

The following sole source is being awarded, Pursuant to Section 515 of the Commonwealth Procurement Code, on behalf of the Pennsylvania State System of Higher Education ("PASSHE"). This request has been approved by the Chief Counsel of PASSHE, Karen Romano.

Agency Name: Pennsylvania State System of Higher Education

Procurement Description: Land Use Counsel for East Stroudsburg University

Estimated Cost: \$15,000

Initial Contract Term: Until receipt of the necessary land development approvals.

Supplier Name: Eastburn and Gray, P.C.

Statement of Work:

The university requires specialized outside legal counsel to provide advice and representation on local land development, zoning, and conditional use matters associated with the construction completion, certificate of occupancy and opening of the New University Center. These services include representation before municipal boards and governing bodies; interpretation, enforcement, and amendment of land development approvals and conditional use agreements; coordination with state agencies; and support related to any additional hearings or procedural requirements arising during project execution.

Justification:

Eastburn and Gray previously represented the university in connection with the original land development application and conditional use agreement for the university center. As a result, the firm possesses detailed knowledge of the project history, negotiated terms, municipal approvals, zoning conditions, and commitments made by the university, the borough, and other stakeholders. This familiarity is critical to ensuring accurate interpretation of existing approvals and maintaining consistency in the university's legal position as the project progresses. Retaining alternative counsel at this stage would require significant time and expense for review of extensive project documentation, municipal records, and prior negotiations, increasing the risk of delay, inconsistent interpretation, and procedural error. Given the evolving nature of the current land use issues and the need for prompt, informed legal guidance, continuity of counsel is essential