

CITY OF BUFFALO

MAYOR BYRON W. BROWN'S OFFICE OF STRATEGIC PLANNING

REQUEST FOR QUALIFICATIONS LaSalle Equitable Transit-Oriented Development



DATE ISSUED: Friday, April 29th, 2022

PROPOSAL SUBMISSION DEADLINE: Friday, June 3rd, 2022

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I. INTRODUCTION

In response to Buffalo's transforming regional economy, global technology and recruitment trends, and related talent attraction needs, Mayor Brown W. Brown launched the "Race for Place" initiative to sustain the advancement of the City of Buffalo. The initiative emphasizes the importance of talent attraction and our modern workforce through the creation of innovative and attractive environments to sustain future economic development. *The Future of Mobility: Remaking Buffalo for the 21st Century Report*, prepared by Stantec and further described below, emphasizes current and future land use and how it can accommodate mobility solutions for the future.

As the City of Buffalo looks to improve the quality of life for its residents with the creation of new affordable and/or mixed-income housing units, these initiatives advanced by Mayor Brown's administration remain at the forefront of the predevelopment process. The LaSalle Station property, which includes the NFTA-Metro Rail LaSalle Station and the adjacent Park-and-Ride lot, is made up of six parcels: 3000 Main St, 447 Beard Ave, 3030 Main St, 3010 Main St, 3018 Main St, and 3036 Main Street owned by the Niagara Frontier Transportation Authority ("NFTA") and the City of Buffalo ("City"). The NFTA is a New York State Public Benefit Corporation created to provide transportation services including bus, light rail, paratransit, and aviation services to Erie and Niagara Counties.

The NFTA and the City of Buffalo ("City") are issuing a Request for Qualifications (RFQ) seeking qualified developers for the redevelopment of the LaSalle Station property (See Figure A for area map). The qualified developer or development team must have expertise, development credentials, financial capacity, and experience to redevelop the property in accordance with City of Buffalo's Unified Development Ordinance ("The Green Code"). While development plans have yet to be finalized, the City and NFTA envision an equitable transit-oriented development (ETOD), with affordable and/or mixed-income housing units, an activated 1st floor, and vibrant streetscapes and public spaces that will complement the surrounding residential area.

II. PROJECT NARRATIVE

The LaSalle Station property presents a unique opportunity to create equitable transit-oriented development (ETOD) in the heart of Buffalo's University Heights District. Located in the N-1C Mixed Use Core, C-M Metro Rail Corridor, and N-3E Mixed Use Edge zones, there is opportunity for a substantial mix of uses on the property. The property includes a NFTA-Metro Rail Station, which provides high-capacity light rail rapid transit access along Main Street in the City of Buffalo and direct connections to the region's bus network. The site is situated near two City parks (Shoshone and McCarthy), a Rails-to-Trails path that runs from North Buffalo to the City of Tonawanda, the University at Buffalo South Campus, a grocery store, restaurants, and a variety of retail on the Main Street Corridor. As a result, the site has the potential to significantly enhance the attractiveness and accessibility of the University Heights neighborhood.

In 2019, the NFTA completed work on the draft State Environmental Impact Statement (EIS) for a transit enhancement project from the current terminus of the NFTA-Metro Rail at the University of Buffalo South Campus through the University at Buffalo North Campus in the Town of

Amherst, New York. In August 2021, the Federal Transit Administration (FTA), as Lead Federal Agency, issued a Notice of Intent (NOI) to prepare a Federal EIS for the proposed project in accordance with the National Environmental Policy Act (NEPA). The NEPA process is currently in the draft environmental impact phase.

In support of NFTA-Metro Rail expansion, the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) completed the *Comprehensive Transit-Oriented Development Plan* which demonstrates that expansion of NFTA-Metro Rail will not only enhance mobility options for the community but also serves to support broader social and economic goals by promoting equitable transit-oriented development (ETOD). Based on input from stakeholders and the community received by GBNRTC, six station areas, including LaSalle were selected to develop station area plans for. Please reference GBNRTC's *TOD planning study*¹. Qualified developers should consider findings from GBNRTC's "*Comprehensive Transit-Oriented Development Planning Study*" in their responses. In addition, in Phase 2 of this project, GoBike and LISC WNY have partnered to develop a coalition of committed citizens to support equitable transit-oriented development in the Buffalo region through the "Developing our Transit Future" initiative. Qualified respondents will be expected to participate in and consider discussions from the workshop series when considering potential ETOD development at LaSalle Station.

The City of Buffalo has seen over eight billion dollars in investment since 2012. As we prepare for the future of mobility, it is important for us to consider new forms of transportation and the potential impact they may have on city design and development. The Congress of New Urbanism (CNU) partnered with the City of Buffalo to explore how current and future land uses, including street design, can accommodate the mobility solutions of future decades, while also providing lively public spaces for our city residents. In December 2020, CNU released a report along with recommendations from a public design workshop they hosted in Buffalo. Universal design approaches, affordable and accessible transportation, and the reimagining of Buffalo streetscapes will be important to make Buffalo's vision of the future a reality. Qualified developers should consider findings from *The Future of Mobility: Remaking Buffalo for the 21st Century report* in their responses.

III. PROPERTY DESCRIPTION

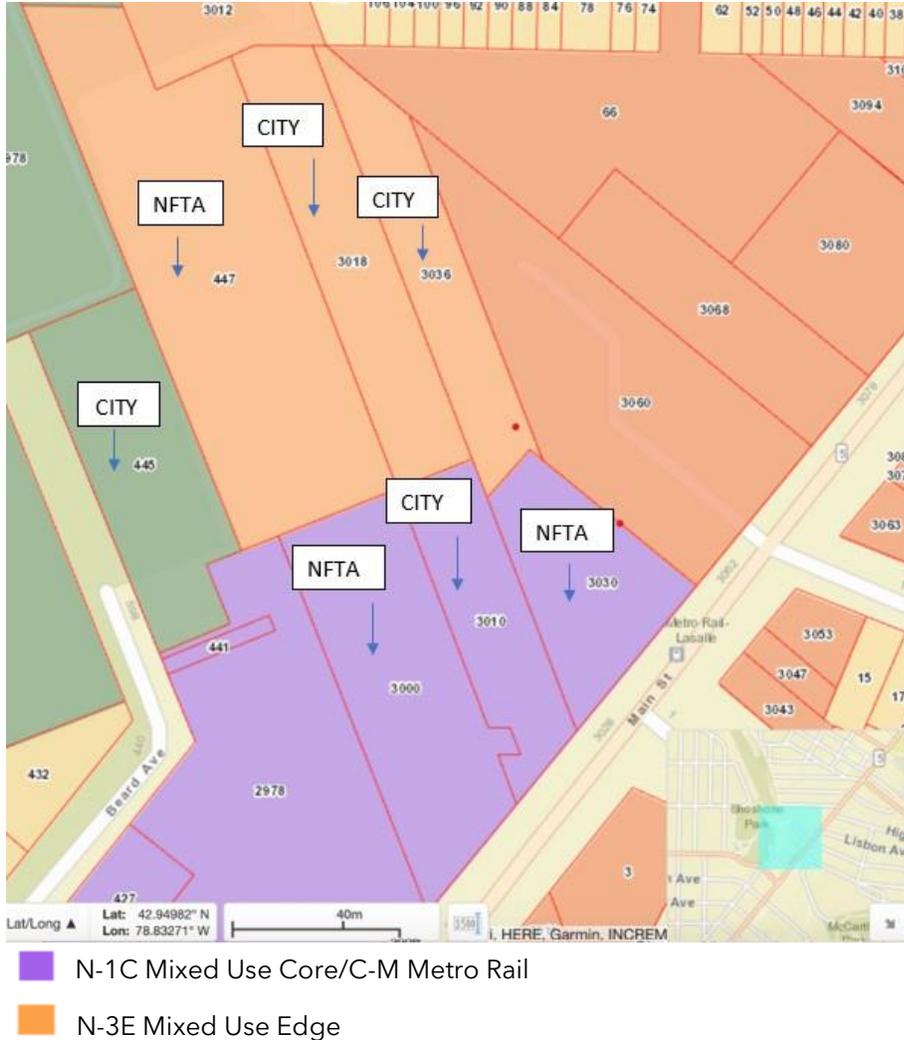
The LaSalle Station property includes six parcels owned by the City and NFTA listed below:

- 3000 Main St. (NFTA owned)
- 447 Beard Ave. (NFTA owned)
- 3030 Main St. (NFTA owned)
- 3010 Main St. (City owned)
- 3018 Main St. (City owned)
- 3036 Main St. (City owned)

The site is zoned N-1C Mixed Use Core, C-M Metro Rail Corridor, and N-3E Mixed Use Edge. More details can be found at www.buffalogreencode.com or by contacting John Fell, Senior Planner, City of Buffalo at (716) 851-4533 or by email at jfell@city-buffalo.com. See Figure A for a site map.

¹Please reference GBNRTC's Comprehensive Transit-Oriented Development study at: <https://www.gbnrtc.org/todresources>

Figure A



IV. EXISTING SITE CONDITIONS

The Mayor's Office of Strategic Planning conducted a high-level site analysis of the six parcels owned by the NFTA and the City of Buffalo that make up the LaSalle Station property to assess potential challenges to equitable transit-oriented development at the site, in preparation for the release of this RFQ. The Mayor's Office of Strategic Planning recommends that respondents consider any associated costs for environmental remediation or other assessments related to development at the property. Additional site information is available upon request. Please reach out to tgriffis@city-buffalo.com.

V. RFQ REQUIREMENTS

Responses must include the following information in a brief and concise format - *not to exceed ten (10) pages of narrative*. The City of Buffalo reserves the right to request additional information during the evaluation of responses and to reject any or all submissions.

A. Development Description/Approach

This section is intended to demonstrate the general approach that the developer is currently considering for predevelopment aspects of the project. On a separate attachment labeled *Development Description*, explain the following:

- Outline a plan to engage and work with the surrounding community, including collaboration with both public and private institutions. Respondents should participate in and be aware of any discussions between community residents, stakeholders, and Go Bike Buffalo through LISC WNY's "Developing our Transit Future" initiative.
- Applicants must be prepared to address any and all environmental issues associated with the site and describe experience with similar sites.
- Demonstrate a detailed knowledge of the district in which the property is located and how the proposed project will add to the character of the district.
- Inclusion is a core value to Mayor Brown's Administration. The future project must show meaningful participation from certified Minority and Women-Owned Business Enterprises (M/WBE), minority and women workforce participation and mentor protege opportunities at all project levels, including, financing, management, design, and construction and qualified developers should describe their plans to engage M/WBE and at which project levels.

B. Experience and Qualifications

As part of demonstrating qualifications for the project, please provide the following information:

- Background, qualifications, experience, and expertise of the development team and any affiliated partner(s). Detail experience in:
 - comparable and/or similarly sized development or completed and/or ongoing development projects,
 - mixed-income development projects completed in the City of Buffalo,
 - transit-oriented development projects,
 - site complexities and environmental remediation,
 - rails to trails and public parks,
 - include developer's experience in working and partnering with communities as well as both public and private partners. In addition, detail previous success in engaging the participation of adjoining neighborhoods, communities, and stakeholders in the development process.

C. References

Provide three (3) references from projects previously undertaken by the developer demonstrating capacity to undergo a project of this scale and complexity.

THE CITY OF BUFFALO RESERVES THE RIGHT TO REJECT ANY OR ALL RESPONSES SUBMITTED

VI. SUBMISSION INSTRUCTIONS

Qualified developers must not owe the City of Buffalo any debt or have a violation on any property in the City and are encouraged to visit the property and surrounding area prior to submitting a response.

The deadline to submit responses is **Friday, June 3rd, 2022 at 5:00 pm EST**. Responses received after this date and time shall not be considered.

Responses and a photocopy of the check for the RFQ administration fee set out below, must be received electronically via email sent to Lisa Hicks at lhicks@buffalony.gov. On the subject line, please write **Re: LaSalle Station**.

Respondents looking to electronically submit proposals too large for email transmission should notify Lisa Hicks no later than 24 hours prior to the published RFQ deadline to request a secure link to upload the electronic files.

The RFQ administration fee of \$100.00 USD must be received as a check made out to the City of Buffalo at the time of the response submission. Checks must be sent by registered mail at the address below:

LISA HICKS, DIRECTOR OF DEVELOPMENT
CITY OF BUFFALO MAYOR'S OFFICE OF STRATEGIC PLANNING
65 NIAGARA SQUARE, ROOM 901
BUFFALO, NY 14202

All questions or inquiries regarding the RFQ must be submitted in writing to Trevor Griffis tgriffis@city-buffalo.com.

Questions and inquiries will be accepted from all interested parties until **May 20th, 2022**. No responses will be provided for questions and inquiries received after this time. Questions received from all Respondents will be answered and shared with all Respondents via the City's website at (www.city-buffalo.com) by 5:00 p.m. Wednesday, May 25th, 2022.

The Mayor's Office of Strategic Planning (OSP) accepts no responsibility for, and each Respondent agrees not to rely upon, any verbal or written statements or representations from any other person, whether or not employed by OSP. OSP may, in its sole discretion, also elect to provide both the question(s) and the written answer(s) to all known respondents via e-mail. Respondents are solely responsible for ensuring that OSP has accurate contact information,

including an e-mail address for the receipt of such correspondence. OSP does not assume any responsibility for undelivered e-mails or for the receipt of any communication sent to any Respondent.

Schedule:

Release of Request for Qualifications:	Friday, April 29, 2022
Deadline for Questions:	Friday, May 20, 2022 at 5:00 pm EST
Answers Posted to Website:	Wednesday, May 25, 2022 at 5:00 pm EST
Proposals Due:	Friday, June 3, 2022 at 5:00 pm EST

VII. RESERVATIONS

- The City reserves the right to stop the selection process at any time if it is considered to be in the best interest of the City. The City also reserves the right to reject any or all responses submitted.
- The City reserves the right to seek additional information from respondents and related entities.
- All decisions related to this RFQ are subject to all applicable federal, state, and local laws and regulations, and the policies and procedures of the City of Buffalo.
- All costs associated with the preparation of the proposal, as well as any other related materials, will be borne by the respondent.

VIII. TERMS AND CONDITIONS

The City will invite all qualified respondents to respond to an official Request for Proposals that will be issued by the City and the NFTA at a later date. Qualified respondents will also be asked to participate in a series of public engagement opportunities that will provide developers with a chance to understand the concerns of the community and stakeholders before submitting a response to the RFP. The Mayor’s Office of Strategic Planning will consider if developers and/or development teams were awarded projects by OSP in the 12 months preceding the application, and this can be the basis for not selecting a developer.

IX. GENERAL REQUIREMENTS

1. Non-Discrimination

The successful developer(s) shall not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, sex, national origin, affection preference, disability, age, marital status or status with regard to public assistance or as a disabled veteran or veteran of the Vietnam era. Such prohibition against discrimination shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.

The successful developer(s) shall agree to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City, setting forth this nondiscrimination clause. In addition, the developer(s) shall, in all solicitations or advertisements for employees placed by or on behalf of the developer(s), state that all qualified applicants will receive consideration for employment without regard to race, creed, religion, ancestry, sex,

national origin, affectional preference, disability, age, marital status or status with regard to public assistance or status as disabled veteran or veteran of the Vietnam era, and comply in all other aspects with the requirements the Buffalo City Code and Ordinances.

2. Americans with Disabilities Act Compliance Provisions

Any developer(s) awarded a contract pursuant to the RFQ are required to abide by the regulations of the Americans with Disabilities Act of 1990 (ADA) which prohibits discrimination against individuals with disabilities. The contractor will not discriminate against any employee or applicant for employment because of their disability and will take affirmative action to ensure that all employment practices are free from such discrimination. Such employment practices include but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, discharge, compensation and fringe benefits, classification, referral and training. The ADA also requires vendors associated with the City of Buffalo to provide qualified applicants and employees with disabilities with reasonable accommodation that does not impose undue hardship. Developer(s) also agree to post in a conspicuous place, accessible to employees and applicants, notices of their policy on non-discrimination.

In the event of the contractor's noncompliance with the non-discrimination clauses of this contract, this contract may be canceled, terminated, or suspended, in whole or in part, and the contractor may be declared ineligible by the Buffalo Common Council from any further participation in City contracts in addition to other remedies as provided by law.

3. Applicable Law

The laws of the State of New York shall govern all interpretations of this contract, and the appropriate venue and jurisdiction for any litigation which may arise hereunder will be in those courts located within the County of Erie, State of New York, regardless of the place of business, residence, or incorporation of the developer. Each party agrees that all claims and matters shall be heard and determined in any such court and each party waives any right to object to such filing on venue, forum non-convenient or similar grounds.

4. Conflict and Priority

In the event that a conflict is found between provisions in any contract arising from this Request for Qualifications, the successful developer's proposal or the City's Request for Qualifications, the provisions in the following rank order shall take precedence: 1) Contract; 2) Request for Qualifications; and 3) developer's proposal.

5. Ownership of Materials

All finished or unfinished documents, data, studies, surveys, maps, models, photographs, reports or other materials resulting from any contract arising from this RFQ shall constitute the property of the City. The City may use, extend, or enlarge any document produced under the contract without the consent, permission of, or further compensation to the developer.

6. Disclaimer

This RFQ and the process it describes are proprietary to the City and are for the sole and exclusive benefit of the City. This RFQ is not binding on the City. No other party, including any developer to this RFQ or further developers to any RFQ that may be issued by the City, is intended to be granted any rights hereunder. Any response to this RFQ, including written documents and verbal communication, with the exception of materials marked as trade secrets

or confidential, may be subject to public disclosure by the City, or any authorized agent of the City. Any materials submitted or ideas elicited in response to this RFQ shall be the sole and absolute property of the City with the City having title thereto and unrestricted use thereof.

7. Publicity

All publicity (including, but not limited to, news releases, news conferences, and commercial advertising) relating to this RFQ and/or the services or products sought by this RFQ and/or any contract awarded pursuant to this RFQ shall require the prior written approval of the City.

8. Freedom of Information Law

The City of Buffalo is subject to the provisions of Article 6 Section 89 of New York State Public Officer's Law, entitled the Freedom of Information Law. All responses, in their entirety, submitted in response to this Request for Qualifications shall constitute a record subject to public disclosure pursuant to the Freedom of Information Law. It is the sole responsibility of each Developer to this Request for Qualifications to identify those portions deemed to constitute a "trade secret" or proprietary information of the commercial enterprise. Any such information shall be clearly marked "CONFIDENTIAL". The phrase trade secret is more extensively defined to include a formula, process, device or compilation of information used in one's business which confers a competitive advantage over those in similar businesses who do not know it or use it. The subject of the trade secret must not be of public knowledge or of a general knowledge in the trade or business. A corresponding letter, on company letterhead, must be provided describing the factors and extent to which the disclosure of the "CONFIDENTIAL" information would cause substantial injury to the competitive position of the commercial enterprise. The entire response shall not be marked "CONFIDENTIAL". Any portion of the response that is not clearly identified as "CONFIDENTIAL" may be disclosed pursuant to the Freedom of Information Law. **THE CITY OF BUFFALO DOES NOT ASSUME ANY RESPONSIBILITY WHATSOEVER TO ANY OFFEROR IN THE DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION LAW, COURT ORDER, OR ANY OTHER METHOD OF DISCLOSURE PROVIDED FOR UNDER THE LAW.**

9. Conflicts of Interest

Confidentiality and lack of potential conflicts of interest is vital to maintaining the integrity of every contract entered into with the City. **Therefore, each Developer must disclose any perceived, potential, or actual conflicts of interests and/or relationships/connections.** Such relationships may include, but are not limited to, connections to persons and organizations within the City of Buffalo through:

- Professional or Political associations
- Political donations
- Blood or Marriage
- Friendships
- City of Buffalo employees who currently work for your company, or come to work for your company during the RFQ process, and after (should you receive a contract from the City of Buffalo) as employees or consultants
- Union Affiliations/Memberships
- Board Member

Each Proposer further agrees that no member of the governing body, officer, employee, or

agent of the City shall have any pecuniary interest or otherwise, direct or indirect, in the any contract arising from this RFQ.

10. Statement of Compliance and Conflicts of Interest

Your signature below denotes that your organization, company or corporation and/or the officers, directors, employees or agents thereof have reviewed and agreed to comply with State Finance Law §139-k. No past or present lobbyist, employee, officer or board member of your organization, company or corporation may contact any past or present City of Buffalo Employee, Union Leader, Elected Official (City or otherwise) in an attempt to influence the outcome of the RFQ decision. Additionally, any potential or identified conflicts of interest shall be disclosed. As conflicts are discovered, they must be disclosed in writing, to the designated contact person identified in the RFQ, during the entire RFQ, award, contract negotiation, ratification, and execution process and even after contract award.

Conflict or Potential Conflict:

Signature: _____

Company: _____

Title: _____