



TOWN OF BERNE, NEW YORK
REQUEST FOR PROPOSALS (RFP) 2026-02

Professional Legal Services

July 1, 2026

I. INTRODUCTION

The Town of Berne ("Town") is soliciting sealed proposals from qualified attorneys or law firms licensed to practice in the State of New York to provide comprehensive municipal legal services to the Town.

The successful proposer will serve as Town Attorney and provide legal counsel to the Town Board, elected officials, appointed officials, departments, boards, commissions, and employees as authorized by the Town Board.

The Town reserves the right to appoint one or more attorneys for specialized legal matters or conflicts.

II. BACKGROUND

The Town of Berne is a municipal corporation located in Albany County, New York with approximately 2,800 residents.

The Town provides municipal services including:

- General government
- Highway operations
- Buildings and grounds
- Building and Code Enforcement
- Planning and Zoning
- Sewer District operations
- Parks and recreation
- Transfer Station operations
- Contract administration
- Personnel administration

The Town Board consists of:

- Town Supervisor
- Four Councilmembers

The Town conducts regular monthly meetings and special meetings as required.

III. SCOPE OF SERVICES

The selected attorney shall provide legal services including, but not limited to:

General Municipal Counsel

Provide legal advice regarding:

- New York Town Law
- General Municipal Law
- Public Officers Law
- Open Meetings Law
- Freedom of Information Law (FOIL)
- Municipal Home Rule Law
- Local Government records
- State and federal statutes
- Ethics and conflicts of interest
- Procurement
- Public works
- Labor relations
- Civil Service
- Municipal finance
- Bonding issues
- Tax matters
- Special districts

Attendance at Meetings

Attend:

- Regular Town Board meetings
- Special Town Board meetings
- Public hearings
- Executive sessions when requested

Attendance at Planning Board or Zoning Board meetings shall be as requested.

Legal Opinions

Provide written and verbal legal opinions concerning:

- Municipal powers
 - Contracts
 - Employment issues
 - Personnel matters
 - Purchasing
 - Public bidding
 - Municipal finance
 - Planning and zoning
 - Building code enforcement
 - Litigation exposure
 - Ethics
 - Local laws
 - Resolutions
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Drafting

Prepare or review:

- Local laws
 - Resolutions
 - Contracts
 - Easements
 - Leases
 - Intermunicipal agreements
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- License agreements
 - Employment agreements
 - Settlement agreements
 - Policies
 - Procedures
 - Notices
 - RFPs
 - Bid specifications
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Litigation

Represent the Town in:

- Civil litigation
- Article 78 proceedings
- Declaratory judgment actions
- Contract disputes
- FOIL litigation
- Employment matters
- Real property litigation
- Code enforcement actions
- Injunction proceedings

*Unless specifically excluded in the proposal.

Code Enforcement

Provide legal assistance involving:

- Unsafe buildings
 - Building Code
 - Property maintenance
 - Land use
 - Zoning
 - Planning
 - Environmental compliance
 - Enforcement actions
 - Court proceedings
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Labor and Employment

Provide legal assistance involving:

- Personnel policies
 - Discipline
 - Collective bargaining
 - Civil Service
 - PERB matters
 - Workplace investigations
 - Employment law compliance
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Real Property

Provide legal assistance involving:

- Easements
 - Rights-of-way
 - Boundary issues
 - Property acquisitions
 - Sales
 - Highway matters
 - Dedications
 - Title review
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Procurement

Advise regarding:

- General Municipal Law §103
 - Best value procurement
 - Cooperative purchasing
 - RFPs
 - RFQs
 - Competitive bidding
 - Contract administration
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Other Duties

Perform additional legal services requested by the Town Board.

IV. DESIRED QUALIFICATIONS

The Town seeks attorneys with demonstrated experience in:

- Municipal law
- Town government
- Planning and zoning
- Land use
- Open Meetings Law
- FOIL
- Labor law
- Civil Service
- Municipal finance
- Public procurement
- Litigation
- Environmental law

Preference may be given to attorneys with substantial New York municipal practice.

V. TERM

The anticipated contract term shall be:

One (1) year upon execution of contract, with annual renewal upon approval by the Town Board.

VI. PROPOSAL REQUIREMENTS

The proposal shall include:

1. Cover Letter

Including:

- Name of attorney or firm
 - Office address
 - Telephone
 - Email
 - Primary contact
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2. Qualifications

Describe:

- Municipal experience
 - Years in practice
 - Size of firm
 - Areas of expertise
 - Similar clients
 - Litigation experience
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3. Staffing

Identify:

- Lead attorney
 - Backup attorney(s)
 - Support staff
 - Availability
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4. References

Provide at least five municipal references including:

- Municipality
 - Contact person
 - Telephone
 - Email
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5. Proposed Fee Structure

Clearly identify monthly retainer (and maximum professional service hours included in that retainer) and hourly rates for all staff. Identify any mark-ups on expenses.

6. Conflicts of Interest

Identify any existing or potential conflicts involving:

- Town officials
 - Employees
 - Pending litigation
 - Current clients
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7. Insurance

Provide proof of:

- Professional Liability Insurance
 - General Liability Insurance
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8. Sample Documents

Include examples of:

- Municipal resolutions
 - Local laws
 - Legal opinions
 - Municipal contract
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VII. EVALUATION CRITERIA

The Town may consider municipal experience, qualifications, references and cost. The town reserves the right to interview all finalists.

VIII. INSURANCE REQUIREMENTS

Prior to contract execution, the successful proposer shall provide certificates evidencing:

- Professional Liability Insurance
 - Workers' Compensation (if applicable)
 - Disability Insurance
 - Other insurance required by law
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IX. SUBMISSION

Submit:

One original and three copies.

Electronic submission (PDF) is encouraged.

Deliver to:

Town Supervisor
Town of Berne
PO Box 57
1656 Helderberg Trail
Berne, NY 12023

Proposals must be clearly marked:

"Proposal – Town Attorney Services"

Proposals due NOON on July 31, 2026. Late proposals will not be considered.

X. RESERVATION OF RIGHTS

The Town reserves the right to:

- Reject any or all proposals.
- Waive informalities.
- Request additional information.
- Conduct interviews.
- Negotiate fees and contract terms.
- Select the proposal determined to be in the Town's best interests.
- Award all or portions of the services.
- Decline to make any award.

Issuance of this RFP does not obligate the Town to award a contract.

XI. PROCUREMENT POLICY

This RFP is issued pursuant to the Town of Berne Purchasing Policy and applicable provisions of New York General Municipal Law.

Because legal services are professional services, selection will be based primarily upon qualifications, experience, responsiveness, and the overall value offered to the Town, rather than solely on the lowest cost.

XII. QUESTIONS

Questions regarding this RFP shall be submitted in writing to:

Town Supervisor

Town of Berne

Email: supervisor@berneny.gov

Questions must be received no later than NOON July 29, 2026

Responses may be shared with all prospective proposers.
