

## REQUEST FOR PROPOSALS

Homebuyer Services

ARPA Infill Initiative



This RFP includes a Bid Alternate. Respondents may propose partnerships with licensed New York State real estate brokers to provide supplemental marketing and transaction services.

403 Main Street, Suite 602

Buffalo NY 14203

A New York State Land Bank

RFP Date: August 26, 2025

Proposals Due: Friday, September 12, 2025, 1 PM 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 is funded by the American Rescue Plan Act (ARPA) through Erie County and the City of Buffalo.

BENLIC is seeking proposals for marketing, homebuyer services, and administration of its lottery sales process from housing and community agencies, organizations, and/or not-for-profits. Alternatively, BENLIC welcomes respondents to propose innovative partnerships with local residential real estate brokerage firms for marketing services, buyer solicitation, and transaction support.

BENLIC intends to sell all 52 single-family homes via an application and non-competitive lottery process. 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.

BENLIC is seeking proposals for:

- a. Homebuyer Services for 5 Homes in Cheektowaga
- b. Homebuyer Services for 47 Homes in the City of Buffalo
- c. Homebuyer Services for all (options a+b) 52 homes

**Proposals should indicate option a, b, or c.**

All five (5) Cheektowaga homes and twenty-one (21) City of Buffalo homes are anticipated to be complete in October of 2025. The remaining twenty-six (26) City of Buffalo homes are anticipated to be complete in the fall of 2026 or earlier.

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

Any responses should ensure all proposed processes, contracting, and sales activities conform to BENLIC Board authority and New York State Land Bank law. Respondents must structure activities to avoid conflicts of interest and protect BENLIC's fiduciary obligations.

## **Qualifications**

- Housing and community agencies, organizations, and/or not-for-profits motivated to sell properties to low- and moderate-income buyers
- The organization on the proposal must possess a minimum of 5 years of experience in providing homebuying services to low- and moderate-income buyers within the WNY Region.
- Must have an office in Erie County
- Familiarity with the Erie County real estate market and specifically trends in new construction and home sales within Erie County
- Experience working with low- and moderate-income homebuyers
- Familiarity with fair housing marketing practices
- Experience providing income verification, pre or post purchase counseling, or other homebuyer services
- Experience working with local lending/financial institutions on providing mortgage products for low-income home buyers and incentives, grants, down payment assistance and other financing sources available to buyers of these types of properties and be prepared to help buyers make connections that will result in a successful home purchase
- While not a qualification requirement, partnerships with NYS Certified Minority/Woman Business Enterprise firms are strongly encouraged as part of an organization's proposal

## **Organizations Responsibilities and Scope of Service**

- Please see Attachment A for the expected Scope of Services including bid alternate details
- 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 September 12, 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 organization. Include the name and title of the individual authorized to negotiate contracts on behalf of the organization. BENLIC expects a single point of responsibility. Bid-alternates shall include the same information for partner brokerages.

### **B. Experience**

- Administrative Capacity & Staffing: 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. Respondents must describe their current administrative and staffing capacity to support the full Scope

of Services. If additional staff must be hired or reassigned, proposals must identify a staffing plan and timeline.

- Years of operation – State the number of years your firm has been involved in homebuyer services, and the volume of homebuyers provided services over the last five years within Erie County.
- Provide images and descriptions of past homes sold and/or leased to demonstrate experience of a similar nature. Also describe your experience working with local communities.

### **C. Timeline + Marketing Plan**

As a NYS Land Bank, BENLIC real estate transactions must be made as publicly accessible as possible. Additionally, respondents should note that three (3) homes are anticipated for completion by October 2025, with an additional set of Buffalo homes completed later in 2025, and the remainder through 2026. Marketing and staffing strategies must reflect this deployment

Please propose an anticipated timeline for all marketing and sales processes that include:

- How you intend to satisfy and deliver BENLIC's Scope of Services (Attachment A) and bid alternate (if proposed).
- Buyer Entry and Coordination: Buyers may first encounter the program through nonprofit outreach or through MLS/broker marketing (if alternate proposed). Regardless of entry point, all buyers must flow through BENLIC's lottery and counseling process before purchase contracts are finalized.
- How you intend to market property via various media formats (e.g. newspapers, online, mailings, etc.)
- How you intend to market property specifically to low- and moderate-income residents, diverse populations and first-time homebuyers.
- Interface with other HUD-certified homeownership counseling providers or private real estate professionals 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 update BENLIC on marketing efforts and provide complete offer submissions for final BENLIC approval.

## **D. Compensation**

Present your organization's fee and indicate the proposal is for:

- Option A: 5 homes in Cheektowaga
- Option B: 47 homes in the City of Buffalo
- Option C: 52 homes – 5 in Cheektowaga and 47 in the City of Buffalo
- Include any dollar amount minimum required.
- Please present your total pricing for this project, including staffing fees for services to be provided including bid alternate, if applicable.
- BENLIC reserves the right to award multiple 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 Fee/Commission Structure
- Experience and Qualifications
- Key Personnel and Resources
- Feasibility of Broker Partnership (if proposed)

**Note:** Preference will also be given proposals to non-profit organizations that are local or partner with businesses 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:** Friday September 12, 2025 1PM EST

**Notification of Award:** 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: Homebuying Services – ARPA Infill Initiative

**Responses must be received by BENLIC at its offices before September 12, 1PM EST**

## **Attachment A**

### **Scope of Services:**

#### **NOTE – Bid Alternate: Broker MLS Services**

All nonprofit respondents are expected to satisfy the full Scope of Services outlined in the RFP. In addition, respondents may propose, as a **Bid Alternate**, a partnership with a licensed New York State real estate broker. Broker services may include, but are not limited to: MLS listings, signage, property photography, buyer/agent coordination, contract execution, and closing management, as well as any other supplemental duties the nonprofit designates within the Scope of Services.

**Respondents must clearly specify the duties and responsibilities that the partner broker will perform.**

**Broker Commission:** All commission arrangements must be disclosed, including any buyer's agent split. Buyer-side representation is not prohibited. Proposals must also explain how roles will be coordinated between the nonprofit and broker to avoid duplication. Evaluation criteria will give weight to local broker knowledge and demonstrated real estate sales experience.

#### **Prior to Marketing**

- Develop and implement a marketing plan to attract income eligible home buyers in accordance with fair housing marketing practices
- 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 and/or non-profit organization shall post at least 15 clear, attractive, and representative photos of the property to the MLS listing. If local MLS services is not accessible, photos should be disseminated within other marketing channels such as social media, the organizations website, print, etc.

#### **During Marketing**

- The listing agent and/or non-profit organization will post all properties to the Multiple Listing Service (MLS) or other service for effectively disseminating available for-sale properties and attach the Land Bank's standard purchase contract, application forms, and ensure that all properties listed for sale are accessible via a lockbox.



- Install a swing sign, or similar, in the yard of properties for sale.
- Verify incomes of prospective homebuyers. All income documentation will be preserved and forwarded to BENLIC.
- Work with prospective homebuyers to pre-qualify them for a mortgage.
- Work with local lenders to provide the most advantageous mortgage product and down payment assistance for the prospective home buyer.
- Provide HUD certified pre-purchase and post- purchase counseling to potential new home buyers or provide referrals to other HUD certified pre- and post- purchase counseling services.
- Procure and assist other HUD homebuyer education-qualified buyer referrals with submitting completed applications
- The listing agent and/or non-profit organization is expected to educate buyers or buyers' agent about the application process, the non-competitive lottery process, and about the Land Bank's rationale for certain application requirements.
- Procure and assist other HUD homebuyer education-qualified buyer referrals with submitting completed applications.
- The listing agent and/or non-profit organization should direct interested buyers or agent 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 and/or non-profit organization will then pass the complete applications on to the Land Bank immediately once submitted.
- Maintain a waiting list of potential homebuyers after they have been pre-qualified for a mortgage
- 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 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**

- **Administer buyer Lottery:** The organization will be responsible for administering the non-competitive buyer lottery in accordance with BENLIC's policies and procedures. This includes:
  - Publicizing deadlines and eligibility criteria to all qualified applicants
  - Ensuring all eligible applications are included in the lottery pool
  - Conducting the lottery in a transparent and compliant manner
  - Documenting the process and results, and forwarding complete records to BENLIC for review and approval
  - Notifying applicants of outcomes in coordination with BENLIC
- Provide commission statements from the sellers and/or their 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 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 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 together with the corresponding policy endorsements.

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, HOUSING TRUST FUND CORPORATION, 38-40 State Street, Albany, NY 12207, and STATE OF NEW YORK, One Commerce Plaza, 99 Washington Ave, Albany, NY 12231-0001. 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, CITY OF BUFFALO and ERIE COUNTY 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 CITY OF BUFFALO and ERIE COUNTY 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 the Executive Director of BENLIC with a copy to Counsel for BENLIC c/o John P. Sidd – Hancock

Estabrook, LLP, 1800 AXA Tower I, 100 Madison Street, Syracuse, New York 13202, and the Agency requesting the certificate.

5. All certificates of insurance and policy endorsements 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 John P. Sidd – Hancock Estabrook, LLP, 1800 AXA Tower I, 100 Madison Street, Syracuse, New York 13202.

**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.**