

OUR PRACTICE

Economic Development

Baker Donelson's unique history and geographic diversity allow the Firm to bring together a dedicated team of economic development and government relations lawyers of varied backgrounds and perspectives to make remarkable contributions to economic development. We offer our clients service that is local in its experience, history, and relationships, yet truly regional in its capacities, practice quality, and capabilities. Our multidisciplinary economic development team includes incentives negotiation, real estate, construction, utilities, environmental, commercial, and corporate cross-border transactions, employment, and tax practitioners, to produce one of the most evolved and comprehensive economic development practices of any firm in the southeastern United States. Each of these practice areas makes Baker Donelson uniquely qualified to represent both foreign and domestic industrial and commercial concerns in partnership with state and local governments throughout the Southeast. For our foreign clients entering or expanding in the U.S. market, we offer a focused team of cross-border attorneys who help bridge the business cultural gaps and are fluent in more than 30 languages.

For many years, Baker Donelson has maintained one of the leading business and commercial real estate practices, and is listed as a top national practice by *U.S. News – Best Lawyers*® "Best Law Firms." Our lawyers routinely represent businesses in connection with manufacturing and warehouse projects, commercial and retail developments, and housing developments throughout the U.S., including Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. Among our major capital projects are manufacturing facilities, automotive plants, renewable energy, warehouse and logistics, shopping centers, mixed-use developments, and water and sewer infrastructure developments.

Our full-service team provides clients with the following services:

- Structuring public-private partnerships and securing incentive packages from local and state governments.
- Negotiation of agreements for ad valorem tax abatements and payments in lieu of taxes (PILOTs) for businesses in various industries and locations.
- Implementing local, state, and federal incentive packages.
- Developing and implementing tax-exempt financing vehicles.
- Assisting in the negotiation of traditional and non-traditional financing alternatives.
- Accessing grant funds available for the construction of public and quasi-public infrastructure.
- Assembling, negotiating, and closing the acquisition of real estate and related easements required for new facilities.
- Negotiating with state and local utility companies for contracts to provide for the construction of utility infrastructure and for the provision of utilities including water, sewer, electricity, gas, and telecommunications.
- Working with state and county officials for the construction of roadway improvements.
- Tax increment financing (TIF) and New Market Tax Credits (NMTC).
- Negotiating with local governmental authorities to obtain special zoning ordinances.
- Advising on all aspects of environmental compliance and permitting.
- Negotiating and implementing construction contracts, including the negotiation of project management and general contractor agreements, oversight of the bidding process, negotiation of contractor packages, and resolution of change order and pay request disputes.

- Guiding businesses through state workforce training programs and incentives.
- Assisting with state and local tax compliance and reporting procedures and addressing state taxation issues unique to large-scale economic development projects.

Our economic development attorneys guide clients through the myriad of issues facing manufacturers, suppliers, commercial and residential developers, retailers, and many other businesses when locating, developing, and constructing new facilities or expanding existing facilities. Clients benefit from our network of close relationships with state and local agencies that are responsible for the recruitment of investment into their jurisdictions in order to grow their economy.



Representative Matters

- Negotiated payment in-lieu-of tax transaction for a \$200 million cheese processing facility in Manchester, Tennessee.
- Advised an aerospace materials manufacturer on facility expansion projects in multi-year, multi-phase expansion of more than \$400 million in capital investment.
- Advised a large food processor on plant expansion projects in Louisiana and North Carolina, including state and local incentives negotiation, transportation analysis and infrastructure financing.
- Advised a German automotive supplier on the location of a \$200+ million manufacturing facility, including site acquisition, construction and build-out, commercial and corporate matters, and operational matters.
- Advised a national-level food processor on multi-state site selection process for plant location.
- Guided Japan-based global logistics company in their regional headquarters move to Memphis, Tennessee.