

Buffalo Urban Development Corporation

95 Perry Street

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Buffalo Urban Development Corporation Board of Directors Meeting

Date: Tuesday, February 27, 2018

Time: 12:00 Noon

**Place: BUDC/ECIDA Offices, 95 Perry Street, 5th Floor Conference Room
Buffalo, New York 14203**

1.0 CALL TO ORDER

2.0 READING OF THE MINUTES *(Action) (Enclosure)*

3.0 MONTHLY FINANCIAL REPORTS *(Action) (Handout)*

4.0 NEW BUSINESS

4.1 612 Northland Renovation – Electrical Proposals *(Action) (Enclosure)*

4.2 683 Northland/Northland Workforce Training Center – Furniture & Furnishings Bid
Results and Award *(Action) (Enclosure)*

4.3 683 Northland Brownfield Cleanup Program – LiRo Additional Work Proposal
(Action) (Enclosure)

4.4 Northland Beltline Project Update *(Information)*

4.5 Buffalo Building Reuse Project Update *(Information)*

4.6 Buffalo Lakeside Commerce Park Update *(Information)*

4.7 Information Package *(Information)*

5.0 LATE FILES

6.0 TABLED ITEMS

7.0 EXECUTIVE SESSION

8.0 ADJOURNMENT *(Action)*



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

95 Perry Street
Buffalo, New York 14203
January 30, 2018
12:00 p.m.

1.0 Call to Order

Directors Present:

Hon. Byron W. Brown (Chair)
James W. Comerford
Janique S. Curry
Dennis W. Elsenbeck
Darby Fishkin
Dottie Gallagher-Cohen
Thomas R. Hersey, Jr.
Brendan R. Mehaffy
Kimberley A. Minkel
David J. Nasca
Craig A. Slater

Directors Absent:

Michael Ball
Thomas Beauford, Jr.
Thomas A. Kucharski
Dennis M. Penman (Vice Chair)
Darius G. Pridgen
Steven J. Stepniak
Maria R. Whyte

Officers Present:

Peter M. Cammarata, President
David A. Stebbins, Executive Vice President
Brandye Merriweather, Vice President
Mollie M. Profic, Treasurer
Kevin J. Zanner, Secretary

Others Present: Atiqa Abidi, ECIDA Senior Accountant; Dawn Boudreau, ECIDA; Christopher J. Schoepflin, Empire State Development; James Fink, *Buffalo Business First*; Jonathan Epstein, *The Buffalo News*; Sandy White, Mustard Seed Consulting Group; and Terry LoConte, Gilbane Building Company.

Roll Call; Order of Business – Mr. Mehaffy called the meeting to order at 12:15 p.m. as acting Chair. A quorum of the Board was not present. Mr. Mehaffy requested that BUDC executive staff present information items 4.6 and 4.7. Ms. Gallagher-Cohen joined the meeting during the presentation of item 4.6. Mayor Brown and Ms. Curry joined the meeting during the presentation of item 4.7. Following the presentation of item 4.7, the roll of directors was called and a quorum of the Board was determined to be present.

2.0 Presentation of the Minutes – The minutes of the December 19, 2017 meeting of the Board of Directors were presented. Mr. Elsenbeck made a motion to approve the meeting minutes. The motion was seconded by Ms. Gallagher-Cohen and unanimously carried.

3.0 Monthly Financial Reports – Ms. Profic reported that BUDC's new auditing firm, Freed Maxick, is working on the 2017 year-end audit, and that accordingly, monthly financial reports for BUDC and 683 Northland LLC will not be presented this month. Ms. Profic then presented her January 30, 2018 memorandum setting forth a summary of Buffalo Brownfields Redevelopment Fund (BBRF) activity for

the period from November 30, 2017 through January 12, 2018. Ms. Profic explained that on December 27th, BUDC utilized \$1,450,000 from the BBRF account for the purpose of temporarily funding closing costs for the tax credits and KeyBank financing transactions. It was anticipated that these funds would be returned to the BBRF account the same day, but due to a wire room delay, the funds were not deposited into the account until January 2, 2018. As a result, the 2017 BBRF year-end financial statements will reflect a balance of \$797,594 instead of \$2,375,065.

4.0 New Business

- 4.1 New Empire State Development Board Member** – Mr. Cammarata reported that Empire State Development (ESD) recently promoted Christopher Schoepflin to Senior Vice President and named Michael Ball as its new Regional Director. The BUDC Certificate of Incorporation provides that the Regional Director of ESD serves as a member and director of BUDC, so Mr. Ball has succeeded Mr. Schoepflin in that role. Mr. Cammarata indicated that the Governance Committee is recommending that Mr. Ball be appointed to the Governance Committee to take the place of Mr. Schoepflin. Ms. Gallagher-Cohen made a motion to appoint Michael Ball to the Governance Committee through June 2018. The motion was seconded by Mr. Nasca and unanimously carried. Mr. Cammarata and members of the Board then recognized Mr. Schoepflin for his contributions to BUDC and wished him well in his new position.
- 4.2 Appointment of Assistant Treasurer** – Mr. Cammarata introduced Atiqah Abidi, who was recently hired by ECIDA as a Senior Accountant to replace Bradley Bach. The Governance Committee is recommending that Ms. Abidi be appointed as Assistant Treasurer. Ms. Minkel made a motion to appoint Atiqah Abidi as Assistant Treasurer through June 2018. The motion was seconded by Mr. Eisenbeck and unanimously carried.
- 4.3 683 Northland – Phase II Preconstruction Services** - Mr. Stebbins presented his January 30, 2018 memorandum regarding pre-construction services for Phase II of the 683 Northland project. Gilbane Building Company is proposing to provide pre-construction services for Phase II of the project at a cost of \$142,640. This work would begin immediately and be documented through an amendment to the construction management agreement between Gilbane and 683 Northland LLC. Mr. Stebbins noted that the cost of this work is less than the cost of the pre-construction services for Phase I of the project. The Board discussed the proposal. Mayor Brown applauded the progress in meeting and exceeding the project's M/WBE and workforce participation goals. Mr. Stebbins indicated that Phase II of the project may result in greater M/WBE and workforce participation. There being no further discussion, Mr. Comerford made a motion to approve an amendment to the construction management agreement between Gilbane Building Company and 683 Northland LLC for Gilbane to provide pre-construction services for Phase II of the 683 Northland project at a cost of \$142,640 and to authorize the President or Executive Vice President to execute and deliver the amendment to the construction management agreement on behalf of 683 Northland LLC. The motion was seconded by Mr. Hersey and unanimously carried.
- 4.4 Northland Road Project – Interim Funding/Buffalo Brownfields Redevelopment Fund (BBRF)** – Mr. Stebbins presented his January 30, 2018 memorandum regarding the proposed utilization of the Buffalo Brownfields Redevelopment Fund (BBRF) to help cash flow the Northland Avenue road and infrastructure project. Mr. Stebbins noted that the cost of the road and infrastructure project will be paid with ESD grant funds, but that the timing for receiving grant reimbursements can result in a two-three month lag in payments to contractors. To help bridge this cash flow issue, BUDC executive staff is suggesting that BUDC utilize up to one million dollars from the BBRF for a period of up to ninety days to advance payments for the project. The proposal was reviewed with the Real Estate Committee, which is recommending approval. The Board discussed the proposal. In response to a question from Mr. Nasca, Mr. Cammarata indicated that BUDC generally receives reimbursements from ESD within forty-five to sixty days, and that the extra thirty days will provide some cushion in the event of a late

reimbursement. Mr. Zanner confirmed that the proposed transaction is permitted under the BBRF agreement. In response to a question from Ms. Curry, Mr. Stebbins indicated that ESD grant funds are disbursed to BUDC pursuant to an executed grant disbursement agreement. Mr. Schoepflin noted that funds allocated to the Northland project under the Buffalo Billion I and Buffalo Billion II programs have been legislatively approved and are available for the project. At the conclusion of the discussion, Mr. Nasca made a motion to authorize the utilization of up to one million dollars from the BBRF for a period of up to 90 days to advance payments for the Northland Road project, with such amount to be repaid to the BBRF from ESD grant funds and to authorize the President, Executive Vice President or Treasurer to execute and deliver such agreements and documents and to take such actions as may be reasonably necessary or appropriate to implement this action. The motion was seconded by Mr. Slater and unanimously carried.

- 4.5 Northland Beltline – Community Outreach Services Agreement - Mr. Cammarata presented his January 30, 2018 memorandum regarding community outreach services for the Northland Beltline project. Mr. Cammarata noted that the funding allocated under the current consulting agreement with Sandy White (d/b/a Mustard Seed World Consulting) has been fully expended as of this month. He noted that Ms. White has become an integral part of the Northland team through her work with BUDC staff, the Mayor's communications staff and the Northland stakeholders group. BUDC executive staff is recommending that BUDC contract with Mustard Seed World Consulting to continue to provide community outreach services for the Northland Beltline project. The proposed fee is \$24,000. Mayor Brown commented on the importance and effectiveness of Ms. White's community outreach activities. Mayor Brown then made a motion to authorize BUDC to enter into a one year agreement with Mustard Seed World Consulting for Northland Beltline community outreach services at a cost not to exceed \$24,000. The motion was seconded by Mr. Nasca and unanimously carried.**
- 4.6 Northland Beltline Project Update – Mr. Stebbins referred Board members to the one-page monthly report prepared by Gilbane for the 683 Northland construction project. Mr. Stebbins reported that BUDC received its Part 2 conditional approval from National Parks Service earlier this week, which will allow Gilbane to advance certain elements of the project that had been delayed due to the lack of approval. Mr. Stebbins then circulated and reviewed a one-page summary of owner allowances and owner contingencies for the project. The amount committed for the skylights and clerestories work is expected to exceed the original GMP budget due to SHPO design requirements. Mr. Stebbins noted that the amounts committed for other elements of the work are lower than original GMP budget allowances, which, along with adjustments to certain budgeted owner contingencies, will offset the increased expense for the skylights and clerestories work. Mr. Stebbins next circulated a written report/update regarding the Northland Beltline project. He highlighted some items from the report, including an update on the January 9th stakeholders meeting chaired by Mayor Brown, and the closing of the historic tax credits, New Markets tax credits and KeyBank bridge loan financing transactions at the end of December. He also reported on ESD's approval of a six million dollar grant for the purchase of workforce training center equipment, the 21.5 million dollar grant from ESD for the design and construction of Phase II of the 683 Northland project and the execution of a letter of intent with Buffalo Manufacturing Works.**
- 4.7 Buffalo Building Reuse Project Update – Ms. Merriweather presented an update regarding the Buffalo Building Reuse project. Last week, Real Property Research Group, Inc. (RPRG) presented to the Loan Committee and Downtown Committee a preliminary report regarding its downtown residential housing study. The consultant indicated that downtown development has been focused on rehabilitating specific buildings, and that the establishment of a centralized node of activity in the downtown urban core is recommended in order to help create a downtown neighborhood. Ms. Merriweather indicated that the study will be used to consider modifications to the BBRP Loan program, and that the Loan Committee and Downtown Committee will be actively involved in those discussions. Mr. Mehaffy stressed that the report is**

preliminary and under review, and that a final report will be presented at a later date to the Board. Ms. Merriweather then reported on the proposed loans for the C.W. Miller Livery and McCarley Gardens projects. Earlier this month, the Loan Committee provided feedback to the Downtown Committee regarding these projects, and the Downtown Committee subsequently met and issued BBRP consistency determinations for both projects. Both projects will now advance to the underwriting stage of the loan process. Ms. Merriweather informed the Board that the 1st quarter request for proposals for BBRP loan program funding have been issued. Responses are due March 31st. Ms. Merriweather closed her report with an update on the Erie/Shelton Square infrastructure project, including a stakeholders meeting that took place earlier this month.

4.8 Buffalo Lakeside Commerce Park Update – Mr. Cammarata presented a brief update regarding Buffalo Lakeside Commerce Park, including an update on maintenance activities and potential prospects for two separate parcels at BLCP.

4.9 Information Package - Mr. Cammarata reviewed the informational, marketing and media materials that were included in the monthly information package provided to the Board.

5.0 Late Files – None.

6.0 Tabled Items – None.

7.0 Executive Session – None.

8.0 Adjournment – There being no further business to come before the Board, upon motion made by Ms. Gallagher-Cohen, seconded by Ms. Fishkin and unanimously carried, the January 30, 2018 meeting of the Board of Directors was adjourned at 1:15 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary

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Item 4.1

MEMORANDUM

TO: Buffalo Urban Development Corporation Board of Directors
FROM: Peter M. Cammarata, President
SUBJECT: 612 Northland Renovation – Electrical Proposals
DATE: February 27, 2018

At the March, 2017 Board of Directors meeting, the Board authorized BUDC to retain Kathleen Kinan, R.A., a certified women-owned business (WBE), to provide construction management and construction inspection services for the renovation of 612 Northland Avenue.

As part of her work, Ms. Kinan has conducted an informal solicitation of proposals to restore electrical service to the building. The scope of work that was presented to potential contractors in plan format included:

- 1.) Installation of a new 800 AMP service, with eight (8) meter channels
- 2.) Installation of lighting and receptacles as indicated on the plan
- 3.) Installation of exit signs, emergency lighting, and smoke detectors
- 4.) Installation of electrical supply lines for new furnace and on-demand hot water units

As has been the case with all her proposal solicitations, Ms. Kinan sought to encourage M/WBE and local contractors to submit proposals. Direct contact was made with five smaller electrical firms, two of which are minority owned. Three contractors chose to submit proposals and two declined because of the size of the job. Proposals were received from:

Deltex Electric	\$55,585
MM Electric	\$72,900
HDE Electric	\$82,500

Ms. Kinan and Tom Mancuso have reviewed the proposals and the qualifications of the companies and are recommending that Deltex be awarded the contract. Members of the BUDC Real Estate Committee discussed this item at the February 20, 2018 meeting and were supportive of retaining the contractor as recommended. This work is eligible for reimbursement through the Restore NY Grant for the Northland Corridor with a 10% BUDC match from the Buffalo Brownfields Redevelopment Fund (BBRF).

Action

I am requesting that the Board approve the retention of Deltex Electric to furnish and install electrical systems, as outlined above, at 612 Northland for a cost of \$55,585; to utilize the BBRF for the 10% match; and authorize the President or Executive Vice President to execute agreements with the contractor to perform the work.

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Item 4.2

MEMORANDUM

TO: Buffalo Urban Development Corporation Board of Directors
FROM: David A. Stebbins, Executive Vice President
SUBJECT: 683 Northland/Northland Workforce Training Center – Furniture & Furnishings Bid Results & Award
DATE: February 27, 2018

BUDC/683 Northland LLC has been charged by Empire State Development (ESD) to provide complete turn-key leasehold improvements for the Northland Workforce Training Center (WTC). This includes purchase and installation of furniture and furnishings for the offices, classrooms and laboratories for the WTC. Funding under the second ESD Grant (Z415) and the New York Power Authority grant are available to pay for the cost of this work. In addition, BUDC applied for and has been authorized to purchase this furniture under the New York State Office of General Services (NYSOGS) Centralized Customer System, resulting in a significant cost savings. The bid documents and specifications were prepared by Watts Architecture & Engineering, with substantial input from WTC representatives and ESD.

On January 9, 2018, BUDC/683 Northland LLC issued bid documents and specifications for this work. The opportunity was advertised through the New York State Contract Reporter. A Pre-Bid Conference was held on January 16, 2018 at the project site. Bids were due on January 31, 2018 at 11:00 AM at the BUDC Offices. The Bid Requirements included a 25% MBE and 5% WBE Goal. The Bid specifications allowed for partial submissions as well as substitutions. The budget for this work was \$725,000.

Responsible Bids were received from:

- A&W Metalworks
- Eaton Office Supply
- Eaton Wrightline
- Prentice Office Environments (WBE)

After a thorough review and evaluation of the bid proposals by Watts, BUDC, ESD and representatives from the WTC, we are recommending the following awards (which are detailed in the attached chart):

- Eaton Office Supply: \$161,422.54
- Eaton Wrightline: \$ 22,862.25
- Prentice: \$510,696.41

Total Bid Awards: \$694,981.20

The individual bid awards are for specific items, as detailed in the attached chart. In several cases, substitutions were awarded. The total of the awards represents a \$30,000 savings from the budget. Prentice is a WBE; therefore, this bid award achieves a 73% WBE goal.

The proposal was reviewed the BUDC Real Estate Committee at its February 20, 2018 meeting. Real Estate Committee members present were in consensus regarding Board approval of the bid awards.

Action

We are requesting Board approval of the recommended furniture contract awards to:

- Eaton Office Supply, as per the attached chart, for the sum of \$161,422.54;
1. Eaton Wrightline, as per the attached chart, for the sum of \$22,862.25; and
 2. Prentice Office Environments, as per the attached chart, for the sum of \$510,696.41;

and to authorize the President or Executive Vice President to execute appropriate agreements with these contractors on behalf of 683 Northland LLC to perform the work.

item tag	qty	A&W Metalworks		Eaton Office Supply		Eaton Wrightline		Prentice	
		total cost	sub	total cost	sub	total cost	sub	total cost	sub
C-01	104			\$42,879.20				\$19,855.68	
C-02	82			\$38,309.58				\$16,550.88	
C-03	28			\$18,513.88				\$7,736.96	
C-04	8			\$1,939.67	x			\$1,965.60	
C-05	43			\$8,700.19	x			\$9,152.55	
C-06	12							\$2,568.24	
C-07	162							\$45,324.36	
C-08A	8							\$1,746.00	
C-08B	5							\$1,055.25	
C-09	70			\$12,866.70				\$6,111.00	
C-10	70			\$17,334.80				\$7,686.00	
C-11	7			\$8,515.36				\$4,301.64	
C-12	42							\$15,138.90	
C-13A	34			\$9,651.00	x			\$11,820.44	
C-13B	8			\$2,270.78	x			\$2,683.12	
C-14	3			\$1,807.46	x			\$2,446.20	
C-15	12			\$8,455.88	x			\$5,814.00	
C-16	10			\$15,549.60				\$14,586.00	
C-17	2			\$3,109.92				\$2,917.20	
C-18	1			\$1,127.81				\$1,070.28	
C-19	24			\$14,308.80	x			\$14,174.64	
C-20	6			\$14,368.20	x			\$5,448.60	
C-21	8							\$17,944.00	
C-22	4			\$4,195.62	x			\$5,817.60	
C-23	4			\$3,013.32	x			\$1,215.00	
C-24	1			\$1,581.36				\$1,482.60	
C-25	6			\$2,581.92				\$2,292.12	

FFE: Furniture Furnishings Bid Chart

item tag	qty	A&W Metalworks		Eaton Office Supply		Eaton Wrightline		Prentice	
		total cost	sub	total cost	sub	total cost	sub	total cost	sub
C-26	38							\$35,801.00	
D-01	9			\$9,814.56				\$9,732.33	
D-02	7			\$17,403.15	x			\$21,542.08	
D-03	4			\$18,026.10	x			\$27,160.92	
D-04	6			\$42,794.93	x			\$63,867.78	
D-05	7			\$11,576.80	x			\$13,450.85	
D-06A	1			\$8,022.43	x			\$9,890.10	
D-06B	1			\$8,022.43	x			\$9,470.94	
D-06C	1			\$3,146.32	x			\$3,997.02	
D-07	1					\$16,705.15			
D-08	1							\$975.29	
S-01	14			\$30,416.40	x			\$6,841.80	
S-02	6			\$3,985.21	x			\$4,498.08	
S-03A								\$21,424.80	
S-03B								\$16,602.60	
S-04	5			\$10,271.05	x			\$2,875.60	
S-05	4			\$6,329.08				\$5,634.24	
S-06	26			\$12,124.00	x	\$28,928.90			
S-07	2			\$5,619.15	x	\$4,321.00			
S-08	6			\$7,554.62	x			\$13,036.98	
S-09	10							\$2,260.20	
S-10	1					\$853.05			
S-11	1					\$983.05			
S-12	2							\$4,162.00	
S-13	4							\$3,698.16	
S-14	15			\$949.80				\$937.50	
S-15	48								

Item tag	qty	A&W Metalworks		Eaton Office Supply		Eaton Wrightline		Prentice	
		total cost	sub	total cost	sub	total cost	sub	total cost	sub
S-16	24								
S-17	18								
T-01	37			\$28,618.91				\$23,851.31	
T-02	15			\$9,829.80				\$8,398.50	
T-03	9			\$7,305.01				\$6,524.28	
T-04	15			\$10,309.03				\$9,414.15	
T-05	24			\$15,904.12				\$14,600.88	
T-06	23			\$25,628.90				\$12,880.23	
T-07	14			\$15,122.80				\$7,865.62	
T-08	16			\$12,356.26				\$12,127.04	
T-10	70	\$103,180.00	x	\$49,780.50	x	\$126,608.30			
T-11	2							\$828.00	
T-12	1			\$1,439.33				\$1,315.08	
T-13	7			\$3,204.43				\$3,228.12	
T-14	6			\$2,581.92				\$2,482.20	
T-15	3							\$10,119.60	
T-16	1							\$2,888.55	
T-17	50			\$34,126.95				\$27,612.00	
T-18	1			\$1,377.75	x			\$1,212.24	
T-19	2			\$3,498.00	x			\$3,141.50	
total cost		\$103,180.00		\$648,230.79		\$178,399.45		\$653,253.93	

total awards	N/A		\$161,422.54		\$22,862.25		\$510,696.41	
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 Recommended award

 Price inconsistent

 Quantity incorrect

grand total awards	\$694,981.20
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Item 4.3

MEMORANDUM

TO: Buffalo Urban Development Corporation Board of Directors
FROM: David A. Stebbins, Executive Vice President
SUBJECT: 683 Northland Brownfield Cleanup Program – LiRo Additional Work Proposal
DATE: February 27, 2018

683 Northland LLC (BUDC) is proceeding with the Brownfield Cleanup Program (BCP) Tax Credit. LiRo Engineers, Inc. (“LiRo”) has prepared the BCP Application, Remedial Investigation Work Plan, Interim Remedial Measures including Asbestos and Hazardous Materials abatement, and the Remedial Investigation Report, Alternatives Analysis & Remedial Action Work Plan. All of this work has been completed and submitted to the New York State Department of Environmental Conservation (NYSDEC) for review and comment. As you know, LiRo was selected by the BUDC Board of Directors at their January 27, 2015 meeting, after a Request for Proposals and competitive solicitation, to prepare a redevelopment plan for the Northland Corridor and provide engineering assistance for the Brownfield Cleanup Program.

Since construction has started at 683 Northland and site work excavation has progressed, several additional locations of contaminated soil have been identified in the future parking lot area and underground site utility locations. These additional soil contamination locations will require additional investigations and an Interim Remedial Measure Work Plan (IRM-2). This additional work is supplemental to the scope of services previously authorized for LiRo by the Board.

LiRo has submitted a proposal to BUDC to conduct this additional work, which is attached to this Memorandum and will include:

- Supplemental Borings for PCB Delineation and Groundwater Sampling;
- IRM-2 Oversight and Documentation Sampling;
- Oil Delineation and Off-Site Groundwater Contamination Determination;
- IRM-2 Construction Completion Report.

The total proposed cost of this work is \$99,765.50. Although this proposal exceeds the original contract budget with LiRo, it is within the scope of work proposed in the RFP used to select LiRo. Furthermore, given LiRo’s specific experience with the specifications for this work, they are particularly appropriate for this proposed work.

The cost of this work is eligible for the ESD/NYPA funding allocated to this project, and will also be an eligible cost for the BCP Tax Credit purposes. The proposal was reviewed by the BUDC Real Estate Committee at its February 20, 2018 meeting. The Real Estate Committee members present were in consensus regarding Board approval of this proposal.

Action

We are requesting Board approval of the LiRo Engineers, Inc. proposal dated February 9, 2018 for additional investigation and remedial measure oversight under the Brownfield Cleanup Program for the 683 Northland Avenue at a lump sum cost of \$99,765.50; and to authorize the President or Executive Vice President to execute the proposal and appropriate agreements on behalf of 683 Northland LLC (BUDC).



February 9, 2018

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

**Re: Proposal for 683 Northland Avenue, Brownfield Cleanup Program (Site #C915310)
IRM-2 and Additional Work Required by NYSDEC**

Dear Mr. Stebbins,

LiRo has prepared this work proposal and cost estimate for completion of additional work at the 683 Northland Site. The additional work was or will be beyond the scope of our previous authorized work proposals (dated 11/21/16 and 4/18/17) and is required to advance the site utility work by completing an Interim remedial Measure Work Plan (IRM-2) and to complete additional investigations requested and required by the New York State Department of Environmental Conservation (NYSDEC).

The additional work is described below.

Supplemental Borings for PCB Delineation and Groundwater Sampling

LiRo advanced and sampled seven Geoprobe borings for the delineation of hazardous level PCB contamination to confirm the PCB levels in the utility excavation areas identified in the IRM-2 Work Plan. This sampling was required by NYSDEC to ensure that the IRM-2 work did not encounter hazardous waste. NYSDEC also required a second round of groundwater samples from the existing Site monitoring wells for completion of the Site Remedial Investigation.

IRM-2 Oversight and Documentation Sampling

LiRo is providing a site inspector to oversee the IRM-2 construction work relating including the removal of contaminated soil, reporting of ongoing subsurface condition findings to NYSDEC, and collection of environmental samples required by NYSDEC. LiRo is also conducting air monitoring for organic vapors and for dust as required by the Community Air Monitoring Plan. LiRo is documenting the removal and import of soil/fill materials in compliance with IRM-2 Work Plan.

Oil Delineation and Off-Site Groundwater Contamination Determination

During IRM-2 excavation for the Site storm water retention basin, oil and groundwater seeped into the southwestern portion of the excavation. NYSDEC is requiring additional test pits to determine the extent of the oil contamination. If oil is observed in these test pits, additional groundwater monitoring wells may also be required. LiRo will prepare Work Plans for the test pit work and any required groundwater monitoring wells and submit/revise the plans to obtain NYSDEC approval. LiRo will also incorporate the results of these oil and groundwater investigations into the Remedial Investigation Report/Alternatives Analysis/Remedial Action Work Plan that was previously submitted to NYSDEC.

IRM-2 Construction Completion Report

LiRo will provide details of completion of IRM-2 activities in an IRM-2 Closure Report and submitted to the NYSDEC. The results of all sampling and analysis will be presented. The IRM Report will be stamped by a Professional Engineer and will include (at a minimum):



- Text describing the IRM activities performed; a description of any deviations from the work plan and associated corrective measures taken; and other pertinent information necessary to document that Site activities were carried out in accordance with this IRM Work Plan.
- A Site map showing the sampling locations with sample identification; and significant Site features.
- Tabular quantity summaries of volume of materials removed.
- Documentation on the disposition of material removed from the Site.
- Tabular comparison of soil sampling analytical results to applicable criteria.
- Copies of daily inspection reports.

Estimated Cost

LiRo's manpower estimate and proposed costs are provided in the attached Table-1. The attached Table-2 summarizes anticipated laboratory and subcontracted well installation costs. The total cost estimate for the work is \$99,765.50.

Terms and Conditions

The work for the tasks described above is to be performed in accordance with the Terms and Conditions of our Master Consulting Services Agreement dated February 24, 2015 for the Northland-Beltline Corridor Redevelopment Project.

If you find this proposal acceptable, please acknowledge by signing at the space provided and return a copy to our office. Please call me at (716) 882-5476 (x406) at your earliest convenience if you have any questions.

Sincerely,
LiRo Engineers, Inc.

Robert Kreuzer
Vice President

The Customer hereby accepts the Proposal and authorizes LiRo Engineers, Inc. to proceed with the Services as described.

Authorized Signature

Title

Date

