

Buffalo Urban Development Corporation

95 Perry Street

Suite 404

Buffalo, New York 14203

phone: 716-856-6525

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Real Estate Committee Meeting Tuesday, July 19, 2016 at Noon BUDC-ECIDA Vista Room 95 Perry Street, 4th Floor, Buffalo, NY 14203

Agenda

- 1) Approval of Minutes – Meeting of 6/22/2016 (*Action*) (*Enclosure*)
- 2) Brownfield Property Opportunities (*Information*)
- 3) Northland Corridor Updates
 - a) ESD Grant Disbursement Agreement II (Z415) (*Enclosure*) (*Recommendation*)
 - b) 537 East Delavan – NYSDEC Order on Consent (*Enclosure*) (*Recommendation*)
 - c) 537 East Delavan (Heat Treatment Building Design) (*Enclosure*) (*Recommendation*)
 - d) 683 Northland – Rehabilitation Tax Credit RFP (*Enclosure*) (*Recommendation*)
 - e) 683 Northland – BCP App. / RIWP Task Order (*Enclosure*) (*Recommendation*)
 - f) 683 Northland – NEPA Compliance (*Information*)
 - g) 683 Northland - Construction Management RFQ (*Information*)
 - h) 683 Northland – ESD Training Center RFP & SUNY Partners (*Information*)
 - i) 683 Northland - NYSERDA Energy Modeling - Pathfinder (*Information*)
 - j) 577 Northland – Pre-development Services Contract (*Information*)
 - k) SHPO & Federal Section 106 Compliance (*Enclosure*) (*Information*)
 - l) Northland Avenue Road & ROW Infrastructure Design (*Information*) (*Enclosure*)
 - m) National Grid Economic Development Program Applications (*Information*)
 - n) Community & Business Outreach / Neighborhood Plan (*Information*)
 - o) M/WBE and Workforce Participation (*Information*)
- 4) Buffalo Lakeside Commerce Park Updates (*Information*)
 - a) Parcel 4 Superfund Site
 - b) Parcel 3 Cap Verification for ERP Close-out
 - c) Development Prospects
 - d) 193 Ship Canal Parkway – BCP
- 5) Adjournment (*Action*)

Minutes of the Real Estate Committee Meeting
Buffalo Urban Development Corporation
95 Perry Street
Buffalo, New York 14203
June 22, 2016
12:00 p.m.

Call to Order

Committee Members Present:

Janique S. Curry
Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel
Dennis M. Penman
Craig A. Slater (Chair)

Committee Members Absent:

Christopher J. Schoepflin
Maria R. Whyte

Officers Present:

Peter M. Cammarata, President
David A. Stebbins, Executive Vice President
Brandye Merriweather, Vice President
Mollie M. Profic, Assistant Treasurer

Others Present: Bradley Bach, ECIDA; Dawn Boudreau, ECIDA; David Carswell, McGuire Development; Jonathan Epstein, *The Buffalo News*; Timmon Favaro, Esq., Cannon, Heyman & Weiss LLP; Christopher J. Hurley, Hurwitz & Fine, P.C.; Dennis Sutton, City of Buffalo; and Edward Watts, Jr., Watts Architecture and Engineering.

Roll Call – The meeting was called to order at 1:00 p.m. The roll was called and a quorum was determined to be present.

- 1.0 Approval of Meeting Minutes** – The minutes of the May 24, 2016 meeting of the Real Estate Committee were presented. Ms. Minkel made a motion to approve the meeting minutes. The motion was seconded by Mr. Mehaffy and unanimously carried.
- 2.0 Brownfield Property Opportunities** – This matter was deferred until after the presentation of items 3.0 and 4.0.
- 3.0 Northland Corridor Updates**
 - (a) Final Design & Renovation Service Orders (Watts)** - Mr. Stebbins presented his June 22, 2016 memorandum to the Board regarding proposed Service Orders 06-09. Mr. Stebbins provided the Board with an overview of each of the Service Orders from Watts Architecture & Engineering detailed in his memorandum. There was a general consensus that the prices quoted by the consultant, which had been heavily negotiated by staff, were favorable to BUDC. Mr. Mehaffy requested that in the future a “running budget” be added to the presentation. Mr. Kucharski requested that information be assembled with regard to the “green” nature of the project, for use in marketing the project and the region. Mr. Penman suggested that information with regard to the sustainable design of the project be separated by category. At the conclusion of the discussion, Mr. Kucharski made a motion to recommend that the Board of Directors

approve the Service Orders as outlined in Mr. Stebbins' memorandum. The motion was seconded by Ms. Curry and unanimously carried.

- (b) **577 Northland – Pre-development Services Contract** - Mr. Cammarata distributed an email proposal received from LaBella Associates, DPC for a change order covering the excavation, transport and outside disposal of petroleum impacted soil at 577 Northland Avenue. Mr. Cammarata indicated that the work covered by the change order would lead to closure of the NYSDEC spill file. Mr. Penman requested some clarification with regard to the savings related to backfill, and the costs involved in testing of recycled concrete. There ensued a general discussion in which it was agreed that staff should have some latitude in negotiating the final amount of the change order, should unforeseen circumstances arise. At the end of the discussion, Ms. Minkel made a motion to approve a change order with LaBella Associates DPC for the work outlined in the email proposal in an amount not to exceed \$12,000.00. The motion was seconded by Mr. Penman and unanimously carried.
- (c) **683 Northland – Construction Management RFQ** - Mr. Stebbins updated the Committee, advising that based on the responses to the RFQ, a short list of qualified construction management firms will be developed, and that the short listed firms would be asked to submit written proposals to provide CM services for the project.
- (d) **683 Northland – NYSERDA Energy Modeling - Pathfinder** - Mr. Stebbins updated the Committee with regard to this matter, indicating that staff had attended a kick-off meeting with NYSERDA on June 28, 2016.
- (e) **683 Northland –Tax Credit Modeling** - Mr. Stebbins reminded the Committee that the law firm of Cannon Heyman & Weiss and the accounting firm of Rubin Brown had been asked to research the economic viability of the use of historic tax credits to help finance this project. Mr. Favaro then addressed the Committee, indicating that his firm had determined that a financing model utilizing historic tax credits, acceptable to potential investors, was available. Mr. Favaro stressed that there would need to be great care taken in structuring any financing, but from a legal and financial perspective, the use of historic tax credits was a viable option. Mr. Stebbins indicated that based on very rough preliminary calculations, up to \$9,000,000 might be available to the project through the use of historic tax credits. Mr. Penman cautioned that Brownfields Cleanup Program (BCP) tax credits are taxable at the federal level, and that some care should be taken in the structuring of the historic tax credits in order to appropriately account for this. Mr. Favaro indicated that the taxability of the BCP tax credits was reflected in the projected pricing of the historic tax credits. Mr. Penman suggested that National Grid and/or National Fuel Gas might be willing tax credit investors for this project. Mr. Stebbins indicated that an RFP would be issued with regard to the next step of this process in July 2016.
- (f) **683 Northland – Asbestos & HazMat Removal** - Mr. Stebbins advised that since CDBG Funding will be utilized for the removal of asbestos and other hazardous materials, the City of Buffalo had originally intended to contract directly for this work. However, since tax credits are now part of the proposed project financing, BUDC will need to contract for the work directly.
- (g) **683 Northland – Training Center RFP & SUNY Partners** - Mr. Cammarata confirmed to the Committee that the time period for responding to the RFP for this matter has been extended.
- (h) **537 East Delavan – NYSDEC Order on Consent** - Mr. Cammarata distributed a letter dated June 16, 2016 from NYSDEC, indicating that the classification of this site would be changed from Class 4 to Class 2 effective July 4, 2016. Mr. Cammarata stated that after

the classification is changed, the Order on Consent will be presented to the Board for final approval.

- (i) **537 East Delavan – Partial Demolition** - Mr. Stebbins advised that the City of Buffalo would contract directly for the demolition work and that a demolition permit would be required. Prior to demolition, consultation with the City of Buffalo Preservation Board and Site Plan approval from the City of Buffalo Planning Board would be required. Mr. Stebbins then distributed a copy of an email from Phillips Lytle, LLP, setting forth their quote for services in connection with obtaining the requisite approvals. Mr. Penman made a motion to approve engaging Phillips Lytle, LLP for a fee not to exceed \$8,800 to perform the services set forth in the referenced email. The motion was seconded by Ms. Minkel and unanimously carried.
- (j) **537 East Delavan – CCLR Event Recap** - Mr. Cammarata reported that staff had made a presentation with regard to this project to potential funders and had received helpful feedback.
- (k) **SHPO & Federal Section 106 Compliance** - Mr. Stebbins reported that the consultants are working on completing the consultation process.
- (l) **BCP & NEPA Applications** - Mr. Slater reviewed the status of the BCP application with regard to 683 Northland and the NEPA application for the entire Northland Corridor project. There was then a discussion of the proposal of LiRo Engineers to prepare the BCP application for 683 Northland for a fee of approximately \$2,497, which Mr. Slater indicated was a favorable price. Mr. Slater also reviewed the public comment process for both applications, which will proceed on parallel tracks to save time and should be concluded in August, 2016. Mr. Kucharski then made a motion to approve the LiRo proposal, which is within its original budget for the project, to perform work in connection with the BCP application, as outlined in the proposal. The motion was seconded by Ms. Minkel and unanimously carried.
- (m) **Road & ROW Infrastructure Design** - Mr. Stebbins stated that the design consultant has started work on this project with a goal of commencing construction in 2017. Mr. Cammarata then reviewed ingress and egress details for this project on the site plan.
- (n) **ESD Grant Disbursement Agreement II** - Mr. Cammarata indicated that all approvals for this matter had been received and that the paperwork was in process.
- (o) **Community & Business Outreach/Neighborhood Plan** - Mr. Cammarata referred the Committee to the copy of the draft Northland Neighborhood Strategy contained in the meeting package, indicating that the draft had been presented last month to the stakeholders, with feedback expected in July, 2016. Further, Mr. Cammarata further advised the Committee that a letter has been sent to all stakeholders providing them with contact information for the appropriate City officials.
- (p) **MWBE and Workforce Participation** - Mr. Cammarata indicated that there was nothing new to report on this matter. Mr. Mehaffy requested real time reports with regard to MWBE and workforce participation compliance, and Mr. Cammarata confirmed that this would be done after the end of June, 2016.

4.0 Buffalo Lakeside Commerce Park Updates

- (a) **193 Ship Canal Parkway – BCP** – There was no update for this item.
- (b) **Parcel 3 ERP Close-out** – Mr. Cammarata reviewed with the Committee a copy of the NYSDEC's June 1, 2016 letter to BUDC regarding the Parcel 3 ERP. Mr. Cammarata

stated that the soil borings and core samples outlined in the letter should be all that is required in order to close out the matter.


(c) **Parcel 4 Superfund Site** - There was no update for this item.

(e) **Development Prospects** – There was no update for this item.

Brownfield Property Opportunities – Mr. Penman made a motion for the Committee to enter into executive session to discuss matters pertaining to the potential acquisition of real property on the basis that public discussion of the proposed acquisition could substantially affect the value of the property. The motion was seconded by Ms. Minkel and unanimously carried. Ms. Curry and Mr. Penman left the meeting during the executive session discussion. At the conclusion of the discussion, Mr. Kucharski made a motion to exit executive session. The motion was seconded by Mr. Mehaffy and unanimously carried. No votes were taken during executive session.

5.0 Adjournment – Upon motion made by Mr. Kucharski, seconded by Mr. Mehaffy and unanimously carried, the June 22, 2016 meeting of the BUDC Real Estate Committee was adjourned at 2:00 p.m.

Respectfully submitted,


Kevin J. Zanner, Secretary

CAPITAL GRANT

This **GRANT DISBURSEMENT AGREEMENT ("Agreement")** includes all exhibits and attachments hereto and is made on the terms and by the parties listed below and relates to the Project described below:

**NEW YORK STATE
URBAN DEVELOPMENT
CORPORATION d/b/a
EMPIRE STATE DEVELOPMENT
("ESD" or "GRANTOR"):**

95 Perry Street, Suite 500
Buffalo, New York 14203-3030
Contact: Ms. Jean Williams, Senior Project Manager
Phone: (716) 846-8243
Fax: (716) 846-8260
E-mail: jean.williams@esd.ny.gov

THE GRANTEE:

Buffalo Urban Development Corporation
95 Perry Street, Suite 404
Buffalo, New York 14203
Contact: Mr. Peter Cammarata, President
Phone: (716) 362-8361
Email: pcammarata@buffalourbandevelopment.com
Federal Taxpayer ID#: 22-2324226

PROJECT NAME:

Northland Corridor Redevelopment and WNY Workforce Training Center Capital

PROJECT LOCATIONS:

Northland Corridor Redevelopment Area properties generally fronting along Northland Avenue in an area bounded by East Delevan Avenue to the north, Fillmore Avenue to the west, the former Beltline (now CSX) Railroad to the south, and Grider Street to the east. Properties acquired include the following:

- 537 E. Delavan Avenue (a 302,825-square-foot building on 10.8 acres)
- 631/637 Northland Avenue (a 41,861-square-foot building on 3.91 acres)
- 683 Northland Avenue (a 235,050-square-foot building on 7.26 acres)
- 741 Northland Avenue (a 96,232-square-foot building on 4.94 acres)
- 777 Northland Avenue (a 81,485-square-foot building on 4.98 acres; Note: shares common wall with 741 Northland)
- 644 Northland Avenue (parking lot)
- 664 Northland Avenue (parking lot)
- 688 Northland Avenue (parking lot)
- 690 Northland Avenue (parking lot)
- 577 Northland Avenue (vacant land)
- 767 Northland Avenue (vacant land)
- 128 Dutton Avenue (vacant land)
- 126 Dutton Avenue (vacant land)

CAPITAL GRANT, continued

PROJECT NUMBER: Z415
GRANT AMOUNT: \$10,300,000
FUNDING SOURCE: Buffalo Regional Innovation Cluster

ESD APPROVAL DATE: April 21, 2016
PACB APPROVAL DATE: May 25, 2016
EXPIRATION DATE: December 31, 2021

This agreement is entered into as of the latest date written below:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION
d/b/a EMPIRE STATE DEVELOPMENT

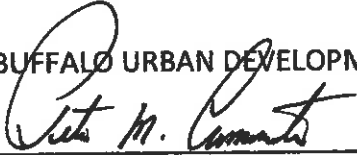


(Signature) Edwin Lee, Vice President, Loans and Grants

6/3/16

(date)

BUFFALO URBAN DEVELOPMENT CORPORATION



(Signature)

Peter M. Cammarata, President
(Printed name and title)

6/30/16

(date)



Department of
Environmental
Conservation

PUBLIC NOTICE

State Superfund Program

Receive site information by email. See next page to learn how.

Site Name: Vibratech Inc.
Site No.: 915165 **Tax Map No.:** 90.77-6-1.1
Site Location: 537 East Delavan, City of Buffalo, 14211

July 6, 2016

Inactive Hazardous Waste Disposal Site Classification Notice

The Inactive Hazardous Waste Disposal Site Program (the State Superfund Program) is the State's program for identifying, investigating, and cleaning up sites where the disposal of hazardous waste may present a threat to public health and/or the environment. The New York State Department of Environmental Conservation (DEC) maintains a list of these sites in the Registry of Inactive Hazardous Waste Disposal Sites (Registry). As of the date of this notice, the site identified above, and located on a map on the reverse side of this page, was reclassified on the Registry as a Class 2 site that presents a significant threat to public health and/or the environment for the following reason(s):

The site consists of a large vacant former manufacturing facility and paved parking lot, with residences along the eastern boundary and others along the south and west. Several investigation and remediation activities have been completed over the years to address pockets of contamination on the site. The United States Environmental Protection Agency conducted a removal action in 2009 to address asbestos and items containing polychlorinated biphenyls (PCBs) and mercury. The results of sampling conducted in 2015 performed in advance of proposed development of the site and the surrounding area indicated areas of solvent and petroleum contamination that need further investigation. Soil vapor from these contaminants could impact on-site buildings and potentially could impact off-site residences. Further actions are needed to identify and address the nature and extent of site-related contamination and any current or potential human exposures.

If you own property adjacent to this site and are renting or leasing your property to someone else, please share this information with them. If you no longer wish to be on the contact list for this site or otherwise need to correct our records, please contact DEC's Project Manager listed below.

FOR MORE SITE INFORMATION

Additional information about this site can be found using DEC's "Environmental Site Remediation Database Search" engine which is located on the internet at:

www.dec.ny.gov/cfm/externalapps/derexternal/index.cfm?pageid=3

Comments and questions are always welcome and should be directed as follows:

Project Related Questions

Maurice Moore, Project Manager
 NYS Department of Environmental Conservation
 Division of Environmental Remediation
 270 Michigan Avenue
 Buffalo, NY 14203
 Email: maurice.moore@dec.ny.gov
 Phone: 716-851-7220

DEC is sending you this notice in accordance with Environmental Conservation Law Article 27, Title 13 and its companion regulation (6 NYCRR 375-2.7(b)(6)(ii)) which requires DEC to notify all parties on the contact list for this site of this recent action.

Approximate Site Location
Vibratech Inc.
Site ID: 915165
537 East Delavan
City of Buffalo, Erie County



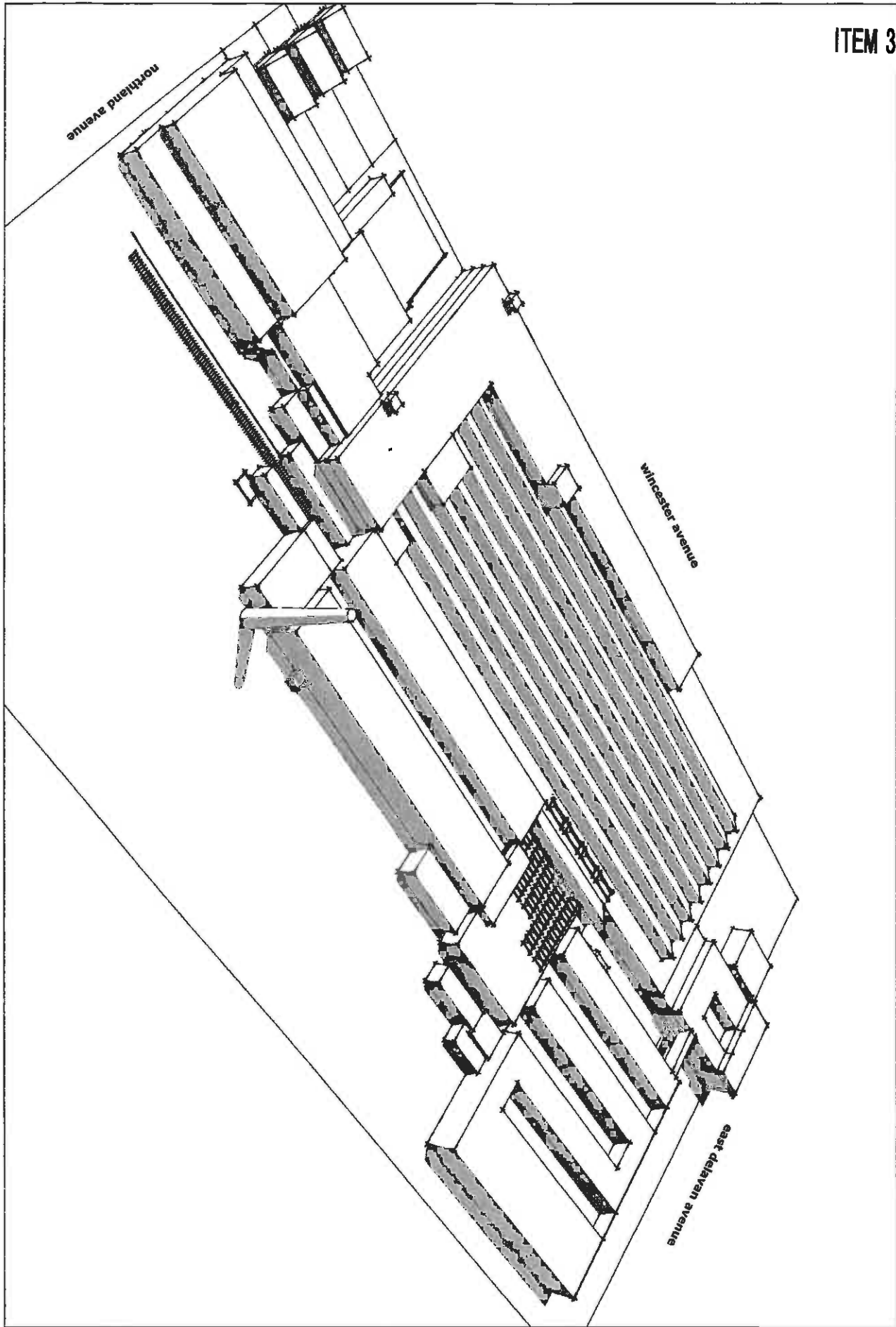
Receive Site Updates by Email

You can have site information such as this public notice sent right to your email inbox. DEC invites you to sign up for more information using the tool at the following web page: www.dec.ny.gov/chemical/61092.html . It's *quick*, it's *free*, and it will help keep you *better informed*.



As a listserv member, you will periodically receive site-related information/announcements for all contaminated sites in the county(ies) you select. You may continue also to receive paper copies of site information for a time after you sign up with a county listserv, until the transition to electronic distribution is complete.

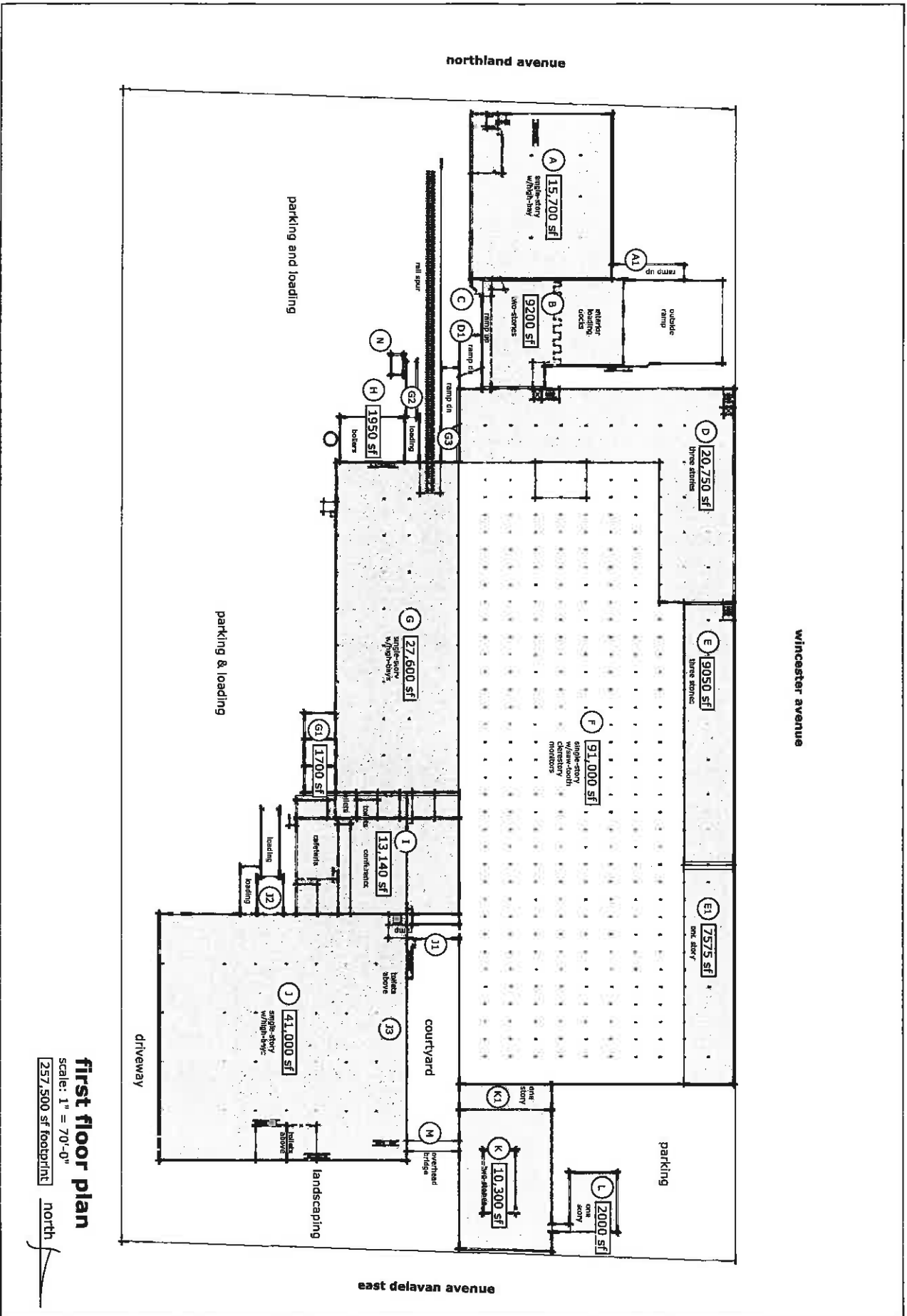
Note: Please disregard if you already received this notice by way of a county email listserv.



9
537 east delavan
buffalo, new york

kathleen m. kinan r.a.
289 lexington ave, buffalo, new york 14222
716.881.6681 or email at kmkinan@gmail.com

date: feb 2015
revisions:



first floor plan
 scale: 1" = 70'-0"
 257,500 sf footprint

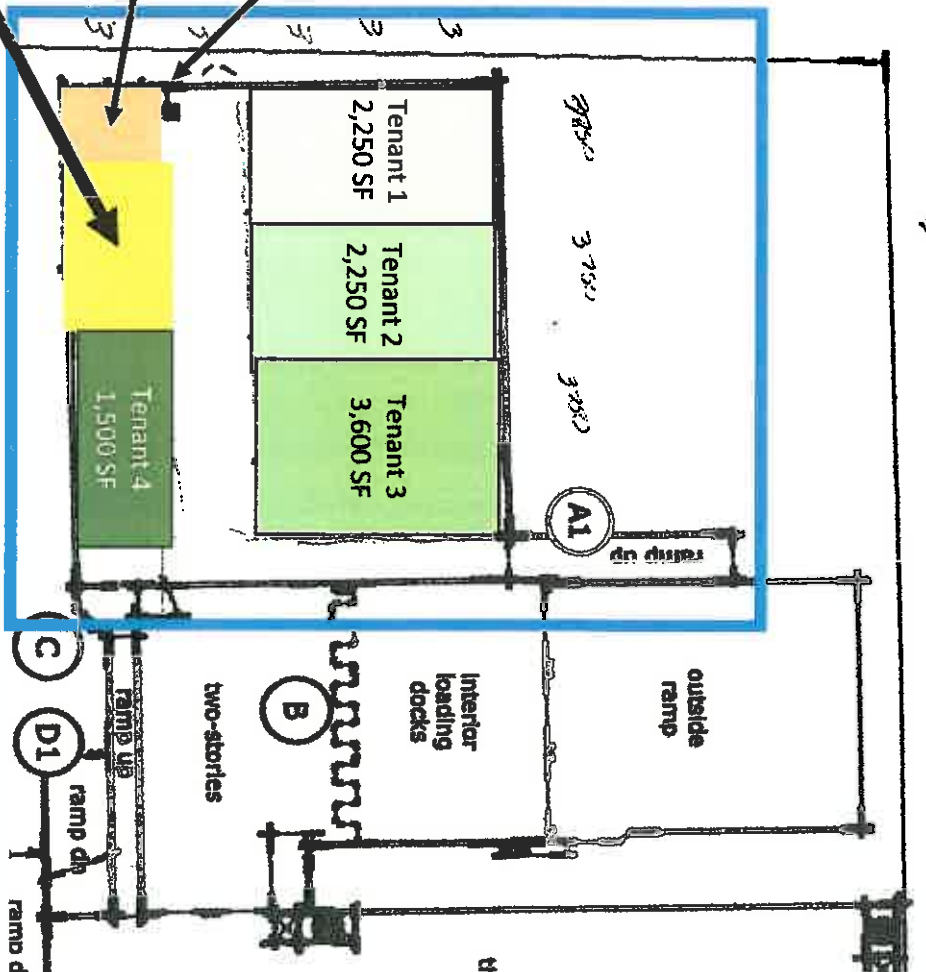


3	537 east delavan buffalo, new york	kathleen m. kinan r.a. 289 lexington ave, buffalo, new york 14222 716.881.6681 or email at kmkinan@gmail.com	date: feb 2015 revisions:	
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Northland (Mancuso) office & shared meeting room

Common men & women's restrooms

Main Entrance



612 Northland
 Preliminary multi-tenant concept
 12.30.15



REQUEST FOR PROPOSAL

APPLICATION, STRUCTURING, AND SYNDICATION OF REHABILITATION TAX CREDITS

Buffalo Urban Development Corporation

7/13/2016



BUDC is soliciting proposals from legal and accounting firms to provide services in support of its project at 683 Northland Avenue. The services required are related to the application, structuring, and syndication of Federal rehabilitation tax credits available under Section 47 of the IRS Code of 1987, and New York State rehabilitation tax credits available under various provisions of the New York Tax Law.

Buffalo Urban Development Corporation

REQUEST FOR PROPOSALS

APPLICATION, STRUCTURING, AND SYNDICATION OF REHABILITATION TAX CREDITS

BUDC is soliciting proposals from legal and accounting firms to provide services in support of its project at 683 Northland Avenue. The services required are related to the application, structuring, and syndication of Federal rehabilitation tax credits available under Section 47 of the IRS Code of 1987, and New York State rehabilitation tax credits available under various provisions of the New York Tax Law.

The project is being funded by the Buffalo Urban Development Corporation (BUDC).

Firms are encouraged to include Minority and Women Owned Business Enterprises (M/WBE) in their teams.

**THE BUFFALO URBAN DEVELOPMENT CORPORATION (BUDC)
RESERVES THE RIGHT TO REJECT ANY OR ALL SUBMISSIONS AND TO
WAIVE ANY INFORMALITIES THEREIN.**

1. BACKGROUND AND GENERAL DESCRIPTION OF THE PROJECT:

The mission of Buffalo Urban Development Corporation (BUDC) is to support the urban economic development efforts of the region through acquisition, remediation and management of distressed properties, and to engage in related real estate development activities for the purpose of attracting and/or retaining new and existing businesses to the City of Buffalo as part of the region.

In September 2014, Governor Andrew M. Cuomo and Mayor Byron W. Brown announced plans for the acquisition and redevelopment of over 35 acres of vacant and underutilized industrial land and buildings along the City's Northland Corridor. The anchor of the Northland Corridor Redevelopment Project is 683 Northland, a historic 235,000 SF manufacturing plant and the former home of Niagara Machine & Tool Works. Once restored, the building will be home to an innovative Workforce Training Center, as well as flexible space for small to mid-sized light industrial start-up enterprises. The goal of the Workforce Training Center is to ensure a robust and diversified workforce of highly trained, skilled workers ready to meet the challenges of the 21st-century energy and advanced manufacturing industries. These workforce goals will form synergies with Mayor Brown's goal of revitalizing the Delevan/Grider neighborhood and the greater East Side community, which have experienced high levels of poverty and unemployment.

The skilled local workforce and improving economic conditions will attract significant employers while reducing neighborhood blight from vacant buildings and brownfields.

The complex at 683 Northland Avenue is individually eligible for listing to the National Register of Historic Places under Criteria A and C. The complex is historically significant for its contribution to the manufactured tools and machines for working sheet metal, specializing in presses, punches and rotary sheets. The former Niagara Machine & Tool Works (NMTW) Complex is further significant for its association with the industrial development of the East Side of Buffalo and along manufacturing nodes of the Belt Line in the early 20th century. The original NMTW factory is architecturally significant as an industrial design by Green & Wicks, one of the most significant architectural firms ever to practice in Buffalo. The NMTW factory (1911) and its addition (665 Northland, 1911) are the original factory buildings and both are attributed to Green & Wicks. The firm designed numerous commercial buildings, institutional, municipal buildings, as well as commissioned residences.

Buffalo-based firm Watts Architecture & Engineering has been contracted to provide a full range of design services for the complex at 683 Northland and the broader Northland Corridor Redevelopment Project. Watts was selected due to its excellent overall architectural and engineering skills and experience, its prior knowledge of the Northland project from previous involvement, its extensive environmental experience, its skills with historic preservation work, its past experience with educational and workforce training facilities, and its overall approach that went beyond 683 Northland to encompass the entire Northland campus. Watts and their sub-consultant, Barbara Campagna, will be responsible for preparing the Historic Preservation Certification Application, Parts I and II.

Some preliminary legal and accounting work has been completed related to the legal structure and financial model of the proposed rehabilitation tax credit syndication. This work represents a basic blueprint for a path forward, and new details and considerations will need to be explored as the process continues to develop.

2. SCOPE OF WORK

The following is a description of the Services to be performed and completed by the successful Firm(s):

- **Legal Services** (*Legal services related to the Project in connection with the syndication of other beneficial use of Federal and New York State Historic Tax Credits and New York State Brownfield Redevelopment Tax Credits, include, but are not limited to*):
 - The FIRM shall perform miscellaneous consulting and preliminary transaction structuring guidance.
 - The FIRM shall perform review of financial projections for the Project and interface with accountants regarding the same.
 - The FIRM shall provide advice regarding the entity ownership structure of the transaction and overall project financing.
 - The FIRM shall perform formation of all required project entities, drafting of organizational documents, certificates, consents and resolutions, rendering of due formation and enforceability opinions.

- The FIRM shall provide advice regarding risk and opportunities to maximize the tax credits and the equity derived therefrom.
 - The FIRM shall assist with identification and selection of tax credit investors, negotiations of investment terms.
 - The FIRM shall perform negotiation and closing of construction loan financing.
 - The FIRM shall perform review of any permanent loan commitments.
 - The FIRM shall perform negotiation and closing of tax credit equity agreements, operating agreements, guarantees, leases and related documents with the investors' counsel, such as management, development and other fee agreements.
 - The FIRM shall provide advice regarding compliance requirements under tax credit programs.
 - The FIRM shall coordinate with accounting team with respect to preparation of financial projections.
 - The FIRM shall perform review of investor due diligence and checklist items for tax credits.
 - The FIRM shall prepare and issue a New York State historic tax opinion.
 - The FIRM shall meet with BUDC Board of Directors as necessary.
 -
 - The FIRM shall provide advice regarding real property tax exemption options for the project.
 - The FIRM shall coordinate with counsel retained for purposes of qualifying the project for the New York State Brownfield Cleanup Program.
 - The FIRM shall coordinate with BUDC general counsel, which will be responsible for performing real property conveyance work as may be necessary to effectuate the tax credit structure, including title examination and related work.
- **Accounting Services** (*Tasks include, but are not limited to*):
 1. **Pre-Closing Services:**
 - The FIRM shall prepare the initial tax credit model, including revisions, through tax credit investor closing.
 - The FIRM shall participate on conference calls with development team and/or entire working group through tax credit investor closing.
 - The FIRM shall perform tax consulting services related to conformity with IRS Historic Tax Credit safe harbor, substantial rehabilitation analysis, and development fee analysis.
 - The FIRM shall assist with attracting a tax credit investor for the Project.
 - The FIRM shall provide Cost Certification Report for the qualified rehabilitation expenditures (QREs) for IRC 47 credits (historic tax credits) -
 - The FIRM shall provide "Pre-Admission" Cost Certification Report, if required prior to admission of investor member
 - The FIRM shall provide "Pre-Close" Cost Certification Report, if required prior to Master Tenant equity contribution to landlord.
 2. **Post-Closing Services:**
 - The FIRM shall provide QRE consulting for IRC47 tax credits during the course of construction, if requested;

- The FIRM shall provide Cost Certification Report for the New York State Brownfield Tax Credits (BFTC), if applicable:
- The FIRM shall provide Phase I Report– site work
- The FIRM shall provide Phase II Report – tangible property
- The FIRM shall provide BFTC consulting for NYS tax credits during the course of construction, if requested and if applicable;
- The FIRM shall provide Annual audit of financial statements for the Project:
- The FIRM shall provide Assuming single entity structure, therefore landlord audit
- The FIRM shall provide Assuming master tenant structure, therefore master tenant audit also;
- The FIRM shall provide Annual partnership income tax returns for the Project:
- The FIRM shall provide Assuming single entity structure (landlord)
- The FIRM shall provide Assuming master tenant structure (master tenant partnership return)
- The FIRM shall provide Annual corporate tax return for BUDC’s (sponsor) wholly owned C corporation, if required
- The FIRM shall provide Agreed upon procedures report for audit of grant monies received by BUDC, if required.

This Scope of Work has been prepared as a proposal guideline. It is the respondent’s responsibility to add or remove any Scope items that the FIRM feels would be duplicative or necessary to complete the project.

3. GENERAL PROPOSAL REQUIREMENTS:

a. Experience of Firm/Project Team

Firms, or their principals responding to this RFP should include an organizational chart, identifying the project manager and team members, with their titles. All proposed sub-consultants must also be identified, along with their project managers and key personnel.

b. Experience, Depth and Breadth of Personnel

The team should have a full-range of experience in Historic Preservation Tax Credit and Brownfield Program Tax Credit projects, specifically in New York State. Key personnel must be identified by name and office location, with resumes included, and should demonstrate experience in the past 10 years. This should also include identifying the firm’s or person’s role within any project and the year(s) in which the work took place.

c. Approach and Methodology

Respondents to this RFP should include a brief narrative explaining their approach. The narrative should outline the products and tasks to be provided in response to the recommended Scope of Work outlined above.

d. Cost and Budget

The total cost of the development/construction project is estimated at \$34 million. The CONSULTANT shall provide a cost proposal broken down as follows:

- Legal Services: An hourly-rate contract with a Not-to-exceed amount. Therefore, all proposals must contain a Not-to-Exceed amount for the scope of services delineated, inclusive of all expenses (there will be no reimbursables).
- Accounting Services, Pre-Closing: An hourly-rate contract with a Not-to-exceed amount. Therefore, all proposals must contain a Not-to-Exceed amount for the scope of services delineated, inclusive of all expenses (there will be no reimbursables).
- Accounting Services, Post-Closing: Fixed-fee cost for each task outlined under this scope of work.

Proposals must include a breakdown by cost and total work hours for the categories outlined.

e. Hourly Personnel Rates

As a supplement, a schedule of billable rates for all key personnel must be included in the proposal. Proposals must also include the ranges of billable rates for technical staff and support personnel.

f. Schedule

The anticipated schedule for the project is:

RFP Due Date	July 29, 2016
Interviews (if necessary)	Week of August 8 th , 2016
Contract Award	August 30, 2016
Notice to Proceed/Work Start	September 12, 2016
Completion of Part II	December 31, 2016
Tax Credit Investor Closing	1 st Quarter 2017
Start of Construction	1 st Quarter 2017
Completion of Construction	December 31, 2017
Cost Certification/Part III	1 st Quarter 2018

4. SUBMISSION OF PROPOSALS:

There is no restriction on the length of a proposal; however, respondents are encouraged to be as concise as possible. **Six (6) written copies** of the proposal and an electronic copy must be submitted, **no later than 2:00 PM, July 22, 2016 to:**

David A. Stebbins
Buffalo Urban Development Corporation
95 Perry Street, Suite 404
Buffalo, New York, 14203
DStebbins@BuffaloUrbanDevelopment.com

5. SCORING, RANKING AND SELECTION PROCESS:

BUDC may short list from the proposals and interviews may be required. Award of a contract is expected to be made on or about August 30, 2016.

The BUDC does not assume the responsibility or liability for costs incurred by firms responding to this RFP or to any subsequent requests for interviews, additional information, submissions, etc. prior to issuance of a contract.

Requests for RFP interpretations should be made electronically to David A. Stebbins, DStebbins@BuffaloUrbanDevelopment.com or in writing to the Buffalo Urban Development Corporation (BUDC), 95 Perry Street, Suite 404, Buffalo, NY 14203. David Stebbins shall serve as the designated staff contact under the Permissible Contacts provision. No requests for oral interpretations via telephone will be accepted.



LiRo Engineers, Inc.
A LiRo Group Company

690 Delaware Avenue, Buffalo, NY 14209 Telephone 716.882.6476 Facsimile 716.882.9640

June 22, 2016

David A. Stebbins, AICP
Buffalo Urban Development Corporation
95 Perry Street, Suite 404
Buffalo, New York, 14203

**Re: Task Order 6 - Northland Corridor, Cost Estimate
Remedial Investigation Work Plan for 683 Northland Avenue**

Dear Mr. Stebbins,

LiRo Engineers, Inc. (LiRo) is pleased to present Buffalo Urban Development Corporation (BUDC) with this budget and cost estimate for preparing a Remedial Investigation Work Plan (RIWP) for 683 Northland Avenue property of the Northland Corridor Redevelopment in the City of Buffalo, New York.

The existing site data will be used as the basis for identifying data gaps and developing a comprehensive site investigation strategy. The RIWP will be developed following the NYSDEC Brownfield Program requirements and the DER-10 Guidance Document. The plan will describe in detail the proposed investigation scope, sampling location rationale, and methods that will be employed to conduct the field investigation. The RIWP will include a Quality Assurance Project Plan (QAPP) which will detail the data acquisition procedures and protocols that will be used to conduct the Site Investigation. The QAPP will also indicate the frequency and type of field and laboratory QC samples that will be collected.

In order to ensure that the field work is conducted in a manner that is protective of site workers, the surrounding community and the environment, LiRo will submit a project Health and Safety Plan (HASP) with the RIWP. The HASP will include a Community Air Monitoring Plan (CAMP) which will detail the monitoring protocols that will be used to ensure that contaminants are not released to the surrounding community during the site investigation work. LiRo's deliverables for this task will include both electronic and printed copies of the completed RIWP.

LiRo has estimated approximately \$3,846 to perform the work described above. A summary of estimated hours to complete the application is provided in Table 1.

If our proposal is agreeable to you, please sign in the space indicated below and we will append this letter to our existing work agreement. Should you require any additional information or wish to discuss our proposal in more detail, please contact me directly at 716-882-5476.

Sincerely,

LiRo Engineers, Inc.

Robert Kreuzer
Vice President
Attachments

Approved By (name): _____

Signature: _____

Table 1
LiRo Engineers, Inc.
Task Order 6 - Cost Proposal Detail

Added Task – Prepare Remedial Investigation Work Plan for 683 Northland Avenue

Labor	Unit	Rate	Quantity	Total
Project Principal - Kreuzer	Hour	\$ 165.00	2	\$ 330.00
Project Manager - Wesolowski	Hour	\$ 158.00	2	\$ 316.00
Architecture/Planning Task Leader	Hour	\$ 110.00		\$ -
Engineering Task Leader	Hour	\$ 122.00		\$ -
Environmental Task Manager	Hour	\$ 122.00	4	\$ 488.00
Real Estate/Marketing Task Leader	Hour	\$ 150.00		\$ -
SEQRA/Community Participation	Hour	\$ 110.00		\$ -
Historic Pres Task Leader	Hour	\$ 110.00		\$ -
Professional Engineer	Hour	\$ 95.00		\$ -
Project Engineer	Hour	\$ 75.00		\$ -
Architect/Planner	Hour	\$ 95.00		\$ -
Hydrogeologist	Hour	\$ 85.00		\$ -
Environmental Scientist/Geologist	Hour	\$ 78.00	32	\$ 2,496.00
Real Estate Market Analyzer	Hour	\$ 75.00		\$ -
Architectural Historians	Hour	\$ 70.00		\$ -
CADD Operators	Hour	\$ 54.00	4	\$ 216.00
Administrative/Word Processing	Hour	\$ 43.00		\$ -
Total Loaded Labor			44	\$ 3,846.00

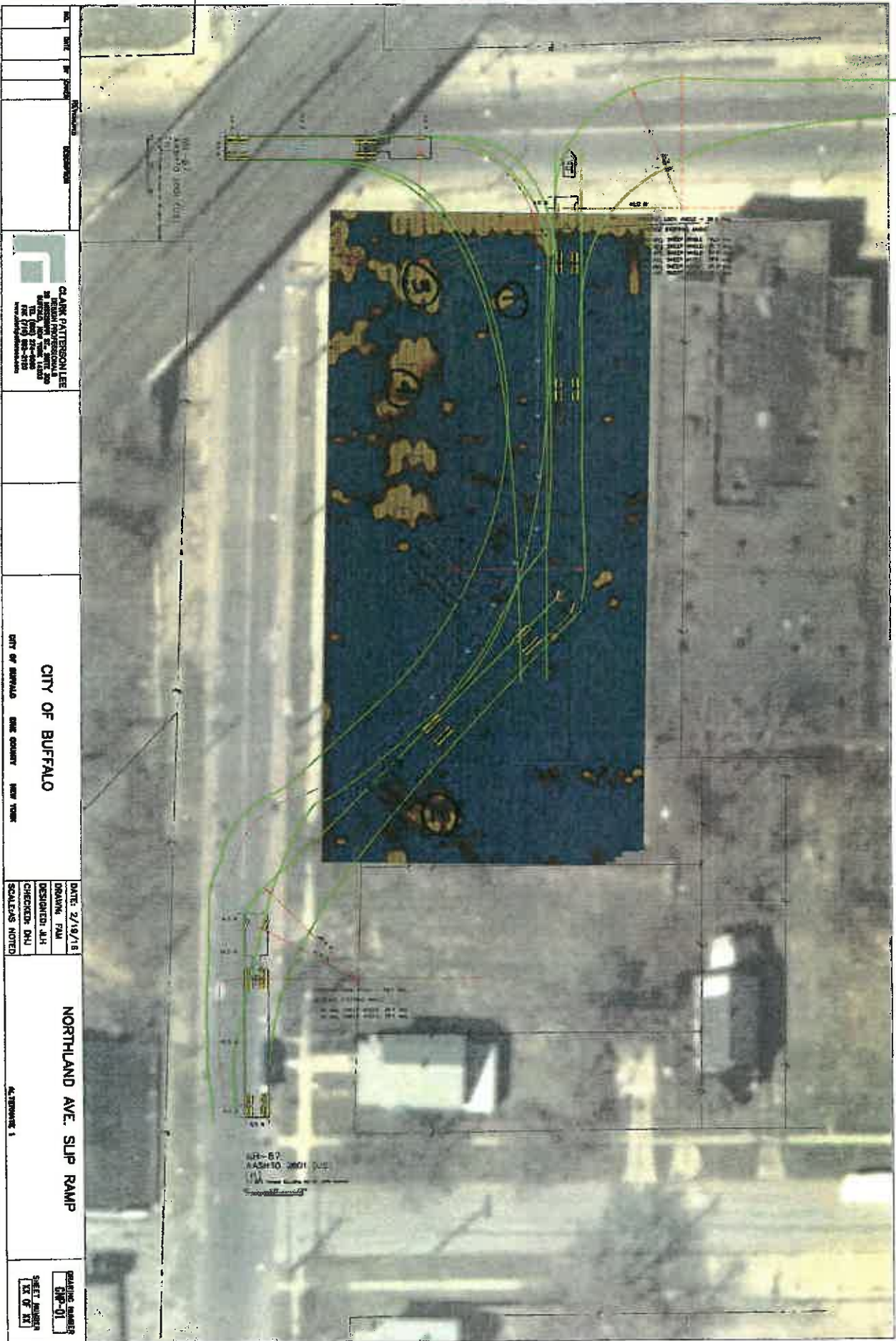
City of Buffalo/Buffalo Urban Renewal Agency Northland Corridor Redevelopment/WNY Workforce Training Center Persons/Organizations Invited to Participate as Consulting Parties per Section 106 National Historic Preservation Act	
Tribal Consulting Parties	
Paul Barton, THPO Seneca Cayuga Tribe of Oklahoma 23701 S. 655 Road Grove, OK 74344 Tel: 918.787.7979 Email: pbarton@sctribe.com	Scott Abrams, THPO Seneca Nation of Indians 90 Ohi:yo' Way Salamanca, NY 14779 Tel: 716.945.1790 x 3580 Email: scott.abrams@sni.org
Tuscarora Nation Chiefs Council Bryan Printup Tuscarora Environment Office 5226 East Walmore Road Lewiston, NY 14092 Phone: (716) 264-6011 E-mail: bprintup@hetf.org	Chief Darwin Hill Tonawanda Seneca Nation 7027 Meadville Road Basom, NY 14013 Phone: (716) 542-4244 or (716) 542-2341 E-mail: tonseneca@aol.com
Preservation/Community/Government Agency Consulting Parties	
Paul McDonnell, Chair Buffalo Preservation Board 901 City Hall Buffalo NY 14202 Phone: (716) 851-4064 c/o Chris Hawley, Planner E-mail: chawley@ch.ci.buffalo.ny.us pmcdonnell@buffaloschools.org	Tim Tielman, Director Campaign for Greater Buffalo History, Architecture & Culture 14 Lafayette Square, Suite 1425 Buffalo, NY 14203 Phone: 716-854-3749 E-mail: frontdesk@c4gb.org
Jessie Fisher, Executive Director Preservation Buffalo Niagara 617 Main Street, Suite 201 Buffalo, New York 14203 Phone: (716) 852-3300 E-mail: jfisher@pbnsaves.org	Beverly Crowell, President Northland Beltline Taxpayers Association 229 Chelsea Place Buffalo, NY 14215 Phone: (716) 208-1857 E-mail: bbcrow229@gmail.com
Rev. Kinzer Pointer, President & CEO Greater Buffalo United Ministries 70 Niagara Square Buffalo, NY 14202 Phone: (716) 563-1609 E-mail: terrell53171@aol.com Paster William Gillison Pastorg57@aol.com	Barbara Carson-Jones Delavan-Grider Community Association 190 Stevens Ave. Buffalo, NY 14215 Phone: (716) 866-9509 E-mail: bcarsonjones@verizon.net

**City of Buffalo/Buffalo Urban Renewal Agency
Northland Corridor Redevelopment/WNY Workforce Training Center
Persons/Organizations Invited to Participate as Consulting Parties per
Section 106 National Historic Preservation Act**

<p>Marjorie Bryen, President Hard Manufacturing 230 Grider St. Buffalo, NY 14215</p> <p>Phone: (716) 893-1800 E-mail: bryen@hardmfg.com</p>	<p>Katherine Rougeux New York Power Authority 535 Washington Street, Suite 202 Buffalo, NY 14203</p> <p>Phone: 716-842-3211 E-mail: Katherine.Rougeux@nypa.gov</p>
<p>Paul Tronolone, AICP Empire State Development 95 Perry Street, 5th Floor Buffalo, NY 14203</p> <p>Phone: (716) 846-8200 E-Mail: paul.tronolone@esd.ny.gov</p>	<p>Jaime Loichinger Advisory Council on Historic Preservation 401 F Street NW, Suite 308 Washington, DC 20001-2637</p> <p>Phone: (202) 517-0219 E-mail: jloichinger@achp.gov</p>
<p>Erin M. Tobin Director of Preservation Preservation League of New York State 44 Central Avenue Albany, NY 12206</p> <p>Phone: 518-462-5658 ext. 12 Email: etobin@preservenys.org</p>	<p>Sloane Bullough, Field Services Bureau New York State Office of Parks Recreation and Historic Preservation Division for Historic Preservation Peebles Island State Park P.O. Box 189 Waterford, NY 12188-0189</p> <p>Phone: (518) 268-2158 E-mail: Sloane.Bullough@parks.ny.gov</p>
<p>John Bonafide, Director, Tech. Preservation Bureau New York State Office of Parks Recreation and Historic Preservation Division for Historic Preservation Peebles Island State Park P.O. Box 189 Waterford, NY 12188-0189</p> <p>Phone: (518) 237-8643 E-mail: John.Bonafide@parks.ny.gov</p>	

FILE NAME: C:\PROJECTS\Buffalo\SPR\Northland Ave\Design\Northland Ave\Slip Ramp.dwg

DESIGNER: J. HENRY JOB MANAGER: S. TIMMER DESIGNED BY: J. HENRY CHECKED BY: D. JOHNSON ESTIMATED BY: J. HENRY DRAFTED BY: F. MINNEY CHECKED BY: J. HENRY



CLAIM CATEGORIES
 CLAIM CATEGORIES
 IN ACCORDANCE WITH THE
 PROFESSIONAL
 ENGINEERING CONTRACT
 BETWEEN THE CITY OF
 BUFFALO AND THE
 STATE OF NEW YORK
 FOR THE YEAR 2000-2005

CITY OF BUFFALO
 CITY OF BUFFALO ONE COUNTY NEW YORK

DATE: 2/19/18
 DRAWN: F.M.
 DESIGNED: J.H.
 CHECKED: D.J.
 SCALE: AS NOTED

NORTHLAND AVE. SLIP RAMP
 A. DRAWING 1

DATE: 2/19/18
 SHEET NUMBER
 11 OF 11