

BUFFALO FISCAL STABILITY AUTHORITY

Report on Procurement Contracts for the Fiscal Year Ended June 30, 2023

The following is the annual Report on Procurement Contracts of the Buffalo Fiscal Stability Authority (the “BFSA” or the “Authority”) for the fiscal year ended June 30, 2023.

Reporting Requirements

New York State Public Authorities Law

New York State Public Authorities Law §2879(7) requires public authorities to “annually prepare and approve a report on procurement contracts.” New York State Public Authorities Law §2879(2) defines a procurement contract as, “a written agreement for the acquisition of goods or services of any kind, in the actual or estimated amount of five thousand dollars or more.”

Buffalo Fiscal Stability Authority’s Procurement Guidelines

BFSA’s Procurement Guidelines, Article X, §1001, states “the Authority shall annually prepare for approval by the Directors and public availability a report on procurement contracts as of the end of each fiscal year summarizing procurement activity by the [BFSA] for the period of the report, including a listing of all contracts entered into, the selection process used to select such contractors and the status of existing Procurement Contracts.” Article 201 of BFSA’s Procurement Guidelines defines a Procurement Contract as, “...any written agreement of the Authority for the acquisition of goods or services of any kind in the actual or estimated amount of \$25,000, or more”.

Summary of Procurement Contracts

The following is a list of procurement contracts for \$5,000 or more (on the cash basis) which were effective during the year ended June 30, 2023:

- 1. Vendor:** The Bank of New York
Amount: \$6,300.00
Description of service(s) provided: The annual trustee fees incurred are for the administration of the bond accounts related to BFSA’s outstanding long-term debt.
Selection Process: The vendor responded to a Request for Proposal and was selected after consideration of all proposals.
Contract Status: Current
- 2. Vendor:** Market Arcade Group
Amount: \$34,558.30
Description of service(s) provided: Lease of office space
Selection Process: The rental space is within a building sold by a unit of the City of Buffalo to a private developer in September 2014.
Contract Status: Terminated as of December 2022

- 3. Vendor:** Lumsden & McCormick, LLP
Amount: \$14,800.00
Description of service(s) provided: Accounting and Auditing Services
Selection Process: The vendor responded to a Request for Proposal and was selected after consideration of all proposals.
Contract Status: The contract was extended for a one-year period to include the audit for the year ended June 30, 2023.
- 4. Vendor:** Magavern Magavern Grimm LLP
Amount: \$6,160.00
Descriptions of service(s) provided: Legal and general counsel services
Selection process: Non-competitive bidding selection due to need for special expertise and qualifications.
Contract Status: Current
- 5. Vendor:** Public Financial Management
Amount: \$8,995.00
Description of service(s) provided: Financial advisory services related to the overview of borrowing on behalf of the City of Buffalo.
Selection Process: The vendor responded to a Request for Proposal and was selected after consideration of all proposals.
Contract Status: The contract was extended for a one-year period; current contract expires September 30, 2023.
- 6. Vendor:** Ellicott Group LLC
Amount: \$35,184.02
Description of service(s) provided: Expenses for certain space improvements completed prior to move in as well as monthly lease for office space.
Selection Process: Review of viable options to meet the needs of the residents of Buffalo which include a location with access via public transportation and within the Buffalo City limits
Contract Status: 5 years from lease commencement which was December 2022
- 7. Vendor:** Integrity Public Finance Consulting
Amount: \$7,150.00
Descriptions of service(s) provided: Compliance reporting related to issuance of debt on behalf of the City of Buffalo.
Selection Process: This is a professional service with a cost per report under the threshold for consideration of bidding, at a cost of \$2,500 per report, plus expenses. It should be noted the vendor is the same used by the City which allows for significantly lower costs as the City must also procure same arbitrage reports for the related bonds issued sold by BFSa on behalf of the City. All arbitrage rebate reports are current and the expectation is that one to two reports will be issued annually on a go-forward basis.
Contract Status: Ongoing with respect to required arbitrage rebate reports on tax-exempt bonds.