

## **Buffalo Urban Development Corporation**

95 Perry Street

Suite 404

Buffalo, New York 14203

phone: 716-856-6525

fax: 716-856-6754

web: [buffalourbandevelopment.com](http://buffalourbandevelopment.com)



## **Buffalo Urban Development Corporation Real Estate Committee Meeting**

**Monday, March 20, 2023 at 12:00 p.m.  
95 Perry Street, 4<sup>th</sup> Floor Vista Room**

### **Agenda**

- 1) Approval of Minutes – Meeting of February 3, 2023 (*Approval*) (*Enclosure*)
- 2) Northland Beltline Corridor
  - a) Northland Central – Phase I Construction Additional HVAC Work Claim Update (*Information*)
  - b) Northland Corridor – Landscaping Services (*Enclosure*) (*Action*)
  - c) Northland Corridor – Tenant & Property Management Updates (*Information*)
  - d) Northland Corridor – Build Back Better Challenge Grant Recommendation for A&E, Inspection and Grant Administration Services (*Enclosure*) (*Recommendation*)
- 3) Buffalo Lakeside Commerce Park - (*All Are Information Items*)
  - a) 193 Ship Canal Parkway Update
  - b) 80, 134, 158 and 200 Ship Canal Parkway Update
  - c) Zephyr Compliance Update
  - d) Buffalo Lakeside Commerce Park Property Owners Association
- 4) Executive Session
- 5) Adjournment (*Approval*)

**Minutes of the Meeting  
of the  
Real Estate Committee  
of  
Buffalo Urban Development Corporation**

**95 Perry Street  
Buffalo, New York  
February 3, 2023  
12:30 p.m.**

**Committee Members Present:**

Scott Bylewski  
Elizabeth A. Holden  
Thomas A. Kucharski  
Brendan R. Mehaffy  
Kimberley A. Minkel, Chair  
Dennis M. Penman

**Committee Members Absent:**

Janique S. Curry

**Officers Present:**

Brandye Merriweather, President  
Rebecca Gandour, Executive Vice President  
Mollie Profic, Treasurer  
Kevin J. Zanner, Secretary  
Atiqa Abidi, Assistant Treasurer

**Guests Present:** Zaque Evans, Senior Economic Development Specialist, Erie County Executive's Office; Alexis M. Florczak, Hurwitz Fine P.C.; Soma Hawramee, ECIDA Compliance Officer; Thomas Mancuso, Mancuso Business Development Group; and Antonio Parker, BUDC Project Manager.

**Roll Call:** The meeting was called to order at 12:32 p.m. A quorum of the Committee was determined to be present. Mr. Mehaffy joined the meeting during the presentation of item 2(b). Mr. Bylewski left the meeting during the presentation of item 2(d).

**1.0 Approval of Minutes – Meeting of December 13, 2022** – The minutes of the December 13, 2022 Real Estate Committee meeting were presented. Mr. Penman made a motion to approve the meeting minutes. The motion was seconded by Mr. Kucharski and (with Mr. Bylewski abstaining) carried with four affirmative votes (4-0-1).

**2.0 Northland Beltline Corridor**

**(a) Northland Central – Phase I Construction Additional HVAC Work Claim Update**  
Mr. Zanner updated the Committee regarding the HVAC claim. Counsel has filed a request for judicial intervention and is awaiting notification that a judge has been assigned to the matter.

**(b) Northland Corridor – Tenant & Property Management Updates** – Mr. Mancuso presented the Northland Corridor tenant and property management updates. He reported on snow removal efforts following the blizzard and noted that a large mound of snow was dumped

at 612 Northland as part of the cleanup. He noted that National Grid is coordinating a planned 6-hour outage with Northland tenants in order to perform work in the corridor. A request for proposals has been issued for lawn mowing and landscaping services. Responses are due today and work is expected to begin April 1<sup>st</sup>. Ms. Minkel asked if any damage to the campus occurred during the December blizzard. Mr. Mancuso noted that some wind damage occurred to one or two of the air handlers.

- (c) **Northland Corridor – 612 Northland Lease Discussion** – Mr. Mancuso updated the Committee on the status of lease discussions at 612 Northland. SparkCharge has reiterated its interest in leasing the space and has identified another site if it does not enter into a lease for 612 Northland. Ms. Gandour provided a recap of the Board’s prior approval to lease 612 Northland to Zephyr, and noted that Zephyr did not satisfy the contingency to enter into an MOU with the Northland Workforce Training Center by December 1, 2022. She also noted BUDC had provided written notice to Zephyr following the December 1<sup>st</sup> deadline informing the company that it had not satisfied the contingency and that BUDC and NWTC have made efforts to contact Zephyr. Staff is recommending that the Committee consider entering into a lease with SparkCharge. Mr. Penman then made a motion for the Committee to enter into executive session to discuss the proposed lease of 612 Northland on the basis that public discussion of the proposed transaction would substantially affect the value of the property. The motion was seconded by Mr. Kucharski and unanimously carried (6-0-0). At the conclusion of the executive session, Mr. Penman made a motion to exit executive session, which was seconded by Mr. Bylewski and unanimously carried (6-0-0). Mr. Mehaffy then made a motion to recommend that the BUDC Board of Directors authorize lease negotiations with SparkCharge. The motion was seconded by Mr. Penman and unanimously carried (6-0-0).
- (d) **Northland Corridor – Build Back Better Challenge Grant Update** – Ms. Gandour informed the Committee that five proposals were received in response to the request for proposals (RFP) for architectural and engineering services. Three firms were selected for interviews and each will be interviewed next week. A recommendation is expected to be presented to the Real Estate Committee at its March meeting.
- (e) **Northland Corridor – Northland Corridor BOA** – Ms. Gandour reported that BUDC has been awarded \$87,000 in Brownfield Opportunity Area funding for Northland. BUDC is awaiting approval of the funding from the State Comptroller’s office. Once approval is obtained, BUDC will coordinate with the Department of State and City Office of Strategic Planning to issue an RFP. BUDC is planning outreach efforts for this project and is working with Mustard Seed Consulting.

### **3.0 Buffalo Lakeside Commerce Park**

- (a) **193 Ship Canal Parkway Update** – Mr. Penman made a motion for the Committee to enter into executive session to discuss the proposed sale of 193 Ship Canal Parkway on the basis that public discussion of the proposed transaction would substantially affect the value of the property. The motion was seconded by Mr. Kucharski and unanimously carried (5-0-0). At the conclusion of the executive session, Mr. Kucharski made a motion to exit executive session, which was seconded by Mr. Penman and unanimously carried (5-0-0).
- (b) **80, 134, 158 and 200 Ship Canal Parkway** – Ms. Gandour reported that Savarino is current on its payments under the exclusivity agreement for the site. BUDC and Savarino are moving forward with discussions on a proposed land sale agreement.
- (c) **Buffalo Lakeside Commerce Park Property Owners Association** – Ms. Profic reported that BUDC staff is working on closing out the 2022 billing, and invoices for the 2022

assessments will be issued to POA members next week. Uniland has reached out to BUDC questioning its 2023 assessment.

- 4.0 2022 Authorities Budget Office Property Report** – Ms. Gandour presented the draft property report that will be submitted to the ABO as part of the annual report. The property report lists all real property owned by BUDC or through its affiliates or subsidiaries as of December 31, 2022, as well as property that BUDC sold in 2022.
- 5.0 2023 Property and Liability Insurance Renewals** – Ms. Gandour informed the Committee that BUDC’s insurance policies have been renewed for 2023. She indicated that BUDC may need to obtain additional coverage in connection with the Build Back Better grant. Ms. Merriweather added that BUDC requires additional capacity and is looking to bring on an additional staff member to provide project management services for BUDC projects.
- 6.0 Executive Session** – Yes, see items 2(c) and 3(a).
- 7.0 Adjournment** – There being no further business to come before the Committee, on motion made by Mr. Mehaffy, seconded by Mr. Kucharski and unanimously carried, the February 3, 2023 meeting of the Real Estate Committee was adjourned at 1:17 p.m.

Respectfully submitted,

---

Kevin J. Zanner  
Secretary

**Buffalo Urban Development Corporation**

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

web: [buffalourbandevelopment.com](http://buffalourbandevelopment.com)



**Item 2D**

**MEMORANDUM**

**TO: BUDC Real Estate Committee**

**FROM: Rebecca Gandour, Executive Vice President**

**SUBJECT: Build Back Better Regional Challenge — A&E, Inspection and Grant Administration Services for Northland Corridor Redevelopment Phase 3**

**DATE: March 20, 2023**

---

On September 27, 2022, the Board of Directors approved the acceptance by BUDC of a \$14,400,000 grant awarded through the federal Economic Development Administration (EDA) Build Back Better Regional Challenge to be used for Phase 3 of the Northland Corridor Redevelopment.

On December 5, 2022, BUDC issued a Request for Proposals (RFP) for Architectural & Engineering Consulting, Project Inspection and Grant Administration Services for Northland Corridor Redevelopment Phase 3. In addition to direct distribution to over 20 companies, BUDC advertised the RFP in the Buffalo News and New York State Contract Reporter and posted the RFP on its webpage. Twenty-five percent (25%) MBE and five percent (5%) WBE goals were included as part of the solicitation. A pre-proposal information meeting was held December 12, 2022 and questions were accepted until January 9, 2023.

On January 17, 2023, BUDC received proposals from five (5) architectural and engineering teams. The proposals were reviewed and evaluated by the selection committee comprised of the following representatives from BUDC, the City of Buffalo and Empire State Development (“ESD”):

- Rebecca Gandour, Executive Vice President, BUDC
- Dave Stebbins, Bisonwing Planning and Development, LLC, BUDC Consultant
- Peter Cammarata, Cammarata Consulting, LLC, BUDC Consultant
- Jason Paananen, Director of Environmental Affairs, City of Buffalo

Hon. Byron W. Brown, Chairman of the Board • Dennis Penman, Vice Chairman • Brandye Merriweather, President  
Rebecca Gandour, Executive Vice President • Mollie Profic, Treasurer • Atiqah Abidi, Assistant Treasurer • Kevin J. Zanner, Secretary

- Cody Osborn, Building Code Specialist, City of Buffalo
- Paul J. Tronolone, Vice President for Policy & Planning, Empire State Development

The proposals were evaluated based upon a set of criteria including experience with:

- All facets of the design process from initiation through construction administration
- Historic building rehabilitation, including experience with SHPO and NPS
- Renewable energy and micro-grid projects
- Projects with U.S. EDA and/or NYS ESD funding
- Brownfield redevelopment, hazardous materials, and other environmentally challenged property development
- Regulatory environmental review and
- Grant administration

Proposals were also evaluated based upon:

- Approach and methodology
- Local presence and performance of key personnel
- Fee
- MWBE utilization and equity practices

As a result of the review and evaluation of the proposals, the following three (3) teams were selected for interviews, which were held on February 8, 2023 by the selection committee:

1. Bergman with E.B.M. Consulting, BAC (A+P), 34 Group, Trophy Point, LLC, Foit-Albert Associates, Siena Environmental and The LiRo Group
2. LaBella Associates with Foit-Albert Associates, KHEOPS, Siena Environmental and Nature's Way Contracting
3. Watts Architects and Engineering with Pathfinder Engineers and Architects, BAC (A+P), The LiRo Group, Trophy Point, LLC, SWBR and Foit-Albert Associates

After much discussion, the selection committee is recommending entering into a contract with LaBella Associates. In the view of the selection committee the LaBella team best demonstrated a thorough understanding of the project, and possesses substantial experience in both the building and energy components of the Phase 3 project. LaBella proposed the lowest fee structure and effectively presented their grant and construction management experience.

The contract amount would not exceed \$1,132,000 and would be eligible for reimbursement from EDA and ESD.

**ACTION:**

We are requesting that the Real Estate Committee recommend that the Board of Directors: (i) authorize BUDC to enter into a contract with LaBella Associates for architectural & engineering consulting, project inspection services and grant administration services for Northland Corridor Redevelopment Phase 3 for an amount not to exceed \$1,132,000; and (ii) authorize each of the President or Executive Vice President to execute the contract and any related documents and agreements, and to take such other actions as may be necessary or appropriate to implement this authorization.

**NORTHLAND CORRIDOR MOWING & EXTERIOR MAINTENANCE PROPOSALS  
2023**

**2022 Actual \$ 24,616**

April 1 through November 30		
2023	2024	2025
		<b>Total</b>

Aaron's Landscaping (MBE)	15,760	15,760	15,760	47,280
Hall Services (MBE)	21,700	21,700	21,700	65,100
Scott Lawn Yard/LAWNY (WBE) - 2020-2022 vendor	28,308	28,308	28,308	84,924

Invited, did not submit:  
 Rosecroft Property Maint.  
 HLM Services - Horace Miller (MBE)  
 Citizens Action Alliance  
 Rodriguez Const. Group  
 McMillan Landscape  
 R W Gaskin  
 Empire Legacy Bldrs (Harvey Washington)  
 Brian Rudnick  
 Outsource Center