

**Minutes of the Board of Directors Meeting
of
Buffalo Urban Development Corporation**

**95 Perry Street
Buffalo, New York 14203
September 27, 2016
12:00 p.m.**

1.0 Call to Order

Directors Present:

Thomas Beauford, Jr.
Hon. Byron W. Brown (Chair)
James W. Comerford
Janique S. Curry
Dottie Gallagher-Cohen
Thomas R. Hersey, Jr.
Brendan R. Mehaffy
Kimberley A. Minkel
David J. Nasca
Dennis M. Penman (Vice Chair)
Darius G. Pridgen
Christopher J. Schoepflin
Steven J. Stepniak
Maria R. Whyte

Directors Absent:

Dennis W. Elsenbeck
Thomas A. Kucharski
Benjamin N. Oblatz
Craig A. Slater

Officers Present:

Peter M. Cammarata, President
David A. Stebbins, Executive Vice President
Brandye Merriweather, Vice President
Kevin J. Zanner, Secretary
Bradley Bach, Assistant Treasurer

Others Present: Brian Akley, Gilbane Building Company; Sheldon Anderson, Office of NYS Assemblywoman Crystal D. Peoples-Stokes; Joel Beharrilall, CASNY; Garry Bowling, 3480 Group; Jim Clemon, The OutSource Center; Jonathan Epstein, *The Buffalo News*; James Fink, *Buffalo Business First*; Spencer Gaskin, The OutSource Center; William J. Gilbane III, Gilbane Building Company; Robin Hoch, Performance Solutions Services, Inc.; Gwen Howard, Foit-Albert Associates; John Larow, Gilbane Building Company; Keith Leal, Gilbane Building Company; Terry LoConte, Gilbane Building Company; Katrinna Martin, The OutSource Center; Marc Pope, Office of NYS Senator Timothy Kennedy; Dolly Randle, CASNY; Carol Sampson, NYPA; Thurman Thomas, 3480 Group; Rod Watson, *The Buffalo News*; and Shalitta Yancey, CASNY.

Roll Call – The Secretary called the roll of directors at 12:15 p.m. and a quorum was determined to be present. Mayor Brown joined the meeting during the presentation of item 3.0. Mr. Mehaffy joined the meeting during the presentation of item 4.0.

2.0 Presentation of the Minutes – The minutes of the August 30, 2016 meeting of the Board of Directors were presented. Mr. Stepniak made a motion to approve the meeting minutes. The motion was seconded by Ms. Whyte and unanimously carried.

3.0 Monthly Financial Report – Mr. Bach presented the monthly financial report for the period ending August 31, 2016. The unrestricted cash balance at the end of the period was \$2,051,802 and the net position at the end of the period was \$15,546,533. Year-to-date revenue was \$2,157,508 and year-to-date expenses were \$1,347,572, resulting in year-to-date net income of \$809,936. Mr. Comerford made a motion to accept the financial report. The motion was seconded by Mr. Nasca and unanimously carried.

4.0 New Business

4.1 Northland Corridor – Presentation by Gilbane Building Company Team – Mr. Cammarata began the discussion by circulating a one-page overview of the construction management at risk method of project delivery and the construction manager's role in the pre-construction and construction phases. He then introduced William J. Gilbane III, Senior Vice President of Gilbane Building Company. Mr. Gilbane presented a brief overview of his company, noting that Gilbane has been active in Buffalo-area construction projects since 1996. Mr. Gilbane discussed Gilbane's strategic partnership with the 3480 Group for this project. He then introduced representatives from the team, including Thurman Thomas (3480 Group), John Larow (Gilbane), Terry LoConte (Gilbane), Gwen Howard (Foit-Albert), Keith Leal (Gilbane), Robin Hoch (Performance Solutions), Dolly Randle (CASNY) and Garry Bowling (3480 Group), each of whom briefly outlined their respective roles in the project. Specific team members then presented on various topics relating to the project. In discussing construction management costs, Mr. Larow noted that the CM fee represents a small percentage of the overall project budget and that between 43 and 51 million dollars of construction contracts will be bid out for this project, creating substantial workforce participation opportunities for the local community and M/WBE firms. Ms. Randle presented an overview of community outreach services to engage the local community in employment and related project opportunities. Mr. LoConte, Mr. Leal, Ms. Howard and Ms. Hoch reviewed with the Board construction-related matters including the project schedule, cost control strategies and alternative energy opportunities involving the project. Mr. Thomas reviewed a broadband initiative to facilitate more affordable internet connectivity in the project area and surrounding local community.

Mayor Brown thanked the Gilbane team for its presentation and commented on the importance of M/WBE and workforce participation for the project. Mr. Stebbins then presented a recap to the Board of the construction management procurement process as detailed in the August 30, 2016 memorandum to the Board. Mr. Stebbins noted that an MBE goal of 25% and WBE goal of 5% applies to the construction management services for the project and that the Gilbane team's approach to accomplishing these goals and its strategy for community outreach was superior to the other two short-listed firms. Ms. Curry commented that the Gilbane team approach recognizes the importance of local workforce development and building a community through this project.

A Board discussion followed. In response to a question from Mr. Pridgen, Mr. Stebbins indicated that members of the Gilbane project team cannot be replaced without BUDC consent. Ms. Curry provided further clarification regarding compliance with M/WBE requirements. Mr. Stebbins indicated that BUDC follows NYS M/WBE requirements in compliance with NYS funding source requirements. Mr. Pridgen indicated that his concern is that BUDC is missing an opportunity to open up this work up to local companies and the local workforce. Mayor Brown agreed that local workforce participation in the project is critical, and noted that the procurement process was structured to maximize local workforce participation and M/WBE requirements. Mr. Pridgen commented that the Board should engage in a broader policy discussion and establish its own policy. Ms. Gallagher-Cohen commented that she is confident in the procurement process undertaken by BUDC executive staff and the selection committee. She reiterated the importance of local companies benefitting from this project and encouraged Gilbane to engage the local community. Mr. Cammarata indicated that BUDC executive staff is looking into the formation of a new committee to address the policy issues being raised by Board members. The Board

discussion concluded with comments from Ms. Whyte, who agreed with the need for a policy and indicated that Erie County is looking at similar issues.

5.0 Late Files – None.

6.0 Tabled Items

- 6.1 Northland Corridor – Construction Management Consultant Recommendation** – Mr. Penman made a motion to remove from the table a motion described in the August 30, 2016 memorandum to the Board to retain the Gilbane team to provide construction management services for the Northland Corridor redevelopment project. The motion was seconded by Mr. Nasca and unanimously carried.

Mr. Penman then made a motion to authorize a contract with Gilbane Building Company and their team to provide pre-construction and construction management services for the Northland Corridor redevelopment project, specifically the construction of the WNY Workforce Training Center and the core and shell renovation of 683 Northland Avenue to house the WTC, and to authorize the President or Executive Vice President to take such actions as are reasonably necessary to implement this action. The motion was seconded by Mr. Beauford and, upon vote of the Board, was carried with twelve affirmative votes (12-1-1), with Mr. Schoepflin abstaining and Mr. Pridgen voting against.

7.0 Executive Session – None.

- 8.0 Adjournment** – There being no further business to come before the Board, upon motion made by Mr. Pridgen, seconded by Ms. Curry and unanimously carried, the September 27, 2016 meeting of the Board of Directors was adjourned at 1:45 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary