

ADDENDUM #1
Erie County Storefront Revitalization Program
RFP Questions and Answers
1-10-2022

Q. 1 - Business Owner Application process: Is there an Erie County application template?

Answer: Application is being finalized as of this writing. Application will be provided to consultant.

Q. 2 - Do you envision the Program Administration (PA) consultant is involved in soliciting the applications from business owners?

Answer: Applications will be on-line and submitted electronically via the County web site. From there they will be forwarded to the PA. Marketing efforts to solicit business owners will be handled by Erie County.

Q. 3 - Will the PA Consultant be involved in information sessions for the program?

Answer: Yes. We may conduct an informational meeting via web ex and the PA would be expected to be involved.

Q. 4 - Will there be a Selection Committee the PA consultant presents projects to – or – will the PA consultant do the scoring of applications?

Answer: PA will score projects and then forward scores to the Erie County Department of Environment and Planning Commissioner for review prior to final approval.

Q. 5 - Payment processing – what is the process for the PA consultant dealing with contractor invoices and design consultant invoices and what is the process for the county in paying them? It sounds like the PA consultant will be approving invoices for payment. Will the check payments will be prepared by the County to convey to the contractors? There is no expectation that the PA consultant will be handling County funds, correct?

Answer: The PA will receive advance payment of County funds to pay contractors after completed work has been approved. The PA will then pay the contractor directly. The PA therefore, will be handling County funds to pay contractors but not the Architectural/Design firm. Those invoices will be paid by Erie County directly.

Q. 6 - Also, will the payment be timely? These projects will be built by small businesses/contractors who cannot afford to wait for payments. They won't bid on them if they have to wait long to get paid.

Answer: The PA will have County funds advanced to them so they will able to issue checks directly to the contractor. A PA must show evidence of a financial management system that will be in place.

Q. 7 - Regarding Pricing – Proposal fee on a per case basis. Some projects will be more involved than others – i.e., more invoices & paperwork, owner and close out issues. May we propose a range of per case fee based on project size, timeframe and complexity?

Answer: Yes, but rates and fees should reflect all possible aspects of each project.

Q. 8 - Is a completed insurance certificate required to accompany the proposal?

Answer: Yes. Please note that updated 2022 Erie County Insurance Requirements are attached at the end of this Q&A and also as Addendum #2.

Q. 9 - What is the budget for the PA services? The total project is \$10M - Will the PA services be funded by the \$10M project budget? As an example, NY Main Street PA services budget % is 7.5% of the project grant, BMSI is 10%. This means some projects are profitable, some are not. We used a range of per case fees based on project size, timeframe and complexity for State DRI-funded façade improvement projects in another city, and it worked fine.

Answer: The total percentage is not defined for the PA and Architectural/Design firm. However, as consistent with the NY Main Street program the total combined administrative expense would be between 7.5 and 10% of overall project funds of \$10 million. \$1 million for both services combined.

Q. 10 – Question on the process for the Program Administrator (PA), as to how the steps are listed in the RFP. From experience, it would be best to confirm eligibility first of an applicant, prior to going through the scoring process. That way if they are not, you won't spend time scoring an ineligible application. Is that how this will work:

Answer: It will be the responsibility of the PA to determine eligibility after they receive the application, then they will move the application to the scoring group.

Q. 11 – On page 19, item 14. How is this project funded? If it is County bond or other “local” funding, there may be different review requirements than the SHPO (if any). If there is State or Federal pass-through funding, submission to SHPO may be required. State or national listing does not automatically trigger review by SHPO. Please confirm.

Answer: Erie County is using local dollars for this program and we are aware that in some instances there may not be a need for SHPO referral, but we would nonetheless like to stay consistent with their guidelines for historically (or potentially) significant buildings and submit for referral, even if they do not require a SHPO review.

Q. 12 - As these projects are receiving local building permits (Page 16, #8), there may be instances where buildings that are individually locally listed or within local historic districts are impacted. It is presumed that submission to those local preservation boards will be required as part of the local permit process. Please confirm.

Answer: Yes, same as above. Refer any historically (or potentially) significant buildings as well.

Q. 13 - Is there an estimated start date for when you are hoping to execute the work for the above RFP?

Answer: Tentatively, March 2022, for work on reviewing completeness of applications that will be received in the months of March and April and May 1 for the actual start of the work with business owners on design.

Q. 14 - We understand a listing of rates should be submitted and will be utilized for the duration of the agreement, however, will Erie County be targeting a fee percentage, calculated as a percentage based on the overall project budget, for each project?

Answer: No, the fee would be paid based on rates and hours worked on each project, not the construction cost of the project.

Q. 15 - Is there potential for the Architectural Design firm selected to provide additional services, such as Construction Management?

Answer: No, a firm should respond to all components of either RFP for all services required therein.

Q. 16 - It is our understanding that Eligible Improvements may impact existing mechanical/electrical/plumbing systems. Should the Architectural Design firm include provisions for mechanical/electrical/plumbing design, and will that portion of the project (when applicable) require a separate bid package?

Answer: Given the fact that the maximum amount of County finding per project is \$40,000 we do not anticipate this situation to arise for numerous projects. If necessary depending on the work scope separate bid packages may be required on a case by case basis.

Q. 17 - How the funding will flow. Re: Process payment of contractor invoices – will the consultant approve invoices and submit to the County to process the payment or will the consultant have the funds and be responsible for actually paying the contractor invoice?

Answer: The consultant will have the funds advanced to them and be responsible for paying the contractor after invoices for work completed are approved by the consultant.

Q. 18 - The RFP indicates that the County will sign off on a disbursement of each business project. Does this mean that the funds will be actually sent by the administrator to the business **or** does this mean that once the administrator as the PA approves/authorizes the disbursement and the County approves that the County directly pays the business?

Answer: The PA would receive advanced funding from Erie County and pay contractors directly after work has been completed and inspected by the PA. The PA is expected to demonstrate a financial management system to track County funds and disbursements to contractors.

Updated County of Erie Insurance Requirements – 2022

INSTRUCTIONS FOR COUNTY OF ERIE STANDARD INSURANCE CERTIFICATE

- I. Insurance shall be procured and certificates delivered before commencement of work or delivery of merchandise or equipment.
- II. CERTIFICATES OF INSURANCE
 - A. Shall be made to the "County of Erie, 95 Franklin St, Buffalo NY, 14202"
 - B. Coverage must comply with all specifications of the contract.
 - C. Must be executed by an insurance company, agency or broker, which is licensed by the Insurance Department of the State of New York. If executed by a broker, notarized copy of authorization to bind or certify coverage must be attached.
- III. Forward the completed certificate to: County of Erie, (Department or Division) responsible for entering into the agreement for construction, purchase, lease or service.
- IV. Minimum coverage with limits are as follows:

Vendor Classification	A Construction and Maintenance	B Purchase or Lease of Merchandise or Equipment	C Professional Services	D Property Leased To Others Or Use Of Facilities Or Grounds	E Concessionaires Services	F Livery Services	G All Purposes Public Entity Contracts
Commercial Gen. Liab.	\$1,000,000 per occ.	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000	\$1,000,000 CSL	\$1,000,000	\$1,000,000 CSL
General Aggregate	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Products Completed Operations Liability	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Blanket Broad Form Contractual Liability	INCLUDE						
Contractual Liability		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Broad Form P.D.	INCLUDE						
X.C.U. (explosion, collapse, Underground)	INCLUDE						
Liquor Law				INCLUDE	INCLUDE		
Auto Liab.	\$1,000,000 CSL		\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL
Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Hired	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Non-Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Excess/Umbrella Liab.	\$5,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$5,000,000	\$1,000,000
Worker's Compensation & Employer's Liability	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Disability Benefits	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Professional Liability			\$5,000,000				
Erie County, To Be Named Additional Insured	Gen. Liab., Auto Liab., & Excess	Broad Form Vendors May Be Required	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess

- V. Construction contracts require excess Umbrella Liability limits of \$5,000,000.

- VI Coverage must be provided on a primary-noncontributory bases.
- VII. Designated Construction Project General Aggregate Limit Per Project Endorsement CG 25 03 is required.
- VIII. In the event the concessionaire is required to have a N.Y.S. license to dispense alcoholic beverages an endorsement for liquor liability is required.
- IX. Waiver of Subrogation: Required on all lines unless noted
- X. Transportation of people in buses, vans or station wagons requires \$5,000,000 excess liability.
- XI. Workers Compensation: State Workers' Compensation/Disability Benefits Law.
Use Applicable Certificates Below:

Workers Compensation Forms	
CE-200	Exemption
C105.2	Commercial Insurer
SI-12	Self Insurer
GSI-105.2	Group Self Insured
U-26.3	New York State Insurance Fund

DBL (Disability Benefits Law) Forms	
CE-200	Exemption
DB-120.1	Insurers
DB-155	Self Insured

- XII. The "ACORD" form certificate may be used in place of the County of Erie Standard Insurance Certificate, provided that all of the above referenced requirements are incorporated into the "ACORD" form certificate.