

CORNELL COOPERATIVE EXTENSION of WYOMING COUNTY REQUEST FOR PROPOSALS:

GENERAL/REAL ESTATE COUNSEL FOR THE SALE of 4-H CAMP WYOMOCO

DUE DATE: Monday, August 21, 2023 – 4:30 PM – CCE Wyoming, 36 Center St, Suite B, Warsaw, NY 14569

INSTRUCTIONS TO APPLICANTS

REQUIREMENTS OF REQUEST FOR PROPOSAL AND DELIVERY

Cornell Cooperative Extension of Wyoming County (“CCE Wyoming”) invites qualified firms or individuals to submit proposals for legal services to CCE Wyoming. Proposals will be accepted until Monday, August 21, 2023. Proposals must be submitted to 36 Center St, Suite B, Warsaw, NY 14569 c/o Executive Director, CCE Wyoming OR via email at wyoingexecdir@cornell.edu. Proposals received after that time will not be considered. No proposals may be withdrawn after the time set for public opening.

CCE Wyoming reserves the right to hire multiple attorneys or firms to provide the various services described under the specifications herein.

Complete Proposals Required

Applicants are required to provide all the information requested in this Request for Proposals as well as any additional information or alternatives requested. While CCE Wyoming may solicit additional information during the evaluation of the proposals submitted pursuant to this Request for Proposals, CCE Wyoming will not be responsible for any omissions on the part of any applicant. Applicants are cautioned to read the requirements carefully and to follow the response format of this Request for Proposals (“RFP”), as any deviation from the format and/or requirements listed may be cause for rejections. No proposal will be accepted which contains any changes, additions, omissions, or erasures—unless otherwise stated.

Inquiries

All inquiries concerning this RFP should be mailed to:

% Executive Director, CCE Wyoming

36 Center St, Suite B, Warsaw, NY 14569

Or e-mailed to: wyoingexecdir@cornell.edu

Preparation of Proposal

- (a) If submitting physical copies: Each proposal shall be submitted in one or more sealed opaque envelope(s) and shall have printed on the outside the name and address of the person or firm submitting the Proposal. One bound and one unbound paper copy should be provided.
- (b) If submitting electronically: Each proposal should be submitted in a PDF format via email to the Executive Director at wyoingexecdir@cornell.edu. The subject field should indicate that it is a Proposal for Legal Services Related to the Sale of 4-H Camp Wyomoco.
- (c) Non-collusion certification. Each proposal must be accompanied by a non-collusion certification, signed by the applicant, as required by General Municipal Law Section 103(d). A copy of a sample non-collusion certification is annexed hereto.

Proposal Content

On a separate sheet, the applicant must provide a description of their capabilities and experience, including the following information:

- (a) Name, mailing address, email address, and telephone number of the consultant(s)—include local office address if different.
- (b) Name, mailing address, email address, and telephone number of a contact person.
- (c) Narrative describing the history of the firm/practice, including date of inception.
- (d) Detailed resumes and/or work histories for each person (professional staff only) including level of responsibility, educational qualifications, and previous work assignments that relate to this RFP
- (e) A brief description of clerical and support staff, research capabilities, and technology support
- (f) An outline of the ability to provide CCE Wyoming with digital files throughout the duration of the project.
- (g) Any potential conflicts of interest in representing CCE Wyoming.
- (h) Detailed statement of experience in the areas of law described under “General Conditions” and “Specifications” contained herein.
- (i) Demonstration of capacity to control costs and complete required services.
- (j) Other information that the proposer may wish to provide.

Form of Proposal

The proposal submitted should include the following information regarding the cost of services:

- (a) A detailed hourly fee or fixed rate schedule showing the rates for each legal service described in “Service Specifications” herein.
- (b) A list of any miscellaneous costs for which the consultant may seek reimbursement, including (a) copying; (b) photographs; (c) mileage; (d) overnight delivery at actual cost [NOTE: reimbursement for overnight delivery shall not be made by CCE Wyoming UNLESS the matter is time-sensitive in nature]; filing fees; stenographic services, process service fees; and court costs, which shall only be reimbursed at actual cost.
- (c) Identification of exceptions, if any, to the list of out-of-pocket costs for which the attorney may seek reimbursement but for which a reasonable cost cannot be determined at time of submission of proposal.

Duration of Proposal

Proposals and cost scheduled shall remain firm and effective for at least ninety days from the day of the opening of proposals.

Liability for Errors

While CCE Wyoming has used considerable efforts to ensure an accurate representation of information in this RFP, all applicants are urged to conduct their own investigations into the material facts, and CCE Wyoming shall not be held liable or accountable for any error or omission in any part of this RFP.

Reimbursement of RFP Costs

Costs associated with the preparation of a proposal, including but not limited to any transportation costs to any interviews, shall be the sole responsibility of the applicant.

Right to Reject

CCE Wyoming reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the factors described in the RFP.

Notification of Award

It is expected that a decision selecting the successful attorney or firm will be made within four (4) weeks of the closing day of receipt of proposals. Upon conclusion of final negotiations with the successful respondent, all applicants submitting proposals in response to the RFP will be informed, in writing, of the name of the successful consultant.

GENERAL CONDITIONS

The following General Conditions apply to all applicants, all proposals submitted in response to this RFP, and all subsequent agreements.

Qualifications of Applicant

1. The successful applicant shall:
 - a. Be an attorney, duly admitted to practice law in the State of New York, with a current and valid registration and at least 3 years' experience OR
 - b. A law firm with attorneys possessing the same qualifications
2. In the performances of the services requested, the attorney shall be an independent contractor.

Retainer Agreement

- (a) Acceptance of Proposal—No applicant shall acquire any legal or equitable rights or privileges whatsoever relative to the services until CCE Wyoming has delivered either a signed notice in writing to the applicant or a fully-executed written Retainer Agreement to the applicant.
- (b) Duration—It is intended that the retainer agreement for legal services will be effective for a duration of six months and may be extended at CCE Wyoming's sole option for an additional year term. Such a retainer agreement may be terminated by either party by sixty (60) days' advance written notice. The contract is nonexclusive and allows CCE Wyoming to obtain legal services from other providers if, for any given project or issue related to the sale, such services are determined to be necessary.
- (c) Payment—The chosen attorney/firm shall submit an invoice for payment of services once a month. The invoice shall also include a detailed description of all additional services rendered by the attorney or the attorney's staff for the preceding month, the task(s) for which reimbursement is sought, the dates on which the work was performed, and the time spent for which reimbursement is sought. The attorney, and any other individual seeking payment, shall at all times maintain a detailed log of time, task, activities, and expenses for which payment is sought.
- (d) Assignment—The chosen attorney/firm shall not assign or transfer any part of the retainer agreement, or any right or privilege granted hereunder.

Insurance

- (a) CCE Wyoming requires that applicants provide with their proposal certificates of insurance verifying coverage, as well as a letter from the applicant's insurance carrier acknowledging that the applicant is able to comply with all insurance requirements.
- (b) During the term of its contract with CCE Wyoming, the attorney/firm shall maintain, at its own sole expense, and without expense to CCE Wyoming, the minimum insurance as required by CCE Wyoming and via CCE Wyoming's insurers at P.W. Wood and as outlined upon acceptance of the proposal.

Miscellaneous Provisions

- (a) Compliance with Laws. This RFP and any retainer agreement entered into between the applicant and CCE Wyoming shall be governed by and in accordance with the laws of the State of New York and the United States of America. The attorney shall comply with all of the laws applicable to the work or the performance of work in this RFP. Conviction of any violation of Federal, State or Local Law shall be reasonable cause for CCE Wyoming to terminate any retainer agreement.

- (b) The attorney/firm shall provide its own electric equipment, library and clerical, professional and support staff necessary to provide the services described herein.
- (c) The selected attorney under contract to provide legal services shall maintain complete legal records and files on any matter in which they have rendered services to CCE Wyoming. All such records compiled by the attorney pursuant to any contract in furtherance of this RFP shall revert to CCE Wyoming upon termination of the contract.

GENERAL COUNSEL SERVICES SPECIFICATIONS

This section describes the minimum professional service expectations of the successful Respondents under the Agreement awarded from this RFP. Respondents must demonstrate sufficient capacity and expertise in one or more areas of the law stated below:

- (a) Real estate law/General real estate services (experience related to agricultural and/or recreational facilities is a plus)
- (b) General legal services/counsel related to CCE Wyoming's status as a 501(c)(3) Not-for-Profit Corporation and local public authority formed under the laws of NYS.

CCE Wyoming is a dynamic organization that requires general real estate services as it pertains to the impending sale of 4-H Camp Wyomoco, a 287-acre 4-H camp and youth recreation property located at 2780 Buffalo Rd, Varysburg, NY 14167. Successful respondents will handle all pertinent legal steps of the listing and sale of 4-H Camp Wyomoco, including:

- (a) Advancing, scheduling, and conducting the real estate sale of 4-H Camp Wyomoco
- (b) Preparing and providing the sale contract
- (c) Preparing any contract modifications/extensions
- (d) Preparing and reviewing closing documents
- (e) Be accessible to buyers inquiries on status of closing
- (f) Providing outstanding customer service/relations and accessibility
- (g) Providing other real estate services as needed.

In addition, successful respondents will advise CCE Wyoming's Executive Director and Board of Directors on legal issues and matters related to not-for-profit corporate and tax-exempt organization status that may impact and/or influence the sale of 4-H Camp Wyomoco. Successful respondents will advise on legal issues and matters related to New York State Public Authority Law, and CCE Wyoming's status as a local public authority, including compliance and statutory authority with respect to the New York State Land Bank Act.

Finally, successful respondents will interface regularly with the CCE Wyoming Executive Director and Board of Directors to provide updates on the sales process.