



NYS' official source of contracting opportunities
Bringing business and government together

Contracting Opportunity

Title: Legal Services

Agency: Hugh L. Carey Battery Park City Authority

Division: Procurement

Contract Number: TBD

Contract Term: 3 years, with a BPCA option to extend the panel for 1 additional year (subject to the approval of BPCA's Board)

Date of Issue: 01/22/2019

Due Date/Time: 02/22/2019 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: BPCA hereby requests proposals (a "Proposal" or the "Proposals") from law firms and practitioners, large and small, (individually a "Proposer" and collectively the "Proposers") to provide legal representation to BPCA in various areas of the law. BPCA seeks proposals from Proposers with demonstrable expertise in one or more of the following areas of law (including, in each instance, litigation capabilities):

- (1) general corporate law and corporate governance;
 - (2) real estate and land use;
 - (3) residential and commercial landlord/tenant
 - (4) environmental;
 - (5) construction;
 - (6) labor & employment;
 - (7) general litigation (other than personal injury litigation);
 - (8) public finance
- (all such services collectively, "Legal Services")

Additional information regarding the scope of the Legal Services is set forth in

the Scope of Work, attached hereto as Exhibit A. BPCA reserves the right to assign firms with demonstrated expertise in one area of law to a legal matter that may cross over to subject matter areas typically covered by firms with expertise in other practice areas. Proposers may submit Proposals to provide Legal Services in one or multiple practice areas, but may only submit one (1) Proposal, which should clearly identify the practice areas for which the Proposer seeks to be considered.

The purpose of this solicitation is to identify a panel of pre-qualified counsel and law firms that would be eligible to represent BPCA in legal matters from time to time. Inclusion on the pre-qualified legal counsel list does not mean or imply that any firm will in fact be selected or engaged to provide legal services to BPCA. Such selection and engagement will take place only when a need for outside legal counsel arises. The purpose of the pre-qualified list is to procure legal counsel available for engagement on short notice.

This solicitation **does not** modify or affect existing retainer agreements. However, any firm, including those currently providing services to BPCA, **must submit a Proposal** if they wish to be pre-qualified to provide paid legal services to the BPCA under a future contract issued pursuant to this RFP.

In the event that the principal partners and attorneys identified as being responsible for BPCA's matters or other key members of a pre-qualified firm's team in a particular area of expertise, leave the prequalified law firm, the pre-qualification will "follow" these key law firm member(s). Similarly, if a pre-qualified firm combines with another firm and such principal partners and other attorneys remain with the newly combined firm, the newly combined firm will be considered to be pre-qualified in that area of expertise.

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 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 0% for Minority-owned Business Enterprises (MBE) participation and 0% 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 0% 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.

Service-Disabled Veteran-Owned Set Aside: No

Minority Owned Sub-Contracting Goal: 0%

Women Owned Sub-Contracting Goal: 0%

Service-Disabled Veteran-Owned Business Contracting Goal: 0%

Contact Information

Primary contact: Hugh L. Carey Battery Park City Authority
Legal
Battery Park City Authority
Lauren Murtha
Paralegal
200 Liberty Street
24th Floor
New York, NY 10281
United States
Ph: 212-417-4122
lauren.murtha@bpca.ny.gov

Submit to contact: Hugh L. Carey Battery Park City Authority
Legal
Battery Park City Authority
Lauren Murtha
Paralegal
200 Liberty Street
24th Floor
New York, NY 10281
United States
Ph: 212-417-4122
Lauren.murtha@bpca.ny.gov

Supporting document shown below:

The following supporting documents are available for download:

Document title	Description	Type
Legal Services	RFP	pdf

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

© 2019, Empire State Development <http://www.esd.ny.gov/>