

Presentations

Monday, November 24, 2014 Council Meeting

PRESENTATIONS:

Uniland Development – Rainbow Mall project

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ADMINISTRATIVE UPDATE:

None

Agenda Item #1

The following is a report of the licenses issued and collections made in the Office of the City Clerk during the month of October 2014.						
				<b><u>CONTROLLER</u></b>	<b><u>TOTAL</u></b>	
A1255-001 A012		Vital Statistics		\$ 4,262.00	\$ 4,262.00	
A1255-004 A013		Copies of Records		\$ 636.75	\$ 636.75	
A1255-004 A013		Certificates of Marriage		\$ 650.00	\$ 650.00	
A2501-011 A044		Peddler		\$ 200.00	\$ 200.00	
A2501-016 A047		Stationary Engineers		\$ 2,810.00	\$ 2,810.00	
A2501-021 A048		Amusement Games		\$ 3,750.00	\$ 3,750.00	
A2542-000 A053		Dogs/NYS Agr. & Mkts	\$ 322.00	\$ -	\$ 322.00	
A2542-000 A053		Additional Dogs		\$ 3,128.00	\$ 3,128.00	
A2545-001 A054		Marriage License/NYSHD	\$ 1,462.50	\$ 487.50	\$ 1,950.00	
A1255-002 A123		Commissioners of Deeds		\$ 5.00	\$ 5.00	
A2545-010 A128		Petroleum - Retail		\$ 70.00	\$ 70.00	
A2501-599 A130		Pawn Broker		\$ 450.00	\$ 450.00	
A2545-021 A316		Vending		\$ 11,970.00	\$ 11,970.00	
A2545-023 A318		Hunters/NYS DEC RAU	\$ 2,344.15	\$ -	\$ 2,344.15	
A2545-023 A318		Hunters Fees		\$ 136.85	\$ 136.85	
A1255-003 A499		Notary Fee		\$ 14.00	\$ 14.00	
A1255-005 A528		Dog Release		\$ 350.00	\$ 350.00	
TA63008 A597		Marriage Performance		\$ 725.00	\$ 725.00	
<b>TOTAL:</b>			<b><u>\$ 4,128.65</u></b>	<b><u>\$ 29,645.10</u></b>	<b><u>\$ 33,773.75</u></b>	
Check #	11306	NYS Dept. of Arg. & Mkts		\$ 322.00		
Check #	11277	NYS Health Department		\$1,462.50		
Check #	ET	NYS DEC RAU		\$2,344.15		

Agenda Item #2

**RE: City Council Agenda Item: Award of Demolition Contract CNF2014-1  
Utility Abandonment, Asbestos Abatement and Demolition of 17 Properties  
To Mark Cerrone, Inc.**

**Council Members:**

The following bids were opened by the Department of Community Development on November 18, 2014 for the demolition of seventeen (17) structures identified on the attached list.

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Mark Cerrone, Inc.	\$333,888.00
Regional Environmental Demolitions, Inc.	342,222.00
Empire Dismantling, Inc.	375,500.00
Niagara Environmental and Wrecking	462,800.00

It is our recommendation that a contract be awarded to the low bidder, Mark Cerrone, Inc., at its base bid amount of \$333,888.00. Funding is available in the City Casino Revenue budget code H.0910.2009.0910.0449.599 (Code Enforcement/ Demolitions).

Will the Council vote to award contract CNF2014-1 to Mark Cerrone, Inc. and authorize the Mayor to execute any documents necessary to effectuate the same?

CNF 2014-1 List of 17 Structures for Demolition

1. 1050 Center Avenue
2. 1006½ Cleveland Avenue (Rear Structure)
3. 5637 Frontier Avenue
4. 1146 Garden Avenue
5. 1152 Grove Avenue
6. 1609 Michigan Avenue
7. 1115 North Avenue
8. 1634 Ontario Avenue
9. 1923 Whitney Avenue
10. 729 – 8<sup>th</sup> Street
11. 731 – 8<sup>th</sup> Street
12. 736 8<sup>th</sup> Street
13. 428 - 10<sup>th</sup> Street
14. 2014 – 11<sup>th</sup> Street
15. 2326 – 15<sup>th</sup> Street
16. 508 – 19<sup>th</sup> Street
17. 1006 Cleveland Avenue (Front Structure)

## Agenda Item #3

*RE: Designate Uniland Development Company as the Preferred Developer to Undertake an Adaptive Re-Use of the Former Rainbow Centre Mall*

### Council Members:

In November of 2011, USA Niagara Development Corporation ("USAN"), the City of Niagara Falls (the "City") and Niagara County Community College ("NCCC") entered into a development agreement which transformed one third of the former Rainbow Centre Mall (the "Rainbow Centre") into the Niagara Falls Culinary Institute operated by NCCC. As part of that agreement, USAN acquired the rights to develop the remaining two-thirds space (~200,000 square feet) of the Rainbow Centre.

In order to select a preferred developer to undertake an adaptive reuse and redevelopment of the Mall, a two-step competitive selection process was conducted. USAN issued a request for qualifications ("RFQ"). Eighteen firms/organizations expressed interest in the RFQ and/or attended a Pre-Proposal meeting on April 18, 2013 and two qualified respondents were then shortlisted in August 2013: Intertrust Development Inc. ("Intertrust"), one of the largest hospitality business owners and developers in Western New York and Niagara Falls, Ontario; and Uniland Development Company ("Uniland"), a leading builder, developer and manager of commercial real estate in Western New York.

Following the RFQ process, Intertrust and Uniland were invited to respond to a detailed request for proposals ("RFP"). Responses to the RFP were received on January 31, 2014 and interviews were held on February 11, 2014.

A Selection Committee consisting of five (5) USAN, ESD and City staff members reviewed the responses to the RFP against evaluation criteria measuring various aspects of each proposal including, but not limited to, the extent the proposal met the objectives of the RFP (e.g. facilitating a creative adaptive reuse that contributes to a lively, urbane setting); the extent the proposal yields the highest level of public benefits (e.g. create new jobs, taxable investment, highest return on the land) with the least amount of public investment; and the overall quality of the development plan and financial plan.

The committee determined that Uniland's proposal would best meet the evaluation criteria as stated in the RFP. Uniland proposes to transform the former mall into the "Wonder Falls" Resort, a new complex featuring a hotel tower with world-class amenities, restaurants and entertainment facilities including a waterpark, and various other retail and food and beverage venues. The project will create more than 300 permanent jobs and more than 1,500 jobs during construction. Preliminary estimates indicate that the Wonder Falls project will involve a total investment of approximately \$150 million and it is anticipated that the project will receive funding under the "Buffalo Billion" initiative. The level of public investment will be a determined as part of a subsequent approval of a development agreement for the project.

Uniland is an award-winning, full-service developer that offers design, construction, leasing and property management services. Over the past 40 years it has been responsible for creating more than 12 million square feet in new development, becoming the largest developer of office and industrial parks in the Buffalo-Rochester corridor. Uniland has more than one hundred operating properties. Uniland's partners on the project are Cannon Design, an award-winning, full service architecture, engineering and interior design firm with projects in more than 20 countries, and Delaware North Companies Parks & Resorts, which is headquartered in Buffalo and is a leader in the hospitality sector with a portfolio that includes world-renowned hotels and cultural attractions.

Following the designation of Preferred Developer, USAN, the City and Uniland will promptly negotiate the principal terms and conditions that will subsequently lead to a Development Agreement. No such binding agreement shall be entered into until further approval is received by the Board of USAN and the City Council detailing the terms of the project including any proposed public commitment of funding.

It is requested that the City Council designate Uniland Development Company as the preferred developer for the adaptive re-use of the former Rainbow Centre Mall and authorize the Mayor to negotiate a development agreement with USAN and Uniland which will contain the terms and conditions of the adaptive re-use of the former Rainbow Centre Mall. Any such development agreement must then be approved by the City Council

Will the Council so approve?

Agenda Item #4

*RE: Contract: Worker's Compensation Claims, Northeast Association Management, Inc.*

Council Members:

At your March 31, 2014 meeting, you authorized the Mayor to execute an agreement with Northeast Association Management, Inc. ("NEAMI") to handle the City's pre-2005 Worker's Compensation claims (copy attached).

Since the City arrangements with both NEAMI and Public Employees Risk Management Association ("PERMA") reflect a September to September term, it is requested that the Council authorize the Mayor to execute a renewal agreement on the same terms, and in form acceptable to the Corporation Counsel, with NEAMI to continue handling the pre-2005 claims.

Will the Council so approve?



# City of Niagara Falls, New York

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March 25, 2014

The City Council  
Niagara Falls, New York

*RE: Agreement for Third Party Administrator for Workers' Compensation Claims*

Council Members:

Since 2005 the City's Workers' Compensation claims have been handled by the Public Employees Risk Management Association ("PERMA"). This includes both claims existing prior to 2005 and the claims that have arisen since joining PERMA in 2005.

The pre-2005 claims have been handled through PERMA's affiliated entity Northeast Association Management, Inc. ("NEAMI") as the Third Party Administrator for the claims.

Some recent changes by the Workers' Compensation Board require that the City enter into a separate agreement with NEAMI to provide this service.

As the claims will be handled on the same basis going forward, it is recommended that the Council authorize the Mayor to execute an agreement with NEAMI in a form acceptable to the Corporation Counsel for handling the pre-2005 claims.

Will the Council so approve?

Respectfully submitted,

PAUL A. DYSTER  
Mayor

Anderson \_\_\_\_\_ Choolokian \_\_\_\_\_ Grandinetti \_\_\_\_\_ Tsouma \_\_\_\_\_ Walker \_\_\_\_\_

