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Issue Date: 10/11/2010

Contract Number: N/A

Hugh L. Carey Battery Park City Authority: On-Call Counsel for Energy/Public Utilities Matters

Description:

Battery Park City Authority ("BPCA") is seeking a law firm to provide counsel on matters relating to energy and public utilities law. Interested parties should submit a proposal including (1) firm resume, (2) identification of attorneys likely to be involved in the engagement, (3) resumes of the attorneys so identified, (4) a list of pertinent matters handled by the firm. Applicants must have significant experience in advising public and/or private sector clients in the City of New York in the specified practice areas, including transactional and regulatory matters, administrative proceedings, and litigation, and (5) schedule of applicable hourly rates. BPCA will pay the selected firm fees not exceeding a blended rate of \$400 per hour for legal services, and will reimburse the firm for customary and reasonable out-of pocket expenses.

Prospective Bidders are directed to www.batteryparkcity.org (the home page for the BPCA website), which contains a link to a copy of Mandatory Forms, Diversity Questionnaire and Form W-9 (collectively, the "Proposal Forms"), under "Opportunities." The Proposal must be accompanied by completed Proposal Forms (including those required in order to fully comply with Article 15-A of the New York State Executive Law and 5 NYCRR Part 143).

All proposals must be submitted in a sealed envelope clearly marked "Proposal for Energy/Public Utilities Counsel," and must be delivered to BPCA by messenger, overnight courier or certified mail, by no later than 4 PM (local time) on the Proposal Due Date listed below, to the Designated Contact identified below, at the address indicated. **Proposals submitted by fax or electronic transmission will not be accepted.**

Applicants are restricted from making contact with anyone other than the Designated Contact (identified below) during the period (the "Restricted Period") from the time of publication of this advertisement through approval by BPCA of the procurement contract for the selected firm.

Employees of BPCA are required to obtain and record certain contacts during the Restricted Period, and to make a determination of responsibility based, in part, upon any such contact. Failure to abide by this process may result in a finding of non-responsibility.

In accordance with Article 15-A of the New York State Executive Law and regulations adopted pursuant thereto, BPCA has established separate goals for participation of New York State Certified minority and women-owned business enterprises for all State contracts. BPCA is required to implement the provisions of Article 15-A and 5 NYCRR Part 143 for all state contracts (1) in excess of \$25,000 for labor, services, equipment, materials or any combination for the foregoing and (2) in excess of \$100,000 for real property renovations and construction. For purposes of this procurement, BPCA hereby establishes a goal of TBD% for Minority Business Enterprises (MBE) participation and TBD% for Women-owned Business Enterprises (WBE) participation. As a condition of this procurement, the contractor and BPCA agree to be

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bound by the provisions of §316 of Article 15-A of the Executive Law regarding enforcement. Contractors must document "good faith efforts" to provide meaningful participation by certified M/WBE subcontractors or suppliers in the performance of this contract. For guidance on how BPCA will determine a contractor's "good faith efforts," refer to 5 NYCRR §143.8.

For questions on M/WBE participation and subcontracting goals, please contact Hector Calderon at 212-417-2280 and/or Anthony Peterson at 212-417-2337.

Minority Sub-Contracting Goal: TBD%

Women Owned Sub-Contracting Goal: TBD%

Due Date: 11/1/2010 5:00 PM

Contract Term: TBD

Location: One World Financial Center, 24th floor, New York, NY 10281

Contact: Lauren Brugess, Administrative Assistant Legal
Hugh L. Carey Battery Park City Authority
One World Financial Center, 24th floor
New York, NY 10281
Phone: 212-417-4142

Submit To: Lauren Brugess, Administrative Assistant Legal
Hugh L. Carey Battery Park City Authority
One World Financial Center, 24th floor
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Phone: 212-417-4142