

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

**95 Perry Street  
Buffalo, New York  
July 24, 2018  
12:00 p.m.**

Committee Members Present:

Brendan R. Mehaffy  
Kimberley A. Minkel  
Dennis M. Penman  
Craig A. Slater (Chair)

Committee Members Absent:

Janique S. Curry  
Thomas A. Kucharski  
Maria R. Whyte

Officers Present:

Peter M. Cammarata, President  
Mollie Profic, Treasurer  
Kevin J. Zanner, Secretary  
Atiqa Abidi, Assistant Treasurer

Guests Present: Dawn Boudreau, ECIDA Compliance Officer; Terry LoConte, Gilbane Building Company; and Stephen Frank, LiRo Engineers.

**Roll Call** – The Secretary called the roll at 12:10 p.m. A quorum of the Committee was not present. Item 2(a) was presented in the absence of a quorum. Mr. Mehaffy joined the meeting during the presentation of item 2(b), at which time a quorum of the Committee was present.

- 1.0 Approval of Minutes – Meeting of June 19, 2018** – The minutes of the June 19, 2018 meeting of the Real Estate Committee were presented (following item 5.0 of the meeting agenda). Ms. Minkel made a motion to approve the meeting minutes. The motion was seconded by Mr. Penman and unanimously carried.

**2.0 Northland Beltline Project**

- (a) **683 Northland Phase I – Gilbane Change Order No. 7** - Mr. Cammarata updated the Committee regarding project expenditures made pursuant to Change Order No. 7, which was approved by the Board of Directors at the June meeting. The final pricing for the lab electrical and compressed air equipment and the substation parking lot work was lower than the original estimates. The final pricing for additional IT and telephone work came in higher than the original estimate. There are two more work items to be priced under the Change Order, and the expectation is that the total dollar amount of the Change Order items will be less than the \$600,000 maximum dollar amount authorized by the Board.
- (b) **683 Northland Phase I – GMP & Construction Update** – Mr. LoConte reviewed with the Committee the one-page Project Monthly Report dated July 9, 2018. The project is tracking well from a schedule perspective. Substantial completion is expected next month, with the issuance of a temporary certificate of occupancy targeted for August 24<sup>th</sup>. Gilbane is currently projecting a

return of up to \$200,000 in savings to 683 Northland LLC. In response to a question from Mr. Mehaffy, Mr. LoConte indicated that Gilbane is cognizant of the impact that change orders can have on M/WBE participation, and has been actively monitoring that issue to ensure that M/WBE and workforce participation goals continue to be achieved.

(c) **683 Northland Phase II – Early Bids – Gilbane General Requirement Costs** – Mr. Cammarata reviewed the June 22, 2018 letter from Gilbane summarizing the early bid work for Phase II of the 683 Northland project. The cost of Gilbane general requirements associated with the early bid work is \$121,147.00 and will be accounted for as part of the guaranteed maximum price (GMP) for Phase II.

(d) **683 Northland Phase II – Watts Asbestos Monitoring Proposal** – Mr. Cammarata circulated the July 13, 2018 proposal from Watts Architecture & Engineering to perform asbestos monitoring and air sampling services for Phase II of the 683 Northland project. He noted that this expenditure was authorized by BUDC executive staff in accordance with the BUDC procurement policy.

Mr. Cammarata then introduced the July 23, 2018 proposal for Watts to provide bid support and construction administration services for Phase II of the 683 Northland project. Mr. Cammarata reviewed the specific services to be provided by Watts. The total cost of the work is \$673,590.00. The proposal was submitted to ESD (Dennis Conroy) and Gilbane for peer review. ESD has not yet provided its peer review response. Mr. LoConte stated that Gilbane reviewed the proposal and determined that the pricing is within industry standards for this type of work. After a discussion, Mr. Penman made a motion to recommend that the Board of Directors approve the July 23, 2018 proposal from Watts to provide bid support and construction administration services for Phase II of the 683 Northland project at a cost of \$673,590.00, subject to ESD peer review. The motion was seconded by Ms. Minkel and unanimously carried.

(e) **683 Northland Phase II – GMP & Construction Update** – Mr. LoConte reported that the Phase II GMP will be ready for presentation at the August meeting of the Board of Directors. Gilbane will meet with BUDC executive staff to review the GMP in the next few weeks. It was suggested that Committee member Tom Kucharski may be willing to assist in the review process, as he had participated in the GMP review for Phase I of the project.

(f) **683 Northland – BCP Update** – Mr. Cammarata reviewed the July 3, 2018 letter from the NYDEC approving the Remedial Action Work Plan for the WNY Workforce Training Center site and issuance of the NYDEC's Decision Document for the site. Stephen Frank of LiRo Engineers updated the Committee regarding remedial activities at the site, which are expected to be completed by the end of September. The additional cost relating to the removal of contaminated soil will be accounted for in Phase II of the 683 Northland project.

(g) **683 Northland – Lease Updates** – Mr. Cammarata and Mr. Zanner provided updates regarding lease negotiations with Buffalo Manufacturing Works (BMW) and GiGi's Restaurant.

(h) **683 Northland – Prospect Updates** – Mr. Cammarata reported on discussions with two entrepreneurial companies regarding the leasing of 4100 square feet of mezzanine space at 683 Northland. Letters of intent have been prepared for presentation to these prospective tenants.

(i) **683 Northland – Facility Staffing Update** – Mr. Cammarata updated the Committee regarding the efforts of Mancuso Development to hire a full-time facilities operator and part-time site coordinator positions. Mr. Cammarata indicated that filling the facilities operator position has been particularly difficult. The Committee discussed whether BUDC should hire a facilities operator directly.

- (j) **683 Northland – Window Proposal (Re-Bid)** – Mr. Cammarata circulated a one-page summary of contractor proposals for glass installation work at 612 Northland. Mr. Cammarata noted that proposals for this work were previously solicited, but the decision was made to re-solicit proposals after SHPO requirements resulted in substantial changes to the scope of work and materials. Three MBE contractors submitted proposals to perform the work. W&W Paint & Glass submitted the lowest cost proposal in the amount of \$511,688.00. Ms. Minkel made a motion to recommend that the Board of Directors approve a contract with W&W Paint & Glass for glass installation work at 612 Northland in the amount of \$511,688.00. The motion was seconded by Mr. Penman and unanimously carried.
- (k) **612 Northland – Construction & Contracting Update** – Mr. Cammarata updated the Committee regarding the 612 Northland renovation project. The masonry work has been completed. Asbestos removal work is nearing completion as well, with the roofing work be completed shortly thereafter. Plumbing and HVAC work is underway. The goal is to have the glass installation work completed and finish the building envelope before winter.
- (l) **577 Northland – Public Art Proposal** – Mr. Cammarata presented a proposal relating to a public art project for 577 Northland. The project budget for this work is \$70,000 and is proposed to be paid for with Buffalo Brownfields Redevelopment Program (BBRP) funds. The Committee discussed the proposal. The consensus of the Committee was to table this item to consider the availability of other funding sources for the project.
- (m) **644 Northland – Fox Fence Proposal** – Mr. Cammarata reported on the expenditure of \$5,420.98 for Fox Fence Inc. to install wood fencing on the property located at 644 Northland Avenue. This fencing will match the wood fencing that was recently installed on adjacent blocks.
- (n) **541 East Delevan – National Night Out Event** – Mr. Cammarata reported that 541 East Delavan will be one of the sites for the National Night Out Event to be held on August 7<sup>th</sup>. The event at 541 East Delavan is being sponsored by Northland Beltline Taxpayers Association and BUDC. An access agreement and appropriate insurance coverage will be provided by the sponsor.
- (o) **Restore NY IV – COB-BUDC Sub-Grant Agreement** – Mr. Zanner reported that he is working with the City of Buffalo Assistant Corporation Counsel to finalize the terms of a sub-grant agreement for the Restore NY IV grant. The City of Buffalo is the grantee under the Restore NY IV grant disbursement agreement. The sub-grant agreement will provide for BUDC, as beneficiary of the grant funds, to accept responsibility for performing the program work under the grant.
- (p) **Northland Beltline Funding Updates (ESD, NYPA, CDBG, Restore NY)** – Mr. Cammarata presented a brief update regarding the status of various grant funding sources, including the ESD grants, the NYPA grant, the CDBG grant and the Restore NY IV and V grants.
- (q) **Northland Avenue Road & ROW Construction Update** – Mr. Cammarata updated the Committee regarding the road and right-of-way improvements project, including the recent water line installation and testing work.
- (r) **Nordel II (BUDC)/City of Buffalo Land Swap Update** – There was no update on this item.

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

- (a) **Parcel 4 Superfund Cleanup** – Mr. Cammarata reported that the Parcel 4 Superfund cleanup work is complete. The property can now be marketed.

(b) **Property Owners Association Common Area Maintenance Billings** – Mr. Cammarata reported that BUDC recently issued invoices to CertainTeed and Sonwil for common area maintenance charges for Buffalo Lakeside Commerce Park.

(c) **Prospects Update** – Mr. Cammarata reported on a new prospect at Buffalo Lakeside Commerce Park for the 20 acre site between Sonwil and CertainTeed. Negotiations are underway with the developer regarding the terms of a non-binding letter of intent.

**4.0** **308 Crowley General Items** - Mr. Cammarata reported on multiple items relating to the 308 Crowley property, including the filing a real property tax exemption application, completion of lawn maintenance work and efforts to obtain satisfactions and/or waivers of the liens and judgments filed against the property. Mr. Cammarata also indicated that there are continuing discussions with Enterprise Folding Box Company regarding the sale of a one-acre vacant portion of the site to the company.

**5.0** **C.O.B. Brownfield Opportunities Update**

(a) **Northland** – Mr. Cammarata updated the Committee regarding a potential acquisition in the Northland Beltline project area. Discussions with the seller continue.

**6.0** **Adjournment** – Upon motion made by Ms. Minkel, seconded by Mr. Penman and unanimously carried, the July 24, 2018 meeting of the Real Estate Committee was adjourned at 1:30 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary