

E-57-22
Additional
Info.

E-57-22 ADDITIONAL INFORMATION

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COUNTY OF NASSAU

POLITICAL CAMPAIGN CONTRIBUTION DISCLOSURE FORM

1. Has the vendor or any corporate officers of the vendor provided campaign contributions pursuant to the New York State Election Law in (a) the period beginning April 1, 2016 and ending on the date of this disclosure, or (b), beginning April 1, 2018, the period beginning two years prior to the date of this disclosure and ending on the date of this disclosure, to the campaign committees of any of the following Nassau County elected officials or to the campaign committees of any candidates for any of the following Nassau County elected offices: the County Executive, the County Clerk, the Comptroller, the District Attorney, or any County Legislator?

YES ☒ NO ☐ If yes, to what campaign committee?

Please see attached form.

1 File(s) uploaded: WGL Political Campaign Contribution Disclosure 5-13-2022.pdf

2. VERIFICATION: This section must be signed by a principal of the consultant, contractor or Vendor authorized as a signatory of the firm for the purpose of executing Contracts.

The undersigned affirms and so swears that he/she has read and understood the foregoing statements and they are, to his/her knowledge, true and accurate.

The undersigned further certifies and affirms that the contribution(s) to the campaign committees identified above were made freely and without duress, threat or any promise of a governmental benefit or in exchange for any benefit or remuneration.

Electronically signed and certified at the date and time indicated by:

Teno A. West [WGL@WESTGROUPLAW.COM]

Dated: 05/13/2022 09:15:03 AM

Vendor: West Group Law PLLC

Title: Managing Partner

5/28/2020	Jack Schnirman for Nassau	\$2,000.00	NC
7/7/2020	Curran for Nassau	\$1,000.00	NC
10/6/2020	Jack Schnirman for Nassau	\$2,500.00	NC
10/9/2020	Curran for Nassau	\$1,000.00	NC
1/8/2021	Jack Schnirman for Comptroller	\$1,000.00	NC
5/12/2021	Curran for Nassau	\$1,000.00	NC
9/22/2021	Ryan Cronin for County Comptroller	\$2,500.00	NC
10/27/2021	Curran for Nassau	\$1,000.00	NC
1/18/2022	Blakeman2021	\$1,000.00	NC
5/13/2022	Blakeman for Nassau	\$2,000.00	NC

Business History Form

The contract shall be awarded to the responsible proposer who, at the discretion of the County, taking into consideration the reliability of the proposer and the capacity of the proposer to perform the services required by the County, offers the best value to the County and who will best promote the public interest.

In addition to the submission of proposals, each proposer shall complete and submit this questionnaire. The questionnaire shall be filled out by the owner of a sole proprietorship or by an authorized representative of the firm, corporation or partnership submitting the Proposal.

NOTE: All questions require a response, even if response is "none" or "not-applicable." No blanks.

(USE ADDITIONAL SHEETS IF NECESSARY TO FULLY ANSWER THE FOLLOWING QUESTIONS).

Date: 05/27/2021

1) Proposer's Legal Name: West Group Law PLLC

2) Address of Place of Business: 81 Main Street, Suite 510

City: White Plains State/Province/Territory: NY Zip/Postal Code: 10601

Country: US

Address: 16 E. Washington Street, Suite 2

City: North Attleboro State/Province/Territory: MA Zip/Postal Code: 02760

Country: US

Start Date: 01-MAR-17 End Date: 01-FEB-20

Address: 418 Broadway, 2nd Floor

City: Albany State/Province/Territory: NY Zip/Postal Code: 12207

Country: US

Start Date: 01-MAR-17 End Date:

Address: 120 South Franklin Street

City: Wilkes-Barre State/Province/Territory: PA Zip/Postal Code: 18701

Country: US

Start Date: 01-MAR-17 End Date:

Address: 75 Arlington St., 5th Floor

City: Boston State/Province/Territory: MA Zip/Postal Code: 02116

Country: US

Start Date: 01-JAN-20 End Date:

Address: 10 Dorrance Street, Suite 700

City: Providence State/Province/Territory: RI Zip/Postal Code: 02903

Country: US

Start Date: 01-DEC-18 End Date: 01-DEC-19

Address: 4 Richmond Square, Suite 350

City: Providence State/Province/Territory: RI Zip/Postal Code: 02906

Country: US

Start Date: 01-FEB-20

End Date:

3) Mailing Address (if different):

City: State/Province/Territory: Zip/Postal Code:

Country:

Phone:

Does the business own or rent its facilities? Rent If other, please provide details:

4) Dun and Bradstreet number: None.

5) Federal I.D. Number: 81-5255601

6) The proposer is a: Other (Describe) Professional Limited Liability Corporation

7) Does this business share office space, staff, or equipment expenses with any other business?

YES ☐ NO ☒ If yes, please provide details:

8) Does this business control one or more other businesses?

YES ☐ NO ☒ If yes, please provide details:

9) Does this business have one or more affiliates, and/or is it a subsidiary of, or controlled by, any other business?

YES ☐ NO ☒ If yes, please provide details:

10) Has the proposer ever had a bond or surety cancelled or forfeited, or a contract with Nassau County or any other government entity terminated?

YES ☐ NO ☒ If yes, state the name of bonding agency, (if a bond), date, amount of bond and reason for such cancellation or forfeiture: or details regarding the termination (if a contract).

11) Has the proposer, during the past seven years, been declared bankrupt?

YES ☐ NO ☒ If yes, state date, court jurisdiction, amount of liabilities and amount of assets

12) In the past five years, has this business and/or any of its owners and/or officers and/or any affiliated business, been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local

prosecuting or investigative agency? And/or, in the past 5 years, have any owner and/or officer of any affiliated business been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency, where such investigation was related to activities performed at, for, or on behalf of an affiliated business.

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 13) In the past 5 years, has this business and/or any of its owners and/or officers and/or any affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies? And/or, in the past 5 years, has any owner and/or officer of an affiliated business been the subject of an investigation by any government agency, including but not limited to federal, state and local regulatory agencies, for matters pertaining to that individual's position at or relationship to an affiliated business.

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 14) Has any current or former director, owner or officer or managerial employee of this business had, either before or during such person's employment, or since such employment if the charges pertained to events that allegedly occurred during the time of employment by the submitting business, and allegedly related to the conduct of that business:

a) Any felony charge pending?

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

b) Any misdemeanor charge pending?

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

c) In the past 10 years, you been convicted, after trial or by plea, of any felony and/or any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business?

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

d) In the past 5 years, been convicted, after trial or by plea, of a misdemeanor?

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

e) In the past 5 years, been found in violation of any administrative, statutory, or regulatory provisions?

YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 15) In the past (5) years, has this business or any of its owners or officers, or any other affiliated business had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?
YES ☐ NO ☒ If yes, provide details for each such investigation, an explanation of the circumstances and corrective action taken.

- 16) For the past (5) tax years, has this business failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?
YES ☐ NO ☒ If yes, provide details for each such year. Provide a detailed response to all questions checked 'YES'. If you need more space, photocopy the appropriate page and attach it to the questionnaire.

17 Conflict of Interest:

- a) Please disclose any conflicts of interest as outlined below. NOTE: If no conflicts exist, please expressly state "No conflict exists."

(i) Any material financial relationships that your firm or any firm employee has that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No Conflict exists.

(ii) Any family relationship that any employee of your firm has with any County public servant that may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No Conflict exists.

(iii) Any other matter that your firm believes may create a conflict of interest or the appearance of a conflict of interest in acting on behalf of Nassau County.

No Conflict exists.

- b) Please describe any procedures your firm has, or would adopt, to assure the County that a conflict of interest would not exist for your firm in the future.

WGL is not aware of any client whose interests are, or may be, adverse to the interests of the County. Should a conflict arise in a representation involving the County, Managing Partner Teno West, would discuss the conflict with full consideration of all professional obligations to WGL's clients.

- A. Include a resume or detailed description of the Proposer's professional qualifications, demonstrating extensive experience in your profession. Any prior similar experiences, and the results of these experiences, must be identified.

Have you previously uploaded the below information under in the Document Vault?

YES ☐ NO ☒

Is the proposer an individual?

YES ☐ NO ☒ Should the proposer be other than an individual, the Proposal MUST include:

i) Date of formation;

03/01/2017

ii) Name, addresses, and position of all persons having a financial interest in the company, including shareholders, members, general or limited partner. If none, explain.

Teno A. West, Principal

P.O. Box 381, 47 North Street, Litchfield, Connecticut 06759

No individuals with a financial interest in the company have been attached..

iii) Name, address and position of all officers and directors of the company. If none, explain.

Teno A. West, Principal

P.O. Box 381, 47 North Street, Litchfield, Connecticut 06759

No officers and directors from this company have been attached.

iv) State of incorporation (if applicable);

NY

v) The number of employees in the firm;

13

vi) Annual revenue of firm;

4200000

vii) Summary of relevant accomplishments

1 File(s) Uploaded: Nassau County - Resume 05-26-2021.pdf

viii) Copies of all state and local licenses and permits.

B. Indicate number of years in business.

5.3

C. Provide any other information which would be appropriate and helpful in determining the Proposer's capacity and reliability to perform these services.

West Group Law PLLC original proposal includes a summary of relevant accomplishments.

D. Provide names and addresses for no fewer than three references for whom the Proposer has provided similar services or who are qualified to evaluate the Proposer's capability to perform this work.

Company Rockland Green

Contact Person Ken Murphy, General Counsel

Address 172 Main Street

City Nanuet

State/Province/Territory NY

Country US

Telephone (845) 753-2200

Fax # _____
E-Mail Address kmurphy@rocklandgreen.com

Company County of Rockland
Contact Person Thomas E. Humbach, County Attorney
Address 11 New Hempstead Road
City New City State/Province/Territory NY
Country US
Telephone (845) 638-5180
Fax # _____
E-Mail Address humbacht@co.rockland.ny.us

Company Westchester County
Contact Person John M. Nonna, County Attorney
Address 148 Martine Avenue
City White Plains State/Province/Territory NY
Country US
Telephone (914) 995-2690
Fax # _____
E-Mail Address jnonna@westchestergov.com

I, Teno A. West , hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Teno A. West , hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

Name of submitting business: West Group Law PLLC

Electronically signed and certified at the date and time indicated by:
Teno A. West [WGL@WESTGROUPLAW.COM]

Managing Partner
Title

06/08/2022 10:00:44 AM
Date



QUALIFICATIONS AND EXPERIENCE



About WGL

WGL is a boutique municipal law firm that provides responsive legal solutions with cost-effective results. We have offices in New York, Massachusetts, Rhode Island, and Pennsylvania, and we represent clients throughout the country.

Our attorneys have represented municipalities and other public entities for more than 25 years in connection with public-private partnerships, water and wastewater systems and projects, civic/municipal buildings, environmental and regulatory matters, solid waste issues, transportation, structuring requests for proposals (RFPs), contract negotiations, alternative project delivery methods, land use development, project-related litigation, and construction law.

Members of our firm have spent their careers serving state and local governments and agencies. We understand the challenges public entities face because our attorneys once worked in senior positions in state and local governments. This experience enables us to provide public entities with efficient, creative, and low-cost solutions across the country. We chose this platform for a reason – to utilize our extensive collective experience while allowing for nimble, efficient results for our public clients.

Nassau County

Since 2011, WGL attorneys have been privileged to represent the County in connection with some of its most successful, prominent, and biggest projects, including the redevelopment of the Nassau Veterans Memorial Coliseum and the private operation and maintenance agreement for the County's sewer system with SUEZ Water Long Island Inc. We have also represented the County in connection with an innovative co-generation energy project, as well as with respect to several litigation matters. Our attorneys have delivered results in short timeframes that have exceeded the County's goals, protected the interests of residents, and saved or generated millions of dollars for the County's taxpayers.

We have realized this success based on our deep understanding of the County stakeholders, processes and needs. We have developed a strong relationship and worked closely with members of each of the following:

- County Legislature
- Nassau County Interim Finance Authority
- Nassau Hub Advisory Committee
- Office of Legislative Budget Review
- Comptroller's Office



- Sewer and Storm Water Finance Authority
- Nassau County Planning Commission
- Nassau County Open Space and Parks Advisory Committee
- County Executive's Office
- County Attorney's Office
- Office of Management and Budget
- Department of Public Works

We understand the role and responsibilities of each of these bodies and have successfully addressed their concerns through written and oral briefings and earned their trust. Although we are lawyers, we understand the importance of facilitating public communications for the success of any large project.

Experience

Construction Litigation

WGL lawyers have successfully represented clients in high-profile litigation and appellate matters in state, federal and circuit courts throughout the United States. We routinely defend our public clients in connection with challenges to procurements; construction and service contract disputes; litigation related to low-bid specifications; and change order disputes. We also represent our public clients in connection with challenges to legislation, and we are experienced in the prosecution and defense of various types of construction claims, including delay, disruption, labor inefficiency and work suspension. We routinely assist clients in avoiding disputes and developing strategies that avoid litigation which are often encountered in project administration and project scheduling.

Our construction litigation experience includes representing clients on a dispute relating to the recovery of construction and demolition costs related to a catastrophic roof collapse at a co-composting facility; a breach of contract action stemming from the construction and failure of a new cover to a secondary digester for a wastewater treatment plant; a dispute regarding alleged sustained physical damage to a gas line due to the blasting associated with construction of the sewers as performed by a public entity's general contractor; and an action against a public entity's contractors, designers, and engineers to recover cost overruns relating to a public pool construction project.

As it informs our construction litigation experience, WGL advises on both vertical and horizontal construction, from design through final construction, including the procurement and administration of architectural, engineering, and testing and inspection services. We also routinely prepare and negotiate complex design and construction agreements using



traditional and alternative project delivery methods, including low-bid, fast-track, fixed price, cost plus, design-build, design-build-operate, build-to-suit, and public and private venture contracts. We have advised on the development of model procurement and contract forms, resolution of bidding disputes, contract administration, and bond and insurance issues.

We have significant experience with traditional low-bid construction projects implemented pursuant to General Municipal Law § 103 and other related statutes, such as the Wicks Law. We are very familiar with the issues associated with such projects, including the possibility of disputes over contract awards and other procurement challenges, as set forth above.

Employment and Labor Law/ Federal Civil Rights Section 1983

WGL represents public clients with respect to employment and labor law issues, including the defense of municipal governments. Our attorneys defend municipalities in Federal Court under Section 1983, Civil Rights Claims, and administrative proceedings before the New York State Division of Human Rights. WGL is experienced in all phases of litigation involving employment-related disputes, including litigation, arbitration, and mediation of claims. WGL has extensive experience with respect to defense of discrimination claims, as well as traditional labor relations. Our attorneys are experienced with all aspects of the Americans with Disabilities Act, Family and Medical Leave Act, Employee Retirement Income Security Act, Federal Fair Labor Standards Act, privacy, workplace violence law and unions. Additional experience includes providing guidance and practical solutions to ensure understanding and compliance with applicable laws, as well as preparing and facilitating responses to petitions for unionization.

Our experience advising **Nassau County** in this area includes the following:

- ***Saunders v. County of Nassau et al.*** – Defending the County of Nassau and three individual defendants in a claim alleging that a Corrections Officer was the victim of racial discrimination and retaliation. WGL attorneys also represented the County and the Sheriff's Department through the administrative process at the New York State Division of Human Rights.
- ***McAllister v. County of Nassau and the Village of Rockville Centre*** – Defending the County of Nassau in a claim by a deaf individual who was arrested by the Rockville Centre Police Department for driving under the influence of alcohol and held overnight at the Nassau County Police Department. The claims include alleged violations of the Americans with Disabilities Act, the Rehabilitation Act and the New York Human Rights Law



- ***Prisoner Disability Litigations*** – Defending the County of Nassau and the County Sheriff's Department in several cases where prisoners are alleging that the County is failing to properly provide facilities and opportunities required by the Americans with Disabilities Act.
- ***Tarpey v. County of Nassau*** – Represented the County of Nassau and the District Attorney's Office in two separate administrative proceedings before the Veterans Employment and Training Service where the complainant alleged discrimination based on military status. Our representation resulted in two separate findings of "no merit".

Environmental Law

Our attorneys work with municipal clients and outside environmental consultants to put together knowledgeable teams to deal with whatever type of environmental issue that may arise, including in connection with permitting issues. Our proactive approach coordinates the approval process and ensures that deadlines are met in an efficient manner. We are deeply familiar with applicable New York state regulations, as well as the provisions and requirements of the Clean Water Act and the National Environmental Policy Act.

Members of WGL have significant experience with respect to environmental and regulatory matters, including permitting facilities, as well as issues in CSO permitting. Our experience includes representation of clients in permitting procedures before state and federal regulatory agencies in New York, New Jersey and Connecticut; negotiation of consent orders and consent decrees; supervision of cleanups of municipal landfills, chemical dumps, chemical and oil spills, leaking underground storage tanks, construction and demolition sites; project oversight and negotiations for wastewater treatment plant upgrades; and advice on planning and zoning issues.

We have also negotiated with regulatory agencies on public works projects required under federal environmental statutes; drafted related legislation and rendered advice on lead agency project performance under SEQRA, and represented municipal entities in administrative actions before state and federal regulatory agencies. We have experience in obtaining state funding for and supervising municipal Environmental Restoration Projects, and supervision of private party Voluntary Cleanups under the Brownfields Cleanup Program; providing full representation in SEQRA reviews; due diligence reviews and contract negotiations on complex commercial real estate transactions; environmental auditing and risk assessments; achieving facilities compliance, and counseling on corporate, commercial lender, and trustee liability under Superfund.



Our experience advising **Nassau County** in this area includes representing the County in the United States District Court for the Eastern District of New York in an action alleging violations of the Clean Water Act stemming from alleged illegal discharges.

Municipal Law

Attorneys at WGL have represented New York municipalities, including counties, and other New York public entities for more than 20 years in connection with a broad range of issues, including day-to-day operations, regulatory and administrative matters, labor and employment matters, construction, government relations, litigation, public-private partnerships, real estate and land use, public utilities law, water law, and solid waste and wastewater management. We are well-versed in procurement law and public bidding requirements, contract negotiations, constitutional law, and drafting legislation and resolutions. We have become intimately familiar with municipal charters and ordinances, and other matters at the municipal level.

Our municipal law experience is extensive and wide-ranging, and includes advising our public clients on the following:

Procurement

WGL attorneys have significant experience addressing all aspects of procurements, including in connection with contracts for large-scale construction projects and complex operations and maintenance matters. Our experience includes:

- Drafting RFPs, bid documents, and model contracts
- Advising on compliance with procurement laws
- Development and defense of procurement policies
- Defense of challenges to procurement processes
- Developing creative procurement processes within the confines of stringent applicable laws
- Drafting legislation, including special legislation to authorize certain projects that would not be otherwise authorized under general law

Agreements

Our attorneys have extensive experience addressing all aspects of contract matters. Our experience includes development of model contract forms, resolution of bidding disputes, contract administration, and bond and insurance issues. Representative matters include:



- Advising on drafting and negotiation of agreements relating to providing municipal services from private parties, including with respect to:
 - Solid waste
 - Water
 - Wastewater
 - Sludge management
 - Energy generation
 - Public-private partnerships
 - Energy performance
 - Public construction projects
- Development of host community benefit agreements
- Development of various types of inter-municipal agreements involving state agencies, villages, towns, and counties

Litigation/Disputes

We have successfully represented municipalities, government agencies, and other public organizations on various litigation matters. Our experience includes:

- Defense of RFP and low-bid procurement processes for various service contracts
- Defense of challenges to local laws on constitutional and preemption grounds
- Defense of challenges to property condemnations
- Developed an *amicus curiae* brief that was cited by the U.S. Supreme Court
- Defense of a challenge to the creation of a local development corporation
- Advising on Article 78 proceedings
- Advising on environmental matters, including Clean Water Act issues

Construction/Acquisition of Facilities and Projects

WGL advises on both vertical and horizontal construction projects, as well as the acquisition of existing facilities. Some of our relevant experience includes advising on:

- Development of various water, wastewater, and solid waste facilities
- Advising on the acquisition of both public and private facilities on behalf of public entities
- Advising on alternative project delivery methods, including design-build and design-build-operate
- Counseling on procurement and administration of architectural, engineering, and testing and inspection services



- Preparation and negotiation of complex design and construction agreements
- Handling various construction claims
- Reviewing bid documents prior to release in order to modify language in order to prevent claims
- Advising on the applicability of prevailing wage laws

Regulatory and Administrative Matters

Members of WGL have served as counsel to local governments throughout the United States for decades and are intimately familiar with all regulatory and administrative matters public entities face. Our experience includes:

- Advising on Freedom of Information Law and Open Meetings Law matters
- Reviewing charters and by-laws
- Promulgating agency rules and regulations, and advising on governance matters
- Negotiating consent orders and consent decrees
- Advising on rate studies and ratemaking
- Conducting internal investigations with respect to employment-related matters and preparing reports on findings and conclusions
- Advising public management on union matters

Real Property/Land Use

Our attorneys have extensive experience representing public entities on their real property matters, with a particular emphasis on land use, zoning, environmental, and redevelopment issues. Our experience includes:

- Representation on condemnation proceedings and challenges
- Advising on redevelopment agency projects, urban renewal projects, and affordable/below-market housing
- Counseling on parkland issues, including alienation issues
- Advising on the acquisition of municipal assets
- Advising on zoning issues

Sports and Entertainment

Our attorneys have advised on multiple issues relating to municipal involvement in the sports and entertainment industry. Our experience includes:

- Advising on casino and gaming law matters, including mitigation issues



- Drafting and negotiation of agreements with professional hockey and baseball organizations
- Advising on agreements with acclaimed music artists and agreements relating to holding concerts
- Counseling on filming location agreements

Shared Services/Consolidation

We have significant experience advising on legal issues in connection with shared services/consolidation. Members of WGL have been involved with shared services/consolidation in their legal careers and in previous employment in the public sector. Our experience includes advising on:

- County, City, Town, and Village relationship matters
- Consolidation of sewer districts
- Coordinating solid waste flow control measures
- Negotiating water rights deals between municipalities
- Analyzing various agreements in connection with service restructuring studies

WGL and its attorneys have provided a broad array of services to public entities in New York, which include:

- Binghamton-Johnson City Joint Sewage Board
- Broome County
- Development Authority of the North Country
- Nassau County
- Nassau County Villages (East Rockaway, Freeport, Garden City, Lynbrook, Malverne, Rockville Centre, and Valley Stream)
- Rensselaer County
- Rockland County
- Rockland County Sewer District No. 1
- Rockland County Solid Waste Management Authority
- Sullivan County
- Town of Brookhaven
- Town of North Hempstead
- Town of Orangetown
- Town of Poughkeepsie
- Ulster County Resource Recovery Authority



WGL is currently prequalified to serve on panels for the City of Buffalo Corporation Counsel, the Erie County Attorney's Office, the Onondaga County Attorney's Office, and for the following authorities: Empire State Development ("ESD"); the Dormitory Authority of the State of New York ("DASNY"); the Metropolitan Transportation Authority ("MTA"); and the New York State Energy and Research Development Authority ("NYSERDA").

In addition to our significant experience in New York, members of WGL have successfully represented municipalities and other public entities throughout the nation in connection with a broad array of municipal matters. This gives us the national perspective of understanding how challenges were addressed by other municipalities, and allows us to bring a fresh approach to our clients. These municipalities and public entities include, among others:

- City of Coachella, California
- City of Stockton, California
- Los Angeles County, California
- Water Research Foundation, Denver, Colorado
- City of New London, Connecticut
- Florida Keys Aqueduct Authority, Florida
- City of Fort Pierce, Florida
- Monroe County, Florida
- City of Annapolis, Maryland
- City of Attleboro, Massachusetts
- Town of Braintree, Massachusetts
- City of Fall River, Massachusetts
- Town of Framingham, Massachusetts
- City of Holyoke, Massachusetts
- City of Lawrence, Massachusetts
- Lynn Water and Sewer Commission, Massachusetts
- Springfield Water and Sewer Commission, Massachusetts
- City of Taunton, Massachusetts
- Tri-Town Board of Water Commissioners, Massachusetts
- Tulsa Metropolitan Utility Authority, Oklahoma
- City of Philadelphia, Pennsylvania
- Lemon-Tunkhannock Joint Municipal Sewer Authority, Pennsylvania
- Pittsburgh Water and Sewer Authority, Pennsylvania



- Government Development Bank for Puerto Rico, Puerto Rico
- Puerto Rico Aqueduct and Sewer Authority, Puerto Rico
- City of Cranston, Rhode Island
- City of Newport, Rhode Island
- City of Providence, Rhode Island
- City of Woonsocket Budget Commission, Rhode Island
- Rhode Island Water Resources Board, Rhode Island
- Warwick Sewer Authority, Rhode Island

As mentioned above, WGL represents local governments, municipalities, and public agencies with respect to a broad range of issues. Representative engagements in New York at the County level include the following:

- **Nassau County, New York** (*Nassau County Veterans Memorial Coliseum*) in connection with the redevelopment of the Nassau Veterans Memorial Coliseum site — a project valued at more than \$300 million, consisting of a public-private partnership to transform the 43-year-old Coliseum and plaza into an attractive, first-class destination for sports and family entertainment. Our representation included assisting the County with obtaining private financing for the redevelopment of the Nassau Coliseum and the surrounding area; drafting an RFQ and an RFP seeking private developers for the redevelopment of the Nassau Hub; facilitating the procurement processes; negotiating the contract documents, including simultaneous lease negotiations with the selected RFP finalists; and shepherding the selected lease through the County's approval process. WGL attorneys successfully negotiated a redevelopment and lease agreement between the County and Nassau Events Center, LLC, an affiliate of Forest City Enterprises, Inc. The project will result in zero tax liability to the residents of Nassau County and will generate more than \$300 million in direct revenue to the County over the full 49-year term of the lease.
- **Nassau County, New York** (*Wastewater System*) in connection with the development and negotiation of a contract to privatize operations, maintenance and management of the County's sewer system, which includes three major wastewater treatment plants, 53 sewage pump stations and approximately 3,000 miles of sewers. The sewer system is responsible for the collection, treatment and disposal of sewage in a large area of the County, with a current customer base of approximately one million. This operation and maintenance agreement is the



largest water-related public-private partnership to date in the United States, with a value of more than \$1.2 billion.

- **Rockland County, New York (*Construction Litigation*)** in connection with a breach of contract action stemming from the construction and failure of a new cover to a secondary digester. WGL attorneys successfully argued that the case should be remanded to State Court from United States District Court for the Southern District of New York.
- **Nassau County, New York (*Clean Water Act Defense*)** in connection with an action in the United States District Court for the Eastern District of New York alleging violations of the Clean Water Act stemming from alleged illegal discharges.
- **Rockland County Solid Waste Management Authority, New York (*Solid Waste Management*)** with the development and management of its county-wide solid waste disposal system. In such capacity, we serve as special counsel to the Authority and provide legal representation in connection with the Authority's various contractual arrangements.
- **Rockland County Solid Waste Management Authority, New York (*Procurement Litigation*)** in connection with a challenge to an RFP issued for recyclables collection. The Authority received three proposals in response to the RFP and based upon evaluation of the factors listed in the RFP, the lowest proposer was not selected. The proposer subsequently commenced an Article 78 proceeding, claiming that the Authority was subject to General Municipal Law § 103, which would have required the Authority to choose the lowest responsible bidder. Both the Supreme Court and the Second Department agreed with WGL's compelling legal argument that General Municipal Law § 103 is only applicable to political subdivisions, and that public benefit corporations, such as the Authority, are not political subdivisions.
- **Broome County, New York (*Solid Waste System*)** in analyzing legal alternatives and options available to the County concerning flow control.
- **County of Sullivan, New York (*Solid Waste System*)** with respect to whether to form a County solid waste disposal district, a solid waste management authority or

a resource recovery agency pursuant to New York law. Our representation also included advising the County on whether to update and enforce the County's flow control law to aid the operation of the solid waste management system for a district, an authority, or an agency. WGL attorneys also assisted the County with determining the most effective financing options for the expansion of the solid waste management system and construction of a transfer station based on the closure of its landfill.

- **Orange County, New York (*Wastewater System*)** in connection with advising the County in collaboration with Delaware Engineering to develop a study to find ways to increase treatment capacity for the County's only sewer district by at least three million gallons a day without significantly raising costs. We analyzed numerous existing agreements between affected municipalities, and we summarized a comprehensive legal framework through which the County could proceed with the study's practical recommendations.
- **Rockland County Sewer District No. 1, New York (*Clean Water Act Defense*)** in an action in the United States District Court for the Southern District of New York against allegations of violations of the Clean Water Act stemming from alleged sewage discharges into the Saddle River resulting in the dismissal of several of the causes of action against the District.
- **Nassau County, New York (*Co-Generation Project*)** in connection with a P3 transaction involving the lease and private operation of the County's District Energy System (DES), that would provide thermal and electrical energy to a number of private and public entities, including the Nassau County Correctional System, the Long Island Marriot, the Nassau Coliseum, and Nassau University Medical Center. The County is planning to enter into a P3 transaction with a selected entity who will operate, maintain and manage the DES, providing thermal energy to existing, and potentially new, users.
- **Rockland County Sewer District No. 1, New York (*Public- Private Partnership Wastewater Plant*)** in its procurement of a contractor for the operation and maintenance of its Advanced Wastewater Treatment Plant. We represented the Sewer District in the development of the facility on a DBO basis, which was the first municipal wastewater DB or DBO project in New York. We were responsible for reviewing New York law to determine whether the wastewater treatment plant could be developed pursuant to a DBO approach under the existing statutory framework. WGL assisted the Sewer District with the drafting of the procurement documents (including the RFP), the evaluation of proposals, and served as lead



negotiator and principal drafter of the DBO agreement. We continue to serve as full-time outside counsel to the Sewer District, providing contract oversight and administration assistance.

Real Property/Land Use

Our lawyers have extensive experience representing public entities, with a particular emphasis on land use, zoning, environmental, and redevelopment matters from planning, regulatory, and financing perspectives. We also serve as special counsel for redevelopment activities for many cities, counties, and redevelopment agencies, and our team has developed and drafted portions of comprehensive plans in municipalities, negotiated and drafted community benefit agreements.

Our extensive experience includes advising on:

- Condemnation proceedings and challenges
- Redevelopment agency projects
- Urban renewal projects
- Affordable/below-market housing projects
- Parkland issues, including alienation issues
- Acquisition of municipal assets
- Zoning issues

A notable example of our real property experience involves advising **Nassau County** in connection with the redevelopment of the Nassau Veterans Memorial Coliseum and its surrounding area, commonly referred to as the “Hub.” Our representation includes advising on real estate and land use issues in connection with the Coliseum redevelopment, the development of a \$140 million research and treatment facility with Memorial Sloan Kettering, the lease and private operation of the County’s District Energy System and an \$85 million parking structure involving a grant from the Empire State Development Corporation.

Transactions

We have extensive experience addressing all aspects of procurement and contracting matters, including negotiating and drafting contracts, public bidding processes, and prosecuting and defending contract claims. Our work includes development of model procurement and contract forms, resolution of bidding disputes, contract administration, and bond and insurance issues. We routinely interpret New York statutes, rules and



regulations, and guidance unique to public entities, such as General Municipal Law §§ 103 and 120-w, and opinions of the State Comptroller and Attorney General.

As indicated above with respect to our municipal law practice, transactional work constitutes the vast majority of matters we handle, ranging from construction agreements to public-private partnership agreements to operations and maintenance agreements. Other than regulatory and litigation work, our firm is fundamentally focused on transactional matters.

In one notable project, as discussed above, we advised **Nassau County** in connection with the redevelopment of the Nassau Veterans Memorial Coliseum site. Our representation included assisting the County with obtaining private financing; drafting an RFQ and an RFP seeking private developers for the redevelopment of the Nassau Hub; negotiating the contract documents, including simultaneous lease negotiations with the selected RFP finalists; and shepherding the selected lease through the County's approval process. The project will result in zero tax liability to the residents of Nassau County and will generate more than \$300 million in direct revenue to the County.

Our attorneys, both while in public and private practice, have advised on the following types of contracts, among others:

- Concessions
- Construction
- Design-Build
- Design-Build-Operate
- Employment separation agreements
- Energy savings performance contracts
- Federal and state grant assistance
- Inter- and intra-municipal agreements for shared services
- Operation and maintenance
- Water/sewer/solid waste

PRINCIPAL QUESTIONNAIRE FORM

All questions on these questionnaires must be answered by all officers and any individuals who hold a ten percent (10%) or greater ownership interest in the proposer. Answers typewritten or printed in ink. If you need more space to answer any question, make as many photocopies of the appropriate page(s) as necessary and attach them to the questionnaire.

COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY. FAILURE TO SUBMIT A COMPLETE QUESTIONNAIRE MAY MEAN THAT YOUR BID OR PROPOSAL WILL BE REJECTED AS NON-RESPONSIVE AND IT WILL NOT BE CONSIDERED FOR AWARD

1. Principal Name: Teno A. West
Date of birth: 03/23/1962
Home address: 47 North Street, PO Box 381
City: Litchfield State/Province/Territory: CT Zip/Postal Code: 06759
Country: US
- Business Address: 81 Main St., Suite 510
City: White Plains State/Province/Territory: NY Zip/Postal Code: 10601
Country: US
Telephone: (914) 898-2400
- Other present address(es): 4 Richmond Square, Suite 350,
City: Providence State/Province/Territory: RI Zip/Postal Code: 02906
Country: US
Telephone: 401-371-3636

List of other addresses and telephone numbers attached

2. Positions held in submitting business and starting date of each (check all applicable)

President	_____	Treasurer	_____
Chairman of Board	_____	Shareholder	_____
Chief Exec. Officer	_____	Secretary	_____
Chief Financial Officer	_____	Partner	_____
Vice President	_____		
(Other)	_____		

Type	Description	Start Date
Other	Principal	03/01/2017

3. Do you have an equity interest in the business submitting the questionnaire?

YES ☒ NO ☐ If Yes, provide details.

100%

4. Are there any outstanding loans, guarantees or any other form of security or lease or any other type of contribution made in whole or in part between you and the business submitting the questionnaire?

YES ☒ NO ☐ If Yes, provide details.

- a. \$150,000.00 Loan
b. Guaranty of White Plains office lease
c. Guaranty of Line of Credit
d. Guaranty of Providence office lease

5. Within the past 3 years, have you been a principal owner or officer of any business or notfor-profit organization other than the one submitting the questionnaire?

YES ☐ NO ☒ If Yes, provide details.

6. Has any governmental entity awarded any contracts to a business or organization listed in Section 5 in the past 3 years while you were a principal owner or officer?

YES ☐ NO ☒ If Yes, provide details.

NOTE: An affirmative answer is required below whether the sanction arose automatically, by operation of law, or as a result of any action taken by a government agency. Provide a detailed response to all questions checked "YES". If you need more space, photocopy the appropriate page and attach it to the questionnaire.

7. In the past (5) years, have you and/or any affiliated businesses or not-for-profit organizations listed in Section 5 in which you have been a principal owner or officer:

- a. Been debarred by any government agency from entering into contracts with that agency?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- b. Been declared in default and/or terminated for cause on any contract, and/or had any contracts cancelled for cause?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- c. Been denied the award of a contract and/or the opportunity to bid on a contract, including, but not limited to, failure to meet pre-qualification standards?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- d. Been suspended by any government agency from entering into any contract with it; and/or is any action pending that could formally debar or otherwise affect such business's ability to bid or propose on contract?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

8. Have any of the businesses or organizations listed in response to Question 5 filed a bankruptcy petition and/or been the subject of involuntary bankruptcy proceedings during the past 7 years, and/or for any portion of the last 7 year period, been in a state of bankruptcy as a result of bankruptcy proceedings initiated more than 7 years ago and/or is any such business now the subject of any pending bankruptcy proceedings, whenever initiated?
YES ☐ NO ☒ If 'Yes', provide details for each such instance. (Provide a detailed response to all questions check "Yes". If you need more space, photocopy the appropriate page and attached it to the questionnaire.)

9. a. Is there any felony charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- b. Is there any misdemeanor charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- c. Is there any administrative charge pending against you?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- d. In the past 10 years, have you been convicted, after trial or by plea, of any felony, or of any other crime, an element of which relates to truthfulness or the underlying facts of which related to the conduct of business? Y
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- e. In the past 5 years, have you been convicted, after trial or by plea, of a misdemeanor?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

- f. In the past 5 years, have you been found in violation of any administrative or statutory charges?
YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

10. In addition to the information provided in response to the previous questions, in the past 5 years, have you been the subject of a criminal investigation and/or a civil anti-trust investigation by any federal, state or local prosecuting or investigative agency and/or the subject of an investigation where such investigation was related to activities performed at, for, or on behalf of the submitting business entity and/or an affiliated business listed in response to Question 5?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

11. In addition to the information provided, in the past 5 years has any business or organization listed in response to Question 5, been the subject of a criminal investigation and/or a civil anti-trust investigation and/or any other type of investigation by any government agency, including but not limited to federal, state, and local regulatory agencies while you were a principal owner or officer?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

12. In the past 5 years, have you or this business, or any other affiliated business listed in response to Question 5 had any sanction imposed as a result of judicial or administrative proceedings with respect to any professional license held?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

13. For the past 5 tax years, have you failed to file any required tax returns or failed to pay any applicable federal, state or local taxes or other assessed charges, including but not limited to water and sewer charges?

YES ☐ NO ☒ If yes, provide an explanation of the circumstances and corrective action taken.

I, Teno A. West, hereby acknowledge that a materially false statement willfully or fraudulently made in connection with this form may result in rendering the submitting business entity and/or any affiliated entities non-responsible, and, in addition, may subject me to criminal charges.

I, Teno A. West, hereby certify that I have read and understand all the items contained in this form; that I supplied full and complete answers to each item therein to the best of my knowledge, information and belief; that I will notify the County in writing of any change in circumstances occurring after the submission of this form; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the County will rely on the information supplied in this form as additional inducement to enter into a contract with the submitting business entity.

CERTIFICATION

A MATERIALLY FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE SUBMITTING BUSINESS ENTITY NOT RESPONSIBLE WITH RESPECT TO THE PRESENT BID OR FUTURE BIDS, AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

West Group Law PLLC

Name of submitting business

Electronically signed and certified at the date and time indicated by:

Teno A. West [WGL@WESTGROUPLAW.COM]

Managing Partner

Title

06/08/2022 10:06:45 AM

Date