

Town of Moreau

Request for Proposals

***Managed Information Technology &
Telecommunication Services***

***Proposal Opening:
March 20, 2020 @ 3:00 p.m.***

INSTRUCTIONS FOR PROSPECTIVE VENDORS

1. Sealed proposals for the furnishing and delivery of the items as required for the Town of Moreau, and as set forth in the specifications prepared by the town board, will be opened at the Moreau Town Hall, 351 Reynolds Road, Moreau, NY 12828 at **3:00 p.m. on March 20, 2020**.
2. Copies of the specifications may be obtained from the Town Clerk's Office no later than **3:00 p.m. on March 13, 2020**. All proposals must be submitted before **3:00 p.m. on March 20, 2020**, the day of opening.
3. Each proposal must state a certain sum for each item proposed and for the total of all items proposed. Prices are to be quoted as specified on the proposal form and extensions made.
4. Purchases made by the Town of Moreau are not subject to state or local taxes or federal excise taxes. Exemption certificates will be furnished upon request.
5. Each vendor must state that no officer of the Town of Moreau or member of the town board is directly or indirectly interested in the proposal.
6. Each proposal is to be enclosed and sealed in an envelope marked with the name of the vendor and the materials for which the proposal is submitted.
7. Proposals shall remain firm, pending award, for a period not to exceed sixty (60) days from the proposal opening date.
8. An "Affidavit of Non-Collusion" is attached and forms a part of this proposal. Failure to sign this statement will constitute grounds for rejection of the proposal.
9. Each vendor must acknowledge receipt of and comply with the "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" policy (attached).
10. The Town Board reserves the right to reject any or all proposals and re-advertise.
11. Where items or articles or equipment or supplies are designated as manufactured by a specific manufacturer, it is to be understood that the articles as specified represent an accepted standard. Where certain brands of materials, apparatus, or equipment are specified, such goods have been selected in order to establish a standard for the particular service required, but it is not the intention to limit competition thereby.
12. If the vendor proposes to furnish the article which is specified, he is to fill in the amount on the line indicated. If he desires to offer a substitute for the article specified, which is claimed to be equivalent to the standard specified, the amount should be recorded and identified as a "substitute" proposal and furnish the required information relating to the manufacturer. In cases where the proposal is based upon a substitute article, the vendor will be asked to submit a sample. Samples will be returned, if desired, as soon as the award is made.
13. All proposals are to be based on delivery prepaid to destination, which shall be buildings of the Town of Moreau as specified.

14. The Town Board of the Town of Moreau reserves the right to waive any informalities on proposals received, and to accept reasonable substitutes for specified items as long as such substitutes in no way affect the performance of the item for which the proposal has been requested.
15. The approximate quantities shown in the proposal documents are not meant to imply that said quantities will in fact be purchased. Payment will be based on an “as delivered” basis at the facilities listed using actual quantities received.

DETAILED SPECIFICATIONS

INTRODUCTION AND BACKGROUND

Purpose of the Request for Proposal (RFP):

The Town of Moreau, New York (Moreau) is seeking comprehensive managed services to support its IT and voice infrastructure. The primary objective of the RFP is to secure a vendor to provide 24/7 hardware and software support and maintenance, as well as monitoring and help desk services. The winning vendor will need to coordinate with existing service providers as well as hardware and application vendors, helping to provide a seamless experience for the end users.

In addition, the winning vendor will be required to assist the town with strategic planning, keeping systems current and operational in the most cost-effective manner possible. With that in mind, they will work with Moreau's Technology and Records Management Committee and/or the Moreau Town Board or their designee to identify special initiatives outside the scope of daily maintenance. These initiatives will be treated as separate projects with their own scopes and deliverables.

The overall goal of this RFP is to procure long-term, comprehensive, reliable, timely, proactive IT management and support that will promote the mission of the Town of Moreau.

PROPOSAL SUBMISSION

Vendor's proposal in response to this RFP will be incorporated into the final agreement between Moreau and the selected vendor(s). The submitted proposals are suggested to include each of the following sections:

1. Proposal Form
2. Affidavit of Non-Collusion
3. Cover Letter with Brief Company Overview
4. Executive Cost Summary
5. Approach and Methodology
6. Management Deliverables and Reports
7. Detailed Specifications
8. Minimum of Three References

The detailed requirements for each of the above-mentioned sections are outlined under "Detailed Response Requirements".

Questions, concerns, and/or requests for clarification which are specific to the technical requirements stated in this proposal document should be directed, no later than **March 19, 2020 at 10 a.m.**, to:

Name	Jeffrey Cruz, Principal Account Clerk
Phone	(518) 792-1030, Ext. 6
Email	paccclerk@townofmoreau.org

DETAILED RESPONSE REQUIREMENTS

** Please Note: Provided forms/documents shall not be altered or changed.

1) PROPOSAL FORM

- Must be completed in full

2) AFFIDAVIT OF NON-COLLUSION

3) COVER LETTER WITH COMPANY OVERVIEW

Cover letter will provide the following about your company:

- Official registered name (Corporate, D.B.A., Partnership, etc.), address, main telephone number, toll-free numbers, facsimile numbers and email addresses.
- Key contact name, title, address (if different from above address), direct telephone, email addresses and fax numbers.
- Person authorized to contractually bind the organization for any proposal pursuant to this RFP.
- Brief history, including year established and number of years your company has been offering managed services and/or applications support.
- Disclosure of any actual or potential conflicts of interest and any pending lawsuits with a brief summary of each.

4) EXECUTIVE COST SUMMARY

This section should present a high-level synopsis of the costs associated with the Vendor's response to the RFP. The Executive Cost Summary should include all one-time costs of services as well as any monthly recurring costs or estimates, including pricing for special initiatives.

5) APPROACH AND METHODOLOGY

The winning vendor will be responsible for providing support to the main location, Town Hall, as well as few smaller satellite locations. An overview of the environment is included for review. Although all requests for service will be filtered through a central contact person/office, Moreau currently has no on-site personnel to address IT issues.

Proposed solutions will need to take this in to account.

Responses will need to address in detail all parts outlined in the Scope of Work section including:

- A comprehensive list of included and NOT included services.
- An in-depth description of the proposer's overall support strategy and philosophy.
- An overview of the problem reporting and resolution system describing the support process, including tiers or service levels, call escalation, and close out procedures.
- A Service Level Agreement (SLA) outlining response and resolution times.

6) MANAGEMENT DELIVERABLES AND REPORTS

Include samples and explanations of any reports used to summarize or provide detail of system health and readiness that will be provided for this engagement.

7) DETAILED SPECIFICATIONS

Hours of operation are primarily 8:00AM to 4:00PM, Monday through Friday. As with any organization there may be some instances that may require after-hours support and/or 24/7 service.

- On-site Support
- Remote Support
- Help Desk Support
- After Hours Support
- Travel Time
- Cyber Security support

- Training
- Project Management
- Emergency Support

8) REFERENCES (minimum 3)

Provide three current corporate references for which you perform similar work. At least one of the references should be comparable to Moreau in size and requirements. It is also advisable to include at least one governmental agency within the state of New York, if you have such clients.

EVALUATION FACTORS FOR AWARD

CRITERIA

Any award to be made pursuant to this RFP will be based upon the proposal, with appropriate consideration given to operational, technical, cost, and management requirements. Evaluation of offers will be based upon the vendor's responsiveness to the RFP, ability of the vendor to meet the needs of The Town of Moreau, and the total price quoted for all items covered by the RFP.

The Town of Moreau may, at our discretion and without explanation to the prospective vendors, at any time choose to discontinue this RFP without obligation to such prospective vendors.

SCOPE OF WORK

Managed Services:

The principal focus of this RFP is to obtain managed services for the current IT and Telecommunication infrastructure, providing a robust platform supporting the Town's daily operations and end user needs. Paramount to this process is help desk and trouble ticket creation, tracking, and remediation. Responses should outline all aspects of help desk support such as:

- Hours of operation
- Staff location and qualifications
- Problem escalation
- Average response and resolution times

As part of the managed services structure, proposals should address the following areas, including additional detail where required:

- Desktop Application and Hardware Support
- Server Application and Hardware Support
- Network Service and Hardware Support
- Email System Support
- Printing and Scanning Support
- User Adds, Moves, and Changes
- Server and Workstation Security Updates
- Disaster Recovery Readiness
- Network Security Monitoring and Maintenance
- Help Desk Ticket Tracking
- Network and Server Equipment Monitoring
- System Health Reporting
- End User Training & Onboarding

In an effort to account for all charges that are incurred for the year, the following annual subscription costs should be included:

- Anti-virus software
- Web Security
- Web filtering software
- Crypto prevent

Over the course of the contract, in addition to the day to day support requirements, vendors will need to be able to identify and propose special initiatives. These projects constitute work outside of the scope of support and maintenance. Responses should include pricing and an overview of their approach to these special initiatives. The following list includes currently identified and potential special initiatives in order to give vendors an opportunity to understand the type of work encompassed within this category:

- Effective Deployment of Security Awareness Training for Town employees
- Implement programs to complete annual risk assessments.
- Telecom cost analysis to be completed with recommendations for consolidation
- While it is understood that services may be carried out by multiple individuals, a single point of contact, or project manager, should be designated to coordinate efforts in order to provide a stable and unified vision in all aspects of support.
- Data security and system integrity are a chief concern for the Town of Moreau. Vendors will need to demonstrate competent and detailed processes and procedures used to maintain and protect sensitive client information and credentials.

Supplemental Information:

- Experience with public sector organizations
- Experience with compliance standards
- Microsoft Tier1 CSP (Cloud Service Provider)– proof of certifications required.
- Certified Avaya Partner – Support of the Town’s Avaya IP Office phone systems is a requirement
- Key differentiators
- Terms and conditions
- Vendors will need to provide proof of errors or omissions and general liability insurance and may be asked to add the Town of Moreau as an additional insured.

DESCRIPTION OF ENVIRONMENT AND EXISTING INFRASTRUCTURE

Infrastructure Overview:

The current organization consists of approximately 15 workstations and laptops of various makes and models running Microsoft Windows 10, with the bulk of the deployment located at Town Hall. Roughly 12 users rely on the system and are supported by various applications, file sharing, and network printing and scanning. The server infrastructure is made up of 1 physical Dell server running Microsoft Windows Server 2012. The server provides file and print services as well as maintains Microsoft Active Directory. Networking services and edge security are provided primarily via SonicWall equipment. The server and network equipment is housed in cabinets and racks within a climate controlled datacenter on UPS conditioned power and battery backup.

Respondents will need to be proficient with the following hardware, software, and technologies:

- Disaster Recovery
- Enterprise Security – VPN, Anti-Virus, Web Filtering IPSec VPN Site-to-Site and Remote Access VPNs
- Enterprise Spam Filtering and Mail Security for Microsoft Exchange.
- Network Infrastructure Management and Design
- Storage Methodologies, RAID, Shared Storage including SAN and NAS
- Microsoft Active Directory (AD)
- Microsoft Windows Server 2008/2012/2016/2019 Microsoft Windows 8/10
- Microsoft Internet Information Services (IIS) Microsoft Exchange
- Microsoft Office 365
- Microsoft Active Directory Group Policies
- VMware vCenter Server VMware ESXi
- APC UPS Hardware APC PowerChute
- Dell Workstation and Laptop Hardware
- Workstation Imaging and Deployment Methodologies Apple iOS, Android, and Microsoft Tablet Computers
- Print Management HP Printer Hardware
- Network and Desktop Document Scanning and Storage
- Cloud Based Applications and Software as a Service (SaaS)

Proposal Form

1. RFP available for pick-up in Town Clerk’s Office	March 4, 2020
4. Proposal Due Date/Opening	March 20, 2020 by 3:00 p.m.
5. Awarding the Contract to Vendor	March 24, 2020 Town Board Meeting

The undersigned has read, understands, and agrees to all conditions of this proposal and will furnish material as follows:

Managed Information Technology Services (as per detailed specifications)

Total Annual Managed Services price: \$ _____
(DURING normal business hours)

Managed Services Hourly Rate: \$ _____
(OUTSIDE normal business hours)

Hourly rate for work outside the scope: \$ _____

Hourly rate for special initiatives: \$ _____

The entire proposal is strictly in accordance with the specification set forth in the proposal documents herein.

I understand if I am chosen as the lowest responsible prospective vendor, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York’s newly released guidance on sexual harassment. By submitting a proposal, I acknowledge receipt of the “Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace” Policy.

_____ *Signature*

_____ *Name of Company or Corporation*

_____ *Address*

_____ *City State Zip*

**RESOLUTION AUTHORIZING SUBMISSION OF PROPOSALS BY
CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND
WAIVER OF IMMUNITY CLAUSE**

Resolved that _____ be authorized to sign and submit the proposal of this corporation for _____ Town of Moreau, New York, Saratoga County, and to include in such proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate vendor shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by _____ corporation at a meeting of its board of directors held on the ____ day of _____, 2018.

(SEAL OF THE CORPORATION)

Signature of Individual

**INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF
IMMUNITY CLAUSE**

I, _____ hereby sign and submit this proposal for _____ Town of Moreau, New York, Saratoga County, and to include in such proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual vendor shall be liable under the penalties of perjury.

Signature of Individual

Date

TOWN OF MOREAU WAIVER ON IMMUNITY CLAUSE

The undersigned prospective vendor agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the proposal or contract, to sign a Waiver of Immunity against Criminal transaction, proposal or contract:

Name of Firm: _____

Signed by: _____ Title: _____

Signature: _____ Date: _____

903 Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace

Policy Statement – It is the policy of the Town of Moreau to promote a productive work environment and to prohibit conduct by any Elected Official or employee that disrupts or interferes with another’s work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Town is committed to educate Elected Officials and employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such discrimination and harassment from the workplace. In short, the Town does not tolerate any form of discrimination or harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such activity in the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of discrimination and harassment, including sexual harassment, without any risk of repercussion to any individual covered by this policy who, in good faith, files such complaint.

Applicability of Policy – This policy applies to all Elected Officials, Appointed Members of Boards and Commissions, employees, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, paid or unpaid interns, volunteers, and those employed by companies contracting to provide services in the workplace. Depending on the extent of the Town’s exercise of control, this policy may be applied to the conduct of non-Town employees with respect to harassment of Town employees in the workplace.

Prohibited harassment (including sexual harassment) is not limited to the physical workplace itself. It can occur while Elected Officials, employees or other individuals covered by this policy are traveling for Town business or at Town sponsored events or parties. Calls, texts, emails, and social media usage by employees or other individuals covered by this policy can constitute workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Prohibited Activity – No Elected Official, employee or other individuals covered by this policy shall engage in any of the following:

- **Harassment:** Unwanted, unreasonable verbal or physical conduct directed toward or affecting another person that disturbs, frightens, insults, threatens, intimidates, demeans, or offends that other person, that continues or is repeated after a request to cease, and that: 1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; 2) has the purpose or effect of unreasonably interfering with an individual’s work performance; or 3) otherwise adversely affects an individual’s employment opportunities. Harassment includes offensive or inappropriate images or written materials or electronic communications (e.g. letters, e-mail, text messages, or graffiti) as well as bias-based harassment and sexual harassment (see below).
- **Bias-Based Harassment:** Harassment that denigrates, offends or shows hostility or aversion toward an individual on the basis of sex, (including gender identity and the status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Bias-based harassment includes, but is not limited to: epithets, slurs or negative stereotyping;

threatening, intimidating, or hostile acts; denigrating jokes; and written, electronic, or graphic material that denigrates, ridicules, objectifies, or shows hostility, aversion or contempt toward an individual or group and that is placed on walls, bulletin boards, lockers or elsewhere on or in the Town's premises, vehicles, or equipment, or is circulated in the workplace, including through electronic means.

- **Discrimination:** The Town of Moreau is an Equal Opportunity Employer. The Town does not unlawfully discriminate on the basis of sex, (including gender identity and the status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Unlawful discrimination based on membership in these categories is prohibited by applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, assignments, compensation, promotion, transfer, training, leave of absence, and termination.

Definition of Sexual Harassment – This policy places special attention on the prohibition of sexual harassment in the workplace. Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of Sexual Harassment - The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:

- Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Prohibition Against Retaliation – Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a claim of discrimination or harassment, including sexual harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Unlawful retaliation against any employee who has engaged in “protected activity” is strictly prohibited by this policy as well as (where applicable) federal, state, and local law. Protected activity occurs when a person has:

- made a complaint of harassment or discrimination, either internally or with any anti-discrimination agency;
- opposed harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or management of harassment or discrimination;
- reported that another employee has been subjected to harassment or discrimination;
- encouraged a fellow employee to report harassment or discrimination;
- participated in a workplace investigation regarding harassment or discrimination;
- testified or assisted in a proceeding involving harassment or discrimination under the Human Rights Law or other anti-discrimination laws.

Even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of discrimination or harassment.

Reporting of Discrimination and Harassment (including Sexual Harassment) – Reports of alleged discrimination and/or harassment (including sexual harassment) or retaliation may be made verbally or in writing. A form for the submission of a written complaint is attached to this policy and individuals are encouraged to use this form. If an individual chooses to submit a verbal complaint, such complaint will be recorded by the receiver of this complaint on this form. Employees are encouraged to report incidents of discrimination, harassment (including sexual harassment), or retaliation to their Department Head and/or the Town Supervisor as soon as possible after their occurrence. If the employee's Department Head is believed to be involved in the incident, or if the employee is not comfortable in addressing the incident with the Department Head, the report should be made directly to the Town Supervisor. If the Town Supervisor is believed to be involved in the incident or the employee is not comfortable reporting the incident to the Town Supervisor, the employee should report the incident to a member of the Town Board. Employees who believe they have been discriminated against or harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Town Supervisor, or any member of the Town Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the Town Supervisor, or any member of the Town Board at home if these individuals do not work during the employee's shift. Nonemployees are encouraged to report incidents of alleged discrimination and harassment (including sexual harassment) to either the Department Head of the department where services are being provided, the Town Supervisor, or a member of the Town Board.

Supervisory Responsibility – Supervisory personnel must make every effort to ensure a work environment that is free from discrimination and harassment, including sexual harassment. Any Department Head or supervisor who receives a complaint or information about suspected prohibited activity (as outlined above), observes behavior that may constitute prohibited activity, or for any reason suspects that prohibited activity is occurring, is required to report such suspected prohibited activity to the Town Supervisor, or any member of the Town Board.

In addition to being subject to corrective action or discipline if they engaged in prohibited activity themselves, supervisory personnel will be subject to discipline for failing to report suspected prohibited activity or otherwise knowingly allowing prohibited activity to continue. Supervisory personnel will also be subject to corrective action or discipline for engaging in any form of retaliation prohibited by this policy.

Investigation of Complaint – The Town Supervisor, in consultation with the Town Board, will determine the appropriate individual(s) to conduct the investigation. All complaints pursuant to this policy, whether reported in verbal or written form, will be investigated promptly, thoroughly, and in as impartial a manner as possible. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. All employees are required to cooperate in an investigation, if so directed. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation. All relevant materials, including all electronic communications, documents, emails or phone records that are relevant to the allegations will also be considered. A written report will be prepared documenting the results of the investigation. The individual who reported the complaint and the individual about whom the complaint was made will be notified of the final determination.

Confidentiality – Complaints of discrimination and harassment, including sexual harassment, will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Town to third parties or to anyone within the Town employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

Corrective Action and Discipline – Any employee who is found to have violated any aspect of this policy will be subject to corrective or disciplinary action, up to and including termination of employment, as provided by Town operating procedures, including Civil Service Law Section 75, or a collective bargaining agreement. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the Town is empowered to take such action.

Legal Protections and External Remedies – Nothing in this policy should be construed as in any way limiting employees' rights to file a formal complaint with the appropriate state or federal agencies responsible for administering antidiscrimination laws. Complainants should be aware that time restrictions may apply and need to be considered.

Harassment (including sexual harassment) is not only prohibited by Town policy but is also prohibited by federal, state, and (where applicable) local law. Aside from the Town's internal process, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) applies to employers in New York State with regard to harassment and protects employees and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court. Filing an internal complaint with the Town does not extend the time limits to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the Town to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400. Contact DHR at (888) 392- 3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Saratoga County Sheriff Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the Saratoga County Sheriff Department.