

**WEST CHESTER AREA SCHOOL DISTRICT**  
*Property & Finance Committee Meeting*  
**Monday - July 22, 2019**  
**6:00 p.m.**  
**Board Room A/B, Spellman Education Center**  
**782 Springdale Drive, Exton, PA 19341**

**REGULAR SESSION:**

**AGENDA**

- Approval of May 20, 2019 P&FC Minutes (see attached) Mr. Bevilacqua
  
- Update on Financing Plan (see attached) Mr. Scully/  
Chris Bamber, PFM
  
- Approval of Resolution of Intent to Reimburse the District Capital Reserve Fund with Proceeds from the 2019 GOB (see attached) Mr. Scully
  
- Review and Approval of RFP for Legal Services (see attached) Mr. Scully

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(Board & Public)

**Committee Protocol for Responding to Comments from the Public**

- 1. A community member will be called upon by the Committee Chair.**
- 2. If the comment can be answered quickly, or can be answered in order to clarify information, someone will respond.**
- 3. If a community member has a more detailed question about a topic, the committee chair may refer the person to the superintendent or appropriate administrator to make an appointment so the question can be answered in more detail.**

**Committee Meeting Minutes**  
**WEST CHESTER AREA SCHOOL DISTRICT**  
**May 20, 2019 – Property & Finance Committee**

Attending Committee Members: Mr. Gary Bevilacqua-Chair, Mr. Brian Gallen, Dr. Karen Herrmann

Other Board Members: Ms. Joyce Chester, Mr. Chris McCune, Mr. Randell Spackman, Mrs. Sue Tiernan

Administration: Mr. John Scully, Dr. James Scanlon, Mr. Kevin Campbell, Mr. Justin Matys

Also Present: Members of the public

| <b>Action or outcomes from the meeting: (Unless noted, all votes were 3-0 – Dr. Shaw absent.)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| The committee approved the April 15, 2019 Property & Finance Committee Minutes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Mr. Bevilacqua |
| Mr. Scully reviewed the Budget Forecast Model. The 2018-19 changes to expense projections are reductions of \$105,000 for unspent Math curriculum and \$94,774 of unspent educational supplies by schools both to be carried over to the 2019-20 school year. Adjustments to the 2019-20 expenditure projections include reductions to salary and benefits in the amounts of \$97,296 and \$87,698, respectively, which are the result of the removal of the requested 1.0 FTE instructional technology coordinator and 1.0 FTE middle school library aide. There is also a \$500,000 reduction in contracted special education services and \$50,000 reduction in contracted special education aides. The 2019-20 revenues were reduced by \$100,596 as a result of a reduction in state subsidies and other state revenues related to a safety grant. The net effect of the 19-20 adjustments results in a savings of \$434,624. The net total decrease to the 2019-20 Budget gap before a tax increase is \$634,398. Mr. Scully reviewed the summary of all funds and the 2019-20 deficit before a real estate tax increase is \$3.088 million. To close the 2019-20 budget GAP the District will need to increase Chester County's tax rate by 1.8% to 21.6622 mills and increase Delaware County's tax rate by 1.1% to 16.2597 mills, both increases are below the ACT1 limit of 2.3%. Mr. Scully reviewed a 2018-19 to 2019-20 budget-to-budget comparison for revenues and expenses. Budgeted total expenses increased by \$8,409 million or 3.3% and total revenues increased by \$2,736 million or 1.1%. Mr. Scully reviewed a historic trend of WCASD's tax rate increases/decreases for both Delaware and Chester Counties. Mr. Scully reminded the committee that as part of the year-end process, if the District should recognize additional savings for 2018-19, consideration should be given to increase the ending fund balance at that time to strengthen the Districts' financial position. This is an informational item and no Board action is required. | Mr. Scully     |
| Update on Act 1 Property Tax Exclusion Amount and Homestead/Farmstead Exclusion Resolution: Mr. Scully reviewed the Property Tax and Homestead/Farmstead exclusion process. Annually, the State provides the District with a means to lower property taxes via Homestead, Farmstead and the Sterling Act, which is funded by the States gaming revenues. This year, the State provided the District with \$3,598,252.82 for property tax relief which equates to a \$144.37 exclusion amount for each qualified property. Annually, the Board must approve to accept these funds and use them for tax relief purposes through a resolution. The committee recommended approval to adopt the 2019-20 Homestead/Farmstead Exclusion Resolution.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Mr. Scully     |
| Mr. Scully reviewed the Final Budget Resolution for 2019-20 and the Annual Tax Levy Resolution for 2019-20. The Final Budget resolution for 2019-20 provides General Fund appropriations of \$261,809,403. The Annual Tax Levy resolution for 2019-20 sets the real estate tax for Chester County at 21.6622 mills and Delaware County at 16.2597 mills. The committee recommended approval of the Final Budget Resolution for the 2019-20 Fiscal Year and the Annual Tax Levy Resolution for the 2019-20 Fiscal Year.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Mr. Scully     |
| Mr. Scully reviewed the Food Services Program Equipment Purchases and Renovation Plan. This schedule takes into account all equipment that will be replaced as part of renovation projects and spans from 2019 through 2028 & future years. The 2019-20 equipment replacement budget totals \$300,684.73. Mr. Scully reviewed the funding analysis schedule for the replacement plan. The plan will utilize existing cash within the Food Service Fund and future profits. The committee recommended approval of the equipment purchases for the 2019-20 year.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Mr. Scully     |
| <b>Items to be placed on board agenda 5/28/19:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                |
| <ul style="list-style-type: none"> <li>• Approval to Approval of the 2019-20 Homestead/Farmstead Exclusion Resolution</li> <li>• Approval of the Final Budget Resolution for the 2019-20 Fiscal Year</li> <li>• Approval of the Annual Tax Levy Resolution for the 2019-20 Fiscal Year</li> <li>• Approval to proceed with the food service equipment purchases for the 2019-20 year</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |
| <b>MEMO items for board agenda 5/28/19:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                |
| <ul style="list-style-type: none"> <li>• Approval of Resolution for 2018-19 Budget Transfers</li> <li>• Approval of Resolution for School District Depositories for 2019-20</li> <li>• Approval of Current 2018-19 Transportation Schedules</li> <li>• Approval of Extension to Contract for Local Audit</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |
| <b>Items to discuss at a later date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                |

**Next Meeting Date: June 17, 2019**

# West Chester Area School District

## *New Money Update*

July 22, 2019

Presented by:

**Glen Williard**

*Managing Director*

**&**

**Chris Bamber, CFA**

*Senior Managing Consultant*



**pfm**

**PFM Financial Advisors LLC**

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### Market Update

- 1) Long term interest rates have generally fallen throughout 2019 and are historically low, but still remain above the all-time lows set back in July 2016

### Potential New Money

- 2) Based on the draw schedule provided by the District, at least \$20,000,000 of new bonds are needed in Fall 2019 to meet estimated construction draws through 2020.
- 3) The District could consider other options to accelerate some of its borrowing plans given:
  - a. Current interest rate environment
  - b. Construction draw schedule requirements of approximately \$36 million over next 24 months
- 4) The District asked PFM to run scenarios for different borrowing amounts as summarized below:

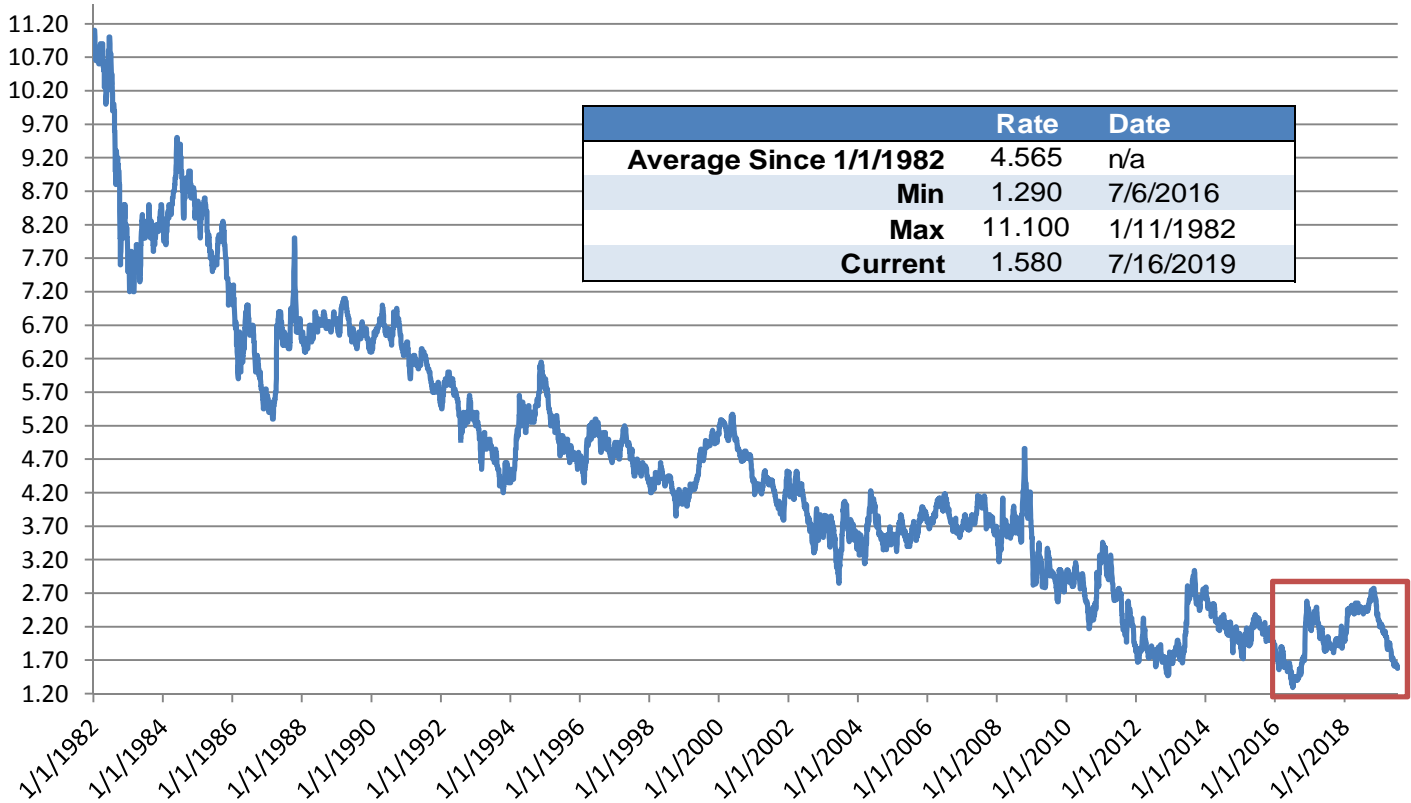
| Scenario         | 2019 Bonds   | 2020 Bonds   |
|------------------|--------------|--------------|
| <b>Base Case</b> | \$20,000,000 | \$20,000,000 |
| <b>Option 1</b>  | \$30,000,000 | \$10,000,000 |
| <b>Option 2</b>  | \$40,000,000 | \$0          |

### Next Steps

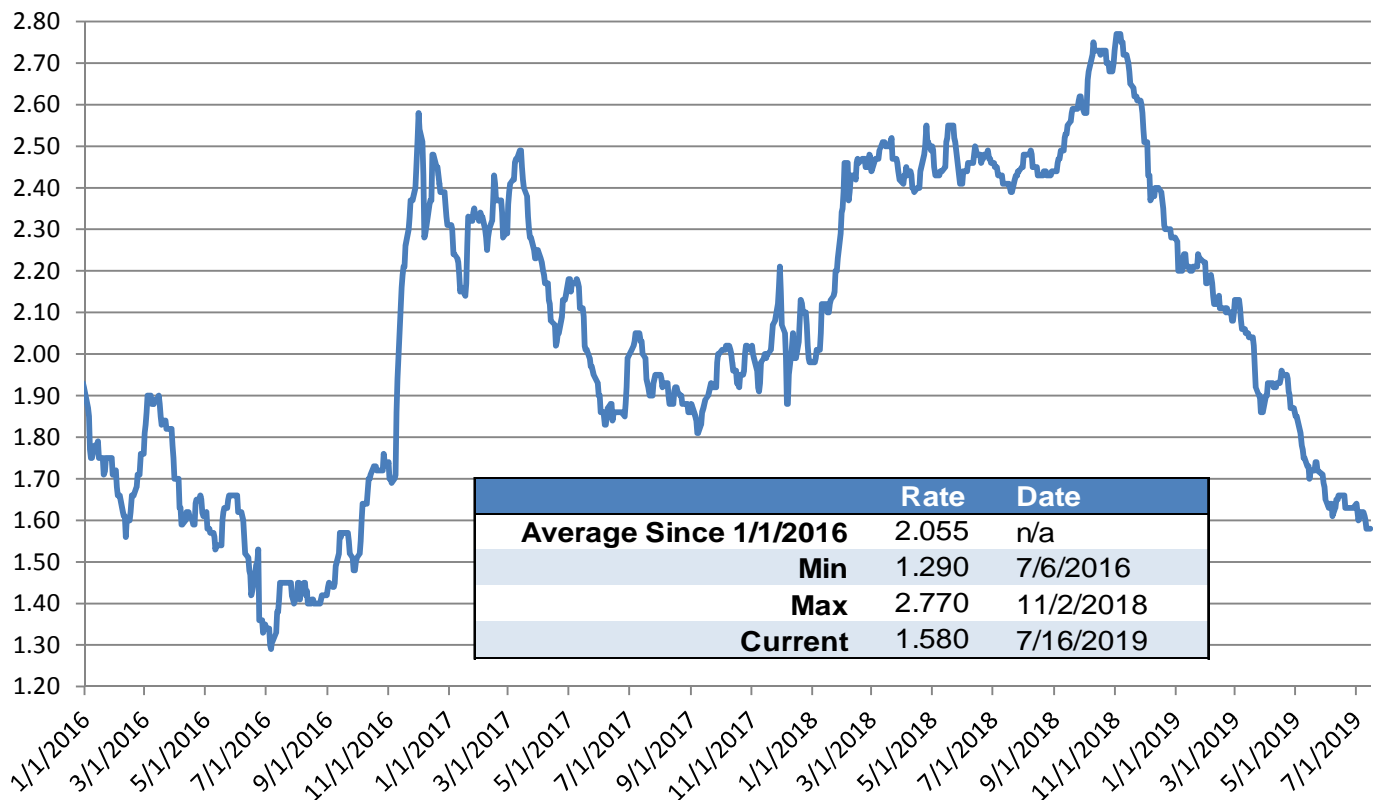
- 5) A detailed financing timeline is shown on page 6.
- 6) The financing team is targeting the **August 26<sup>th</sup>** Board Meeting for the adoption of the Parameters Resolution
- 7) To authorize the financing team to proceed to meet this date, the sample motion below can be used

*The Board of School Directors of the West Chester Area School District does hereby authorize the Administration to work with PFM Financial Advisors LLC, as Financial Advisor, Eckert Seamans Cherin & Mellott, LLC, as Bond Counsel, and the local Solicitor in conjunction with the issuance of the General Obligation Bonds, Series of 2019, via competitive internet auction, to be used for various building and facility improvements with the targeted construction fund deposit not to exceed \$40,000,000.*

# 10 Year MMD (AAA Fixed Rate Bond Rates) 1/1/1982 - 7/15/2019



# 10 Year MMD (AAA Fixed Rate Bond Rates) 1/1/2016 - 7/15/2019



**WEST CHESTER AREA SCHOOL DISTRICT  
SUMMARY OF OUTSTANDING INDEBTEDNESS**

| <b>Debt Service Requirements</b> |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             |                           |                                                         | 17                 | 18 |
|----------------------------------|------------------------------|-----------------------------|------------------------------|---------------------------|---------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|---------------------------|-----------------------------|------------------------------|---------------------------|-----------------------------|---------------------------|---------------------------------------------------------|--------------------|----|
| Fiscal Year Ended                | G.O. Bonds Series AA of 2010 | G.O. Bonds Series A of 2012 | G.O. Bonds Series AA of 2012 | G.O. Bonds Series of 2013 | G.O. Bonds Series of 2014 | G.O. Bonds Series A of 2014 | G.O. Bonds Series AA of 2014 | G.O. Bonds Series A of 2015 | G.O. Bonds Series AA of 2015 | G.O. Bonds Series of 2016 | G.O. Bonds Series A of 2016 | G.O. Bonds Series AA of 2016 | G.O. Bonds Series of 2017 | G.O. Bonds Series A of 2017 | G.O. Bonds Series of 2018 | (2000A Emmaus) G.O. Notes Series of 2009 <sup>(1)</sup> | Total Debt Service |    |
| 6/30/2020                        | 3,813,100                    | 630,000                     | 8,867,950                    | 850,250                   | 489,763                   | 2,099,250                   | 2,478,500                    | 262,808                     | 780,200                      | 2,348,750                 | 1,253,770                   | 259,513                      | 734,315                   | 242,563                     | 341,703                   | 452,825                                                 | 25,905,058         |    |
| 6/30/2021                        | 3,811,500                    | 630,000                     | 7,959,200                    | 858,500                   | 489,763                   | 2,364,250                   | 2,474,800                    | 262,543                     | 777,950                      | 2,351,750                 | 1,253,703                   | 259,413                      | 732,115                   | 242,475                     | 341,578                   | 1,078,250                                               | 25,887,788         |    |
| 6/30/2022                        | 4,630,500                    | 630,000                     | 7,924,800                    |                           | 489,763                   | 2,410,000                   | 2,475,950                    | 262,443                     | 777,700                      | 2,355,000                 | 1,253,635                   | 259,313                      | 729,715                   | 242,388                     | 341,453                   | 1,049,000                                               | 25,831,658         |    |
| 6/30/2023                        |                              | 635,000                     |                              |                           | 489,763                   | 15,735,750                  | 2,476,800                    | 262,343                     |                              | 2,348,250                 | 1,253,568                   | 259,175                      | 732,065                   | 242,300                     | 341,328                   | 893,650                                                 | 25,669,990         |    |
| 6/30/2024                        |                              | 634,850                     |                              |                           | 489,763                   | 9,182,250                   | 2,477,350                    | 262,243                     |                              | 2,346,750                 | 7,123,500                   | 259,038                      | 739,065                   | 242,213                     | 341,203                   | 991,500                                                 | 25,089,723         |    |
| 6/30/2025                        |                              | 634,700                     |                              |                           | 494,763                   |                             | 7,842,600                    | 262,123                     |                              |                           | 13,224,750                  | 258,900                      | 735,765                   | 242,100                     | 341,053                   | 991,575                                                 | 25,028,328         |    |
| 6/30/2026                        |                              | 634,550                     |                              |                           | 494,575                   |                             | 7,882,600                    | 262,003                     |                              |                           | 13,191,250                  | 258,763                      | 732,265                   | 241,988                     | 340,903                   | 985,450                                                 | 25,024,345         |    |
| 6/30/2027                        |                              | 634,400                     |                              |                           | 494,388                   |                             | 20,181,850                   | 261,883                     |                              |                           | 1,020,000                   | 258,625                      | 738,465                   | 241,875                     | 340,753                   | 745,400                                                 | 24,917,638         |    |
| 6/30/2028                        |                              | 4,579,250                   |                              |                           | 2,499,200                 |                             | 8,741,600                    | 2,086,763                   |                              |                           |                             | 258,488                      | 733,833                   | 241,763                     | 340,603                   | 5,709,375                                               | 25,190,873         |    |
| 6/30/2029                        |                              | 4,580,750                   |                              |                           | 2,753,800                 |                             | 8,741,900                    | 2,086,928                   |                              |                           |                             |                              | 728,100                   | 2,576,650                   | 340,453                   |                                                         | 24,081,930         |    |
| 6/30/2030                        |                              | 4,578,650                   |                              |                           | 2,755,000                 |                             | 8,745,000                    | 2,089,115                   |                              |                           |                             |                              | 2,272,750                 | 2,579,000                   | 340,303                   |                                                         | 23,359,818         |    |
| 6/30/2031                        |                              | 4,582,950                   |                              |                           | 2,757,400                 |                             |                              | 2,087,140                   |                              |                           |                             |                              | 2,270,350                 | 2,574,125                   | 1,305,153                 |                                                         | 15,577,118         |    |
| 6/30/2032                        |                              | 4,578,350                   |                              |                           | 2,762,625                 |                             |                              | 2,086,840                   |                              |                           |                             |                              | 2,271,150                 | 2,577,875                   | 1,300,083                 |                                                         | 15,576,923         |    |
| 6/30/2033                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,303,740                 |                                                         | 1,303,740          |    |
| 6/30/2034                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,300,780                 |                                                         | 1,300,780          |    |
| 6/30/2035                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,300,800                 |                                                         | 1,300,800          |    |
| 6/30/2036                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,302,475                 |                                                         | 1,302,475          |    |
| 6/30/2037                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,302,750                 |                                                         | 1,302,750          |    |
| 6/30/2038                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,301,625                 |                                                         | 1,301,625          |    |
| 6/30/2039                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,304,100                 |                                                         | 1,304,100          |    |
| 6/30/2040                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             |                           |                                                         |                    |    |
| <b>TOTAL</b>                     | <b>12,255,100</b>            | <b>27,963,450</b>           | <b>24,751,950</b>            | <b>1,708,750</b>          | <b>17,460,563</b>         | <b>31,791,500</b>           | <b>74,518,950</b>            | <b>12,534,970</b>           | <b>2,335,850</b>             | <b>11,750,500</b>         | <b>39,574,175</b>           | <b>11,418,825</b>            | <b>7,335,703</b>          | <b>12,487,313</b>           | <b>15,472,833</b>         | <b>12,897,025</b>                                       | <b>316,257,455</b> |    |

| <b>Local Effort Requirements</b> |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             |                           |                                                         | 35                 | 36 |
|----------------------------------|------------------------------|-----------------------------|------------------------------|---------------------------|---------------------------|-----------------------------|------------------------------|-----------------------------|------------------------------|---------------------------|-----------------------------|------------------------------|---------------------------|-----------------------------|---------------------------|---------------------------------------------------------|--------------------|----|
| Fiscal Year Ended                | G.O. Bonds Series AA of 2010 | G.O. Bonds Series A of 2012 | G.O. Bonds Series AA of 2012 | G.O. Bonds Series of 2013 | G.O. Bonds Series of 2014 | G.O. Bonds Series A of 2014 | G.O. Bonds Series AA of 2014 | G.O. Bonds Series A of 2015 | G.O. Bonds Series AA of 2015 | G.O. Bonds Series of 2016 | G.O. Bonds Series A of 2016 | G.O. Bonds Series AA of 2016 | G.O. Bonds Series of 2017 | G.O. Bonds Series A of 2017 | G.O. Bonds Series of 2018 | (2000A Emmaus) G.O. Notes Series of 2009 <sup>(1)</sup> | Total Local Effort |    |
| 6/30/2020                        | 3,606,540                    | 570,367                     | 8,625,192                    | 753,449                   | 489,763                   | 2,043,576                   | 2,446,692                    | 244,802                     | 708,907                      | 2,190,855                 | 1,198,213                   | 244,654                      | 734,315                   | 242,563                     | 341,703                   | 410,524                                                 | 24,852,113         |    |
| 6/30/2021                        | 3,605,027                    | 570,367                     | 7,741,319                    | 760,759                   | 489,763                   | 2,301,548                   | 2,443,039                    | 244,741                     | 706,863                      | 2,193,653                 | 1,198,149                   | 244,560                      | 732,115                   | 242,475                     | 341,578                   | 977,525                                                 | 24,793,479         |    |
| 6/30/2022                        | 4,379,660                    | 570,367                     | 7,707,861                    |                           | 489,763                   | 2,346,084                   | 2,444,175                    | 244,648                     | 706,636                      | 2,196,685                 | 1,198,084                   | 244,465                      | 729,715                   | 242,388                     | 341,453                   | 951,007                                                 | 24,792,989         |    |
| 6/30/2023                        |                              | 574,894                     |                              |                           | 489,763                   | 15,318,422                  | 2,445,014                    | 244,555                     |                              | 2,190,389                 | 1,198,020                   | 244,336                      | 732,065                   | 242,300                     | 341,328                   | 810,169                                                 | 24,831,252         |    |
| 6/30/2024                        |                              | 574,758                     |                              |                           | 489,763                   | 8,938,727                   | 2,445,557                    | 244,462                     |                              | 2,188,989                 | 6,807,844                   | 244,206                      | 739,065                   | 242,213                     | 341,203                   | 898,878                                                 | 24,155,665         |    |
| 6/30/2025                        |                              | 574,622                     |                              |                           | 494,763                   |                             | 7,741,951                    | 244,350                     |                              |                           | 12,638,737                  | 244,077                      | 735,765                   | 242,100                     | 341,053                   | 898,946                                                 | 24,156,363         |    |
| 6/30/2026                        |                              | 574,487                     |                              |                           | 494,575                   |                             | 7,781,438                    | 244,238                     |                              |                           | 12,606,721                  | 243,947                      | 732,265                   | 241,988                     | 340,903                   | 893,394                                                 | 24,153,954         |    |
| 6/30/2027                        |                              | 574,351                     |                              |                           | 494,388                   |                             | 19,922,843                   | 244,126                     |                              |                           | 974,802                     | 243,817                      | 738,465                   | 241,875                     | 340,753                   | 675,768                                                 | 24,451,187         |    |
| 6/30/2028                        |                              | 4,145,801                   |                              |                           | 2,499,200                 |                             | 8,629,413                    | 1,945,273                   |                              |                           |                             | 243,688                      | 733,833                   | 241,763                     | 340,603                   | 5,176,030                                               | 23,955,602         |    |
| 6/30/2029                        |                              | 4,147,159                   |                              |                           | 2,753,800                 |                             | 8,629,710                    | 1,945,427                   |                              |                           |                             | 2,143,188                    | 728,100                   | 2,576,650                   | 340,453                   |                                                         | 23,264,486         |    |
| 6/30/2030                        |                              | 4,145,258                   |                              |                           | 2,755,000                 |                             | 8,632,770                    | 1,947,466                   |                              |                           |                             | 2,142,622                    | 2,579,000                 | 2,579,000                   | 340,303                   |                                                         | 22,542,418         |    |
| 6/30/2031                        |                              | 4,149,151                   |                              |                           | 2,757,400                 |                             |                              | 1,945,625                   |                              |                           |                             | 2,140,360                    | 2,574,125                 | 2,574,125                   | 1,305,153                 |                                                         | 14,871,813         |    |
| 6/30/2032                        |                              | 4,144,986                   |                              |                           | 2,762,625                 |                             |                              | 1,945,345                   |                              |                           |                             | 2,141,114                    | 2,577,875                 | 2,577,875                   | 1,300,083                 |                                                         | 14,872,028         |    |
| 6/30/2033                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,303,740                 |                                                         | 1,303,740          |    |
| 6/30/2034                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,300,780                 |                                                         | 1,300,780          |    |
| 6/30/2035                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,300,800                 |                                                         | 1,300,800          |    |
| 6/30/2036                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,302,475                 |                                                         | 1,302,475          |    |
| 6/30/2037                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,302,750                 |                                                         | 1,302,750          |    |
| 6/30/2038                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,301,625                 |                                                         | 1,301,625          |    |
| 6/30/2039                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             | 1,304,100                 |                                                         | 1,304,100          |    |
| 6/30/2040                        |                              |                             |                              |                           |                           |                             |                              |                             |                              |                           |                             |                              |                           |                             |                           |                                                         |                    |    |
| <b>TOTAL</b>                     | <b>11,591,227</b>            | <b>25,316,570</b>           | <b>24,074,371</b>            | <b>1,514,208</b>          | <b>17,460,563</b>         | <b>30,948,357</b>           | <b>73,562,601</b>            | <b>11,685,055</b>           | <b>2,122,405</b>             | <b>10,960,571</b>         | <b>37,820,570</b>           | <b>10,765,033</b>            | <b>7,335,703</b>          | <b>12,487,313</b>           | <b>15,472,833</b>         | <b>11,692,241</b>                                       | <b>304,809,619</b> |    |

|                                 |            |            |            |           |            |            |            |           |           |            |            |           |           |           |           |           |             |
|---------------------------------|------------|------------|------------|-----------|------------|------------|------------|-----------|-----------|------------|------------|-----------|-----------|-----------|-----------|-----------|-------------|
| <b>Principal<sup>(2)</sup>:</b> | 11,120,000 | 21,000,000 | 22,855,000 | 1,675,000 | 12,000,000 | 26,385,000 | 56,460,000 | 9,675,000 | 2,260,000 | 10,175,000 | 32,015,000 | 8,490,000 | 6,625,000 | 9,745,000 | 9,990,000 | 9,955,000 | 250,425,000 |
|---------------------------------|------------|------------|------------|-----------|------------|------------|------------|-----------|-----------|------------|------------|-----------|-----------|-----------|-----------|-----------|-------------|

|                    |              |           |                       |                |           |                                    |                      |            |               |                                  |                                    |           |              |           |            |           |           |
|--------------------|--------------|-----------|-----------------------|----------------|-----------|------------------------------------|----------------------|------------|---------------|----------------------------------|------------------------------------|-----------|--------------|-----------|------------|-----------|-----------|
| <b>PE% Status:</b> | 19.67%       | 34.37%    | 9.94%                 | 41.34%         | 0.00%     | 9.63%                              | 4.66%                | 24.62%     | 33.18%        | 24.41%                           | 16.09%                             | 20.79%    | 0.00%        | 0.00%     | 0.00%      | 33.92%    | Temporary |
| <b>PE% Status:</b> | Permanent    | Temporary | Permanent             | Estimated      | Estimated | Permanent                          | Permanent            | Temporary  | Permanent     | Permanent                        | Permanent                          | Temporary | Estimated    | Estimated | Estimated  | 33.92%    | Temporary |
| <b>CARF%:</b>      | 27.54%       | 27.54%    | 27.54%                | 27.54%         | 27.54%    | 27.54%                             | 27.54%               | 27.54%     | 27.54%        | 27.54%                           | 27.54%                             | 27.54%    | 27.54%       | 27.54%    | 27.54%     | 27.54%    | 27.54%    |
| <b>Call Date:</b>  | 9/15/2020    | 5/15/2022 | Non-callable          | 4/1/2018       | 5/15/2024 | Non-callable                       | 11/15/2024           | 11/15/2020 | 11/15/2020    | Non-callable                     | 8/15/2024                          | 5/15/2022 | 6/15/2022    | 5/15/2023 | 11/15/2023 | Anytime   | Anytime   |
| <b>Purpose:</b>    | Cur Ref 2003 | New Money | Partial Adv Ref 2006A | Cur Ref 2006AA | New Money | Adv Ref 2006, 2006A & Cur Ref 2009 | Adv Ref 2006 & 2006A | New Money  | Cur Ref 2010A | Cur Ref Refunding Series of 2006 | Cur Ref Refunding Series A of 2006 | New Money | Cur Ref 2011 | New Money | New Money  | New Money | New Money |



<sup>(1)</sup> Issued through the Emmaus Bond Pool where PFM is the Program Administrator. For these purposes, assumes 4.500% variable rate  
<sup>(2)</sup> Outstanding as of July 8, 2019

**WEST CHESTER AREA SCHOOL DISTRICT**

*Summary of Estimated Construction Draws & Timing Options*

| 1             |                |                             | 2                |                            |                            | 3                 |                            |                            | 4                |                            |                            | 5                |                            |                            | 6                 |                            |                            | 7                |                            |                            | 8                |                            |                            | 9                 |                            |                            | 10               |                            |                            | 11 |  |  | 12 |  |  |
|---------------|----------------|-----------------------------|------------------|----------------------------|----------------------------|-------------------|----------------------------|----------------------------|------------------|----------------------------|----------------------------|------------------|----------------------------|----------------------------|-------------------|----------------------------|----------------------------|------------------|----------------------------|----------------------------|------------------|----------------------------|----------------------------|-------------------|----------------------------|----------------------------|------------------|----------------------------|----------------------------|----|--|--|----|--|--|
| <b>Uses</b>   |                |                             |                  |                            |                            | <b>Base Case</b>  |                            |                            |                  |                            |                            | <b>Option 1</b>  |                            |                            |                   |                            |                            | <b>Option 2</b>  |                            |                            |                  |                            |                            |                   |                            |                            |                  |                            |                            |    |  |  |    |  |  |
|               |                | <b>Estimated</b>            |                  |                            |                            | <b>New Bonds</b>  |                            |                            |                  |                            |                            | <b>New Bonds</b> |                            |                            |                   |                            |                            | <b>New Bonds</b> |                            |                            |                  |                            |                            |                   |                            |                            |                  |                            |                            |    |  |  |    |  |  |
| <b>Month</b>  | <b>Date</b>    | <b>Construction</b>         | <b>Beginning</b> | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b>  | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b> | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b> | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b>  | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b> | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b> | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b>  | <b>Construction</b>        | <b>Ending</b>              | <b>Beginning</b> | <b>Construction</b>        | <b>Ending</b>              |    |  |  |    |  |  |
|               |                | <b>Draws <sup>[1]</sup></b> | <b>Balance</b>   | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>    | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>   | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>   | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>    | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>   | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>   | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>    | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             | <b>Balance</b>   | <b>Fund <sup>[2]</sup></b> | <b>Balance</b>             |    |  |  |    |  |  |
| 1             | June 2019      | (1,223,405)                 | 1,884,403        |                            | 660,999                    | 1,884,403         |                            | 660,999                    | 1,884,403        |                            | 660,999                    | 1,884,403        |                            | 660,999                    | 1,884,403         |                            | 660,999                    | 1,884,403        |                            | 660,999                    | 1,884,403        |                            | 660,999                    | 1,884,403         |                            | 660,999                    | 1,884,403        |                            | 660,999                    |    |  |  |    |  |  |
| 2             | July 2019      | (1,578,904)                 | 660,999          |                            | (917,906) <sup>[3]</sup>   | 660,999           |                            | (917,906) <sup>[3]</sup>   | 660,999          |                            | (917,906) <sup>[3]</sup>   | 660,999          |                            | (917,906) <sup>[3]</sup>   | 660,999           |                            | (917,906) <sup>[3]</sup>   | 660,999          |                            | (917,906) <sup>[3]</sup>   | 660,999          |                            | (917,906) <sup>[3]</sup>   | 660,999           |                            | (917,906) <sup>[3]</sup>   | 660,999          |                            | (917,906) <sup>[3]</sup>   |    |  |  |    |  |  |
| 3             | August 2019    | (1,616,245)                 | (917,906)        |                            | (2,534,151) <sup>[3]</sup> | (917,906)         |                            | (2,534,151) <sup>[3]</sup> | (917,906)        |                            | (2,534,151) <sup>[3]</sup> | (917,906)        |                            | (2,534,151) <sup>[3]</sup> | (917,906)         |                            | (2,534,151) <sup>[3]</sup> | (917,906)        |                            | (2,534,151) <sup>[3]</sup> | (917,906)        |                            | (2,534,151) <sup>[3]</sup> | (917,906)         |                            | (2,534,151) <sup>[3]</sup> | (917,906)        |                            | (2,534,151) <sup>[3]</sup> |    |  |  |    |  |  |
| 4             | September 2019 | (2,388,256)                 | (2,534,151)      | 20,000,000                 | 15,077,593                 | (2,534,151)       | 20,000,000                 | 15,077,593                 | (2,534,151)      | 30,200,000                 | 25,277,593                 | (2,534,151)      | 30,200,000                 | 25,277,593                 | (2,534,151)       | 40,000,000                 | 35,077,593                 | (2,534,151)      | 40,000,000                 | 35,077,593                 | (2,534,151)      | 40,000,000                 | 35,077,593                 | (2,534,151)       | 40,000,000                 | 35,077,593                 | (2,534,151)      | 40,000,000                 | 35,077,593                 |    |  |  |    |  |  |
| 5             | October 2019   | (1,663,256)                 | 15,077,593       |                            | 13,414,337                 | 15,077,593        |                            | 13,414,337                 | 15,077,593       |                            | 13,414,337                 | 15,077,593       |                            | 13,414,337                 | 15,077,593        |                            | 13,414,337                 | 15,077,593       |                            | 13,414,337                 | 15,077,593       |                            | 13,414,337                 | 15,077,593        |                            | 13,414,337                 | 15,077,593       |                            | 13,414,337                 |    |  |  |    |  |  |
| 6             | November 2019  | (1,478,503)                 | 13,414,337       |                            | 11,935,834                 | 13,414,337        |                            | 11,935,834                 | 13,414,337       |                            | 11,935,834                 | 13,414,337       |                            | 11,935,834                 | 13,414,337        |                            | 11,935,834                 | 13,414,337       |                            | 11,935,834                 | 13,414,337       |                            | 11,935,834                 | 13,414,337        |                            | 11,935,834                 | 13,414,337       |                            | 11,935,834                 |    |  |  |    |  |  |
| 7             | December 2019  | (1,413,256)                 | 11,935,834       |                            | 10,522,578                 | 11,935,834        |                            | 10,522,578                 | 11,935,834       |                            | 10,522,578                 | 11,935,834       |                            | 10,522,578                 | 11,935,834        |                            | 10,522,578                 | 11,935,834       |                            | 10,522,578                 | 11,935,834       |                            | 10,522,578                 | 11,935,834        |                            | 10,522,578                 | 11,935,834       |                            | 10,522,578                 |    |  |  |    |  |  |
| 8             | January 2020   | (1,413,256)                 | 10,522,578       |                            | 9,109,323                  | 10,522,578        |                            | 9,109,323                  | 10,522,578       |                            | 9,109,323                  | 10,522,578       |                            | 9,109,323                  | 10,522,578        |                            | 9,109,323                  | 10,522,578       |                            | 9,109,323                  | 10,522,578       |                            | 9,109,323                  | 10,522,578        |                            | 9,109,323                  | 10,522,578       |                            | 9,109,323                  |    |  |  |    |  |  |
| 9             | February 2020  | (1,363,256)                 | 9,109,323        |                            | 7,746,067                  | 9,109,323         |                            | 7,746,067                  | 9,109,323        |                            | 7,746,067                  | 9,109,323        |                            | 7,746,067                  | 9,109,323         |                            | 7,746,067                  | 9,109,323        |                            | 7,746,067                  | 9,109,323        |                            | 7,746,067                  | 9,109,323         |                            | 7,746,067                  | 9,109,323        |                            | 7,746,067                  |    |  |  |    |  |  |
| 10            | March 2020     | (1,463,256)                 | 7,746,067        |                            | 6,282,811                  | 7,746,067         |                            | 6,282,811                  | 7,746,067        |                            | 6,282,811                  | 7,746,067        |                            | 6,282,811                  | 7,746,067         |                            | 6,282,811                  | 7,746,067        |                            | 6,282,811                  | 7,746,067        |                            | 6,282,811                  | 7,746,067         |                            | 6,282,811                  | 7,746,067        |                            | 6,282,811                  |    |  |  |    |  |  |
| 11            | April 2020     | (1,313,256)                 | 6,282,811        |                            | 4,969,555                  | 6,282,811         |                            | 4,969,555                  | 6,282,811        |                            | 4,969,555                  | 6,282,811        |                            | 4,969,555                  | 6,282,811         |                            | 4,969,555                  | 6,282,811        |                            | 4,969,555                  | 6,282,811        |                            | 4,969,555                  | 6,282,811         |                            | 4,969,555                  | 6,282,811        |                            | 4,969,555                  |    |  |  |    |  |  |
| 12            | May 2020       | (1,338,256)                 | 4,969,555        |                            | 3,631,299                  | 4,969,555         |                            | 3,631,299                  | 4,969,555        |                            | 3,631,299                  | 4,969,555        |                            | 3,631,299                  | 4,969,555         |                            | 3,631,299                  | 4,969,555        |                            | 3,631,299                  | 4,969,555        |                            | 3,631,299                  | 4,969,555         |                            | 3,631,299                  | 4,969,555        |                            | 3,631,299                  |    |  |  |    |  |  |
| 13            | June 2020      | (1,338,256)                 | 3,631,299        |                            | 2,293,044                  | 3,631,299         |                            | 2,293,044                  | 3,631,299        |                            | 2,293,044                  | 3,631,299        |                            | 2,293,044                  | 3,631,299         |                            | 2,293,044                  | 3,631,299        |                            | 2,293,044                  | 3,631,299        |                            | 2,293,044                  | 3,631,299         |                            | 2,293,044                  | 3,631,299        |                            | 2,293,044                  |    |  |  |    |  |  |
| 14            | July 2020      | (1,987,015)                 | 2,293,044        |                            | 306,029                    | 2,293,044         |                            | 306,029                    | 2,293,044        |                            | 306,029                    | 2,293,044        |                            | 306,029                    | 2,293,044         |                            | 306,029                    | 2,293,044        |                            | 306,029                    | 2,293,044        |                            | 306,029                    | 2,293,044         |                            | 306,029                    | 2,293,044        |                            | 306,029                    |    |  |  |    |  |  |
| 15            | August 2020    | (2,143,129)                 | 306,029          | 20,000,000                 | 18,162,899                 | 306,029           | 20,000,000                 | 18,162,899                 | 306,029          | 20,000,000                 | 8,362,899                  | 306,029          | 20,000,000                 | 8,362,899                  | 306,029           | 20,000,000                 | 8,362,899                  | 306,029          | 20,000,000                 | 8,362,899                  | 306,029          | 20,000,000                 | 8,362,899                  | 306,029           | 20,000,000                 | 8,362,899                  | 306,029          | 20,000,000                 | 8,362,899                  |    |  |  |    |  |  |
| 16            | September 2020 | (1,843,133)                 | 18,162,899       |                            | 16,319,766                 | 18,162,899        |                            | 16,319,766                 | 18,162,899       |                            | 16,319,766                 | 18,162,899       |                            | 16,319,766                 | 18,162,899        |                            | 16,319,766                 | 18,162,899       |                            | 16,319,766                 | 18,162,899       |                            | 16,319,766                 | 18,162,899        |                            | 16,319,766                 | 18,162,899       |                            | 16,319,766                 |    |  |  |    |  |  |
| 17            | October 2020   | (1,497,296)                 | 16,319,766       |                            | 14,822,469                 | 16,319,766        |                            | 14,822,469                 | 16,319,766       |                            | 14,822,469                 | 16,319,766       |                            | 14,822,469                 | 16,319,766        |                            | 14,822,469                 | 16,319,766       |                            | 14,822,469                 | 16,319,766       |                            | 14,822,469                 | 16,319,766        |                            | 14,822,469                 | 16,319,766       |                            | 14,822,469                 |    |  |  |    |  |  |
| 18            | November 2020  | (1,447,296)                 | 14,822,469       |                            | 13,375,173                 | 14,822,469        |                            | 13,375,173                 | 14,822,469       |                            | 13,375,173                 | 14,822,469       |                            | 13,375,173                 | 14,822,469        |                            | 13,375,173                 | 14,822,469       |                            | 13,375,173                 | 14,822,469       |                            | 13,375,173                 | 14,822,469        |                            | 13,375,173                 | 14,822,469       |                            | 13,375,173                 |    |  |  |    |  |  |
| 19            | December 2020  | (1,447,296)                 | 13,375,173       |                            | 11,927,877                 | 13,375,173        |                            | 11,927,877                 | 13,375,173       |                            | 11,927,877                 | 13,375,173       |                            | 11,927,877                 | 13,375,173        |                            | 11,927,877                 | 13,375,173       |                            | 11,927,877                 | 13,375,173       |                            | 11,927,877                 | 13,375,173        |                            | 11,927,877                 | 13,375,173       |                            | 11,927,877                 |    |  |  |    |  |  |
| 20            | January 2021   | (1,447,296)                 | 11,927,877       |                            | 10,480,580                 | 11,927,877        |                            | 10,480,580                 | 11,927,877       |                            | 10,480,580                 | 11,927,877       |                            | 10,480,580                 | 11,927,877        |                            | 10,480,580                 | 11,927,877       |                            | 10,480,580                 | 11,927,877       |                            | 10,480,580                 | 11,927,877        |                            | 10,480,580                 | 11,927,877       |                            | 10,480,580                 |    |  |  |    |  |  |
| 21            | February 2021  | (1,247,296)                 | 10,480,580       |                            | 9,233,284                  | 10,480,580        |                            | 9,233,284                  | 10,480,580       |                            | 9,233,284                  | 10,480,580       |                            | 9,233,284                  | 10,480,580        |                            | 9,233,284                  | 10,480,580       |                            | 9,233,284                  | 10,480,580       |                            | 9,233,284                  | 10,480,580        |                            | 9,233,284                  | 10,480,580       |                            | 9,233,284                  |    |  |  |    |  |  |
| 22            | March 2021     | (1,247,296)                 | 9,233,284        |                            | 7,985,987                  | 9,233,284         |                            | 7,985,987                  | 9,233,284        |                            | 7,985,987                  | 9,233,284        |                            | 7,985,987                  | 9,233,284         |                            | 7,985,987                  | 9,233,284        |                            | 7,985,987                  | 9,233,284        |                            | 7,985,987                  | 9,233,284         |                            | 7,985,987                  | 9,233,284        |                            | 7,985,987                  |    |  |  |    |  |  |
| 23            | April 2021     | (1,247,296)                 | 7,985,987        |                            | 6,738,691                  | 7,985,987         |                            | 6,738,691                  | 7,985,987        |                            | 6,738,691                  | 7,985,987        |                            | 6,738,691                  | 7,985,987         |                            | 6,738,691                  | 7,985,987        |                            | 6,738,691                  | 7,985,987        |                            | 6,738,691                  | 7,985,987         |                            | 6,738,691                  | 7,985,987        |                            | 6,738,691                  |    |  |  |    |  |  |
| 24            | May 2021       | (1,222,296)                 | 6,738,691        |                            | 5,516,395                  | 6,738,691         |                            | 5,516,395                  | 6,738,691        |                            | 5,516,395                  | 6,738,691        |                            | 5,516,395                  | 6,738,691         |                            | 5,516,395                  | 6,738,691        |                            | 5,516,395                  | 6,738,691        |                            | 5,516,395                  | 6,738,691         |                            | 5,516,395                  | 6,738,691        |                            | 5,516,395                  |    |  |  |    |  |  |
| <b>TOTALS</b> |                | <b>(36,368,009)</b>         |                  |                            |                            | <b>40,000,000</b> |                            |                            |                  |                            |                            | <b>TOTALS</b>    |                            |                            | <b>40,000,000</b> |                            |                            |                  |                            |                            | <b>TOTALS</b>    |                            |                            | <b>40,000,000</b> |                            |                            |                  |                            |                            |    |  |  |    |  |  |

<sup>[1]</sup> Per School District as of June 2019

<sup>[2]</sup> For these purposes assumes the net construction fund deposit after costs of issuance, net original issue premium, etc. For these purposes, does not include any potential investment earnings on the construction fund during the draw periods

<sup>[3]</sup> In years where the ending balance is negative, the District can utilize its Capital Reserve an reimburse itself with proceeds of the 2019 Bonds assuming the District adopts the Reimbursement Resolution provided by Bond Counsel

**WEST CHESTER AREA SCHOOL DISTRICT**

*Summary of New Money Options*

|                              | 1                  | 2                 | 3                   | 4                 | 5                 | 6                   | 7                 | 8                 | 9                   | 10                        | 11                           | 12                                           | 13                                           | 14                                | 15                                           | 16                                           | 17                                | 18                                           | 19                                           | 20                                |  |
|------------------------------|--------------------|-------------------|---------------------|-------------------|-------------------|---------------------|-------------------|-------------------|---------------------|---------------------------|------------------------------|----------------------------------------------|----------------------------------------------|-----------------------------------|----------------------------------------------|----------------------------------------------|-----------------------------------|----------------------------------------------|----------------------------------------------|-----------------------------------|--|
|                              | <b>Base Case</b>   |                   |                     | <b>Option 1</b>   |                   |                     | <b>Option 2</b>   |                   |                     |                           |                              |                                              |                                              |                                   |                                              |                                              |                                   |                                              |                                              |                                   |  |
|                              | <b>2019 Bonds</b>  | <b>2020 Bonds</b> | <b>Total</b>        | <b>2019 Bonds</b> | <b>2020 Bonds</b> | <b>Total</b>        | <b>2019 Bonds</b> | <b>2020 Bonds</b> | <b>Total</b>        | <b>Fiscal Year Ending</b> | <b>Existing Debt Service</b> | <b>2019 Bonds Estimated Debt Service [1]</b> | <b>2020 Bonds Estimated Debt Service [2]</b> | <b>Total Overall Debt Service</b> | <b>2019 Bonds Estimated Debt Service [1]</b> | <b>2020 Bonds Estimated Debt Service [2]</b> | <b>Total Overall Debt Service</b> | <b>2019 Bonds Estimated Debt Service [1]</b> | <b>2020 Bonds Estimated Debt Service [2]</b> | <b>Total Overall Debt Service</b> |  |
| <b>Bond Proceeds</b>         | \$20,350,000       | \$20,355,000      | <b>\$40,705,000</b> | \$30,705,000      | \$10,000,000      | <b>\$40,705,000</b> | \$40,705,000      | \$0               | <b>\$40,705,000</b> | 6/30/2020                 | 25,905,058                   | 490,187                                      |                                              | 26,395,244                        | 739,573                                      |                                              | 26,644,631                        | 980,871                                      |                                              | 26,885,929                        |  |
| <b>Construction Fund</b>     | \$20,000,000       | \$20,000,000      | <b>\$40,000,000</b> | \$30,200,000      | \$9,800,000       | <b>\$40,000,000</b> | \$40,000,000      | \$0               | <b>\$40,000,000</b> | 6/30/2021                 | 25,887,788                   | 792,800                                      | 631,900                                      | 27,312,488                        | 1,193,600                                    | 178,578                                      | 27,259,965                        | 1,581,400                                    |                                              | 27,469,188                        |  |
| <b>Timing</b>                | October 2019       | August 2020       |                     | October 2019      | December 2020     |                     | October 2019      | n/a               |                     | 6/30/2022                 | 25,831,658                   | 792,600                                      | 806,000                                      | 27,430,258                        | 1,193,400                                    | 397,000                                      | 27,422,058                        | 1,581,200                                    |                                              | 27,412,858                        |  |
| <b>Bank Qualified Status</b> | Non-BQ             | Non-BQ            |                     | Non-BQ            | BQ                |                     | Non-BQ            | n/a               |                     | 6/30/2023                 | 25,669,990                   | 792,400                                      | 805,800                                      | 27,268,190                        | 1,193,200                                    | 396,800                                      | 27,259,990                        | 1,581,000                                    |                                              | 27,250,990                        |  |
| <b>Term</b>                  | 20 Years           | 20 Years          |                     | 20 Years          | 20 Years          |                     | 21 Years          | n/a               |                     | 6/30/2024                 | 25,089,723                   | 792,200                                      | 805,600                                      | 26,687,523                        | 1,193,000                                    | 396,600                                      | 26,679,323                        | 1,580,800                                    |                                              | 26,670,523                        |  |
| <b>Structure</b>             | Wrap               | Wrap              |                     | Wrap              | Wrap              |                     | Wrap              | n/a               |                     | 6/30/2025                 | 25,028,328                   | 792,000                                      | 805,400                                      | 26,625,728                        | 1,192,800                                    | 396,400                                      | 26,617,528                        | 1,580,600                                    |                                              | 26,608,928                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2026                 | 25,024,345                   | 791,800                                      | 805,200                                      | 26,621,345                        | 1,192,600                                    | 396,200                                      | 26,613,145                        | 1,580,400                                    |                                              | 26,604,745                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2027                 | 24,917,638                   | 791,600                                      | 805,000                                      | 26,514,238                        | 1,192,400                                    | 396,000                                      | 26,506,038                        | 1,580,200                                    |                                              | 26,497,838                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2028                 | 25,190,873                   | 791,400                                      | 804,800                                      | 26,787,073                        | 1,192,200                                    | 395,800                                      | 26,778,873                        | 1,580,000                                    |                                              | 26,770,873                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2029                 | 24,081,930                   | 791,200                                      | 804,600                                      | 25,677,730                        | 1,192,000                                    | 395,600                                      | 25,669,530                        | 1,579,800                                    |                                              | 25,661,730                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2030                 | 23,359,818                   | 791,000                                      | 804,400                                      | 24,955,218                        | 1,191,800                                    | 395,400                                      | 24,947,018                        | 1,579,600                                    |                                              | 24,939,418                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2031                 | 15,577,118                   | 790,800                                      | 804,200                                      | 17,172,118                        | 1,191,600                                    | 395,200                                      | 17,163,918                        | 1,579,400                                    |                                              | 17,156,518                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2032                 | 15,576,923                   | 790,600                                      | 804,000                                      | 17,171,523                        | 1,191,400                                    | 395,000                                      | 17,163,323                        | 1,579,200                                    |                                              | 17,156,123                        |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2033                 | 1,303,740                    | 2,915,400                                    | 2,683,800                                    | 6,902,940                         | 4,406,200                                    | 1,309,800                                    | 7,019,740                         | 5,709,000                                    |                                              | 7,012,740                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2034                 | 1,300,780                    | 2,915,200                                    | 2,688,400                                    | 6,904,380                         | 4,407,400                                    | 1,313,000                                    | 7,021,180                         | 5,708,600                                    |                                              | 7,009,380                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2035                 | 1,300,800                    | 2,916,600                                    | 2,684,800                                    | 6,902,200                         | 4,403,400                                    | 1,309,600                                    | 7,013,800                         | 5,711,600                                    |                                              | 7,012,400                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2036                 | 1,302,475                    | 2,914,400                                    | 2,688,200                                    | 6,905,075                         | 4,404,200                                    | 1,309,800                                    | 7,016,475                         | 5,707,600                                    |                                              | 7,010,075                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2037                 | 1,302,750                    | 2,918,600                                    | 2,688,200                                    | 6,909,550                         | 4,404,400                                    | 1,313,400                                    | 7,020,550                         | 5,711,600                                    |                                              | 7,014,350                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2038                 | 1,301,625                    | 2,918,800                                    | 2,684,800                                    | 6,905,225                         | 4,403,800                                    | 1,310,200                                    | 7,015,625                         | 5,708,000                                    |                                              | 7,009,625                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2039                 | 1,304,100                    | 2,915,000                                    | 2,683,000                                    | 6,902,100                         | 4,402,200                                    | 1,310,400                                    | 7,016,700                         | 5,706,800                                    |                                              | 7,010,900                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2040                 |                              | 2,917,200                                    | 2,687,600                                    | 5,604,800                         | 4,404,400                                    | 1,308,800                                    | 5,713,200                         | 5,707,600                                    |                                              | 5,707,600                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2041                 |                              |                                              | 2,683,200                                    | 2,683,200                         |                                              | 1,310,400                                    | 1,310,400                         | 1,300,000                                    |                                              | 1,300,000                         |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2042                 |                              |                                              |                                              |                                   |                                              |                                              |                                   |                                              |                                              |                                   |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2043                 |                              |                                              |                                              |                                   |                                              |                                              |                                   |                                              |                                              |                                   |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2044                 |                              |                                              |                                              |                                   |                                              |                                              |                                   |                                              |                                              |                                   |  |
|                              |                    |                   |                     |                   |                   |                     |                   |                   |                     | 6/30/2045                 |                              |                                              |                                              |                                   |                                              |                                              |                                   |                                              |                                              |                                   |  |
| <b>TOTAL</b>                 | <b>316,257,455</b> |                   |                     | <b>33,321,787</b> | <b>33,658,900</b> | <b>383,238,142</b>  | <b>50,285,573</b> | <b>16,329,978</b> | <b>382,873,006</b>  |                           |                              | <b>66,915,271</b>                            | <b>0</b>                                     | <b>383,172,726</b>                |                                              |                                              |                                   |                                              |                                              |                                   |  |

<sup>[1]</sup> Estimated based on a conservative estimate of current interest rates as of 7/12/2019

<sup>[2]</sup> Estimated based on a conservative estimate of current interest rates as of 7/12/2019 plus 25 basis points (0.25%)



**WEST CHESTER AREA SCHOOL DISTRICT**  
**Estimated Timeline**  
**Series of 2019 Bonds (New Money)**

| July 2019 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | T  | F  | S  |
|           | 1  | 2  | 3  | 4  | 5  | 6  |
| 7         | 8  | 9  | 10 | 11 | 12 | 13 |
| 14        | 15 | 16 | 17 | 18 | 19 | 20 |
| 21        | 22 | 23 | 24 | 25 | 26 | 27 |
| 28        | 29 | 30 | 31 |    |    |    |

| August 2019 |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| S           | M  | T  | W  | T  | F  | S  |
|             |    |    |    | 1  | 2  | 3  |
| 4           | 5  | 6  | 7  | 8  | 9  | 10 |
| 11          | 12 | 13 | 14 | 15 | 16 | 17 |
| 18          | 19 | 20 | 21 | 22 | 23 | 24 |
| 25          | 26 | 27 | 28 | 29 | 30 | 31 |

| September 2019 |    |    |    |    |    |    |
|----------------|----|----|----|----|----|----|
| S              | M  | T  | W  | T  | F  | S  |
| 1              | 2  | 3  | 4  | 5  | 6  | 7  |
| 8              | 9  | 10 | 11 | 12 | 13 | 14 |
| 15             | 16 | 17 | 18 | 19 | 20 | 21 |
| 22             | 23 | 24 | 25 | 26 | 27 | 28 |
| 29             | 30 |    |    |    |    |    |

| Timing                                                          | Event                                                                                                                |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| <b>July 22<sup>nd</sup></b><br>(Property & Finance Committee)   | <i>Decide on 2019 Bonds borrowing amount</i><br><i>Adopt Reimbursement Resolution &amp; Authorization to Proceed</i> |
| <b>Week of July 22<sup>nd</sup></b>                             | <i>Collect info and update Preliminary Official Statement</i>                                                        |
| <b>By August 9<sup>th</sup></b>                                 | <i>Moody's rating call</i>                                                                                           |
| <b>By August 16<sup>th</sup></b>                                | <i>Due diligence call</i><br><i>Receive Moody's rating</i>                                                           |
| <b>August 19<sup>th</sup></b><br>(Property & Finance Committee) | <i>P&amp;F Committee approves Parameters Resolution</i>                                                              |
| <b>By August 23<sup>rd</sup></b>                                | <i>Finalize Preliminary Official Statement</i>                                                                       |
| <b>August 26<sup>th</sup></b><br>(Board Meeting)                | <i>Board adopts Parameters Resolution</i>                                                                            |
| <b>Week of August 26<sup>th</sup></b><br>(Estimated)            | <i>Pricing of Bonds (lock-in interest rate)</i>                                                                      |
| <b>Week of September 30<sup>th</sup></b><br>(Estimated)         | <i>Settlement of Bonds</i>                                                                                           |



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**WEST CHESTER AREA SCHOOL DISTRICT,  
Chester and Delaware Counties, Pennsylvania**

**RESOLUTION OF INTENT TO REIMBURSE THE SCHOOL  
DISTRICT'S CAPITAL RESERVE FUND FROM THE  
PROCEEDS OF BONDS TO BE ISSUED.**

**WHEREAS**, the Board of School Directors (the "Board") of West Chester Area School District (the "School District") has undertaken and will undertake capital projects consisting of planning, designing, acquiring and constructing alterations and improvements to the East Goshen Elementary School and other public school buildings and facilities (collectively, the "Projects"); and

**WHEREAS**, money in the School District's capital reserve fund (the "Capital Reserve Fund"), has been and will be used to pay preliminary or construction costs of the Projects until bonds, in the approximate, maximum principal amount of \$40,000,000 (the "Bonds"), are issued by the School District to permanently finance the Projects; and

**WHEREAS**, the federal Internal Revenue Code (the "Code") and related tax regulations impose restrictions upon the use of proceeds of tax-exempt obligations to reimburse the issuer for capital costs previously paid unless the issuer has made a declaration of official intent to reimburse itself for such costs before they are paid, or within 60 days after they are paid (with additional exceptions); and

**WHEREAS**, it was and continues to be the intent of the Board to reimburse its Capital Reserve Fund for expenditures made for the Projects, from proceeds of the Bonds.

**NOW, THEREFORE, BE IT RESOLVED:**

- 1.** The Board expresses its intent to undertake the Projects and to issue the Bonds to permanently finance the Projects.
- 2.** The Board declares that proceeds of the Bonds shall reimburse the Capital Reserve Fund for expenditures made for the Projects from the Capital Reserve Fund prior to the issuance of the Bonds.
- 3.** This Resolution shall constitute a "declaration of official intent" pursuant to Section 1.150-2 of the Treasury Regulations under Section 150 of the Code.

**DULY ADOPTED**, by the Board on July 22, 2019.

ATTEST:

WEST CHESTER AREA SCHOOL DISTRICT,  
Chester and Delaware Counties, Pennsylvania

\_\_\_\_\_  
Secretary of the Board

By: \_\_\_\_\_  
(Vice) President of the Board

(SEAL)

WCASD  
WCASD

## *MEMO from the Director of Business Affairs*

---

**Date:** July 17, 2019  
**TO:** Board Members  
**FROM:** John Scully  
**Subject:** Summary – RFP for Legal (Solicitor) Services

Attached you will find the RFP that the District intends to issue to solicit bids for legal services. I wanted to provide a brief summary of the process and what is included in the RFP.

- The review committee consists of: G. Bevilacqua, K. Campbell, L. Ranieri, J. Scully, B. Sokolowski, C. Tabakin and J. Ulmer
- The RFP would be sent out in early August
- The Board is slated to vote on awarding the RFP in October 2019

Included in the RFP:

- Section 1 – Intent – is to solicit legal services in the capacity of District Solicitor.
  - Written intentionally to allow the Board and Administration to continue to use the professional services of other attorney's for specialty type areas such (Special Education (Sweet Stevens) and Labor Relations (Fox Rothschild) as we have done in the past.
- Section 2- Qualifications – requires 10 years legal experience, and must demonstrate experience in all aspects of public school law.
- Section 3 – Scope –
  - 3.1(b) Details the types of documentation of credentials needed.
  - 3.1(c) States that the criteria in selecting legal counsel will be the provision of the highest quality and cost effective services (described in 3.1(d) and (e).
  - 3.2 – lists the services that the Solicitor may be required to perform.
    - Special Education and Labor Issues are listed (broadly) to allow the flexibility to use the solicitor when deemed appropriate for these types of matters.
- Section 4 – Timeframe - 5 years with a 5 year renewal clause with mutual agreement. Includes that the District has the right to terminate the engagement at any time with or without cause, with 60 days' notice.
- Section 5.3 – References – requires a minimum of 3 school district/governmental agency clients.
- Section 5.4 – Budget/Fee Proposal – requests a fee structure for the entire 5 year contract.
  - This is intentional to avoid firms using a lower first year fee tactic to gain access to the District and then increasing fees in subsequent years.
- Section 6 – lists the criteria to be used (in no particular order of importance) and includes:
  - Understanding/Experience of/with the scope of work required
  - Firms location
  - Fees
  - References

The remainder of the document lists the hold harmless, conflict of interest, disciplinary action, collusion, affirmative action and other exception clauses. This item will be discussed at the P&F committee meeting on Monday July 22 and will require Board action the same evening at the Board meeting. If you have any questions, please let me know.

**West Chester Area School District**  
**782 Springdale Drive**  
**Exton Pa, 19341**

**REQUEST FOR PROPOSAL (RFP)**  
**LEGAL SERVICES**

1. **INTENT & BACKGROUND**

The West Chester Area School District (the “District”) is soliciting proposals from qualified licensed law firms to represent the District in basic legal matters and litigation, excluding litigation handled by attorneys selected by school district insurance carriers and other items as designated by the Administration.

The District covers an area of approximately 75-square-miles and encompasses several communities in Chester County and one in western Delaware County. The School District’s boundaries are coterminous with those of the Borough of West Chester, and the Townships of East Bradford, East Goshen, Thornbury, West Goshen, Westtown and West Whiteland in Chester County and the Township of Thornbury in Delaware County. The Borough of West Chester, located in the geographic center of the School District, is the county seat for Chester County, and is approximately 25 miles west of Philadelphia. The Borough of West Chester is the financial and professional center for the surrounding area. The Townships are principally residential in character with regional shopping centers and industrial parks.

The District is comprised of ten elementary schools, three middle schools, three high school, an educational service center and a warehouse. Additional information may be obtained by visiting the District’s website at [www.wcasd.net](http://www.wcasd.net).

2. **QUALIFICATION REQUIREMENTS**

The solicitor firm and such other attorneys retained by the District shall meet or exceed the following minimum qualifications:

- 2.1 The attorney or firm retained must be properly licensed to practice law in the Commonwealth of Pennsylvania.
- 2.2 Any attorney performing services for the District must be admitted to practice in all of the state courts and administrative agencies of the Commonwealth of Pennsylvania. The firm must also have an attorney admitted to Federal District Court for the Eastern District of Pennsylvania.
- 2.3 The attorney acting as solicitor must have practiced law for a minimum of ten (10) years; but this provision shall not be construed as prohibiting the solicitor or primary District contact from assigning work to any attorney in his/her firm who may have less than ten (10) years’ experience as an attorney.
- 2.4 Any attorney or firm performing services as solicitor for the District must have demonstrable experience in most, if not all, of the following areas of public school law:

- Governance matters, including matters arising under the State Ethics Act, the Sunshine Act, the Open Records Act, Intergovernmental Cooperation Act, Local Government Unit Debt Act, the governance provisions of School Code, Roberts Rules of Order;
- Labor and employment laws, including laws relating to discrimination and certification requirements;
- Student issues, including discipline, admissions, attendance, special education, student civil rights, Title IX, discrimination due to gender, and religion in public school;
- Insurance issues including risk management;
- School construction projects and related debt and investments and bond counsel;
- Real estate, assessment appeals and environmental issues;
- Contracting, bidding and procurement issues;
- Compliance with applicable federal and state educational statutes;
- Fiscal issues, including school finance, investments, taxation, and collection;
- Provide ongoing legal services in the capacity of solicitor to at least three (3) other Pennsylvania school districts or municipal governments.
- If the firm is unable to provide service in an area identified above, state how the firm would provide consultative service from a secondary source.

### 3. **SCOPE OF SERVICES**

#### 3.1 **Selection and Appointment of Legal Counsel**

3.1(a) The District solicitor may be a firm or individual practitioner.

3.1(b) Prior to engagement, prospective legal counsel will be required to provide documentation of credentials, including:

- expertise in the area for which engaged;
- unique accomplishments/examples of excellence;
- positions of leadership in the field of education law;
- resumes of attorneys expected to provide services to the District;
- a list of current school district or municipal government clients and the primary contact for each client;
- other relevant information; and
- the proposed engagement letter or contract.

- 3.1(c) The primary criteria in selecting legal counsel will be the provision of the highest quality and cost effective services.
- 3.1(d) In determining the provision of the highest quality services, the Board will focus on documentation of credentials provided by prospective legal counsel. As a result, solicitor firms should highlight key issues, strengths, and priorities from their perspective.
- 3.1(e) In determining the provision of cost effective services, the Board will focus on:
- reasonableness of total fee charged in relation to services rendered and results produced; and
  - efforts or procedures to minimize overall costs by providing proactive or preventive services, recommending procedures that reduce attorney or administrator time spent on legal matters, use of paralegals where appropriate, collaboration with other attorneys in the same firm to avoid duplication of work and provide the best possible advice in the most efficient manner, and spreading costs on common issues among multiple clients.
- 3.2 The services that the District may require of a solicitor retained by the District may include the following:
- Attending public school board meetings;
  - Attending executive sessions;
  - Issuing opinions letters;
  - Preparing contracts, requests for proposals, or invitations to bid;
  - Preparing legal notices;
  - Preparing tax resolutions or other resolutions necessary for the business and affairs of the District;
  - Advise on legal special education matters;
  - Preparing grant applications;
  - Reviewing and/or preparing Board policies or administrative regulations;
  - Reviewing board agenda, treasurer's report, and investments;
  - Serving either as advisor to the Board or prosecuting attorney at school board hearings;
  - Providing legal advice and recommendations with respect to any issues, including such matters as governance, finance, property, pupils, student transportation, liability, construction, debt issuance, litigation, contracts, civil rights, and applicable laws, regulations and ordinances;
  - Working and cooperating with other legal counsel that may be retained by the District;
  - Working and cooperating with other professionals retained by the District;
  - Providing legal seminars and training to the school board, the administration and to other staff;
  - Providing periodic advisory communications on school law matters;
  - Providing summaries of contracts or insurance policies;
  - Reviewing new legislation and reporting on requirements any such legislation may impose on school districts;
  - Conducting legal audits of the District practices and/or policies;
  - Performing such other services that may be requested from time-to-time by the District; and

- Representation at meetings and before the Board on school law matters, including student discipline hearings, non-renewals, reduction-in-force, dismissal and expulsion hearings.
- If the firm is unable to provide service in an area identified above, state how the firm would provide consultative service from a secondary source.

#### 4. TIMEFRAME

The successful legal firm will be expected to commence the provision of services on or about December 2, 2019, and the term of the resultant contract will be for five (5) year and may be renewed by mutual agreement for up to an additional 5 years. However, the District reserves the right to terminate the engagement at any time, without cause, with sixty (60) days prior notice.

#### 5. PROPOSALS

##### Submission and Deadline

All proposals must be e-mailed to John Scully, Director of Business Affairs, at [jscully@wcasd.net](mailto:jscully@wcasd.net). Questions regarding this RFP may be directed to John Scully, Director of Business Affairs, at [jscully@wcasd.net](mailto:jscully@wcasd.net) by August 30, 2019. **Proposals are due no later than September 13, 2019 at 11:00 am.** Interviews of selected firms will be conducted the week of September 23, 2019. Board action to accept the successful firm is expected to occur on or before October 28, 2019.

All firms who are furnished a copy of this RFP, but who decide not to offer a Proposal to the District, are asked to submit a negative reply. Specific comments and observations are encouraged.

##### 5.1 Submittal Letter

Respondents shall submit a cover letter, addressed to the Director of Business Affairs, signed by an authorized principal or agent of the law firm, which provides an overview of the respondent's offer, as well as the name, title, and phone number of the person to whom the District may direct questions concerning the proposal. The letter should also include a statement by the respondent accepting all terms and conditions contained in this RFP, signed by an officer or other individual with authority to bind the firm.

##### 5.2 Experience

Respondents are to provide a summary of the firm's experience on similar types and sizes of engagements with emphasis on school districts in the State of Pennsylvania, and detail on experience with public sector employment law, and education law. This summary must include your firm's experience in the areas of services described in Section 3, Scope of Services, provide detailed resumes of persons proposed to work directly with the District and indicate the level of responsibility of each person (professional staff only). Resumes are to include educational qualifications and previous work assignments that relate to this RFP. The primary attorney and the attorney who would normally attend the Board of Directors' meetings and executive sessions is required to be named.



### 5.3 **References**

Legal firms must have a minimum of ten years' experience in all areas of law specified in the Scope of Services. A minimum of three (3) school district or municipal government client references, which encompass the areas outlined in this RFP, should be submitted. The client references must include the name of the organization, address, telephone number, individual contact person, contact person e-mail address, the dates services were performed, a description of the services provided, and the total legal spend each fiscal year for the past three (3) years.

### 5.4 **Budget/Fee Proposal**

All respondents are required to complete and submit a detailed itemized fee schedule and expected schedule of payment to perform all services. Suggested fee schedules could include blended hourly rates, straight hourly rates, retainers, flat fees, etc. Explain how the suggested fee schedule is the most cost effective way to serve the District. Each response may include the following for each year of the contract: (a) a single hourly rate for all partners and a separate single hourly rate for all associates; (b) an hourly rate for clerical, paralegal or other professional; and (c) a schedule of all out-of-pocket disbursements which you anticipate will result in a charge to the District, and the rate for each. Note that the District expects that these reimbursable charges will be charged at the firm's actual cost, without additional mark-up. The District is exempt from payment of excise taxes, transportation and sales taxes imposed by the Federal Government and/or State of Pennsylvania. Such taxes must not be included. List any expected changes to the fee proposal in the next three (5) years.

### 5.5 **Form of Contract**

The District intends to negotiate and enter into a contract with the most responsible legal firm whose proposal is determined to be in the best interest of the District. The form of contract for any award made as a result of this proposal will be a District purchase order, referencing this RFP, which shall be considered part of this contract. The amount will be based on the fees shown in this proposal, as modified if necessary during negotiations. If your firm will be requiring the District to sign an additional or separate contract, a copy of the proposed contract must be included with the proposal. In the event of a discrepancy between the firm's proposed contract and this RFP, the terms of this RFP shall govern.

## 6. **EVALUATION AND AWARD**

The following criteria will be used, without limitation and in no particular order of importance, in evaluating proposals and determining the most responsive legal firm:

- The legal firm's technical understanding of the scope of services and proposed professional services as evidenced by the proposal submitted;
- The background and experience of the legal firm in providing similar services as well as specific background, education, qualifications and relevant experience of key personnel to be assigned to this contract;
- Location of Firm's office;

- Proposed fees and costs, although the District is not bound to select the legal firm who proposes the lowest fees. The District reserves the right to negotiate fees with the selected legal firm;
- Information obtained by the District from firm's references or other clients; and
- Best interests of the District

Proposals in response to this RFP will be reviewed against the criteria listed above.

#### 6.1 Selection Procedures

- The District intends to enter into a contract with the most responsible responsive legal firm whose proposal is determined to be in the best interest of the District.
- The District reserves the right to reject any or all proposals or part thereof for any reason, to negotiate changes to proposal terms, to waive minor inconsistencies with the RFP, and to negotiate a contract with the successful legal firm.
- The District will evaluate all responsive and responsible proposals based on the criteria enumerated in Section 6 as referenced above. The District may afford firms the opportunity to clarify proposals for the purpose of assuring a full understanding of their responsiveness to the RFP.
- The District may conduct an interview of the legal firms it judges to be the most qualified to perform the services required based upon the criteria in this RFP. If so, legal firms will be notified in advance of the proposed interview date. Interviews will be conducted in person and are expected to occur during the week of September 23, 2019. Respondents are advised that the District reserves the right to award this contract solely on the basis of the submitted proposals.

#### 6.2 Legal Fees and Other Charges

- Fees and other charges shall be as set forth in any engagement letter or contract approved by the school board.
- Except for bond issues, other financing transactions, and other matters as specifically agreed, legal counsel will render monthly bills for services and costs. Periodic bills should:
  - clearly identify each attorney or non-attorney (timekeeper) performing the services for each entry;
  - indicate the amount of time expended by each timekeeper (broken down by task if working on more than one matter);
  - provide sufficient detail to readily allow the District to determine the necessity for and reasonableness of the time expended and the services performed;

- in summary form, indicate the current hourly rate of each timekeeper, the total time billed by each timekeeper, the product of the total time and hourly rate for each time keeper, and the total fee charged; and
  - provide a separate section detailing the expenses associated with the legal services and billed to the District.
- As described earlier, legal counsel shall provide prior notice of increases in hourly rates of timekeepers expected to perform work for the District.

## 7. **GENERAL REQUIREMENTS AND CONDITIONS**

### 7.1 **Insurance**

- Commercial General Liability, including Contractual Liability Insurance, with limits not less than \$1,000,000 per occurrence, \$2,000,000 aggregate. All, if any, deductibles are the sole responsibility of the selected Provider to pay and/or indemnify.
- Professional Liability Insurance including errors and omissions with a limit of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate. Any changes to the legal firm’s policy or carrier from year to year will include “Full Prior Acts” coverage.
- The West Chester Area School Board of Education is included as an Additional Insured, ATIMA under the Commercial General Liability and Employer’s Liability Insurance Policies. **THE UNDERLINED WORDING MUST BE SHOWN IN THE SPACE PROVIDED FOR “COMMENTS” ON THE ACORD INSURANCE CERTIFICATE.** (Additional Insured requirement is expressly waived for Workers’ Compensation and Professional Liability coverage.)
- Each insurance coverage named above shall provide not less than a 30-day notice of cancellation to the District. All policies shall be on the occurrence form. Any and all exceptions shall be reviewed by the District’s Director of Business Administration.
- It is further agreed that the amount of insurance required herein does not, in any way, limit the liability of the legal firm by virtue of its promise to hold the District harmless so that in the event that any claims result in a settlement or judgment in any amount above the limits set in Paragraph 7.1 herein, the legal firm shall be liable to, or for the benefit of, the District for the excess.
- Insurance requirements and coverage may be reviewed from time to time during the term of this contract and all extensions and renewals hereof. The legal firm agrees to comply with any and all reasonable insurance requirements or modifications made by the District’s Director of Business Affairs.
- Cancellation or other termination of insurance policies required by this Agreement without immediate replacement thereof may be considered a default in the terms and conditions of this Agreement. The legal firm agrees that such default may be cured by procurement of insurance on behalf of legal firm, at the legal firm’s expense, at District’s option.

7.2 **Hold Harmless Agreement**

In addition to its obligation to provide insurance as specified above, the legal firm, their consultants, agents and assigns shall indemnify and hold harmless the West Chester Area School Board of Education, including but not limited to, its elected officials, its officers, and agents from any and all claims made against the District, including but not limited to, damages, awards, costs and reasonable attorney fees, to the extent any such claim directly and approximately results from the wrongful, willful or negligent performance of services by the legal firm during the firm's performance of its Agreement. The District agrees to give the legal firm prompt notice of any such claim and absent a conflict of interest, an opportunity to control the defense thereof.

8. **CONFLICT OF INTEREST**

Respondents shall provide a statement that no conflict of interest exists in rendering service to and in representing the West Chester Area School Board of Education.

9. **PRINCIPALS/COLLUSION**

By Submission of a proposal, the legal firm does declare that the only person or persons interested in this proposal as principal or principals is/are named therein and that no other person other than therein mentioned has any interest in this proposal or contract to be entered into; that this proposal is made without connection with any person, company or parties making a proposal, and that it is in all respects fair and in good faith without collusion or fraud.

10. **DISCIPLINARY ACTION**

Respondents shall provide a statement that no attorney affiliated with respondent has, within five years from the date of submission, been disciplined by the Grievance Committees of the State or Federal Bar.

11. **AFFIRMATIVE ACTION STATEMENT**

As a condition of doing business with the District, the legal firm must comply with all Federal laws, state statutes and executive orders pertaining non-discrimination. All respondents, as part of their submission, must complete and submit the enclosed Affirmative Action Statement.

12. **ALTERNATIVES AND EXCEPTIONS**

Only slight additions or changes would be expected to be negotiated with the successful legal firm in order to resolve any variances between the proposal and the final contract. Legal firm may submit alternate proposals or take exceptions to this RFP which deviate from the RFP; however, alternates and exceptions shall be clearly identified as such, and shall include a discussion of the purpose and benefits to such alternate/exception, and the District is not bound to accept them if it determines that they are not in the best interest of the District.

13. **ADDITIONAL INFORMATION AND REVISION TO PROPOSALS**

Information may be provided to potential respondents for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Prospective respondents shall be afforded fair and equal treatment with respect to access to additional information and revision of proposals.

**West Chester Area School District  
782 Springdale Drive  
Exton Pa, 19341**

TO: All Vendors

FROM: Director of Business Administration

RE: Affirmative Action

The West Chester Area School District is an Equal Opportunity Employer. The Board of Education has made it a matter of policy that it will not transact business with firms which are not in compliance with all Federal and State Statutes and Executive Orders pertaining to non-discrimination.

In order to have your firm listed on our acceptable vendors list and thereby be eligible for consideration as a source for goods and services, please complete and return the following Statement of Policy to us.

**STATEMENT OF POLICY**

It is the employment policy of \_\_\_\_\_ that there shall be no discrimination against anyone on the grounds of race, creed, national origin, sex or age in the hiring, upgrading, demotions, recruitment, termination and selections for training.

In addition, this firm is in full compliance with the letter and intent of the various Equal Employment Opportunities and Civil Rights Statutes noted above.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signed (Name/Title of Company Officer)

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City/State/Zip Code

**West Chester Area School District  
Legal Services RFP Timeline**

|                                                                                                                                                                                                                                                      |                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| School Board approval to Prepare RFP for Legal Services                                                                                                                                                                                              | June 2019                         |
| Create evaluation committee <ul style="list-style-type: none"> <li>• G. Bevilacqua, K. Campbell, L. Ranieri, J. Scully, B. Sokolowski, C. Tabakin and J. Ulmer.</li> </ul> Establish RFP Criteria<br>Establish qualification/evaluation requirements | June 2019                         |
| Create Request for Proposal (RFP) document to include: <ul style="list-style-type: none"> <li>• Scope of work</li> <li>• Requirements</li> <li>• Timeline</li> <li>• Award criteria</li> </ul>                                                       | June/July 2019                    |
| Board approval of timeline and Request For Proposal                                                                                                                                                                                                  | July 22, 2019                     |
| Complete Advertising & Solicitation of Vendors                                                                                                                                                                                                       | Aug 1 – Aug 15, 2019              |
| Questions from Vendors to Committee                                                                                                                                                                                                                  | August 30, 2019                   |
| Vendor Proposals Due to WCASD                                                                                                                                                                                                                        | September 13, 2019                |
| Vendor interviews and follow ups by committee                                                                                                                                                                                                        | September 16 – September 27, 2019 |
| Committee Evaluate Proposals and Prepare Recommendation For P&F Committee                                                                                                                                                                            | September 16 – September 27, 2019 |
| Review of RFP results and “Proposed” Contract                                                                                                                                                                                                        | October 2019 P&F                  |
| Board Approval of “Proposed” Contract                                                                                                                                                                                                                | October 2019 Board Meeting        |