

Suffern Central School District

Request for Proposal

BOND COUNSEL

Proposal due on or before:

DATE: July 24, 2026

Time: 9:30 a.m.

Place: Administration Building
Suffern Central School District
45 Mountain Avenue
Hillburn, New York 10931

Request for Proposal

PURPOSE/SCOPE OF WORK:

The Suffern Central School District, located in Hillburn, NY, is seeking a qualified firm to provide Bond Counsel services.

The contract shall be for the 2026-27 school year and will be renewable annually, subject to annual review and concurrence of the Board of Education of the Suffern Central School District (“the Board”).

Please submit proposals on or before July 24, 2026 **at 9:30 A.M.** The Board of Education reserves the right to accept or reject any or all proposals in whole or in part, to waive any informality in proposals received, to accept or reject any or all of the items in the proposal, and award the contract in whole or in part if it is deemed in the District’s best interest. The District may also choose to negotiate any of the details of the proposals received prior to engagement.

SPECIFIC INSTRUCTIONS TO PROPOSERS

All proposals are subject to the terms, conditions and specifications herein set forth.

The proposal must be detailed, specific and must be completed and submitted in the prescribed format. If requested, the firm must be prepared to meet with the Suffern Central School District to review and speak about the firm’s proposal and experience.

The Suffern Central School District requires all firms to furnish satisfactory evidence that they have the ability, experience and capital to enable them to complete this contract.

1. All proposals must be submitted by **9:30 A.M. on July 24, 2026**. All proposals must be sealed. Proposals can be submitted in paper format or electronically, via non-encrypted flash drive, in a sealed envelope. If submitting paper copies, submit one (1) original and two (2) copies. Each proposal and its related materials must be received by the Suffern Central School District in an envelope clearly marked:

**Request for Proposal # BC07242026, Bond Counsel
Opening: July 24, 2026 @ 9:30am**

The envelope itself is to be addressed as follows:

Attn: District Clerk
Suffern Central School District
Administration Building
45 Mountain Avenue
Hillburn, NY 10931

2. Late replies will not be accepted.
3. Questions concerning this RFP must be presented to Etna Martinez (emartinez@sufferncentral.org), or a designee of the school district prior to the RFP opening.
4. No parts of this RFP may be subcontracted without prior permission from the District. Subcontractors will be required to conform to all requirements of this RFP, including insurance.

5. The Suffern Central School District reserves the right to reject any and all proposals and to waive any informalities in awarding this RFP.
6. Firm must guarantee that all requested services received meet or exceed attached specifications.
7. All proposals received after the time stated in the Request for Proposals will not be considered. The Proposer assumes responsibility for having his/her RFP delivered on time as specified herein. However, the Board of Education reserves the right to waive what it deems specification informalities relating to a specific RFP, to reject any and all RFPs, to re-advertise and invite new RFPs, or to accept the whole or part of an RFP, as in the Board's judgment, it deems to be in the best interest of the District.
8. The successful proposer understands and agrees that it shall comply and is responsible for complying with all requirements and protocols as established by the School District and the State Education Department of New York.

Scope of Work

Bond Counsel shall provide the following services concerning financial matters to the District on a continuing basis throughout the period of this engagement. Such legal services shall include, but not be limited to, rendering objective legal opinions, as well as advice and research in the following areas:

1. Advising and assisting the District in developing and structuring procedures to issue bonds, notes, EPC financing and any and all other debt obligations issued by the District in accordance with applicable laws, customs and practices governing the issuance of bonds, including but not limited to opinions on tax matters pertaining to uses of proceeds of bonds, ability to refund previous bond issues, tax exemptions, arbitrage compliance, private activity use and alternative financing vehicles.
2. Providing an objective legal opinion with respect to the validity and security of any debt obligations and whether and to what extent interest on the obligations is exempt from income and other taxation under federal, state and/or City laws and regulations.
3. Examining applicable law; preparing authorizing documents; consulting with parties to the transaction; reviewing proceedings and performing additional duties as necessary to render an opinion.
4. Preparing legal documents for the financing process, including closing documents and transcripts.
5. Developing legal documentation for the execution of the Preliminary Official Statement, Official Statement, tax opinions on exemptions, redemption notices, notices of sale, resolutions of the School Board and opinions on the sale.
6. Assisting the District in the selection of electronic bid providers for the electronic sale of the bonds, vendors for the printing and distribution of Preliminary Official Statements and Official Statements, depository trust and insurance providers.
7. Coordinating with the District's financial advisors in matters concerning the issuance of debt, including but not limited to the Preliminary Official Statement and Official Statement.
8. Providing opinions on the use and execution of alternative debt vehicles to facilitate District services.
9. Advice and opinion on the requirements necessary to comply with continuing disclosure.

10. Providing continuing advice regarding any actions necessary to ensure that interest continues to be tax-exempt.
11. Participating, when requested, in activities associated with rating agency and/or bond insurer reviews.
12. Analyzing and, when requested, drafting legislation related to the issuance of debt by the District.
13. Offering continuing legal advice and counsel, as needed, on issues related to the sale and the administration of District obligations.
14. Providing other legal opinions as required.
15. Advising the District on debt management policy, as requested.
16. A detailed description of any additional services your firm would propose to provide to the School District.

ROPOSAL REQUIREMENTS

Title Page

Title Page showing the RFP's subject; the firm's name; the name, address and telephone number of a contact person; and the date of the proposal.

Cover Letter

Proposals should include a cover letter that indicates the following:

1. Proposer's interest in being considered for the role of Bond Counsel.
2. The proposer and key professionals do not have or anticipate a potential conflict of interest with the District.
3. The proposer meets and will continue to meet the insurance requirements for this engagement for the period specified – professional liability insurance, comprehensive general insurance, etc. The insurance requirements for the firm engaged to provide bond counsel services are provided in Exhibit A to this RFP.
4. Whether the firm or any member of the firm is currently disbarred from doing business with any government entity.
5. Whether or not it is a party to any pending or current litigation that might adversely affect its performance.
6. The proposer agrees that during the term of the contract, key professionals will not represent anyone in a matter, proceeding or lawsuit against the District. After termination of this contract, proposer agrees that key professionals will not represent anyone in a matter, proceeding or lawsuit substantially related to this contract.

Qualifications and Key Personnel

The proposer shall provide the identity and describe the qualifications of key personnel, team members, and any sub-contractors to be involved in the engagement, including their project assignments and the extent of their participation. Specifically, describe key personnel and project teams and any sub-contractors or

consultants demonstrating capability and experience. Include any noteworthy areas of expertise in the pertinent work to be performed. Include resumes of all assigned personnel as an exhibit to this proposal.

Experience and Past Performance

The proposal should describe the work which best illustrates the proposer's experience and ability. Describe the prior recent experience of key personnel and team members identified above as bond counsel. Specifically, provide a list of experience in each of the following areas for which at least one approving opinion has been provided concerning debt issued by a New York State school district: tax-exempt bonds, and notes (BAN's, TAN's, & RAN's,). Please also provide a list of your firm's school district clients in Rockland County. Please provide the names of at least ten (10) school business officials who may be contacted as references.

Capacity, Organization and Management Approach

The proposal should demonstrate the firm's capacity to successfully apply and commit itself to a project and complete required services. Specifically, describe the firm's organizational structure, staffing and plan for coordination of activities. Describe how the project team would maintain a financing schedule, control costs, resolve resource constraints and interact effectively with District personnel. Proposals should specifically address the proposer's ability to work with the District's financial advisors and other capital financing team members.

Costs and Fees

Each proposal should provide a fee schedule for the issuance of bonds and notes and the review of disclosure documents. For work not related to a specific transaction, provide the firm's proposed hourly billing rate for each of the key professionals described. Identify all other charges and expenses for which the firm will seek reimbursement, the method of determining such reimbursements and the frequency of billing.

Other

1. Identify all conflicts or potential conflicts that the firm may have in representing the District; including any current representation that the responder has that is adverse to the District.
2. Discuss any other considerations or factors that impact upon your ability to perform the tasks relevant to or associated with this proposal.
3. Identify any portion of your proposal that contains confidential or proprietary information.

Proposal Submission

Proposals must be submitted by 9:30 A.M., July 24, 2026. All proposals must be sealed. Proposals can be submitted in paper format or electronically, via non-encrypted flash drive, in a sealed envelope. If submitting paper copies, submit one (1) original and two (2) copies. Each proposal and its related materials must be received by the Suffern Central School District in an envelope clearly marked:

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OBLIGATION OF PROPOSER

At the time of the opening of proposals each proposer will be presumed to have read and be familiar with this RFP, including all addenda (is applicable). The failure or omission of any proposer to receive or examine any form, instrument or document shall in no way relieve any proposer from any obligation in respect to his proposal. These instructions are to be considered an integral part of all proposals.

AWARD

This contract will be awarded in its entirety to the proposer with the highest evaluated score. The contract award will be based on a weighted formula as per this RFP.

FINAL DECISIONS

The authorized district representative shall have the right to interpret the true meaning and intention of specifications, verbal or written, but should any controversies or disputes arise over such interpretations, their decision shall be binding and final. **The Board reserves the right to bid special projects separate and apart from this proposal as determined by the authorized district representative.**

EVALUATION FACTORS FOR AWARD - CRITERIA

Evaluation Process

Proposals will be evaluated based upon, but not limited to, related experience of the respondents, knowledge of the District, professional qualifications of individuals to be assigned to the project, knowledge of State's finance law, fees, and overall proposal content.

Proposals will be reviewed by the District. Oral interviews may be conducted by phone at the option of the District. All Bond Counsels selected for interviews will be notified of the selection as soon as possible.

The District reserves the right to reject any and all proposals and to waive informalities and minor irregularities in any proposal reviewed. Further, the District may reject any proposal which does not conform to the instructions herewith. Additionally, the District reserves the right to negotiate all final terms and conditions of any agreement entered into.

Nothing in the Request for Proposals shall be deemed to commit the District to engage any Bond Counsel services.

Evaluation Criteria

Suffern Central School District will evaluate the technical proposals based upon the following criteria:

CRITERIA Percentage

1. Experience and performance of the Firm on comparable school district engagements:	40%
2. Experience of key personnel in assignments of similar scope, size and complexity:	35%
3. The Firm's proposed fee schedule:	20%
4. The Firm's ability to schedule various tasks and availability of key personnel to meet the District's schedules.	5%
TOTAL	100%

Exhibit A

1. Minimum Required Insurance:

a. **Commercial General Liability Insurance**

\$1,000,000 per Occurrence/ \$2,000,000 Aggregate
\$2,000,000 Products and Completed Operations
\$1,000,000 Personal and Advertising Injury
\$100,000 Fire Damage
\$10,000 Medical Expense

b. **Automobile Liability**

\$1,000,000 combined single limit for owned, hired, borrowed and non-owned motor vehicles.

c. **Workers' Compensation and NYS Disability Insurance**

Statutory Workers' Compensation (C-105.2 or U-26.3); and NYS Disability Insurance (DB- 120.1) for all employees [per NYS WC and Disability laws]. Proof of coverage must be on the approved specific form, as required by the New York State Workers' Compensation Board. ACORD certificates are not acceptable. A person seeking an exemption must file a CE-200 Form with the state. The form can be completed and submitted directly to the WC Board online.

d. **Professional Errors and Omissions Insurance**

\$2,000,000 per occurrence/\$2,000,000 aggregate for the professional acts of the consultant performed under the contract for the district/BOCES. If written on a "claims-made" basis, the effective date must pre-date the inception of the contract or agreement. Coverage shall remain in effect for three years following the completion of work.

e. **Umbrella/Excess Insurance**

\$3,000,000 each Occurrence and Aggregate. Umbrella/Excess coverage shall be on a follow-form basis or provide broader coverage over the required Auto Liability (where applicable), General Liability and Professional Liability coverages.

2. The Professional Consultant acknowledges that failure to obtain such insurance on behalf of the District constitutes a material breach of contract and subjects it to liability for damages, indemnification and all legal remedies available to the District. The professional consultant is to provide the District with a certificate of insurance, evidencing the above requirements have been met, prior to the provision of services. The failure of the District to object to the contents of the certificate or the absence of same shall not be deemed a waiver of any rights held by the District.

**SEXUAL HARASSMENT PREVENTION
WRITTEN POLICY & TRAINING CERTIFICATION FORM
THIS FORM MUST BE SIGNED AND NOTARIZED**

I, _____, being duly sworn, deposes and says
(Name of Individual Signing this Certification)

that I am the _____ of the _____
(Title/Position of Signer) (Name of Proposer)

and that by submission of this Proposal, I certify on behalf of the above-named Proposer, and in the case of a joint Proposal each party thereto certifies as to its own organization, under penalty of perjury, that the above-named Proposer has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy, at a minimum, meets the requirements of Section 201-g of the New York State Labor Law.

Signature

Sworn to before me this

_____ day of _____, 20____

Notary Public

(Insert Stamp of Notary Public or provide Notary Registration No. and date of expiration)



BID PROPOSAL CERTIFICATIONS

Firm Name _____ Telephone No. _____

Business Address _____ Fax No. _____

I. General Bid Certification

The bidder certifies that he will furnish, at the prices herein quoted, the materials, equipment and/or services as proposed on this bid.

II. Non-Collusive Bidding Certification

By submission of this bid proposal, the bidder certifies that they are complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: Non-collusive bidding certification.

"(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition as to any matter relating to such prices with any other bidder or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition."

(b) A bid shall not be considered for award nor shall any award be made where (b) (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award. Nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or the designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph one (a).

2. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Signature (Authorized)

Title

Date

Suffern Central School District
IRAN DIVESTMENT ACT OF 2012 CERTIFICATION

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that it is not on the "Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012" list ("Prohibited Entities List") posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize on such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Bidder/Contractor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended.

During the term of the Contract, should Suffern Central School District receive information that a person (as defined in State Finance Law § 165-a) is in violation of the above-referenced certifications, Suffern Central School District will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then Suffern Central School District shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the Contractor in default.

Suffern Central School District reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

Signature: _____

Print Name: _____

Title: _____

Company Name: _____

Date: _____