



COUNTY OF ERIE  
MICHAEL P. KEARNS  
ERIE COUNTY CLERK

TO: Potential Proposers

FROM: John J. Fenz, Esq.  
Deputy County Clerk – Legal

DATE: April 29, 2021

RE: Erie County Auto Bureau – Southern Region Satellite RFP# A2021-020VF  
Assistance for Proposers

---

On March 4, 2021, the County Clerk issued a request for proposals seeking submissions from parties interested in constructing and leasing office space in the southern region of Erie County for a satellite Auto Bureau facility. During the response period several questions arose and we received comments that the RFP was too difficult. No formal responses were received.

County Clerk Michael P. Kearns is committed to delivering a satellite Auto Bureau facility to the residents in the southern region of Erie County. He is once again issuing an RFP to provide office space for the Erie County Auto Bureau - Southern Region Satellite. Responses will be due on May 20, 2021.

Once again, the RFP follows the format established by the County of Erie. This is done to protect the integrity of the Auto Bureau's proposal process by remaining consistent with procurement of similar space by the County. To aid proposers in their preparation of a response, attached to this memorandum is a publicly available sample of a successful proposal for an Erie County Auto Bureau facility. We hope that this will provide some helpful guidance in preparation of a response.

Southgate Associates  
8480 sq ft  
Former Bon-Ton Space

**Southgate Associates, LLC**  
**2721 Transit Road, Suite 114**  
**Elma, NY 14059**

February 20, 2019

Michael P. Kearns, Erie County Clerk  
Erie County Clerk's Office  
92 Franklin Street  
Buffalo, NY 14202

RE: Request for Proposal - RFP#1909VF  
Erie County Auto Bureau – Southtowns Branch

Dear Mr. Kearns,

Thank you for the opportunity to submit a proposal for office space for the Southtowns Branch of the Erie County Auto Bureau. We have worked diligently to assemble a complete and thorough proposal while striving for fiscal responsibility.

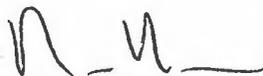
Southgate Plaza is located in the heart of West Seneca. Southgate Plaza has served as central retail and business hub for the Southtowns for over 50 years. It is an identifiable destination in the Southtowns and a location that many citizens in the surrounding communities are familiar with.

Southgate Plaza is very accessible as it is only 2.1 miles from NYS Thruway I-90 on Ridge Rd and 1.0 mile from the Union Rd Exit of NY-400 Expressway. It is approximately 3.3 miles from the auto strip on Southwestern Blvd. There are approximately 2,000 parking spaces on the property and full time maintenance and security on site. The NFTA has had a bus stop on the property since 1994.

Southgate Associates, LLC is an affiliate of Walden Development Group, LLC which has operated a commercial, residential, and industrial property management business for over 25 years in the Western New York market. In addition to Southgate Associates, LLC, several of the Landlord's affiliates currently lease space to government agencies for professional offices serving the public

Please let us know if there are any questions or any additional information we can provide.

Best Regards,



Frank Campofelice  
Manager  
Southgate Associates, LLC

"NOTICE – The data on page 2 and page 4 of this proposal identified by an asterisk (\*) contains technical or financial information constituting trade secrets or information the disclosure of which would result in substantial injury to the Proposer's competitive position. The Proposer requests that such information be used only for the evaluation of the proposal, but understands that any disclosure will be limited to the extent that the County considers proper under the law. If the County enters into an agreement with this Proposer, the County shall have the right to use or disclose such information as provided in the agreement, unless otherwise obligated by law."

"THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW."

### Proposal Content

#### **Building Information**

- A) The property address is 3977 Seneca Street, West Seneca, NY 14224. Southgate Plaza is conveniently located at the corner of Seneca Street and Union Road in the Town of West Seneca. The buildings are on a 32.9 acre parcel which Southgate Associates, LLC purchased in November 2012. Original construction of the buildings began in the 1950's and our ownership group implemented a significant renovation in 2015 where a portion of an original structure was demolished and rebuilt in the same footprint to accommodate a new location and amenities for LA Fitness. We are currently undertaking a large renovation of the space formerly occupied by AM&A's and most recently Bon-Ton which completion is expected in May 2019.
- B) Southgate Associates, LLC is owned by Frank Campofelice, James Campofelice, Michael Myszka and Duane Ferry. Frank and James Campofelice have over 70 years of construction and commercial property management expertise. James Campofelice currently serves as the General Manager of Southgate Plaza and through Southgate Associates, LLC's various affiliates, the organization has several property managers, maintenance personnel, and administrative staff located in the Southtowns and across various locations in Erie County. Below is the contact information for Frank Campofelice and James Campofelice.\*

Frank Campofelice

James Campofelice

- C) On the property at Southgate Plaza, the amenities include a grocery store (The Market in the Square), a fitness facility (LA Fitness), several restaurants (Applebee's, Christie's, Subway), and in total about 100 Tenants of various uses and industries. There are approximately 2,000 parking

spaces on the property maintained by the Landlord. The Auto Bureau would have two dedicated entrances on the first floor of the building and therefore building envelope security would be non-applicable. There is on-site security at Southgate Plaza and we have a series of security cameras located strategically around the property.

- (i) Landlord confirms that Erie County Clerk's Office Auto Bureau employees shall have building access from 8:00 am to 9:00 pm Mondays through Fridays and 7:00 am to 3:00 pm on Saturday, holidays are excluded. The access will be dedicated only to the proposed space. The County will have the ability to install their preferred key access system. There are existing sprinklers and smoke detectors that will be modifying in accordance with Tenant's floor plan and prior to completion of the Landlord's work. Prior to delivery of the space to the Tenant, they will meet all fire and life safety codes and the Town of West Seneca will issue a Certificate of Code Compliance to the Landlord.
- D) Upon completion of the construction, Landlord shall receive a certificate of code compliance. This is the standard for which all spaces in the Town of West Seneca are in compliance with Building and Fire and Safety codes. For reference, please see attached **Exhibit D**.
- E) Natural gas service is provided by National Fuel. Electric is provided by NYSEG. Currently, the proposed space is not occupied and the utilities are used at minimum levels only to maintain building security. Based on historical data of similar occupied space, the Landlord projects the gas and electric utility expense to be approximately \$1.25 per rentable square foot (RSF). The access to the roof would be from a ladder on the second floor and there are various equipment rooms around the property.
- F) Landlord shall construct the proposed premises to meet all current ADA codes. Landlord has conducted an internal code review of the proposed floor plan attached and the Landlord believes the plan meets all ADA requirements. An ADA compliance review would also be part of the building permit process in the Town of West Seneca.
- G) To the best of the Landlord's knowledge, there are no environmental issues on the property.
  - (i) As part of the current renovation of the north building at Southgate Plaza, a limited amount of asbestos ceiling tile was found on the second floor that was remediated. After the remediation, the space was tested clear of any ACM.
  - (ii) Landlord is not aware of any mold or additional asbestos in the building proposed.
- H) No smoking is allowed within 50 feet of any common entrance or shared vestibule on the property.
- I) All HVAC would be new. Size of the HVAC would be approximately 1 ton per 400 square feet of rentable space. All existing sprinkler heads would be modified to accommodate Tenant's floor plan. All electrical would be new and meet all codes and all plumbing would be code compliant and commercial grade.

"THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW."

**Lease Information**

- A) Full-service gross rent (including all operating expenses, utilities and real estate taxes) is included below based on 8,480SF:\*

<u>Period</u>	<u>Annual Installment</u>
Year 1	\$137,799.96
Year 2	\$140,556.00
Year 3	\$143,367.12
Year 4	\$146,234.52
Year 5	\$149,159.16

- (i) Tenant shall have two (2) consecutive five (5) year renewal terms. The rent would increase 2% annually throughout each of the two (2) consecutive five (5) year renewal terms.\*
  
- B) The Model Floor Plan, Model Wiring Diagram and Site Map showing location of the proposed space on Landlord's property are attached as **Exhibit A**. Ceiling heights will be at minimum 9'. The Landlord estimates the floor loading capacity is 1000 pounds per square foot.
  
- C) Other Terms – Landlord offers one month free rent outside of the 5 year term, therefore offering a 61 month term for the initial Lease period. Landlord would require signage identifying Tenant's business. All signage would be installed at Landlord's cost and expense. Signage approval shall be done in the form of a rendering of any proposed signage to Landlord for prior approval. Any other proposed signage on the property must be submitted to the Landlord for approval which cannot be unreasonably withheld, conditioned or delayed. Tenant would have the ability to sublease the space to another division of Erie County government with written approval from the Landlord which cannot be unreasonably withheld, conditioned or delayed.\*
  
- D) The proposed space is currently vacant. Landlord proposes to Tenant right of first refusal on 4,009 additional square foot of space as shown on **Exhibit A**.
  
- E) Use: Landlord certifies the premises may be used for general, administrative offices, as well as for public access to the services rendered by the County. This is a permitted use by the Town of West Seneca's zoning classification.
  
- F) Hours: Hours of access shall be from 8:00 am to 9:00 pm Mondays through Fridays and 7:00 am to 3:00 pm Saturday, holidays are excluded.
  
- G) Tenant Improvements: Tenant shall not make or permit to be made any alterations, improvements or additions of any kind or nature (excluding interior painting, carpeting or other normal interior decorative changes).
  
- H) Landlord shall install new HVAC units with programmable thermostats for zone control. Landlord shall also install insulated duct work which will be externally wrapped. Landlord shall

- H) Landlord shall install new HVAC units with programmable thermostats for zone control. Landlord shall also install insulated duct work which will be externally wrapped. Landlord shall install LED Exit and Emergency lighting. Landlord standard access control system is Paxton and Landlord standard interior and exterior camera are supported by ExacqVision. The County should advise if there are other systems they would prefer and provide specifications or cut sheets for Landlord review. The work letter attached as **Exhibit B** details the Landlord's expectation of work provided at Landlord sole and expense prior to occupancy by the County.
- I) Right of First Refusal area is shown on the attached **Exhibit A**.

**Name and Titles of Authorized Representatives of Southgate Associates, LLC**

Frank Campofelice

James Campofelice

Michael Myszka

Andrew DeVincentis

There are no existing or contemplated direct or indirect contractual relationships between any owners of Southgate Associates, LLC or any of its employees with the County of Erie or any of its employees, agencies, or affiliates.

References:

Paula Gorman

(

)

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

Donna Herberger

(

)

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

,

Michael A. Murak

The effective period for this proposal shall be one hundred eighty (180) days from the proposal date of February 20, 2019.

(End of Proposal, Exhibits and Schedules attached)

RIGHT OF FIRST  
REFUSAL  
+/- 4,009 SQ. FT.

PROPOSED  
LEASE AREA  
+/- 8,480 SQ. FT.

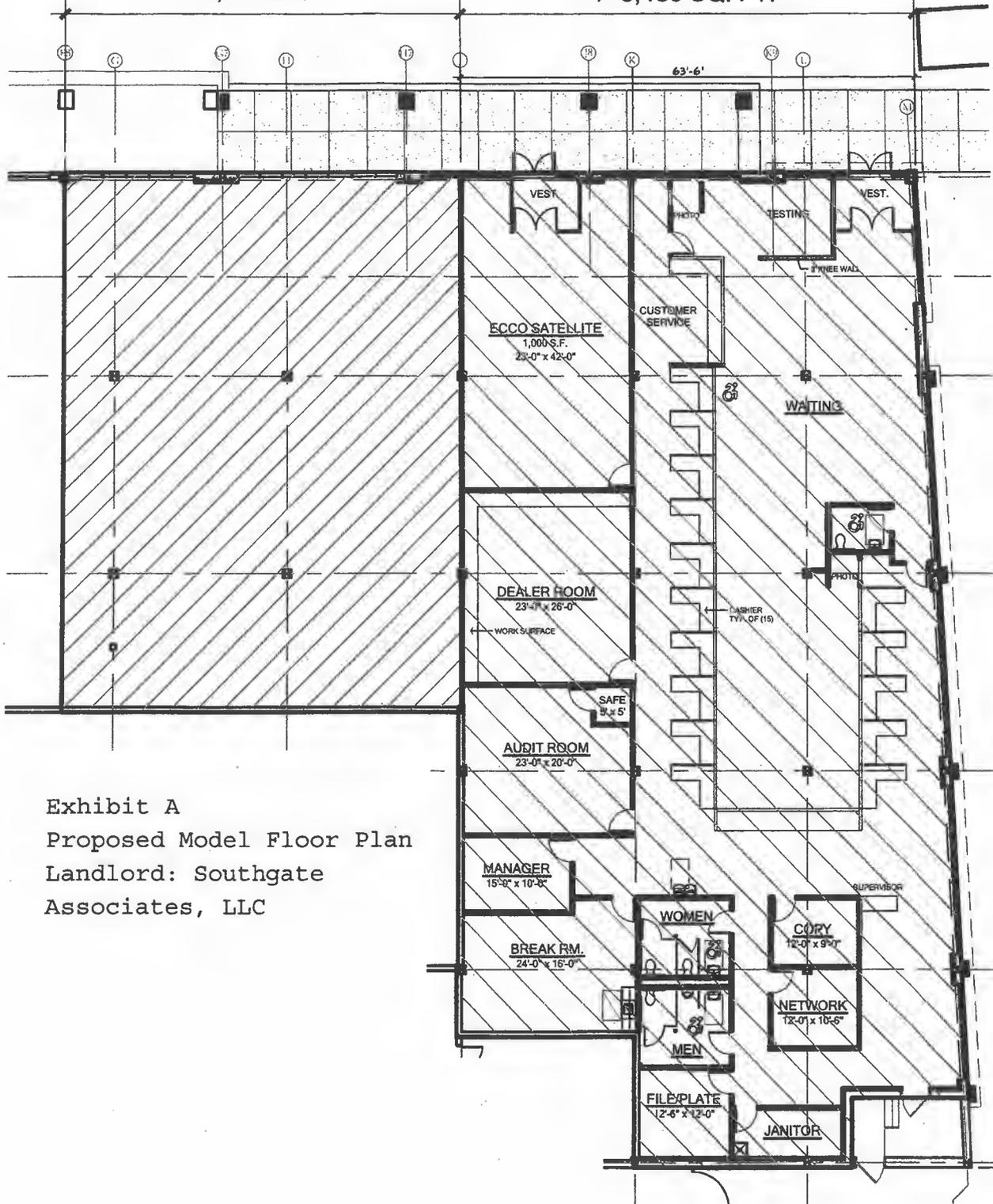


Exhibit A  
Proposed Model Floor Plan  
Landlord: Southgate  
Associates, LLC

**SECOND FLOOR PLAN**  
SCALE: 1" = 20'-0"



NORTH

RIGHT OF FIRST  
REFUSAL  
+/- 4,009 SQ. FT.

PROPOSED  
LEASE AREA  
+/- 8,480 SQ. FT.

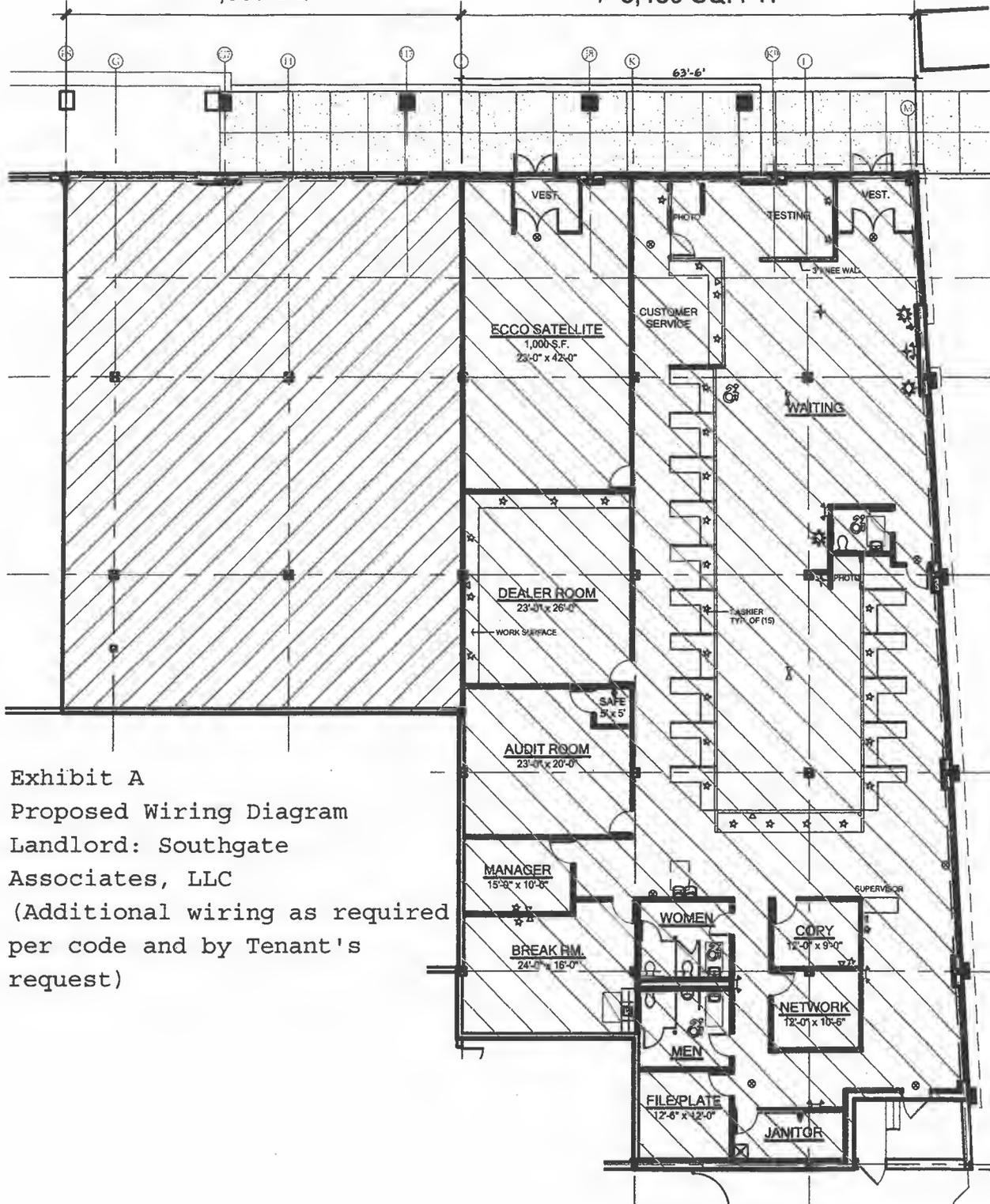


Exhibit A  
Proposed Wiring Diagram  
Landlord: Southgate  
Associates, LLC  
(Additional wiring as required  
per code and by Tenant's  
request)

**SECOND FLOOR PLAN**  
SCALE: 1" = 20'-0"



NORTH



**EXHIBIT B**  
**Work Letter**

All renderings or plans of the leased space shall be approved in writing by the County. The following work shall be done for or by the Proposer, except as otherwise specified.

**I. Leased Space Inventory**

- a. Customer Service Area
  - i. Waiting Area
  - ii. Testing Area
  - iii. Customer Service Desk
  - iv. Cashier Windows
  - v. Supervisor Counter
  - vi. Public Restroom (ADA Compliant)
- b. Network/Utility Room
- c. File/Plate Room
- d. Audit/Dealer Room
  - i. Safe Room
- e. Manager's Office
- f. Erie County Clerk's Office Satellite Office
- g. Break Room
- h. Employee Restrooms (ADA Compliant)
- i. Janitorial Closet

**II. Millwork**

- a. Furnish and install fifteen (15) new cashier workstations, one (1) of which is accessible to the disabled.
- b. Furnish and install one (1) customer service counter.
- c. Furnish and install the Dealer Room laminate counter and supports along perimeter of the walls fifty (50) lineal feet.
- d. Furnish and install the Supervisor's Counter.
- e. Furnish and install six (6) lineal feet of wall/base cabinets and counter in the Break Room, including employee sink area
- f. Furnish and install Work Area counter and partition. The design is based on the same layout as at the Sheridan Plaza Auto Bureau.
- g. Furnish and install charging kiosk for customers' mobile devices
- h. All access doors between customer waiting areas and work areas shall be of a height and thickness as to provide enhanced security to employees

**III. Electrical**

- a. Selective electrical demolition of existing space.
- b. Furnish and install electric per code for buildout space.
- c. Furnish and install 2'x2' and 2'x4' prismatic troffers for proper lighting layout

- throughout space *where needed*.
- d. Furnish and install dedicated circuits for work stations and mobile device charging kiosk
  - e. Furnish and install dedicated circuits for all offices and other dedicated rooms within the leased space.
  - f. Furnish and install data drops and terminations for space specified in approved floor plan/wiring diagram
  - g. Furnish and install cable/coax for build out space specified in approved floor plan/wiring diagram
  - h. Furnish and install video wiring and equipment for build out space specified in floor plan/wiring diagram
  - i. Furnish and install security system specified in approved floor plan/wiring diagram, including panic buttons at each workstation, customer service counter and supervisor's counter

#### **IV. Plumbing**

- a. Furnish and install all rough plumbing per drawings
- b. Furnish and install all finish plumbing per drawings
- c. Furnish and install pipe insulation on new plumbing
- d. Furnish and install new plumbing fixtures per drawings

#### **V. Doors & Windows**

- a. Furnish and install interior 3'x7' wood birch doors with hollow metal frames
- b. Door height marker affixed to frames of all exiting doors for security and identification purposes
- c. Furnish and install hardware for new interior doors. This includes hinges, doorstops, four passage sets, three keyless locksets and three keyed locksets.

#### **VI. Finishes**

- a. Furnish and install twenty (20) gauge metal stud framing per drawings.
- b. Furnish and install 5/8" drywall, finished and ready to paint per drawings
- c. Install double layer of 5/8" drywall along the perimeter walls of the safe room at a minimum of eleven (11) feet in height.
- d. Replace missing, damaged or stained ceiling tiles.
- e. Furnish and install 4' vinyl cove base throughout the proposed space.
- f. Furnish and install one (1) coat of primer and two (2) coats of paint on finished drywall. Colors shall be approved by the County.
- g. Furnish and install standard vinyl composition tile in the employee break room
- h. Furnish and install clear poly finish on new doors.
- i. Furnish and install paint on new hollow metal door frames
- j. Specialties furnish and install restroom accessories

**VII. HVAC** Install new HVAC and ductwork in accordance with Tenant's floor plan.

- a. ~~One new unit with ducting. Reuse one existing unit with new duct work.~~

**VIII. Fire Protection Systems**

- a. Furnish and install automatic sprinkler system, modifying existing system, in accordance with the National Fire Protection Association (NFPA) Standards, Building and Fire Code of New York State and any applicable local codes.
- b. Furnish and install fire alarm system, including inspection drawings and certification.

**EXHIBIT C**  
**Statement of Landlord's Services**

1. Repairs to, replacements of and maintenance for the roof and repairs to and maintenance of elevators (if applicable) within the building.

2. Repairs to and replacements of those components of the HVAC, plumbing, water, electrical and sprinkler (if any) systems which extend beyond the leased premises or which serve both the leased premises and other portions of the building.

3. Snow plowing; parking lot lighting, striping and maintenance; landscaping; garbage removal, maintenance of fences (if any); lawn and yard care; maintenance of building exterior and building sign (if any); exterior window cleaning; cleaning and maintenance of, repairs to, utilities for and cleaning and janitorial services for any common hallways, lobbies, elevators, entrances, walks and restrooms and other areas of facilities which service both the leased premises and other portions of the building.

4. Insurance policies providing coverage for (a) fire, casualty and extended risk for the building for the full replacement value thereof or such lesser amount as Landlord may elect and is acceptable to the Mortgagees, (b) liability of Landlord for personal injury and property damage caused by occurrences on or connected with the Property, (c) loss of rent by Landlord for twelve (12) months following fire or casualty damage and (d) such other insurance or coverage as may be required by any Mortgagee or is desired by Landlord and is in Landlord's opinion, prudent for the Property.

5. Janitorial and maintenance services for the premises as described in lease, with such services available upon request during hours of County access.

# TOWN OF WEST SENECA



**JOHN A. GULLO**  
CODE ENFORCEMENT OFFICER,  
CP&L, CHS-IV, CDP-1

Exhibit D  
Southgate Associates, LLC  
Proposal  
RFP #1909VF

TOWN SUPERVISOR  
**SHEILA M. MEEGAN**  
TOWN COUNCIL  
**EUGENE P. HART**  
**WILLIAM P. HANLEY, JR.**

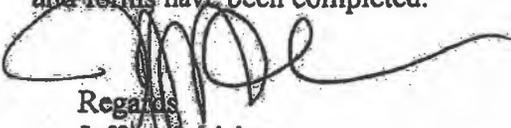
December 8, 2017

RE: 950 Union Rd-  
Southgate Plaza  
West Seneca, NY 14224

### To Whom It May Concern:

The address captioned above is located within the Town of West Seneca and is zoned C-1. This zoning classification allows various uses such as office, retail sales, business, etc. The space occupied by a former retail tenant, which is now vacant, will permit a business / office user. The building is fully sprinkled and complied with all State and Local Codes at time of construction.

The Town of West Seneca requires a building permit for all new tenants. Typically, all life safety issues are reviewed at the time of building out to ensure compliance with State and Local ordinances. At the conclusion of a tenant build-out, a new Certificate of code Compliance is issued. This reflects the fact that all inspections and forms have been completed.

  
Respectfully,  
Jeffrey Schieber  
Town of West Seneca

**SCHEDULE "A" PROPOSER CERTIFICATION**

The undersigned agrees and understands that this proposal and all attachments, additional information, etc. submitted herewith constitute merely an offer to negotiate with the County of Erie (the "County") and is NOT A PROPOSAL. Submission of this proposal, attachments, and additional information shall not obligate or entitle the proposing entity to enter into a service agreement with the County for the required services. The undersigned agrees and understands that the County is not obligated to respond to this proposal nor is it legally bound in any manner whatsoever by the submission of same. Further, the undersigned agrees and understands that any and all proposals and negotiations shall not be binding or valid against the County, its directors, officers, employees or agents unless an agreement is signed by a duly authorized County officer and, if necessary, approved by the Erie County Legislature, the Office of the County Attorney and/or the Erie County Fiscal Stability Authority.

It is understood and agreed that the County reserves the right to reject consideration of any and all proposals including, but not limited to, proposals which are conditional or incomplete. It is further understood and agreed that the County reserves all rights specified in the Request for Proposals (RFP).

It is understood and agreed that the undersigned, prior to entering into an agreement with Erie County, will provide proof of insurance in accordance with the instructions herein and acceptable to the County Attorney.

It is represented and warranted by those submitting this proposal that except as disclosed in the proposal, no officer or employee of the County is directly or indirectly a party to or in any other manner interested in this proposal or any subsequent service agreement that may be entered into.

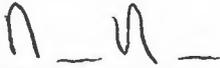
Southgate Associates, LLC  
Proposer Agency Name

By:     A-M     member  
Name & Title

**SCHEDULE C:  
ERIE COUNTY EQUAL PAY CERTIFICATION**

In order to comply with Executive Order 13 dated November 6, 2014, we hereby certify that we are in compliance with federal law, including the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, Federal Executive Order 11246 of September 24, 1965 and New York State Labor Law Section 194 (together "Equal Pay Law"). The average compensation for female employees is not consistently below the average compensation for male employees, taking into account mitigating factors. We understand that this certification is a material component of this contract. Violation of the provisions of Executive Order 13, which is attached hereto and made a part hereof, can constitute grounds for the immediate termination of this contract and may constitute grounds for determining that a Proposer is not qualified to participate in future County contracts.

We have evaluated wages and benefits to ensure compliance with the Federal Equal Pay Law.



\_\_\_\_\_  
Signature

**Verification**

STATE OF New York )  
COUNTY OF Erie ) SS:

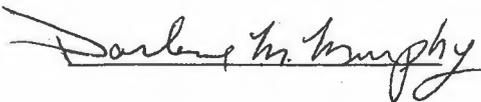
A)

Frank Campofelice, being duly sworn, states he or she is the owner of (or a partner in) Southgate Associates, LLC, and is making the foregoing Certification and that the statements and representations made in the Certification are true to his or her own knowledge.

B)

\_\_\_\_\_, being duly sworn, states that he or she is the \_\_\_\_\_, of \_\_\_\_\_, the enterprise making the foregoing Certification, that he or she has read the Certification and knows its contents, that the statements and representations made in the Certification are true to his or her own knowledge, and that the Certification is made at the direction of the Board of Directors of the Corporation.

Sworn to before me this 18<sup>th</sup>  
day of February, 2019.



DARLENE M MURPHY  
NOTARY PUBLIC-STATE OF NEW YORK  
NO. 01MU6258507  
QUALIFIED IN ERIE COUNTY  
MY COMMISSION EXPIRES 03-26-2019

