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November 18, 2022

Court Reporter

Re: Request for Proposals
Stenographic Services

Dear Sir or Madam:

Pursuant to New York State General Municipal Law § 104-b and the Procurement Policy of the Town of Oyster Bay (the "Town"), the Town is presently soliciting for professional stenographic services required by the Office of the Town Attorney for the period commencing January 1, 2023 through and including December 31, 2023 (the "Term"). This Request for Proposals includes an option, at the sole discretion of the Town, for two (2) one-year extensions of the Term, should it be mutually agreeable between the successful firm(s) and the Town.

The following is a general list of terms and requirements, all of which must be agreed to by each company responding to this request (the "Responding Company"):

1. Notification of the location and time of proceeding will be made by telephone, in writing or by facsimile, at least 24 hours in advance, whenever possible. Cancellations of any proceeding shall be made by telephone, in writing or by facsimile, at least 24 hours in advance, whenever possible. In the event there is an appearance by a court reporter and the proceeding does not go forward, the appropriate appearance fee shall be paid by the Town.

2. The attending stenographer shall be experienced in providing stenographic services for examinations before trial pursuant to the rules of the Supreme Court, General Municipal Law § 50-h hearings, or any other similar proceeding.

3. Transcripts are to be delivered to the Office of the Town Attorney no later than twenty (20) business days after testimony is taken.

- a. There will be a penalty imposed for late delivery as follows:
 - i. up to five (5) business days late (*i.e.* no more than fifteen (15) business days after testimony is taken) a five (5%) percent per page reduction; and
 - ii. more than five (5) business days late (over fifteen (15) business days after testimony is taken) a twenty (20%) percent per page reduction.
- b. Expedited transcripts shall be paid as follows:
 - i. Delivery within 6 to 9 days of the proceeding - plus fifty (50%) percent per page of the original transcript;
 - ii. Delivery within 4 to 7 days of the proceeding - plus sixty (60%) percent per page of the original transcript; and
 - iii. Delivery within 1 to 3 days of the proceeding - plus seventy-five (75%) percent per page of the original transcript.

4. Type shall be in black ink, ten (10) letters to the inch, six and a half (6.5) inches to a line, double spaced, twenty-five (25) lines per page and reproducible by standard office copy equipment.

5. Transcript shall be only single sided, in verbatim form, with all words and names spelled correctly, properly punctuated and hyphenated.

- a. Errors in spelling or grammar shall be corrected by the Responding Company at no charge to the Town. The Office of the Town Attorney will indicate, on a separate page, each and every correction to be made, and will forward the corrections page to the Responding Company. Within ten (10) days of receipt of correction page, the Responding Company shall mail corrected transcript pages back to the Office of the Town Attorney.
- b. Excessive errors in spelling or grammar, as determined by the Town, shall be cause for the Town to terminate its relationship with the Responding Company.

6. All original transcripts and copies shall be accompanied by a condensed transcript and word index. There shall be no fee for the condensed transcript. Word indexes shall be provided at a flat cost of \$35.00. A CD containing the transcript materials is not required, and the Town will not compensate for any such CD.

7. All original notes and/or other records taken in connection with any proceeding shall be held in security by the Responding Company for a period of time not to

exceed five (5) years. All recorded or hard copy material will be maintained in confidentiality and no materials shall be released to any parties without the express permission of the Town Attorney or his designee.

8. In addition, any award to a vendor is subject to the approval of the Town of Oyster Bay Inspector General pursuant to the Town procurement policies. Vendors shall be required to submit information to the Inspector General and/or the Town's due diligence software system prior to any award of RFP.

9. Postal charges for shipping hearing transcripts will be reimbursed at the actual cost incurred by the Responding Company up to \$25.00.

In addition to accepting each and every one of the foregoing terms, the proposal must be accompanied by three (3) references from clients to whom the Responding Company provided similar stenographic work. Such references shall include the name of a contact person, address and telephone number. Kindly include the Responding Company's resume, profile, and relevant experience with the response, as well.

Payment to said stenographic service provider will be in accordance with the terms, conditions and fee schedule set forth below. Receipts for postage and mailing must be included with your invoice in order for reimbursement to be made.

Appearance Fee

Examinations before trial, depositions, Not to exceed \$60.00,
General Municipal Law § 50-h hearings, unless assignment is in
Town Board meeting minutes, and other excess of four (4) hours,
stenographic services, including video in which case not to
conferencing, as required by the Office exceed \$75.00.
of the Town Attorney.....

Any evening session (commencing after
5:00 p.m.)..... Not to exceed \$75.00

Transcript Fee

Original plus two (2) copies \$5.25 per page of the original transcript.

Transcript Fee

For any "busted" deposition \$140.00

If you agree to the above terms, please sign where indicated below and forward all requested documents to the Office of the Town Attorney, 54 Audrey Avenue, Oyster Bay, New York or in the alternative, responses in connection with this Request may be faxed to the number listed above. Be advised that your acceptance of these terms does not form an enforceable agreement between the Town and the Responding Company unless and until the Town Board of the Town of Oyster Bay adopts a resolution to retain the Responding Company pursuant to this Request for Proposals. Further, under no circumstances shall the Town guarantee a minimum amount of work to be assigned to any firm.

Your response hereto should be made to the attention of the undersigned, and must be received by this Office on or before December 2, 2022 by 3:00 p.m.

Very truly yours,

FRANK M. SCALERA
TOWN ATTORNEY

Jeffrey Lesser
Deputy Town Attorney