
QUEEN CITY POP UP

2021 Holiday Edition



Request For Proposals

Mayor Byron W. Brown, Buffalo Urban Development Corporation and Buffalo Place are encouraging the Western New York retail community to submit proposals to the Queen City Pop-Up Holiday Edition. This initiative is designed to showcase retail activity along Main Street by creating new “pop-up” shops that feature local retailers. The 2021 Queen City Pop-Up will run at Two Fountain Plaza, Buffalo, NY 14202 from Small Business Saturday, November 27, 2021 to Saturday, December 4, 2021.

Project Sponsors



MAYOR BYRON W. BROWN



INTRODUCTION:

Buffalo is rapidly changing with the redevelopment of Downtown. Nearly \$8 billion of investment is taking place in Buffalo, with a significant portion occurring Downtown. Downtown's rich cultural scene, sports, entertainment and unique offerings bring millions of visitors annually. With countless projects completed and in the works - it is impossible to miss the huge transformation going on within the heart of our City.

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. The 500 and 600 blocks of Main Street have recently seen an influx of new restaurants and attractions in recent years such as Fatty Beer Co., Flaming Fish Restaurant, Misuto Chows Bar and Arcade and the AMC Movie Theater all joining the existing attractions of the Theater District along Main Street.



REQUEST FOR PROPOSALS:

Queen City Pop-Up – Activating Storefronts in Downtown Buffalo

The Queen City Pop-Up is a partnership between the City of Buffalo, Buffalo Urban Development Corporation and Buffalo Place Inc. We are currently seeking proposals from prospective pop-up retail businesses for a weeklong pop-up event. The 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.

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 Holiday Edition will give small businesses the opportunity to sell holiday gifts and offerings to Buffalo residents, visitors, patron and staff at the Hyatt Hotel as we begin to revive our program following covid closures.

Are you interested If so, we want to hear from you! The winners of the Pop-Up project will receive free pop space in the 500 block of Main Street from Small Business Saturday on November 27, 2021 through Saturday, December 4, 2021 ("Pop-Up Period") in a retail space

located at 2 Fountain Plaza, along the 500 block of Main Street near the corner of Huron Street in downtown Buffalo.

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

Pop Up Space Details

- Selected businesses will be awarded with free space during the pop up period in 2 Fountain Plaza, 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.

Timeline

RFP Issued: Friday, October 29, 2021

- Property Open House: Thursday, November 4, 2021 from 4pm – 6pm
- Deadline for pop-up project application: **Friday, November 12, 2021 at 4:00 pm**
- Winners of Pop-Up initiative move into space. Retailers have completed set up by Friday, November 26, 2021.

Proposal Selection

Submit completed applications no later than 4:00 pm on Friday, November 10, 2021 to:

Brandye Merriweather, President
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 Antonio Parker at:
aparker@buffalourbandevelopment.com

The purpose of this RFP process is to welcome potential retail tenants to downtown. 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 shall be evaluated based on the assessment of:

1. The Proposer's soundness, completeness and creativity of the business plan and Editioning strategy.
2. The Proposer's experience, capacity and availability of personnel.
3. Investment in your business concept. We want to see 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

The Mayor's Office of Strategic Planning Division of Development is available to assist businesses in connecting with new financial assistance opportunities and new business guidance and resources. We encourage small businesses to register for our Buffalo Business Forward small business directory to receive regular business updates from our office here: <http://www.buffalony.gov/1399/Buffalo-Business-Forward> .

Applications for the new **Buffalo Business Forward Small Business Grant Program** are now live. Qualifying businesses can receive grants up to \$25,000. The new grant effort is a collaboration that includes the City's Office of Strategic Planning (OSP) and the Buffalo Urban Renewal Agency (BURA), the Westminster Economic Development Initiative (WEDI) and the SUNY-Buffalo State College Small Business Development Center (SBDC).

Please visit our website for eligibility requirements and information on how to apply here: Buffalo Business Forward (buffalobusinessgrants.com).

For additional information please contact Trevor Griffis, Mayor's Office of Strategic Planning at (716) 851-5053 or tgriffis@city-buffalo.com for additional assistance.

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.

Douglas Development

For three decades, Douglas Development Corporation has garnered redevelopment successes in the District of Columbia, as well as in suburban Virginia and Maryland. Douglas Development has earned a reputation for revitalizing underdeveloped, emerging areas and continues to win praise from local government authorities, community members, neighbors, and the real estate community at large. Founder and President Douglas Jemal established Douglas Development in 1985. While the company remains a privately operated and family-owned and controlled company, it has since grown into a fully integrated real estate company with over 100 employees, expanding to New York, New Jersey and Pennsylvania. With current portfolio of more than 10 million leasable square feet and more than 5 million square feet of developable real estate in the pipeline, Douglas Development is well-established as one of the most successful real estate developers in the Buffalo area and Washington Metropolitan areas.



MAYOR BYRON W. BROWN



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? (land-lines, wi-fi, etc.) _____

Are you available to occupy and open your pop-up shop by Nov. 27, 2021? _____

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 Editioning 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.

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:

Financial

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

- Buffalo Place
671 Main Street
Buffalo, NY 14203

- Douglas Development
One Seneca Street
Buffalo, NY 14203

Terms and Conditions Cont.

- Tenants must have their space set up no later than Nov. 26, 2021 to Kick-Off on Nov. 27, 2021. Tenants must be open and staffed during business hours. Monday - Friday: 11:00am - 6pm, Saturday and Sunday: 2 pm – 8pm (Queen City Pop-Up may open for extended hours for holiday 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 shop.
- 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.

Exhibit A

Atrium at Two Fountain Plaza, Buffalo, New York, United States, 14202

Aerial point of reference



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: _____