

Buffalo Urban Development Corporation

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BUDC Downtown Committee Wednesday, December 11, 2024 95 Perry Street, 4th Floor 12:00 Noon

Agenda

1. Approval of Minutes from May 15, 2024 (*Action*)(*Enclosure*)
2. Ralph Wilson Park - Additional Modifications to MVVA Amendment #14 (*Recommendation*)(*Enclosure*)
3. Ralph Wilson Park - General Update (*Informational*)
4. Buffalo's Race For Place – General Update (*Informational*)
5. Queen City Hub Revisited – General Update (*Informational*)
6. Partner Updates (*Informational*)
7. Adjournment (*Action*)

**Minutes of the Meeting
of the
Downtown Committee
of
Buffalo Urban Development Corporation**

**65 Niagara Square
901 City Hall
May 15, 2024
12:00 p.m.**

Committee Members Present:

Catherine Amdur
Daniel Castle
Darby Fishkin
Nathan Marton
Kimberley Minkel
Karen Utz

Committee Members Absent:

Dottie Gallagher
Brendan R. Mehaffy (Committee Chair)
Christopher P. Scanlon

Officers Present:

Rebecca Gandour, Executive Vice President
Mollie Profic, Treasurer
Kevin J. Zanner, Secretary

Guests Present: Katie Campos, Executive Director, Ralph Wilson Park Conservancy; Alexis M. Florczak, Hurwitz Fine P.C.; Kelly Maloney, Gilbane Building Company; Antonio Parker, BUDC Project Manager; and Angelo Rhodes II, Northland Project Manager.

Roll Call: The meeting was called to order at 12:00 p.m. A quorum of the Committee was present. Ms. Minkel served as chair of the meeting. Mr. Marton joined the meeting during the presentation of agenda item 2.

- 1.0 **Approval of Minutes of the March 20, 2024 Meeting** – The minutes of the March 20, 2024 meeting of the Downtown Committee were presented. Ms. Fishkin made a motion to approve the March 20, 2024 meeting minutes. The motion was seconded by Mr. Castle and unanimously carried (5-0-0).
- 2.0 **Ralph Wilson Park – RCWJF Grant Agreement and Amendment to BUDC-COB-RCWJF Subgrant Agreement** – Ms. Gandour presented her May 15, 2024 memorandum regarding the RCWJF Grant Agreement and amendment to the BUDC-City of Buffalo subgrant agreement for RCWJF funding. In response to a question from the Committee, Ms. Gandour clarified that BUDC is not applying for Buffalo Erie Greenway Funds, and that BUDC would only be responsible for reporting on the application to the Wilson Foundation. Mr. Castle informed the Committee that he is a voting member of the Buffalo Erie County Greenway Fund Standing Committee and would abstain from voting on this matter. Ms. Utz then made a motion to recommend that the BUDC Board of Directors: (i) accept the \$6,000,000 grant from the Wilson Foundation for the construction of Phase 1B of Ralph Wilson Park; and (ii) approve a tenth amendment to the BUDC-City of Buffalo subgrant agreement allowing BUDC to transfer \$6,000,000 from Ralph Wilson Grant 11 to the City of Buffalo to fund construction of Phase 1B of Ralph Wilson Park; and (iii) authorize the BUDC President or Executive Vice President to execute the grant agreement and undertake any other necessary or appropriate actions to implement this action.

The motion was seconded by Ms. Fishkin and (with one abstention from Mr. Castle) carried with five affirmative votes (5-0-1).

3.0 Ralph Wilson Park – Design Services and Permitting Procurement for Segment 3 of Seawall

– Ms. Gandour presented her May 15, 2024 memorandum regarding a proposed contract for design services and permitting procurement for segment 3 of the seawall project at Ralph Wilson Park. BUDC issued a request for proposals on February 16, 2024. Proposals were received from three firms. A selection committee comprised of representatives from BUDC, the City of Buffalo and Ralph Wilson Park Conservancy reviewed the proposals with the assistance of project manager Gardiner & Theobald. The recommendation of the selection committee is to award the contract to MVVA. Funding for this work will be provided from the City of Buffalo's DHESES grant, with the required ten percent match provided from Wilson Foundation grant #5. Ms. Gandour indicated that MVVA's prior knowledge of Ralph Wilson Park aided in providing a thorough response to the RFP issued by BUDC and was lower in cost compared to the other proposal that presented a similar approach to the work. Following the discussion, Mr. Castle made a motion to recommend that the BUDC Board of Directors: (i) approve BUDC entering into a \$358,270 contract with MVVA for design services and permitting related to segment 3 of the seawall located at Ralph Wilson Park; and (ii) authorize the BUDC President or Executive Vice President to execute the contract with MVVA and take such other actions as are necessary to implement this authorization. The motion was seconded by Mr. Marton and unanimously carried (6-0-0).

4.0 Buffalo's Race for Place – Downtown Waterfront Improvement Plan MIG Contract Extension

– Mr. Parker presented his May 15, 2024 memorandum regarding the Downtown Waterfront Improvement Plan contract extension with MIG. Mr. Parker indicated that additional information to be included in MIG's final report came in later than anticipated, which prompted the need for an extension of the MIG contract. The cost of this extension is \$15,000, which will be split evenly between BUDC and the City of Buffalo. Ms. Amdur made a motion to recommend that the BUDC Board of Directors: (i) approve the BUDC-MIG contract extension in an amount of \$15,000, with BUDC responsible for \$7,500 of the contract amount; and (ii) authorize the BUDC President or Executive Vice President to execute the extension and take such other actions as are necessary to implement this authorization. The motion was seconded by Ms. Utz and unanimously carried (6-0-0).

5.0 Ralph Wilson Park – General Update

– Ms. Maloney provided an update regarding the Ralph Wilson Park construction project. Ms. Maloney shared drone pictures showing the shoreline work and reported that construction of the two break walls is almost complete. Work on the inlet began this week. Underground utility work continues, and sub-aqueous soil plantings have begun. Bridge abutment work continues along both sides of the I-190. The bridge will be shipped from Italy within the next few weeks. Phase 1B construction work was awarded last week, and Ms. Maloney provided an overview of the work awarded.

6.0 Buffalo's Race for Place – General Update

– Mr. Parker presented an update regarding Buffalo's Race for Place. Work on the Downtown Waterfront Improvement Plan will wrap up at the end of June. BUDC is working with the City of Buffalo to issue a request for proposals for an infrastructure project coordinator position and is awaiting comments from the City on the RFP. He also noted that BUDC is working with Buffalo Place, the Office of Strategic Planning and NFTA to implement measures for safety in response to reports of quality of life incidents in the City.

7.0 Partner Updates

– Ms. Campos provided an update regarding the Ralph Wilson Park Conservancy. A waterfront meeting was held last week to provide updates on Park construction, including timeline, cost and presentations on technical components of construction and the shoreline work. Ms. Campos indicated that the community is excited and engaged by the ongoing construction. She then provided an overview of the Conservancy's summer events, which will include a 4th Street community event and summer kickoff party with community partners at the splash pad. Mr. Marton noted that the Department of Public Works is completing improvements to the Water Department fencing located at the entrance

of Ralph Wilson Park. Mr. Schmand then provided an update regarding Buffalo Place. A Cars on Main Street meeting will be held to discuss the 400-500 block of Main Street. Two Buffalo Place grants have been closed out and seven are in progress. The Farmers' Market will be moved to Fountain Plaza this summer due to Cars on Main Street construction and will begin June 6th. Thursdays at Main will also kick off on June 6th. The Committee then discussed disruptions in downtown Buffalo near the central library. Mr. Schmand reported that Buffalo Place is working with the Buffalo Police Department, its rangers team and NFTA to coordinate efforts to address this matter.

- 8.0 Adjournment** – There being no further business to come before the Downtown Committee, the May 15, 2024 meeting of the Downtown Committee was adjourned at 12:33 p.m.

Respectfully submitted,

Kevin J. Zanner
Secretary

Buffalo Urban Development Corporation

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Item 2

MEMORANDUM

TO: BUDC Downtown Committee

FROM: Rebecca Gandour, Executive Vice President

SUBJECT: Ralph C. Wilson, Jr. Centennial Park – Additional Modifications to MVVA Amendment #14

DATE: December 11, 2024

On October 29, 2024, the BUDC Board of Directors approved modifications to the 14th amendment to the Master Service Agreement (the “MVVA Agreement”) with Michael Van Valkenburgh Associates (“MVVA”) for Phase 2 value engineering design services at Ralph Wilson Park. These modifications included additional value engineering services and a permitting scope of work at an additional cost of \$55,787.00, bringing the total not-to-exceed cost of the 14th amendment to \$395,934.00. This authorization also modified the not to exceed amount under the 12th amendment to the MVVA Agreement in order to reallocate \$16,178.00 to services under the 14th amendment.

BUDC’s project manager, Gardiner and Theobald has informed BUDC of a miscalculation to the total cost of MVVA’s services under the 14th amendment. The corrected total cost of these services is a not to exceed amount of \$412,112.00, which represents a \$16,178.00 increase to the amendment. The cost of this increase will be funded through Wilson Grant 12, which was accepted by the Board of Directors at its September 24, 2024 meeting.

ACTION:

We are requesting that the BUDC Downtown Committee recommend that the BUDC Board of Directors: (i) amend its October 29, 2024 authorization to provide an additional \$16,178.00 for Phase 2 value engineering design and permitting services for Ralph Wilson Park, to a revised total not-to-exceed amount of \$412,112.00; and (ii) authorize the BUDC President or Executive Vice President to execute the 14th amendment to the MVVA Agreement, as modified as described in this memorandum, and take such other actions as are necessary to implement this authorization.

Hon. Christopher P. Scanlon, Chairman of the Board • Dennis Penman, Vice Chairman • Brandye Merriweather, President
Rebecca Gandour, Executive Vice President • Mollie Proff, Treasurer • Atiqah Abidi, Assistant Treasurer • Kevin J. Zanner, Secretary