

**WILLISTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

RESOLUTION NUMBER 15 OF 2024

**A RESOLUTION OF WILLISTOWN TOWNSHIP, CHESTER COUNTY
SETTING FORTH CERTAIN PROCEDURES TO BE UTILIZED IN THE
SELECTION OF INDIVIDUALS FOR PROFESSIONAL SERVICE
CONTRACTS PURSUANT TO ACT 44 OF 2009 (THE MUNICIPAL
PENSION PLAN FUNDING STANDARD AND RECOVERY ACT).**

WHEREAS, Act 44 of 2009, the Municipal Pension Plan Funding Standard and Recovery Act provides, in part, that each municipal pension system shall develop procedures to select the most qualified person to enter into a professional services contract; and

WHEREAS, Willistown Township, Chester County, Pennsylvania (the “Township”) operates a municipal pension plan for the uniformed members of the Township Police Department.

NOW, THEREFORE, be it resolved and it is resolved that the following constitutes the Township’s procedures for selecting the most qualified person to enter into a professional services contract pursuant to Section 702-A of Act 44 (capitalized words shall have meaning set forth in Act 44);

- 1) Request for Proposal Application(s) including disclosures;

Applications will be drafted at the time professional services are needed by the Township. The application provisions will address the applicants’ qualifications, experience, expertise and compensation to be charged. A disclosure form in accordance with the provisions of Act 44 will be included as part of the application. The selection process is not subject to a requirement that the lowest bid be accepted.

- 2) Advertisement;

The Township or its designee shall advertise the availability of a proposal for a professional services contract to potential participants or candidates in a timely and efficient manner. An advertisement of such will include the following:

- (a) The services that are the subject of the proposed professional services contract;
- (b) Specification relating to the professional services;
- (c) Procedures to compete for the professional services contract;
- (d) Required disclosures and additional information desired.

- 3) Review;

The evaluation process will involve several steps. The initial responses to the advertisement for proposals will be evaluated by the Township. The Township will determine a list of finalists, interview finalists, if applicable, and make a final decision.

The criteria to be used in the evaluation process can differ depending on the professional services requested, but all shall include as least the following:

- (a) The applicant's qualifications, experience, and expertise related to Pennsylvania Municipal Pensions;
- (b) The applicant's approach to managing risk and research capabilities;
- (c) The applicant's knowledge of Act 205 and Act 600;
- (d) The quoted fee(s) associated with the desired service(s) sought;
- (e) The applicant's availability to meet with the Township's pension committees or governing body for periodic review; and
- (f) The response to the references provided by the applicant.

4) Personnel;

Prior to entering into a professional services contract, the contractor shall disclose the names and titles of each individual who will be providing professional services to the Township pension system, including advisors or subcontractors of the contractor. Furthermore, disclosures will include all of the following:

- (a) Whether the individual is a current or former official or employee of the Township;
- (b) Whether the individual is a current or former registered Federal or State lobbyist;
- (c) A description of the responsibilities of each individual with regard to the services provisions of the professional services contract; and
- (d) The resume of an individual listed in the aforementioned disclosure shall be provided to the Township upon request.

5) Conflict of Interest;

All proposals for professional services contracts shall include a minimum restriction for any applicant of one year on:

- (a) Participation by a former employee of a proposed contractor or potential contractor in the review of a proposal or negotiation of a professional services contract with that proposed contractor;
- (b) Participation by a former employee of the Township in the submission or a proposal or the performance of a contract by a proposed contractor.

Additionally, all proposals for performance services contracts shall include a permanent disqualification of any applicant for:

- (c) Any person or affiliated entity that currently holds a professional services contract with the Township and has conveyed a gift having more than a nominal value to any official or employee of the Township; or
- (d) Any person or affiliated entity that currently holds a professional services contract responds to, applies for, or otherwise solicits a professional services contract with the Township and, has within the past two (2) years of responding to any proposal, made a political contribution to any parties, candidates or current office holders of or for the Township; or
- (e) Any person or affiliated entity that holds a professional services contract with the Township and has direct financial, commercial or business relationship with any Township official unless the Township consents, in writing, to the relationship after full and complete disclosure.

6) Public Information;

Following the award of a professional services contract, all applications and disclosure forms shall be made public except as may be exempted under the Right to Know Act.

7) Notification and Posting of Proceedings;

Following the decision by the Township of the selection of any applicant for a contract, the relevant factors that resulted in the selection for award of the professional services contract must be summarized in a written statement and included or attached to the documents awarding the contract. Within ten (10) days of the selection for award of the professional services contract, the original application, the proposal and selection statement, and all disclosure forms must be transmitted to all unsuccessful applicants and posted on the Township's website, at least seven (7) days prior to the execution of the professional services contract.

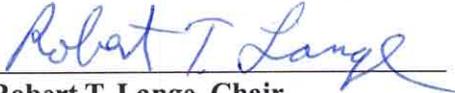
8) Increase;

A professional services contract shall not be amended to increase the cost of the contract by more than 10% or \$10,000, whichever is greater, unless the increase and a written justification for the increase are public and posted on the Township's website, at least seven (7) days prior to the effective date of the amendment.

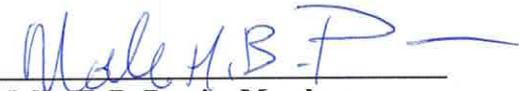
BE IT RESOLVED,

RESOLVED and ADOPTED this 19th day of August, 2024.

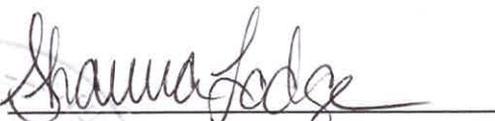
**BOARD OF SUPERVISORS
WILLISTOWN TOWNSHIP**


Robert T. Lange, Chair


William R. Shoemaker, Vice-Chair


Molly H. B. Perrin, Member

ATTEST


Shanna Lodge, Secretary

