



Straightforward Thinking.

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November 28, 2017

Donald J. Palmer
Pittsburgh Office
dpalmer@grblaw.com

(Via email zahorchakj@pbsd.k12.pa.us)

Mr. John Zahorchak
Director of Business Affairs / Board Secretary
900 Elicker Road
Plum, PA 15239

Re: Plum Borough School District / Solicitor Proposal

Dear John:

Thank you for contacting me concerning the Solicitor position at Plum Borough School District.

Please accept this letter as the Proposal of Goehring, Rutter & Boehm to serve as Solicitor for the District. I am, of course, happy to provide any additional information that may be needed.

1. Contact Information

Goehring, Rutter & Boehm
437 Grant Street, 14th Floor
Pittsburgh, PA 15219

Donald J. Palmer, Esquire
Shareholder
Phone: (412) 281-0587
Email: dpalmer@grblaw.com

2. Executive Summary

Goehring, Rutter & Boehm, P.C. ("GRB") has been a prominent Pittsburgh law firm for more than 100 years, providing an array of legal services to a diverse

client base. Our municipal and school attorneys have over 100 years of combined public sector experience. The firm has 27 lawyers located in our main office in Downtown Pittsburgh and in the North Hills.

We currently represent dozens of public sector clients as Solicitors, special counsel and as insurance carrier-appointed defense counsel in litigation. We believe that the quality and depth of GRB professionals with school law experience makes GRB the best qualified law firm to provide the requested services for Plum Borough School District.

GRB presently proudly serves as Solicitor for Quaker Valley School District, Chartiers Valley School District, Pine-Richland School District, and Hampton Township School District. Our firm also frequently serves as special counsel to numerous other school districts in a variety of capacities. We also serve as Solicitor for a number of municipalities and municipal authorities.

Our firm has extensive experience in assisting school district clients in a broad range of issues, and our developed expertise allows us to handle any school issues that may arise in a most effective and economical manner.

3. School Law Expertise

We are extremely well-versed in all facets of education law, and are well-equipped to give sound counsel and advice to the Board of School Directors, Superintendent and District Administrators regarding their general and specific duties and responsibilities under the School Code and all related state and federal statutes and regulations affecting school districts, and regarding the many and varied legal issues which confront public school districts.

GRB has extensive experience in Board membership issues and the conducting of meetings, and in making sure that Board members are regularly apprised of the status of all legal matters being confronted by the school district.

Our practice has involved us extensively in all areas of labor and employment law. Donald J. Palmer has negotiated numerous collective bargaining agreements and Act 93 Plans, and has extensive experience in grievance arbitration, contract administration, and professional and non-professional employee demotion, discipline and dismissal proceedings. Don has also negotiated contracts with Superintendents, Assistant Superintendents, and other school district employees. He regularly conducts employment related

investigations, supports insurance counsel, and drafts and reviews employment related policies and procedures for our school clients. He can also help clients navigate the myriad of state and federal laws relating to human resources.

We also have extensive experience in student matters, including student discipline matters, and have participated in hundreds of student expulsion proceedings in the roles of prosecutor for the school administration and of legal counsel to the Board of School Directors. We routinely act as Special Counsel to other school district in student discipline and residency matters.

GRB has a high degree of familiarity with the many statutes pertaining to special education. Donald J. Palmer has successfully represented public school districts in special education due process hearings and, perhaps more importantly, has effectively counselled our client school districts in matters such as the identification and placement of disabled students, development of IEPs and behavior plans, discipline, transition planning and programming to significantly minimize the risk of claims being filed against our client districts on behalf of disabled youngsters.

Our years of experience representing school districts have seasoned us in the numerous issues that confront public school districts, including, for example, the Right to Know Law, attendance laws, residency issues, transportation issues, finances, general contract bidding and procedural issues, construction litigation, insurance, and records issues.

Constitutional issues, such as Due process, First Amendment, and Equal Protection, pervade school operations, personnel administration and student affairs. Our experience in these often complex areas is wide-ranging. We are also very experienced in Title VI, VII and IX matters as solicitors or special counsel. More importantly, our familiarity and expertise enables us to counsel public sector clients in developing policy and in strategic decision-making as a means of avoiding or minimizing liability.

GRB's delinquent tax collection practice is unmatched in breadth and volume in the Commonwealth of Pennsylvania. We represent more than 150 municipalities and school districts in collecting important school taxes, and have handled tens of thousands of sheriff sales and personal lawsuits against delinquent taxpayers.

We have great familiarity in all phases of tax assessment and exemption matters, from evaluation through negotiation and trial, from the Board of Property Tax Assessment through the Court of Common Pleas and appellate courts. This

experience has involved properties of all natures. We regularly participate in the prosecution and defense of real estate tax assessments appeals.

Our trial attorneys currently serve as defense counsel to a number of municipalities and school districts. Matters defended include bidding disputes, construction claims, civil rights, constitutional claims and insurance coverage issues, among others.

The firm is extremely well versed in the critical areas of Sunshine Law, Open Records and State Ethics Act Compliance, and we teach those subjects regularly to lawyers and public officials at seminars. We make it a priority to know the latest decisions under the Right to Know Law so that we can advise our clients immediately as requests are submitted.

In sum, we specialize in representing school districts in an effective and efficient manner, always remaining cognizant of each district's particular challenges and issues. We consistently work within our clients' legal budgets while providing uncompromised, quality legal services.

4. Current School Solicitor Appointments

GRB currently serves as Solicitor to the following school districts in Allegheny County:

Hampton Township School District: 1966-present
Pine-Richland School District: 1964-present
Quaker Valley School District: 1976-present
Chartiers Valley School District: 2012-present

For these clients we serve as Solicitor, managing and providing all legal services other than bond counsel. Donald J. Palmer is the Solicitor at Quaker Valley and Chartiers Valley School Districts.

As indicated above, GRB also serves as Special Counsel in numerous matters for other school districts.

5. Plum Borough School District Representation

We propose that Donald J. Palmer, Esquire, a Shareholder, serve as the primary attorney responsible for the representation of the Plum Borough School District

and for attending all regular meetings. Don has extensive experience serving as a Solicitor, and is very familiar with all facets of education law. Don is the face of the legal advice and is often the calm, cool and collected head diffusing discussions and focusing on solutions for school districts.

Plum Borough School District will be a primary assignment for Don. The District can count on the continued presence of Don at its meetings.

6. Rate Proposal

Value drives the fee schedule that GRB successfully uses with its municipal and school clients, and the long-term relationships that GRB has maintained with its school clients is evidence of the value the school clients receive from our firm. GRB's proposed fee is as follows:

- a. Hourly Rates:
 - Shareholder Rate: \$175/hour
 - Associate Rate: \$150/hour
 - Paralegal Rate: \$100/hour
- b. Monthly retainer: \$700.00/month

The monthly retainer is designed to cover attendance at the regular monthly meetings, routine correspondence and communications with the Board, and preparation of simple motions and resolutions requiring no specific research. In any new relationship it is in the school district's best interest to periodically review the retainer values and services to re-balance in accordance with the time actually incurred. GRB can be flexible with the retainer to suit the needs of the District.

The fees proposed above apply to all categories of legal services described in this proposal. Our fees are invoiced monthly, supported by detailed time records showing the nature of the work performed, by whom, and the time expended. We customarily divide our invoices according to general areas of practice, e.g. labor and personnel, student matters, retainer, special education, etc., and our time and billing system can adjust to Plum Borough School District's accounting needs or preferences.

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Our approach to cost containment, while providing high quality legal services, includes:

1. Our experience means that the school district does not pay to develop the school law expertise it needs.
2. Our experience and familiarity with laws pertaining to school districts allows quick and accurate answers to questions and often without expending time for research, familiarization, etc.
3. We utilize the school district professional administrators to the fullest.
4. We seek to avoid unnecessary litigation and disputes with early preventative advice and proactive counsel.
5. We will help the school district find every appropriate way to place legal costs on third parties.

Our hourly rates are billed in increments of 1/10 of an hour. We will not charge the District for postage, routine copies, faxes or mileage. Legal bills are mailed monthly and contain detailed descriptions of the matter and action related to each time entry.

7. References

Scott Seltzer, Acting Superintendent
Chartiers Valley School District
(412) 429-2217

Tony Mazzarini, Board President
Chartiers Valley School District
(412) 429-2201

Dr. Heidi Ondek, Superintendent
Quaker Valley School District
(412) 749-3616

Sarah Heres, Board President
Quaker Valley School District
(412) 749-3600

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8. Summary

GRB's experience and expertise will allow for a most effective and economical use of resources in addressing the school district's legal problems. We understand how to best utilize and empower a school district's professional staff. We make it a point to answer all phone calls and emails promptly. Plum Borough School District will be a priority client for myself and GRB.

We encourage you to contact any of the references on the above list to ascertain our ability to cost-effectively solve their problems and our responsiveness to their calls and questions.

Very truly yours,

GOEHRING, RUTTER & BOEHM

A handwritten signature in dark ink, appearing to read "DJP", is written over a faint, circular embossed seal. The seal contains the text "GOEHRING, RUTTER & BOEHM" around its perimeter.

Donald J. Palmer

DJP/kaw