

VILLAGE OF OSSINING

MUNICIPAL BUILDING

16 Croton Avenue
Ossining, N. Y. 10562

(914) 941-3554 - FAX (914) 941-5940

www.villageofossining.org

VILLAGE OF OSSINING REQUEST FOR PROPOSALS LABOR COUNSEL SERVICES

Proposal Submission Deadline: Friday, September 29th, 2023 at 5:00 pm

The Village of Ossining invites interested law firms to submit written proposals to provide labor counsel services to the village. Under the supervision of the Village Manager, the selected law firm will provide legal advice to the Village Board of Trustees, the Village Manager and Village's Personnel Office. It is anticipated that, subject to approval by the Board of Trustees, the selected law firm will begin providing labor counsel services on or about January 1, 2024.

The Village of Ossining is located on the Hudson River approximately 35 miles north of New York City. The village was chartered by the New York State Legislature in 1813 and is one of the few charter villages in the state. The village has approximately 185 full time employees, consisting of 19 senior staff/departments heads/board members, approximately 108 employees covered by an agreement with the Civil Service Employees Association (CSEA), and approximately 58 uniformed police officers represented by the Police Benevolent Association (PBA). The village primarily operates out of five buildings: 16 Croton Avenue (Village Hall), 95 Broadway (Joseph G. Caputo Community Center), 86-88 Spring Street (police headquarters), 101 Route 9A (Operations Center), and 25 Fowler Avenue (Indian Brook Water Treatment Plant). The Village's 2023 annual budget totaled approximately \$57,000,000. The Village operates under a Village Manager form of government where the manager is the Chief Administrative Officer.

The Village's Board of Trustees ("Board"), which has five members including the mayor, who are each elected to two year terms and meet the first and third Wednesday of the month at 7:30 pm for Legislative Meetings. The Board conducts work sessions on the second and fourth Wednesday of the month, also at 7:30 pm. These meetings are often followed by executive session, where matters pertaining to personnel may be discussed. While it is not anticipated that labor counsel will need to attend these meetings on a regular basis, there may be an occasional meeting where attendance by labor counsel will be necessary to advise the Board. Labor counsel should also be available to confer with members of the

Village Manager's Office, the Police Chief and the Personnel Office to discuss legal matters that pertain to the personnel function and labor relations issues.

As noted, labor counsel will report to the Village Manager. There also will be frequent contact with the village's Director of Personnel, who is the village staff member responsible for the oversight of the personnel function for the entire Village, and additionally with the Chief of Police on personnel and labor matters that involve the Police Department. Labor counsel will also confer, as needed, with the Corporation Counsel and members of the Board of Trustees.

The anticipated representation to be provided by labor counsel will include:

- Attend meetings and executive sessions of the Village Board of Trustees, as needed. Represent and advise the village in collective bargaining matters and negotiate terms following consultation with the Village Board and staff. The Village's CSEA agreement runs through December 31, 2024 and negotiations are expected to begin in early or mid 2024. The Village is awaiting a decision on interest arbitration involving the PBA with the last contract running through December 31, 2019 and negotiations will likely also begin in early or mid 2024.
- Represent and advise the village in disciplinary matters and hearings governed under NYS Civil Service Law, Westchester Police Act and other laws and regulations of the public sector.
- Advise the Village Board of Trustees and staff on existing and new policies and laws that relate to the employment and personnel matters.
- Represent the village in federal, state and county court and administrative proceedings, including but not limited to Equal Employment Opportunity Commission, New York State Division of Human Rights, New York State Public Employee Relations Board and Westchester County Human Rights Commission, related to personnel matters. The decision assigning such matters to labor counsel will be made on a case-by-case basis. It is anticipated that such assignment will be a contracted hourly rate beyond the established fee.
- On an emergency basis, lead counsel should be reachable by cell phone outside of normal business hours.

Proposal Form and Content

The proposal shall provide a concise description of the applicant's capabilities to satisfy the requirements of this Request for Proposals. The proposal should not exceed ten (10) pages and should include the following information, accompanied by a transmittal letter addressed to Karen D'Attore, Village Manager, signed by an individual authorized to bind the applicant to the proposal:

- Describe how the applicant proposes to provide labor counsel services to the Village, including designation of lead attorney and listing other attorneys and/or paralegals expected to provide the legal services required. Please submit a CV or summary of applicable work for each attorney that would be assigned to this account.
- Please explain what services the applicant expects to receive from the village (ex: prompt notification of labor/ personnel issues, etc.)

- If a monthly retainer fee is contemplated, include the proposed monthly fee and describe the services to be included. If the proposal is for an hourly rate, please provide the hourly rate and fee schedule including travel time. Delineate which out-of-pocket expenses will be billed separately and provide a proposed rate for same. Please also include rates for paralegal services.
- If there is a separate hourly fee schedule for litigation and administrative matters, please provide these rates as well.
- Describe the firm's experience in providing the legal services described in this Request for Proposals. This should include a discussion of the number of disciplinary proceedings conducted, including proceedings under the Westchester County Police Act. Also, please provide a listing of labor contracts the firm has negotiated for a municipality within the past five years, including the labor organizations that were involved in each.
- Provide contact information for three current or prior municipal clients.
- Describe the firm's process for keeping municipal clients apprised of pertinent changes in federal and state law, and describe what (if any) compliance training the firm offers for clients.
- Please confirm that the firm would be able to assume the role of Labor Counsel to the Village of Ossining on or about January 1, 2024.
- Produce two writing samples, preferably from a disciplinary proceeding, arbitration/ unfair labor practice and court case.

Conditions:

Village Administration, along with Corporation Counsel and Director of Personnel, will conduct preliminary evaluations of all submissions for compliance. Any submissions that do not comply with the requirements of the RFP may be disqualified.

Village staff and members of the Board of Trustees may wish to conduct interviews with candidates following RFP submission.

Once consensus is reached, Village staff will make recommendation to the Village Board of Trustees and contract negotiations may begin. Prior to contract execution, the Village of Ossining reserves the right to halt or terminate negotiations at any time.

Anticipated Schedule:

- RFP Released: August 10, 2023
- Deadline for Questions: September 14, 2023
 - All questions must be directed, in writing, to
KDattore@villageofossining.org
- Deadline to Submit Proposal: September 29, 2023 by 5:00 pm.
- Interviews: Week of October 9 and October 16, 2023
- Recommendation to Board of Trustees: October 25, 2023
- Resolution for Appointment of Labor Counsel effective January 1, 2024:
November 1, 2023

How to Apply

The Village of Ossining is an Equal Opportunity/Affirmative Action Employer

- Please send 4 (four) hard copies to
Karen D’Attore, Village Manager, Village of Ossining
16 Croton Avenue, 2nd Floor Ossining, New York 10562
- In addition, please send an electronic copy of the proposal to KDattore@villageofossining.org with the subject line “Village of Ossining Labor Counsel Services RFP Response.”

No flash/ thumb drives may be accepted.

The deadline for submission of proposals is September 29th, 2023 by 5:00 pm.

Thank you in advance for your interest. If you have any questions or need additional information, please contact Village Manager Karen D’Attore at (914) 941-3554.