



DASNY

Dormitory Authority
of the State of New York

**REQUEST FOR PROPOSAL
LEGAL SERVICES**

Request for Proposals (RFP) Coversheet and Summary
Legal Services 2026 – 2031

IMPORTANT NOTICE: A restricted period under the Procurement Lobbying Law (State Finance Law §§ 139-j and 139-k, as amended) is currently in effect for this procurement and will remain in effect until final award and approval of selected firms by the DASNY Board of Directors (the “Restricted Period”). **No firm that is considering submitting a proposal or which has submitted a proposal shall contact, whether directly or indirectly, any DASNY employee other than the Designated Representative listed below during the Restricted Period about any matters related to this RFP or any proposals submitted in response to this RFP. Such contact may result in disqualification, termination, debarment and/or a determination of non-responsibility under applicable law.**

The Designated Representative for this Procurement is:

Kristen Costello, Chief Procurement
Email: kcostell@dasny.org

All questions must be submitted in writing, in electronic email format and on firm letterhead addressed to the Designated Representative (ONLY). Verbal and telephone inquiries are prohibited.

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Section 1 - General Information

1.1 Overview of DASNY

The Dormitory Authority of the State of New York (“DASNY”) is a public benefit corporation authorized to finance, design, construct and rehabilitate facilities for use by various public and private not-for-profit entities. DASNY’s three primary lines of business are debt issuance, construction services and the administration of grants authorized by the State of New York (the “State”). DASNY also devotes significant staff resources to corporate governance and operations.

DASNY’s basic enabling statute is set forth in Titles 4 and 4-A of Article 8 of the Public Authorities Law of the State of New York. In addition, pursuant to Title 4-B of Article 8 of the Public Authorities Law, DASNY succeeded to all the powers, duties, and functions of the New York State Medical Care Facilities Finance Agency and the Facilities Development Corporation. The enabling statutes for these governmental entities are set forth in McKinney’s Unconsolidated Laws, Chapter 6 of Title 18 and Chapter 1 of Title 13-A. DASNY is also subject to numerous other statutory provisions contained in the Public Authorities Law, State Finance Law and elsewhere.

Debt Issuance

DASNY is a conduit debt issuer and, accordingly, it issues bonds and notes that are special obligations of DASNY payable solely from payments from specific revenues or assessments or required to be made by, or for the account of, the State or the public or private entity for which the particular special obligations were issued. Such payments are pledged or assigned to the trustees for the holders of the respective special obligations. In addition, certain bond and note issues are also secured by other forms of credit enhancement, including municipal bond insurance, FHA-insured notes and mortgages and bank letters of credit. Interest on most bonds and notes issued by DASNY is excludable from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended. The issuance of conduit debt for DASNY’s not-for-profit clients is governed by DASNY’s Financing Guidelines for Independent Institutions, which are available on DASNY’s website (www.dasny.org).

DASNY, as a conduit debt issuer, exercises certain post-issuance compliance responsibilities with respect to the bonds, notes, and other obligations it issues. Examples of these post-issuance compliance responsibilities include, but are not limited to, complying with arbitrage rebate requirements, directing the investment of funds held by the various bond trustees under the applicable bond resolutions, monitoring payments and covenant compliance and taking various other actions under the relevant financing documents.

Construction Services

DASNY also provides direct and ancillary construction services on projects for a variety of public and private entities. Among the public entities for which DASNY provides construction services are the State University of New York, the City University of New York, the Office of Mental Health, the Office for People with Developmental Disabilities, the Office of Addiction Services and Support, the City of New York, the New York State Department of Health and the New York State Education Department. The services provided by DASNY include direct project management as well as ancillary servicing including design preparation and review, bidding, negotiating, awarding, and administering contracts for construction, acquisition of furniture, fixtures, and equipment and on-site project management. DASNY often uses private construction managers to assist in providing construction services on larger projects.

Grant Administration

DASNY is authorized to issue bonds to finance the costs of capital grants to build, expand or renovate community facilities throughout the State. DASNY works with its state partners to structure the programs, verifies that the grantees and the projects awarded by the State are eligible to receive grants, works with the grantees to assist them in accessing the funds, and reimburses grantees for eligible capital expenses. DASNY currently administers on its own behalf, or in collaboration with other public entities, over twenty-five grant programs.

Governance and Operations

DASNY is governed by an eleven-member Board, which is comprised of the Director of the Budget of the State, the Commissioner of Education of the State, the Commissioner of Health of the State, the State Comptroller (or a member representative thereof), five members appointed by the Governor with the advice and consent of the State Senate, one member appointed by the Temporary President of the State Senate and one member appointed by the Speaker of the State Assembly. All bonds and notes issued by DASNY must be authorized by DASNY's Board and approved by the New York State Public Authorities Control Board.

1.2 Key Events and Dates

Provided below is a schedule of milestones for this RFP. DASNY reserves the right to change any or all of these dates as it deems necessary or convenient in its sole discretion. In the event of a change, such modifications will be posted on DASNY's website at www.dasny.org. All firms are solely responsible for periodically checking the DASNY website for updates, clarifications and other important information concerning the RFP. No individualized notices shall be provided.

Event:	Date:
Issuance of RFP (week of)	05/08/2026
Deadline for RFP Questions	05/22/2026 (4:00 pm, EST)
Post Responses to RFP Questions	06/05/2026
Proposal Due Date (the "Due Date")	06/22/2026 (4:00 pm, EST)
Notice of Pre-Award (No Earlier Than)	8/30/2026

DASNY may issue the Notice of Award for one or more panels before issuing the Notice of Award for other panels. Any firm selected by the evaluation committees to serve on a panel must be approved by the Board of DASNY.

The Due Date for submission of all proposals under this RFP is 06/22/2026 (4:00 pm, EST). Proposals received after this deadline will be returned unopened.

Section 2 - Purpose of this RFP

DASNY seeks proposals from qualified responsive and responsible legal firms to provide a variety of legal services set forth in Section 4 with respect to DASNY's financing, construction, grant administration and general corporate matters. Firms will be selected to meet the anticipated business needs of DASNY, and to further DASNY's mission to increase MWBE and SDVOB utilization. Engagements will vary in size, scope, and complexity. Historically, a vast majority of DASNY legal engagements have related to bond counsel and construction and personal injury litigation. The final number of firms selected will be at DASNY's sole discretion based on the review of the proposals received and DASNY's anticipated future need for legal services. Legal services from empaneled firms will be requested and authorized on an as-needed basis. Provided however, many legal services for construction, grant administration and general corporate matters are handled by DASNY's in-house legal staff.

Section 3 – Mandatory Minimum Qualifications

The following are mandatory minimum qualification requirements for this RFP. **Proposals that fail to meet these requirements will be rejected.**

To be considered for placement on **any** panel, each proposal must:

1. Demonstrate the firm has a significant business presence comprised of one or more offices in the State;
2. Disclose any potential conflicts of interest, actual or perceived, that might arise in connection with the firm's ability to represent DASNY or contain a certification that the firm is not aware of any potential conflicts;

3. Include a certification that attorneys who will primarily be responsible for providing or supervising legal services to DASNY are licensed in the State, are in good standing with the State bar and are able to provide counsel to DASNY on matters under New York State law, and as applicable, federal law; and

4. Include a certification that the firm is either a NYS certified SDVOB pursuant to Executive Law 17-B, a NYS certified MWBE firm pursuant to Executive Law Article 15-A, and/or is a firm committed to the promotion of diversity and equal employment opportunities among the project teams assigned to render legal services to DASNY.

In addition, to be considered for a specific panel of services, each proposal must also demonstrate the following:

Bond Counsel Panel

1. The firm has at least 5 years of experience as outside counsel in connection with the State's or any state or municipal local government unit, or any agency, authority, or instrumentality thereof, on tax-exempt financings; and

2. The tax and bond attorneys who will primarily be responsible for providing or supervising legal services have at least 15 years of experience in meeting the qualifications for the relevant Bond Counsel panel set forth in Section 4.

Emerging Bond Counsel Panel

1. The firm has, or the attorneys who will be primarily responsible for providing legal services to DASNY have, at least 5 years of experience representing the State or any state or municipal local government unit, or any agency, authority, or instrumentality thereof on tax-exempt financings.

Construction Litigation, Personal Injury Litigation, Real Estate and Environmental Counsel, Labor and Employment Law Counsel, Bankruptcy, Restructuring and Workout Counsel Panels

1. The firm has at least 5 years of experience working representing the State or any state or municipal local government unit, or any agency, authority, or instrumentality thereof, or any local development corporation or public entity in the State; and

2. The attorneys who will primarily be responsible for providing or supervising legal services have at least 10 years of relevant panel specific experience set forth in Section 4.

Failure to meet or to provide information evidencing satisfaction of the above-referenced mandatory minimum qualifications will result in a proposal being rejected and a firm disqualified from further consideration.

Section 4 - Scope of Services/Engagement Requirements

Firms may submit proposals for more than one panel enumerated in this Section 4 (inclusive of one for Bond Counsel and one for Emerging Bond Counsel). This section sets forth the qualifications for, and the mandatory services to be provided by, each panel. To be considered for a specific panel, a firm must submit separate proposals conforming to the requirements of this RFP and each proposal must include the information required by this RFP and this Section 4 for each panel for which the firm wishes to be considered.

Each proposal submitted for a panel will be separately evaluated and scored based on the scoring criteria in Section 6. The number of firms selected will be based on the anticipated business needs of DASNY for the specific area of practice, with consideration given in each selection to DASNY's mission to increase utilization of NYS SDVOB firms certified pursuant to Executive Law 17-B and NYS MWBE certified firms pursuant to Executive Law Article 15-A. Selected firms will be chosen from among those receiving the overall highest rankings, as well as MWBE and SDVOB certified firms receiving the highest rankings amongst them, by the evaluation committee based upon the established qualifications and criteria for that panel.

Each successful firm will enter an Engagement Letter with DASNY to perform the mandatory services. A form of the Engagement Letter is attached to this RFP as **Attachment 1**. The term of each Engagement Letter is expected to run for 5 years with DASNY reserving the right to extend any engagement for up to two additional six-month periods. The fact that a firm enters into an Engagement Letter with DASNY does not guarantee the firm will be asked to perform any services.

The legal service panels which DASNY is procuring in this RFP are:

Bond Counsel and Emerging Bond Counsel

Firms selected to serve on this panel may be requested to act as bond or co-bond counsel and/or disclosure counsel to DASNY for specific transactions (“**Bond Counsel**” and “**Emerging Bond Counsel**”).

As Bond Counsel, a firm’s mandatory services will include: (1) the preparation and/or review of bond resolutions, loan or financing agreements, and other related documents (including mortgage documents and the necessary documents for tax-exempt lease transactions); (2) participation with DASNY, the underwriters, the borrower and any provider of credit enhancement in structuring the transaction and in reviewing the official statement to be utilized in the offering and final review thereof, including drafting the summaries of the applicable resolutions, loan agreement and other significant agreements relevant to the transaction; (3) the preparation of a letter addressed to the Board of DASNY describing the transaction and making any required appearances before the Board of DASNY; (4) the preparation of closing documents, an arbitrage certificate and bonds and coordination of, and attendance at, the closing; (5) the review of certified proceedings relating to the authorization of the bonds; (6) the delivery of an approving opinion and other supplemental opinions, including, if applicable, an unqualified opinion as to the tax-exempt status of the bonds; and (7) the preparation and filing of informational tax returns.

As Emerging Bond Counsel, a firm may be partnered with a Bond Counsel. As co-bond counsel, such firm’s mandatory services may include: (1) the preparation and/or review of bond resolutions, loan or financing agreements, and other related documents (including mortgage documents and the necessary documents for tax-exempt lease transactions); (2) participation with DASNY, the underwriters, the borrower and any provider of credit enhancement in structuring the transaction and in reviewing the official statement to be utilized in the offering and final review thereof, including drafting the summaries of the applicable resolutions, loan agreement and other significant agreements relevant to the transaction; (3) the preparation of a letter addressed to the Board of DASNY describing the transaction and making any required appearances before the Board of DASNY; (4) the preparation of closing documents, an arbitrage certificate and bonds and coordination of, and attendance at, the closing; (5) the review of certified proceedings relating to the authorization of the bonds; (6) the delivery of an approving opinion and other supplemental opinions, including, if applicable, an unqualified opinion as to the tax-exempt status of the bonds; and (7) the preparation and filing of informational tax returns.

In addition to these services, firms serving on these panels may be asked to represent DASNY in a variety of pre- and post-issuance matters including but not limited to: reviewing borrower requests under the applicable financing documents and the Internal Revenue Code and/or applicable State law (including requests relating to the permissible uses of bond proceeds and bond financed property); addressing questions that may arise as part of DASNY’s grant administration function; serving as DASNY’s counsel in the redemption or defeasance of DASNY’s bonds; advising DASNY in bankruptcy and other insolvency proceedings relating to bonds for which the firm acted as bond counsel; rendering advice to DASNY concerning compliance with SEC, MSRB and other applicable rules and regulations; advising DASNY with regard to disclosure and disclosure compliance matters and other post-issuance compliance matters. Bond Counsel and Emerging Bond Counsel may also be required to assist DASNY in responding to inquiries from the Internal Revenue Service, the SEC and other regulating entities and to review draft legislation relating to financing programs.

The qualifications of each firm to perform the mandatory services shall be assessed based upon the following information to be provided by each firm:

- a. A brief review of the experience of the firm in the field of public finance in general, and as bond and/or tax counsel, in particular, representing New York State clients;

- b. A brief review of the firm’s experience with State law requirements for public debt issuance, including authorizations, referenda, competitive and negotiated sales, private placements, continuing disclosure undertakings, and post-issuance tax compliance.
- c. A brief description of the services provided by the firm, with particular emphasis on public finance and tax expertise as it relates to the issuance of tax-exempt obligations by governmental issuers. Please state whether the firm has represented any issuers similar to DASNY and if so, the types of services your firm has provided to such issuers;
- d. A brief description of the finance structures and volume of financings in which the firm has been involved as bond counsel over the last five years, including public offerings, private placements, fixed rate financings, variable rate financings, commercial paper financings, letter of credit-backed financings, refundings, private activity bonds, and financings insured by private insurers or secured by FHA mortgage insurance. Please indicate any areas in which you believe the firm has special expertise as well as any unique, complex or challenging issues addressed by your firm that may be of benefit to DASNY;
- e. A brief description of the types of programs in which the firm has acted as bond counsel, such as governmental purpose authority financings, higher education financings, health care and other not-for-profit organization financings and tax-credit financings. Please indicate any program areas in which you feel the firm has special expertise;
- f. A statement indicating whether your firm has represented any municipal issuers before the Securities Exchange Commission or the Internal Revenue Service and if so, a general description of the nature of such representation;
- g. A brief description of non-transactional services typically provided to public issuer clients, such as post-issuance compliance programs, continuing disclosure training, policy development, and remedial action guidance;
- h. A description of the public finance and tax department of the firm, the members or partners, associates and paralegals and years of experience of each, and resumes of the members or partners and associates who would be assigned to work with DASNY on bond and tax related matters;
- i. Provide a brief description of the governmental entities represented by the firm as bond counsel and the nature of the representation in the past five years; and
- j. Please provide any other information that you feel would make your firm’s representation of DASNY in bond and tax related matters superior to that of other firms. Please include a description of any new initiatives you believe DASNY should consider to improve the services it currently provides to its public finance clients.

Please organize responses under Tab 2 to correspond with headings above.

Construction and General Litigation Counsel

Firms selected to serve on this panel may be requested to represent or advise DASNY in construction litigation and other construction related matters (“**Construction and General Litigation Counsel**”).

As Construction and General Litigation Counsel, a firm’s mandatory duties will include: (1) Representing and/or assisting DASNY in State and federal court in any construction case or other general litigation as directed. Such areas may include, but are not limited to, all forms of construction contract claims; delay/disruption, defect, bid protests, public improvement liens, insurance coverage, competitive bidding and procurement issues; liens, surety, and construction labor union matters; personal injury, affirmative action, environmental and insurance coverage matters; (2) Often on short notice, representing DASNY in court, and/or assisting DASNY, in actions or administrative proceedings commenced by or against DASNY, its members, officers and employees arising out of the performance of their respective duties and responsibilities, including Article 78 proceedings; (3) Preparing pleadings, including responsive pleadings, memoranda of law and other papers necessary in any action that DASNY is a party, allowing sufficient time for staff review; (4) Providing legal advice (in writing if so requested) to DASNY regarding construction law or other related areas of law; (5) Providing legal representation and/or assistance to the DASNY in negotiating settlements or alternative dispute resolution; (6) Assisting DASNY in undertaking a comprehensive review of its standard construction documents, and, to the extent necessary, assisting in the revision thereof; (7) Budget estimation, reporting as required, and participation in monthly status calls; and (8) Perform any other legal services requested by DASNY in connection with matters concerning construction law or other related areas of law.

The qualifications of each firm to perform the mandatory duties described above shall be assessed based upon the following information to be provided by each firm:

- a. A brief review of the experience of the firm in the field of New York State construction litigation;
- b. A brief review of the experience of the firm in the field of litigation in general and actions or administrative proceedings commenced by or against governmental entities, their members, officers and employees arising out of the performance of their respective duties and responsibilities, including administrative proceedings and similar actions related to the powers and duties of the governmental entity;
- c. A brief description of various types of projects/matters where the firm has acted as counsel to a public entity in negotiations or litigation involving construction projects or ancillary matters. Please indicate any areas in which you believe your firm has special expertise that especially qualifies it to serve as Construction and General Litigation Counsel to DASNY;
- d. A brief description of the types of services (other than representation in litigation) that your firm typically provides to its public and private construction clients such as contract drafting and negotiation, procurement support, compliance audits, risk assessments, and project controls training. Please indicate any areas in which you believe the firm has special expertise as well as any unique, complex or challenging issues addressed by your firm that may be of benefit to DASNY;
- e. A description of the construction and litigation department of the firm, the members or partners, associates and paralegals and years of experience of each, and resumes of the members or partners and associates who would be assigned to work with DASNY on construction and general litigation matters;
- f. Provide a brief description of the governmental entities represented by the firm as construction and litigation counsel and the nature of the representation in the past five years; and
- g. Please provide any other information that you feel would make your firm's representation of DASNY in construction and general litigation matters superior to that of other firms. Please include a description of any new initiatives that you believe DASNY should consider to improve the services it currently provides to its construction clients.

Please organize responses under Tab 2 to correspond with headings above.

Personal Injury Defense Litigation Counsel

Firms selected to serve on this panel may be requested to defend DASNY in personal injury claims and litigation and advise DASNY on personal injury-related matters (“**Personal Injury Defense Litigation Counsel**”).

As Personal Injury Defense Litigation Counsel, a firm's mandatory duties will include: (1) Representing and/or assisting DASNY in State and federal court in any personal injury or other related litigation as directed. Such areas may include, but are not limited to, all forms of personal injury litigation that might be brought against an owner of real property or the owner of a construction site; other personal injury litigation and litigation involving the insurance policies obtained by owners to mitigate the risk of personal injury actions against the owner; (2) Often on short notice, representing DASNY in court and/or assisting DASNY in administrative proceedings commenced by or against DASNY, its members, officers and employees arising out of the performance of their respective duties and responsibilities, related to all forms of personal injury litigation that might be brought against an owner of real property or the owner of a construction site; other personal injury litigation and litigation involving the insurance policies obtained by owners to mitigate the risk of personal injury actions against the owner (3) Prepare pleadings, including responsive pleadings, memoranda of law and other papers necessary in any action or administrative proceeding in which DASNY is a party, allowing sufficient time for staff review; (4) Provide legal advice (in writing if so requested) to DASNY regarding liability for personal injuries and other related areas of law; (5) Provide legal representation and/or assistance to DASNY in negotiating settlements and in alternative dispute resolution forums; (6) Assist DASNY in undertaking a comprehensive review of its standard contract documents, and, to the extent necessary, assisting in the revision thereof; (7) Budget estimation, reporting as required, and participation in monthly status calls; (8) Perform any other services requested by DASNY in connection with matters concerning personal injury, property damage, or other related areas of law; (9) Representing the interests of DASNY's customer agencies in certain circumstances at the specific request of DASNY.

The qualifications of each firm to perform the mandatory services shall be assessed based upon the following information to be provided by each firm:

- a. Provide a brief description of the experience of the firm in the field of New York State personal injury defense, including but not limited to premises liability, product liability, motor vehicle accidents, workplace injury claims, negligent security, professional negligence defenses, and vicarious liability claims;
- b. Provide a brief description of the experience of the firm in the field of New York State personal injury defense, including but not limited to premises liability, product liability, motor vehicle accidents, workplace injury claims, negligent security, professional negligence defenses, and vicarious liability claims;
- c. Provide a brief description of the experience of the firm in the field of litigation in general and actions or administrative proceedings commenced by or against governmental entities, their members, officers and employees arising out of the performance of their respective duties and responsibilities, where relevant to the defense of person injury matters. Include administrative proceedings and similar actions related to the powers and duties of the governmental entity;
- d. Provide a brief description of various types of matters that firm has acted as defense counsel in personal injury disputes, including trials, arbitrations, mediations, appeals, and significant motion practice. Identify representative outcomes (e.g., defense verdicts, dismissals on motion, favorable settlements) with anonymized or client-approved summaries, venues, and approximate dates. Please indicate any areas in which you believe the firm has special expertise as well as any unique, complex or challenging issues addressed by your firm that may be of benefit to DASNY;
- e. Provide a brief description of the types of services (other than courtroom representation) that your firm typically provides to personal injury defense clients, such as: early case assessment, exposure analysis, and reserves support, incident response and preservation protocols, claims handling coordination and insurer reporting, risk management counseling and training, policy and procedure audits to mitigate liability exposure, alternative dispute resolution strategy and facilitation, appellate issue spotting and briefing support. Please indicate any areas in which you believe the firm has special expertise as well as any unique, complex or challenging issues addressed by your firm that may be of benefit to DASNY;
- f. Provide a brief description a description of the personal injury litigation department of the firm, the members or partners, associates and paralegals and years of experience of each, and resumes of the members or partners and associates who would be assigned to work with DASNY on real personal injury matters;
- g. Provide a brief description of the governmental entities represented by the firm as construction and litigation counsel and the nature of the representation in the past five years; and
- h. Please provide any other information that you feel would make your firm's representation of DASNY in personal injury litigation matters superior to that of other firms. Please include a description of any new initiatives that you believe DASNY should consider to improve the services it currently provides to its clients.

Please organize responses under Tab 2 to correspond with headings above.

Real Estate and Environmental Counsel

Firms selected to serve on this panel may be requested to act as counsel to and advise DASNY in a variety of real estate and environmental matters (“**Real Estate and Environmental Counsel**”).

As Real Estate and Environmental Counsel, a firm's mandatory duties will include: (1) The preparation and/or review of DASNY board resolutions, contracts of sale, deeds and other conveyances, and other related documents (including mortgage and building loan documents and other documents required under real estate financing programs) for real estate transactions; (2) Participation with DASNY, the seller or purchaser, title insurer, and any credit provider in structuring real estate transactions, including coordination of, and attendance at, the closing and the preparation and filing of any real property transaction tax returns; (3) Delivery of an appropriate opinion, if necessary, but this does not include an opinion regarding the title to parcel of land; (4) The preparation of a letter addressed to the Board of DASNY describing the transaction and making any required appearances before the Board of DASNY; (5) Reviewing draft legislation relating to real estate and environmental matters; (6) Often on short notice, representing DASNY and/or assisting DASNY in State and federal court or before any administrative body in any real estate, environmental or related litigation or matter, including eminent domain proceedings, as directed; (7) Preparation of pleadings, including responsive pleadings, memoranda of law and other papers necessary in any action or proceeding where DASNY is a party, allowing sufficient time for staff review; (8) Performing any other legal services requested by DASNY in connection with any land use law, zoning, riparian

rights and other regulatory issues; (9) Providing legal advice (in writing if so requested) to DASNY regarding compliance with the State Environmental Quality Review Act, preparation or review of environmental impact statements, and other environmental matters; (10) Representing or assisting DASNY in preparing documents required in connection with CEQR, New York City ULURP and the federal or State Historic Preservation Laws and regulations; (11) Providing legal representation and/or assistance to the DASNY on environmental compliance matters; and (12) Performing any other legal services requested by DASNY in connection with matters concerning environmental or other related areas of law which includes historic preservation law.

The qualifications of each firm to perform the mandatory services shall be assessed based upon the following information to be provided by each firm:

- a. A brief description of the services provided by the firm, with particular emphasis on real estate, land use, eminent domain and environmental law;
- b. A brief review of the experience of the firm in the field of real estate, land use, eminent domain and environmental law in general and State activity, in particular;
- c. A brief description of various types of projects/matters where the firm has acted as counsel to a public agency in negotiations, transactions, administrative proceedings, litigation or other matters involving real estate (including acquisition, leasing, eminent domain, and condominium practice), CEQR, SEQRA, New York City ULURP proceedings, environmental and other related matters. Please indicate any areas in which you believe the law firm has special expertise;
- d. A brief description of any unique, complex or challenging real estate or environmental issues involving a public agency addressed by your firm that may be of benefit to DASNY. Please indicate any areas in which you believe the firm has special expertise as well as any unique, complex or challenging issues addressed by your firm that may be of benefit to DASNY;
- e. A brief description of non-litigation services provided to real estate and environmental clients, such as policy development, environmental compliance programs, sustainability, and training for staff and boards;
- f. A description of the real estate, environmental practice, and litigation departments of the firm, the members or partners, associates and paralegals and years of experience of each, and resumes of the members or partners and associates who would be assigned to work with DASNY on real estate and environmental matters;
- g. Provide a brief description of the governmental entities represented by the firm as real estate and environmental counsel and the nature of the representation in the past five years; and
- h. Please provide any other information that you feel would make your firm's representation of DASNY in real estate and environmental matters superior to that of other firms. Please include a description of any new initiatives that you believe DASNY should consider to improve the services it currently provides to its clients.

Please organize responses under Tab 2 to correspond with headings above.

Labor and Employment Law Counsel

Firms selected to serve on this panel may be requested to act as counsel to DASNY in connection with labor and employment matters (“**Labor and Employment Law Counsel**”).

As Labor and Employment Law Counsel, a firm's mandatory duties will include: (1) Advising DASNY and participating in the negotiation of collective bargaining agreements between DASNY and the unions representing its employees; (2) Advising and representing DASNY in connection with disciplinary proceedings and investigations, labor grievances, and wage-and-hour, discrimination, harassment, retaliation, disability accommodation, leaves of absence, workplace safety, whistleblower and other labor management matters arising under DASNY's collective bargaining agreements or otherwise; (3) Advising DASNY with respect to its employee handbook, its human resource policies and procedures and their implementation and its employee disciplinary and internal investigation procedures and their implementation; (4) Representing DASNY before the Public Employees Relation Board in improper practice proceedings and managerial confidential designation proceedings; (5) Representing and advising DASNY in matters arising under the Worker's Compensation Law; (6) Conducting management training programs to assist DASNY supervisors in effectively performing their responsibilities as managers in compliance with applicable federal and state law; (7) Representing DASNY in matters pending before the New York State Human Rights Division or the Equal Employment Opportunities Commission; and (8)

Rendering advice on the implementation of and compliance with federal laws such as Title VII of the Civil Rights the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, as amended, the Family Medical Leave Act, the Fair Labor Standards Act, the Health Insurance Portability and Accountability Act, the Fair Credit Reporting Act, other labor/employment-related federal laws, and corresponding and/or additional state statutes, inclusive of representing DASNY in any litigation or administrative proceedings arising under any of the foregoing statutes.

The qualifications of each firm to perform the mandatory services shall be assessed based upon the following information to be provided by each firm:

- a. A description of the firm's experience representing public and private clients in the area of labor and employment law in general and in the State;
- b. Examples of the types of engagements in which the firm has represented public employers in labor and employment law matters including collective bargaining negotiations;
- c. A brief description of the types of services (other than representation in litigation) that your firm typically provides to its public labor and employment clients, such as policy development, training, audits, labor relations strategy, bargaining unit analysis, workplace culture assessments, and compliance programs tailored to multi-site or unionized environments. Please indicate any areas in which you believe the firm has special expertise as well as any unique, complex or challenging issues addressed by your firm that may be of benefit to DASNY;
- d. A description of the labor and employment department of the firm, the members or partners, associates and paralegals and years of experience of each, and resumes of the members or partners and associates who would be assigned to work with DASNY on labor and employment law matters;
- e. Provide a brief description of the governmental entities both inside and outside the State represented by the firm as employment and labor counsel and the nature of the representation in the past five years; and
- f. Please provide any other information that you feel would make your firm's representation of DASNY in labor and employment matters superior to that of other firms. Please include a description of any new initiatives that you believe DASNY should consider to improve the services it currently provides to its clients.

Please organize responses under Tab 2 to correspond with headings above.

Bankruptcy, Restructuring and Workout Counsel

Firms selected to serve on this panel may be requested to act as counsel to and advise DASNY in bankruptcy and insolvency proceedings, restructuring and workout matters (including surety and contractor bankruptcy and restructuring), mortgage foreclosures and related activities ("**Bankruptcy, Restructuring and Workout Counsel**").

As Bankruptcy, Restructuring and Workout Counsel, a firm's mandatory duties will include: (1) Participation with DASNY, the borrower, title insurer, and any credit enhancement provider in structuring a workout plan; (2) Preparation and filing of any bankruptcy court or mortgage foreclosure proceedings; (3) Representing and/or assisting DASNY in State and federal court or before any administrative body in any bankruptcy or mortgage foreclosure matter; (4) Preparing pleadings, including responsive pleadings, memoranda of law and other papers necessary in any action and proceeding that DASNY is a party, allowing sufficient time for staff review; (5) Providing legal advice (in writing if so requested) to DASNY regarding workouts, bankruptcy, contractor bankruptcies, foreclosure and/or corporate reorganizations; and (6) Providing legal representation and/or assistance to DASNY in any other matter involving a not-for-profit client in financial distress.

The qualifications of each firm to perform the mandatory services shall be assessed based upon the following information to be provided by each firm:

- a. A brief description of the services provided by the law firm, with particular emphasis on health care expertise and public finance as it relates to the issuance of tax-exempt obligations in the State. Indicate the firm's experience with not-for-profit borrowers in financial distress, hospital workouts, bankruptcy, mortgage foreclosures and/or corporate reorganizations;
- b. A brief review of the experience of the firm in the fields of bankruptcy law and mortgage foreclosures in general and in the State, in particular, including automatic stays, cash collateral/DIP financings, plan confirmations,

preference/fraudulent transfer actions, and disputes involving governmental entities and special revenue obligations;

c. A brief description of various types of projects where the firm has acted as counsel to a public agency in negotiations, transactions, administrative proceedings, litigation or other matters involving not-for-profit borrowers in financial distress, restructurings or workouts and other related matters;

d. A brief description of any unique, complex or challenging bankruptcy or restructuring issues involving not-for-profit borrowers in financial distress addressed by your firm that may be of benefit to DASNY. Please indicate any areas in which you believe the firm has special expertise as well as any unique, complex or challenging issues addressed by your firm that may be of benefit to DASNY;

e. A brief description of non-litigation services provided to restructuring clients, such as contingency planning, fiscal and operational diagnostics, creditor communication strategies, and compliance with public finance and procurement rules during distress.

f. A description of the bankruptcy department of the firm, the members or partners, associates and paralegals and years of experience of each, and resumes of the members or partners and associates who would be assigned to work with DASNY on bankruptcy and workout matters;

g. Provide a brief description of the governmental entities represented by the firm as bankruptcy, restructuring and workout counsel and the nature of the representation in the past five years; and

h. Please provide any other information that you feel would make your firm's representation of DASNY in bankruptcy, restructuring and work out matters superior to that of other firms. Please include a description of any new initiatives that you believe DASNY should consider to improve the services it currently provides to its clients.

Please organize responses under Tab 2 to correspond with headings above.

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Section 5 – Diversity and Inclusion

Although no goals for participation in the services by certified MWBE and SDVOB firms have been set for this procurement, it is the goal of DASNY to utilize qualified firms that have a demonstrated history of hiring, training, developing, promoting, and retaining minority and women staff.

By responding to this RFP, each firm acknowledges that:

The Proposer will not discriminate against any employee or applicant for employment because of race, creed, color, sex, religion, national origin, military status, sexual orientation, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on contracts with DASNY.

Section 6 – Content of Proposal

6.1 Information to be Provided by Firms

The following is a list of information that must be provided by each firm. Provide your response in the same order in which it is requested using numbered side tabs that correspond with each of the numbered tabs below.

Firms may seek to serve on one or more panels enumerated in Section 4 above (inclusive of one for Bond Counsel and one for Emerging Bond Counsel). A firm seeking to serve on more than one panel must submit a separate proposal for each panel. Each proposal for each panel must not exceed thirty (30) pages (excluding any resumes and Attachments 1-5) and contain sufficient information to assure DASNY of its accuracy.

Tab 1. Cover Letter.

For each separate proposal for which your firm is seeking empanelment, include a cover letter addressing the following items:

- a. The name, title, telephone number, and email address of the relationship partner within your firm who will be DASNY's primary contact concerning this RFP;
- b. The panel described in Sections 4 above your firm is requesting to be considered for empanelment. Firms must submit separate proposals each compiled as a single pdf document, for every panel for which the firm is requesting empanelment consideration;
- c. The address and number of attorneys at each firm's office located in the State;
- d. Disclosure of any potential conflicts of interest, actual or perceived, that might arise in connection with the firm's ability to represent DASNY or certify that the firm is not aware of any potential conflicts of interest;
- e. The partners, including lead partner(s), and the associates who will work on matters if the firm is selected to serve on the panel. Include date of admission to practice law in the State and any other jurisdiction and the years of practice for each panel your firm is requesting to be considered for empanelment;
- f. A representation that each attorney providing counsel to DASNY on State law matters is licensed to practice law in the State, is in good standing with the State, and is able to provide legal counsel to DASNY on matters under State law, and as applicable, federal law;
- g. A representation that the firm is a NYS certified SDVOB pursuant to Executive Law 17-B, a NYS certified MWBE firm pursuant to Executive Law Article 15-A, and/or is committed to the promotion of diversity among the teams assigned to render legal services to DASNY;
- h. A statement to the effect that the firm is willing to perform all mandatory services for each panel on which the firm has requested to serve;
- i. A representation that the firm agrees to submit invoices at no additional charge, including electronic submission in accordance with any new software and/or electronic invoice submission process or platform implemented by DASNY and that all invoices (electronic or otherwise) must be submitted within 30 days of the end of the applicable billing cycle, which shall be monthly (unless otherwise agreed to in writing);

- j. A statement that the firm agrees to provide DASNY with pre- and post-audit access to documents, personnel, and other information necessary to conduct audits on request during the term of any engagement and for six years thereafter; and
- k. An acknowledgment that your firm understands empanelment of your firm is not a guarantee, or should form any expectation, that DASNY will retain your firm for any service during the period of empanelment.

The cover letter must be signed by the individual(s) authorized to bind your firm contractually. DASNY reserves the right to reject a technical proposal that contains an unsigned cover letter.

Tab 2. Panel Qualifications.

For each of the panels the firm seeks to serve, provide responses to the information requested in the applicable panel specific qualifications in Section 4. Provide concise narratives corresponding to each subsection set forth in Section 4, with representative examples and outcomes where indicated. Include an organizational chart and resumes for partners, principals, associates, identifying the lead partner and relationship manager.

Please organize responses under the corresponding headings set forth in Section 4.

Tab 3. References.

Include the names, titles, and phone numbers of at least three (3) references, excluding DASNY employees, and a summary of the services provided.

Tab 4. Fee Schedule.

Among the selection criteria are the rates firms propose to charge DASNY for their services.

Firms will be scored based on their discounted rate provided in number 2 below. Provided however, pursuant to the Engagement Letter described in Section 9.4 below, DASNY intends to cap each firm's billing rate for standard engagements.

Please indicate:

1. The regular billing rates for those partners, associates and paralegals proposed to be assigned to each panel for which the firm is applying for.
2. The discounted rates (if any) to be charged to DASNY for those partners, associates and paralegals proposed to be assigned to each panel for which your firm is applying for.
3. The disbursements or other services for which your firm would expect reimbursement.
4. The firm's policy regarding charges for travel; provided, however, that no costs will be reimbursed by DASNY for: (a) overnight accommodations or travel to cities where a firm has an office, and/or (b) required appearance(s) by the firm before the DASNY Board at any regularly scheduled meeting.
5. Whether the rates proposed exceed the rates currently being charged by your firm to other public entities in New York State.
6. Any alternative fee arrangement you believe would be beneficial to DASNY and the agencies, institutions, public authorities and other third parties for which you provide services. DASNY encourages alternative fee proposals that might include flat fees, blended rate, or other fee proposals other than the traditional hourly rate structure for any legal panel or segment of proposed service.
7. Whether or not the firm will agree to a cap on hourly rates or on the total fees charged for a specific engagement; and

Regardless of the method of compensation, each firm assigned to a transaction shall be required to provide DASNY with a written statement showing the name of each individual who worked on the transaction, the title

of such individual, the date and hours devoted by such individual to the transaction, together with a brief description of the services provided by the individual on such date.

By submitting a response to this RFP, each firm acknowledges and agrees (i) although DASNY will consider the information provided in Tab 4 above in its selection process for empanelment, the selection of a firm for empanelment does not constitute agreement on the rates and terms proposed by the firm as such rates and terms shall be subject to negotiation with and approval by DASNY; (ii) during the period of empanelment, if so empaneled, it shall provide services pursuant to the terms set out in its engagement, unless separately agreed under a Supplemental Engagement; and (iii) DASNY will set a maximum cap on rates and costs for all firms initially selected for empanelment, and acceptance of such cap will be a condition of empanelment.

When DASNY determines a need for legal services, it may in its sole discretion seek to engage a firm from empaneled firms by issuing a request for quotes to firms on the applicable empaneled firms for the type of services being sought that will contain specific information about the scope of work to be performed and solicit technical and/or cost responses.

Tab 5. Diversity Practices.

Include the following:

1. A representation that the firm has and maintains an equal employment opportunity policy.
2. A representation that the firm will not discriminate against any employee or applicant for employment because of race, creed, color, sex, religion, national origin, military status, sexual orientation, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and will make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on engagements with DASNY.
3. A representation that the firm will state in all solicitations or advertisements for employees that, in the performance of any engagement, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, sex, religion, national origin, military status, sexual orientation, age, disability, genetic disposition or carrier status, domestic violence victim status, or marital status.
4. Provide a completed Diversity Questionnaire, included in this RFP as **(Attachment 2)**.

If the law firm is a State-certified MWBE or SDVOB firm, provide documentation evidencing certification pursuant to Article 15-A or 17-A of the Executive Law. If a firm is not a State-certified MWBE or SDVOB, include a description of the instances, if any, in which the law firm has worked with MWBE or SDVOB law firms on previous transactions by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated.

Tab 6. Additional Forms.

1. Provide a completed W-9 Form, included in this RFP as an attachment. If the firm is a joint venture, provide a W-9 in the name of the joint venture and provide a copy of the executed joint venture agreement **(Attachment 3)**.
2. Provide a statement that your firm has and or will obtain the required insurance as listed in the attached Sample Insurance Certificates & Requirements **(Attachment 4)**.
3. Provide a completed DASNY Omnibus Procurement Certification included in this solicitation as an attachment **(Attachment 5)**.
4. Complete the NYS Vendor Responsibility Questionnaire online at <http://www.osc.state.ny.us/vendrep> and submit a copy of the certification page, per Section 12 of this RFP.

Section 7 –Evaluation of Proposals

7.1. Preliminary Review

The selection process will begin with a preliminary review and evaluation of each written proposal's Tab 1 to determine if the required information has been provided, including, but not limited to the Minimum Mandatory Requirements outlined in Section 4 of this RFP.

Failure to meet the requirements of Tab 1, including the Minimum Mandatory Requirements outlined in Section 4 will result in your firm's proposal being rejected and your firm being disqualified from further review or consideration for empanelment.

7.2. Evaluation of Proposals

Proposals passing the preliminary review stage will undergo a comprehensive and impartial evaluation process conducted by an evaluation committee selected by DASNY. The evaluation committee will evaluate each proposal based upon the criteria for selection set forth below. A separate evaluation committee will be established for each panel of firms, and each evaluation committee shall be responsible for evaluating the proposals from firms seeking inclusion on that panel. DASNY may request a firm to clarify the contents of their proposal. However, no firm will be allowed to alter its proposal or add information after the Due Date.

7.3. Criteria for Selection

The criteria for selection shall be the Proposer's demonstrated ability to meet DASNY's needs as described in this RFP.

MAXIMUM POINTS	CRITERIA
25	General qualifications and experience of the firm in each practice area for which selection is sought as evidenced by responses to the information set forth in Section 4 of the RFP.
35	General qualifications and depth of experience of the proposed counsel and staff to be assigned to DASNY engagements in each practice area for which selection is sought, in delivering the legal services in Section 4 .
20	Demonstrated relevant experience representing municipalities, state or federal entities, or other similar entities.
5	Fee Schedule – Tab 4
10	Response to Diversity Questionnaire.
5	Overall organization, completeness, and quality of proposal, including limiting proposal length to 30 pages or less, cohesiveness, clarity of response, and demonstrated understanding of DASNY's mission and business activities.

7.4. Interviews

DASNY reserves the right in its sole and absolute discretion to determine whether interviews will be necessary and for which firms. The purpose of the interview is to further document a firm's ability to provide the required services and to impart to the evaluation committee an understanding of how specific services will be furnished. The proposed lead principal, as well all other key personnel proposed to provide the services must be present and participate in the interview. The interview will be evaluated on the basis of whether it substantiates the characteristics and

attributes claimed by a firm in its written response to this RFP and any other information requested by the Committee prior to the interview. Upon conclusion of interviews, the evaluation committee will finalize their evaluation.

Final Evaluation

Each proposal submitted for a panel will be separately evaluated and scored based on the scoring criteria in Section 6. The number of firms selected will be based on the anticipated business needs of DASNY for the specific area of practice, with consideration given in each selection to DASNY's mission to increase utilization of NYS SDVOB firms certified pursuant to Executive Law 17-B and NYS MWBE certified firms pursuant to Executive Law Article 15-A. Selected firms will be chosen from among those receiving the overall highest rankings, as well as MWBE and SDVOB certified firms receiving the highest rankings amongst them, by the evaluation committee based upon the established qualifications and criteria for that panel.

Recommendation and Approval

The Committee will make a recommendation for tentative awards. Upon approval of DASNY and DASNY's Board, a formal notification of award will be issued.

Section 8 - Submission Instructions

Firms must submit a separate cover letter and proposal compiled as a single pdf document, for every panel for which the firm is requesting empanelment consideration.

Submission of Information shall be completed through DASNY's RFP Portal (link found below) before 4:00 PM EST on **May 1, 2026**. **Please create an account at least 48 hours in advance to ensure you are able to login and familiarize yourself with the RFP Portal. It is strongly encouraged you upload your file in advance of the submission date/time in the event you require technical assistance from DASNY. DASNY may not be able to assist submitters with troubleshooting errors if submissions are not made in a timely manner.**

DASNY's RFP Portal

After clicking on the link above, please either create a DASNY Portal Account or sign-in to the account you previously created. DASNY requires Multifactor Authentication (MFA) to meet our security needs and keep your account safe. Upon initial account creation, you will be prompted to enter a phone number. Be sure to enter a number you will have access to when signing into your account as DASNY will require MFA each time you log into the Portal.

DASNY allows submitters to submit a response and continue to make edits (if necessary) until the RFP deadline. Once you start a response, be sure to edit that response and not begin a new one. DASNY will only review a single response per panel. DASNY does not have access to view your response until you submit a final package prior to the deadline.

If there are any issues associated with the link above or if you have technical issues with DASNY's RFP Portal, please contact the emails below.

kcostell@dasny.org and/or nwhite@dasny.org

8.1 Due Date for Submission of Proposal

Firms shall submit their proposal no later than 4:00 p.m. on June 22, 2026. Proposals received after this date will not be accepted.

NOTE: Solicitation documents may, from time to time, be amended or addenda issued. It is the Proposer's responsibility to become aware of any such amendments and/or addenda prior to submission of a proposal. All amendments and/or addenda to solicitations will be posted on DASNY's website.

Section 9 – Advisories

9.1 Important Information Affecting Firms

1. All inquiries regarding this RFP should be addressed via email to the following designated contacts:

Kristen Costello, Chief Procurement (Primary Point of Contact)

kcostell@dasny.org

Nicole White, Procurement Administrator (Secondary Point of Contact)

nwhite@dasny.org

All questions must be submitted in writing by email, citing the particular proposal section and paragraph number. Proposers should note that all clarifications and exceptions, including those related to the terms and conditions of the contract are to be resolved prior to the submission of a proposal. Answers to all questions of a substantive nature will be given to all recipients of this RFP in the form of a formal addendum.

2. A firm may withdraw a proposal any time prior to the Due Date by written notification, signed by client relationship partner identified in Tab 1 to the Designated Representative. The proposal may thereafter be resubmitted, but not after the Due Date. Modifications offered in any other manner, oral or written, will not be considered.
3. If a firm discovers an ambiguity, conflict, discrepancy, omission or other error in this RFP, the firm should immediately notify the Designated Representative. Notice of such error or omission should be submitted prior to the Due Date. Modifications shall be made by addenda to this RFP. Such clarifications will be given by written notice to all parties who have received this RFP.
4. If a firm fails, prior to the Due Date to notify DASNY of a known error or an error that reasonably should have been known, the firm shall assume the risk of proposing.
5. A firm indicates its acceptance of the provisions and conditions enumerated in this RFP by submitting a proposal.
6. By submitting a proposal, the firm covenants that the firm will not make any claims for or have any right to damages because of any misinterpretations or misunderstanding of the contents and requirements of the RFP or because of lack of information.
7. DASNY shall not be liable for any cost incurred by the proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.
8. **Inclusion on a panel does not guarantee a firm will be selected to provide legal services to DASNY.**

DASNY reserves the right to: (a) retain for a particular matter firms not empaneled pursuant to this RFP who previously provided, or who currently provide, services to DASNY on that particular matter pursuant to a prior empanelment; and (b) select a firm from any relevant panel as it deems necessary to best promote DASNY's interests and/or the interests of the State or DASNY's private clients.

9.2 Board Approval

Any firm selected by the evaluation committees to serve on a panel must be approved by the Board of DASNY.

9.3 DASNY Rights and Prerogatives

DASNY reserves the right to exercise the following prerogatives:

1. To accept or reject any or all proposals and amend, modify, or withdraw this RFP.
2. To correct any arithmetic errors in the proposals.
3. To change the Due Date and time for proposals.
4. To accept or reject any of the firm's employees assigned to provide services and to require their replacement at any time.
5. To waive or modify any irregularities in proposals received after prior notification to the firm. This will in no way modify the RFP documents or excuse the firm from full compliance with its requirements.
6. To interview any or all of the firms prior to selection.
7. To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the firm.
8. To empanel and subsequently contract with more than one firm.
9. To change or reconfigure the composition and membership of panels as required during the legal services term to account for employment changes by key counsel assigned to DASNY matters arising during the legal services term; provided, however, that any new law firm shall be required to submit the information required pursuant to this RFP to DASNY for prior review and possible addition of said firm to the applicable panel(s). Such determination shall be made in DASNY's sole discretion and may require additional approval from the DASNY Board.

9.4. Engagement Letter

1. Engagement Letter
 - a. By submitting a proposal, the successful firm agrees to reference the RFP as part of any resulting engagement letter.
 - b. DASNY may negotiate terms and conditions to be included in the engagement letter to meet DASNY program requirements consistent with the RFP.
2. Modification of Engagement Letter
 - a. Any modification to the initial engagement letter between the successful firm(s) and DASNY will require the mutual consent of the successful firm(s) and DASNY.
 - b. Any contract or amendments thereto will be considered effective only after approval by the appropriate DASNY authorities.
3. Review of Engagement
 - a. Any engagement may be terminated by DASNY upon 30 days written notice for any reason, or immediately for cause. In the event of such termination, the firm will be entitled to reasonable compensation for acceptable services performed through the date of termination as provided in the Engagement Letter.
 - b. DASNY, periodically or upon completion of an engagement or assignment, will review the quality and cost-effectiveness of the services provided by each firm. This review shall include consideration of the firm's adherence to the representations made regarding diversity practices. The Authority may request such information from the firm as it deems necessary to complete such periodic review. Any firm that does not adhere to its representations or that otherwise fails to perform in a satisfactory manner based upon the criteria contained in the RFP or engagement may be removed from the panel at the sole discretion of the Authority.

4. Interpretation

Each engagement letter shall be construed and interpreted in accordance with the laws of New York State. New York State shall be the forum for disputes.

5. Duration

The expected term of each Engagement Letter shall be for a five-year term with the possibility of two additional six-month periods.

6. Public Announcements

Upon selection of successful firms and execution of the Engagement Letters, public announcement or news releases pertaining to the engagement shall not be made without prior written consent of DASNY.

Section 10 – Vendor Integrity

As a public entity, DASNY may only contract with entities that are determined to be responsive and responsible and said entities are required to maintain responsibility throughout the term of the services being provided. Firms shall submit a Vendor Responsibility Questionnaire (“VRQ”) which is designed to provide information to assess a proposed vendor’s responsibility to conduct business in New York State. All VRQs shall be reviewed in accordance with applicable law, policy, rules, regulations, and guidelines, including without limitation Executive Order Nos. 125, 170.1 and 192.

DASNY requires vendors to file the VRQ online via the New York State VendRep System (the “System”).

To enroll in and use the New York State VendRep System, see the Instructions available at <http://www.osc.state.ny.us/vendrep/index.htm> or go directly to the VendRep System online at <http://onlineservices.osc.state.ny.us/>. Vendors must provide their New York State Vendor Identification Number when enrolling. To request assignment of a Vendor ID Number, or for help with the online questionnaire, contact the Office of the State Comptroller’s Help Desk at 866-370-4672 or 518-408-4672 or by email at ITServiceDESK@osc.ny.us.

The Certification must be submitted to DASNY with the firm’s proposal.

Section 11 – Negotiation

After completion of the empanelment process and upon selection for a specific engagement, DASNY will commence finalization of the scope of services required and fee negotiations with the selected firm(s) for each assignment.

Section 12 - Notification

Upon completion of the selection process, DASNY will notify all firms of its decision. Notification will be sent to the primary contact only. Shortly after notification the selected firm(s) will be posted on DASNY’s website.

Section 13 - Freedom of Information Law and Public Disclosure

This RFP and all information submitted in response to this RFP constitute “records” subject to disclosure pursuant to the New York State's Freedom of Information Law (Public Officers Law, Article 6, § 84-90, the “FOIL Law” or “FOIL”). FOIL reaffirms the public’s right to know how government operates and requires that DASNY make its records available for public inspection or copying, except to the extent that records or portions thereof fall within one or more grounds for denial set forth in Public Officers Law §87(2).

Should you feel your firm’s proposal contains any such trade secrets, other confidential or proprietary information or is otherwise exempt from disclosure pursuant to FOIL, you must submit a request to exclude such information from disclosure. Such request must be in writing, must detail the information that should be exempt from disclosure, and must state the reasons why such information should be excepted from disclosure. DASNY will not honor any attempt, by a firm, to omit its entire proposal from disclosure.