



**CITY OF BUFFALO
NEW YORK**

OFFICE OF STRATEGIC PLANNING
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**REQUEST FOR PROPOSALS
FOR AN
EAST SIDE PRESERVATION STRATEGY**

❖ **ISSUE DATE: JULY 30, 2019**

❖ **PROPOSAL SUBMISSION DATE:
August 23, 2019 AT 4:00 PM**

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1. Project Purpose

One of Buffalo's greatest strengths is its historic legacy, including the buildings, sites, and neighborhoods that contribute to this heritage. Preservation plays a key role in enhancing neighborhoods across Buffalo and is integral to the City of Buffalo's place-based economic development strategy.

As development continues on the East Side of Buffalo it is important to work with the community to identify preservation issues of importance, structures that are considered vital components of the traditional walkable commercial corridors, and structures which if preserved have the potential for continued community investment.

The City of Buffalo solicits responses to this Request for Proposals (RFP) in order to select a qualified consultant to prepare the East Side Preservation Strategy ("Preservation Strategy"). Proposers may choose to propose on only one or more tasks and not the entire project. Citizen input will be essential for the successful completion of the Preservation Strategy.

Specifically, the goals of the Preservation Strategy are to:

- Advance preservation as a tool for revitalizing Buffalo's East Side neighborhoods;
- Engage the community in historic preservation efforts;
- Establish priorities for targeting limited resources for strategic preservation investments; and
- Initiate the implementation of the Empire State Development Buffalo Billion II East Side Corridor Economic Development Fund (Building Preservation component).

A fundamental deliverable of the Preservation Strategy will be to develop a prioritization tool based on the input of residents, businesses, and other neighborhood stakeholders. This prioritization tool is intended to facilitate the systematic ranking of existing structures and areas for the direction of targeted resources and to allow the City and its partners to ensure that preservation efforts taken are consistent with the expectations and priorities of neighborhood stakeholders on the East Side.

The Preservation Strategy is intended to provide a community-driven and efficient approach to preservation investment on Buffalo's East Side as preservation funding sources become available. Specifically, it is anticipated to be used initially to direct funding through the Building Preservation component of the Empire State Development Buffalo Billion II East Side Corridor Economic Development Fund (<https://esd.ny.gov/sites/default/files/Buffalo-East-Side-Corridor-Fund.pdf>).

The Building Preservation Fund is a program to establish a dedicated funding source that will support acquisition and near-term stabilization of at-risk historic buildings in the target investment areas. The program will support smaller, seal-up efforts to help prevent having to deal with crisis level failures in the future, or even worse, additional emergency demolitions of the existing urban fabric along these corridors. ESD will partner with the City of Buffalo and community-based organizations undertaking building stabilization initiatives to identify candidate buildings in need of preventative maintenance (i.e. stabilization measures to prevent further deterioration from weather, vandalism, etc.) to protect them from future demolition and thus eliminate future redevelopment opportunities. Program managers would then coordinate with property owners to undertake the measures (or, if desirable in certain situations, to acquire the property) to preserve the structures in the near-term for investment from private investors in the longer term. Some East Side "preservation-ready" historic resources surveys have already been

completed. The City of Buffalo intends to undertake an additional community-based study of properties along each corridor to help shape the program.

Historic preservation is an important element of WNY's smart growth strategy, ensuring that the region's unique history, beauty, and sense of place are retained through its architecture, landscapes and urban design, and reversing the decades-long practice of demolishing historic building stock. New York State, acknowledging the value of preservation, is also committed to the restoration of historic structures through state historic tax credits. The restoration of historic buildings, such as the Hotel at the Lafayette, the Genesee Gateway, Horsefeathers, the Electric Tower, Asbury Hall and many others, with the help of state and federal historic tax credits, has been a major part of Buffalo's revitalization. Like the City as a whole, the restoration of historic buildings on the East Side, especially along its commercial corridors, is imperative to the resurgence of the community. More than any other area of the city, the East Side has historic buildings in danger of "demolition by neglect"—intentionally allowing a property to suffer severe deterioration, potentially beyond the point of repair. The community would like to see acquisition and rehabilitation of historic buildings, while supporting local workforce development in the preservation trades whenever possible.

The study area for the Buffalo Billion II East Side Corridor Economic Development Fund comprises 17 square miles, bounded by the University at Buffalo (UB) to the north; Main Street and Michigan Avenue (excluding the Buffalo Niagara Medical Campus and Central Business District) to the west; I-190 and the Buffalo River to the south; and the City line to the east. The study area constitutes four distinct commercial corridors Michigan Avenue, Jefferson Avenue, Fillmore Avenue and Bailey Avenue.

2. Scope of Work

The Preservation Strategy must, at minimum, include the following tasks or their equivalent:

- A. Community Outreach. The Office of Strategic Planning (OSP) will identify partners and key stakeholders to participate in the planning process and will assemble a Project Advisory Committee (PAC) that includes partner groups, philanthropic organizations and neighborhood stakeholders. The role of the PAC will be to provide feedback on the plan and its process, as well as to assist OSP and its consultant team on community outreach activities. The community outreach approach will include at minimum the following elements:
- PAC meetings – PAC meetings will held throughout the planning process to review plan materials and advise on the planning process and outreach activities.
 - Community meetings – A series of community meetings will be held at key milestones in order to present progress to-date and receive community input.
 - Key stakeholder sessions – A series of small group sessions will be held to provide the opportunity for more focused dialogue with key stakeholders.
 - Online plan information/input – Plan updates, documents, upcoming events, and input opportunities will be available online.
 - Additional strategies to engage residents, businesses, and other neighborhood stakeholders in the planning process are strongly encouraged.

Deliverable – Community Outreach strategy; attendance at four (4) PAC meetings, attendance at four (4) stakeholder sessions, attendance at four (4) community meetings and, if necessary,

materials to support OSP attendance at additional community meetings; and materials in appropriate formats to support online information and community input. Novel approaches to engage the community and solicit feedback may be particularly valuable and can be proposed in addition to or in place of the activities listed above, but must provide equivalent benefit or better.

- B. Prioritization Tool. Working with the PAC and wider community, the consultant shall create a prioritization tool, developed with the input of residents, businesses and other neighborhood stakeholders, that will allow the City and its partners to ensure preservation efforts taken are consistent with the expectations and priorities of neighborhood stakeholders on the East Side. This tool is not intended to evaluate each structure, but rather to prioritize structures or areas based on established criteria.

Deliverable – Prioritization Tool

- C. Inventory & Analysis. The purpose of this section will be to document and analyze existing information, identify information gaps, develop a database of prospective preservation sites for investment, and to identify future preservation opportunities for the East Side.
- **Inventory**
 - Description of existing local and national historic districts.
 - List of local and national landmarks, as well as those structures that have been identified as eligible for the National Register.
 - Summary of existing historic survey information.
 - General summary of neighborhood and typical building characteristics, particularly along the four commercial corridors emphasized in the Buffalo Billion II East Side Corridor Economic Development Fund document.
 - Economic development programming, financial incentives, and other tools related to preservation and adaptive reuse, such as tax credits and other incentives, grant and loan opportunities. Note that such program information will not only be important in preparation for the Building Preservation component of the Buffalo Billion II East Side Corridor Economic Development Fund, but will be useful for future preservation initiatives and opportunities.
 - **Analysis**
 - Refine list of sites for investment:
 - Based on community input received, data collected from the inventory, and primary Prioritization Tool criteria, develop an initial list of prospective preservation sites.
 - Prepare a database and site profiles. For the purposes of this RFP, the City estimates that 100 site profiles will be prepared. Site data and profiles may include photo documentation, mapping, and other relevant information.
 - Following review by the City, apply the Prioritization Tool to refine the prospective preservation site list for the City of Buffalo Department of Permit and Inspection Services to conduct field inspections of candidate sites for preservation.
 - Based on community input and the inventory, identify next steps beyond the Building Preservation component of the Buffalo Billion II East Side Corridor Economic Development Fund, including identification of key information gaps and strategic preservation focus areas for East Side revitalization.

Deliverable – Inventory and analysis report.

3. Project Timeline

The City anticipates a maximum 8-month timeline from kickoff to completion.

4. Instructions for Submissions

Each team or consultant must submit a full response as detailed in Section 5 of the Submission Requirements. All submissions must be in an 8 ½"x11" bound document format, including four (4) hard copies and an electronic file on disc or flash drive. If submitted under separate cover, appended studies and graphics should be clearly labeled to identify the consultant or consultant team.

Submissions must be received by registered mail or hand delivered and registered at the reception desk at the address below by 4:00 p.m., August 23, 2019.

Nadine Marrero, Director of Planning
Mayor's Office of Strategic Planning
920 City Hall
Buffalo, New York 14202

All questions or inquiries regarding the RFP must be submitted via email to Nadine Marrero, Director of Planning, at nmarrero@city-buffalo.com. Questions and inquiries will be accepted until August 16, 2019 at 12:00 p.m. Questions and responses will be sent to all consultants that submit questions and those that request to be included in responses. Depending on the volume and complexity of questions, the Mayor's Office of Strategic Planning cannot guarantee that questions and inquiries submitted after 12:00 p.m. on August 16th will be responded to prior to the submission deadline.

5. Submission Requirements

Submissions must include the following information in a brief and concise format. Proposals should not exceed 10 pages, excluding resumes of key personnel and previous project information.

The City of Buffalo reserves the right to request additional information during the review of proposals and to reject any and all submissions.

A. Approach and Scope of Work

All proposals must state how the consultant or consultant team will approach the project. The proposal should not simply restate the Scope of Work, but should detail specific tasks that will be undertaken. The consultant should also propose any tasks or subtasks that they believe are essential to accomplishing the project goals. Novel approaches to public outreach are encouraged.

Assigned staff must be identified for each task and subtask, as appropriate.

Proposers may choose to propose on only one or more tasks and not the entire project.

B. Experience on Similar Projects

A description of similar projects that the consultant has worked on must be included. At least three example projects must include a reference and contact information.

C. Fee Proposal

The proposal must include a proposed fee for all services delineated by task as outlined in the consultants proposed scope of work. The cost proposal must include the hourly rate of each staff member and their estimated number of hours by task. Staff hourly rates must be applicable for a minimum of one year from the date of the project kickoff. Any reimbursable expenses must also be listed.

6. Evaluation Criteria

The City will evaluate proposals based on the following selection criteria:

1. Completeness of the Submittal: All required documents have been submitted and the overall submission is presented in a clear and concise manner.
2. Proposed Scope of Work: The proposed scope of work meets the parameters of this RFP and the consultant clearly explains how each task will be accomplished. Proposals that include tasks or subtasks that add value, with particular focus on the public outreach strategy, will receive additional consideration.
3. Experience and Qualifications: Experience of the team on projects of similar scope and size, as well as the experience of the staff assigned to each task, with specific focus on working with diverse populations.
4. Cost Proposal: Proposed total cost and the reasonableness of costs assigned to each task.
5. MWBE Participation: MWBE inclusion on the consultant team, with the opportunity to make a meaningful contribution to the project. The City of Buffalo has a business utilization goal for minority business enterprises of 25% and woman business enterprises of 5%.

7. General Requirements

1. Non-Discrimination

The successful Consultant (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 Consultant (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 Consultant (s) shall, in all solicitations or advertisements for employees placed by or on behalf of the Consultant (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 of the Buffalo City Code and Ordinances.

2. Americans with Disabilities Act Compliance Provisions

Any Consultant (s) awarded a contract pursuant to the RFP 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. Consultant (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 in the contract, the 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 the awarded contract, and the appropriate venue and jurisdiction for any litigation which may arise thereunder will be in courts located within the City of Buffalo, County of Erie and State of New York, regardless of the place of business, residence or incorporation of the Consultant. Each party agrees that all claims and

matters shall be heard and determined in such court and each party waives any right to object to such filing on venue, forum non-conveniens or similar grounds.

4. Conflict and Priority

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

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 RFP shall be 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 Consultant.

6. Disclaimer

This RFP and the process it describes are proprietary to the City and are for the sole and exclusive benefit of the City. This RFP is not binding on the City. No other party, including any Consultant responding to this RFP or further Consultants to any RFP that may be issued by the City, is intended to be granted any rights hereunder. Any response to this RFP, including written documents and verbal communication, with the exception in only certain instances 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 RFP 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 RFP and/or the services or products sought by this RFP and/or any contract awarded pursuant to this RFP 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 submissions, 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 Consultant 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 submission shall not be marked "CONFIDENTIAL".

Any portion of the submission 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 Consultant 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:

1. Professional or Political associations
2. Political donations
3. Blood or Marriage
4. Friendships
5. City of Buffalo employees who currently work for your company, or come to work for your company during the RFP process, and after (should you receive a contract from the City of Buffalo) as employees or consultants
6. Union Affiliations/Memberships
7. 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 RFP.

8. Required Certifications

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 RFP 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 RFP, during the entire RFP, award, contract negotiation, ratification, and execution process and even after contract award.

Conflict or Potential Conflict:

Signature: _____

Company: _____

Title: _____

Date: _____

NON-COLLUSION CERTIFICATION

By submission of this RFP, each respondent and each person signing on behalf of any respondent certifies, and in the case of a joint submission, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

(1) The prices in this submission have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other respondent or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this submission have not been knowingly disclosed by the respondent and will not knowingly be disclosed by the respondent prior to opening, directly or indirectly, to any other respondent or to any competitor;

(3) No attempt has been made or will be made by the respondent to induce any other person, partnership or corporation to complete a submission for the purpose of restricting competition.

FIRM OR CORPORATION NAME _____

PRINCIPAL ADDRESS _____

STREET _____

CITY

STATE

ZIP CODE

SIGNATURE OF INDIVIDUAL, PARTNERS OR OFFICERS

(SIGNATURE) (TITLE) (TYPE OR PRINT NAME ABOVE)

(SIGNATURE) (TITLE) (TYPE OR PRINT NAME ABOVE)

RESPONDENT AFFIRMATIVE ACTION STATEMENT

The _____
(Company Name)

hereby states that we will, in earnest, make good faith efforts to ensure a diverse workforce and minority business participation for this project in accordance with the City of Buffalo Charter, Chapter 96, Bonds and Contracts.

We will aggressively work toward a minority workforce goal of 25%, and woman workforce goal of 5%. In addition, we will work toward a business utilization goal for minority business enterprise of 25% and woman business enterprise of 5%.

(Signature of Authorized representative of Respondent)

Date _____

SUBMISSIONS FAILING TO INCLUDE OR COMPLETE ANY OF THE ABOVE ITEMS WILL BE CONSIDERED NON-RESPONSIVE AND WILL NOT BE ACCEPTED.

EEO-2



City of Buffalo **Living Wage Commission**

APPLICATION FOR CONTRACT WITH THE CITY OF BUFFALO

The City's Living Wage Ordinance applies to contracts for services in which the City pays – or receives – more than \$50,000 per year, and the contractor employs more than ten people. If you are bidding, responding to a Request for Proposals, or otherwise planning to make a contract with the City, you must complete this form, a copy of which will be forwarded to the City's Living Wage Commission. Your subcontractors need not file a separate Application, but they must pay a living wage. If you win the contract, you and your subcontractors will file quarterly reports with the Living Wage Commission.

You must certify that you will pay at least the hourly wages mandated by the Ordinance. As of January 1, 2016, the hourly rates are \$11.63 if the worker receives health benefits from the employer and \$13.06 if the employee does not. There will be an automatic cost-of-living adjustment each January 1.

There are two exceptions to the Ordinance. Professional contracts such as legal, architectural, or engineering services are not covered by the Ordinance. Also, persons employed in construction work covered by prevailing wage laws are exempt from the Ordinance.

The City department responsible for the contract should forward the completed Application for Contract of the employer chosen for the contract to: Living Wage Commission, c/o Cornell University ILR, 237 Main St., Suite 1200, Buffalo, NY, 14203.

1. Company Information

Company Name:	
Executive Officer:	
Address:	
City, State, Zip:	
Phone No.:	
Total No. of Employees:	

2. Please describe the specific project or service for which the contract is sought:

3. Contract Information

Dollar Value of Your Proposal/Contract:	
Identifying City Contract or Project Number:	
Start and End Dates of Contract:	

4. If you answer "Yes" to any of these, you need not complete parts 5, 6, and 7

A) Are all persons who will work under the contract construction workers covered by federal or state prevailing wage laws?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
B) Is this a contract for professional services such as legal, architectural, or engineering?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
C) Do you employ less than ten people?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
D) Is the total value of the contract less than \$50,000 per year?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

5. Please describe the employees who will work on this contract. Attach additional sheets as needed.

Job Title	Duties to be Performed	Hourly Wage	Receives Health Benefits?

6. Subcontractors

Will there be subcontractors?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide name address, and phone for each subcontractor. Attach additional sheets as needed.		

7. Please provide a signature by an official of your company with the legal authority to make binding commitments.

I certify that if awarded a City contract I will fully comply with the Living Wage Ordinance.

Date: _____ Signature: _____

Print: _____

Title: _____