

HONEY BROOK TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA

RESOLUTION NO. 2017- 12

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HONEY BROOK, CHESTER COUNTY, PENNSYLVANIA, ADOPTING A PROFESSIONAL SERVICES CONTRACT POLICY FOR PENSION SYSTEMS OF HONEY BROOK TOWNSHIP, AS REQUIRED BY ACT 44 OF 2009.

WHEREAS, the Township of Honey Brook (the "Township") has previously established the Honey Brook Township Non-Uniform Pension Plan; and

WHEREAS, the Pennsylvania legislature enacted Act 44 on September 18, 2009; and

WHEREAS, the Township is required by Act 44 of 2009 to establish policies and procedures for the procurement of professional services for municipal pension systems; and

WHEREAS, the Township desires to establish policies and procedures for Act 44 of 2009 compliance; and

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Honey Brook Township hereby adopts the Act 44 of 2009 Policy, attached hereto as "Exhibit A".

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Board of Supervisors of the Township of Honey Brook that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

FURTHER RESOLVED, that this Resolution shall become effective immediately.

IN WITNESS WHEREOF, the Honey Brook Township Board of Supervisors has caused this Resolution to be passed this 12th day of July, 2017.

BOARD OF SUPERVISORS
TOWNSHIP OF HONEY BROOK,
CHESTER COUNTY, PENNSYLVANIA

By: *John H. McHugh*
Chairman
[Signature]
Member
[Signature]
Member

Attest: *[Signature]*
Secretary

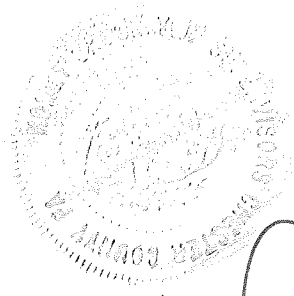


EXHIBIT A

Honey Brook Township, Chester County Act 44 of 2009 Policy

Request for Proposal Application(s) including disclosures: Applications will be drafted at the time the service is needed. The application provisions will address the person's qualifications, experience, expertise, and compensation to be charged. An Act 44 Disclosure Form will be included in the application. This is not subject to a requirement that the lowest bid will be accepted.

Advertisement: The Township of Honey Brook shall advertise the request for professional services contract to potential participants or candidates in a timely and efficient manner. An advertisement of the availability of a proposal for professional services contract shall include the following:

- The services that are the subject of the proposed contract.
- Specification relating to the services.
- Procedures to compete for the contracts.
- Required disclosure will be included in the RFP.

Review: The evaluation process will involve several steps. The initial responses to this Request for Proposal will be evaluated by the Township Manager, Treasurer, and Board of Supervisors. The Board of Supervisors shall have the right to interview finalists to make a final decision.

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

- The firm's qualifications, experience, and expertise related to Pennsylvania Municipal Pensions.
- The firm's approach to managing risk and research capabilities.
- The firm's knowledge of Act 205 and Act 600.
- The quoted fee of the firm.
- The firm's availability to meet with the committee.
- The response of the references provided by the firm.
- The ultimate confidence of the Honey Brook Township Board of Supervisors as represented by the vote to accept the firm.

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 municipal pension system, including advisors or subcontractors of the contractor.

Disclosure under this section shall include all the following:

- Whether the individual is a current or former official or employee of Honey Brook Township entering into the contract.
- Whether the individual has been a registered Federal or State lobbyist.
- A description of the responsibilities of each individual with regard to the contract.
- The resume of an individual included in the disclosure shall be provided to Honey Brook Township upon request.

Conflict of Interest: The procedures should include a minimum one-year restriction on:

- 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 plan in the submission of a proposal or the performance of a contract.
- No Gifts.
- No political contributions.

Public Information: Following the award of a professional services contract, all applications and disclosure forms shall be public, except for proprietary information or other information protected by law.

The Relevant Factors: The factors that resulted in the award of the professional services contract must be summarized in a written statement and included in or attached to the documents awarding the contract. Within ten (10) days of the award of the professional services contract, the original application, a summary of the basis for the award and all required disclosure forms must be transmitted to all unsuccessful applicants and posted on the municipal pension system's Internet website, if an internet website is maintained, at least seven (7) days prior to the execution of the professional services contract.

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 municipal pension system's internal website, if an internal website is maintained, at least seven (7) days prior to the effective date of the amendment.

Approved by Resolution of the Board of Supervisors on Wednesday, July 12, 2017