

TOWN OF CLARENCE, ERIE COUNTY, INDUSTRIAL DEVELOPMENT AGENCY

REQUEST FOR PROPOSALS

Bond Transactional Counsel Legal Services

DATED: October 28, 2024

The Clarence Industrial Development Agency is soliciting a formal Request for Proposal for Bond Transactional Counsel Legal Services. The Clarence Industrial Development Agency (CIDA) shall enter into a three (3) year contract with an annual review and renewal with the successful party.

All proposals should be submitted in writing to:

The Clarence Industrial Development Agency
Clarence Town Hall
One Town Place, Clarence, New York, 14031
Attention: Jennifer D'Andrea **no later than November 15, 2024.**

All questions with respect to this RFP should be submitted by electronic mail to Jennifer D'Andrea at jdandrea@clarence.ny.us. Responses to questions shall be returned via electronic mail.

In order to respond, you must be an individual licensed attorney admitted to practice law in New York State and have familiarity with local municipal laws and ordinances, familiarity with New York State law including Open Meeting Laws, the Freedom of Information Act, and Roberts Rules of Order.

The mission of The Clarence Industrial Development Agency (CIDA) is to promote investment in the community for the purposes of creating and maintaining jobs through a team effort with Town government and other community agencies and organizations dedicated to economic

development. The CIDA will carry out its purposes in a manner consistent with the Town's Master Plan, with due concern for preserving the Town's aesthetic and environmental quality.

The Clarence Industrial Development Agency adopted the County Wide Industrial Development Agency Uniform Tax Exemption Policy. The policy outlines the fees paid for Bond Transactional Counsel Legal Services in effect currently.

Scope of Work Required

1. Review Application
2. Draft Public Hearing Notice
3. Draft Inducement Resolution
4. Draft Intermunicipal Move Notice, if required
5. Draft Deviation Notices, if required
6. Draft Project and Agent Agreement
7. Draft IDA Closing Documents
8. Secure applicant signatures on Inducement Resolution and Project and Agent Agreement
9. Prepare IDA Agency fee invoices
10. Prepare Sales Tax Letters
11. Review all lender agreements
12. Review title documents
13. Review any entity documents
14. Provide PILOT information to town assessor
15. Schedule and manage closing process with applicant
16. Provide CIDA with transcript and RP-412-a with PILOT for mailing to taxing jurisdictions
17. Provides PILOT and recorded Memos of Leases to assessor and IDA

Proposal Information Requested

1. Provide a general background description of your firm
2. Provide the name (s) of the associates that will be assigned to the CIDA along with background, level of experience with economic development organizations, etc.
3. Provide a list of current IDA's currently engaged to provide services
4. Any information on your firm's approach which will aid the Board in considering your knowledge of The Town of Clarence and The Clarence Industrial Development Agency

The Clarence Industrial Development Agency reserves the right to award the contract(s) associated with this RFP to the respondent who presents a complete proposal that both demonstrates pertinent experience and qualifications and which represents the most responsible financial terms as determined by the CIDA.

Failure to submit all information requested above may, at the sole discretion of the CIDA, cause a proposal to be considered nonresponsive and subject to no further review.

Fees for Services

Applicant must confirm acceptance of the fee Schedule outlined in the County Wide Industrial Development Agency Uniform Tax Exemption Policy Application.

Historical Data

The CIDA averages about 3 real estate closings in a calendar year.

The CIDA holds about twelve (12) full board meetings annually, with about 2 committee meetings annually for a total of 14 meetings that it may require its attorney to attend.

Public Records

Proposals submitted under this request for proposal are subject to public disclosure under the New York State Freedom of Information Law. If bidders do not want certain proprietary data disclosed for any purpose other than for evaluating the proposal, the bidder must identify the reason for the restriction and pages of the proposal, the bidder identify the reason for restriction and the pages of the proposal which they wish to have restricted, if allowed by law.

Right to Reject Proposals

The issuance of this RFP constitutes only an invitation to present proposals. The CIDA reserves the right without prejudice to reject any or all proposals and to waive any formalities therein or in the selection process. The CIDA and/or the Selection Committee reserve the right to determine, in their sole discretion, whether any aspect of the proposal satisfactorily meets the criteria established in the RFP. The CIDA and the Selection Committee also reserve the right to seek additional information and/or clarification from any respondent submitting a response, and the right to reject any or all responses, with or without cause. In the event that any response to this RFP is rejected for any reason, the CIDA shall have no liability to any respondent for any cost or expense incurred in connection with the RFP or otherwise. Further, the CIDA reserves the right to award the contract pursuant to this RFP to any respondent regardless of the final score determined by the Selection Committee if doing so is deemed to be in the best interest of the CIDA.