

**ELIZABETHTOWN BOROUGH**  
LANCASTER COUNTY, PENNSYLVANIA

**REQUEST FOR PROPOSALS**  
**PROFESSIONAL ENGINEERING SERVICES**



**Submission deadline: April 8, 2021 @ 3:00 PM**

**CONTACT INFORMATION**

Rebecca S. Denlinger  
Borough Manager  
600 South Hanover Street  
Elizabethtown, PA 17022  
717-367-1700  
[rdenlinger@etownonline.com](mailto:rdenlinger@etownonline.com)

## INTRODUCTION

Elizabethtown Borough invites professional engineering firms with municipal engineering experience to submit written proposals to provide technical support and expertise in service as Borough Engineer for Elizabethtown Borough.

This Request for Proposal (RFP) is a component of the competitive procurement process, aids in servicing Elizabethtown Borough's best interests and provides those interested a fair opportunity to have their services considered. The process of competitive negotiation is not to be confused with competitive sealed bidding. Competitive sealed bidding is normally used when goods or services are precisely described and price is generally the deciding factor. Competitive negotiation does not use price as the determining factor. Competitive negotiation allows Elizabethtown Borough to be flexible in negotiating to arrive at a mutually agreeable pricing structure. For reference purposes, each professional services firm requesting and/or receiving this RFP is referred to as a "Firm". The Firm selected to provide services to Elizabethtown Borough is referred to as the "Selected Firm". This RFP states the specific instructions for the submission of proposals, the procedure and criteria used to select a Firm and the contractual terms governing the relationship between the Elizabethtown Borough and the Selected Firm.

The Selected Firm is expected to furnish general civil/municipal engineering services, including engineering design, subdivision and land development review, preparation of escrows and escrow releases, construction inspection and supervision services on storm water, paving, and other infrastructure projects, traffic/transportation engineering, storm water management services, community and regional planning, funding and resource development assistance, attendance at public meetings as requested, and other engineering consulting and professional services on an as-needed basis. The Selected Firm will work closely with Borough Management staff and Elizabethtown Borough Council to coordinate and complete work within Elizabethtown Borough, Lancaster County, PA. The Firm shall provide all services in compliance with the PA Borough Code, the PA Municipalities Planning Code, and Elizabethtown Borough Ordinances.

While there is no page limit, responding firms are advised to only provide material(s) related to the request and qualifications for service. Please avoid providing corporate marketing material. Elizabethtown Borough is not liable for any costs incurred by any Firm in the preparation and/or negotiation of any proposal submitted in response to this RFP. Elizabethtown Borough reserves the right to reject any or all proposals and to waive any defects or irregularities in the best interest of the Borough.

## ISSUING OFFICE

Elizabethtown Borough is the sole point of contact for this RFP. Direct any and all questions regarding this RFP or the procedural requirements to:

Rebecca S. Denlinger, Borough Manager

Phone: (717) 367-1700

Email: [rdenlinger@etownonline.com](mailto:rdenlinger@etownonline.com)

## DEADLINE FOR PROPOSALS

The Borough will accept proposals through 3:00 PM on Thursday, April 8, 2021.

## GENERAL INFORMATION ON THE BOROUGH OF ELIZABETHTOWN

Elizabethtown is a thriving community of approximately 11,545 residents located in south central Pennsylvania. Situated in scenic northwestern Lancaster County, our historic downtown is 10 miles south of Hershey and 20 miles from Harrisburg, Lancaster and York.

Elizabethtown Borough is a full-service municipality organized under the Pennsylvania Borough Code to serve the citizens and businesses of Elizabethtown. Elizabethtown supplies a wide range of municipal services. In addition to, administration and finance and maintenance of roads and highways, the Borough operates a wastewater treatment plant, stormwater facilities, a residential solid waste and recycling program, a residential rental unit licensing & inspection program, planning, zoning, code compliance, and a police force. In addition, the Borough boasts a 39-acre linear park complete with trails, pavilions, basketball courts, softball field, and play equipment as well as a growing pedestrian and bicycle pathway network connecting the Amtrak train station to the downtown area, residential neighborhoods, schools, churches, and Elizabethtown College.

In size, the Borough is approximately 2.6 square miles, with 40 miles of public roads and highways. Existing land uses include Residential, Central Business, Commercial/Industrial, Parks/Open Space, Institutional and Mixed Use. Elizabethtown Borough has a limited number of vacant properties for new development, creating ample opportunities for redevelopment.

The Borough is bordered by Mount Joy Township and West Donegal Township. In addition to shared borders the three municipalities, along with Conoy Township, have a developed regional comprehensive plan. The plan includes corresponding official maps for pedestrian, bicycle, and vehicular traffic. The plan and maps lay the groundwork for development within the Borough and the region.

## SCOPE OF SERVICES TO BE PROVIDED

Services of the selected firm shall include, but is not limited to, the following engineering services as generally understood within the field of municipal Engineering:

1. Review subdivision and land development plan submissions for conformance to the Borough Zoning Ordinance, the Borough Subdivision and Land Development Ordinance, and other relevant ordinances of the Borough.
2. Review storm water management plans for compliance with the Borough's Stormwater Ordinance, and review and inspect existing Stormwater facilities as needed, and provide technical support for stormwater related issues.
3. Review and approve Developer's improvement agreement calculations.
4. Review Traffic Impact Statements submitted with subdivision and land development plans and provide traffic/transportation consulting services.
5. Provide Community Planning services for ordinance updates, planning, and other services needed.
6. Provide funding assistance on planned projects within the Borough. Assist the Borough in identifying and securing funding, and assist with the administration of those funding sources throughout the life of a project.
7. When requested, coordinate with Borough staff to determine if letter of credits/escrow agreements for subdivision and land development projects should be reduced.

8. Assist in the preparation of annual reports and budgets for capital improvement projects planned by the Borough and as needed to meet regulatory requirements.
9. Prepare engineering reviews and approvals for soil and erosion control applications, stormwater management applications, grading applications, rights of way and easements, environmental and pollution control issues, utility infrastructure, and related tasks.
10. Make and maintain all records, reports, and documents in designated areas; track records both in hardcopy and electronically.
11. Provide technical and engineering advice and staff review assistance to Borough Staff, Elizabethtown Borough Council and Planning Commission. This includes attendance at monthly Planning Commission meetings and as needed present professional recommendations to Elizabethtown Borough Council.
12. Assist with required documentation, inspections, and permitting for stormwater management requirements including the Borough's MS4 permit and Act 167 Plan.
13. Perform engineering inspections for construction of subdivisions and/or construction of smaller land development projects. Such inspections shall include, but are not limited to: conformance with approved plans, earthwork, drainage, road improvements, curb, sidewalk and erosion control.
14. Act as a liaison to the PA Department of Environmental Protection, Lancaster County Conservation district and other agencies, as required and requested.
15. Respond to all manner of general engineering requests.

Elizabethtown Borough may also direct the firm to undertake specific projects for the Borough that have a finite scope of work, are relatively larger in scale, or for any other reason the Borough wishes to assign the work on a task-basis to the firm. In these cases, the assignment of work will follow the general process described below:

1. The Borough Manager (in collaboration with the Assistant Borough Manager, Public Works Director, and/or Planning and Zoning Director) will define and describe the specific project and need for it. Tasks may include: completing survey, planning, specification, engineering renderings, costing/estimating, design engineering, or preparing/modifying bid packages for construction projects.
2. The firm will prepare a simple proposal describing the scope of work that will be provided, a proposed fee, and an estimated project timeline.
3. Borough Management may choose to accept the proposal as is, reject the proposal, or negotiate a change of scope or fee with the consultant.
4. The firm will track the task order with an independent project number separate from general service activities.

The Borough will assign task orders to the firm as needed. The Borough reserves the right to issue a general RFP for specific projects if they desire to have expanded competition, specialized expertise, or if the firm elects to not accept a request for a specific work order. The Borough will maintain the necessary autonomy to ensure that the public interest is served the best.

Regardless of the engineering services or task specific work the Borough will request a detailed monthly activity report and detailed invoices.

## MINIMUM REQUIREMENTS

1. The Firm and its engineers shall be duly licensed in the Commonwealth of Pennsylvania as Professional Engineer(s) and certified to perform the professional services outlined by this RFP.
2. The Firm and its engineers must have a minimum of ten (10) years of experience as a municipal engineer.
3. The Firm and its engineers must possess experience in all aspects of general municipal engineering that may, from time to time, arise in Borough operations.
4. The Firm and its engineers must possess expertise in the areas of engineering design, storm water management design and inspection, road construction, traffic/transportation engineering, subdivision and land development review, and community and regional planning.

Elizabethtown Borough does not discriminate on the basis of race, color, national origin, sex, religion, age, disability or familial status in employment or the provision of services.

## TERM

The Borough Engineer is appointed by Borough Council and serves at its pleasure.

For the purposes of this RFP, Borough Council is considering the appointment for engineering services to be for a period of time from the appointment (anticipated in Summer 2021) through the end of 2023, subject thereafter to re-appointment by Elizabethtown Borough Council during their regular reorganization process. Elizabethtown Borough Council, however, has the right to dismiss the firm at any time, as the firm serves at-will and at the discretion of the Elizabethtown Borough Council.

During the term, the selected firm will not be able to consult with private developers on projects within Elizabethtown Borough. The firm is expected to disclose both any current/on-going contractual relationships with developers and/or local property owners within the proposal.

## PROPOSAL CONTENT

Proposals must include the following sections (in the order presented herein):

### **1. Cover Letter**

All proposals must include a cover letter sent to the attention of, Rebecca S. Denlinger, Borough Manager and signed by a person legally authorized to bind the applicant to its Proposal. The cover letter must include the firm name, the names of local partners/principals and the number of local personnel along with an address, telephone and fax numbers for the firm. The letter must also include email address(es) of the person(s) who are authorized to represent the proposing firm.

### **2. Executive Summary**

The summary should be no more than two (2) pages, identifying and substantiating why the firm is best qualified to provide the requested services.

### **3. Personnel List and Qualifications**

Describe the staffing complement proposed to service the Borough as well as the names of the partners, managers, and other key staff persons who will be assigned to the Borough. Provide

resumes' indicating experience in municipal civil engineering for all key staff persons assigned to the Borough. Identify the principal professional engineer (point of contact) and provide a description of the principal's relevant professional experience, years and type of experience, and number of years with the firm. Firms and applicable employees shall be duly licensed in the Commonwealth of Pennsylvania as Professional Engineer(s) and certified to perform the professional services offered by the proposal. To this end, the proposal is to provide a summary (list) of all applicable licenses to perform engineering in Pennsylvania held by all individuals named in the proposal.

**4. Subcontractors**

If the firm intends to subcontract out or otherwise partner with another entity to supply any part of the work contained in the scope of this RFP, the firm shall provide a complete description of the services to be subcontracted, an estimate of the overall amount of work to be subcontracted, the rationale behind the need to subcontract and a comprehensive description and experience of the proposed subcontractor. The Borough reserves the right to disapprove any proposed subcontractor and to revoke previous approval of any subcontractor should the need arise.

**5. Level of Service**

An explanation of how the firm can provide, quick response basis, year-round expert professional engineering services to the Borough on typical municipal engineering matters and / or specific tasks. The level of service should be a description of the respondent's experience in performing services of the type described in the RFP. The respondent shall provide specific examples of work within the scope of services require under this RFP in similarly sized municipalities. The Borough also wants to understand the firms experience in the role of engineer for other communities, this may include but is not limited to a description of the types of projects and services completed in this role for other communities.

**6. Proximity to Elizabethtown Borough**

Provide the addresses of all offices from which the firm proposes to perform services required under this RFP, the office location of key personnel, and if there would be any anticipated travel costs and travel time issues. The firm should also describe their presence in south-central Pennsylvania and any familiarity the firm has with Lancaster County.

**7. Clients**

Provide a list of all local government jurisdictions where the firm presently serves as Municipal Engineer and/or provides similar services and identify the duration of service at each community.

**8. References**

Provide a list of no more than seven (7) references including similar-sized municipal clients, current clients for whom services have been provided, and two (2) former clients for whom services have been provided within the past five (5) years. References should include contact names, titles, email addresses and phone numbers.

**9. Disciplinary Actions**

Identify if the firm or any principal therein has been subject to any professional disciplinary action over the past five (5) years. Provide a description of the event and the disciplinary action.

To the extent practicable, provide a description of any ongoing investigations and or litigation matters involving the firm, its partners, principals, officers, or other individuals employed by the firm.

#### **10. Litigation and Legal Matters**

If the respondent or any principal there in 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 ten (10) years, the respondent must provide a description of litigation and/or disciplinary action. This is to also include 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.

#### **11. Conflict of Interest**

The successful firm shall not have conflicts of interest within Elizabethtown Borough, and shall address and resolve any individual matters involving a conflict in advance of appointment. Such conflicts shall be disclosed as part of the proposal submission. This should include identification of 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 the engagement.

#### **12. Fees & Billing**

The Borough expects to pay an hourly fee for the services provided by the selected firm. The respondent should:

- Provide the firm's fee schedule for providing all professional and support services for all applicable personnel (i.e., professionals, technicians, and support staff).
- Identify rates for various types of services as they would apply to the requirements of the Borough. For example: Rates for meetings, research time and/or design services. If the engineering firm does not differentiate between types of services, the proposal must clearly identify its services and rates.
- Identify the minimum period of time billed for services (i.e., telephone calls, conferences, correspondence, etc.).
- Identify the type of service and reimbursement rates for expenses such as mileage, copying of documents, faxes, and word processing charges.
- Provide an out-of-pocket expense rate schedule, if applicable.
- Briefly explain the firm's invoicing and/or billing procedures and include a sample bill for review.

The fees should indicate yearly pricing over a three-year rate period beginning May 2021 and ending December 2023.

#### **13. Insurance**

Provide a detailed description of the firm's insurance coverage applicable to the services described herein. Such coverage must include, at a minimum, Workers Compensation, Employer's liability, Commercial General Liability, Comprehensive Automobile Liability, Umbrella Liability and Professional Liability Coverage. Include insurance certificates summarizing such insurance coverage.

#### **14. Professional Services Agreement**

Provide a sample of the Firm's standard Professional Services Agreement for review by the Borough Solicitor.

#### **15. Additional Information (Optional)**

Briefly provide any other information not included in the previous sections which the firm believes relevant to the professional services provided by the firm.

The Borough reserves the right to reject any or all proposals and reserves the right to waive all informalities in proposals received.

### **TWO-STEP PROPOSAL SUBMISSION**

- Step One:** Submit a PDF file of the full proposal electronically via email not later than 3:00 PM Thursday, April 8, 2021 to [rdenlinger@etownonline.com](mailto:rdenlinger@etownonline.com). If the proposal file size is large and cannot be transmitted as an email attachment, please provide a WeTransfer (or other FTP) link to the proposal submitted within an email by the same deadline.
- Step Two:** Mail and/or hand-deliver three (unbound) printed copies of the full proposal to Rebecca S. Denlinger, Borough Manager, Elizabethtown Borough, 600 S. Hanover Street, Elizabethtown PA 17022 immediately following the electronic submission. The printed copies should arrive within a week of the deadline.

### **SELECTION PROCESS**

The Borough will utilize the following general selection process in determining the most qualified and best suited firm to serve the Borough.

1. Borough Management staff will review the submitted written proposals and qualifications based on the guidelines and information in this RFP. The Borough's evaluation will include but not be limited to the following evaluation criteria, separate or combined in some manner, and not necessarily listed in order of significance:
  - Firm's approach to providing the services required under this RFP.
  - Firm's qualifications, experience, and success in providing the services set forth in this RFP gained through contracts of a similar size and scope.
  - Resume of all key personnel.
  - Ethics and professional standing.
  - References from existing and past municipal clients.
  - Quality and adequacy of the proposal in response to the RFP.
  - Costs and fee schedules.
  - Any other factors relevant to the firm's willingness and capacity to satisfy the needs of the Borough.



2. The Borough reserves the right to request clarifying information subsequent to the submission of the proposal.
3. Additional evaluation steps may include, but not be limited to, an interview, a review of the firm's engineering fee structure, a detailed check of references, etc.
4. Firms may be asked to participate in an interview process which may include several Borough Council members and Borough Management staff. Although interviews may take place, submitted proposals should be comprehensive and complete.
5. The Borough Manager will make the selection recommendation to the Elizabethtown Borough Council. Final determination and appointment will be made by the Elizabethtown Borough Council.

Given the RFP process, the Borough shall not be required to appoint the lowest cost respondent.

## CONTRACT

If appointed by Elizabethtown Borough Council the resulting contract will include the RFP, and all clarifications and addenda thereto, the selected firm's proposal, and any changes negotiated by the parties.

## INSURANCE REQUIREMENTS

The selected firm will be required to maintain insurance coverage in general conformance with the following, as well as a signed Hold Harmless Indemnification.

Firms must be properly licensed under the laws governing their respective trades and be able to obtain insurance and bonds required for the work. A Performance Bond, separate Labor and Material Payment Bond, and Insurance in a form acceptable to the Borough will be required of the successful Firm.

Specifically, the Firm shall purchase and maintain Public Liability insurance in the form of property damage and bodily injury coverage at the minimum amounts of \$1,250,000 for each occurrence and \$2,000,000 aggregate in order to protect the Borough from liability for claims set forth below, which may result from consultant's operation under contract with the Borough, whether such operations be conducted by the consultant or any subcontractor working for the consultant, or by any person directly or indirectly employed by the consultant and/or subcontractor, or anyone for whose acts they may be liable.

- Claims under workers compensation, disability benefit, and other similar employee benefit acts or policies.
- Claims for damages because of bodily injury, sickness or disease, or death of any person or persons.
- Claims for damages insured by usual personal injury liability coverage, which are sustained by (1) any person as the result of any offense directly or indirectly related to the employment of such person by the consultant; or (2) any other person.
- Claims for damages other than to the work itself, because of injury to or destruction of tangible property, including loss of use resulting therefrom.
- Claims for damages because of bodily injury or death, or any person or property damage arising out of the ownership, maintenance or operation of any motor vehicle.

- Claims for damages arising out of the performance of professional services caused by any errors, omissions, or negligent acts.

The liability required shall include Contractual Liability applicable to consultant's obligations.

Certificates of Insurance acceptable to the Borough shall be filed with the Borough prior to commencement of work. Said certificates shall contain a provision that coverage afforded thereunder shall not be canceled until at least 30 days' prior written notice has been provided to the Borough.

## REJECTION OF PROPOSALS

The Borough reserves the right to accept or reject any and all proposals and to accept or reject any part of any proposal submitted in response to this RFP. Proposals must be presented in accordance with the requirements of this RFP. In order to be considered, proposals must be submitted independently and without collusion with any other firm.

## CONFIDENTIALITY

Sensitive information may clearly be considered "trade or corporate secrets" (i.e., information protected by copyright or patent) and may be labeled as such by the firm. To the extent possible and permissible by law, the Borough will make its best efforts to maintain the confidentiality of this information. However, the Borough accepts no liability for any adverse action resulting from the release of any information contained in any proposal submitted, including that information labeled as confidential.

## HOLD HARMLESS INDEMNIFICATION

Engineer shall comply with the requirements of all applicable laws, rules, and regulations in connection with the services of an Engineer and shall exonerate, indemnify and hold harmless Elizabethtown Borough, its officers, agents, and all employees from any and all liability, loss or damage arising out of noncompliance with such laws, rules and regulations, without limitation.

To the fullest extent permitted by law, the Engineer shall defend, indemnify and hold harmless the Borough, its agents, officers, officials, and all employees from and against all claims, damages, losses, and expenses (including, but not limited to, attorney's fees, court costs, and the costs of appellate proceedings), relating to, arising out of, or alleged to have resulted from the negligent acts, errors, mistakes or omissions in the work, services or professional services of Engineer, its agents, employees, or any other person for whose negligent acts, errors, mistakes or omissions in the work, services, or professional services of the Engineer may be legally liable in the performance of this contract.

Engineer's duty to defend, hold harmless and indemnify the Borough, its agents, officers, officials, and all employees shall rise in connection with any claim for damage, loss, or expenses that is attributable to bodily injury, sickness, disease, or injury to, impairment, or destruction of any person or property, including loss of use resulting therefrom, caused by any negligent acts, willful torts, errors, mistakes or omissions in the work, services or professional services in the performance of this contract by Engineer or any employee of the Engineer, or any other person for whose negligent acts, willful torts, errors, mistakes, omissions, work, or services the Engineer may be legally liable.

Further, Engineer shall indemnify and hold harmless the Borough, its agents, officers, officials, and all employees from any claims for infringement of any copyright or patents arising out of the use of any plans, design, drawings, or specifications furnished by Engineer in the performance of this contract. The amount and type of insurance coverage requirement set forth herein will no way be construed as limiting the scope of the indemnity in this paragraph.

By signing below, Applicant hereby acknowledges and agrees to the aforementioned Indemnification.

Company: \_\_\_\_\_

Principal: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

In order to be considered, Applicant must include one (1) signed copy of this agreement with the proposal.