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Real Estate Committee Meeting
Tuesday, April 19, 2016 at Noon
BUDC-ECIDA Vista Room
95 Perry Street, 4th Floor, Buffalo, NY 14203

Agenda

- 1) Approval of Minutes – Meeting of 3/22/2016 (*Action*)(*Enclosure*)
- 2) Brownfield Property Opportunities (*Information*)
- 3) Northland Corridor Updates (*Information*)
 - a) Brownfield Cleanup Program Application Consultant (*Action*)
 - b) LiRo T.O. #3 – 683 Northland Abatement & Remediation Design
 - c) LiRo T.O. #4 – 537 E. Delavan Abatement, Remediation & Demolition Design
 - d) Final Design and Renovation Contract & Service Order Negotiation w/ Watts
 - e) 577 Northland – Demolition, Fencing & Pre-development Services Contract
 - f) Lawn & Landscape Contractor Procurement – Mancuso Group
 - g) CDBG Funding / NEPA Application Checklist – The Slater Law Firm
 - h) SHPO Concurrence Letter & Recordation
 - i) Tax Credit Modeling – Rubin Brown and CH&W
 - j) Road & ROW Infrastructure Design – Contract and Invoicing
 - k) Construction Management RFQ
 - l) ESD Grant Disbursement Agreement II
 - m) EDA Grant Application
 - n) NYSERDA New Construction Technical Assistance Program
 - o) 537 East Delavan – NYSDEC Order on Consent
 - p) Community & Business Outreach
 - q) M/WBE and Workforce Participation
- 4) Buffalo Lakeside Commerce Park Updates (*Information*)
 - a) 193 Ship Canal Parkway – BCP
 - b) Property Owners Association
 - c) General Property Maintenance
 - d) Parcel 4 Superfund Site
 - e) Parcel 3 ERP Close-out
 - f) Development Prospects
- 5) Adjournment (*Action*)



Minutes of the Real Estate Committee Meeting
Buffalo Urban Development Corporation
95 Perry Street
Buffalo, New York 14203
March 22, 2016
12:00 p.m.

Call to Order

Committee Members Present:

Janique S. Curry
Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel
Craig A. Slater (Chair)

Committee Members Absent:

Dennis M. Penman
Christopher J. Schoepflin
Maria R. Whyte

Officers Present:

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

Others Present: Lisa Hicks, BUDC Intern.

Roll Call; Order of Business – The Secretary called the roll at 12:07 p.m. A quorum of the Committee was not present. The Chair requested that the President and Executive Vice President present the information items of the agenda. Mr. Mehaffy joined the meeting during the presentation of item 3(f). Ms. Curry joined the meeting during the presentation of item 3(k), at which time a quorum was present. Items 1, 3(b), 3(c) and 3(i) were presented with a quorum present. Mr. Mehaffy left the meeting following the vote on item 3(i).

- 1.0 Approval of Meeting Minutes** – The minutes of the February 16, 2016 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 Brownfield Property Opportunities** – There was no update on this item.
- 3.0 Northland Avenue Belt Line Corridor Updates**
 - (a) Building Reuse and Site Redevelopment Plan** – Mr. Cammarata circulated a copy of the final building reuse and site development plan prepared by LiRo Engineers. The Committee discussed the plan. In response to a question from Ms. Minkel, Mr. Stebbins indicated that transportation access was considered as part of the traffic study that was completed in conjunction with the plan.
 - (b) Additional Redevelopment Strategy Task Orders** – Mr. Stebbins circulated a draft memorandum outlining a proposal to revise previously issued Task Order Nos. 1 and 2 and approve Task Order No. 4 for LiRo Engineers to perform design work for the abatement, remediation and select demolition at the 537 East Delavan site. Mr. Stebbins noted that this work is within the original \$449,936 budget that was allocated for the project. The Committee discussed the proposal. In response to a question from Ms. Minkel, Mr. Stebbins indicated that Board approval is required in order to implement or modify task orders under the LiRo contract.

There being no further discussion, Ms. Minkel made a motion to recommend that the Board of Directors approve revised Task Order Nos. 1 and 2 to increase the total cost of these tasks from \$309,276 to \$345,176, and approve Task Order No. 4 for the design work for the abatement, remediation and select demolition at the 537 East Delavan site for a sum not-to-exceed \$42,124. The motion was seconded by Ms. Curry and unanimously carried.

- (c) **Final Design and Renovation RFQ Results** – Mr. Stebbins presented his March 22, 2016 memorandum to the Committee regarding the proposed retention of a design consulting team to provide comprehensive design services for the construction of the workforce training center and renovations to other industrial buildings in the Northland Corridor. Mr. Stebbins reviewed the RFQ process, which was widely advertised in multiple publications and media formats. He noted that BUDC received fifteen responses to the RFQ, and that the qualification statements were reviewed by a team comprised of representatives from BUDC, Empire State Development, NYPA and the City of Buffalo/Buffalo Urban Renewal Agency. Four firms were selected for interviews. Mr. Stebbins stated that the review/selection team is recommending that BUDC select the consulting team led by Watts Architecture & Engineering. Mr. Stebbins outlined the reasons for the recommendation, which was unanimous. The Watts team demonstrated exceptional experience in the design disciplines required for the engagement, including experience in designing other workforce training centers. Mr. Stebbins also noted the excellent diversity of the Watts team. Mr. Stebbins indicated that because the scope of services is undefined at this time, the contract with Watts will be structured as a master services agreement. Each task order under the master services agreement will identify the specific services and associated cost and will be subject to Board approval. The Committee discussed the recommendation. Ms. Curry commented on the interview process, noting that the Watts team made an excellent presentation of its proposed approach to the project.

There being no further discussion, Mr. Kucharski made a motion to recommend that the Board of Directors approve the retention of the Watts Architecture & Engineering consulting team to provide comprehensive design services for the construction of the workforce training center and renovations to other industrial buildings in the Northland Corridor. The motion was seconded by Mr. Mehaffy and unanimously carried.

- (d) **577 Northland - Demolition and Pre-development Services Contract** – Mr. Cammarata informed the Committee that the City of Buffalo recently inspected this property and declared the need for the emergency demolition of both structures located on the property. As part of the demolition work, the City will also remove all of the debris on the property, except for those areas of the property where additional environmental testing will be conducted. In response to a question from Mr. Slater, Mr. Cammarata indicated that the building slabs will remain in place and emergency fencing will be installed to secure the property.
- (e) **Historic Tax Credits Modeling** – Mr. Stebbins reported that BUDC has retained Rubin Brown and Cannon, Heyman & Weiss to prepare financial and legal models to assist BUDC in determining whether historic tax credits should be pursued for the renovation of the 683 Northland building.
- (f) **CDBG Funding** – Mr. Stebbins presented an update regarding the four million dollars in CDBG funding that Mayor Brown has allocated to the Northland Corridor project. Mr. Mehaffy reported that the U.S. Department of Housing & Urban Development (HUD) has determined that the renovation of the 683 Northland building falls within the category of eliminating slum and blight for purposes of utilizing the CDBG funding.
- (g) **NEPA Application Consultant** – Mr. Cammarata informed the Committee that, consistent with the Board's directive, additional quotes were obtained from other law

firms to prepare the NEPA application for the CDBG funding. The Slater Law Firm provided the lowest quote and has been engaged for this work.

- (h) **BCP Application Consultant** – The presentation of this item was deferred.
- (i) **Road & ROW Infrastructure Design and Funding** – Mr. Stebbins presented a draft memorandum to the Committee regarding a proposal to advance an additional \$213,030 from the Buffalo Brownfields Redevelopment Fund (BBRF) to fully fund the preliminary design and engineering for the Northland Avenue road and right-of-way improvements project. The Committee discussed the proposal. In response to a question from Mr. Slater, Ms. Profic indicated that there is a balance of approximately \$2.3M in the BBRF. Mr. Stebbins also noted that this expenditure would be eligible for reimbursement through the ESD grant. Mr. Kucharski made a motion to recommend that the Board approve the expenditure and obtain reimbursement through ESD. The motion was seconded by Ms. Minkel and unanimously carried.
- (j) **ESD Grant Disbursement Agreement II** – Mr. Cammarata reported that the second grant disbursement agreement with Empire State Development is being processed. BUDC has submitted the grant application fee along with required financial documents.
- (k) **SHPO Site Visit and Recordation** – Mr. Stebbins reported that representatives from the State Office of Historic Preservation (SHPO) will be in Buffalo on March 24th to discuss the Northland Corridor project and participate in a site visit. The agenda will include the proposed demolitions of the buildings located at 537 East Delavan and 777 Northland Avenue and the potential historic tax credits transaction for the 683 Northland project.
- (l) **683 Northland Asbestos & Hazardous Material Abatement** – Mr. Cammarata informed the Committee that LiRo Engineers is preparing a project manual and drawings for the asbestos and hazardous material abatement project at 683 Northland. The abatement work is expected to bid out by the end of April.
- (m) **Mowing & Exterior Maintenance** – Mr. Cammarata reported that BUDC's property manager, Mancuso Business Development Group, is seeking qualified firms to perform landscaping and maintenance for the Northland Corridor. All of the firms being solicited are MBEs and includes companies that are located in the immediate neighborhood. Mr. Cammarata noted that Ms. Curry worked closely with Mr. Mancuso to identify minority firms that will receive the RFP.
- (n) **537 East Delavan – NYSDEC Consent Order** – Mr. Cammarata reported that the Order on Consent for the 537 East Delavan site has been placed on the NYSDEC's April meeting agenda.
- (o) **Real Property Tax Exemptions** – Mr. Cammarata informed the Committee that all of the properties owned by BUDC through NorDel I, LLC and NorDel II, LLC in the Northland Corridor have been designated as exempt from real property taxes.
- (p) **Community & Business Outreach** – Mr. Cammarata presented a brief update regarding community and business outreach and commented on the outreach efforts of Nate Neuman who works in the Mayor's Office of Strategic Planning
- (q) **M/WBE and Workforce Participation** – Mr. Cammarata presented a brief report regarding M/WBE and workforce participation matters relating to the Northland Corridor project.
- (r) **Construction Management** – Mr. Cammarata informed the Committee that BUDC is preparing a request for qualifications for firms to provide construction management services on a "CM at risk" basis for the Northland Corridor project. The intent is develop a short list of qualified firms through the RFQ process and then issue a request for proposals among the qualified firms to price the construction management services.

4.0 Buffalo Lakeside Commerce Park Updates

- (a) **193 Ship Canal Parkway – BCP** – Mr. Cammarata indicated that NYSDEC continues to review the proposed remedial action work plan for the Brownfield Cleanup Program project at 193 Ship Canal Parkway.
- (b) **Property Owners Association** – Mr. Cammarata reported that Sonwil has made a contribution in the amount of \$5200 to be used by BUDC to defray costs of maintenance at Ship Canal Commons and that CertainTeed has made the same annual monetary commitment. BUDC will seek a similar commitment from Cobey.
- (c) **ECIDA Net Zero Project** – Mr. Cammarata informed the Committee that ECIDA did not select Buffalo Lakeside Commerce Park for its net zero energy project. The project will be constructed at the former Bethlehem Steel site.
- (d) **General Property Maintenance** – Mr. Cammarata updated the Committee regarding general property maintenance matters at Buffalo Lakeside Commerce Park and noted that the landscape contractor is working on spring cleanup activities.
- (e) **Parcel 4 Superfund Site** – Mr. Cammarata reported that NYSDEC's contractor has completed pre-construction testing at the site and that work will commence this spring on the project.
- (f) **Parcel 3 ERP Close-out** – Mr. Cammarata commented on the recent indictment of the principal of BUDC's former construction contractor for the Parcel 3 Ship Canal Commons project. He then updated the Committee regarding the Parcel 3 ERP close-out. NYSDEC is expected to require BUDC to take between 20 to 40 boring samples to confirm the depth of the soil demarcation layer at the site.
- (g) **Development Prospects** – Mr. Cammarata updated the Committee regarding two development prospects for sites at Buffalo Lakeside Commerce Park.

5.0 **Adjournment** – Upon motion made by Mr. Kucharski, seconded by Ms. Minkel and unanimously carried, the March 22, 2016 meeting of the BUDC Real Estate Committee was adjourned at 1:05 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary