

Buffalo Urban Development Corporation

95 Perry Street
Suite 404
Buffalo, New York 14203
phone: 716-856-6525
fax: 716-856-6754

Buffalo Urban Development Corporation

web: buffalourbandevelopment.com



Item

MEMORANDUM

TO: BUDC Board of Directors

FROM: Antonio Parker, Project Manager

SUBJECT: Ralph C. Wilson, Jr. Centennial Park – GLC Grant Agreement #4

DATE: February 28, 2023

On June 28 2022, the BUDC Board of Directors authorized the acceptance of the third grant award from Great Lakes Commission (“GLC”) in the amount of \$874,783 to pay for additional work and analysis with respect to the inlet and shoreline elements of Ralph C. Wilson, Jr. Centennial Park (“Ralph Wilson Park”). A fourth grant award in the amount of \$9.8 million has been authorized by GLC to support the construction of the inlet and shoreline portions of the Ralph Wilson Park project.

On February 24, 2023, GLC provided BUDC with a copy of the fourth grant agreement (the “GLC Grant Agreement”) which is under review by legal counsel. This GLC Grant Agreement contains new provisions, including the following:

- An initial release of \$450,000 of the \$9.8 million grant award, with remaining funds to become available after environmental impacts of the project have been assessed and cleared.
- BUDC will be required to maintain liability insurance coverage noted in the Agreement during its term and for a period of three (3) years after. Excess liability, professional liability, and contractors’ pollution coverage may be provided by BUDC’s subcontractors or consultants upon written approval from GLC.
- Climate change resiliency and Build American, Buy American requirements for the project.

The GLC Grant Agreement for these funds also contains terms that are similar to those from the prior grant agreements entered into by BUDC and GLC. This includes the grant funding being subject to the federal grant requirements of the United States Department of Commerce, which will apply to BUDC in its administration of the grant as well as to each subcontractor or other entity that is paid with the funds. BUDC will pass on these federal grant obligations and funding to the City of Buffalo for construction through a separate subgrant agreement that will detail these requirements.

ACTION:

We are requesting that the BUDC Board of Directors: (i) approve the acceptance by BUDC of an approximately \$9.8 million grant from the Great Lakes Commission in support of Phase 1 construction of inlet and shoreline elements at Ralph C. Wilson, Jr. Centennial Park; (ii) authorize BUDC to enter into a subgrant agreement with the City of Buffalo to allow BUDC to move funds to the City for the shoreline construction, and to pass through the federal grant obligations in the GLC Grant Agreement; and (iii) authorize the BUDC President or Executive Vice President to execute the GLC Grant Agreement and subgrant agreement with the City of Buffalo in order to pass through the funding and grant obligations and take such other actions as are necessary or appropriate to implement this authorization.