

Request for Proposals

Project and Cost Management for Downtown
Buffalo and Waterfront Area Infrastructure
Projects

Buffalo Urban Development Corporation



RFP Issue Date: Friday, June 21, 2024
Pre-Proposal Meeting: Tuesday, July 2, 2024 at 1:00 P.M.
Submittal Deadline Extended:
Thursday, August 29, 2024 at 1:00 P.M.

Overview and Mission of BUDC

Buffalo Urban Development Corporation (BUDC) is the City of Buffalo's not-for-profit development agency, reclaiming distressed land and buildings for future development with Mayor Byron W. Brown serving as Chairman of the Board. As the City's development agency, 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 to attract and/or retain 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 the Buffalo Building Reuse Project (BBRP) and Race for Place initiatives, working in collaboration with the City of Buffalo, including the coordination of financial assistance for downtown adaptive re-use projects and public right-of-way improvements. BUDC also serves as the lead management entity for the Ralph Wilson Park transformation.

Background Information

BUDC and the City of Buffalo's dedication to downtown revitalization through strategic infrastructure projects marks a significant advance towards moving the city into a new era of prosperity and growth. Central to this vision are several pivotal downtown plans: Downtown Waterfront Improvement Plan, City of Buffalo's Smart Street Design Plan, the Downtown Buffalo Infrastructure and Public Realm Master Plan; and the Future of Mobility: Remaking Buffalo for the 21st Century.

The Downtown Waterfront Improvement Plan aims to enhance connectivity between residents and visitors to downtown's waterfront area, facilitating easier access to its attractions and amenities. This comprehensive initiative includes enhancements to roadways, trails, parks, lighting, and more, with the goal of improving connectivity and accessibility. By improving public realm enhancements from Downtown Buffalo's waterfront to Ralph Wilson Park, the design plan seeks to create an inviting environment conducive to community engagement and enjoyment of waterfront amenities.

The City of Buffalo's Smart Street Design Plan underscores a commitment to innovative urban development strategies focused on sustainability, connectivity, and economic vitality. This plan prioritizes integrating pedestrian-friendly pathways, green spaces, and advanced technology infrastructure into the city's streetscape. By emphasizing smart street design principles, the city aims to create safer, more accessible, and environmentally friendly urban environments that support economic growth and enhance the overall urban experience.

In addition to these plans, the City of Buffalo has other related plans and initiatives, and maintains a master list of City-lead capital improvement projects that are in various stages of planning and implementation.

These revitalization efforts are significantly supported by collaborative partnerships with stakeholders and the strategic use of public-private partnerships. By leveraging resources and expertise from both the public

and private sectors, BUDC and the City of Buffalo can maximize the impact of their initiatives and catalyze increased investment in downtown infrastructure projects. These revitalization efforts all include equitability as a major goal as we look to better connect the west and east side neighborhoods to downtown to create a more cohesive and connected Downtown for all residents and visitors. Another major goal includes inclusive street designs ensuring, that all communities no matter age or ability can safely access downtown. This collaborative approach not only accelerates development, but also ensures that the interests and needs of the community are adequately addressed.

As these downtown plans gain momentum, they serve as catalysts for a rise in infrastructure projects within downtown Buffalo, solidifying the city's reputation as a leader in progressive urban development. By revitalizing Buffalo's physical landscape and fostering a vibrant and inclusive urban environment, these initiatives reflect the aspirations and diversity of its residents while positioning the city for continued success and growth.

Given the extensive number of projects, BUDC and the City of Buffalo require a Project Manager to create a phasing schedule to ensure projects are executed within time and budget constraints. The Project Manager will also coordinate stakeholders, navigate regulations, monitor progress, and mitigate risks, ensuring successful implementation and urban revitalization.

Request for Proposals (RFP)

BUDC invites proposals from consultants specializing in project, cost, and construction management, or related fields, to support BUDC and the City of Buffalo in overseeing transformative infrastructure projects in Downtown Buffalo. This request pertains to a multi-year project and cost management contract with BUDC. The project manager's responsibilities will encompass creating a phasing schedule, including project readiness rankings, managing funding sources, stakeholders, and implementation partners.

Additionally, the Project Manager will oversee downtown public realm and infrastructure projects, involving street redesign, placemaking, lighting, and street parking. Acting as the central point of contact, the Project Manager will collaborate with construction firms and City of Buffalo departments, such as the Office of Strategic Planning and the Department of Public Works, to ensure project completion. The target completion date for this work is **December 31, 2027**. All respondents to this RFP must review the requirements and familiarize themselves with the City of Buffalo Plans, including the upcoming Downtown Waterfront Improvement Plan [<https://www.buffalony.gov/1666/Downtown-Waterfront-Improvements-Plan>] and Smart Streets Design Plan [<https://www.buffalony.gov/1633/Smart-Streets-Design-Plan>] In addition, the respondent may benefit from reviewing and being familiar with Oklahoma City's Project 180 plan which redesigned Oklahoma City's downtown with a block by block approach while phasing the infrastructure and streetscape projects.

This position, along with projects to be managed, will receive funding through the City of Buffalo via a Pilot Increment Financing initiative established by the city. Additionally, project funding will include federal, state, and local grants, as well as potential contributions from the private sector and foundations.

A pre-proposal meeting via Zoom is scheduled for **Tuesday, July 2, 2024 at 1:00 p.m. EST** to address general questions. Please contact Carrie Hocieniec, at hocieni@ecidany.com to obtain call-in information.

For any further inquiries regarding this RFP, please submit them in writing via email to Carrie Hocieniec, at chocieni@ecidany.com no later than **1:00 p.m. EST on Monday, July 22, 2024**. Note that no requests for oral interpretations via telephone will be accepted.

Scope

The following outline details the services expected to be performed and finalized by the selected consultant. Respondents to this RFP are expected to provide a comprehensive independent description detailing their approach to this scope of work. Additionally, consultants should highlight any additional critical elements not listed below that they believe will be essential for the successful delivery of the project. Consultants should include separate fees for those additional provisional tasks.

1. Request for Proposal (RFP) Preparation and Management:
 - Issue RFPs for various projects according to BUDC and City of Buffalo Procurement policies.
 - Review, analyze, and summarize proposals received.
 - Coordinate interviews of candidates.
 - Convene internal review teams.
 - Make award recommendations based on thorough evaluation.
2. Compliance:
 - Ensure compliance with BUDC and City of Buffalo Procurement policies and requirements (such as MWBE, prevailing wages, etc.) throughout design and construction bids.
3. Review Existing Plans and Materials:
 - Review Downtown Waterfront Improvement Plan, Smart Streets Design Plan, Downtown Buffalo Infrastructure and Public Realm Master Plan, Future of Mobility Report, and master list of downtown infrastructure projects to develop a clear understanding of the project team's vision and objectives.
4. Inclusive Street Design
 - Ensure that all accessibility guidelines are followed.
 - Ensure plans have separate pedestrian and bicycle/e-scooter paths in suggested plans that include pathways, where feasible.
 - Ensure streetscape projects include access points for persons with disabilities traveling by car or rideshare.
 - Ensure all plans incorporate transportation hubs such as NFTA light rail or bus stops.
 - Conduct an assessment on streetscape projects to determine when and where signal-controlled crossings are needed.
 - Work with the Department of Public Works to make sure all projects are ADA compliant, and curbs are detectable by guide dogs.
5. Project Scheduling:
 - Develop project phasing schedules in a Gantt Chart format.
 - Include project tasks, start date, duration, and phases like design, permitting, preconstruction, construction, and closeout.
 - Manage tracking status of projects.

6. Responsibility Matrix:
 - Create a Responsibility Matrix outlining roles and responsibilities for all key parties and projects.
7. Funding and Budgeting:
 - Work with the project team to understand secured funding sources, especially the Pilot Increment Financing.
 - Assist with identifying funding opportunities and assist with the application process.
 - Perform cost estimation for infrastructure projects.
 - Develop a funding matrix and project budgets.
8. Community Engagement Strategy:
 - Collaborate with the project team to develop a community engagement strategy.
 - Include an equitable approach by involving Buffalo's diverse communities and people of all ages and abilities in the planning process.
 - Engage the community and gather feedback as projects begin to roll out to ensure transparency and awareness.
9. Project Status Meetings:
 - Chair/lead weekly or biweekly/monthly client project status update meetings with the project team and various City of Buffalo Departments.
 - Develop monthly "dashboards" to present project status updates to BUDC Downtown Committee and Board of Directors.
10. Risk Management:
 - Create a risk management strategy to track, report, and address potential risks associated with infrastructure projects.
 - Identify risks such as cost increases, material shortages, and conflicts associated with meeting requirements.
 - Develop mitigation plans for solutions to identified risks.
11. Stakeholder Communication:
 - Coordinate and maintain communication with key project stakeholders to ensure alignment and transparency throughout the project lifecycle.

Project Timeline

The expected duration of this project management contract is three (3) years with the opportunity for the original contract to be reviewed for an extension if there is an increase in projects that may extend past the original contract's expiration date. Extensions would be subject to negotiation and agreement between the parties involved, taking into consideration the additional scope of work and any adjustments to terms or compensation that may be necessary.

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.

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.

The project team should have a full range of relevant planning, design, construction, and project and cost 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.

Approach and Methodology

Respondents to this RFP should include a narrative explaining their understanding and approach to this project and the requested scope of work. The understanding and approach should outline the proposed scope of work, specific phases and tasks, and the deliverables and products to be provided. The respondent should also include plans for a local point of contact.

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

BUDC and the City of Buffalo seek 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 M/WBEs and SDVOBs 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/WBE companies are encouraged to respond.

Budget

The proposal should include a proposed budget for all services delineated by phase and task as outlined in the consultant's proposed scope of work. The budget proposal should include:

- Estimated annual cost.
- Core personal and overhead costs.
- Estimated reimbursable expenses.
- Recommended and third part costs (cost estimating, additional due diligence, etc.).
- Provisional task costs.

Attachments

Please include completed copies of Attachments A–C as an addendum to your proposal.

Selection Criteria

A detailed evaluation of proposals will be conducted by a selection team comprised of BUDC and City of Buffalo staff and consultants. 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 the following criteria:

1. **Experience** (30 Points)
2. **Local Presence** (15 Points)
3. **Overall approach and methodology, as well as demonstrated understanding of the objectives for the project** (30 Points)
4. **Budget** (15 Points)
5. **Equity practices** (10 Points)

Based on the received proposals, BUDC and the City of Buffalo will shortlist/select the responsible firms whose proposal is most advantageous to BUDC, with price and other factors considered. Interviews will be required.

BUDC and the City of Buffalo do 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.

Please submit all questions via email to Carrie Hocienec at chocieni@ecidany.com. Questions via phone call will not be accepted. Questions will be accepted until **4:00 P.M. on Monday, July 22, 2024.**

DEADLINE EXTENDED: Seven (7) copies of the proposal and completed forms must be submitted in hard-copy and one (1) electronically via e-mail, no later than Thursday, August 29, 2024 at 1:00 P.M. EST.

Brandye Merriweather President, BUDC
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E-mail: bmerriweather@buffalourbandevelopment.com

BUDC AND THE CITY OF BUFFALO RESERVE THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN.

General Requirements / Certifications

According to State Finance Law §§139-j and 139-k, this Request for Proposals imposes certain restrictions on communications between Respondents and BUDC during the procurement process. Respondents 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, Respondents 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 Respondent'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 Brandye Merriweather bmerriweather@buffalourbandevelopment.com.

Respondent'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 Respondents 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 Respondent submits its qualification statement. The form of affirmation to be completed and submitted by the Respondent is included herein as Exhibit A - Attachment A – Affirmation of Understanding Agreement.

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

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

Respondent 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 Respondent 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 Respondent 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 Respondent 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 Respondent is necessary to protect public property or public health and safety, and that the Respondent is the only source capable of supplying the required article of procurement within the necessary timeframe. Exhibit A – Attachment C – Offeror Disclosure of Prior Non-Responsibility must be completed by the Respondent and submitted to BUDC at the time of Respondent’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 Respondent 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.

EXHIBIT A __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: _____

EXHIBIT A __ATTACHMENT B

Offeror/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: _____

EXHIBIT A __ 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:
