

**Minutes of the Real Estate Committee Meeting**  
**Buffalo Urban Development Corporation**  
**95 Perry Street**  
**Buffalo, New York 14203**  
**August 22, 2017**  
**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  
Maria R. Whyte

**Committee Members Absent:**

Craig A. Slater (Chair)

**Officers Present:**

Peter M. Cammarata, President  
David A. Stebbins, Executive Vice President  
Brandy Merriweather, Vice President  
Mollie M. Profic, Treasurer  
Kevin J. Zanner, Secretary  
Bradley Bach, Assistant Treasurer

**Others Present:** Lou Battaglia, BUDC Intern; Dawn Boudreau, ECIDA; Timmon M. Favaro, Esq., Cannon Heyman & Weiss, LLP; Thomas Mancuso, Mancuso Business Development, Inc.; and Brett Stiehler, Gilbane Building Company.

**Roll Call** – The Secretary called the roll at 12:55 p.m. and reported that a quorum of the Committee was present.

**1.0 Presentation of Meeting Minutes** – The minutes of the June 20, 2017 meeting of the Real Estate Committee were presented. Mr. Kucharski made a motion to approve the meeting minutes. The motion was seconded by Ms. Minkel and unanimously carried.

**2.0 Northland Beltline Project**

**(a) 683 Northland – Gilbane Early Bid Packages**

- (i) **Roofing** - Mr. Stebbins presented the August 21, 2017 Award Recommendation letter issued by Gilbane regarding the proposed award of the roofing work for the 683 Northland project. Gilbane solicited proposals from seven contractors and received proposals from three contractors for the work. Jameson Roofing Co., Inc. submitted the lowest cost proposal in the amount of \$1,492,449. The contractor submitted an M/WBE utilization plan that includes 25% MBE and 5% WBE utilization. Mr. Stebbins then circulated to the Committee a summary of the early bid packages, including the early bid packages to be reviewed by the Committee at today's meeting. The summary shows an overall savings of \$2,573,548 as measured against Gilbane's cost estimates for the work. Mr. Penman made a motion to recommend that the Board approve Gilbane's proposed award of the roofing contract to Jameson Roofing Co., Inc. in the amount of \$1,492,449. The motion was seconded by Ms. Minkel and unanimously carried.

- (ii) Fire Protection - Mr. Stebbins presented the August 21, 2017 Award Recommendation letter issued by Gilbane regarding the proposed award of fire protection work for the 683 Northland project. Gilbane solicited proposals from four contractors and received proposals from two contractors for the work. Wm. T. Spaeder Co., Inc. submitted the lowest cost proposal in the amount of \$487,082. The contractor submitted an M/WBE utilization plan that includes 20% MBE and 0% WBE utilization. Mr. Kucharski made a motion to recommend that the Board approve Gilbane's proposed award of the fire protection contract to Wm. T. Spaeder Co., Inc. in the amount of \$487,082. The motion was seconded by Ms. Minkel and unanimously carried.
- (iii) Electrical - Mr. Stebbins presented the August 21, 2017 Award Recommendation letter issued by Gilbane regarding the proposed award of electrical work for the 683 Northland project. Gilbane solicited proposals from eleven contractors and received proposals from four contractors for the work. Frey Electric Construction Co. submitted the lowest cost proposal in the amount of \$2,620,000. The contractor submitted an M/WBE utilization plan that includes 25% MBE and 5% WBE utilization. Mr. Kucharski made a motion to recommend that the Board approve Gilbane's proposed award of the electrical contract to Frey Electric Construction Co. in the amount of \$2,620,000. The motion was seconded by Ms. Minkel and (with Mr. Penman abstaining) carried with five affirmative votes (5-0-1).
- (iv) Above-Ground Plumbing - Mr. Stebbins presented the August 21, 2017 Award Recommendation letter issued by Gilbane regarding the proposed award of above-ground plumbing work for the 683 Northland project. Gilbane solicited proposals from ten contractors and received proposals from four contractors for the work. J.R. Swanson Plumbing Co., Inc. submitted the lowest cost proposal in the amount of \$901,535. The contractor submitted an M/WBE utilization plan that includes 25% MBE and 5% WBE utilization. In response to a question from Ms. Curry, Mr. Stiehler indicated that some contractors supply the names of the M/WBE firms that they intend to utilize for the work. Mr. Penman made a motion to recommend that the Board approve Gilbane's proposed award of the above-ground plumbing contract to J.R. Swanson Plumbing Co., Inc. in the amount of \$901,535. The motion was seconded by Ms. Minkel and unanimously carried.
- (v) Sheetmetal Ductwork - Mr. Stebbins presented the August 21, 2017 Award Recommendation letter issued by Gilbane regarding the proposed award of sheetmetal ductwork for the 683 Northland project. Gilbane solicited proposals from ten contractors and received proposals from four contractors for the work. Mollenberg-Betz, Inc. submitted the lowest cost proposal in the amount of \$2,308,433. The contractor submitted an M/WBE utilization plan that includes 25% MBE and 0% WBE utilization. Mr. Kucharski made a motion to recommend that the Board approve Gilbane's proposed award of the sheetmetal ductwork contract to Mollenberg-Betz, Inc. in the amount of \$2,308,433. The motion was seconded by Mr. Penman and unanimously carried.
- (vi) Mechanical Piping - Mr. Stebbins presented the August 21, 2017 Award Recommendation letter issued by Gilbane regarding the proposed award of mechanical piping work for the 683 Northland project. Gilbane solicited proposals from eight contractors and received proposals from five contractors for the work. Quackenbush Co., Inc. submitted the lowest cost proposal in the amount of \$1,474,000. The contractor submitted an M/WBE utilization plan that includes 25% MBE and 5% WBE utilization. Mr. Kucharski made a motion to recommend that the Board approve Gilbane's proposed award of the mechanical piping contract to Quackenbush Co., Inc. in the amount of \$1,474,000. The motion was seconded by Ms. Minkel and unanimously carried.

- (vii) **Building Management System** - Mr. Stebbins presented the August 21, 2017 Award Recommendation letter issued by Gilbane regarding the proposed award of building management system work for the 683 Northland project. Gilbane solicited proposals from four contractors and received proposals from four contractors for the work. Siemens Industry Inc. submitted the lowest cost proposal in the amount of \$744,468. The contractor submitted an M/WBE utilization plan that includes 31% MBE and 0% WBE utilization. In response to a question from Ms. Whyte, Mr. Stiehler explained Gilbane's process for identifying and pre-qualifying contractors. Mr. Stiehler also informed the Committee that current MBE and WBE utilization for the project is 27% and 9%, respectively. Ms. Minkel made a motion to recommend that the Board approve Gilbane's proposed award of the building management system contract to Siemens Industry Inc. in the amount of \$744,468. The motion was seconded by Mr. Penman and unanimously carried.
- (b) **683 Northland – Construction & Gilbane GMP Update** – Mr. Stebbins reported that Gilbane is not ready to submit a proposed guaranteed maximum price due to additional modifications to the construction design documents. Mr. Stiehler provided a general update regarding the demolition work at the site.
- (c) **741 Northland – Watts Work Authorization - Water Tower** – Mr. Stebbins presented the August 14, 2017 Service Order from Watts Architecture & Engineering for the assessment of the water tower for structural integrity and lead-based paint. The cost of this work is \$22,860. Mr. Penman made a motion to recommend that the Board approve the Service Order at a cost of \$22,860. The motion was seconded by Ms. Minkel and unanimously carried.
- (d) **683 Northland – Tax Credit Investor Procurement Memo** – Mr. Cammarata circulated a memorandum from Cannon Heyman & Weiss, LLP which outlined the process utilized by BUDC's tax credits consulting team to identify and attract potential investors for the historic preservation and New Markets Tax Credits for the 683 Northland WNY Workforce Training Center project. The Committee discussed the memorandum. Mr. Mehaffy commented that even though the available pool of investors for tax credits may be small, it is important to publicize procurement opportunities and for the process to be transparent.
- (e) **683 Northland – NMTC Consultant Contracts** – Mr. Cammarata circulated proposals from Cannon Heyman & Weiss, LLP and RubinBrown to expand the scope of services to include work relating to the New Markets tax credits transaction. The estimated increase in cost for Cannon Heyman & Weiss, LLP is \$75,000 to \$100,000; the estimated cost increase for RubinBrown is \$32,500. The Committee discussed the proposed expansion of services. Mr. Stebbins explained that the cost of these services will be paid from the overall net benefit received as a result of the tax credits transaction. Mr. Zanner confirmed that the expansion of services is consistent with the procurement policy. There being no further discussion, Ms. Minkel made a motion to recommend that the Board approve expansion of the scope of services for Cannon Heyman & Weiss, LLP and RubinBrown to include work relating to the New Markets tax credits transaction. The motion was seconded by Mr. Kucharski and unanimously carried.
- (f) **683 Northland – Historic Rehabilitation and NMTC Financing Update** – No update presented due to time constraints.
- (g) **683 Northland – BCP Update** – No update presented due to time constraints.
- (h) **683 Northland – Building Name** – No update presented due to time constraints.

- (i) **Purchase of Various COB Properties** – Mr. Cammarata presented the proposed real estate sale agreement for BUDC to acquire 1669 Fillmore Avenue and eight other contiguous properties from the City of Buffalo. The Committee discussed the proposed acquisition, which would involve conveyance of the properties to a wholly-owned subsidiary of BUDC for nominal consideration. At the conclusion of the discussion, Mr. Penman made a motion to table the item. The motion was seconded by Ms. Minkel and unanimously carried.
- (j) **1669 Fillmore Remediation** – No update presented due to time constraints.
- (k) **612 Northland – Additional Phase I Construction Proposals** – Presentation of this item was deferred.
- (l) **612 Northland – Phase I Renovation Update** – No update presented due to time constraints.
- (m) **Restore NY Funding** – No update presented due to time constraints.
- (n) **537 E. Delevan – Demolition Update** – No update presented due to time constraints.
- (o) **COB DPW Road & ROW Project** – No update presented due to time constraints.
- (p) **Art in Public Spaces Committee** – No update presented due to time constraints.
- (q) **Community Outreach Update** – No update presented due to time constraints.

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

- (a) **24 Laborers Way Prospect** – No update presented due to time constraints.
- (b) **Parcel 4 Superfund Site – NYSDEC/CDM Smith** – No update presented due to time constraints.

### 4.0 **Other C.O.B. Brownfield Opportunities** – No update presented due to time constraints.

### 5.0 **Adjournment** – Upon motion made by Mr. Kucharski, seconded by Mr. Penman and unanimously carried, the August 22, 2017 meeting of the BUDC Real Estate Committee was adjourned at 1:35p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary