

REQUEST FOR PROPOSALS

Real Estate Brokerage Services

ARPA Infill Initiative

Infill Homes in the Town of Cheektowaga



403 Main Street, Suite 602

Buffalo NY 14203

A New York State Land Bank

RFP Date:

July 24, 2025

Proposals Due: August 7, 2025 at 4:00 p.m. EST

Introduction

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) is a 501c3 not-for profit organization and a New York State land bank. BENLIC's mission is to return vacant, abandoned, and underutilized properties to productive use. This is accomplished by acquiring and stabilizing, demolishing, or constructing new residential properties and then marketing them for sale.

The ARPA Infill Initiative in the Cheektowaga is funded by the American Rescue Plan Act (ARPA) through Erie County.

BENLIC is seeking proposals for residential real estate brokerage services from licensed and qualified real estate brokerage firms to list and complete home sales of five (5) single-family homes through an **application and non-competitive lottery process**. The homes are located in Cheektowaga. These dwellings will be constructed with stick-frame construction techniques. The homes are approximately 1,100-1,400 square feet in size, one (1) and two (2) stories, with two to three (2-3) bedrooms, and one and a half (1.5) bathrooms. Completion of all five (5) homes is anticipated in October of 2025.

This Request for Proposals (RFP) will be emailed to prospective firms, posted on the BENLIC website (www.benlic.org), and may be advertised elsewhere. BENLIC encourages qualified entities to submit proposals.

Qualifications

- Licensed real estate brokers, who may have a team of agents working under them, who are motivated to sell properties to low- and moderate-income buyers
- The lead broker on the proposal must possess a minimum of 5 years of experience as a NYS licensed real estate broker
- Must have an office in Erie County, preferably in the Town of Cheektowaga
- Familiarity with the Town of Cheektowaga real estate market and specifically trends in new construction and home sales within the Town of Cheektowaga and Erie County
- Knowledge of the various financial incentives, grants, and financing sources available to buyers of these types of properties and be prepared to help them make connections that will result in a successful home purchase
- While not a qualification requirement, NYS Certified Minority/Woman Business Enterprise firms are strongly encouraged to submit a response

Firm Responsibilities and Scope of Service

- Please see Attachment A for the expected Scope of Services.
- Firm shall possess insurance coverage in accordance with the attached BENLIC Standard Insurance Requirements (Schedule B)

Non-Collusive Bidding Certification

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

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

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

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition. BENLIC expressly reserves the right at any time prior to August 7, 2025 to change the requirements or specifications of this bid and the services requested thereunder.

BENLIC further reserves the right to reject all bids hereunder and re-bid the job or, at its sole discretion, to not award the job to any bidder following receipt of any and all bids hereunder. BENLIC shall not be bound to award the job, regardless of bids received. In no event shall BENLIC be liable to any respondents for any costs incurred in submitting a response to this RFP. This RFP creates no legal obligations on the part of BENLIC.

Proposal Requirements

All proposals shall be organized in the following manner:

A. Contact Information

- Name, address, federal tax ID number, telephone number and email address of the individual and/or firm(s). If a firm, include the name and title of the individual authorized to negotiate contracts. BENLIC expects a single point of responsibility to act as one voice on behalf of the lottery applicants.

B. Experience

- Description of the firm or team's resources – Please provide the names of all personnel (including all firms and associate personnel partnering in this project) who will be assigned to work with BENLIC including previous experience and education.
- Years of operation – State the number of years your firm has been involved in real estate brokerage services, and the volume of homes sold over the last five years within the Town of Cheektowaga.
- Provide images and descriptions of past homes sold to demonstrate experience of a similar nature. Also describe your experience working with local communities.

C. Marketing Plan

As a NYS Land Bank, BENLIC real estate transactions must be made as publicly accessible as possible. Please propose a marketing process and anticipated timeline that includes:

- How you intend to market property via various media formats (e.g. newspapers, online, mailings, etc.)
- How you intend to market property specifically to diverse populations and first-time homebuyers.
- Interface with BENLIC's HUD-certified homeownership counseling provider, Belmont Resources for WNY, to ensure prospective offerors are made aware of the application and non-competitive lottery process, homeownership counseling services, purchase assistance programs, and mortgage products.
- How you intend to satisfy and deliver BENLIC's Scope of Services (Attachment A).
- How you intend to update BENLIC on marketing efforts and provide complete offer submissions for final BENLIC approval.

D. Compensation

Present your firm's fee per home sale for completing real estate transactions and any costs for selling property.

- Include any dollar amount minimum required. Please explain how fees are split with buyers' agents.
- Please present your total pricing for this project and per/transaction fee.
- BENLIC reserves the right to award multiple brokerage contracts based on the quality of the proposals, relevant experience, or for any other reasons deemed in the best interest of the Corporation.

Award Criteria

Proposals will be evaluated and awarded on the following criteria:

- Overall Quality and Responsiveness of Proposal
- Suitability of the Proposals Marketing Plan
- Lowest and Most Responsible Commission Structure
- Experience and Qualifications
- Key Personnel and Resources

Note: Preference will also be given to firms that are local or regional businesses and who are certified as a NYS Minority- or Women-Owned Business Enterprise. Please include relevant certifications if applicable.

Bid Notes

Nothing in this Request for Proposal shall be construed to create any legal obligation on the part of BENLIC or any respondents. BENLIC reserves the right to amend, suspend, terminate, or reissue this Request for Proposal in whole or in part, at any stage. In no event shall BENLIC be liable to respondents for any cost of damages incurred in connection with the Request for Proposal process, including but not limited to, any and all costs of preparing a response to this Request for Proposal or any other costs incurred in reliance on this Request for Proposal. No respondent shall be entitled to repayment from BENLIC for any costs, expenses or fees related to the Request for Proposal. All support documentation submitted in response to this Request for Proposal will become the property of BENLIC. Respondents may also withdraw their interest in the Request for Proposal, in writing, at any point in time as more information becomes known.

BENLIC is not responsible for delays occasioned by the U.S. Postal Service, the internal mail delivery system or any other means of delivery employed by the respondent. Similarly, BENLIC is not responsible for, and will not consider, any response which was received later than the date and time stated above. Late responses shall not be considered and shall be returned to the late respondent. BENLIC reserves the right to reject any or all responses or waive any informality in a bid if it believes that the public interest will be promoted thereby. BENLIC may reject any response, if, in its judgment, the business and technical organization, plant, resources, financial standing, or experience of the bidder justifies such rejection in view of the work to be performed.

The responsible and qualified responses will be submitted to the BENLIC Board of Directors for consideration and approval at a regularly scheduled meeting. The meeting is open to the public. A bid tabulation summary of the received, reviewed and appropriate bids will be included in the minutes of BENLIC.

Anticipated Schedule

Bids due: **August 7, 2025 at 4:00 PM EST**

Notification of Award: Week of August 21st, 2025 Pending final BENLIC Board approval

No formal interview process is planned, however BENLIC may choose to reach out to submitters for follow-up interviews as deemed necessary.

Submission Information

Responses must be mailed (US Overnight Mail, Priority Mail, 1st Class Mail), e-mailed, faxed, or delivered to:

Buffalo Erie Niagara Land Improvement Corporation

403 Main Street, Suite 602

Buffalo New York, 14203

RE: Real Estate Brokerage Services – ARPA Infill Initiative in Cheektowaga

Responses must be received by BENLIC at its offices before August 7, 2025 4:00 p.m. EST.

Attachment A

Scope of Services:

Prior to Listing

- The listing agent will perform a comparative market analysis based on nearby comparable sales prices and report the analysis to the Land Bank.
- The listing agent will prepare an information packet for potential purchasers promoting grants and financing available for property purchase and promote the property and other positive aspects of the community.
- The listing agent shall post at least 15 clear, attractive, and representative photos of the property to the MLS listing.

During the Listing

- The listing agent will post all properties to the Multiple Listing Service (MLS) and attach the Land Bank's standard purchase contract, application forms, and ensure that all properties listed for sale are accessible via a lockbox.
- The agent will install a swing sign, or similar, in the yard of properties for sale.
- The listing agent is expected to educate buyers and buyers' agents about the application process, the non-competitive lottery process, and about the Land Bank's rationale for certain application requirements.
- Procure and assist all Belmont or other HUD homebuyer education-qualified buyer referrals with submitting completed applications.
- The listing agent should direct interested buyers to BENLIC's HUD-certified homebuyer counseling partner to enroll in counseling services or to access any homebuyer resources offered by the agency. Or any other HUD certified counselor the interested buyer so chooses.
- Ensure that buyers have fully completed the Land Bank's purchase application, contract, and submitted all required documentation for income verification. The listing agent will then pass the complete applications on to the Land Bank immediately once submitted.
- Provide buyers with details of the non-competitive lottery including important processes, deadlines, selection criteria, and results.
- Provide the Land Bank with a monthly report summarizing all open listings and indicating the level of activity each property has attracted.
- Advise the Land Bank regarding price reductions for properties that have been listed for an extended period of time and are not attracting adequate interest.
- Inform the Land Bank immediately if you see maintenance deficiencies or physical conditions at the property that need to be addressed for public safety or in order to better market the property.
- Inform all buyers entered into a particular lottery of the lottery results and assist BENLIC in collecting required signatures for sales contract execution.

Preparing to Close

- Provide commission statements from the seller's agent and buyer's agent to the Land Bank's legal counsel to expedite the timely preparation of a Closing Statement.
- If the buyer is using legal counsel, encourage them to review the purchase offer with their attorney prior to signing the offer (there is no attorney approval clause in the Land Bank's sales contract) and submit it to the Land Bank. Ensure that buyer's counsel understands that the Land Bank's process differs from typical residential transactions and refer them to the information sheet attached to the purchase contract.
- Periodically check in on pending sales and that any inspections required by the buyers' lender are completed in a timely manner in order to expedite closing.

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS

CLASSIFICATION A: Construction or Maintenance

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION STANDARD INSURANCE REQUIREMENTS

Vendor Insurance Classification A: Contracts Involving Construction or Maintenance

1. The contractor shall obtain, at its own cost and expense, the following insurance coverages with insurance companies licensed in the State of New York and shall provide a certificate of insurance as evidence of such coverages on the standard ACCORD Certificate.

A. Commercial General Liability - with a minimum combined single limit of liability for Bodily Injury and Property Damage of \$1,000,000 per occurrence and \$2,000,000 general aggregate and \$2,000,000 Products – Completed Operation Aggregate. The coverage shall include:

- Premises and Operations
 - Products and Completed Operations
 - Independent Contractors
 - Blanket Broad Form Contractual Liability (sufficient to cover all liability assumed under contracts with BENLIC)
 - Broad Form Property Damage
 - Explosion, Collapse and Underground Hazards (x, c, u) must NOT be excluded.
- Deductible must not exceed \$10,000

B. Automobile Liability - with a minimum combined single limit of liability for Bodily Injury and Property Damage of \$1,000,000 each occurrence. The coverage shall include Owned, Hired, and Non-Owned Autos (Symbol "1" should be designated for Liability coverage on the Business Auto Policy). The deductible shall not exceed \$10,000.

C. Excess "Umbrella" Liability - with a minimum limit of \$1,000,000 each occurrence / \$1,000,000 aggregate.

D. Worker's Compensation and Employer's Liability - providing statutory coverage in compliance with the Worker's Compensation Law of the State of New York (Forms C-105.2; SI-12; GSI-105.2; or U-26.3). The deductible shall not exceed \$10,000.

E. Disability Benefits - providing statutory coverage in compliance with the New York State Disability Benefits Law (Forms DB-120.1 or DB-155).

2. Commercial General Liability, Automobile Liability and Excess "Umbrella" Liability shall name the Buffalo Erie Niagara Land Improvement Corporation (BENLIC), and if applicable ENTERPRISE COMMUNITY PARTNERS, INC., 70 Corporate Center, 11000 Broken Land Parkway, STE 700, Columbia MD 21044. Coverage should be provided on a primary and non-contributory bases. Designated Construction Project General Aggregate Limit Per Person Endorsement CG 2503 is required. Waiver of Subrogation is required on all lines in favor of BENLIC.

3. All policies in which BENLIC, and if applicable, ENTERPRISE COMMUNITY PARTNERS, INC. is/are named as an additional insured(s) shall provide that:

- A. The insurance company or companies issuing the policies shall have no recourse against the BENLIC and/or ENTERPRISE COMMUNITY PARTNERS, INC. for payment of any premiums or for assessments under any form of policy.
- B. The insurance shall apply separately to each insured (except with respect to the limit of the liability).

4. Prior to cancellation, non-renewal or material change of the above policies, at thirty (30) days advance written notice shall be given to BENLIC Counsel c/o County of Erie, Department of Law, 95 Franklin Street, Room 1634, Buffalo, N.Y. 14202, and the Agency requesting the certificate.

5. All certificates of insurance shall be approved by the BENLIC Counsel prior to the inception of any work. Any request for a waiver of the above requirements shall be in writing to BENLIC Counsel c/o County of Erie, Department of Law, 95 Franklin Street, Room 1634, Buffalo, N.Y. 14202.

Failure to maintain coverage herein shall constitute a material breach of the contract and the Contractor shall suspend all work immediately upon such lapse in coverage.