

BOROUGH OF ALBURTIS

Borough of Alburdis
LEHIGH COUNTY, PENNSYLVANIA

REQUEST FOR PROPOSAL

MUNICIPAL SOLICITOR

Borough of Alburdis
260 Franklin Street
Alburdis, PA 18011
www.alburdis.org
610-966-4777

Stephen Nemeth
Borough Manager

September 25, 2026

Borough of Alburdis

Request for Proposal

Municipal Solicitor

Introduction

Through this Request for Proposals (RFP), the Borough of Alburdis, Lehigh County, Pennsylvania, hereinafter referred to as the “Borough,” is seeking proposals from qualified law firms or attorneys to serve as the Borough Solicitor and Legal Counsel.

The successful applicant will be appointed by Borough Council and will provide legal services to the Borough beginning January 1, 2027, or upon appointment, whichever is later. The Borough intends to conduct this selection through a fair and open process and reserves the right to reject any or all proposals.

The Borough Solicitor shall provide legal advice and representation to Borough Council, the Mayor, Borough Manager, staff, boards, commissions, and committees, as appropriate, on legal matters arising from the conduct of Borough business. The Borough reserves the right to retain special counsel for specific matters when it determines that specialized legal expertise or other circumstances warrant separate representation.

The Borough Solicitor shall be responsible for advising the Borough Council, Mayor, and the Borough Manager on all legal questions arising in the conduct of Borough business; provided, however, the Borough reserves the right to appoint a special counsel to represent it in the specific matters. The selected firm(s) will provide legal support and render opinions in the following individual and/or combined areas:

General Municipal Counsel:

Provide legal counsel regarding the general operation and administration of the Borough, including ordinances, resolutions, contracts, agreements, policies and procedures, public records, Right-to-Know matters, and other municipal issues. The Solicitor shall review and provide recommendations regarding proposed ordinances, resolutions, contracts, and other legal documents and advise Borough officials and staff on legal requirements and potential issues.

Land Use, Planning and Zoning:

Provide legal advice and opinions concerning planning, zoning, subdivision and land development, conditional uses, variances, zoning enforcement, development agreements, comprehensive planning, and other land use matters. The Solicitor may be required to attend Planning Commission and Zoning Hearing Board meetings and assist Borough officials, staff, and appointed boards with land use matters.

Labor and Employment:

Provide legal guidance concerning personnel matters, employment issues, workplace policies, employee discipline, employment agreements, and other matters involving Borough employees. The Solicitor may also assist the Borough with collective bargaining or other labor-related matters, when necessary.

Litigation and Legal Representation:

Represent the Borough in litigation, hearings, appeals, and other legal proceedings as authorized by Borough Council. This may include matters involving zoning, code enforcement, contracts, personnel, municipal operations, or other Borough business. The Borough reserves the right to appoint special counsel when appropriate.

Ordinances, Policies and Code Enforcement:

Assist the Borough with drafting, reviewing, amending, and enforcing Borough ordinances, regulations, policies, and procedures. Provide guidance to Borough officials and staff regarding enforcement actions and legal requirements.

Municipal Operations:

Provide legal advice on matters involving municipal services, public works, utilities, property, procurement, intergovernmental agreements, grants, public meetings, and other issues associated with the operation of the Borough.

MEETING ATTENDANCE

The Borough Solicitor, or a designated representative of the solicitor's office, shall attend regular Borough Council meetings and other meetings as requested by Borough Council.

Attendance may also be required at Planning Commission meetings, committee meetings, special meetings, workshops, hearings, or other Borough-related meetings when legal counsel is necessary or requested.

The Borough Council typically meets on the second and fourth Wednesday of each month at 7:00 p.m., with special meetings and workshops scheduled as needed. Planning Commission, Civil Service, and other meeting schedules may vary.

BOROUGH INFORMATION

The Borough of Alburtis is located in Lehigh County, Pennsylvania, and operates under the Borough Code form of government. The Borough is governed by an elected seven (7) member Council and Mayor, who each serve four-year terms. Has an employment staff of 18 ranging from administrative, public works, and police to provide municipal services to the community.

The Borough provides a variety of municipal services and is responsible for matters including public works, streets, stormwater management, zoning and code enforcement, planning and development, parks and recreation, water, sewer, and other municipal functions.

The Borough's legal counsel may be required to work with Borough Council, the Mayor, Borough Manager, Police Chief, administrative staff, Planning Commission, and other Borough-appointed boards and commissions.

Qualifications

See Exhibit A.

Scope of Work

1. Provide legal advice, counsel, services, training, consultation, and opinions to the Borough Council and all levels of the Borough government on a wide variety of matters. Advice includes methods to avoid civil litigation.
2. Furnish legal representation at Borough Council meetings and at other meetings as requested.
3. Appear before courts and administrative agencies to represent the Borough's interests.
4. Prepare and reviews ordinances and resolutions, contracts and other documents for legal accuracy and acceptability as well as approval as to legal form.
5. Assist Borough officials and employees to maintain awareness of ethical standards, appearance of fairness standards, to avoid potential conflicts of interest, prohibited transactions, and the appearance of prohibited transactions.
6. Assist officials and employees to understand the legal roles and duties of their respective offices and interrelationships with others.
7. Provide the Council and Borough management a legal perspective and advice on various governmental issues.
8. Perform other legal services and tasks as assigned by the Borough Council and Borough Manager.
9. Provide legal services required of real estate transactions, when necessary.
10. Counsel appropriate staff on enforcement of Borough ordinances, Borough policy and enforcement of Borough building and zoning codes/ regulations.
11. Furnish legal opinions upon request and draft all legal documents and instruments required for the normal operation of the Borough.
12. Provide written update on new or existing State or Federal legislation or judicial decisions impacting the Borough and suggested action or changes in operations or procedures to assure compliance.
13. Provide advice on Freedom of Information Act issues, records retention and privacy issues.
14. Represent the Borough in employment related issues such as contract negotiations, mediation, arbitration, administrative hearings and in litigation involving the same.

Proposal Elements

The following are required elements to be submitted with all proposals. Information in addition to the following may also be included:

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 assigned to the Borough.
2. A fee proposal for the 2027 Borough year. The applicant shall provide a fee structure and/or proposed hourly rate as well as any other costs that will be charged to the Borough. A proposal showing minimum and maximum ranges is not acceptable.
3. An executive summary of not more than two (2) pages, identifying and substantiating why the vendor is best qualified to provide the requested services.
4. A staffing plan listing those persons who will be assigned to the engagement if the vendor is selected, including the designation of the person who would be the vendor'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 vendor. One or multiple attorney(s), depending upon the size, structure, specialties and preferences of the proposing firm, are acceptable. Respondents are welcome to submit alternative approaches in order to ensure the Borough receives comprehensive representation of the highest quality.
5. A description of the vendor's experience in performing services of the type described in this RFP. Specifically identify client size and provide specific examples of work within the scope of services required under his RFP **in similarly sized municipalities. It is imperative to show experience in similarly sized municipalities and first class townships.**
6. The location of vendor's office, if other than the vendor's main office, at which the vendor proposes to perform services required under this RFP. Describe your presence in Pennsylvania and any familiarity your firm has with Lehigh County.
7. 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) former clients for whom services have been provided within the past seven (7) years. Provide the contact names, titles and phone numbers.
8. If the vendor 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 bidder must provide a description of the litigation and/or disciplinary action.
9. A description of any ongoing investigation and/or litigation matters involving the applicant, its directors, officers and principals and any individuals employed by the applicant that relate to the performance of the vendor in the proposed field of expertise.

10. Identify any existing or potential conflicts of interest, and disclose any representation of parties or other relationships that might be considered a conflict of interest with regard to this engagement, or the Borough.
11. A list of any developers in the Lehigh Valley that the firm or firms representatives have provided legal counsel to in the last five years.
12. Completed Exhibit B

Evaluation Process & Key Dates

Only proposals that adhere to all Proposal Elements in this RFP will be considered in the evaluation process. Qualifying proposals will be evaluated by the Borough Manager, and the Personnel Committee. Fees will not be the primary factor in the evaluations. The proposal calendar is as follows:

Distribution of RFP	October 1, 2026
Last day to submit questions	October 21, 2026
Deadline for proposal submissions	November 6, 2026 at 4:00 pm
p.m. Solicitor selection	December 9, 2026

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 of significance:

1. The vendor's general approach to providing the services required under this RFP;
2. The vendor's documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP;
3. Depth and breadth of experience and expertise in the practice of law an ability to render advice a wide-range of legal issues;
4. Capability to perform legal services promptly and in a manner that permits the Borough Council and Borough Manager to meet established deadlines and to operate in an effective and efficient manner;
5. Degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems;
6. Degree to which firm and individual attorneys stay current through continued professional development and active communication with practitioners;
7. Communication skills;
8. Cost of services; and
9. Other qualifications/ criteria as deemed appropriate by the Borough.

The Borough reserves the right to reject any and all proposals and to waive any immaterial irregularities.

It is anticipated that the contract for services shall be awarded by Borough Council at their regular meeting on December 9th, 2026. All proposals shall remain valid until the service is awarded. Release of any proposal information shall be conducted in accordance with the Pennsylvania Right to Know Act.

Interview

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

Proposal Submission

All inquiries for information should be directed to:

Stephen Nemeth, Borough Manager
snemeth@albertis.org
610-966-4777
Monday – Friday, 8:30 a.m. to 4:00 p.m.

An original, clearly marked as the “ORIGINAL”, and five (5) full, complete and exact copies of each proposal and an electronic copy shall be submitted in sealed envelopes and must be marked with “RFP Submission-Borough Solicitor” and addressed to:

The sealed proposal should be mailed or delivered directly to:

Borough of Alburdis
Attn: Stephen Nemeth, Borough Manager
260 Franklin Street
PO Box 435
Alburdis, PA 18011

Sealed proposals will be received until 4:00 p. m. on November 6th, 2026.

Terms and Conditions

The solicitor's initial appointment is from January 2027 through December 31, 2029. The proposal shall include a fee proposal for three (3) years.

There is no express or implied obligation for the Borough of Alburtis to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. The Borough reserves the right to reject any proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Borough further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all vendors submitting proposals.

It is the responsibility of each provider to examine the requirements carefully before submitting their proposal.

Any questions related to this RFP should be directed to Stephen Nemeth, Borough Manager, at snemeth@alburtis.org or 610-966-4777. Contact with personnel of the Borough other than the Borough Manager regarding this RFP may be grounds for elimination from the selection process.

Exhibit “A”

Borough of Alburdis Minimum Requirements Borough 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, stormwater, water, sewer, and other environmental matters which may present itself.
 - 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.

Exhibit B

NON-COLLUSION AFFIDAVIT

State of _____

County of _____

_____, being first duly sworn, deposes and says that:

(1) He/She is _____
(Owner, Partner, Officer, Representative or Agent of Proposer)

of _____, (the "Proposer") that has submitted the
(Name of Proposer)
attached Proposal;

(2) He/She is fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such Proposal;

(3) Such Proposal is genuine and is not a collusive or sham Proposal;

(4) Neither the Proposer nor any of its officers, partners, owners, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any of Proposer, firm or person to submit a collusive or sham Proposal or complimentary Proposal in connection with the Contract for Services which the attached Proposal is submitted or to refrain from submitting in connection with such Contract for Services, or has in any manner, directly or indirectly, sought by agreement or collusion or communication of conference with any other Proposer, firm or person to fix the price or prices in the attached Proposal of any other Proposer, or to fix any overhead, profit or cost element of the prices in the Proposal or the price of any other Proposer, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the County or any person interest in the proposed Agreement;

(5) The price or prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Proposer or any of its agents, representatives, owners, employees, or parties in interest, including this affiant; and,

(6) Neither the said Proposer nor any of its officers, partners, owners, agents or parties in interest, have any interest, present or prospective, that can be reasonably construed to result in a conflict of interest between them and the County, which the Proposer will be required to perform.

[Signatures to Follow]

[Signature Page to Non-Collusion Affidavit]

I state that _____ understands and

(Name of Proposer)

acknowledges that the above representations are material and important and will be relied on by the Borough of Alburdis in awarding the Contract for Services for which the Proposal is submitted. I understand and the Proposer understands that any misstatement in this Non-Collusion Affidavit is and shall be treated as fraudulent concealment from the Borough of Alburdis of the true facts relating to the submission of proposals for this agreement.

By: _____

Authorized Signatory

Name: _____

Title: _____

SWORN TO AND SUBSCRIBED
BEFORE ME THIS _____ DAY
OF _____, 2026

Notary Public

My Commission Expires: _____