

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

MEMORANDUM

**TO:** Board of Directors, Buffalo Erie Niagara Land Improvement Corporation  
**FROM:** Brendan Mehaffy, Chairperson  
**SUBJECT:** Resolution #2022-28 Approve Contract for Real Estate Legal Services  
**DATE:** November 17<sup>th</sup>, 2022

DISCUSSION:

BENLIC released a Request for Proposal (RFP) for Real Estate Legal Services on September 15<sup>th</sup>, 2022, with a submission deadline of October 18<sup>th</sup>, 2022. The awarded firm will assist BENLIC with, but not limited to:

- Represent the Land Bank with real estate acquisition and real estate disposition matters involving public and private real estate opportunities and other property related issues, i.e., title clearance, etc.
- Represent the Land Bank in negotiating with the Developer Partner to execute development agreements that will serve as controlling documents for implementation of projects.
- Represent the Land Bank involving the negotiation, preparation and review of all contracts, agreements, and other writings necessary to implement or assist in the implementation of all phases of any real estate transaction.

ACTION:

WHEREAS, the Buffalo Erie Niagara Land Improvement Corporation wishes to approve a list of firms to enter into contracts for Real Estate Closing Services;

WHEREAS, pursuant to the Corporation's Procurement Policy for Professional Services over \$10,000.00, a Request for Proposal was sought from legal firms specializing in real estate closing services on September 15<sup>th</sup>, 2022, with a submission deadline of October 18<sup>th</sup>, 2022; and

WHEREAS, the proposals received from the aforementioned RFP process are presented in the table below:

FIRM	PROPOSAL PRICE	COMMENT
Bengart & DeMarco, LLP	\$575/closing \$210/hour based on 10 min increments.	Clarence Town Attorney/Prosecutor. Town of Clarence IDA Counsel. Represented Erie County in land use matters.
Daniel Tarantino	\$625 flat fee	Solo practitioner with relevant real estate transactional experience.
Berger & Paskowitz	\$650 flat fee	Small firm with relevant experience. Located in the Brisbane Building.
Rupp Baase Pfalzgraf Cunningham LLC	\$1,995 flat fee Partners \$250-\$350 Associates \$150-\$250 Paralegals \$75-\$100	Extensive residential and commercial real estate transaction experience.

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RESOLVED, that the BENLIC Board of Directors approves the list of qualified firms and authorizes the execution of a retainer agreements as needed upon the rates provided in said proposal for a period of two years commencing on December 1<sup>st</sup>, 2022 to perform Real Estate Closing Services for the benefit of BENLIC; and be it further,

RESOLVED, that this Resolution, approving the contract for Real Estate Legal Services with any of the approved firms, shall take effect immediately.