



# The New York State Contract Reporter

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## Contracting Opportunity

**Title:** Legal Services  
**Agency:** Hugh L. Carey Battery Park City Authority  
Legal  
**Contract Number:** TBD  
**Contract Term:** N/A  
**Date of Issue:** 10/14/2016  
**Due Date/Time:** 11/08/2016 3:00 PM  
**County(ies):** All NYS counties  
**Location:** Battery Park City  
**Classification:** Legal & Investigative Services - *Consulting & Other Services*  
**Opportunity Type:** General  
**Entered By:** Robert Nesmith  
**Description:** Description of Goods or Services to Be Bid

Battery Park City Authority d/b/a Hugh L. Carey Battery Park City Authority (“BPCA” or the “Authority”) is a forward-facing public entity that is confronted with many of the same legal issues as private corporations, in addition to the myriad of legal issues facing public entities. BPCA requests proposals (individually a “Proposal” and collectively the “Proposals”) from law firms, large and small (individually a “Proposer” and collectively the “Proposers”) that have demonstrable expertise in one or more of the following areas of law: (1) municipal/governmental entity representation, particularly in the areas of law described in items (2) through (7); (2) real estate; (3) land use, zoning and environmental; (4) procurement; (5) construction; (6) labor, employment and benefits; and (7) civil litigation (the “Legal Services”). Additional information with respect to the scope of the Legal Services is set forth on Exhibit A attached hereto. The purpose of this solicitation is to identify counsel that may be eligible to represent BPCA from time to time. Firms may apply to one practice area or multiple practice areas but may only submit one Proposal. Firms may not submit separate Proposals for each practice area for which the firm applies. In addition, Proposer’s must agree to render legal services at rates not to exceed those set forth in Section VIII of this RFP. This RFP shall not affect those law firms that are providing legal services to BPCA pursuant to an existing retainer agreement. However, all such law firms are encouraged to submit Proposals

in different practice areas, if so desired.

Interested parties may download the complete request for proposals (“RFP”) via the link provided below or by visiting BPCA’s website at [www.bpca.ny.gov](http://www.bpca.ny.gov) and clicking on the “Opportunities” tab. All Proposals must meet the requirements listed in the RFP.

As stated in the RFP, firms interested in responding to the RFP must complete the Mandatory Forms Packet located on BPCA’s website at <http://bpca.ny.gov/wp-content/uploads/2015/03/Vendor-ResponsibilityQuestionnaire.pdf> . The completed forms must accompany the firm’s proposal.

### **Restricted Period**

Proposers are restricted from making contact with anyone other than the Designated Contacts (identified below) during the period from the time of publication of this advertisement through approval of the procurement contract by BPCA (the “Restricted Period”). Employees of BPCA are required to record certain contacts during the Restricted Period, including, but not limited to, any oral, written or electronic communication with a governmental entity under circumstances where a reasonable person would infer that the communication was intended to influence the governmental entity’s conduct or decision regarding the governmental procurement, and to make a determination of responsibility based, in part, upon any such contact. Failure to abide by this process may result in a finding of non-responsibility.

### **Eligibility / Qualifications Requirements / Preferences**

Minority-Owned Business Enterprises (“MBE”), Women-Owned Business Enterprises (“WBE”) and Service-Disabled Veteran-Owned Business Enterprises (“SDVOB”) are encouraged to submit Proposals. All Proposers must submit with their proposal a copy of its Equal Employment Opportunity or Diversity policy along with a breakdown of all company staff by job classification, race and gender. For questions on MBE/WBE/SDVOB participation, joint ventures and sub-contracting goals ONLY, please contact “Diversity Designated Contact”: Mr. Anthony Peterson at 212.417.2337.

### **MBE/WBE UTILIZATION GOAL REQUIREMENTS FOR BPCA CONTRACTS:**

In accordance with Article 15-A of the New York State Executive Law and regulations adopted pursuant thereto, BPCA has established separate goals for participation of New York State Certified minority and women-owned business enterprises for all state contracts. BPCA is required to implement the provisions of Article 15-A and 5 NYCRR Part 143 for all state contracts (1) in excess of \$25,000 for labor, services, equipment, materials or any combination for the foregoing and (2) in excess of \$100,000 for real property renovations and construction. For purposes of this procurement, the Organization hereby establishes a goal of 15% for Minority-owned Business Enterprises (MBE) participation and 15% for Women-owned Business

Enterprises (WBE) participation. (We are happy to work with you to help you identify opportunities for M/WBE participation, joint ventures and sub-contracting). As a condition of this procurement, the Proposer and BPCA agree to be bound by the provisions of §316 of Article 15-A of the Executive Law regarding enforcement. Proposers must document “good faith efforts” to provide meaningful participation by certified M/WBE subcontractors or suppliers in the performance of the awarded contract. For guidance on how BPCA will determine a Proposer’s “good faith efforts,” refer to 5 NYCRR § 143.8. Additionally, Proposers must refer to Mandatory Forms of this document for a list of forms that must be provided in order to fully comply with Article 15-A of the New York State Executive Law and 5 NYCRR Part 143.

**SDVOB UTILIZATION GOAL REQUIREMENTS FOR BPCA CONTRACTS:** In accordance with Article 17-B of the New York State Executive Law and regulations adopted pursuant thereto, BPCA has established separate goals for participation of New York State Certified service-disabled veteran-owned business enterprises for all state contracts. BPCA is required to implement the provisions of Article 17-B and 9 NYCRR Part 252 for all state contracts (1) in excess of \$25,000 for labor, services, equipment, materials or any combination for the foregoing and (2) in excess of \$100,000 for real property renovations and construction. For purposes of this procurement, the Organization hereby establishes a goal of 6% for Service-Disabled Veteran-Owned Business (SDVOB) participation. (We are happy to work with you to help you identify opportunities for SDVOB participation, joint ventures and sub-contracting). As a condition of this procurement, the Proposer and BPCA agree to be bound by the provisions of 9 NYCRR §252.2 regarding enforcement. Proposers must document “good faith efforts” to provide meaningful participation by certified SDVOB subcontractors or suppliers in the performance of the awarded contract. For guidance on how BPCA will determine a Proposer’s “good faith efforts,” refer to 9 NYCRR § 252.2(s).

BPCA reserves the right to cancel or withdraw in whole or in part this RFP at its sole discretion. Proposers will be notified in the event the RFP is cancelled via the BPCA website.

**Minority Owned Sub-Contracting Goal: 15%**

**Women Owned Sub-Contracting Goal: 15%**

**Service-Disabled Veteran-Owned Business Contracting Goal: 6%**

## Contact Information

**Primary contact:** Hugh L. Carey Battery Park City Authority  
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**Supporting document shown below:**

The following supporting documents are available for download:

Document title	Description	Type
RFP	Legal Services	pdf

To download these documents, please visit the New York State Contract Reporter website: <http://www.nyscr.ny.gov>

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