

UPPER DARBY TOWNSHIP

RESOLUTION NO. 20-25

**A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY,
PENNSYLVANIA ADOPTING A POLICY AND PROCEDURE FOR
CONSULTANT SELECTION FOR THE PENNSYLVANIA DEPARTMENT OF
TRANSPORTATION MULTIMODAL FUND PROJECT**

WHEREAS, Upper Darby Township has applied for funding with the Pennsylvania Department of Transportation ("PennDOT") for a project identified as the 69th Street Multimodal Project from Walnut Street to Marshall Road ("Project") as part of PennDOT's Multimodal Transportation Fund; and

WHEREAS, PennDOT requires that a recipient of such Multimodal Transportation Funds adopt a procedure for consultant selection consistent with PennDOT rules and regulations; and

WHEREAS, Upper Darby Township desires to adopt such procedures for consultant selection; and

WHEREAS, the Township Council of Upper Darby desires to authorize the execution of all necessary documents to effectuate the adoption of such consultant selection procedures; and

WHEREAS, the Township Council of Upper Darby desires to authorize the submission of PennDOT Publication 93, "Policy and Procedure for Consultant Selection," as set forth in Exhibit "A" hereto.

NOW, THEREFORE, be it, and it is hereby **RESOLVED** by the Township Council of Upper Darby as follows:

1. The Policy and Procedure for Consultant Selection attached hereto as Exhibit "A" is hereby approved, and is adopted as the procedure for consultant selection for the Project.
2. The Mayor, the Chief Administrative Officer and/or their designees are authorized to execute all documents and agreements, and take all necessary steps to complete and submit Exhibit "A" to PennDOT for the Project.

BE IT FURTHER RESOLVED THAT this Resolution shall become effective immediately upon the signature of the Mayor or, in the event the Mayor neither approves nor vetoes this Resolution, fifteen days after the last day on which the Mayor can approve or veto this Resolution, as set forth in the Upper Darby Township Home Rule Charter, Section C-702.

Three consultants will be selected from those consultants who submit statements of interest. A qualification selection committee, consisting of a minimum of three people:

- a. Joseph Martin or designee, c. Joshua Chast or designee,
 Selection Committee title Selection Committee title
- b. Debbie Nifong or designee, d. _____ or designee
 Selection Committee title Selection Committee title

shall review the qualifications of consultants who submit statements of interest as well as their responsiveness to the requirements of the advertisement. Documentation of consultants considered and the committee's recommendation shall be maintained in the project file. The committee shall document the reasons for their recommendation.

For selecting a consultant to perform bridge inspection, construction inspection agreements, or noncomplex or selected moderately complex projects as defined in DM1, or for selecting a consultant as a Municipal Engineer a modified process may be used, and a ranking will be determined based on a review of the statements of interest.

For all other Agreements the normal selection method should be used. The Mayor _____
 Mayor, Director of Public Works, Council, etc.
shall review the recommendations of the qualification committee and select three firms to be recommended to the Pennsylvania Department of Transportation (hereinafter called the Department) as the consultants to prepare a proposal. Upon receipt of the approval of the consultants from the Department, a technical proposal shall be requested from the consultants.

The request for technical proposals shall include a brief written scope of work. The consultants will be invited to a scope of work meeting at which time the project will be explained in detail. Representatives from the Department will be invited to the meeting. The consultants will be advised of the applicable Federal regulations, review procedures, contract format, and administration. A copy of the Department's Publication 442 will be supplied to the consultants with the understanding that the specifications will be made a part of the contract. The Upper Darby Twp _____ limitations of profit, wages, etc., will be
 Municipality
explained. The consultants will be given a name and phone number to contact in case they would have any questions during the preparation of their proposal.

Upon receipt of the technical proposals from the consultants, the qualification committee shall review the technical proposals and make a recommendation for the ranking of the shortlisted consultants for the purpose of negotiating an engineering agreement. The committee shall document the reasons for their recommendation.

The Municipality shall conduct discussions with the firms to consider anticipated concepts and compare alternative methods for furnishing services.

For both modified and normal methods of selection, the Mayor _____ shall review the
 Mayor, Council, Board of Supervisors, etc.
recommendation of the qualification committee and rank, in order of preference, the firms. The ranking will be recommended to the Department for approval. Documentation supporting the ranking of the consultants shall be forwarded to the Department when requesting approval of the consultant's ranking. The Department shall approve and/or comment on the municipalities recommended ranking.

The municipality will request a price proposal from the approved first ranked firm and submit the appropriate number of copies to the Department.

The Department will conduct the pre-award evaluation and schedule and hold negotiations, if necessary.

The agreement will be prepared by the Department and circulated for signatures.

It is understood that the consultant cannot begin work until the Federal authorization has been obtained, and both the engineering Agreement and the Reimbursement Agreement have been fully executed, and notification of this fact has been received by the Upper Darby Twp Municipality.

The Mayor Mayor, Council, Board of Supervisors, etc. will designate a person to perform liaison activities between the Upper Darby Twp Municipality, the Department, and the consultant.

The Upper Darby Twp Municipality will enter into a reimbursement agreement with the Department setting forth the methods for reimbursing the federal funds to the Upper Darby Twp Municipality. The reimbursement agreement will be prepared by the Department.

During the life of the engineering agreement, monthly (or at other appropriate times) meetings will be held with the consultant and the designated liaison person. The Department will be invited to attend these meetings. Documentation of these meetings will be included in the project file.

Partial payment invoices for work performed will be processed as provided by Publication 442. After review of the invoices by the Chief Administrative Officer responsible individual of the Municipality, it will be paid. The invoice will in turn be forwarded to the Department with recommendation for reimbursement of the Federal and/or State share.

Prior to termination of services and payment of the final invoice, a joint review will be made by the Department and the Upper Darby Twp Municipality to insure the propriety of claims and that all terms and conditions of the contract have been satisfied. Documentation of these findings will be submitted to the Department with the final invoice.

The Upper Darby Twp Municipality designated liaison person will complete copies of the Form D-429, "Past Performance Report for Consultant Engineers", see Appendix 7F or Form D-429 CI, "Past Performance Report for Consultant Engineers Construction Inspection", see Appendix 7G. For projects that were entered in ECMS, the evaluations can be completed in ECMS.

It is understood and made part of these procedures that the employees of the Upper Darby Twp Municipality will neither solicit nor accept gratuities, favors, or anything of monetary value from consultants or contractors or potential consultants or contractors. Violators of said standards will be subject to dismissal from their employment with the Upper Darby Twp Municipality, by order of the Mayor Mayor, Council, Board of Supervisors, etc.)

Now, Therefore Be It Resolved that the Township Council Mayor, Supervisors, Etc. of the Upper Darby Twp Municipality have adopted these policies and procedures for engineering by consultants and will adhere to the rules and regulations of the Department.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Township Council Mayor, Supervisors, Etc. this 16th day of July, 20 25, on behalf of the Upper Darby Twp Municipality hereby accept the aforesaid policies and procedures.

UPON MOTION DULY MADE and seconded, the above resolution as adopted the day and year set forth above.

ATTEST:

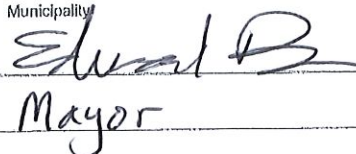
BY



Title

Upper Darby Twp Municipality

BY




Title

DULY PRESENTED AND ADOPTED by the Township Council of Upper
Darby Township Delaware County, Pennsylvania.


ADOPTED and RESOLVED this 16th day of July, 2025.

SEAL:

ATTEST:

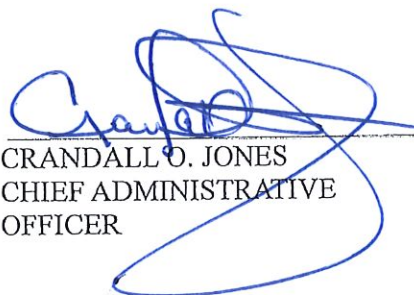

MICHELLE BILLUPS
SECRETARY OF COUNCIL

BY:


HAFIZ TUNIS, JR.
PRESIDENT OF COUNCIL

APPROVED this 16th day of July 2025.

ATTEST:


CRANDALL O. JONES
CHIEF ADMINISTRATIVE
OFFICER

BY:


EDWARD BROWN
MAYOR