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[back](#)

[Next](#)

Category: Consulting

1 [2](#) [3](#) [4](#)

Issue Date: 5/3/2011

Contract Number: N/A

Hugh L. Carey Battery Park City Authority: On-Call Counsel for Real Estate Matters

Description:

The Hugh L. Carey Battery Park City Authority ("BPCA") is seeking one or more law firms to serve as on-call counsel with respect to real estate matters. The selected firm(s) must have extensive experience in complex commercial and multi-tenant residential real estate transactions in the City of New York, and in general advice regarding sophisticated real estate matters, including (but not limited to) (1) the negotiation, drafting, and interpretation of ground leases and space leases, and (2) knowledge of "state of the art" clauses in such documents, based on current practices in the New York City real estate community.

Interested parties should send (1) a firm resume, with emphasis on credentials in the areas noted in the preceding paragraph, (2) a list of the attorneys proposing to work with BPCA, along with their respective resumes and qualifications, and (3) a breakdown of hourly rates by partner, associate, and support staff. BPCA will pay the selected firm(s) a rate not exceeding a blended rate of \$400/hour for all attorneys, and in no event will BPCA pay a rate for any attorney or class or attorneys exceeding \$400/hour. BPCA will also reimburse the firm(s) for customary and reasonable out-of-pocket expenses.

Prospective Bidders are directed to www.batteryparkcity.org (the home page for the BPCA website), which contains a link to a copy of Mandatory Forms, Diversity Questionnaire and Form W-9 (collectively, the "Proposal Forms"), under "Opportunities." The Proposal must be accompanied by completed Proposal Forms (including those required in order to fully comply with Article 15-A of the New York State Executive Law and 5 NYCRR Part 143).

In accordance with Article 15-A of the New York State Executive Law and regulations adopted pursuant thereto, BPCA has established separate goals for participation for all State contracts. BPCA is required to implement the provisions of Article 15-A and 5 NYCRR Part 143 for all State contracts (1) in excess of \$25,000 for labor, services, equipment, materials or any combination of the foregoing and (2) in excess of \$100,000 for real property renovations and construction. For purposes of this procurement, BPCA hereby establishes a goal of 10% for Minority owned Businesses Enterprises (MBE) participation and 20% for Women owned Business Enterprises (WBE) participation. As a condition of this procurement, the contractor and BPCA agree to be bound by the provisions of §316 of Article 15-A of the Executive Law regarding enforcement. Contractors must document "good faith

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efforts” to provide meaningful participation by certified M/WBE subcontractors or suppliers in the performance of this contract. For guidance on how BPCA will determine a contractor’s “good faith efforts,” refer to 5 NYCRR §143.8. Additionally, Offerors must refer to the Mandatory Forms Packet referred to above for a list of forms that must be provided in order to fully comply with Article 15-A of the New York State Executive Law and 5 NYCRR Part 143. Representatives of BPCA’s Diversity Department are prepared to work with any proposer who believes that it may face challenges in meeting the above percentage goals, in order to develop means of meeting the goals. This process could include various options including but not limited to the vigorous implementation of existing or new programs at the firm(s) that would offer alternate effective means of assuring adequate participation in the engagement by women and minority attorneys. BPCA reserves the right to select more than one firm for the engagement.

All proposals must be submitted in a sealed envelope clearly marked “Real Estate Counsel,” and must be delivered to BPCA by messenger, overnight courier or certified mail, by no later than 4 PM (EDT) on the Proposal Due Date listed below, to Lauren Bruggess, Legal Department, at One World Financial Center, 24th Floor reception desk. Proposals submitted by fax or electronic transmission will **not** be accepted.

Applicants are restricted from making contact with anyone other than the Designated Contacts listed below, during the period (the “Restricted Period”) from the time of publication of this advertisement through approval of the procurement contract by BPCA. Employees of BPCA are required to obtain and record certain contacts during the Restricted Period, and to make a determination of responsibility based, in part, upon any such contact. Failure to abide by this process may result in a finding of non-responsibility.

For questions on M/WBE participation and sub-contracting goals only, please contact Anthony Peterson at 212.417.2337 or Hector Calderon at 212.417.2280.

Minority Sub-Contracting Goal: 10%

Women Owned Sub-Contracting Goal: 20%

Due Date: 5/24/2011 4:00 PM

Contract Term: TBD

Location: Battery Park City Authority

Contact1: Lauren Bruggess Legal
Hugh L. Carey Battery Park City Authority
One World Financial Center
New York, NY 10281
Phone: 212-417-4142

Contact2 Lauren Bruggess Legal
Hugh L. Carey Battery Park City Authority
One World Financial Center
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