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October 20, 2021

Village of Ossining-Request for Proposals-Special Counsel Litigation Defense

Proposal Submission Deadline: November 10, 2021 at 5:00 pm

The Village of Ossining ("Village") invites interested law firms to submit written proposals to provide special counsel services to the Village. Under the supervision of the Village's Corporation Counsel, the selected law firm will provide legal representation to the Village in connection with litigation matters brought against the Village in both state and federal court. Such matters may be commenced through the filing of a Notice of Claim and/or a complaint. The selected law firm will be expected to regularly communicate with the Village's Corporation Counsel, Third-party Administrator for litigation matters and, where necessary, the Village's excess insurance carriers. The Village currently has a self-insured retention with excess insurance. The selected law firm also will communicate with appropriate village employees to schedule deposition appearances, obtain documents and responses to questions arising out of the litigation.

The litigation matters to be handled by defense counsel include property damage, personal injury, Article 78 proceedings, and actions involving police officers (civil rights violations, excessive force, unlawful arrest, etc.). It is expected that once a litigation matter is assigned to defense counsel, counsel will handle the matter through conclusion including trial, and where necessary, appeal. Counsel will be responsible for providing detailed litigation budgets and status reports. The selected firm also will be expected to provide an annual report of handled matters to the Village's auditors/actuaries. Invoices for counsel's work will be provided to the Third-party Administrator along with invoices from other vendors related to the litigation (medical records, court reporters, medical examinations, for example). The invoices will be forwarded by the Third-party Administrator to Corporation Counsel for processing and payment.

It is anticipated that the appointment as special counsel for litigation defense will begin on January 1, 2022. Pursuant to the Village's policy, the retention of defense counsel will subject to a Request for Proposals to be issued every three years.

Proposal Form and Contents

The proposal shall provide a concise description of the applicant's capabilities to satisfy the requirements of the Request for Proposals. The proposal shall include the names of no more than five municipalities where the applicant currently provides similar defense counsel services in the Hudson Valley. The references should include contact information for the municipalities.

The proposal should not exceed ten (10) pages and should include as addenda, a substantive motion and/or appeal prepared by the applicant on behalf of a municipal client and a Certificate of Insurance showing that the applicant has general liability, professional liability, workers' compensation and disability coverages. The selected firm will be expected to provide a Certificate of Insurance identifying the Village as certificate holder and as additional insured for the general liability coverage.

The proposal should state how the applicant intends to provide the requested services to the Village of Ossining; identify those attorneys who will be handling matters for the Village of Ossining; and for those identified attorneys, advise when the attorneys were admitted to practice law in New York State and federal court; and list the anticipated hourly billing rate for attorneys, paralegals and other staff of the applicant.

The proposal should be accompanied by a transmittal letter signed by a representative of the applicant who is authorized to bind the applicant to the terms in the proposal.

The proposal should be directed to Stuart Kahan, Corporation Counsel at kahan@villageofossining.org. Please note in the subject line, Request for Proposals-Defense Counsel. While email is preferred, should the applicant want to mail the proposal, the following address should be used:

Village of Ossining
16 Croton Avenue, 2nd Floor
Ossining, New York 10562
Attention: Stuart Kahan, Corporation Counsel

The envelope should note "Request for Proposals-Defense Counsel."

All proposals must be received by **Wednesday November 10 at 5:00 pm.** It is anticipated that interviews with prospective candidates will be conducted during the week of November 15 and that the Corporation Counsel will present his choice to the Board of Trustees in December, 2021. The Board of Trustees would then be asked to authorize the Village Manager to sign an agreement with selected counsel.

Please direct questions to Stuart Kahan, Corporation Counsel at kahan@villageofossining.org or (914) 941-3554 ext. 101.