

Government Incentives

Our Real Estate Development and Development Finance team is a national leader in creating public finance and tax incentive solutions for our real estate development clients. Additionally, our experience in public policy and public finance is utilized on behalf of dozens of corporate clients each year as those companies structure and negotiate state and federal employment incentives for their investments in headquarters, manufacturing and new employment initiatives.

Increasingly, we are seeing a gap between available private capital and the funds necessary to complete a project. Through the utilization of Tax Increment Financing, Transportation Development Districts, Community Improvement Districts, Industrial Revenue Bonds, Tax Abatements and other similar financing mechanisms, we have been able to successfully forge numerous public-private partnerships whereby developers are able to capture other sources of revenue to address development costs. Additionally, every state and region in the country offers governmental employment incentives and our lawyers are adept at making those incentives work for our clients while reducing red tape, risks and claw-backs. And when federal assistance is needed - whether it's the use of green energy funds like CMAQ, New Market Tax Credits, EB-5 or Historic Tax Credits - our lawyers have the relationships and the know-how to incorporate those programs into your project. There has never been another time that the need for new approaches and innovative ideas is so critical to successfully financing a real estate project or a new facility investment.

There are even times that a project design or financing structure makes sense to all parties involved, public and private, but existing laws do not allow the concept or approach. In those instances, the Polsinelli team has the experience and know-how to change the rules of engagement. We have been successful in advancing ordinance amendments and legislative changes at local, state and federal levels on behalf of our clients so that projects can move forward. No cookie cutter approach here: our job is not to just read the laws and conclude the answer is no; our job is to find a solution.

Sometimes a situation calls for more than just tax incentives to make an idea a reality. In these challenging economic times, perhaps no trend has so captured the imagination of policy makers as Public Private Partnership or P3. Public regulation and public revenues have an increasingly profound impact on many areas of society that traditionally were the province of private or charitable enterprise. On the other hand, communities are increasingly aware that there are certain policy and revenue goals unachievable without cooperation from the private sector.

Polsinelli lawyers have been at the forefront in representing lenders, underwriters, developers, designers, contractors and governmental entities – helping to find workable, innovative solutions to a wide variety of infrastructure needs. Drawing from experienced professionals with diverse experience across our practice areas, Polsinelli employs an interdisciplinary approach to structuring, negotiating and closing P3 projects. Our experience in real estate development, municipal finance, tax exempt bonds, construction law, government contracting, energy, environmental law and public policy insures we can help craft the right solution no matter where the negotiations lead.

No matter the asset class or the location, if your project has a financing challenge we have the creativity and experience to help you bridge the gap. We don't just wait to show up at the closing table, our job is to help you get there.