

The City of Harrisburg Police Pension Board
Rev. Dr. Martin Luther King Government Center
10 North Second Street
Harrisburg, PA 17101

Policy & Procedure for:
Administration, Processing, and Procurement of
Professional Services Contracts

Applies to: The City of Harrisburg Police Pension Board

This Policy was enacted by proper municipal authority on: **February 7, 2013** and shall remain in effect until superseded, changed, or amended by authority of the same as provided for in this Policy or may be at some future date, as required by state law.

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Section I

General Policy – Requests for Proposal & Professional Services Contracts

This policy establishes the procedural guidelines, requirements and administrative procedures for all Requests for Proposal (“Request(s) for Proposal” or “RFP(s)”) and the procurement of Professional Services Contracts pertaining to the Police Pension Board of the City of Harrisburg. Any exclusion or deviation from the mandates of this Policy, except as noted elsewhere, are not authorized and will constitute a Breach of Procedure; thus the current Request for Proposal Process shall be terminated. Any decisions, evaluations, or selections derived from the terminated proceedings shall be considered void. Professional Services Contracts in place at the time of the adoption of this policy will be void after 180 days. *See* Breach of Procedure policy.

This policy was established in keeping with contemporary pension administrative policies and in accordance the guidelines and requirements set forth in Act 44 of 2009 (House Bill Number 1828) Chapter 7. This policy does not conflict with previously established and unchanged portions of the Municipal Pension Plan Funding Standard and Recovery Act (**Act 205 of 1984**). Furthermore, it has been reviewed by the solicitor of the Police Pension Board and the City of Harrisburg and found to be compliant with the aforementioned Laws and not in conflict with any other applicable statutes of the Commonwealth of Pennsylvania.

The expressed intent of this document is to formally adopt a Standards of Policy and Procedure that:

- (1) Insures compliance with applicable state laws;
- (2) Establishes a fair and equitable system of evaluating and selecting the most qualified candidate for award of a Professional Services Contract;
- (3) Facilitates standardization of the entire Request for Proposal Process for pension service contracts of the Police Pension Board, related pension administrative activities and publications; and
- (4) Institutes specific Standards of Conduct and other polices pursuant to the requirements of applicable state laws.

The Requests for Proposal & Professional Services Contact Process begins when the Request for Proposal Notice has been published or advertised. From that point and until the Professional Services Contract is awarded, signed, and properly posted, all applicable provisions of this Policy are considered to be in effect and the proceedings in progress. Prior to the commencement of the Requests for Proposal & Professional Services Contact Process, the Police Pension Board will formally create a Committee (“RFP Committee”) whose function is to issue RFPs, review and evaluate the responses and make recommendations to the full Police Pension Board. The Police Pension Board must also decide upon and establish the following:

- 1) The at-large community Police Pension Board (PPB) member is a member of the three person RFP Committee;

- 2) Which management PPB member and which police PPB member will serve on the RFP Committee;
- 3) Who will serve as the RFP Committee chair and therefore point of contact for the RFP Process;
- 4) A schedule of events timeline with specific closing dates for each phase of the proceedings. These deadlines (or **closing dates**) will be clearly published in the Request for Proposal;
- 5) Define the specific service(s) that are the subject of the proposed Professional Services Contract;
- 6) Define the specifications relating to the services sought;
- 7) Define the minimum standards required to compete for the Professional Services Contract; and
- 8) Define the procedures for communication with the PPB for applicants, during the RFP Process.

All records, forms, and any other printed or electronic information presented by Applicants to the PPB or produced by the PPB during the RFP Application & Applicant Selection Process, are considered the property of the municipality. During the entire RFP Application & Applicant Selection Process, all documents relating to any active Request for Proposal proceedings are considered confidential in order to preserve a fair and unbiased process. These documents will be secured in a confidential manner and disseminated for view and/or inspection to only and by only, members of the RFP Committee and the PPB Secretary. Therefore, the contents of any RFP documents, prior to the termination or conclusion of the process, will not be disseminated, reproduced, or disclosed with or to any other person, other than the RFP Committee and the PPB Secretary.

Once the RFP Application & Applicant Selection Process has been terminated or concluded, all information provided during these proceedings will become publicly accessible and may be disseminated in accordance with the other previously established and similar policies of this municipality and the specific disclosure requirements of **Act 44 of 2009, Chapter 7-A, except** information considered proprietary in nature and/or otherwise protected by law.

EVENTS AND SUGGESTED TIME FRAMES

Prior to the commencement of the RFP Process, the RFP Committee will establish a tentative time frame for each event and specify closing dates, where appropriate, for each event. This information will be published in the Request for Proposal.

- I. Document Preparation and Organizational Phase.....30 days – prior to posting of RFP**
- II. RFP Advertisement and Application Period.....15 days - up to a maximum of 30 days**
- III. RFP Applicant Pre-Screening and Status Assessment....15 days**
- IV. Detailed Applicant Review and Selection Scoring.....10 days (15 days for 6 or more applicants)**
- V. Applicant Interviews Final Selection for Award of Contract.....Next Regularly scheduled meeting of Police Pension Board following Detailed Applicant Review and Selection Scoring**
- VI. Applicant Notification..... Not to exceed 10 days (IAW - Act 44 Mandate)**
- VII. Waiting Period after notification before contract can be finalized....8 days (IAW - Act 44 Mandate).**

COMMUNICATIONS

In accordance with **Act 44 of 2009, Chapter 7-A, SECTION 703-A SUBPARAGRAPH (c)**, certain restrictions apply regarding communications during the RFP Process between the PPB and RFP Applicants and/or their affiliates (in

any capacity). Therefore, PPB adopts the following communication restrictions, effective upon the posting of the RFP:

Any potential Contractor or incumbent Contractor (future Applicants to the RFP Process), upon recognition of the commencement and posting of an RFP, will cease to communicate with any member, official or employee of PPB for any reason except:

- 1) To request technical clarification of posted information or required responses regarding the RFP; and
- 2) **ONLY** from the designated point of contact identified on the Request for Proposal Notice.

Contact with the PPB's designated point of contact will be in a manner determined by PPB at the time prior to the RFP Notice posting and clearly stipulated in the notice.

In order to prevent an interruption of service and not preclude or impede an incumbent Contractor from the performance of services currently under contract, an incumbent PPB Contractor may contact whomever they are generally responsible for interacting with at within the PPB, **but ONLY** to facilitate the continuance of service. An incumbent Contractor may not, under any circumstance, discuss any details or request any information regarding the current RFP Notice or Process with any official, employee, or member of the PPB, except as provided for above.

Further, any potential Contractor or incumbent Contractor (future Applicants to the RFP Process) will not cause or agree to allow a third party to communicate with officials, employees, or members of the PPB except as stated above.

All PPB officials, employees, and members will abide by the same provisions of this communications policy and immediately report any violations of the same to the RFP Committee chair and the PPB Secretary.

Any breach or violation of the aforementioned, whether intentional or otherwise, will constitute a Breach of Procedure; thus the current Request for Proposal Process shall be immediately terminated. The restrictions of this Policy will be in effect until the conclusion of the entire RFP process and the negotiations period for the professional services contract with the tentative selectee has begun or the RFP Process has been otherwise closed or terminated.

EXCEPTIONS

Exception to Policy for extension or contraction of published timelines or closing dates – An exception may be granted for this Policy requirement when all of the following applies:

- 1) A contraction of the time frame prescribed is necessary to expedite the process or an extension is necessary to allow for an unforeseen circumstance or to allow Applicants to provide additional information, not normally or previously requested; and
- 2) It is granted by the RFP Committee; and
- 3) The changes are posted to the applicable documents or when this is not practical, a special posting or communication to all entities affected by the change is rendered – insuring that all concerned or affected are properly notified within a sufficient time to react to the change; and

- 4) The change does not in any way, unduly or prejudicially alter the ability of any applicant to meet required deadlines or become disqualified from the RFP Process for failure to meet required deadlines.

BREACH OF PROCEDURE

RFP Proceedings - Breach of Procedure: A breach of procedure, for the purposes of this policy, will constitute an ethics violation of this policy and therefore render any proceedings thereof void. Except as specifically noted in this policy, no alterations of or deviations from the policy are authorized. The *Breach of Procedure – Disqualification* further extends to any other portion of this Policy wherein any mandate, procedure or directive is willfully ignored, excluded, disregarded, deviated from, or circumvented, by any official or employee of the Police Pension Board . The intent of the Breach of Procedure – Disqualification policy is to make every attempt to maintain the integrity of the process and to eliminate to the greatest degree possible, any bias or erroneous judgment of any actual or potential Applicant. A Breach of Procedure is deemed to have occurred when any of the preceding applies. In the event that a Breach of Procedure occurs, the RFP Committee Chair will verify the circumstances; acknowledge that a Breach of Procedure has actually occurred; and immediately halt the RFP Proceedings. The RFP Committee Chair or the PPB Secretary at the direction of the Chair will then notify **all parties** concerned – in writing – that:

- 1) A Breach of Procedure has occurred and the general circumstances of the breach;
- 2) That the current RFP Process has been terminated;
- 3) That any decisions, evaluations, or selections derived from the terminated proceedings are considered void;
- 4) That a new RFP Process may be initiated after a mandatory waiting period of at least 15 consecutive days.

It is therefore imperative that all PPB officials, employees, and members are thoroughly briefed on the requirements, and their respective responsibilities and limitations under this policy – especially just prior to the initiation of any new RFP procedure.

INCREASE – AMENDING CURRENT CONTRACTS

Pursuant to Section 702-A Subparagraph (g) “Increase” This municipality shall not amend a professional services contract to increase the cost of the contract by more than 10% or \$10,000, whichever is greater, unless such an increase is justified. Prior to authorizing an increase of greater value, written justification will be presented and made public by posting the written justification on the PPB website and/or web link for at least seven (7) days prior to the effective date of the amendment.

Section II

The Request for Proposal Process

GENERAL

This Section sets forth specifics and procedure for the entire Request for Proposal – Applicant Selection Process and will govern all such proceedings except for those components covered by another Section of this Policy. This Section is arranged as chronological listing of steps to be followed for all RFP proceedings. The timeframe specified in the current Request for Proposal, will be strictly adhered to unless circumstances dictate otherwise and an exception or change is implemented by the RFP Committee.

The Request for Proposal Process has seven parts, each having a specific and distinct purpose:

- A. Document Preparation and Organizational Phase
- B. RFP Advertisement and Application Period
- C. RFP Applicant Pre-Screening and Status Assessment
- D. Detailed Applicant Review and Selection Scoring
- E. Applicant Interviews Final Selection for Award of Contract
- F. Applicant Notification
- G. Contact Negotiation and Award of Contract

PART A...DOCUMENT PREPARATION AND ORGANIZATIONAL PHASE

The RFP Committee will determine the specifics pertaining to the Request for Proposal as previously stated in **Section 1** of this **Policy**. After which, the RFP Committee, with assistance from other PPB officials, employees, or staff if necessary, will prepare the following documents for use during the RFP Process – see **Section V** “*Templates*”:

1. Prepare an appropriate Request for Proposal Notice utilizing the approved template, identifying the services desired and the minimum standards to compete for award of the professional services contract.
2. Prepare the Request for Proposal and all related sections utilizing the approved template and review the questions posed on the RFP Application to insure that they are relevant to desired services and in sync with the Applicant Evaluation Sheet.
3. Prepare an Applicant Master Roster.
4. Prepare an Applicant Evaluation Sheet and Applicant Interview Sheet templates for later use.

These documents will be prepared in electronic format (WORD document) for later use or posting on the PPB website and/or web link and/or dissemination to interested parties previously expressing interest in responding to the RFP Notice.

PART B...RFP ADVERTISEMENT AND APPLICATION PERIOD

The RFP Notice and Request for Proposal will be posted on the PPB website and/or web link for a period of 15 consecutive days. This will constitute the opening of the RFP advertising period. This period will close at 3:00 pm on the 15th consecutive day following the date of initial posting – this will be the **stated closing date**, listed on the **RFP Notice**. The 15-day advertising period may be extended, at the discretion of the PPB Secretary or the RFP Committee when, in their opinion, the responses received are not sufficient to continue the RFP process. The extension may be executed at any time, prior to the original closing date, and for an additional period of up to 15 consecutive days, provided the change to the original closing date is immediately posted to the Request for Proposal and all parties concerned are notified of the change. No extension beyond the 30th consecutive day is authorized.

The RFP Committee may decide, at its own discretion, to post a similar announcement in local or regional newspapers but this is not a mandatory requirement. RFP Notice advertisements posted in newspapers will direct interested parties to the PPB Website and/or Web link or to inquire directly to the PPB designated RFP point of contact for further instructions and application procedures. The advertisement notice will clearly indicate the closing date of the advertising period.

The RFP Notice and Request for Proposal will be posted on the PPB Website and/or Web link, in a conspicuous location that is easily accessible.

PART C...RFP APPLICANT PRE-SCREENING PROCESS

GENERAL

The RFP Pre-Screening Process will begin within 5 business days of the application closing date and will be concluded within 10 consecutive days (15 days for 6 or more applicants), unless circumstances dictate otherwise.

The purpose of the pre-screening is to insure:

- All required documents have been submitted
- All documents submitted are complete and legible
- Any additional documents desired can be requested in a timely manner
- All documents are screened for any disqualifying circumstances prohibiting eligibility

THE PRE-SCREENING PROCESS

The RFP Committee Chair will pre-screen each application and all related documents in accordance with the items listed on the Pre-Screen Checklist, using the template provided in this Policy. Any application that meets the standards for pre-screening will be placed in an “*Active Applicant*” status and filed as such. Any application that does not meet the standards for pre-screening will be placed in a “*Disqualified Applicant*” status and filed as such. Any pre-screening, preview or any action of this nature undertaken or initiated by any employee, elected official or fiduciary of the municipal pension system is prohibited. Such action is considered potentially bias and constitutes a Breach of Procedure.

APPLICANT STATUS NOTIFICATION AND RELATED TASK

The RFP Committee Chair will complete the **Applicant Status Notice – PART E** of the **Request for Proposal**, for each applicant. Then, the RFP Committee Chair or if needed with the assistance of other RFP Committee members or the PPB Secretary will:

1. Forward via FAX transmission to the Applicant’s designated point of contact, the **Applicant Status Notice** informing them that their application has been placed in either an “**Active Applicant**” status or a “**Disqualified Applicant**” status;
2. File a copy of the **Applicant Status Notification Form** and the **Pre-Screen Checklist** with each Application;
3. Enter all that have an “**Active Applicant**” status on the **Applicant Master Roster**;
4. Prepare one copy of the **Applicant Evaluation Sheet** for each member of the **RFP Committee**;
5. Inform the RFP Committee that the pre-screen process has been completed.

Only Applicants whose applications are placed in an “*Active Applicant*” status may be considered beyond this phase and compete for the **Professional Services Contract**. All Applications (and related documentation) with an Active Applicant Status will be forwarded to the RFP Committee for participation in the RFP Detailed Applicant Review and selection scoring phase.

PART D...RFP DETAILED APPLICANT REVIEW

GENERAL

The **RFP Detailed Applicant Review Process** will begin within **5 business days** of the conclusion of the Pre-screening and will be concluded within **10 business days (15 days for 6 or more applicants)**, unless circumstances dictate otherwise. The purpose of this process is to individually evaluate and collectively rank each Applicant based on the predetermined criteria listed on the Applicant Evaluation Sheet as to how each ranks in comparison to the other qualified Applicants. Each member of RFP Committee will participate in an independent review and analysis of each applicant and rank them as stated below. The overall goal of this review is to evaluate each applicant, as compared to all other applicants, with regard to their experience, expertise, cost of services provided and their potential to deliver a pension product that most closely aligns with the needs of the PPB.

THE RFP DETAILED APPLICANT REVIEW

The steps in the *RFP Detailed Applicant Review Process* are as follows:

1. To begin this review process, the RFP Committee Chair or PPB Secretary will disseminate an Applicant Evaluation Sheet to each member of the RFP Committee, utilizing the previously prepared template. Each Applicant Evaluation Sheet will have the names of all applicants that are in an “Active Applicant” status. The RFP Committee Chair or the PPB Secretary will also update the Applicant Master Roster, with the names of each “Active Applicant”, on which all scoring will be collectively recorded as the data becomes available.
2. All members of the RFP Committee will schedule time to review each Application and all related materials presented by the Applicant.
3. Each member of the RFP Committee will conduct their review, independent of the other members, and provide a ranking of each applicant in each of the categories listed. The purpose for the independent review is to preclude any perceived or actual implication of bias or collusion on the part of the RFP Committee.
4. All ranking and subsequent scoring will be as follows and determined by the number of applicants. **EXAMPLE:** if there are 4 applicants then **4** would be **the highest (most desirable)** score and **1** would be **the lowest (least desirable)** score. Specific instructions for completing the **Applicant Evaluation Sheet** are provided on the form.
5. After scoring is completed, each reviewing member will present his or her Applicant Evaluation Sheet to the RFP Committee Chair or the PPB Secretary.
6. The RFP Committee Chair or the PPB Secretary will record this information on the Applicant Master Roster and file the Applicant Evaluation Sheets appropriately. Once all “Active Applicant” status applications have been evaluated, the RFP Committee Chair or the PPB Secretary will tally the scores for each Applicant and record them on the Applicant Master Roster.
7. Regardless of the number of reviewed applications, only the 3 top-ranked Applicants will remain in consideration for award of the professional services contract and continue in the process to the next phase – Applicant Interviews.
 - a) **Those applicants who rank in the top 3** by total score will then be notified of their status as soon as the interviews are scheduled. The RFP Committee Chair or the PPB Secretary will enter the appropriate information regarding the Applicant’s interview appointment on the Applicant Status Notification Form. This notification will be sent by the RFP Committee Chair or the PPB Secretary via FAX. It is the responsibility of the Applicant to respond to the notification as prescribed in the RFP Instructions under “communications”.
 - b) **Those who do not rank in the top 3** by total score will be notified that they did not meet the minimum criteria at this point in the selection process and are no longer in consideration for award of the professional services contract. These **non-selectees** for interview will be notified of their status immediately. The RFP

Committee Chair or PPB Secretary will complete the appropriate sections on the Applicant Status Notification Form and FAX a copy to each non-selectee.

8. Once all “Active Applicant” status applications have been evaluated and scored by the **RFP Committee** and the top 3 applicants have been identified, the **RFP Committee Chair or the PPB Secretary** of the pension plan will:
 - a) Collect all **Applicant Evaluation Sheets**,
 - b) Review them for completeness;
 - c) Update the **Applicant Master Roster** with the **Applicant Interview** dates and times;
 - d) Prepare the **Applicant Interview Sheets** – one for each member of the **RFP Committee**;
 - e) Secure all documents as stated below.

The **Applicant Master Roster** and the **Applicant Evaluation Sheets** will be maintained separately from the **Applications** and the **Interview Sheets** until the interview proceedings are complete. Only the original **Requests for Proposal – Part C thru D**, other related materials provided by the applicant and the **Applicant Interview Sheets** will be made available during the interview process.

9. The RFP Committee will then determine an appropriate time and date for interviews to be conducted. No particular arrangement or order of precedence will be given as to which Applicant is interviewed before another. The selection will be random, made as impartially as possible.
10. Once all Applicants have been notified of their respective status and the interview dates and times have been finalized and agreed upon by all parties, the RFP Detailed Applicant Review is concluded.

PART E...APPLICANT INTERVIEW AND FINAL SELECTION

GENERAL

The Applicant Interview will begin as soon as possible, following the conclusion of the Detailed Applicant Review. The interviews should be scheduled at the next regular meeting of the PPB following the conclusion of the Detailed Applicant Review unless circumstances dictate otherwise. Ideally, all interviews will be conducted on the same day and within a reasonable timeframe of each other. Each interviewee will be allotted the same amount of time to sufficiently conclude both parts of the Interview. The purpose of this process is to allow the RFP Committee to personally meet and interact with each Applicant; to have the opportunity to communicate directly with an Applicant and to have specific questions or concerns answered orally; and, to allow each applicant to present their perspective as to why they should be chosen. This process also provides the RFP Committee with an opportunity to collectively review the finalists, discuss their potential as professional service providers, and rank them accordingly. If there are barriers that will not allow for in person interviews, at its discretion the RFP Committee may conduct telephonic or video based interviews (e.g. Skype).

THE RFP APPLICANT INTERVIEW AND FINAL SELECTION

The steps in the **RFP Applicant Interview and Final Selection Phase** are as follows:

1. At the beginning of the interview phase, the RFP Committee Chair or PPB Secretary will present the prepared Applicant Interview Sheets and all original RFP Documents to the **senior** member of the RFP Committee. **Each interview will consist of 2 Parts:**

Part 1...A 10-minute segment for each applicant to present their perspectives and ideas to the members of the RFP Committee and other members of the PPB as to why they feel they are the best candidate – **without any additional** presentation material or visual aids other than what was previously provided to PPB, via the application process;

Part 2...A 20-minute segment for members of the RFP Committee or other members of the PPB to ask questions of each applicant and gain a reasonable response. These questions will be of a nature that allows for clarification on specific points presented during the first segment and / or information provided previously by the applicant.

2. **Interview ranking:** After all interviews have been concluded, each member of the RFP Committee will rank each Applicant in accordance with the instructions and criteria provided on the Applicant Interview Sheet. Applicants will be ranked and subsequently scored by each member of the RFP Committee. Since there are only 3 Applicants that participate in the interview, they are ranked from highest (a score of 3 – most desirable) to lowest (a score of 1- least desirable). Then each rank is multiplied by 2 to produce the interview score. Once the scoring has been completed and the documents signed, the RFP Committee member will give their Applicant Interview Sheet to the RFP Committee Chair or PPB Secretary.
3. Once the **RFP Committee Chair or PPB Secretary** has received all **Applicant Interview Sheets**, he / she will record the scores on the **Applicant Master Roster** and calculate the **RFP Final Composite Score** for each applicant and rank them accordingly.
4. Then, the **RFP Committee Chair or PPB Secretary** will inform the **RFP Committee** of the final rank of each **Applicant**.
 - A. All applicants will be ranked by **RFP Final Composite Score**, from highest to lowest.
 - B. If the final **RFP Final Composite Score** results in a tie for the highest score, the tie will be broken by a closed-ballot vote by the **RFP Committee**. The **PPB Secretary** will collect the ballots (a single choice between the tied Applicants written on a plain piece of paper). The winner will be ranked highest, the other Applicant next, and the third Applicant will be ranked the lowest.
 - C. The RFP Committee will collectively review all documents relating to the remaining ranked Applicants to insure that no oversight was made during any part of the process and that the applicant does not have any disqualifications or any administrative errors that would preclude them from qualifying to receive the award of the Professional Services Contract.

D. The RFP Committee will present the PPB, when there is quorum, with an overview of each Applicant, the Applicant rankings, the Applicant completed applications and any other information or documentation required or uses as part of the RFP process. The RFP Committee will advise PPB that based on their process the Applicant with the highest ranking is in their view the most qualified. Thereafter, when there is quorum PPB will vote by closed-ballot for the most qualified Applicant. The Applicant who receives the most amounts of votes is considered the most qualified and is the tentative selectee.

NOTE: If for any reason, it is determined that the Applicant with the most number of votes cannot be selected due to a disqualification or prohibition not previously discovered, then PPB may award the designation of **tentative selectee** to the Applicant with the second highest amount of votes. A special, detailed explanation of the circumstances causing the Applicant who PPB determined to be the most qualified to not be selected will be forwarded to that first-place Applicant and to the second-place Applicant in the form of a **letter of explanation** along with the **Applicant Status Notification Forms**. These circumstances will also be added to the details portion of the **Summary of Award Notice**. Other than this provision, no other alternative for selection is authorized.

PART F...APPLICANT NOTIFICATION

GENERAL

This step provides specific guidance for all actions requiring applicant notification, prior to the closing of the RFP Selection Process and other related Policy information.

SELECTION NOTIFICATION

The table below specifies the means of Status Notification by PPB for each Applicant and each step in the RFP Process. A copy of this Table appears in the RFP for the convenience and understanding of the applicant.

Applicant Status Type	Means of Notification	Response Required by Applicant
Acknowledgement of Receipt of RFP from an Applicant	E-mail to Applicant from the PPB’s POC	None
<i>Active Applicant</i> – following Pre-Screening	Applicant Status Notification Form – by FAX	None
<i>Disqualified Applicant</i> – following Pre-Screening (or other disqualifying circumstance)	Applicant Status Notification Form – by FAX	None
Selected Applicant – following Detailed Review Process	Applicant Status Notification Form – by FAX	E-mail response *see below
Non-Selected Applicant – following Detailed Review Process	Applicant Status Notification Form – by FAX	E-mail response *see below
Non-Selected Applicant – following Interviews and PPB selection vote	Applicant Status Notification Form and other required documents – by Certified US Mail (signature required)	None – except under “right to appeal”

Selected Applicant as <i>tentative selectee</i> – following Interviews and PPB selection vote	Summary of Award Notice and Selectee Letter	E-mail response *see below
<p>* Applicants must: E-mail response to RFP Committee’s designated <i>Point of Contact</i> confirming receipt of Applicant Status Notice for either: <i>Non-Select Status</i> or <i>Selected Status</i> <i>Selected Status Applicants</i> must also confirm interview appointment and request Interview Prep Instructions. <i>Tentative Selectee</i> – send e-mail response confirming receipt of official notice of selection.</p>		

Applicant notification of selection status following the interview process and PPB selection vote as the **tentative selectee:**

1. The Applicant designated as the **tentative selectee** will be notified of such, in writing, via the **Applicant Status Notification Form** as stated above. **In addition to this form**, a short letter of congratulations with further instructions is in order. These instructions will include any special requests or details the RFP Committee wishes to convey **AND**, it will apprise the **tentative selectee** of the mandatory waiting periods and potential delays that may occur due to dispute resolution with non-selectees (if applicable) before a contract can be finalized. This notification must be **accomplished within 10 days** of the selection vote by the RFP Committee.
2. **Applicant notification of non-selection status** following the interview process - This notification will be made in the form of a compilation of documents that are listed below, and sent via US MAIL – return receipt requested, to each unsuccessful applicant. This must be **accomplished within 10 days** of the selection vote by the Section Process Body. These documents will include:
 - A. The **Applicant Status Notification Form**
 - B. The **Summary of Award Form** – A brief summary of the relevant factors that resulted in the award of the *Professional Services Contract* to the **tentative selectee**;
 - C. A copy of the **tentative selectee’s** original **Application RFP Part C**;
 - D. A copy of the **tentative selectee’s** original **Disclosure Form RFP Part D**.
3. Additionally, the information in 1 – 2 above will also be simultaneously posted on the PPB website or web link(if one is maintained) for a period of at least 8 days prior to the execution of any contract and providing there are no objections formally submitted by any unsuccessful Applicant. This period may be extended indefinitely until such objections have been settled, if any arise, as provided for below.

Waiting period and objection resolution procedure following a tentative selectee decision: The waiting period between the time a tentative selectee and all other unsuccessful Applicants have been notified of their respective statuses and the **expiration date** of such period shall be 8 consecutive days. This period **will commence** when all notices have been mailed out and the same information has been simultaneously posted on the PPB website or web link as prescribed above. The waiting period **will expire** at 3:00 pm on the 8th consecutive day following its commencement. After the expiration of this waiting period, PPB may pursue the execution of the professional services contract with the tentative selectee, without further impedance, provided no objection to the selection has been made by any unsuccessful Applicant under the criteria set forth below.

If an **unsuccessful Applicant**, having received notification of their **non-selection** and objects to the selection, they must notify PPB:

1. In writing and request confirmation of receipt by PPB;
2. Clearly state the details supporting their objection and the specific reason(s) they believe the selection is / was not in compliance with applicable laws and this Policy; and
3. Insure that the written objection is received by PPB **prior to** 3:00 pm on the expiration date of the waiting period as stipulated above.

It is the responsibility of the unsuccessful Applicant raising the objection to insure that these criteria are met. PPB is not obligated to review or respond to any objection that does not conform to these criteria.

If an objection is made, and all of the stated criteria are met, PPB will:

1. Notify the unsuccessful Applicant that the criteria has been met and their objection is under review;
2. Suspend the RFP process indefinitely until a determination of validity and a subsequent course of action has been made;
3. Notify the **tentative selectee** of the process suspension and the circumstances precipitating it;
4. Remind all parties that the communications restrictions imposed by this Policy are still in effect; and
5. Forward all relevant documentation, including the original letter of objection provided by the unsuccessful Applicant to the **PPB Solicitor** for determination of the objection's validity and further action(s).

Once this review of an objection has begun PPB **will not, under any circumstances**, provide any details or respond to any type of communication regarding these proceedings to any interested party. All inquiries made to the designated point of contact identified on the Request for Proposal Notice will be unanswered and immediately forwarded to the **PPB Solicitor**. Until otherwise directed by the PPB Solicitor, all communications regarding the objection and the RFP process will come from the office of the PPB Solicitor.

It shall be the **responsibility of the PPB Solicitor** to:

1. Review all relevant documentation concerning the objection;
2. Render an opinion as to the validity of the objection presented;
3. Provide direction or course of action, if any, to PPB and the RFP Committee and / or the municipal leadership; and
4. Communicate all of the preceding in writing to all parties concerned.

Once the PPB Solicitor has accomplished his/her review of the objection, rendered an opinion on its validity and provided the subsequent directives commensurate with the circumstances, PPB will act in strict accordance with these directives. The focus of the PPB, the RFP Committee, and the municipal leadership in following these directives is to make every attempt to resolve or adequately respond to the objection and avoid further delay or potential litigation.

The Request for Proposal Process has concluded when: a **tentative selectee** has been approved; the selectee and all unsuccessful Applicants have been notified; the waiting period has expired; and **provided no objections have been**

properly filed. After the RFP Process is closed, the contract negotiations may begin. The RFP Committee Chair or the Board Secretary or PPB Solicitor at the direction of the RFP Committee Chair should request a completed sample contract from the **tentative selectee** for review by the RFP Committee. All documentation that has been part of the RFP Process will be properly secured and maintained indefinitely as a permanent record of these proceedings.

PART G...CONTRACT NEGOTIATION AND AWARD OF CONTRACT

After the conclusion of the Request for Proposal Process, the RFP Committee will:

1. Review the Contract presented by the tentative selectee to insure it meets the requirements presented during the RFP Process and is in agreement with the requirements specified by the Request for Proposal,
2. Insure, the services and associated costs are deemed acceptable by the RFP Committee; and
3. Insure that:
 - a) the new Contract is adopted in accordance with municipal and PPB policy
 - b) the contract is signed by proper authority, and
 - c) that the **Contract**, the new Contractor's original **Application RFP Part C** and **original Disclosure Form RFP Part D** are posted on the PPB Website or Web link for the duration of the contract.

Section III Conflicts of Interest

This Section sets forth PPB Policy regarding *Conflicts of Interest* that apply to all RFP Proceedings and will be strictly adhered to by all parties included. They are established with expressed purpose of maintaining fair, equitable, ethical standards throughout the RFP Process. The *Conflicts of Interest* standards stated herein, apply to all PPB personnel and officials and employees of PPB and any entity that is a party to any RFP Process, undertaken by PPB. These compliance standards will include but are **not limited to** the following:

1. Upon the commencement of any **Request for Proposal** by PPB, all PPB personnel, officials, employees, and elected officials of the municipality will adhere to all Policy and Procedure requirements stated here and elsewhere in this Policy.
2. All personnel and elected officials are required to abide by the provisions of the **Pennsylvania Public Official and Employee Ethics Act** – Act 93 of 1998, Chapter 11, 65 Pa.C.S.A. § 1101 *et seq.*, and as Amended by Act 134 of 2006 – and - the provisions of any previously established and applicable municipal code or statute.

3. The following specific provisions of **Act 44 of 2009, Chapter 7-A** are hereby adopted by PPB and incorporated within this RFP Policy:

- a) Pursuant to Section 702-A Subparagraph (e) “Conflict of Interest”: A **one year restriction** is imposed, without exception, to the following circumstances and individuals:
- Participation by a former employee of a contractor or potential contractor in the review of a proposal or negotiation of a contract with that contractor.
 - Participation by a former employee of the municipal pension system in the submission of a proposal or the performance of a contract.
- b) Pursuant to Section 706-A “Duty to Act”: Any person (entity) that is an **Applicant** for or a party to any active **RFP Proceeding** or a **Current Contract holder** of a *professional services pension contract* with PPB or an officer, director or employee of PPB is aware, or reasonably should be aware of an apparent, potential or actual conflict of interest, **that person shall** disclose the conflict promptly and PPB **shall pursue** an immediate course of action to eliminate the conflict.
- c) Pursuant to Section 704-A Subparagraph (b) “Relationships”: When presented with a conflict regarding a “relationship” between a current service provider (**Contractor**) or an Applicant to an active Request for Proposal for a professional services contract and any official or employee of PPB, PPB will:
- (1) Investigate the circumstances of the relationship
 - (2) Determine whether or not the relationship clearly presents a conflict of interest and either;
 - (3) Publish a letter acknowledging the relationship and consenting to it **only when (1)** it appears to be in the best interest of PPB’s pursuits and **(2)** does not clearly represent any real or perceived conflict of interest; or
 - (4) Immediately take steps to eliminate the conflict if the relationship is determined to present a valid and undesirable conflict of interest.

Section IV Glossary of Terms

TERM:	DEFINITION:
CONTRACTOR	Any person, company, or other entity that receives payments, fees, or any other form of compensation from a pension fund in exchange for rendering professional services for the benefit of the municipal pension fund.
SUBCONTRACTOR OR ADVISOR	Anyone who is (or will be) paid a fee or receives (will receive) compensation from a pension system – directly or indirectly from or through a contractor.
AFFILIATED ENTITY	Any of the following: <ol style="list-style-type: none"> 1. A subsidiary or holding company of a lobbying firm or other business entity owned in whole or in part by a lobbying firm. 2. An organization recognized by the Internal Revenue Service as a tax-exempt organization under section 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501 (c)) established by a lobbyist or lobbying firm or an affiliated entity.
CONTRIBUTIONS	As defined in section 1621 of the act of June 3 rd , 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code

POLITICAL COMMITTEE	As defined in section 1621 of the act of June 3 rd , 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code
EXECUTIVE LEVEL EMPLOYEE	Any employee or person or the person's affiliated entity who: <ol style="list-style-type: none"> 1. Can affect or influence the outcome of the person's or affiliated entity's actions, policies, or decisions relating to pensions and the conduct of business with a municipality or a municipal pension system, such as the PPB; or 2. Is directly involved in the implementation or development policies relating to pensions, investments, contracts or procurement or the conduct of business with a municipality or municipal pension system, such as PPB.
MUNICIPAL PENSION SYSTEM	Any qualifying pension plan, under Pennsylvania state law, for any municipality within the Commonwealth of Pennsylvania; includes the Pennsylvania Municipal Retirement System. <i>Example: the Police Pension Plan for the Borough of Winchesterville</i>
MUNICIPAL PENSION SYSTEM OR MUNICIPAL - OFFICIALS AND EMPLOYEES	Specifically , those listed on the RFP Standard Disclosure form, labeled: " <i>List of Officials and Employees for the Requesting Municipality</i> ". Where applicable, includes <u>any</u> employee of this Municipality .
PROFESSIONAL SERVICES CONTRACT	A contract to which the municipal pension system is a party that is: (1) for the purchase of professional services including investment services, legal services, real estate services, and other consulting services; and, (2) not subject to a requirement that the lowest bid be accepted.
APPLICANT	Any entity, company, firm, or individual that has applied for, submitted an offer or bid for, responded to a request for proposal on or otherwise solicited a professional services contract with a municipal pension system.
BOARD SECRETARY	Person designated by a pension board to administer secretarial and administrative tasks for the municipal pension system.
RFP COMMITTEE	A body of municipal officials, primarily those elected officials charged with the fiduciary and decision-making authority and responsibilities for the municipal pension system of this municipality. This group will function as prescribed in this policy and preside over the entire RFP Process.

Section V

Related Standardized Form - Templates

The forms that appear in this table have been approved by adoption of this Policy and are the only authorized forms of publication for their respective and intended use. No other versions are permissible for use in the RFP Process. The use of each form has been previously determined and so stated elsewhere in this Policy. Each form contained herein is a **template**. The content of each form must be evaluated and changed or altered in order to meet the specific needs of each Request for Proposal. **ALL FORMS** must be completed and updated with the appropriate information (where noted) before posting and dissemination.

Related Standardized Forms Listing

1. Pre-Screening Checklist
2. Request for Proposal Notice
3. Request for Proposal

- Part A...Detailed RFP Requirements
 - Part B...RFP General Policy Guidelines for Applicants
 - Part C...RFP Application and Standard Questions
 - Part D...RFP Standard Disclosure Form
 - Part E...Applicant Status Notification Form
4. Applicant Evaluation Sheet
 5. Applicant Master Roster
 6. Applicant Interview Sheet
 7. Summary of Award Notice