

**THE FIELD LIBRARY
REQUEST FOR PROPOSALS
FOR
LEGAL COUNSEL**

SUMMARY

The Field Library requests proposals from private law firms to provide various legal services for The Field Library and its Board of Trustees. Minority owned and women-owned firms are strongly encouraged to apply.

AGENCY DESCRIPTION

The Field Library is part of the Westchester Public Library System. It is an association library that serves customers seven days a week. The Library provides several programs and resources to Peekskill and Town of Cortlandt customers including homework help; a teen tech program, adult literacy and programming; a computer center and gallery.

SCOPE OF WORK

The Attorney/Legal Firm shall be required to perform all legal services for The Field Library's Board of Directors, and the Library Director, on an as-needed basis.

- Provide legal research and/or advisory opinions as needed.
- Review and/or draft all contracts, inter-Local and Inter-Agency agreements
- Attend Board of Trustee meetings, as necessary
- Be readily available for meetings with the Board President, representatives of the Board of Trustees and the Library Director upon request
- Advise The Field Library's Board of Trustees of changes in county, state and federal law and regulations, as well as court decisions, which will impact the library
- Review and advise for legal notices, resolutions, Board policies and matters of library governance
- Review and advise with matters including, but not limited to procurement and service contracts, bid specifications, bidding matters, preparation and execution of contracts and contract disputes solution
- Provide advice and counsel on all matters related to staff including discipline attendance, adherence to rules and regulations, etc.
- Representation of the Board with respect to matters involving interface with the municipal governing body, including planning and adjustment boards, financial matters, jurisdictional matters, etc., and with state agencies such as DOE, DASNY, State Library, as needed
- Provide assurance statements as required for financial audits, bonding matters and grant compliance
- Represent the library in mediation, upon request
- Advise the Board in legal matters with respect to labor relations and personnel administration
- Review grievances with the administration and assist in writing administrative

responses to the same

- Represent the Board in all arbitrations, administrative proceedings, court proceedings, etc. involving labor relations or personnel administration
- Advise the Board on employment, employee discipline, seniority, tenure and other personnel administration matters
- Advise on proposed contract language and prepare final contract documents upon settlement and ratification of tentative agreements.

QUALIFICATIONS

The principals and associates of the firm who provide legal services must be properly licensed by the State of New York to practice law in the State. The Attorney shall furnish the Board with a curriculum vitae/firm resume that evidences a minimum of ten (10) years of experience in the representation of public entities, including public libraries, boards of education or municipalities. The Board is seeking a candidate that has significant experience and familiarity with State and Local Government practices and rendering legal services to public entities. The Board will schedule an interview of qualified candidates.

PROPOSAL CONTENTS

Any firm responding to this RFP must submit its proposal via e-mail in one electronic document. A specific outline must be followed in order to facilitate The Field Library's review and evaluation of the responses received. A response to this RFP must include the following sections in the order listed:

1. Transmittal letter
2. Executive Summary
3. Firm's Expressed Understanding of the Services Required
4. Firm's Detailed Cost Projection (if the attorney/firm is requesting a retainer, a detail of what the retainer will cover must be included)
5. Firm's Responses to the Questions set forth below.

RFP QUESTIONS

A. Background:

1. Briefly describe your firm's background, size, and history pertinent to the requested services in this RFP. Indicate which office will service The Field Library
2. Describe the relevant special services your firm provides, particularly those that may not be offered by other law firms.
3. Within the past three years, have there been any significant developments in your firm such as changes in ownership or restructuring? Do you anticipate any significant changes in the future? If so, please describe.
4. What is your firm's policy as to continuing legal education for its attorneys?

5. Has your firm or an attorney in your firm's employee ever been disciplined or censured by any regulatory body? If so, describe the principal facts.
6. How does your firm identify and manage conflicts of interest?
7. Are there any potential conflict of interest issues for your firm in servicing The Field Library? If so, describe them.
8. Within the last five years, has your firm, or a partner or attorney in your firm, been involved in litigation or other legal proceedings relating to the provision of legal services? If so, provide an explanation and indicate the current status or disposition of the proceedings.
9. List any professional or personal relationships your firm's attorneys may have with the trustees and or staff members of The Field Library.
10. Describe your legal team's experience with similar work performed for other library public. State whether or not the attorneys assigned to this team have any responsibilities other than providing legal services, and if so, specify such responsibilities.
12. Please describe your firm's backup procedures in the event one of more attorneys assigned to The Field Library leave the firm. Identify the key attorney who will be the primary contact and lead counsel in providing services to The Field Library, whose continuing status as such is an essential element of any contract.

B. References:

Provide three client references for which your firm has performed work similar to that requested in this RFP, within the past three years. Provide each client's in-house counsel's (or, if none, CEO's) name, address and telephone number. One reference must be a public entity.

C. Previous Clients:

Identify all public sector clients who have terminated their working relationship with you in the past five years and a brief statement of your understanding of their reasons for doing so. Provide each such client's in-house counsel's (or, if none, CEO's) name, address and telephone number.

D. Insurance and liability:

1. What limitation on liability, if any, do you impose through your contract?
2. Describe the levels of coverage for legal malpractice insurance and any professional liability insurance your firm carries. List the insurance carrier(s) and each carrier's rating by a nationally recognized service.
3. Describe your firm's disaster recovery plan and facilities.

E. Fees:

Describe in detail the billing rates, practices and policies of your firm that would apply if your firm were engaged to serve as The Field Library's outside counsel. Provide hourly rate for partners, associates and paralegals.

F. Appendices:

Appendix A – Biographies

Include biographies for all attorneys listed in your proposal. Indicate what year each attorney joined your firm and describe his or her position, current responsibilities, areas of expertise, experience, education, professional designations and memberships, and relevant publications and presentations dealing with the representation of public pension clients.

Appendix B – Sample Contract or Agreement

Attach a sample contract or agreement your firm uses for association library legal services.

G. Other Information:

Describe any other processes, and provide any additional information, that you believe to be relevant to this RFP and your capability to provide the services requested.

PROPOSAL SUBMISSION

In order to be considered for selection, Ms. Jennifer Brown must receive proposals via e-mail in Adobe Acrobat format at jbrown@wlsmail.org, no later than 4:30 p.m., on Friday, September 28, 2018. An e-mail confirmation will be sent confirming receipt of the proposal.

Proposals will be confidential during the selection process. Upon completion of the selection process, all responses, including that of the firm selected, will be a matter of public record.

AGENCY CONTACT AND SELECTION PROCESS

Prospective respondents who may have questions regarding this RFP may e-mail Ms. Jennifer Brown, Executive Director at jbrown@wlsmail.org by Friday, July 27, 2018. **Please reference the “Outside Legal Counsel RFP” in your communication.** The question (without identification of the questioner) and the answer will be e-mailed to all parties who have contacted Ms. Brown via e-mail indicating interest in responding to the RFP.

Following a review of submitted materials, selected firms should be prepared to make a

possible presentation to The Field Library in conjunction with the next meeting of the Board. All costs of responding to the RFP, including any travel expenses incurred, are at the cost of the responder.

Rights Reserved. This RFP does not obligate The Field Library to complete the RFP process. The Field Library reserves the right to amend any segment of the RFP prior to the announcement of a selected firm. In case of such amendment, all respondents will be afforded the opportunity to revise their proposals to accommodate the RFP amendment. The Field Library also reserves the right to remove one or more of the services from consideration for this contract should the evaluation show that it is in The Field Library's best interest to do so. The Field Library also may, at its discretion, issue a separate contract for any service or groups of services included in this RFP. The Field Library may negotiate additional provisions to the contract awarded under this RFP.

Objective of the proposal evaluation process. The evaluation process will be structured to secure highly skilled, diligent, responsive and experienced professional personnel who will be effective in providing the high quality of legal services that The Field Library desires. The primary objective of the evaluation process is to select a firm/attorney that:

- Clearly demonstrates a thorough understanding of the scope of the engagement and the specific responsibilities entailed;
- Possesses adequate resources to handle assigned responsibilities and to handle extenuating circumstances that may arise;
- Assigns highly skilled, experienced, diligent, responsive, and professional personnel to perform the required duties;
- Maintains high ethical standards and reputation;
- Is competitive in terms of fees; and
- Has no conflict of interest existing between The Field Library and other clients.
- The past performance of the attorney's proposed methodology has been documented
- The attorney's proposal reflects that the attorney is knowledgeable in the areas of law affecting the Library, including but not limited to, procurement practices, employment matters and general litigation procedures

SCHEDULE

The following schedule may be changed if necessary. If the schedule changes, affected responders will be notified by mail. In no event will the dates listed below be changed to earlier dates.

RFP Issuance on:	July 13, 2018
Written questions from respondents must be received by:	July 27, 2018

Answers to written questions will be disseminated on:	August 3, 2018
Proposals due:	September 28, 2018
Finalists' presentations to board of trustees (if necessary):	To Be Determined
Contract awarded on:	November 1, 2018

RULES REGARDING CONTACT

The proposal period begins on July 13, 2018 and ends on October 31, 2018.

The Field Library reserves the right to request additional information from any or all-responding legal counsel to assist it in its evaluation process. However, *during the proposal period, no responding legal counsel or any person acting on behalf of a responding legal counsel may contact The Field Library, any individual trustee, or The Field Library staff member, other than the contact person specified above, by e-mail.* No responding legal counsel may, at any time, attempt to influence the evaluation other than by a properly submitted response to this RFP or to a formal request for information or presentation.

Current legal service providers who are responding to this RFP are expected to limit their contact for business transactions to The Field Library employees with whom they ordinarily interact and to avoid direct contact with Trustees or other staff during the proposal period.

Violation of these rules of contact constitutes grounds to reject the proposal of any offender.

INDEMNIFICATION

The attorney/law firm shall indemnify and hold the Library harmless for any and all claims, injuries and damages, including the reimbursement of reasonable attorneys' fees and cost of litigation that may occur as a result of the provision of legal services to the Library.