

Request for Proposals

Buffalo Urban Development Corporation

Architectural, Historic Preservation, Engineering, Project Inspection, and
Grant Administration Services for:

631 Northland Redevelopment

RFP Issue: June 12, 2023

Questions Due: 4:00 P.M. on July 14, 2023

Proposals Due: 4:00 P.M. on July 24, 2023



**Empire State
Development**



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1.0 Introduction

Buffalo Urban Development Corporation (BUDC) is the City of Buffalo's not-for-profit local development corporation, reclaiming distressed land and buildings for future development. Mayor Byron W. Brown is the Chairman of the Board which oversees BUDC. As a local development corporation, BUDC seeks to create an environment conducive to private investment, provide oversight and visioning for projects of regional significance, serve as a liaison among various public and private stakeholders, serve as a conduit for public funding of significant projects, and serve as a real estate holding company for certain public-sector projects.

The mission of BUDC is to support the urban economic development efforts of the region through the 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 as part of the region. The mission of BUDC also includes supporting the revitalization of downtown Buffalo by serving as the lead management entity for Buffalo Building Reuse Project (BBRP) initiatives, working in collaboration with the City of Buffalo, including the coordination of financial assistance for downtown adaptive re-use projects, public right-of-way improvements, and the Ralph C. Wilson Jr. Centennial Park project.

2.0 Project Overview

BUDC is soliciting proposals from architectural and engineering consulting firms to design, administer and manage Phase 4 of the Northland Corridor Redevelopment project at 631 Northland. The project includes the production of final design/construction documents and project inspection for 631 Northland. This project is a restoration of a historic 40,000 square feet, high-bay industrial building which is listed on the National Register. BUDC will be seeking Federal and State Rehabilitation Tax Credits, therefore the design of rehabilitation improvements to the building and site must be consistent with the U.S. Dept of Interior Standards for Historic Rehabilitation and should include the preparation and submission of a National Park Service Historic Certification Application - Part 2 and Part 3 documents will be required. BUDC will also be seeking entrance to NYS Brownfield Clean-up program and Tax Credits. BUDC anticipates environmental remediation of the building and site, as well as site and infrastructure improvements. The building is most suitable for a single tenant and is estimated to attract approximately 90 new jobs to the community. The selected firm should note that there should be a special focus on including the below in the rehabilitation of the building located at 631 Northland.

- Lavatory facilities.
- House lighting for light industrial users.
- HVAC.
- Significant improvements to the Loading Dock.
- New entryway on the west face of the building.
- Weatherize metal walls from the inside.
- Repair/replace building windows.
- Re-establish electrical services and design new system.
- Re-establish natural gas service and design new system.
- Re-establish domestic water service and design new system.
- Re-establish sanitary storm sewers and design new system.
- Repair any structural deficiencies (especially in the southwest corner of the building).
- Because of the age of the structure special attention should be given to

- updating code issues.
- Site Improvements including parking, landscaping and storm-water retention.

Analysis and reinforcement of the roof and other structural elements to support a potential Solar PV Array on the roof.

The project will accelerate the successes of the Northland Workforce Training Center (NWTC) and Buffalo Manufacturing Works (BMW) programs and meet growing site demand for industrial space by creating an advanced manufacturing hub along the Northland Corridor on Buffalo's East Side.

Submission

Any questions regarding this RFP should be made in writing to Rebecca Gandour at rgandour@buffalourbandevelopment.com no later than July 14, 2023, at 4:00 P.M. No requests for oral interpretations via the telephone will be accepted. The RFP must be submitted no later than 4:00 P.M. on July 24, 2023, to Buffalo Urban Development Corporation 95 Perry Street Suite 404 Buffalo NY 14203.

BUDC RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN.

3.0 Northland Corridor Background & Project Area

In September 2014, Governor Andrew M. Cuomo and Mayor Byron W. Brown announced plans for the acquisition and redevelopment of fifty (50) acres of vacant and underutilized land, as well as over 700,000 SF of industrial buildings along the City's Northland Beltline Corridor. As part of the Buffalo Billion Initiative, the mission was to create a state-of-the-art hub campus for workforce training and advanced manufacturing, to spur new economic opportunity and job creation within the City of Buffalo.

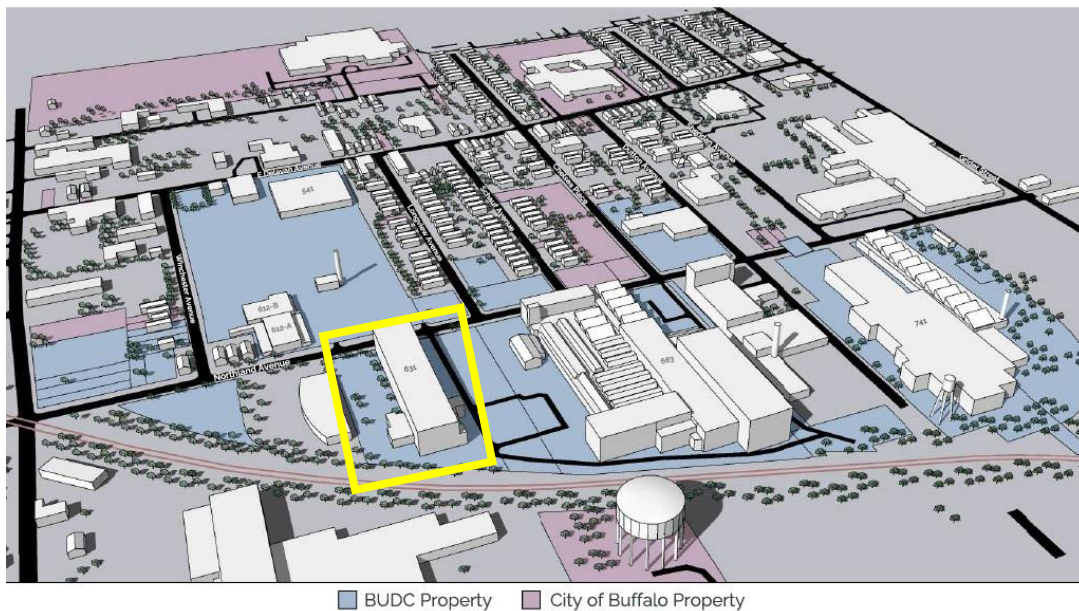
As lead developer and owner/manager, the Buffalo Urban Development Corporation (BUDC) is overseeing the transformation. In working with Empire State Development (ESD) and the New York Power Authority (NYPA), a redevelopment strategy has been formulated that focuses on advanced manufacturing, technology, clean energy, and green initiatives.

Since the launch of the project in August 2017, Phases 1 and 2 have been completed. Phase 1 was anchored by the NWTC at 683 Northland Avenue (Northland Central) and included the transformation of 120,000 SF of space to include administrative areas, classrooms, industrial shops, and labs to train and turn out highly skilled members of the local community. The remaining 115,000 SF was transformed into additional office and manufacturing space for select tenants including BMW, Insyte Consulting, SmartCharge, ReTech Systems, Garwood Medical, and Rodriguez Construction Group. Phase 1 also included the demolition of the Houdaille main plant, as well as the renovation of the 'A' building at 612 Northland Avenue to temporarily house the Albright-Knox art gallery. Phase 2 of the project featured improvements to the surrounding streetscape. Work included the enhancement of traffic flow, as well as the installation of new signage, pavement markings, traffic signals, and safety cameras. The pedestrian environment was also improved with the adaption of new granite curbs, curb extensions, wider sidewalks, ADA-compliant sidewalk ramps, and audible pedestrian signals. In addition, new trees were planted, lighting was added, and a public space was created. Located at 577 Northland Avenue, this public space is complete with green infrastructure, including stormwater planters, bioswales, and landscaping.

This project at 631 Northland will be a fourth phase in the redevelopment of the Northland Corridor. This phase will be started while a separate Phase 3 project is going on. Phase 3 includes redevelopment of 541 East Delavan Avenue, 612 Northland 'B' Building, a Clean Energy Microgrid and Corridor Parking. These projects are being funded through a federal grant from the Economic Development Agency. Overall, Phase 4 of the project will further implement the Western New York Regional Economic Development Council's vision to create an advanced manufacturing hub along the Northland Corridor on Buffalo's east side. The Clean Energy Microgrid Subproject will include upgrades to the BUDC-owned electrical substation. 631 Northland is serviced by this substation and, therefore, these upgrades will be critical to providing appropriate electrical service to 631 Northland.

Project Location (highlighted in yellow)

Below is a map of the overall campus plan. This site is bordered by East Delavan Avenue to the North, Grider Street to the East, Fillmore Ave to the West, and the CSX "beltline" rail line to the South.



4.0 Scope of Work

For the proposal submittal, the following is a description of the suggested scope of services to be performed and completed by a successful firm(s):

Project Initiation

- The design consultant/team shall meet with BUDC representatives to discuss the project scope in further detail.
- The design consultant/team shall conduct a site visit(s) to become familiar with the existing building and site conditions.
- Design consultant/team the design consultant/team shall organize pre-design meetings with all

involved parties.

- The design consultant/team shall provide all the details necessary to meet the project timeline.
- The design consultant/team shall coordinate with the team designing and installing the Phase 3 Energy Microgrid and enhanced electrical service capacity at the BUDC-owned electrical substation.
- The design team shall initiate discussions with the State Historic Preservation Office (SHPO) in order to ensure that the project will meet the U.S. Dept. of Interior's Standards for Historic Rehabilitation.

Site Planning

- The design consultant/team shall analyze key factors influencing site and design accordingly.
- The design team will meet with and coordinate with the Buffalo Sewer Authority (BSA) to ensure that the project meets on-site storm water storage and outfall requirements of the BSA.

Regulatory Environmental Review

- The design consultant/team shall review the completed National Environmental Policy Act (NEPA) process and New York's State Environmental Quality Review Act (SEQR) forms to ensure compliance and update if necessary.

Subsurface Investigation

- The design consultant/team shall perform a geotechnical investigation on site and a structural analysis of the existing building.
- The design consultant/team shall identify the Brownfield Cleanup Program threshold for each project and determine potential eligibility for tax credits.
- The design consultant/team shall meet with NYSDEC to determine the level of site investigation required to meet eligibility for the New York State Brownfield Cleanup Program (BCP). If the initial discussions indicate likely eligibility for BCP, the team shall prepare a Remedial Investigation Work Plan for approval by the NYSDEC and prepare the application for submission to the NYSDEC.

Schematic Design

- The design consultant/team shall prepare schematic design drawings of the intended improvements to the building and site for review and approval by the BUDC.
- The design consultant/team shall prepare a Schematic Design-level cost estimate.

Design Development

- The design consultant/team shall prepare the preliminary construction documents (working plans, designs, grades, detailed drawings, computations, calculations, special specifications, schedule of quantities, estimates of cost, etc.) for project component for final review and approval by BUDC.
- The design consultant/team shall schedule a meeting(s) to ensure all comments and feedback are incorporated into the final construction documents.
- The design consultant/team shall review the Memo of Agreement (MOA) between BUDC and the State Historic Preservation Office (SHPO), regarding the Northland Corridor Redevelopment, to ensure that all design efforts are in compliance.
- The design team shall prepare and submit an Historic Certification Application – Part 2

Description of Rehabilitation to the State Historic Preservation Office (SHPO) and to the U.S. Department of the Interior, and to take such actions as are necessary to ensure the project is eligible for Federal and State Historic Tax Credits. This will include any necessary meetings with SHPO as well as coordinating with BUDC's Tax Credit legal and accounting team.

Permitting

- The design consultant/team shall determine what permits are required and verify the timeline to obtain such.

Construction Document Development and Bidding

- The design consultant/team (or its subcontractor) shall prepare the final construction documents for the project (plans, specifications, bidding documents, and cost estimates).
- The design consultant/team shall prepare twenty-five (25) full-size copies of the drawings and twenty (25) copies of the specifications for the bid process, and an additional ten (10) reduced (half-size) copies of the drawings, and a CD of the same. In lieu of all or some of the full-size copies of the Bid Documents and subject to approval by the BUDC, the design consultant/team can and should make arrangements for the electronic distribution of the bid documents, either by their team or through an appropriate third-party entity.
- The design consultant/team will aid with the construction bid proceedings and the analysis of all bids received.
- The design consultant/team will provide a specific recommendation as to the award of the construction contract. Before the award of the construction contract, BUDC will review the qualifications of the lowest bidding contractors for eligibility to participate in the project.

Construction Administration

- The design consultant/team shall be responsible for conducting weekly construction progress meetings.
- The design consultant/team shall be responsible for reviewing the contractor's safety plan to assure compliance with all relevant standards.
- The design consultant/team shall provide construction oversight to ensure the quality of construction and conformity with plans and specifications.
- The design consultant/team shall review and approve shop drawings, submittals, Requests for Information, payment applications, change orders, documentation for funding sources, EEO compliance documentation, OSHA compliance documentation, NYS Department of Labor compliance documentation, etc. as prepared by the contractor.
- The design consultant/team will prepare parallel cost estimates for proposed change orders and make necessary recommendations to the BUDC.
- The design consultant/team shall make recommendations (in writing) to BUDC on all project issues.
- The design consultant/team shall prepare and supply four (4) sets of final "as-built" plans and a digital copy of the same.

Construction Inspection

- The design consultant/team shall analyze the various needs for construction inspection and develop a plan to accomplish the same with its internal staff and/or an outside consultant. The consultant's proposed fee for this task should include a complete breakdown of associated costs.
- The design consultant/team shall make necessary inspections to ensure the work is consistent with the Historic Preservation Part 2 and otherwise consistent with the Dept. of Interior Standards. The team shall prepare written reports and provide whatever information is required by the Tax Credit Investor or their designee.
- At the conclusion of construction, the Consultant Team will be required to prepare a NPS Part 3 – Request for Certification of Completed Work.

Construction Testing

- The design consultant/team, with the approval of BUDC, shall select and hire a laboratory consultant to be employed for materials testing during construction. The cost of this item shall be a reimbursable expense to the design consultant/team on a direct-cost basis (with no mark-up), for a lump sum. All costs in coordinating this operation by the design consultant/team during construction are to be included in the proposal for this project.

Grant Administration

- The design consultant/team shall understand the at least three (3) funding sources for the project (Empire State Development, National Grid, and brownfield and historic tax credits) and all of their requirements, obligations and timelines.
- To assist with any progress and final reporting for the three (3) funding sources

The Scope of Work has been prepared as a proposal guideline. It is the respondent's responsibility to add any other design consultant/team service necessary to complete the project.

5.0 Project Timeline

Design Period

The expected duration of this project from commencement to competition is 8-12 months of design work. Any and all proposals should include a timeline for construction completion that identifies major milestones.

Time to Obtain Permits

Permits for the project would be limited to local site plan approvals and building permits issued by the City of Buffalo Planning Board and Department of Permit and Inspection Services. Please note that given the past industrial uses on the campus, selected efforts for handling contaminated soils/materials may be identified for certain project components. Such efforts would be coordinated with the New York State Department of Environmental Conservation.

Securing City of Buffalo Planning Board and Department of Permit and Inspection approval process for the project is expected to take approximately two (2) months. This process will begin after the competition of the design and solicitation and award of the construction contracts.

Time to Obtain Historic Rehabilitation Part 2 Approvals

Preparation, submission and approval of the Historic Certification Application Part 2 by the State Historic Preservation Office and the National Park Service will be required before the project can move from Design Development to Construction Documents.

Time to Obtain Easements/Rights-of-Way

Verify if easements/rights-of-way are required.

Construction Period

The construction Period for the project ranges from twelve (12) to eighteen (18) months immediately following approval of permits.

6.0 Proposal Format/Requirements

Submissions must include the following information in a brief and concise format. While there is no page limit for proposals, they should be concise. BUDC reserves the right to request additional information during the review of proposals and to reject any and all submissions.

Cover Letter

The cover letter should include the official name of the firm submitting the proposal, mailing address, e-mail address, telephone number, and primary contact name. The letter must be signed by an official authorized to bind the proposer contractually and contain a statement that the proposal is firm for ninety (90) days. An unsigned letter, or one signed by an individual not authorized to bind the consultant, may be disqualified.

Minority and Women Business Enterprise and Service-Disabled Veteran-Owned Businesses Interest

In accordance with Governor Hochul’s Executive Order No. 8 establishing a policy to promote equal opportunity in contracting for all persons, without discrimination for minority group members and women and business enterprises owned by them, and to eradicate the barriers that have impaired access by minority and women-owned business enterprises to State contracting opportunities, the BUDC and the City of Buffalo seeks to encourage meaningful partnerships with and participation from NYS-certified Minority and Women-Owned Business Enterprises (M/WBE) and Service-Disabled Veteran-Owned Businesses (SDVOB) at all project levels. For purposes of this solicitation, the City of Buffalo hereby establishes an overall goal of (a) 25% for Minority-Owned Business Enterprises (“MBE”) participation, 5% for Women-Owned Business Enterprises (“WBE”) participation, and 5% for Service-Disabled Veteran-Owned Businesses (SDVOB) participation for third-party vendors and services utilized during the life of this contract. The vendor must document good faith efforts to provide meaningful participation by MWBE’s and SDVOB’s s subcontractors or suppliers in the performance of the contract and agrees that the BUDC may withhold payment pending receipt of the required MWBE documentation. M/WBEs companies are encouraged to respond.

Understanding and Approach

Respondents to this RFP should include a brief narrative explaining their understanding and approach to this project and the requested scope of work. The understanding and approach should outline a proposed scope of work, specific phases and tasks, and the deliverables and products to be provided.

Firm Profile, Experience of Firm/Project Team, and References

Firms or their principals responding to this RFP must be licensed to practice in New York State. Proposals should include a firm profile, an organizational chart identifying the project manager and team members with their titles, resumes from key personnel, and references from at least 3 clients for whom the consultant has performed services within the past 3 years. All proposed sub-consultants must also be identified, along with their project managers and key personnel.

The project team should have a full range of relevant planning, design, construction, and project management experience. Primary personnel in each of the noted disciplines must be identified by name and office location, with resumes included, and should demonstrate satisfactory experience and depth in each of the required disciplines. The role of your organization should be highlighted in any references to experience on prior projects and initiatives.

Fee Proposal

The proposal should include a proposed fee for all services delineated by phase and task as outlined in the consultant's proposed scope of work. The fee proposal should include the hourly rate of each staff member who will work on a task and their number of hours by phase and task. The consultant contract will be a lump sum or an agreed maximum. No part of the fee for other services will be based on a cost-plus-a-percentage-of-cost or a cost using a multiplier.

Attachments

Please complete and include all forms under Exhibit A as an addendum to your proposal.

7.0 Submission Instructions

Seven (7) copies of the proposal must be submitted in hard copy and one (1) electronically via e-mail, no later than 4:00 pm on July 24, 2023, to:

Rebecca Gandour, Executive Vice President
Buffalo Urban Development Corporation
95 Perry Street, Suite 404
Buffalo, New York, 14203
E-mail: rgandour@buffalourbandevelopment.com

8.0 Selection Process

A detailed evaluation of proposals will be conducted by BUDC. To select the most advantageous proposal for consulting services related to the scope of work contained in the RFP, comparative judgments of technical factors, in addition to price, will be necessary. Evaluation will be based on at least the following criteria, not necessarily in the order provided or with equal weight given to each criterion.

1. Responsiveness to the provisions and requirements of this RFP.
2. Overall approach and methodology, as well as demonstrated understanding of the Owner's objectives for the project.
3. The thoroughness of the proposal and clarity of the services to be provided.
4. Ability, capacity, and skill of the consultant to perform the services requested in this RFP.

5. Quality of performance of previous contracts or services as demonstrated through your references.
6. Equity practices.
7. Fee proposal.

Based on the received proposals, BUDC will shortlist/select. Interviews will most likely be required.

BUDC does not assume the responsibility or liability for costs incurred by firms responding to this RFP or any subsequent requests for interviews, additional information, submissions, etc. before issuance of a contract. The selected firm(s) must demonstrate to BUDC that no City and/or County of Erie tax arrearages or other fees or related liens exist nor are there any pending City of Buffalo Housing Court Cases and or open letters of violation for the applicant and principals.

9.0 General Requirements

According to State Finance Law §§139-j and 139-k, this Request for Proposals imposes certain restrictions on communications between Bidders and BUDC during the procurement process. Bidders 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, Bidders 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 this Request for Proposals, the designated BUDC staff member is Rebecca Gandour, rgandour@buffalourbandevelopment.com.

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 Bidders as to the Bidder'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 qualification statement. The form of affirmation to be completed and submitted by the Bidder is included herein as Exhibit A - Attachment 1 – Affirmation of Understanding Agreement.

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

State Finance Law §139-k(5) requires Bidders 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 qualification statement. The form of certification to be completed and submitted by the Bidder is included herein as Exhibit A – Attachment 2 – Offeror/Bidder Certification.

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. Exhibit A – Attachment 3 – Offeror Disclosure of Prior Non-Responsibility must be completed by the Bidder and submitted to BUDC at the time of Bidder’s submission of its qualification statement.

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 Proposal.

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 the 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: _____

ATTACHMENT B

Offerer/Bidder Certification:

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

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

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:

_____ 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 the BUDC with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

Name: _____ Title: _____