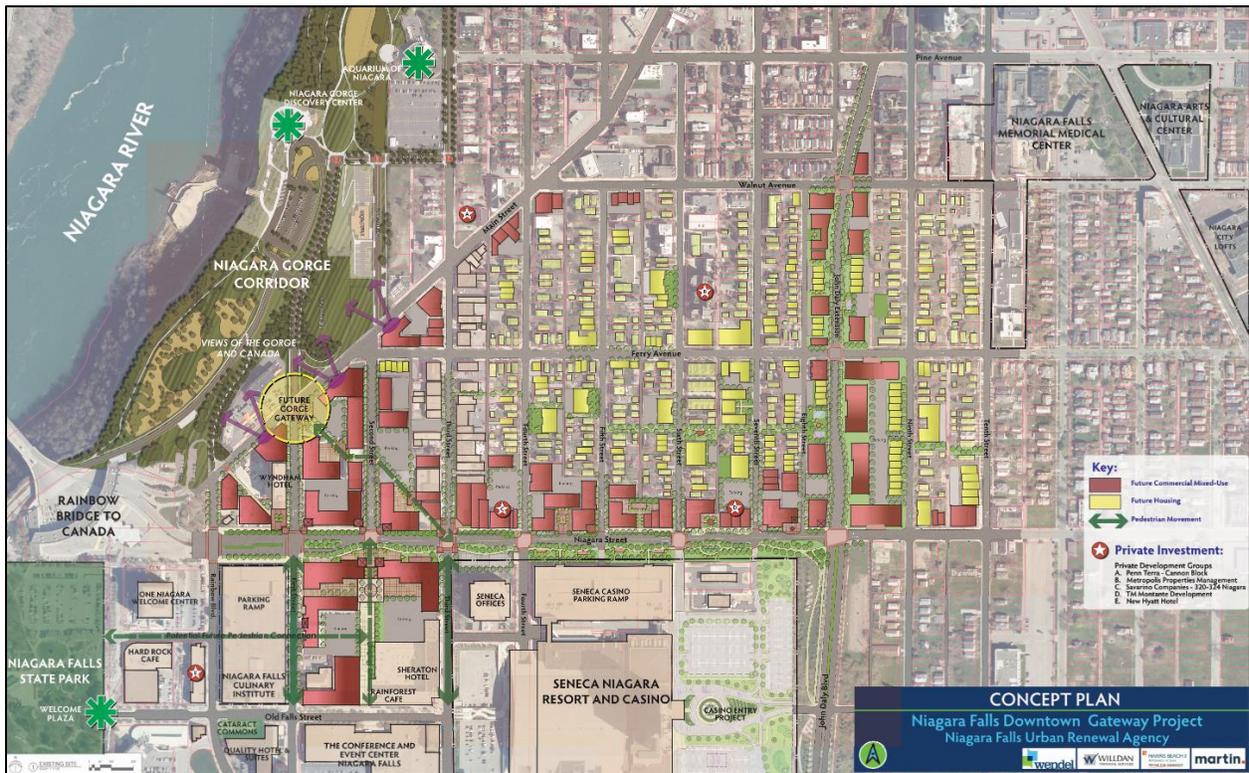


Niagara Falls Urban Renewal Agency

Request for Proposals

Niagara Falls NY Downtown Gateway District



Niagara Falls Downtown Gateway District – Master Redevelopment Plan

Issue Date: November 4, 2020

Proposals Will be Accepted beginning November 30, 2020

Message from the Mayor Restaino

Dear Development Community,

Thank you for taking an interest in investing in downtown Niagara Falls. Our city is in the process of a great transformation. Recent years have seen new mixed use and residential development return to our downtown core for the first time in a generation. Over the last five years we've seen newly renovated apartments come online as well as shops, restaurants, and hotels. Best of all that steady trend appears to be not only continuing but there is every indication that it will be accelerating.

This administration welcomes development to our city and looks forward to exploring possibilities with you. We are working to ensure that development projects can and will be successful in our great city. I look forward to counting your project among them.

Sincerely,

Robert M. Restaino

Mayor, City of Niagara Falls, NY

Chairman, NF Urban Renewal Agency

The Niagara Falls Urban Renewal Agency (NFURA) is seeking competitive proposals for new development, or the redevelopment of existing properties, within the South End Gateway District and Memorial Park Neighborhood, downtown Niagara Falls, NY as identified herein.

Proposals may be for commercial, residential or mixed-use development. Proposals may be on a single parcel or involve multiple parcels. Proposals may be under single ownership or may be combined with parcels that are to be acquired, including with city-owned parcels as may be required to achieve site assembly if necessary.

NFURA will accept proposals received through the Planning & Economic Development Department Office at City Hall, Room 300, 745 Main Street, Niagara Falls, New York, 14302-0069 **any time after November 30, 2020.**

Introduction

Achieving the City's Development Goals has always required bold and strategic action. There is no doubt that maintaining progress toward those goals will require more bold action by the City Of Niagara Falls, bold actions by some others, as well as the consistent albeit smaller actions of many for true success to become realized.

Entering 2020, the city's prospects had dramatically improved from just a few short years ago. Niagara Falls is investing in game-changing big moves that are enhancing the prospect for successful real estate development. The City and State are completing the removal of more than 3 miles of highway along the Niagara River, replacing it with an expanded State Park and world-class River Greenway, crisscrossed with recreational trails, a cycling network, outdoor recreation and cultural attraction opportunities that covers the city's entire waterfront. A once-in-a-generation project that is returning neighborhoods, commercial districts and the visitor community to the water and re-establishing Niagara Falls as the "City in a Park." And more than that, a city with its own future.

South End Gateway Project: Background

In 2009, the City of Niagara Falls adopted a new Comprehensive Plan. The Niagara Falls Urban Renewal Agency (NFURA), in furtherance of the goals and objectives contained in the new Comprehensive Plan, also adopted its own "Core City Urban Renewal Plan." The NFURA Plan would "address properties... designated by the local governing body for urban renewal activities..." and more specifically "to correct substandard conditions and to promote sound growth and development..."

In 2011, the NFURA undertook an urban design planning study that focused on the South End Downtown that produced the Strategic Plan for the Downtown Gateway Area. This project established the Niagara Falls South End Gateway Urban Renewal Plan and was the basis for several NYSESD grants. The first major grant was for the 616-Niagara Street, TM Montante's mixed-use project, which houses TReC, a coworking 'incubator' space operated by the Niagara Global Tourism Institute. The second, based on that successful model, was used to secure \$1.5M funding from NYSESD for implementation the current **South End Gateway Project**.

In 2019, the NFURA has engaged a team of consultants led by Wendel PC to assist the NFURA in updating the South End Strategy and to expedite execution of the grant in achieving the South End Gateway Urban Renewal Plan's goals. Subsequently, NFURA released Developing Niagara Falls 2020, a prospectus on the opportunities for new investment throughout the city, aiming to layout opportunities and to attract new projects from regional, national, and international development companies.

In addition to designating the Niagara Street (Downtown) Gateway District as an urban renewal and strategic investment area, the City of Niagara Falls and NFURA have allocated heightened planning attention, resources and are promoting sites along and proximate to Niagara Street to expand the northern extent of the downtown tourism district, and also to encourage investment across the neighborhood northward.

Expectations

NFURA is working with various governmental partners (including the City) with the express intention of generating new development proposals from the private sector and working to bring those viable proposals to fruition. To that end, NFURA is hereby issuing this competitive Request for Development Proposals (RFP).

Proposals that include the purchase and development of City-owned parcels located throughout the Niagara Falls Renewal Area and Gateway District are encouraged, although 'sales' are subject to the City's consent and the fulfillment of the City's disposition requirements. See 'Appendices' for individual city-owned property listings and maps.

There is no maximum or minimum investment, however any proposal must represent a 'fair-market value' if it includes purchasing city-owned property for development. Additionally, the re-development/re-use proposal must be feasible and provide real/measurable benefits to the municipality and to the surrounding district and be implemented within a specific timeframe.

All interested parties and prospective respondents are encouraged to contact NFURA prior to submitting project proposals for properties in the Gateway District Renewal Area. All interested parties and prospective respondents should familiarize themselves with the NFURA Downtown Gateway planning documents, which can be found at: www.developniagarafalls.com. Proposals should be consistent with the planning goals and objectives found therein.

It should be noted that Project Proposals are not limited to the redevelopment of city-owned properties. Public properties and private properties can be combined and, if necessary, derelict properties may be proposed for acquisition to create larger site assemblages.

The NFURA has also engaged Wendel PC and its team to be available to provide limited planning and design assistance in responding to this RFP and/or developing a respondent's proposal. Proposed new private-sector development may also be eligible to receive companion capital assistance in the form of public infrastructure improvements.

The Gateway District

The Gateway District is situated just east of the Niagara Gorge Corridor and just north of the central downtown tourism entertainment and casino district. It is approximately 20 blocks of mixed-use neighborhood with a substantial residential base and with significant commercial, retail, and infill development opportunities.

The district is crisscrossed by several key thoroughfares that link to major commercial corridors in the City: Niagara St., Pine Ave., Main St., Third/Whirlpool St., as well as the gateway to and from Canada.

The City is supporting a mix of uses, including general commercial, offices, and upper-story residential uses that encourage a mix of activities. The City also expects that individual properties will have unique opportunities for redevelopment and will support those that exhibit the best fit for its circumstance. Along Niagara Street, with opportunities for signature developments at key locations, tall and dense downtown development is appropriate, while other parcels will represent different opportunities.

The Niagara Global Tourism Institute opened **TReC** at 616 Niagara St., in November 2019, a high-tech incubator and co-working facility for companies innovating in the tourism technology space—it is already one example of success within the District.

By 2025, the Gateway District will be transforming into a bustling mixed-use urban neighborhood where businesses serve the local community as well as the millions of visitors that arrive every year.

Ongoing Infrastructure & Quality of Life Investments

More than \$10 Million in streetscape improvements are slated for the next 3-years to support new growth in the Gateway District. In 2021, a major public works project will transform ten blocks of Niagara Street, the length of this district from John B. Daly Boulevard to the Rainbow Bridge, into a more walkable urban strip with fewer traffic lanes to cross and a new urban trail that makes connections with the Upper Niagara River Greenway and the Niagara Gorge Greenway. In 2022, John B. Daly Boulevard will be extended north and connect directly to Pine Ave. and Route-62 Business Districts.

All this in addition to \$200M—and counting, for the fundamental re-structuring of the City of Niagara Falls' public realm throughout the Core City that is either completed, underway, or will be within the next 3-years. Projects such as:

- **Removal of the Robert Moses Parkway** (Phases-1&2) *reconnecting our waterfronts to our neighborhoods, and providing a tremendous opportunity for revitalization and repositioning of adjacent properties*
- **Niagara Falls Bridge District Downtown Revitalization Initiative** (DRI) a \$10 Million NYS award that includes new public infrastructure and additional support for private developments in the North End.
- **Expansion of Niagara Falls State Park** a 140-acre expansion of the Country's oldest State Park that is creating a 'cultural campus' along the Gorge.

City-Owned Properties Available for Bid

- Refer to attached list. See Appendix "B"
- Associated design guidelines will ensure appropriate built form and contribution to the creation of a vibrant mixed-use neighborhood.

Available Resources

- Technical Assistance
- Infrastructure funding from NYS-ESD / City
- Site-Assembly Assistance
- Various Tax-Abatement Programs

Required Proposal Contents

Proposals must include the following information in a brief, concise format, and should not exceed ten (10) pages of narrative. The NFURA reserves the right to request additional information during the evaluation of responses, after award, and may reject any or all proposals at any time for any reason.

Cover Letter/Executive Summary

1. Cover Letter of Intent / Executive Summary
 - Identification of principal and/or company responsible for the Proposal.
2. Provide an overview narrative summarizing the major components of the proposal.
3. Acknowledge familiarity with the area and with the City of Niagara Falls and NFURA planning documents.

Project Description

Provide a detailed description of the redevelopment project being proposed. Include the following:

1. Identification of each property to be included in your redevelopment plan (both publicly-owned and privately-owned properties).
2. Future use(s) of each individual property your team is proposing to redevelop, including estimated acreage or square footage of each use, as applicable.
3. A prospective mix of tenants, services and amenities, and an estimated square footage of each, if applicable.
4. Statement on market conditions that support the proposal's uses and tenants.

Project Team

Provide an overview of the Project's principal, and/or the development team, including:

1. A brief history of the Proposer/Developer. For a company, list all principals with more than 20% owner interest in the company proposing the project.
2. A listing of team members, including each team members' responsibilities with respect to the development project being proposed.
3. The developer's or development team's qualifications and past experience, including no more than three (3) precedent projects the team has completed, relevant to the proposal.

Concept Development

Provide the following information as a part of your proposal, as applicable:

1. Concept Site Plan – A Respondent's proposal that involves new construction, should include a conceptual site plan and/or design plans that specifies and displays building(s) location, parking areas, landscaping, and any other proposed site improvement elements. A rendering or elevation showing the building —on the site is welcome, but not required. Proposals for renovation of existing structures, which do not include new construction or new site improvements, shall provide a clear and detailed explanation of interior and exterior renovations to be undertaken.
2. Cost Estimate/Project Budget – Total project cost estimate and a description itemizing all work items proposed to be accomplished.
 - a. Describe funding by providing a 'Sources and Uses Table.'
 - b. Being as inclusive and detailed as possible, include a Cost Estimate for all work items proposed. (This should correspond with the Sources and Uses Table.
3. Proposed development characteristics including, as applicable, gross square footage floor areas, parking spaces, parking ratios per unit/use, unit count and use categories. Include

information on any additional amenities that may be provided as part of the development or otherwise accrue as a result of the proposal's implementation.

Development Timeframe & Phasing

Provide a formal schedule for the acquisition, design and construction of the redevelopment project. The schedule should include key milestone dates such as design development, financing commitments, construction commencement and project completion. If the development is to occur in phases, a detailed phasing schedule is required.

Proposed Purchase Price

Proposals must clearly state the purchase offer for each publicly owned property that the team seeks to acquire. The minimum purchase price must represent a fair market value and must be seen to leverage additional economic investment and development beyond the sale. Proposals that provide the highest total investment and public benefit value will be favored. Purchase offers that do not include an investment proposal may be rejected. It is important to note that the degree of private participation in a project is an evaluation factor, as no City financing or other direct economic assistance is contemplated at this time. The determination of appropriateness and eligibility for various incentive programs is the responsibility of the developer.

Evaluation Criteria

The NFURA will evaluate the proposals and may, at its sole discretion, enter into agreements for the transfer of property to those applicants whose proposals best meet the following selection criteria and offer the greatest prospects of successful completion. These include:

1. The highest and best use of the land.
2. Quality of the Proposed Development Plan:
 - a. Completeness of the Application Proposal – all required documents have been submitted and the project is presented in a clear and concise manner.
 - b. Extent that the proposed development meets the following desired aspects:
 - ✓ a mixed-use, pedestrian-oriented concept;
 - ✓ a concept involving the integrated use of multiple parcels available under this RFP; and
 - ✓ restoration/reuse of the State/National Register-eligible structures.
 - c. Extent that the proposed Project is consistent with or advances policies in the Niagara Falls Comprehensive Plan and is in conformance with requirements of the Niagara Falls Zoning Ordinance and associated City Urban Design Standards.
 - d. Project Readiness – demonstrate the overall reasonableness and feasibility of executing the developer's proposed development plan. The likelihood of timely progress toward closing on a property transfer agreement leading to the positive redevelopment of the site.
3. Experience and Qualifications.
 - a. The ability of the ownership/management team to accomplish the proposed project based upon past development history, financial strength and demonstrated expertise in operations similar to the proposed development. (Background, qualifications, experience and expertise of the proposer/team.)
 - b. The Quality of proposed franchise or affiliation, if applicable.
4. Financial Considerations.
 - a. Total Investment (total investment may represent multiple proposals and sites)

- b. Proposed Purchase Price — proposals must clearly state the purchase offer for the property.
 - c. Community Benefit Impacts (Non tax-exempt proposals will be favored)
 - d. Project budget is complete and all sources and uses of funds are clearly defined. The Proposal is considered cost effective and the development budget is considered reasonable.
 - e. Financial Feasibility — proposals should include a statement as to a Project's feasibility and reasonableness. Commercial Projects should provide a preliminary development and operating pro-forma.
 - f. Demonstrated financial capacity of the team and/or its individual members.
5. Date for Completion of Construction. See: "Development Timeframe & Phasing" section above. Earlier completion will be favored. Information documenting the ability to perform in conformity with your timetable. Construction should commence no later than December 31, 2022.

Successful Proposals assume all responsibility for all conditions on the site. The successful developer should expect authorization to perform a Phase I and Phase II environmental assessment on the premises within ninety (90) days of the date of acceptance of the Proposal, at developer's discretion and expense. In the event that the assessments disclose environmental conditions requiring remedial work, the developer will have the option of performing any necessary remedial work, or of withdrawing its Proposal, in which event any deposit shall be returned. The City/NFURA is not responsible for any remedial work on transferred property.

Successful Proposals will be subject to all applicable municipal and NFURA approvals, including City Council approval. In connection with the approval process, the successful Developer may be required to submit information sufficient for compliance with the requirements of NYS Environmental Conservation Law Article 8, Environmental Quality Review (SEQRA); obtain Site Plan approval from the Planning Board, and/or; be subject to Zoning Board of Appeals.

Closing and transfer of the property to the successful Developer will take place when the Developer has obtained all required approvals. Closing will take place at the time of closing of the construction-financing, if any. Construction will start within 60 days of closing. In the event construction ceases for any unreasonable period of time, the City may deem the project abandoned and the property will revert to the City.

The City/NFURA reserves the right to accept or reject any or all proposals at its sole discretion. The City/NFURA reserves the right to negotiate with one or multiple proposers/developers terms and conditions for development.

Preferred Developer Status

All participants who submitted a proposal will be notified in writing whether their proposal was acceptable. The NFURA reserves the right to issue awards to multiple developer teams for separate parcels. The NFURA also reserves the right to issue a partial award of some, but not all parcels sought by the proposing teams. NFURA may enter into an agreement with a prospective developer or developers upon accepting a proposal. NFURA may or may not grant preferred developer status.

Acceptance of a proposal and designating preferred developer status, which can be maintained for a period of up to eighteen (18) months, will be subject to the following terms and conditions:

1. The successful negotiation of a land disposition agreement (LDA) for approval by the NFURA Board of Directors.
2. The developer is responsible for performing any soil test borings and soil investigations, as per license agreement to be granted by the NFURA, for the purpose of determining, to the developer's satisfaction, the suitability of the site for its intended use, and the presence or absence of hazardous substances as such term is used in the regulating legislation.
3. Individuals and/or corporations having outstanding taxes, water bills, parking tickets, user fees and/or demolition liens or obligations owed to the City of Niagara Falls, or code violations existing on any property owned by them, are not eligible for designation.
4. Submission by the developer or development team of monthly progress reports to the NFURA is required.
5. Developer or development team will sign a full environmental indemnity and release prior to conveying title. The LDA will provide the following time frames (or such other time frames to which the parties may agree):
 - a. Execution of the LDA – developer will have sixty (60) days from the date of approval
 - b. Equity Capital and Mortgage Financing – Twelve (12) months from the date of the execution of the LDA to submit evidence of equity capital and mortgage financing.
 - c. Site plan review and building permit – Eighteen (18) months from the date of the execution of the LDA to apply for site plan review and a building permit.
6. Upon completion of the above tasks within the stated timeframes, the NFURA and the developer will proceed with the property sale and transfer of deed with the following conditions:
 - a. Commencement and completion of construction – Six (6) months after the delivery of the deed to commence construction and twenty-four (24) months to complete the project
7. All periods of time in which the developer has to perform its obligations under the LDA are state and granted on the basis of "Time is of the Essence."
8. The NFURA may request additional information prior or upon designation.

Review & Selection Process

Tentative schedule and subject to change.

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| ⇒ Requests for Proposals Issued: | November 4, 2020 |
| ⇒ Deadline for Written Inquiries: | November 19, 2020 |
| ⇒ Proposal Submissions Accepted @ 3:30pm to NFURA: | November 30, 2020 |

⇒ Anticipated date of initial selection(s):

December 30, 2020

Please note, the NFURA may request additional information and/or schedule in-person meetings with respondents prior to selection.

RFP Inquiries & District Tour

Questions for this proposal are to be submitted in writing on or before **March 26, 2021** via email to Allen Booker at allen.booker@niagarafallsny.gov.

Proposal Submission Instructions (UPDATE as of 2/26/21)

The RFP is seeking qualified developers or development teams with expertise, development credentials, financial capacity, and experience to prepare concepts for the development of property or properties within the district. All proposals must comply with federal and state laws, as well as city ordinances. Depending on the number of proposals received and/or if multiple respondents propose projects on the same property or properties, the NFURA may request more detailed information.

No submissions will be accepted from, nor any contract/agreement awarded to, any person or entity who is in arrears in taxes or otherwise indebted to the City or who has defaulted as surety or otherwise upon a contract or obligation to the City.

Developers must submit or deliver one (1) original and one (1) paper copy, together with one (1) copy in PDF format on a USB/thumb drive of the proposal on or before **4:00 p.m., March 26, 2021** to:

CITY OF NIAGARA FALLS, NEW YORK
OFFICE OF ECONOMIC DEVELOPMENT
City Hall, Room 300-A
745 Main Street
PO Box 69
Niagara Falls, NY 14302-0069

Developers will not be permitted to enter City Hall during the time in which it is closed to the public. Developers should make every effort to deliver RFP packages via USPS, UPS, FedEx or a similar delivery service. Please note that those deliveries must still be received by the **Economic Development Department** no later than **4:00 p.m. on or before March 26, 2021**. Developers who are unable to utilize a delivery service may call 716-286-4481 or 716-286-4482 and make an appointment to drop off a package to a member of the Economic Development staff at the main entrance door to City Hall. Calls to schedule an appointment should be made no later than 4:00 p.m. the day **before** the scheduled deadline. The City takes no responsibility for the late arrival of RFP packages due to delivery failure or the failure to leave adequate time for an appointment to be scheduled.

Proposals will not be publicly read at the opening. Proposals may not be delivered orally, by facsimile transmission, by other telecommunication, or electronic means. Developers assume the risk of the method of dispatch chosen. Postmarking by the due date will not substitute for actual proposal receipt by the City. A developer's failure to submit its proposal prior to the deadline will cause the proposal to be rejected. Late proposals or amendments will not be opened or accepted for evaluation.

Appendices & Resources

- Appendix A:
- Downtown Gateway District Project Area Map
- Appendix B:
- Downtown Gateway District City-owned Properties
- Appendix C:
- RFP Application Form
- Appendix D:
- Non-Collusion Certification
- Resources:
- Develop Niagara Falls Prospectus (2020)
 - Developing Niagara Falls 2020 Niagara Falls Gateway Redevelopment Strategy (2020)
 - Niagara Falls Downtown Gateway Draft Urban Renewal Area Action Plan (2009)
 - The Niagara Falls Core City Urban Renewal Plan (2009)
 - Niagara Falls comprehensive Plan (2009)