



UPPER MACUNGIE TOWNSHIP

**REQUEST FOR PROPOSALS AND QUALIFICATIONS FOR
COMMERCIAL/RESIDENTIAL BUILDING CODE INSPECTION, ZONING,
& CODE COMPLIANCE SERVICES**

July 25, 2024

RFP #2024-07.01

Submission Deadline: Monday, August 19, 2024 – 12:00 p.m.

Contact:

Kalman A. Sostarecz, Jr.
Assistant Township Manager
8330 Schantz Road
Breinigsville, PA 18031
Phone: (610) 395-4892

I. COMMERCIAL/RESIDENTIAL BUILDING CODE INSPECTION, ZONING, & CODE COMPLIANCE SERVICES REQUEST FOR PROPOSALS AND QUALIFICATIONS

Upper Macungie Township is soliciting proposals and qualifications for a provider of Pennsylvania Uniform Construction Code (UCC) Commercial & Residential Building Code Inspection, Zoning & Code Compliance Services from those firms with at least ten (10) years of Pennsylvania Municipal experience in the same. The RFP is available at the Upper Macungie Township Municipal Building, 8330 Schantz Road, Breinigsville, PA, 18031 between the hours of 7:30 a.m. and 4:00 p.m. on regular business days, or on the Upper Macungie Township website at www.uppermac.org.

All proposals shall be made upon letterhead stationery. One (1) clearly marked original and three (3) clearly marked complete copies (including all attachments) of each proposal shall be submitted and delivered to: Jazmin Vazquez, Township Secretary, 8330 Schantz Road, Breinigsville, PA, 18031 prior to 12:00 p.m. (Noon) on Monday, August 19, 2024. Envelopes shall be sealed and marked "RFP #2024.07-01 - Proposal and Qualifications for Township Commercial/Residential Building Code Inspection & Code Compliance Services".

Upper Macungie Township reserves the right to choose the firms which, in its judgment, is best suited for the intended purposes and reserves the right to reject any and all proposals, with or without cause, and waive any irregularities or informalities in the proposals. The Township reserves the right to re-solicit proposals. The Township may appoint one or more professional firms providing UCC services.

II. GENERAL INFORMATION ON UPPER MACUNGIE TOWNSHIP

Upper Macungie Township is located in Lehigh County, Pennsylvania and operates under the Pennsylvania Second Class Township Code form of government with a three (3) member Township Board of Supervisors and a Township Manager. Full permit history from 2019 through 2023 is provided in Attachment "A" and a summary of those years are:

	2019	2020	2021	2022	2023
Total Permits	1,812	1,524	1,424	1,434	1,448

Upper Macungie Township enjoys a steady volume of Commercial and Residential building construction subject to UCC requirements which results in an average of 80-100 required inspections per week. The Township is approximately 26.3 square miles, has approximately 133 miles of Township-owned roads and 48 miles of state-owned roads, contains approximately 975 commercial units, a residential population of nearly 29,000, an annual multiple fund budget of \$60 million, and a workforce of approximately 100 full-time and part-time employees. The Township has a full-time Police Department and Public Works Department. Our Community Development Department has three BCO's - one manages Commercial permits and inquiries, one manages Residential permits and inquiries, and the third manages permit intake. In addition, the Township has four full-

time Fire Inspectors, with one serving as the Township's Fire Commissioner. Potable Water is provided by the Lehigh County Authority and Sanitary Sewerage services are provided by the Lehigh County Authority and Upper Macungie Township with some properties serviced by on-lot septic systems. The Township Board of Supervisors meets the first Thursday of each month for their regular public meeting.

III. SCOPE OF SERVICES AND MINIMUM QUALIFICATIONS

1. The Scope of Services required under this RFP includes serving as the Township's provider of Commercial and Residential building code services, Zoning, and Code compliance services as assigned, promulgated under the Pennsylvania Uniform Construction Code (UCC) and Township Ordinances. The selected Professional firm(s) will also be expected to provide related specialized professional services to the Township on an as needed basis. Various issues arise during the normal course of business involving the need for professional services on matters that will require guidance and advice from the aforesaid professional. Because such services, at times, represent emergency situations, the professional will be expected to provide a contact that will return a phone call to the Township on the same day, evening, night and/or over a weekend. The professional is expected to be available to provide advice to the Township during non-business hours including their attendance at meetings, when requested.
2. These documents are incorporated herein by reference:
 - a. This Request for Proposal,
 - b. 2018 Pennsylvania Uniform Construction Code,
 - c. Any and all applicable Pennsylvania regulations established pursuant to the UCC,
 - d. Any and all Upper Macungie Township Ordinances adopting the UCC & 503 Ordinance,
 - e. Any and all Upper Macungie Township resolutions adopted to implement and administer the UCC,
 - f. The Upper Macungie Township Code of Ordinances,
 - g. The Upper Macungie Township Fee Schedule.
3. The professional firm, generally, shall provide all services required relating to Section III.2. (a-g) when specifically requested by Upper Macungie Township, noting that the Township retains the rights to appoint one or more professional firms to provide these services.
4. The professional firm must establish that it meets the following minimum qualifications:
 - a. The professional firm must have all applicable third-party licenses/certifications as required by the Pennsylvania Department of Labor and Industry to perform Commercial and Residential plan review and inspection services.

- b. The professional firm must have at least ten (10) years' experience as a provider of UCC Services for municipalities in Pennsylvania of a size similar to Upper Macungie Township.
- c. The professional firm must be multi-disciplined with expertise in all disciplines of Commercial and Residential plan review and inspections, zoning, and code compliance.
- d. A listing of all Certifications under the UCC and zoning and code compliance certifications must be provided.
- e. The ability and capability of corresponding in electronic format agreeable to the Township. As of this RFP advertisement date, the Township is in the process of onboarding software suite, Tyler Technologies (formerly Munis), which will enable fully electronic permit acceptance, review (including plan review), inspections, and administrative functions. The appointed firm(s) shall have the capability to adopt and utilize this software package for Upper Macungie Township business once implemented. The Township will arrange and provide training for the software to the selected firm(s) at its own expense. In addition, any licensing or usage fees will be borne fully by the Township.
- f. The ability and capability of providing UCC plan review and code inspection advice and assistance to the Township Board of Supervisors and its staff on a same day basis or, at a minimum, within 48 hours upon request.
- g. The ability and capability to provide a staffed office to answer phone calls, emails, and other forms of communication five days per week, Monday through Friday, during typical business hours.
- h. The ability and capability of providing review and services, as directed, of all submitted building and zoning permit applications and code compliance issues in accordance with the UCC and Zoning and other applicable Ordinances.
- i. The ability and capability of performing all building permit inspections in a professional and timely manner in accord with or exceeding the requirements of the UCC, inclusive of Monday through Friday of each work week.
- j. The ability and capability of providing at least one, or more, staff members(s) UCC certified through the Pennsylvania Department of Labor and Industry for plan review, permit approval, and all subsequent required inspections, in all Commercial and Residential disciplines as described in Chapter 401, Section 401.6 of the Uniform Construction Code.
- k. Attend Township Supervisors meetings and/or other Township meetings (as directed) by the Township Board of Supervisors, Township Manager and/or Township Community Development Director.
- l. The ability and capability of working with the Township Solicitor's and Engineer's offices as well as with the Township Board of Supervisors and its staff as needed.
- m. Demonstrated working relationships with outside regulatory agencies such as but not necessarily limited to: The Pennsylvania Departments of Environmental Protection, Labor and Industry, Transportation, Conservation and Natural Resources; Lehigh County Conservation District and any other local, State and/or Federal agencies.

- n. The ability and capability to perform Americans with Disability Act (ADA) and/or any other relevant so-called accessibility plan reviews and conduct inspections of the same, if required.
 - o. The ability and capability of issuing UCC Inspection Reports and Certificates of Use & Occupancy when directed by the Township.
 - p. The ability and capability of completing review of submitted plans and conducting required inspections within the following time periods after receipt of a completed building permit application:
 - i. Within thirty (30) business days for any: Multi-family residential building with over 6 units, Commercial buildings, Industrial buildings, Institutional buildings and any component of work subject to UCC requirements for said buildings.
 - ii. Within fifteen (15) business days for any Single-Family Dwelling, Two-Family Dwelling, Townhouses, and any component of work subject to UCC requirements for said buildings.
 - iii. Within two (2) business days for UCC general inspections after receipt of a request and within three (3) business days for UCC final inspections after receipt of a request.
 - iv. Follow up on open permits to verify that final inspections are completed to assure permit close out
5. All plans, building permit applications, reports, etc. generated by the professional firm for Upper Macungie Township, shall be the property of Upper Macungie Township.
 6. Invoicing shall be provided in such a form related to actual services rendered each month and will be provided no later than fifteen (15) days following the close of the month. Invoices shall be due thirty (30) days after receipt by the Township.
 7. If the professional service agreement between Upper Macungie Township and the consultant(s) is to be terminated, either party must give at least sixty (60) days notice. All plans, reports, etc., must be returned to the Township within thirty (30) days of that notice. Inspection services related to open permits assigned to this consultant may be continued and completed at the discretion of the Township.

IV. TERM

The position for the services shall be subject to renewal in accord with the Commonwealth of Pennsylvania Second Class Township Code or otherwise determined by the Township Board of Supervisors. The Township Board of Supervisors reserves the right to terminate the agreement at any time with sixty (60) days prior written notice. The professional firm(s) serves at-will at the pleasure of the Upper Macungie Township Board of Supervisors. Successful firm(s) will enter into a Professional Services Agreement memorializing the terms and conditions conveyed in this RFP.

V. SELECTION PROCESS

The Township will utilize the following general selection process in determining the most qualified and best professional(s) to serve as a provider of UCC Commercial and Residential Building Code Plan Review and Inspections, Zoning and Code Compliance services.

1. Interested professional firms will provide written statements of qualifications (SOQs) to the Township based on the minimum requirements and information in this RFP.
2. Upper Macungie Township will review and rank all SOQs based upon the minimum criteria established in this RFP.
3. The top-ranking firms will be selected to participate in an interview process. Additional evaluation steps may include, but not be limited to, an interview, a review of the firm's fee structure, a check of reference, etc.
4. The final determination will be made by the Upper Macungie Township Board of Supervisors for appointment. The Board of Supervisors reserves the right to reject any or all proposals and to waive any defects or irregularities in the best interest of the Township. The Board of Supervisors reserves the right to make an appointment in the best interest of the Township and to appoint the professional firm(s) that it determines would best serve the Township's needs, which shall remain within the sole discretion of the Township Board of Supervisors. The Township specifically reserves the right to appoint one or more professional firms to provide UCC services.

VI. STATEMENT OF QUALIFICATIONS (SOQ) CONTENT

The SOQ must include the following:

1. Cover Letter
 - a. All SOQs must include a cover letter to the attention of Kalman Sostarecz, Jr., Assistant Township Manager, and be signed by a person legally authorized to bind the applicant to its Proposal. The cover letter must include the professional firm name, the names of local partners/principals and the number of local personnel, address and telephone and fax numbers for the agency and email addresses of the person(s) who are authorized to represent the proposer.
2. Personnel
 - a. The names of the partners, managers, key staff persons, and all inspectors or other personnel who will be assigned to the Township's engagement; and

- b. Provide resumes for all and indicate their experience in providing the services requested as well as all pertinent certifications and qualifications currently held; and
 - c. Describe the staffing level that would be assigned to Upper Macungie Township.
3. Level of Service
- a. Indicate whether your firm can provide on a quick response basis, year-round professional UCC, Zoning and Code Compliance services to the Township on typical building code and code compliance related matters;
 - b. List the typical days of the week and business hours per day that personnel are available to provide services required by this RFP.
4. References
- a. List of Pennsylvania local government jurisdictions where your firm presently serves as a provider of UCC, Zoning and Code Compliance services.
5. Fees
- a. The Township expects to pay a flat fee for various required services and, on special occasion, an hourly fee for the services provided by its UCC, Zoning and Code Compliance services professional firm. All firms must indicate the flat and hourly fees charged for the proposed services. It is suggested that any proposed professional firm fee schedule cover all services required by the RFP in accord with the latest adopted Township Fee Schedule. Proposals should indicate anticipated fee increases for at least four (4) years, though future fee increases shall be subject to approval of the Board of Supervisors prior to the fees becoming effective. If additional services such as travel, copying, phone calls or other charges will be billed in addition to the proposed professional firm's typical fees, such should be indicated within the SOQ.
 - b. A proposed fee shall be provided for in-Township Offices service as may be directed by the Township.
 - c. A proposed fee shall be provided for UCC Building Code Official services on an as needed basis as may be directed by the Township.

VII. PROCEDURES FOR EVALUATING PROPOSALS

The Township will evaluate the SOQs based on, but not limited to, the criteria outlined in this document. The Township may then complete additional evaluations of the consultant such as review of the firm's fee schedule, participation in an interview process, etc. Using a combination of the information provided in the SOQ and the additional information received from the interviews and evaluations, the Township will make a final choice and award the service to the most qualified professional firm(s). A brief description of the primary selection criteria is provided below:

1. Proximity of professional firm to Upper Macungie Township
 - a. The Township wishes to work closely with the selected firm and desires fast, efficient and effective service. The consultant should address how it will provide the desired service and how it will address travel cost and travel time issues.
2. References
 - a. The Township may perform reference checks for each candidate firm. A minimum of three (3) municipal clients in Pennsylvania where similar or related work was performed must be provided. References where the firm has served as a provider of UCC services are required. References should also be able to describe the firm's responsiveness, availability, and ability to complete assignments in a timely and orderly manner.
3. Experience Serving as a provider of UCC Services for Other Communities
 - a. Demonstrated experience in the role of a municipal provider of UCC, Zoning and Code Compliance services for other Pennsylvania municipalities will be strongly considered. At least ten (10) years of Pennsylvania provider of UCC services experience is required. Proof of an understanding of the role of provider of UCC, Zoning and Code Compliance services and track record of providing fast, efficient and effective service is preferred.
4. Consultant's Understanding and Approach and Quality of the SOQ
 - a. The selection criteria will allow the Township to award the position on the quality of the SOQ, the professional's understanding of the Township's needs, the professional's approval to the work and/or any other quality about the professional's proposal that sets it apart from any others.
5. Conflict of Interest
 - a. The successful firm(s) shall not have conflicts of interest with the Township and shall address and resolve any individual matters involving a conflict in advance of appointment. Such conflicts shall be disclosed as part of the SOQ submission. Additionally, the selected professional(s) shall decline providing inspection services for projects in the Township if their firm is also providing services to the builder or developer, as a private client, for that specific project.
6. Insurance

The selected firm(s) must maintain insurance coverage, at a minimum, in accordance with the following requirements:

- a. Worker's Compensation Insurance – meeting the requirements of all applicable laws and jurisdictions.
- b. Professional/Errors and Omissions Liability Insurance - \$ 1,000,000 per claim; \$2,000,000 aggregate
- c. Employer's Liability Insurance – \$1,000,000 Bodily Injury each accident; \$1,000,000 Bodily Injury by disease – policy limit; \$1,000,000 Bodily Injury by disease – each employee
- d. Commercial General Liability Insurance – Occurrence \$1,000,000; Aggregate \$2,000,000
- e. Comprehensive Automobile Liability - Combined Single Limit \$1,000,000
- f. Umbrella or Excess Liability - \$2,000,000 per occurrence
- g. Employment Practices Liability Including Third Party Liability \$500,000 per claim; \$1,000,000 aggregate

7. Additional Insured Status and Certificate of Insurance

- a. The Township along with their respective officers, agents and employees, shall be named as additional insureds for Ongoing Operations and Products/Completed Operations on Consultant's Commercial General Liability Policy, which must be primary and noncontributory with respect to the additional insureds. The Primary noncontributory and waiver of subrogation applies to all policies, where allowed by law. This insurance shall remain in effect as set forth below, in the "Cancellation, Renewal and Modification" provision.
- b. It is expressly understood by the awarded Professional(s) that it is the intent of the Township and the awarded Professional(s) that any insurance obtained by the Township is deemed excess, non-contributory and not co-primary in relation to the coverage(s) procured by the Professional(s), or any of their respective consultants, officers, agents, subcontractors, employees or anyone directly or indirectly employed by any of them, or by anyone for whose acts any of the aforementioned may be liable by operation of statute, government regulation or applicable case law.
- c. To the fullest extent permitted by applicable state law, a Waiver of Subrogation Clause shall be added to the General Liability, Automobile and Workers Compensation policies in favor of the Township, and this clause shall apply to the Townships officers, agents and employees, with respect to all Projects during the policy term.
- d. Prior to commencement of services being provided, awarded Professional(s) shall submit a Certificate of Insurance in favor of the Township and an Additional Insured Endorsement (in a form acceptable to the Township) as required hereunder. The Certificate shall provide for thirty (30) days' notice to the Township for cancellation or any change in coverage. Copies of insurance policies shall promptly be made available to the Township upon request.

8. No Limitation on Liability

- a. With regard to any and all claims against any additional insured by any employee of the awarded Professional(s), anyone directly or indirectly employed by the awarded Professional(s) or anyone for whose acts the awarded Professional(s) may be liable, the indemnification obligation shall not be limited by any limitation on the amount or type of damages, compensation or benefits payable by or for the awarded Professional(s) under workers' compensation acts, disability benefit acts or other employee benefit acts.

9. Cancellation, Renewal and Modification

- a. The awarded Professional(s) shall maintain in effect all insurance coverages required under this award of services at the awarded Professional(s)'s sole expense, underwritten by insurance companies acceptable to the Township, until final completion of contracted services. Certificates of insurance showing required coverage to be in force must be delivered to the Township prior to commencement of the awarded Professional(s) Services. In the event the awarded Professional(s) fails to obtain or maintain any insurance coverage required under this award of services, this shall be considered a material breach of the Agreement, entitling the Township, at its sole discretion, to purchase such equivalent coverage as desired for the Township's benefit and charge the expense to the awarded Professional(s), or, in the alternative, exercise all remedies otherwise provided in the Agreement, or as permitted by law or equity.

10. Indemnification

- a. The selected Professional firm(s) and its employees shall defend, indemnify and hold harmless the Township, its Board of Supervisors, committees, commissions (including the individual members thereof), their elected and appointed officers and officials, and their respective managers, representatives, advisors, insurers, solicitors, other professional consultants, appointees, employees, agents, independent contractors, predecessors, successors, and assigns from any and all claims and costs of any nature whether for personal injury, property damage or any other liability arising out of or in any way connected with the professional firm and/or its employee's negligent acts or omissions under this agreement.

VIII. Questions

Direct any questions related to this RFP to Kalman Sostarecz, Jr., Assistant Township Manager, Upper Macungie Township at ksostarecz@uppermac.org.

ATTACHMENT “A”

PLANNING, ZONING, CODE ENFORCEMENT & BUILDING PERMITS 2019

Permit Type	January	February	March	April	May	June	July	August	September	October	November	December	Total
Blasting Permits:	0	0	0	0	0	1	0	0	0	1	0	0	2
Building Permits:	43	28	51	42	53	112	193	201	140	182	85	45	1175
Electrical Permits:	16	9	8	6	14	16	6	11	5	10	5	3	109
Mechanical Permits:	5	12	8	9	8	13	5	10	4	8	7	7	96
On-lot Septic Permits:	0	0	1	0	1	0	2	1	0	1	0	0	6
Plumbing Permits:	5	1	0	0	0	2	0	2	1	4	7	0	22
Road Opening Permits:	4	0	0	4	0	0	0	0	0	1	0	0	9
Sewer Tapping Permits:	2	5	10	15	11	14	10	4	2	8	6	8	95
Sprinkler/Fire Alarm Permits:	5	1	1	2	3	3	5	3	2	1	2	9	37
Zoning Permits:	5	17	19	24	33	47	23	15	16	37	12	13	261
Total Permits:	85	73	98	102	123	208	244	247	170	253	124	85	1812

PLANNING, ZONING, CODE ENFORCEMENT & BUILDING PERMITS 2020

Permit Type	January	February	March	April	May	June	July	August	September	October	November	December	Total
Blasting Permits:	0	0	0	0	0	0	0	1	1	1	0	1	4
Building Permits:	41	61	52	62	87	114	84	77	52	54	64	41	789
Electrical Permits:	6	15	8	3	7	4	7	14	5	5	8	7	89
Mechanical Permits:	4	6	4	5	2	4	13	9	8	5	7	4	71
On-lot Septic Permits:	0	0	0	0	1	0	0	0	0	0	0	1	2
Plumbing Permits:	4	1	0	3	2	1	0	3	0	2	4	2	22
Road Opening Permits:	0	0	0	3	4	4	4	2	3	4	0	2	26
Sewer Tapping Permits:	5	9	2	4	18	4	9	3	4	6	21	3	88
Sprinkler/Fire Alarm Permits:	3	3	3	0	2	5	6	4	7	7	1	5	46
Zoning Permits:	20	17	17	30	43	74	50	36	22	32	32	14	387
Total Permits:	83	112	86	110	166	210	173	149	102	116	137	80	1524

PLANNING, ZONING, CODE ENFORCEMENT & BUILDING PERMITS 2021

Permit Type	January	February	March	April	May	June	July	August	September	October	November	December	Total
Blasting Permits:	2	1	0	1	0	0	0	0	0	0	0	0	4
Building Permits:	59	41	72	66	96	56	87	79	60	50	72	31	769
Electrical Permits:	8	0	9	6	14	3	4	10	9	4	7	8	82
Mechanical Permits:	8	4	10	9	8	5	6	16	8	3	4	9	90
On-lot Septic Permits:	2	0	0	0	0	0	0	0	0	2	0	0	4
Plumbing Permits:	4	0	3	1	2	3	2	4	1	2	1	2	25
Road Opening Permits:	7	2	4	4	1	1	2	6	4	1	4	0	36
Sprinkler/Fire Alarm Permits:	6	8	4	3	4	10	6	2	5	2	4	6	60
Zoning Permits:	14	11	29	55	55	31	34	36	36	21	19	13	354
Total Permits:	110	67	131	145	180	109	141	153	123	85	111	69	1424

\$4.00

PLANNING, ZONING, CODE ENFORCEMENT & BUILDING PERMITS 2022

Permits:	January	February	March	April	May	June	July	August	September	October	November	December	Total
Blasting Permits:	1	1	1	1	1	1	1	0	0	0	0	0	7
Building Permits:	56	48	66	49	79	49	67	80	140	62	84	37	817
Electrical Permits:	5	8	7	6	8	10	7	4	5	6	6	9	81
Mechanical Permits:	4	6	10	17	11	11	7	6	8	16	7	15	118
On-lot Septic Permits:	0	0	0	0	0	0	0	0	1	0	1	0	2
Plumbing Permits:	3	1	3	1	2	4	3	2	1	4	2	0	26
Road Opening Permits:	4	1	0	2	2	2	9	6	1	4	5	1	37
Sprinkler/Fire Alarm Permits:	4	2	6	6	4	2	5	3	3	3	3	5	46
Zoning Permits:	12	17	30	35	26	36	31	20	30	31	18	14	300
Total Permits:	89	84	123	117	133	115	130	121	189	126	126	81	1434

PLANNING, ZONING, CODE ENFORCEMENT & BUILDING PERMITS 2023

Permits:	January	February	March	April	May	June	July	August	September	October	November	December	Total
Blasting Permits:	0	0	0	1	0	0	1	1	1	1	0	0	5
Building Permits:	34	65	55	56	69	53	71	70	50	61	160	44	788
Electrical Permits:	4	4	15	8	8	9	7	5	4	3	6	5	78
Mechanical Permits:	6	10	10	13	10	16	15	8	5	9	11	4	117
On-lot Septic Permits:	0	1	1	0	1	0	1	0	1	0	0	0	5
Plumbing Permits:	5	1	4	4	7	1	6	4	3	2	5	6	48
Road Opening Permits:	0	5	2	16	17	4	1	4	3	2	2	4	60
Sprinkler/Fire Alarm Permits:	4	7	2	3	3	6	1	5	3	1	2	2	39
Zoning Permits:	11	20	27	22	49	41	28	33	23	11	29	14	308
Total Permits:	64	113	116	123	164	130	131	130	93	90	215	79	1448