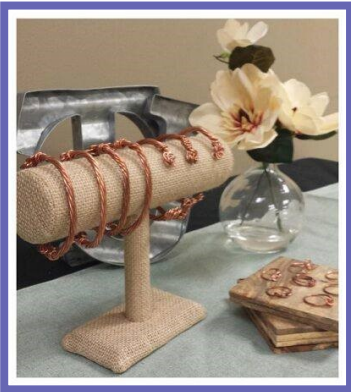


REQUEST FOR PROPOSALS



2019 Holiday Edition

Mayor Byron W. Brown, Buffalo Urban Development Corporation (BUDC), Buffalo Place and Working for Downtown are encouraging the Western New York retail community to submit proposals to the Queen City Pop-Up Project. This initiative is designed to encourage retail activity along Main Street by creating new “pop-up” shops that feature local retailers. The winners of the Queen City Pop Up Project will receive free rent in a select retail location from November 14, 2019 - December 31, 2019.

Project sponsored by



INTRODUCTION:

Buffalo is rapidly changing with the redevelopment of Downtown. Nearly \$7 billion of investment is taking place in Buffalo, with a major portion occurring Downtown. Downtown's rich cultural scene, sports, entertainment and unique offerings bring 7 million visitors annually. With three primary areas of development, and countless projects completed and in the works, it is impossible to miss the huge transformation going on Downtown.



HARBORCENTER, a \$250 million mixed-use entertainment destination on the Erie Canal Harbor, sponsors multiple planned events annually for residents and visitors. The Buffalo Niagara Medical Campus has a \$1.5 billion impact on the region employing 20,000 professionals and the Larkin District has morphed from an abandoned industrial complex to an expanding, thriving public space and business area focused around Larkin Square.

The City of Buffalo's Cars Sharing Main Street project has successfully returned vehicular traffic to the 500 and 600 blocks of Main Street, adding to the vibrancy of Main Street and encouraging downtown retail and other entertainment such as the AMC Movie Theater. The upcoming mixed use development at 201 Ellicott Street that will bring over 200 affordable housing units to downtown as well as the Braymiller Market, and Explore & More - The Ralph C. Wilson, Jr. Children's Museum at Canalside is now open.

The City of Buffalo has successfully collaborated with M&T Bank to bring 1,500 technology sector jobs to Buffalo to create a Technology Hub at One Seneca Tower, right in the heart of downtown and the waterfront. The Technology Hub will bring needed employment opportunities to Buffalo and will attract additional technology sector companies and entrepreneurs to the downtown area.

The Central Business District has a strong pedestrian presence, with peak lunchtime volumes of over 2,000 pedestrians per hour in the central business district. With the workforce population increasing significantly, the pedestrian crowd can be anticipated to increase.

With the influx of new jobs paired with a 96% Downtown apartment occupancy rate, Buffalo currently has over 2,000 new housing units coming online, nearly 30 new restaurants are now open for business, all within blocks of our "Pop-Up" retail location. BUDC, Buffalo Place and Working for Downtown invite your business to participate in the remarkable opportunity to *Live, Work and Play* in Downtown Buffalo through our Queen City Pop-Up project.

REQUEST FOR PROPOSALS: Queen City Pop-Up – Activating Storefronts in Downtown Buffalo

The Queen City Pop-Up Program is a partnership between Buffalo Urban Development Corporation, Buffalo Place Inc. and Working for Downtown. We are currently seeking proposals from prospective pop-up retail tenants for the holiday season. The ultimate goal of the Queen City Pop-Up Project is to create a vibrant Downtown that serves as a destination for the Western New York Region. We will achieve this goal by facilitating the short-term lease of vacant storefronts in Downtown Buffalo to assist small retailers with entering the downtown market.

Downtown Buffalo is experiencing many positive changes in the form of redevelopment, infrastructure improvements, new restaurants and residential opportunities. Queen City Pop-Up will transition empty storefronts into vibrant retail shops to create new and exciting destinations and a positive economic impact on Downtown Buffalo. This innovative program will serve as a catalyst for retail and small business development. It will also provide opportunities for workers, residents and visitors to shop and strengthen the rebirth of Downtown Buffalo.

The Queen City Pop Up program allows local retailers to set up shop rent free for approximately a two month period in prime retail space in the 600 block of downtown Main Street right in the heart of the Theater District that draws year round visitors. Together, these attributes provide a great opportunity for retailers to test the downtown market and to grow their customer base.

Are you interested in opening a storefront in Downtown Buffalo? If so, we want to hear from you. The winners of the Pop-Up project will receive free rent from November 14, 2019 through December 31, 2019 (“Pop-Up Period”) in a retail space located at in the historic Market Arcade Building located 617 Main Street, across from Shea’s Performing Arts Theater in downtown Buffalo. The winners will also have the option to continue the lease with Sinatra & Company Real Estate following the Queen City Pop-Up period.

Proposal Requirements

- Completed Business Overview Application
 - Include 5-10 images or samples of your products, a marketing plan and marketing materials
 - Business plans are also appreciated by the review team if available; all documents are kept internal to the Review Committee

Leasing Details

- The winners of the Queen City Pop Up project will be awarded with free rental space during the pop up period in the Market Arcade Building at 617 Main Street, Buffalo, NY 14202. The space will include internet, heating/cooling and access to restroom facilities. Tenants will be required to supply their own displays, tables, etc. and to provide general liability insurance. Following the completion of the pop-up period, Queen City Pop-Up vendors will have the option to continue leasing space directly with Sinatra & Company Real Estate, LLC.

Timeline

RFP Issued: Wednesday, October 9, 2019

- Property Open House: **Wednesday, October 16, 2019 from 4pm – 6pm**
- Deadline for pop-up project application: **Monday, October 28, 2019 at 4:00 pm**
- Participant Selection: Week of October 28, 2019
- Mandatory Orientation: Date To Be Determined
- Weekend of November 9, 2019: Winners of Pop-Up initiative move into space. Retailers should expect to be open no later than **Thursday, November 14, 2019 for official kick off and press conference.**

Proposal Selection

Submit applications no later than 4:00 pm on Monday, October 28, 2019 to:

Brandye Merriweather, Vice President – Downtown Development

Buffalo Urban Development Corporation

95 Perry Street, Suite 404

Buffalo, N.Y. 14203

bmerriweather@buffalourbandevelopment.com

Re: Queen City Pop-Up Project

Submissions will be accepted by email, hand delivery or mail.

Any questions should be submitted in writing to Brandye Merriweather at:

bmerriweather@buffalourbandevelopment.com

The purpose of this RFP process is to identify potential temporary and long-term tenants for Market Arcade, 617 Main Street, Buffalo, NY. The selection team has the right to accept or reject any or all proposals submitted in response to the RFP if none of the proposals are deemed adequate to meet the goals of this development project. BUDC will notify all applicants of the results of the selection process within one week of the submission deadline.

Evaluation Criteria

Timely submitted proposals will be evaluated based on the following:

1. The Proposer's soundness, completeness and creativity of the business plan and marketing strategy.
2. The Proposer's experience, product presentation, capacity, and availability of the proposer and/or trained staff to be open during required hours of Queen City Pop Up. **(Required Hours are Monday - Friday 11 a.m. – 6 p.m. and Saturday noon – 4 p.m.)**
3. Investment in your business concept. We want entrepreneurs who will use this opportunity to take their business to the next level.
4. The Proposers interest in opening a retail location on Main Street in downtown Buffalo.

Community Resources for Business Planning

- Beverly Gray Business Exchange is a resource center with a mission to connect minority/women businesses to resources, financing and business development opportunities in the City of Buffalo.
 - **Matt Revere, Beverly Gray Business Exchange, 332 E. Utica Street, Buffalo, NY (716) 342-3615**
- The Small Business Development Center is available to assist retailers with writing a business plan.
 - **Susan McCartney, Small Business Development Center
Buffalo State College, Cleveland Hall Room 206, Buffalo, NY (716) 878-4030**
- The Mayor's Office of Strategic Planning is available to assist with obtaining City of Buffalo approvals.
 - **Tuona Batchelor, Mayor's Office of Strategic Planning
Buffalo City Hall, 65 Niagara Square, Room 920, Buffalo, NY (716) 851-5053**

About the Partners:

Buffalo Urban Development Corporation

The Buffalo Urban Development Corporation (BUDC) is a not for profit Development Corporation chaired by Mayor Byron W. Brown and sponsored by the City of Buffalo. BUDC is the designated agency for downtown development. BUDC is responsible for the implementation of the Buffalo Building Reuse Project, a strategy designed to revitalize downtown Buffalo. The Buffalo Building Reuse Project encourages the adaptive reuse of vacant and underutilized buildings, increasing downtown's residential base, improving downtown infrastructure and assisting developers, businesses and retailers with financial tools and incentives. The Buffalo Building Reuse Project is deeply rooted in encouraging partnerships and collaborative efforts to continue the momentum occurring in downtown Buffalo.

Buffalo Place Inc.

Buffalo Place Inc. is the not-for-profit organization dedicated to improving the economic health and quality of life in Downtown Buffalo. Buffalo Place manages the Downtown core surrounding the pedestrian mall, which was developed as part of the Light Rail Rapid Transit Project. Buffalo Place activities are partially funded by special charges paid over and above property taxes within Downtown's Special Charge District. The Special Charge District includes Main, Pearl and Washington Streets from Goodell Street to the Buffalo River. Buffalo Place District property owners have a substantial investment in Downtown and are committed to Downtown's success. Buffalo Place strives to make Downtown Buffalo clean, safe and fun.

Working For Downtown

Working For Downtown works to promote and help improve the quality of life in Downtown Buffalo by fostering an interest in civic and downtown development. Through member education and cooperation with other representatives, Working For Downtown supports the effort to revitalize Buffalo's Downtown.

Sinatra & Company Real Estate

Sinatra & Company Real Estate is a privately held, full-service real estate firm. Its core strengths are investment, management and development of a broad-based portfolio of real estate assets. Since its inception in 2009 by Nick Sinatra in Buffalo, New York the company's strategic methods have relied upon a value-add approach to properties that have not yet met, or no longer meet full potential. With an emphasis on multifamily holdings, the firm also invests in commercial properties, including retail and industrial, while taking on development projects, including adaptive reuse, historic and urban infill.



Queen City Pop-Up Application



Name: _____

Business Name: _____

Mailing Address: _____

Email Address: _____

Phone: _____

Best way to contact you? _____

How many square feet do you require? _____

What amenities do you require? _____

Do you currently have a website? If so, please provide the web address:

If not, are you interested in assistance with developing a website? Yes ___ No ___

Are you available to occupy and open your pop-up shop by November 14, 2019? _____

Are you available to help prepare your pop-up location for occupancy? _____

The project requires the tenant to be responsible for all store equipment and furniture (tables, seating, etc.). Are you prepared to do this? _____

Do you plan to open a shop if you are not selected to participate in the Pop-Up Project?

Products/Service

Describe your shop concept and product(s):

Proposed number of employees: _____

History

Is this an existing business or start-up?

How long has it been established?

Do you currently have a retail location?

If yes, where is it located?

Are you considering locating in downtown Buffalo?

Marketing

What is the average price of your products/services?

Who are your target customers and how do you plan to reach those customers?

Describe your marketing strategy:

Explain how your business will affect Downtown residents, workers and visitors:

If you are an existing business, list your best selling items:

Please list three ways you plan to successfully sustain your pop-up shop during the pop-up period.

Please describe your plan for engagement of customers to ensure stellar customer service and to encourage repeat business:

Operational

How much time will you require for equipment set-up: _____

Please describe the role of each person who will be involved in operating the shop:

Please describe any training provided to your staff regarding products, pricing and customer service:

Financial

Are you interested in obtaining financing for your business? Yes _____ No _____

Are you interested in learning more about credit, finance & other small business resources?
Yes _____ No _____

Leasing

Retailers selected to participate in Queen City Pop-Up will have the option to enter into a long term lease with Sinatra & Company Real Estate following the Pop-Up Period.

Terms and Conditions

- Retailers selected to participate in Queen City Pop Up must supply copies of Sales Tax Certification, Vendor Permits (if required by the City, County or State). Vendors selling food items must provide a copy of their Health Inspection Certificate. We also require Proof of Liability Insurance in the amount of \$1,000,0000, listing the following as additionally insured:

Buffalo Urban Development Corporation 95 Perry Street, Suite 404, Buffalo, NY 14203	Sinatra & Company Real Estate 617 Main Street, Buffalo, NY 14203
Buffalo Place 671 Main Street, Buffalo, NY 14203	Market Arcade Group, LLC 617 Main Street, Buffalo, NY 14203
Working for Downtown P.O. Box 173, Buffalo, NY 14205-0173	

Terms and Conditions Cont.

- **Participants must occupy the space no later than November 14, 2019. Tenants must be open and staffed during business hours. Monday - Friday: 11am - 6pm, Saturday: noon – 4pm (Queen City Pop-Up may open for extended hours for special events).**
- Tenants should keep all aisles clear during all business hours and maintain their space in an orderly fashion within the assigned boundaries.
- All tenants should plan to equip their own space.
- All signage must be professional in look and appearance.
- Your space cannot be sublet.
- All persons under 18 years of age must be supervised by an adult at all times.

NOTE: Occupancy of temporary spaces requires the approval of the City of Buffalo, Zoning and Fire Departments. The Building and Fire Departments are directed by New York State Law to ensure the proposed building/use doesn't endanger public safety and welfare; including that fire extinguishers have been provided, that doors are operable (not locked shut), existing building systems (exit signs, lights, toilets, etc.) are provided and working.

Procurement Lobbying Restrictions

1. Restrictions on Bidder Communications with BUDC

Pursuant to State Finance Law §§139-j and 139-k, this Request for Proposals imposes certain restrictions on communications between Applicants and BUDC during the procurement process. Applicants are prohibited from making contacts (whether oral, written or electronic) with any BUDC personnel or BUDC Board member other than the designated BUDC staff member (unless the contact is otherwise permitted under State Finance Law §139-j (3) (a)). In addition, Applicants are hereby notified that any contact with any BUDC personnel, BUDC Board member or the designated BUDC staff member which a reasonable person would infer is intended to influence the award of the contract under this Request for Proposals is prohibited. These prohibitions apply from the Bidder's earliest notice of BUDC's intent to solicit proposals through the final award and approval of the procurement contract ("Restricted Period"). For purposes of this Request for Proposals, the designated BUDC staff member is Brandye Merriweather (bmerriweather@buffalourbandevelopment.com).

Applicants are hereby notified that BUDC is required to collect certain information when contacted by a Bidder during the Restricted Period and make a determination of the responsibility of the Bidder pursuant to State Finance Law §§139-j and 139-k. Certain findings of non-responsibility can result in rejection of a contract award, and in the event of two findings within a four (4) year period, the Bidder may be barred from obtaining governmental procurement contracts.

2. Bidder's Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6)(b)

BUDC is required to obtain written affirmations from all Applicants as to the Respondent's understanding of, and agreement to comply with BUDC's procedures relating to permissible contacts (described in paragraph 1 above). The affirmation must be provided to BUDC when the Bidder submits its proposal. The form of affirmation to be completed and submitted by the Bidder is included herein as Attachment A.

3. Bidder's Certification of Compliance with State Finance Law §139-k(5)

State Finance Law §139-k (5) requires Applicants to provide written certification that all information provided to BUDC with respect to State Finance Law §139-k is complete, true and accurate. The certification must be provided to BUDC when Bidder submits its proposal. The form of certification to be completed and submitted by the Bidder is included herein as Attachment B.

Procurement Lobbying Restrictions

4. Bidder Disclosure of Prior Non-Responsibility Determinations

State Finance Law §139-k (2) obligates BUDC to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. In accordance with State Finance Law §139-k, each Bidder must disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. State Finance Law §139-j sets forth detailed requirements about the restrictions on contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible contact during the Restricted Period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions). As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether a Bidder fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with the law, no procurement contract shall be awarded to any Bidder that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the procurement contract to the Bidder is necessary to protect public property or public health and safety, and that the Bidder is the only source capable of supplying the required article of procurement within the necessary timeframe. Attachment C entitled “Offerer Disclosure of Prior Non-Responsibility Determinations” must be completed by the Bidder and submitted to BUDC at the time of Bidder’s submission of its proposal.

5. Contract Termination Provision

New York State Finance Law §139-k (5) provides that every procurement contract award subject to the provisions of State Finance Law §§139-k and 139-j shall contain a provision authorizing termination of the contract in the event that the certification provided by the Bidder that is awarded the contract is found to be intentionally false or intentionally incomplete. The following provision is hereby incorporated by reference and included in the contract that is awarded (if one is awarded) pursuant to this Request for Proposals:

BUDC Termination Provision

Pursuant to New York State Finance Law §139-k (5), BUDC reserves the right to terminate this contract in the event it is found that the certification filed by the Contractor in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, BUDC may exercise its termination rights by providing written notification to the Contractor in accordance with the written notification terms of this contract.

Procurement Lobbying Restrictions
ATTACHMENT A

Affirmation of Understanding & Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

I affirm that I understand and agree to comply with the procedures of BUDC relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

Procurement Lobbying Restrictions
ATTACHMENT B

Offerer/Bidder Certification:

I certify that all information provided to BUDC with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name:

Contractor Address:

Procurement Lobbying Restrictions

ATTACHMENT C

Offerer Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Contract Procurement Number: _____

Date: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity:

Date of Finding of Non-responsibility:

Basis of Finding of Non-Responsibility:

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?

(Please circle):

No

Yes

6. If yes, please provide details below.

Governmental Entity:

Date of Termination or Withholding of Contract:

Basis of Termination or Withholding:

(Add additional pages as necessary)

Offerer certifies that all information provided to BUDC with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

Name: _____ Title: _____