagement. The estimated out-of-pocket costs and the resulting all-inclusive **maximum fee** for which the requested work will be done.
2. Billings and Payment Terms – Proposers shall include required payment terms, although monthly progress billings are preferred for both the consultant fees and out-of-pocket expenses. Billings should show the total professional hours, by classification, together with applicable rates and extensions, actual travel expenses incurred, and a reasonable itemization of other out-of-pocket expenses.

**V. MINIMUM QUALIFICATIONS:**

- A. The proposer must possess an active license to practice law in the Commonwealth of Pennsylvania; or, if the proposer is a law firm, each attorney who will provide legal services shall possess an active license to practice law in the Commonwealth of Pennsylvania.
- B. Proposers must be able to demonstrate and provide references for at least ten (10) years of experience practicing public-sector labor and employment law, including, but not limited to experience with the following: negotiating uniformed and non-uniformed employee collective bargaining agreements; negotiating collective bargaining agreements for newly-formed bargaining units; employer representation in grievance and interest arbitration hearings; drafting and revising personnel policies and procedures; bargaining unit certification / clarification matters; employee disciplinary proceedings; and advising Civil Service Commissions and reviewing / revising Civil Service Rules.
- C. Preference may be given to proposers with prior experience representing regional or multi-municipal police departments.
- D. Preference may be given to proposers with prior experience related to municipal uniformed and non-uniformed employee pension plans, including Defined Benefit Plans, Defined Contribution Plans, and other forms of retirement benefits available to municipal employees.

**VI. EVALUATION OF THE PROPOSALS**

The Technical Proposals will be evaluated in terms of: (1) the Proposer's demonstrated understanding of the City of DuBois requirements and plans for meeting them; (2) the professional qualifications and related experience of the professionals assigned to the engagement; (3) the prior experience and reputation of the Proposer in performing similar work, and (4) the organization size and structure of the Proposer.

After the three (3) best Technical Proposals have been selected including the Price Proposals of these three (3) firms, an award will then be made to the firm which, in the opinion of the Governing Body of the City of DuBois submitted the most beneficial

proposal, cost and other relevant factors considered. Please note that the award may or may not be made to the firm submitting the lowest cost proposal.

The City of DuBois reserves the right to reject all proposals submitted and to request additional information from Proposers. Notice is also given of the possibility that an award may be made without discussion or after limited negotiations. It is, therefore, important that all proposals contain the most favorable terms possible and should be complete in all respects.

Proposals will be evaluated by the governing bodies of the City of DuBois, Sandy Township, a regional representative of the DCED/CLGS and others as selected by City of DuBois.