

**GLENS FALLS CIVIC DEVELOPMENT CORPORATION
GLENS FALLS INDUSTRIAL DEVELOPMENT AGENCY
GREATER GLENS FALLS LOCAL DEVELOPMENT CORPORATION**

Request for Qualifications for Legal Services

PURPOSE OF REQUEST

The Glens Falls Civic Development Corporation (“Glens Falls CDC”), Glens Falls Industrial Development Agency (“Glens Falls IDA”) and Greater Glens Falls Local Development Corporation (“Glens Falls LDC”) are requesting proposals from qualified individuals and firms to provide legal services as independent contractor(s) to one, two or three organizations. Using the responses from this Request for Qualifications for Legal Services (“RFQ”), upon review and approval by the boards of directors, the Glens Falls CDC, Glens Falls IDA and Greater Glens Falls LDC intends to establish a pool of qualified attorneys from the Respondents who will be available to provide legal services as needed for general organizational business, for special project(s), and to serve as bond counsel during the contract term. One or more individuals/firms may be selected from the Respondents to provide services to one, two or all 3 organizations. Each of the respective Boards has the right to select their own counsel. If selected, a retainer agreement will be offered at a compensation rate set by the boards of directors. Nothing in this process or in the establishment of this pool of qualified attorneys precludes the organizations from seeking or retaining other legal firms or individuals that are not on this qualified list for legal work for one, two or all 3 organizations.

The period of qualification will be ongoing and updated at the discretion of the board of directors of the three organizations, but is expected to commence by or before March/April 2016 and extend until March 2019.

The deadline for delivery of responses to this RFQ is 3:00 p.m. on Wednesday March 16, 2016.

Any and all questions about this RFQ must be directed to Edward Bartholomew at 518-761-6007 or gfeb@nycap.rr.com.

GENERAL BACKGROUND

The Glens Falls IDA, Glens Falls CDC and the Greater Glens Falls LDC are public entities created by and serve as public instrumentalities of the City of Glens Falls, New York. The entities are authorized under public authorities law and general municipal law of the State of New York to acquire, own, lease, mortgage, and transfer or dispose of real or personal property, provide sales tax exemption during construction and equipping of facilities, authorize the issuance and sale of negotiable bonds, and in the case of the Glens Falls CDC the issuance and sale of tax-exempt bonds on behalf of non-profit civic organizations, and other powers conferred in the various enabling acts. Regarding the Greater Glens Falls Local Development Corporation, the LDC provides loan to qualified applicants. The entities serve a public purpose to relieve and reduce unemployment, promote and provide for additional and maximum employment, for the bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, by attracting new industry to the area or by encouraging the development or retention of an industry.

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SCOPE OF SERVICES

Respondents must include NYS licensed individuals who can demonstrate they will have the continuing capabilities to perform these services:

1. Experience in representing industrial development agencies, civic development corporations and other similar public authorities that are involved in economic development activities and projects that create a public benefit;
2. Provide legal advice and counsel concerning the powers granted to the entities under the various statutes to ensure the entities only engage in activities and exercise those powers which are expressly authorized in law, or which are incidental to performing the statutory purposes;
3. Assist with the evaluation of proposed economic development projects including real estate transactions;
4. Provide counsel in various Industrial Development Agency tax abatement matters including Payment in Lieu of Taxes or PILOT agreements, lease and leaseback;
5. Provide legal advice and guide environmental reviews and help to ensure compliance under the PAAA, Not for Profit , SEQRA process;
6. Counsel will be called upon to attend meetings;
7. Counsel and their staff shall be responsible for taking of the minutes at the respective meetings;
8. Counsel may be called upon to provide other types of legal services.

PROFESSIONAL INFORMATION REQUIREMENTS

Respondent shall submit a brief description of its overall experience in providing the type of services sought in the RFQ. To be considered to perform legal services requested by this RFQ, a firm or group shall submit a proposal demonstrating the following:

1. Extensive working knowledge and expertise in General Municipal Law Article 18A Title 1, Not-For-Profit Corporation Law Article 14 Section 1411, Public Authorities Accountability Act of 2005, Public Authorities Reform Act of 2009, the New York State Authorities Budget Office, and the Public Authorities Reporting Information System (“PARIS”).
2. Extensive working knowledge of recommended best practices for public authorities, not for profits, including but not limited to governance models and principles, code of ethics, guidance policies from respective agencies, recommended best practices from statewide economic development organizations , conflict of interest, financial disclosure, fiduciary duties of board members, board member training, and subsidiaries.

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3. Respondent shall also provide the following:
- a. Name, mailing address and email address for main contact person who will serve as attorney to the organizations if the retainer is offered;
 - b. Resumes of key partners or employees of Respondent;
 - c. Explanation of perceived relevance of the experience to the RFQ;
 - d. Brief description of Respondents relevant clients, including municipal government clients, civic development corporations, industrial development agencies, local development corporations during the last three (3) years;
 - e. List of any clients or individuals who present or might present a conflict of interest including immediate relatives of principal(s) of respondent who are employees or elected officials of the City of Glens Falls , Glens Falls CDC ,Glens Falls IDA and Greater Glens Falls Local Development Corporation;
 - f. confirmation of appropriate state and federal licenses to perform activities;
 - g. List of all cases where the Respondent represented the City of Glens Falls or in which they sued the City of Glens Falls or in which they represented a client that sued the City of Glens Falls within the last five (5) years; and
 - h. Proposed billing rate structure.

CONDITIONS

Upon submission of a response to this RFQ, the Respondent acknowledges and consents to the following conditions relative to the submission and review and consideration of its qualifications statement:

- All costs incurred by the Respondent in connection with responding to the RFQ shall be borne solely by the Respondent.
- The Glens Falls CDC , Glens Falls IDA and Greater Glens Falls LDC reserve the right (in their sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all Respondents responding to the RFQ from further consideration for this procurement.
- The Glens Falls CDC, Glens Falls IDA and Greater Glens Falls LDC reserve the right (in their sole judgment) to reject any Respondent that submits incomplete responses to this RFQ, or a qualification Statement that is not responsive to the requirements of this RFQ.
- The Glens Falls CDC, Glens Falls IDA and Greater Glens Falls LDC reserve the right, without prior notice, to supplement, amend, or otherwise modify this RFQ, or otherwise request additional information from any or all Respondents.

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- The Glens Falls CDC, Glens Falls IDA and Greater Glens Falls LDC reserve the right (in their sole judgment) to waive any technical non-conformance with the terms of this RFQ.
- The Glens Falls CDC, Glens Falls IDA and Greater Glens Falls LDC reserve the right to conduct investigations of any or all of the Respondents, to clarify the information provided as part of the Qualification Statement and to request additional information to support the information provided in any or all Qualification Statements.
- All Qualification Statements shall become the property of the Glens Falls CDC, Glens Falls IDA and Greater Glens Falls Local Development Corporation.
- All responses will be treated as confidential, unless otherwise required by law.
- The Glens Falls CDC, Glens Falls IDA or Greater Glens Falls LDC may request Respondents to send representatives for interviews.
- The Glens Falls CDC, Glens Falls IDA and Greater Glens Falls LDC reserve the right to suspend or terminate the procurement process described in this RFQ at any time (in its sole discretion). If terminated, The Glens Falls CDC, Glens Falls IDA and Greater Glens Falls LDC may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.
- The Glens Falls CDC, the Glens Falls IDA, Greater Glens Falls LDC nor their officers, officials or employees shall be liable for any claims or damages resulting from the solicitation or preparation of the Qualification Statement.

SUBMISSION REQUIREMENTS

DUE DATE: RFQ responses (limit 12pages) shall be delivered electronically via email gfeb@nycap.rr.com

(No later than 3:00 p.m., Wednesday March 16, 2016 to:

Ed Bartholomew
CEO
Glens Falls Industrial Development Agency
Glens Falls Civic Development Corporation
Greater Glens Falls Local Development Corporation
Attention Office of EDC Warren County
234 Glen Street, (first floor) Glens Falls, NY 12801
518-761-6007
gfeb@nycap.rr.com

Should it not be feasible for one to submit their RFQ response electronically, you may submit one original and eleven (11) bound copies on white 8.5” x 11” paper (limit of 12 pages for submittal) to Mr. Bartholomew at the address provided above within the time period. Facsimile responses will not be accepted.

Regardless of postmarked date, all RFQ responses received after the due date will be returned unopened.