

OFFICE OF THE TOWN ATTORNEY
TOWN OF OYSTER BAY
NASSAU COUNTY, NEW YORK

REQUEST FOR PROPOSALS
FOR
FEDERAL LOBBYING AND GRANT ADVOCACY MATTERS

NOTES:

1. ISSUANCE DATE: October 28, 2024
 2. THIS RESPONSE IS DUE BY: November 27, 2024
[Consideration will only be given to responses received at or before 2:00 p.m. EDT on
November 27, 2024]
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PROJECT NAME: **FEDERAL LOBBYING AND GRANT ADVOCACY MATTERS**



AUTHORIZED CONTACT PERSON

Prospective firms are advised that the authorized Town of Oyster Bay contact person for all matters concerning this Request for Proposals (the “Request” or “RFP”) is:

Frank M. Scalera, Town Attorney
54 Audrey Avenue
Oyster Bay, NY 11771
Telephone: (516) 624-6150 – Fax: (516) 624-6196
Email: fscalera@oysterbay-ny.gov

INTRODUCTION

In accordance with the General Municipal Law § 104-b and the Town of Oyster Bay’s Procurement Policy, the Office of the Town Attorney of the Town of Oyster Bay (the “Town”) is seeking proposals from qualified individuals or law firms interested in Federal level lobbying services for the identifying of Federal grant opportunities and to monitor and facilitate the progress of funding/grant applications through appropriate agencies on behalf of the Town, when requested.

The scope of the anticipated services and required experience and knowledge are more fully described below.

FORM OF PROPOSALS

Proposers must submit three (3) copies of their firm’s resume, individual’s credentials, and representative case work.

At a minimum, proposing firms should expansively and thoroughly address the following subjects as a part of their proposal:

1. *Proposer Profile: Organization, Capacity, Staffing, Resumes*

Provide a complete description of the firm’s organizational structure, and capacity to provide and support the proposed services; resumes of the proposed personnel (quality/demonstrated skills of proposed personnel); and a clear description of potential resource utilization methods and approach to the litigation.

2. *Related Experience*

Describe any prior public sector experience, project management and implementation qualifications and related experiences of the proposer including references, organizational and

technical capacity, and outcome/results of services provided to other similar clients of similar size; comprehensive description of why the proposer can perform the tasks defined in the RFP.

Proposers should also conduct a conflicts check prior to submitting a response to this Request. Kindly indicate the result of such conflicts check in the body of your firm's response.

Finally, the firm's proof of professional liability insurance shall be provided with the firm's response.

Description of Services Required

The Town requires the services of a firm to represent the Town in legislative matters at the Federal level for projects identified by the Town, and securing Federal funding. Such agenda will include all areas of the Town government, including, but not limited to solid waste disposal, telecommunications, parks and recreational services, economic development, senior affairs, highways and transportation, infrastructure, disaster management, grants, eminent domain, and matters that restrict the powers of the Town.

The successful firm must be available at all times to meet with the Town and its staff, including but not limited to the Office of Town Attorney in order to perform the responsibilities assigned, to attend all meetings, represent the interests of the Town and act as a liaison between the Town and all branches, departments and agencies of the Federal government.

The successful proposer will be responsible for the following:

1. Provide grant writing, advocacy, and consulting services;
2. Develop a plan to pursue funding for projects that are beneficial to the Town and coordinate meetings as necessary;
3. Working closely with the Town and its staff to provide counsel and strategy for obtaining appropriate and available funding for the Town;
4. Identify Federal grant opportunities; monitor and facilitate the progress of funding/grant applications through appropriate Federal agencies on behalf of the Town, when requested;
5. Identify and aggressively act to obtain funding for Town projects;
6. Review on a continuing basis all existing and proposed Federal policies, programs and legislation. Identify those issues that may affect the Town

and its residents and regularly inform the Town on these matters; and

7. Report to the Town and its staff on the firm's activities when requested to do so.

Minimum Qualifications and Experience:

1. Firms must have proficiency in Federal legislative and administrative law, rules and regulations regarding the lobbying for and the evaluating and obtaining of Federal grant monies available to the Town.
2. Firms must be authorized to do business in the State of New York, but do not necessarily need to be based in New York.
3. Firms must have experience providing the required services for municipal governments for at least five (5) years, and shall provide to the Town the names of such governments and references that may be contacted by the Town.
4. Supervisory-level personnel at the successful firm must have at least ten (10) years' experience in providing the required services.
5. Firms must demonstrate success in providing lobbying services in regard to the passage of legislation and in the receiving of Federal grants and other funding.
6. Firms must demonstrate the firm's knowledge and expertise in legislative bill review and analysis, budget processes, educating clients on the impact of legislation, advising clients on courses of action, conducting legislative histories and consultation with municipal attorneys' offices.

QUALIFICATION BASED SELECTION PROCESS

The Town, after receipt and review of responses to this RFP, reserves the right to reject any or all proposals based upon the information provided by the firm(s) in their proposal(s) and based upon subsequent negotiations between the Town and the firm(s). The review process is based on the qualifications of the firm for the nature of the services solicited under this RFP, as guided by the Town's Procurement Policy, adopted by Town Board Resolution #154-2021, a copy of which is available at <https://oysterbaytown.com/wp-content/uploads/AdoptedResos030921.pdf>.

In reviewing the proposals, the following factors will be considered, without limitation:

1. Magnitude, scope, and complexity of the services to be rendered;
2. Experience of the firm in assignments of similar size, scope, and complexity;
3. Special knowledge relevant to the project;
4. Size, staffing, resources, and financial capability of the firm vs. the size of the assignment;
5. Past performance with the Town, if any;
6. Firm's current workload with the Town; and
7. Acceptability and efficacy of proposed analysis, management and implementation methods and procedures and supporting systems for ongoing project management and implementation support, previous engagements of similar scope and quality, description of recommendations and alternative approaches that the Town might use to improve its management process including rationale for the recommendations or alternative approaches.

Insurance Required

The firm shall procure and maintain during the term of any agreement resulting from this RFP, commercial general liability insurance covering the liability of the firm, and indemnifying and holding harmless the Town, its agents, employees and representatives from any and all loss and/or damage arising out of the performance of the services with a combined single limit (bodily injury/property damage) of One Million Dollars (\$1,000,000). The Town shall be named as additional named insured on said policy; and

A policy of professional liability insurance having a general aggregate limit of liability of at least Two Million Dollars (\$2,000,000.00); and

All required Workers' compensation insurance and disability coverage pursuant to the relevant state's workers' compensation laws.

CRITERIA FOR EVALUATION

It is expressly acknowledged that the quality of the services to be rendered is of paramount importance to the Town of Oyster Bay. However, it is further expressly acknowledged that the cost of the services to be rendered is a substantial concern because the Town seeks effective representation at reasonable rates.

USE OF SUB-CONSULTANTS AND OTHER SUBORDINATE ENTITIES

Prospective firms are advised that the Town will entertain proposals that include the use of sub-consultants and/or other subordinate entities, i.e. experts. Under no circumstances will an expert or other consultant be retained without the express prior authorization of the Office of the Town Attorney.

FAMILIARIZATION WITH CURRENT PROGRAMS, FACILITIES, AND DOCUMENTS

It is the sole responsibility of the prospective firms to familiarize themselves with the Town's current programs, facilities, documents and any other information which is necessary and relevant to the scope of this RFP. Upon sufficient and reasonable advance notice to the contact person named above, arrangements may be made to visit and inspect any involved Town facilities and/or to view applicable documents.

It is understood that the familiarization of current programs, grants, facilities and documents is of paramount importance for a firm seeking to lobby for and obtain Federal grant funding for the Town of Oyster Bay.

PAYMENT AND CLAIMS

Payment for services rendered is made on a monthly basis, following submission of an invoice and Town claim form, which is subject to review and audit by Town personnel.

Disbursements, such as filing fees and postage, shall be billed, and will be paid, at cost. The proposal shall include a description of services offered and pricing for each service. The Town is not establishing any specific fee or cost structure for the required services. The proposal shall include pricing hourly or as a flat rate. All disbursements shall be documented by the submission of copies of receipts or other proof of payment.

The Town makes no representation of the actual value of the work under this RFP. Further, as part of the award process, a maximum dollar amount may be determined and may be incorporated into the agreement that is awarded pursuant to this Request for Proposals. The Town further states that it also makes no representation that actual services required will be for the full maximum dollar amount incorporated into the agreement.

PROPOSAL SUBMISSION INSTRUCTIONS

Each proposal shall be prepared simply and economically avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete, accurate, and reliable presentation.

The proposals must be signed by an individual who is authorized to bind the Firm to all commitments made in the proposal. Responses will be accepted by e-mail to the Authorized Contact Person, provided that hard copy submissions are postmarked by the deadline established herein. Copies of e-mailed proposals should also be sent to Deputy Town Attorney, Jeffrey A. Lesser, Esq. (jlesser@oysterbay-ny.gov) and Deputy Town Attorney, Paul S. Ehrlich (pehrlich@oysterbay-ny.gov). Proposals received after the above date and time will not be considered. The Town is under no obligation to return proposals.

It is each Proposer's responsibility to carefully review all requirements of the RFP, including the scope of work, the specification and terms and conditions. It is further the proposer's responsibility to ask questions, request clarifications, or otherwise advise the Town if any language, specifications or requirements of this RFP appear to be ambiguous, contradictory, or vague. Any questions must be submitted by e-mail only by November 20, 2024.

Although the Town will make best efforts to respond to any question(s) received by the deadline established above, the Town is under no obligation to respond to such questions, inquiries or assertions. Note that all questions, and all corresponding answers, if any, will be shared with all prospective firms.

Proposers will submit all proposals and direct all responses, questions and any other communications to the following contact person:

Frank M. Scalera, Town Attorney (fscalera@oysterbay-ny.gov)

with copies to

Jeffrey A. Lesser, Esq., Deputy Town Attorney (jlesser@oysterbay-ny.gov); and
Paul S. Ehrlich, Esq., Deputy Town Attorney (pehrlich@oysterbay-ny.gov).

Please indicate in the subject line of any email "Federal Lobbying and Grant Advocacy Matters."

No contact with any other Town personnel other than as outlined in this RFP is permitted until such time as an award has been made by the Town Board.

OTHER GENERAL INFORMATION

1. Incurred Costs: The Town shall not be liable for any costs incurred in the preparation and production of a proposal in response to this RFP or for any work performed prior to the issuance of a contract.

2. Rejection of Proposals: This RFP does not commit the Town to award a contract, or to procure, or to contract for services or supplies. The Town reserves the right to award this contract to the proposer(s) that best meet the requirements of the RFP. The Town reserves the right to accept or reject any or all proposals received as a result of this request; to negotiate with all qualified sources, or to cancel in part or in its entirety this RFP if it is in the interests of the Town to do so.

3. Addenda to Request for Proposals: Amendments to this RFP may be necessary prior to closing date and will be posted on the Town website: <http://oysterbaytown.com/doing-business-with-the-town>. It is the sole responsibility of proposers to review that website for addenda prior to making any proposal; the Town will not directly contact interested firms to advise of any amendments to this Request.

4. Contract Negotiations: The Town intends to enter into contract negotiations with the firm selected by the Town Board, and said firm may be required to enter into a written contract with the Town in a form approved by legal counsel for the Town.

5. Disclosure of Proposal Contents: The Town will withhold proposals submitted under this RFP from disclosure, unless otherwise required by law, including, but not limited to, the Freedom of Information Law ("FOIL"). Proposers should indicate any information they believe is exempt from disclosure under FOIL. In the event that the Town determines that information is required by applicable law to be disclosed, the Town will notify the Proposer in advance of such disclosure to enable the Proposer to take such actions as it deems appropriate. Copies of executed contracts are not exempt from FOIL.

6. Ownership of Information: All material submitted in response to this RFP will become the property of the Town.

7. Examination of Records: In submitting a proposal, the successful Proposer agrees that the Town shall have access to and the right to examine all pertinent documents, papers and records of the Proposer and/or any sub-proposer as related to any contract and/or subcontract resulting from this RFP until six years after final payment has been made pursuant to any contract awarded as a result of the Town's acceptance of proposal.

8. Disclaimer: The Town and its respective officers, directors, agents, members and

employees make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this RFP. Further, the Town does not warrant nor make any representations as to the quality, content, accuracy or completeness of the information, text graphics, links or other facets of this RFP once it has been downloaded or printed from this or any server, and hereby disclaims any liability for technical errors or difficulties of any nature that may arise in connection with the Website on which this RFP is posted, or in connection with any electronic medium utilized by proposer or potential proposer in connection with or otherwise related to the RFP.

9. Negotiated Changes: In the event that any negotiated changes occur after the awarding of the contract, other pricing policies called for in the original contract will remain in effect.

10. Certain Termination Provisions: The contract shall provide that in the event of any material misrepresentation by the Proposer contained in its proposal, the Town shall have the right to immediately terminate the Agreement. It shall also provide that in the event the Proposer or any of its principals are convicted of a misdemeanor or felony during the term of the Agreement, that the Town shall have the right to terminate the Agreement.

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