



# UPPER MACUNGIE TOWNSHIP

## REQUEST FOR PROPOSALS AND QUALIFICATIONS FOR TOWNSHIP ENGINEER

**RFP #2024-10.01**

**Submission Deadline: Friday, November 8, 2024 – 4:00 p.m.**

Contact:  
Robert Ibach  
Township Manager  
8330 Schantz Road  
Breinigsville, PA 18031

Phone: 610-395-4892  
Email: [ribach@uppermac.org](mailto:ribach@uppermac.org)

October 14, 2024

# Upper Macungie Township Request for Proposal Township Engineer

## **Introduction**

Through this Request for Proposal (“RFP”), Upper Macungie Township (the “Township”) seeks to consider proposals for a Township Engineer (the “Proposal”) for the years ending December 31, 2025 and 2026 commencing January 1, 2025 or upon appointment, whichever is later (the “Term”). This contract will be awarded through a fair and open process.

The Township is located in Lehigh County, Pennsylvania and operates under the Pennsylvania Second Class Township Code form of government, with an elected three (3) member Board of Supervisors who serve six-year terms and a Township Manager.

The Township is approximately 26.3 square miles, contains a residential population of nearly 29,000, has approximately 975 commercial units, an annual General Fund budget of approximately \$19 million, and a workforce of approximately 100 full and part-time employees. Township infrastructure includes 133 miles of Township-owned roads and 48 miles of state-owned roadways, 5 bridges, 41 traffic signals, over 675,000 linear feet of sewerage conveyance system, and over 264,000 linear feet of storm water conveyance system.

## **Minimum Requirements**

See Exhibit A.

## **Qualifications**

Minimum qualifications for the Township Engineer are as follows:

1. The firm must be currently licensed and in good standing with the Commonwealth of Pennsylvania to perform municipal engineering services in Pennsylvania.
2. In practice as a municipal engineer for a minimum of seven (7) years in a similarly sized municipality to the date of its/their Proposal.
3. Have experience with providing engineering studies and recommendations on a myriad of issues, including but not limited to:
  - a. Plan Review Services:

Providing technical review of, and answer inquiries related to, all design aspects of site plans, subdivision plans, improvement plans, land disturbance plans, landscape architecture, construction plans and escrows relating to projects proposed by applicants to be developed in the

Township to ensure that such conform to codes adopted by the Township. Should the firm not offer certain aspects of plan review within their services, it shall subcontract to provide such service for the required technical reviews.

b. Construction Inspection Services:

Provide construction inspections throughout the land development process to ensure sites are built in accordance with approved/recorded plans. The selected Township Engineer shall coordinate and manage with the Community Development Department the monitoring of project escrows and security and the releases associated.

c. Municipal Project Design Services:

Have the capability to design a full array of public works type projects including transportation infrastructure systems, park and recreation facilities, wastewater conveyance and pumping facilities, and storm water management systems as well as plantings and naturalization of selected areas, in a manner that the infrastructure is functional and cost effective. The firm must also be able to provide structural/engineering guidance for municipal structures.

d. Municipal Construction Administration and Observation:

Manage project construction for general compliance with the design plans and specifications, conduct pre-construction meetings, approve shop drawings, prepare daily reports for all work observed, process payment requests, and close-out contracts.

e. Environmental Services & Regulatory Agency Interactions:

Be well versed in regulatory compliance and permitting and be familiar with approval procedures of regulatory agencies including but not limited to the following: Pennsylvania Department of Transportation, Pennsylvania Department of Conservation and Natural Resources, Pennsylvania Department of Environment Protection, Pennsylvania Emergency Management Agency, U.S. Army Corps of Engineers, Federal Emergency Management Agency, Federal Highway Administration, and the U.S. Environmental Protection Agency and other regulatory agencies with jurisdiction in the Township.

f. Grant/Bid Assistance:

By request complete or assist in the completion of grant applications and the preparation of specifications and management of the bidding process for public works, recreation, storm water, wastewater, and road projects.

g. Surveying, Easements and Related Services:

Have the capability of performing boundary surveys, topographic surveys, construction stake-out, prepare easement plats and easement documents, and assist in easement acquisition.

h. CAD and GIS Capabilities:

Provide computer aided drafting and geographical information system services upon request.

i. MS4 Program Services:

Assist the Township Manager, Director Community Development, and MS4 Coordinator in reporting, mapping, and permitting requirements under the State Municipal Separate Storm Sewer System (MS4) Program and perform storm water reviews in accordance with the relevant Act Plan and Township Ordinance requirements.

j. Traffic Engineer Services:

Have the ability to review land development for traffic impacts, Traffic Impact Studies, and determine Boundary Road Upgrade Fees. Professional Traffic Operations Engineer certification is preferred.

### **Scope of Work**

The Township Engineer shall be responsible for advising the Township Board of Supervisors (the "Board") and its committees, the Planning Commission (the "Commission"), and the Township Manager on all engineering questions arising in the conduct of Township business; provided, however, the Township reserves the right to appoint a special project engineer to represent its interests in specific matters. The Township Engineer will be required to attend, at a minimum, one Board of Supervisors meeting, one Planning Commission workshop, and one Planning Commission meeting per month, all of which occur during the evening. Attendance at various Committee meetings may also be required upon request. Information on the Township's various meeting schedules can be found at [www.uppermac.org](http://www.uppermac.org). The Township Engineer will also be required to meet bi-weekly with township staff and other consultants during business hours to discuss planning related items, as well as monthly with the Township Manager and township staff for Engineering and Sewer project review. The Township Engineer shall also be available to attend any other meetings during business hours as necessary.

### **Proposal Elements**

The following are required elements to be submitted with the Proposal:

1. Contact Information: Provide the name and address of the firm; the name, telephone number, and e-mail address of the individual responsible for the

preparation of the proposal, and the principal professional (the "Principal Professional") assigned to the Township.

2. Fee Proposal for the 2025 and 2026 Term. The Applicant shall provide a fee structure and/or proposed hourly rate as well as any other costs that will be charged to the Township (the "Fee Proposal"). A proposal showing minimum and maximum ranges is not acceptable. The Fee Proposal shall include the following:
  - a. The firm's pricing schedule for providing services. The rate schedule shall identify rates for all applicable personnel (i.e. professionals, technicians, and support staff).
  - b. Identify rates for various types of services as they would apply to the requirements of the Township. For example: Rates for meetings, inspections, research time and/or design services. If the Applicant does not differentiate between types of services, the Proposal must clearly identify its services and rates.
  - c. Identify the minimum period of time billed for services (i.e. telephone calls, conference calls, correspondence, etc.).
  - d. Provide the Township with detailed monthly activity reports and detailed invoices matching work tasks to charges.
  - e. Provide the Township with an out-of-pocket expense rate schedule identifying the type of service and reimbursement rates for expenses such as mileage, copying of documents, postage, faxes, and word processing charges.
  - f. Provide sample invoices for Township projects/general engineering and land development projects with escrows.
3. An Executive Summary of not more than two (2) pages, identifying and substantiating why the Applicant is best qualified to provide the requested services.
4. A staffing plan listing those persons who will be assigned to the engagement if the Applicant is selected, including the designation of the person who would be the Applicant's principal professional responsible for all services required under the engagement. This portion of the proposal should include the relevant resume information for all individuals who will be assigned. The information should include, at a minimum, a description of the Principal Professional's relevant professional experience, years and type of experience, and number of years with the Applicant. Staffing plan shall identify the individual responsible for Karst studies and reviews and his/her qualifications. The Applicant's plan to provide a licensed landscape architect to review and design landscaping plans. Applicant will need to show they have adequate staffing to provide the needed services to the Township.

5. A description of the Applicant'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 this RFP **in similarly sized municipalities. It is imperative to show experience in similarly sized municipalities and second-class townships.**
6. The address of Applicant's office, which must be within a thirty (30) mile radius of Upper Macungie Township, at which the firm 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. The selected firm must maintain insurance coverage 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
  - h. The Township along with their respective officers, agents, and employees, shall be named as additional insureds for Ongoing Operations and Products/Completed Operations on the firm'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.

- i. It is expressly understood by the awarded firm that it is the intent of the Township and the awarded firm 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 firm, 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.
  - j. 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.
  - k. Prior to commencement of services being provided, awarded firm 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.
  - l. Prior to commencement of services being provided, awarded firm shall enter into an Agreement for Professional Services which shall provide, in part, that the awarded firm agrees to indemnify, defend and hold harmless the Township, its officials, employees and consultants from and against any and all claims, damages, losses, and expenses, including but not limited to, fees and charges of attorneys, court and arbitration costs, arising out of or resulting from the work contemplated under this Agreement, or claims against the Township arising from the work of others including any claims Engineered upon or related to the design, inspection, and/or construction of any project, unless the claims, damages, losses, or expenses result from the proven sole negligence of the Township. This indemnification shall not be limited in amount or type of damages, compensation or benefits payable under workers' compensation acts, disability benefits acts, or other employee benefit acts.
  - m. With regard to any and all claims against any additional insured by any employee of the awarded firm, anyone directly or indirectly employed by the awarded firm or anyone for whose acts the awarded firm 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 firm under workers' compensation acts, disability benefit acts or other employee benefit acts.
9. If the firm or any Principal Professional 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 Applicant must provide a description of the litigation and/or disciplinary action.

10. 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 engineer in the proposed field of expertise.
11. 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 Township.

### **Evaluation Process & Key Dates**

Only Proposals that adhere to all requirements contained in this RFP will be considered in the evaluation process. Qualifying Proposals will be evaluated by the Township Manager, the Assistant Township Manager, and relevant Department Heads. Fees will not be the primary factor in the evaluations. The proposal calendar is as follows:

Distribution of RFP	October 14, 2024
Last day to submit questions	November 1, 2024
Deadline for Proposal submissions	November 8, 2024 at 4:00 p.m.
Applicant Interviews	November 12 – 15 <sup>th</sup> and 18 – 22 <sup>nd</sup>
Award of RFP	December 5, 2024
Engineer Appointment	January 6, 2025

The Township'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 Applicant's general approach to providing the services required under this RFP.
2. The Applicant's documented experience in successfully completing contracts of a similar size and scope to the engagement addressed by this RFP.
3. The qualifications and experience of the Applicant's management, supervisory or other key personnel assigned to the Township, with emphasis on documented experience in successfully completing work on contracts of similar size and scope to the services required by this RFP.
4. The overall ability of the Applicant to mobilize, undertake and successfully complete the scope of work in a timely fashion. Criteria will include, but not be limited to, the following: the number and qualifications of management, supervisory and other staff proposed by the Applicant to perform the services required by this RFP; the availability and commitment to the Township of the Applicant's management, supervisory and other staff.



The Board of Supervisors reserves the right to reject any and all Proposals and to waive any immaterial irregularities.

It is anticipated that the RFP shall be awarded by the Board at their regular meeting on December 5, 2024 and the firm be appointed as Township Engineer at the Board's Organization Meeting on January 6, 2025. 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 Township Manager and Selection Committee 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 Township reserves the right to request clarifying information subsequent to submission of the Proposal.

### **Proposal Submission**

All inquiries for information should be directed to:

**Robert Ibach, Township Manager**  
**ribach@uppermac.org**  
**610-395-4892**  
**Monday – Friday, 8:00 a.m. to 4:00 p.m.**

An original, clearly marked as the "ORIGINAL", and seven (7) full, complete and exact copies of each proposal and an electronic copy shall be submitted in a **sealed envelope/package and must be marked with "RFP #2024-10.01 – Township Engineer"** and addressed to:

**Upper Macungie Township**  
**Attn: Robert Ibach, Township Manager**  
**8330 Schantz Road**  
**Breinigsville, PA 18031**

Sealed proposals will be received until 4:00 p. m. on November 8, 2024.

### **Terms and Conditions**

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

It is the responsibility of each Applicant to examine carefully the requirements before submitting their Proposal.

Any questions related to this RFP should be directed to Robert Ibach, Township Manager, at ribach@uppermac.org or 610-395-4892. Contact with personnel of the Township other than the Township Manager regarding this RFP may be grounds for elimination from the selection process.

### **Professional Services Agreement**

The selected Applicant shall submit to the Township for review and approval, prior to appointment, a proposed Professional Services Agreement setting forth the material terms of the engagement along with a waiver of copyright. The agreement shall include indemnification as outlined in this RFP.

**Exhibit A**  
**Upper Macungie Township**  
**Minimum Requirements Township Engineer: (Board Appointments)**

1. The Applicant shall comply with, and be subject to, all provisions of Article XII of The Second Class Township Code, as amended (Sections 1201-1303) as set forth herein as follows:

- a. **Disclaimer: Each Applicant is responsible to review The Second Class Township Code to apply pertinent sections. The Second Class Township Code as written is controlling and the foregoing is reprinted only for informational purposes:**

Section 1201. Township Engineer.--The board of supervisors may appoint and determine the compensation of a township engineer who shall be a registered professional engineer. The township engineer serves at the pleasure of the board of supervisors.

Section 1202. Engineer's Duties; Preparation of Plans.--The township engineer shall perform duties as the board of supervisors may direct for the construction, reconstruction, maintenance and repair of streets, roads, pavements, sanitary sewers, bridges, culverts and other engineering work. The township engineer shall prepare plans, specifications and estimates of the work undertaken by the township and furnish the board of supervisors with reports, information or estimates on any township engineering work or on questions submitted by the board of supervisors.

Section 1203. Certificate of Commencement and of Completion of Municipal Improvements.--The township engineer shall certify to the township secretary the date of commencement and of completion of all municipal improvements, the cost of which, in whole or in part, is to be paid by the owners of the abutting property. The certification shall be made a part of the permanent records of the township. The certified time of commencement and completion is conclusive on all parties. The term "certified time of completion" means the time of the completion of the whole contract for the improvement.

2. Multi-disciplined firm with experience in and primary focus on municipal engineering. The Applicant shall have seven (7) years' experience as a municipal township engineer for a municipality in the Commonwealth of Pennsylvania.
3. The Applicant also must demonstrate a high degree of knowledge, experience and ability with the following:
- a. The operation of local governmental units in Pennsylvania, including a Second Class Township.

- b. Have a minimum of seven (7) years' experience in providing consulting engineering and related services to a Pennsylvania municipal government in a community similar to Upper Macungie Township.
  - c. Encompass the full range of desired basic civil engineering service within the scope of its existing organization.
  - d. Have two (2) or more licensed Professional Engineers on staff whose major focus and work has been and remains providing professional services to and advising public entities.
  - e. Ability to prepare plans, cost estimates, designs and specifications for capital projects and improvements as requested.
  - f. The ability to provide technical and engineering advice to the Board of Supervisors and staff.
  - g. Ability to review stormwater management plans for compliance with the Township's Stormwater Ordinance, and review and inspect existing stormwater facilities as needed, and provide technical support to the Township's Water Resource Officer regarding stormwater and flooding issues.
  - h. Provide assistance with required documentation, inspections, and permitting for storm water management requirements including the Township MS4 permit.
  - i. Applicant shall have knowledge with the administration of grants related to engineering projects and project designs.
  - j. Applicant shall have experience in Zoning and Land Development, and PA Municipal Land Use Regulations.
  - k. Knowledge of wastewater systems to include design, maintenance, and bidding of all township related facilities. The ability to represent the township at various wastewater related meetings with the local county authority.
  - l. Knowledge and staffing for the management of right of way and/or road opening permits and restoration requirements for such projects.
  - m. Attend and provide knowledgeable engineering advice at all Board of Supervisors meetings, Planning Commission meetings, committee meetings, code enforcement court appearances, meetings with the Township Manager and planning staff during business hours, and any other meetings as necessary.
4. The Applicant must be licensed to perform engineering services in the Commonwealth of Pennsylvania. Include a list of any other professional qualifications; experiences and/or credentials you feel are relevant to this RFP.
  5. The selected Applicant will be expected to provide the Township with copies of all

work products without limitation, which shall include reports, analyses, correspondence, plans, proposals, submittals, schematics, exhibits, spreadsheets, drawings and any other documents produced in connection with the consulting relationship with the Township in printed form, as well as in electronic form to include portable document format and the root file(s).

6. 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 on-boarding a new software suite, Tyler Technologies (formerly Munis), which will enable fully electronic plan acceptance, review (utilizing BlueBeam), 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 at its own expense. In addition, any licensing or usage fees will be borne fully by the Township.

**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 on Following Page]

[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 Township of Upper Macungie 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 Township of Upper Macungie 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 \_\_\_\_\_, 2024

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_