

Buffalo Urban Development Corporation

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BUDC Downtown Committee Wednesday, March 15, 2023 City Hall – Room 901 12:00 Noon

Agenda

1. Approval of Minutes from January 18, 2023 *(Action)(Enclosure)*
2. Ralph C. Wilson Centennial Park - Project Update Presentation *(Informational)*
3. Ralph C. Wilson Centennial Park - MVVA Amendment #10 *(Action)(Enclosure)*
4. BBRP Loan Program Update *(Informational)*
5. Buffalo's Race For Place Update *(Informational)*
6. Partner Updates *(Informational)*
7. Adjournment *(Action)*

**Minutes of the Meeting
of the
Downtown Committee
of
Buffalo Urban Development Corporation**

**65 Niagara Square
901 City Hall
January 18, 2023
12:00 p.m.**

Committee Members Present:

Catherine Amdur
Daniel Castle
Darby Fishkin
Nathan Marton
Brendan R. Mehaffy (Committee Chair)
Kimberley Minkel

Committee Members Absent:

Trina Burruss
Dottie Gallagher
Darius G. Pridgen

Officers Present:

Kevin J. Zanner, Secretary

Guests Present: Cristina Cordero, Gardiner & Theobald (via telephone); Alexis Florczak, Hurwitz Fine P.C.; Kevin Gulvin, Gardiner & Theobald (via telephone); and Antonio Parker, BUDC Project Manager

Roll Call: The meeting was called to order at 12:04 p.m. A quorum of the Committee was present.

- 1.0 Approval of Minutes of the November 16, 2022 Meeting** – The minutes of the November 16, 2022 meeting of the Downtown Committee were presented. Ms. Minkel made a motion to approve the meeting minutes. The motion was seconded by Ms. Fishkin and unanimously carried (6-0-0).
- 2.0 Ralph C. Wilson, Jr. Centennial Park – Project Update Presentation** – Mr. Parker presented the Ralph C. Wilson, Jr. Centennial Park project update. Bids for the bridge construction are anticipated to be received in the next two weeks. The City of Buffalo Department of Public Works is completing administrative work on the project labor agreement and the GMP contract between Gilbane and the City of Buffalo. Mr. Marton indicated that the City and Gilbane are close to finalizing these agreements.
- 3.0 Ralph C. Wilson, Jr. Centennial Park – Fourth Amendment to BUDC-City of Buffalo Wilson Foundation Subgrant Agreement** – Mr. Parker presented his January 18, 2023 memorandum regarding a proposed fourth amendment to the BUDC-City of Buffalo Wilson Foundation Subgrant Agreement. The Committee requested that BUDC staff clarify prior to the Board meeting how the balance of funding held by BUDC would be allocated. Ms. Amdur then made a motion to recommend that the BUDC Board of Directors: (i) approve the Fourth Amendment to the BUDC-City of Buffalo subgrant agreement allowing BUDC to transfer \$13,484,507 in Wilson Foundation funds to the City for Phase 1 construction of Ralph Wilson Park; and (ii) authorize the BUDC President or Executive Vice President to execute the Fourth Amendment to the Subgrant Agreement and take such other actions as are necessary to implement this authorization. The motion was seconded by Mr. Marton and unanimously carried (6-0-0).

- 4.0 Ralph C. Wilson, Jr. Centennial Park – MLB-MLBPA Youth Development Foundation Subgrant Agreement** – Mr. Parker presented his January 18, 2023 memorandum regarding the MLB-MLBPA Youth Development Foundation subgrant agreement between BUDC and the City of Buffalo. In response to a question from Mr. Marton regarding naming rights, Mr. Parker explained that MLBPA will propose a name for the fields, and the City Division of Parks and Recreation will coordinate the process for securing name approval through the Common Council. Mr. Marton made a motion to recommend that the BUDC Board of Directors: (i) approve the MLBYDF Subgrant Agreement allowing BUDC to transfer grant funds in an amount up to \$960,000 to the City of Buffalo for the field renovation work at Ralph Wilson Park; and (ii) authorize the BUDC President or Executive Vice President to execute the MLBYDF Subgrant Agreement and take such other actions as are necessary to implement this authorization. The motion was seconded by Ms. Minkel and unanimously carried (6-0-0).
- 5.0 Buffalo’s Race for Place – General Update** – Mr. Parker presented an update regarding Buffalo’s Race for Place. The Inner Harbor and Waterfront Public Realm master plan is moving forward. BUDC has entered into a contract with MIG for this work, which is expected to be completed by the end of May 2023. BUDC continues its work with the Project for Public Spaces on the placemaking grant received for the Ellicott Node. The Buffalo and Erie County Public Library has agreed to contribute up to \$23,000 for electrical cost and installation for the library underpass lighting. The Queen City Pop-Up Downtown Dollars program has been extended through Saturday, January 21st due to the December snowstorm.
- 6.0 Partner Updates** – None.
- 7.0 Adjournment** – There being no further business to come before the Downtown Committee, on motion made by Ms. Fishkin, seconded by Ms. Minkel and unanimously carried (6-0-0), the January 18, 2023 meeting of the Downtown Committee was adjourned at 12:30 p.m.

Respectfully submitted,

Kevin J. Zanner
Secretary

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Item 3

MEMORANDUM

TO: BUDC Downtown Committee

FROM: Antonio Parker, Project Manager

SUBJECT: Ralph C. Wilson, Jr. Centennial Park – MVVA Amendment #10

DATE: March 15, 2023

On August 30, 2022, the BUDC Board of Directors approved the 8th amendment to the Master Service Agreement (the “MVVA Agreement”) with Michael Van Valkenburgh Associates (“MVVA”) for additional work to assist Gilbane with bid negotiations, pre-construction services and limited construction administration through the pre-construction phase at Ralph C. Wilson, Jr. Centennial Park (“Ralph Wilson Park”). The Board also recently approved a 9th amendment to the MVVA Agreement for certain post-construction monitoring services. Gilbane anticipates moving from the pre-construction phase to the construction phase of the Ralph Wilson Park project in April 2023.

An additional amendment to the MVVA Agreement is now required in order to include construction administration services. These construction administration services will be provided by MVVA for Phases 1/1A and 2 of the project’s construction over a period of thirty-six (36) months. Gardiner & Theobald has negotiated with MVVA to provide additional construction administration services for a sum not to exceed \$4,334,386. The cost of this amendment will be split and funded through two grants. The first \$2,167,193 will be funded through Wilson Grant 7, which was accepted by the BUDC Board of Directors at its November 29, 2022 meeting. The remaining \$2,167,193 will come from BUDC’s next grant ask to the Wilson Foundation for phase 2 of construction which will be brought to the Board for approval at a later date. MVVA is aware that funds for phase 2 of construction are not yet in place, which will be addressed as a contingency in the 10th amendment to the MVVA Agreement.

ACTION:

We are requesting that the BUDC Downtown Committee (i) recommend that the BUDC Board of Directors approve an amendment to the MVVA Agreement in the amount of \$4,334,386 for construction administration services at Ralph Wilson Park, subject to receipt of funding from the Wilson Foundation for phase 2 of construction; and (ii) authorize the BUDC President or Executive Vice President to execute the amendment to the MVVA Agreement and take such other actions as are necessary to implement this authorization.