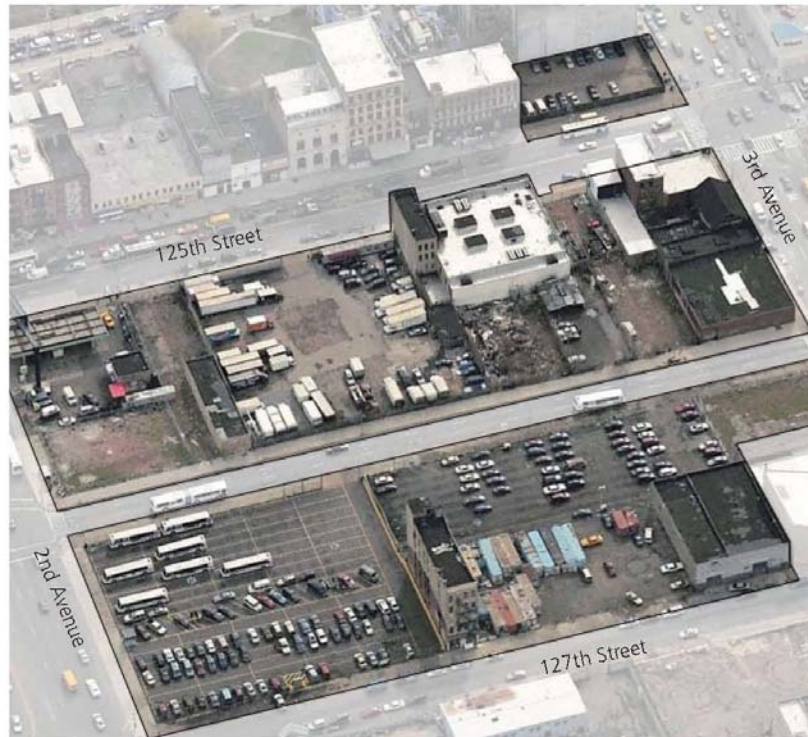


New York City Economic Development Corporation

Request for Proposals



East 125th Street Development

Release Date: Wednesday, October 18, 2006

Submission Date: Friday, January 12, 2007

TABLE OF CONTENTS

INTRODUCTION/OBJECTIVE	2
PROJECT SITE DESCRIPTION	3
SITE CONTEXT	5
DEVELOPMENT GOALS AND LIMITATIONS.....	6
PROPOSAL REQUIREMENTS	13
DEVELOPER DUE DILIGENCE	17
DISPOSITION PROCESS.....	17
INFORMATIONAL MEETING.....	18
CONDITIONS, TERMS AND LIMITATIONS.....	19
SUBMISSIONS.....	19
ADDITIONAL INFORMATION.....	19
APPENDIX 1: ESTIMATED PROJECT TIMELINE.....	20
APPENDIX 2: NYCEDC BACKGROUND INVESTIGATION FORM	21
APPENDIX 3: CONDITIONS, TERMS AND LIMITATIONS	31
APPENDIX 4: ADMINISTRATIVE FEE SCHEDULE.....	34
APPENDIX 5: CEQR/ULURP DESCRIPTION AND FEE SCHEDULE	35
APPENDIX 6: ECONOMIC DEVELOPMENT BENEFITS	40
APPENDIX 7: GREEN BUILDING INFORMATION.....	43
APPENDIX 8: REQUIRED PARKING PER ZONING	45
APPENDIX 9: LIST OF UNDER-REPRESENTED GOODS AND SERVICES	46
APPENDIX 10: FINANCING FORMS FOR HOUSING USES	47
APPENDIX 11: HPD NEW CONSTRUCTION GUIDELINES	56
APPENDIX 12: HPD MARKETING GUIDELINES.....	61
APPENDIX 13: POSSIBLE FINANCING SOURCES	62

INTRODUCTION/OBJECTIVE

New York City Economic Development Corporation (“NYCEDC”) is seeking proposals for the purchase and redevelopment of three parcels situated on approximately 6-acres in East Harlem (the “Project Site”). The project, which is referred to as the “East 125th Street Development,” could, when completed include approximately 1.7 million square feet. It offers a unique opportunity to promote local economic growth, encourage private investment, and improve the quality-of-life for East Harlem residents.

As part of the Mayor’s commitment to establishing Harlem as one of the premiere media, cultural and entertainment centers in the United States, a design charrette for the Project Site was held at City Hall on December 8, 2005. The charrette brought together approximately 30 media, entertainment, and creative principals from New York, California, and Puerto Rico with representatives from Manhattan Community Board # 11, to visualize a media/entertainment office and studio destination in East Harlem.

In January 2006, the leadership of Manhattan Community Board #11 created a Community Task Force composed of approximately a dozen representatives of community organizations and elected officials, including Council Member Melissa Mark-Viverito and Manhattan Borough President Scott M. Stringer to address the community’s major concerns regarding the development of the Project Site (see Site Information File for a list of Task Force members). These concerns include:

- Affordable Housing
- Air Quality
- Economic Development
- Local participation in development, employment, and retail
- Culture
- Impact of proposed development on health, education, and sanitary services

Since January 2006, the Community Task Force, along with the Mayor’s Office, NYCEDC, NYC Department of City Planning (“NYCDP”), NYC Department of Housing Preservation and Development (“NYCHPD”), NYC Department of Small Business Services (“DSBS”) and representatives from other City and State agencies have met regularly to establish consensus on the development principles and goals for the Project Site. This Request for Proposals (“RFP”) is intended to reflect the needs, goals, and aspirations of both the local community and the City as developed through this process.

The East 125th Street Development is expected to be a dynamic, retail, residential, entertainment and media destination for upper-Manhattan. When complete, the project will include up to 300,000 square feet of national anchor retail; 120,000 square feet of specialty retail, restaurants, cinemas, and nightclubs; 50,000 square feet of local retail; up to 1,000 mixed-income housing units; up to 300,000 square feet of media executive and creative office, production and post-production space; 30,000 square feet of not-for-profit performing, visual and media arts space; and potentially a hotel of up to 100,000 square feet.

NYCEDC seeks unique and innovative proposals that provide a comprehensive development, land-use, and infrastructure plan for the Project Site. All proposals should seek to comply with the programming, land-use and design guidelines outlined in this RFP. Each party submitting a Proposal in response to this RFP is referred to herein as a “Respondent” and the Respondent that is ultimately selected for the Project through this RFP process is referred to herein as the “Developer.” NYCEDC expects to close on the sale of the Project Site by late 2008, thereby requiring the expedient handling of this transaction on the part of both NYCEDC and Developer.

PROJECT SITE DESCRIPTION

The approximately 6-acre (241,000 square foot) Project Site is comprised of three parcels in East Harlem (see **Figure 1**);

- *Parcel A (Block 1791):* 2323-27 Third Avenue, a/k/a 201-253 East 126th Street, a/k/a 208-230 East 127th Street (Block 1791, Lots 1, 25 and 34). Block 1791 is bounded north and south by 127th and 126th Streets respectively; and east and west by Second and Third Avenues respectively. Lot 44, on the northwest corner of Block 1791, is not part of the East 125th Street Development and should not be included in proposals. Parcel A comprises approximately 111,000 square feet.
- *Parcel B (Block 1790):* 2307-19 Third Avenue, a/k/a 201-251 East 125th Street, a/k/a 2445-59 Second Avenue, a/k/a 200-242 East 126th Street (Block 1790, Lots 1, 101, 3, 5, 6, 8, 12, 13, 20, 24, 25, 26, 27, 28, 29, 30, 31, 40, 41, 44, 45, 46 and 49). Parcel B is bounded north and south by 126th and 125th Streets respectively; and east and west by Second and Third Avenues respectively. Block 1790 comprises approximately 119,500 square feet.
- *Parcel C (Block 1789):* 2293-95 Third Avenue, a/k/a 200-210 East 125th Street (Block 1789, Lot 46). Lot 46 is on the corner lot on the southeast corner of Third Avenue and East 125th Street and comprises approximately 10,000 square feet of vacant city-owned land.

Figure 1—East 125th Street Development Parcels

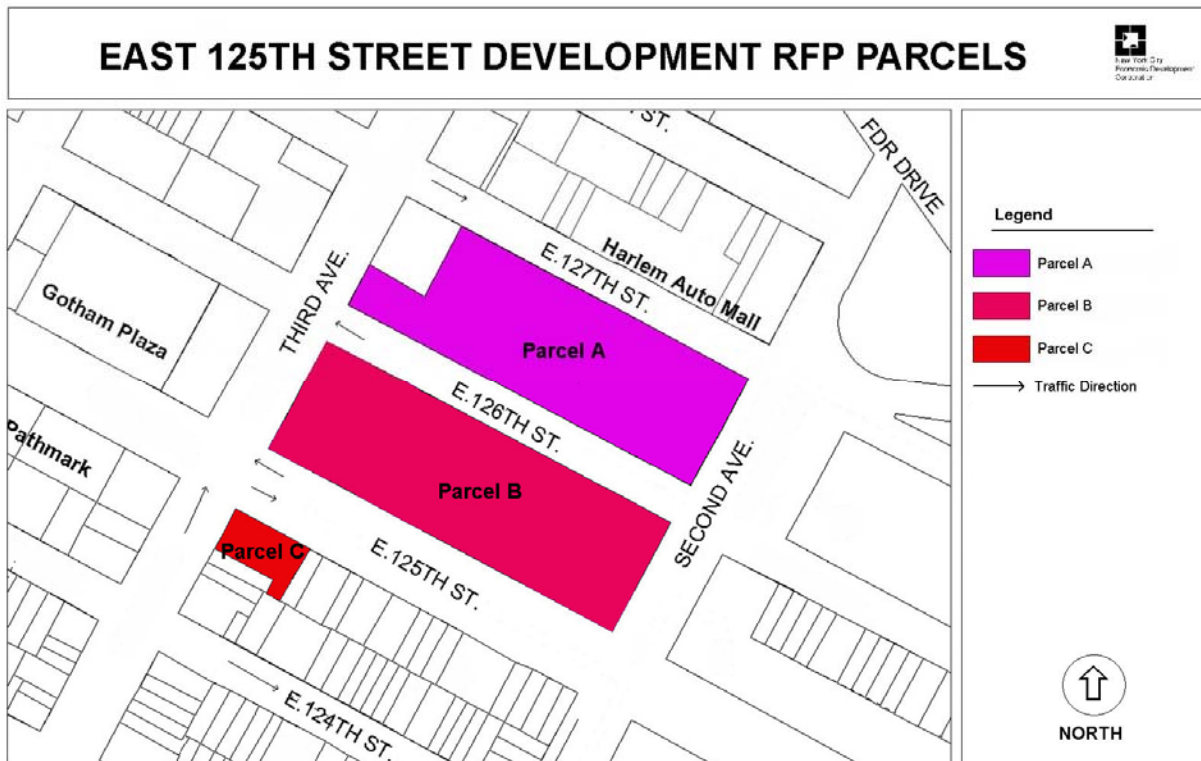


Figure 2—Location East 125th Street Development Project Parcel



The City currently owns 81% of the land comprising the Project Site and NYCEDC is currently seeking to acquire all non-City owned parcels, which at this time include the following: Block 1790, Lots 1, 101, 5, 8, 12, 20, 24, 28, 44, and 46, and Block 1791, Lot 34.

One of the ULURP actions contemplated is an extension of the Urban Renewal Plan. Among actions to be included is the addition of Block 1790, Lots 46 and 8 and Block 1791, Lot 34 to enable condemnation, if necessary. Respondents may include a strategy for purchasing the privately owned parcels. The proposed acquisition strategy may offer existing business owners the option of relocating within the new development under the provision for "Local Retail" - as permitted under the anticipated new zoning for the Project Site.

Figure 3—Property Ownership



Metropolitan Transit Authority (“MTA”) Underground Storage Facility

The MTA owns land and currently operates a bus storage facility at grade on a portion of Parcel A. The proposal must include an underground replacement facility for these operations. The value of the land owned by the MTA will be credited against the cost of the underground bus facility and the balance of the cost associated with the underground bus facility will be the responsibility of the MTA.

It is expected that the Developer will work directly with the MTA and the City to design and develop the underground storage facility for a fixed price and that the MTA will own and operate the facility after construction. The new underground bus storage facility must accommodate those buses currently parked on the existing surface lot and on the immediately surrounding streets. NYCEDC is currently negotiating a memorandum of understanding in anticipation of development of the Project Site and is anticipated that this document will become part of the Site Information File. Bus storage facility requirements include:

- Underground bus storage facility for approximately 80 buses — approximately 109,000 square feet;
- Entrances and exits must be positioned to minimize traffic congestion and other adverse impacts on the project and surrounding neighborhood and approved by MTA.
- An appropriate air-filtration system for the underground facility to mitigate pollution to be developed in coordination with the MTA.
- A construction staging and logistics plan to accommodate the MTA buses and operations located at Parcel A to be developed in coordination with the MTA and the City.

SITE CONTEXT

The Project Site is located in the East Harlem neighborhood known as the “East Harlem Triangle” (see Figure 2).

The East Harlem Triangle is generally bounded by the FDR Drive and Triborough Bridge to the east, the elevated Metro-North Railroad track over Park Avenue to the west, the Harlem River Drive to the north, and approximately 124th Street to the south. The neighborhood contains a variety of land uses including residential buildings (ranging from three-story row houses to high-rise apartment buildings), community facilities, commercial buildings, warehouses, light-industrial facilities and auto-related services. The blocks surrounding the Project Site also contain several vacant lots and vacant buildings.

The East Harlem Triangle's eclectic mix of uses reflects a shift away from its late nineteenth-century largely residential character to the manufacturing and light-industrial uses that became increasingly prevalent after World War II. Many of these businesses have ceased operations and buildings have fallen into disrepair. As a result, since the 1960s, this neighborhood has been the subject of several government programs/planning initiatives intended to spur economic development including the Harlem/ East Harlem Urban Renewal Plan, East Harlem Empire Zone, and Upper Manhattan Empowerment Zone. In furtherance of the goals of Harlem/ East Harlem Urban Renewal Plan, residential sections of East Harlem are currently undergoing an economic revival, with several residential, office, and retail projects planned or underway.

The Project Site is located within the federally-designated Upper Manhattan Empowerment Zone. The Project Site is also located in the state-designated East Harlem Empire Zone (formerly known as the East Harlem Economic Development Zone). **Appendix 6** summarizes the benefits and incentives available to development projects in Empire and Empowerment Zones, including tax abatements, exemptions, tax credits, and utility cost reductions.

Furthermore, as illustrated in **Figure 2**, the Project Site is located on the eastern end of the 125th Street corridor. Running from Broadway to Third Avenue, the 125th Street corridor is the most prominent commercial thoroughfare in northern Manhattan and functions as Harlem's traditional "Main Street." In recent years, the corridor has experienced considerable revitalization and commercial development. Notable projects include the 280,000 square foot Harlem USA Shopping Mall; the 90,000 square foot Gotham-Plaza mixed-use office and retail center; and the 50,000 square foot Pathmark superstore.

Currently, NYCDP is engaged in a study known as the 125th Street River-to-River Initiative (the "Initiative"). The Initiative seeks to: (1) strengthen the corridor's continuity, increase density, where appropriate, boost visitation, enhance nighttime activity, and encourage a diverse mix of businesses, including arts and entertainment and (2) promote local economic development and generate career opportunities for East Harlem residents. Although not within the boundaries of the Initiative, the Project Site's location on the eastern edge of the proposed rezoning area makes it well positioned to serve as a retail, residential, entertainment and media anchor for the 125th Street corridor. It is expected that there will be separate public review process for any actions associated with Initiative. The Site Information File contains the most recent version of the Initiative proposal.

DEVELOPMENT GOALS AND LIMITATIONS

The following guidelines have been developed in coordination with NYCDP, NYCHPD, DSBS and the Task Force. It is anticipated that the project implementation will require rezoning to accommodate the proposed build program and uses. NYCDP will look favorably upon a proposal to rezone the Project Site if it substantially conforms to RFP guidelines outlined herein. Additional information regarding zoning changes and a table comparing parking requirements can be found in **Appendix 8**.

Proposals must show a concept that is consistent with the following build program. Once selected, the Developer will be required to commit to implementing each of these specific requirements:

A. Urban Design and Open Space

The development of the Project Site should be generally contextual in design with no more than 7.2 FAR (approximately 1.7 million square feet) as permitted under the proposed zoning.

Urban Design Guidelines:

Proposals must adhere to the following Urban Design Guidelines:

- Building heights may not exceed 150 feet, with the following exceptions:
 - o Building heights of up to 210 feet will be allowed within 100 feet of Second Avenue between 126th Street and 127th Street;
 - o Building heights of up to 210 feet will be allowed within 165 feet of Third Avenue between 125th Street and 126th Street;
 - o Building heights on Parcel C will be limited to 120 feet as per proposed C4-4D zoning;
- The project may include a maximum of two towers;
- The minimum streetwall heights on the north and south sides of 125th Street and 126th street, and the south side of 127th Street will be 60 feet;
- The maximum streetwall height on the north and south sides of 125th Street and 126th Street, and the south side of 127th Street will be 85 feet;
- The maximum slab width for any building exceeding streetwall height is to be 175 feet;
- Building faces above the streetwall must set back at least 10 feet on wide streets (e.g. 125th Street, 2nd and 3rd Avenues);
- Building faces above the streetwall must set back at least 15 feet on narrow streets (e.g. 126th and 127th streets);
- Building faces on Parcel C above the streetwall must be set back at least 15 feet (e.g. 125th Street and 3rd Avenue);
- Along 125th Street and Third Avenue, the entire length of the zoning lot frontage on the ground floor, except that occupied by entrances to building lobbies, should be occupied by retail, entertainment or other "active" uses;
- The frontage occupied by the required retail, entertainment, and active uses should meet minimum transparency requirements and any roll-down or security gates must permit visibility.

Public Outdoor Open Space

- Outdoor public open space must be provided on both Parcel A and Parcel B. All outdoor public open space should:
 - o Provide sunlight for a majority of the day;
 - o Provide direct access from the public sidewalks and be located at street level;
 - o Promote and support a pedestrian friendly place that blends into the urban context;
 - o Include provisions for sheltering users from inclement weather and sun, for example by providing for folding fabric roofs and awnings.
- The public open space on Parcel A should:
 - o Include a minimum of 2,500 square feet at street level that primarily serves the residential uses.
- The public open space on Parcel B should:
 - o Include a minimum of 10,000 square feet at street level that will serve as a public space and some commercial and cultural uses;
 - o Provide direct accessibility from East 125th Street and East 126th Street. The East 125th Street entrance should have a minimum opening width of 80 feet and the East 126th

Street entrance should have a minimum width of 25 feet to ensure direct access, light, and an entrance to a generously scaled public amenity;

- o Allow for normal use, but also be large enough to support events such as festivals and performances;
- o Function as a small public square, by offering a variety of places to walk, sit, eat, dance and/or play for people of all ages;
- o Encourage and support a variety of commercial and non-commercial activities both within and at the edges of the plaza, such as space for movable food stands, local retail kiosks, and booths for local artists and artisans;
- o Knit together stores and other venues open at night such as cinema, hotel, clubs and lounges, cafes, and restaurants to form a center of night life: a well-lit, safe and lively place that increases the intensity of pedestrian activity at night; and
- o Provide that any upper floors adjacent to the public open space offer terraces, porches, balconies, galleries or arcades that look directly into the public plaza, and connect by doors, directly to the spaces inside.

Residential Outdoor Open Space/ Roof Gardens

- At rooftops, outdoor open space for residential users should be maximized.
 - o To the extent possible, Respondents are encouraged to make every roof useable as residential outdoor open space (roof gardens), by making these areas flat or terraced for seating and planting. Where feasible, roof gardens should be at various stories and connect to other portions of the building, plazas or terraces.
 - o Opportunities for terraces, porches, balconies, and galleries as part of the residential development should be maximized.

Sense of Place

- Respondents should create a distinct project identity, continuity, community, and unique “sense of place” through the following means:
 - o Uniform signage;
 - o Architectural image;
 - o The use of public art, water elements, trees, or other focal element in plaza;
 - o Programming of activities and events: music, food, arts and dance festivals and performances, for example; and
 - o Diversifying the mix of commercial and other tenants that reflect the community’s multi-cultural diversity.
- Respondents are encouraged to present solutions to calm traffic on 126th street in order to improve pedestrian safety and ease of movement.

Green Building/ Sustainable Design

- Respondents are required to achieve LEED Silver Certification for all portions of the development, as further described in Proposal Requirements.

Parks and Waterfront

- The proposed development should encourage views and public pedestrian access to nearby parks and the waterfront.
- Respondents are encouraged to offer design ideas and either a one-time capital contribution or an annual cross-subsidy derived from market-rate commercial rents at the Project Site to enhance adjacent parks and waterfront areas.

B. Residential Units

Respondents should propose mixed-income housing through rental and homeownership opportunities in the form of cooperative or condominium apartments. **A minimum of 700 units and a maximum of 1,000 units** should be distributed in low-rise, mid-rise and high-rise configurations, as feasible.

Preference will be given to proposals that most closely meet the following goals:

- 100% of residential units to be affordable as described below.
- Of the total residential dwelling units, approximately 50% should be homeownership units and approximately 50% should be rental units.
- Both homeownership units and rental units should target a mix of household incomes and should try to meet, to the greatest extent possible, the distribution of Area Median Income (AMI) outlined in the chart below. Homeownership units, to the greatest extent possible, should be equally distributed between the moderate-income tier and middle-income tier. Incorporation of market rate units into the overall unit mix will be considered only to the extent that the inclusion of such units is necessary to ensure feasibility of the housing component as a financially viable development, without cross-subsidy from other components of the development.

	% of total units	AMI, as adjusted for household size
Low income	30%	30%-60%
Moderate income	35%	61%-100%
Middle income	35%	101%-150%

- Various unit types, including two (2) and three (3) bedroom units, should be provided.
- Respondents are encouraged to maximize the two (2) and three (3) bedroom unit mix in order to serve the demographic needs of the local community.
- Residents of Manhattan Community Board #11 will be given preferential consideration for at minimum 50% of the housing units.
- Consideration will be given to proposals that extend affordability beyond the standard 30-year term, with commitments to maintaining long term rental affordability in perpetuity looked at favorably.

The residential space should be located throughout the Project Site where appropriate, including the areas above commercial space, with a majority of the housing units on Parcel A. The residential development must meet the NYCHPD New Construction Guidelines included in **Appendix 11**.

Responses should outline financing assumptions for each portion of the total residential development. Affordable units must comply with the terms of any subsidy programs that are utilized. Proposals that maximize affordability with the least amount of subsidy, while targeting specified income tiers, will be given preference. The total cash subsidy from NYCHPD and NYCHDC must not exceed \$85,000 per residential unit. A list of possible financing sources is included in **Appendix 13**.

The Developer will be required to comply with all applicable Federal, State, and local laws, orders and regulations prohibiting housing discrimination. In accordance with City requirements and policy, housing units must follow NYCHPD's Marketing Guidelines in **Appendix 12**.

C. Retail and Entertainment Space

In order to make the development a first class retail, recreation and entertainment destination that will attract people from all over the City of New York, retail should expand and enhance the current mix

of retail tenants in the area. Where possible and appropriate, the retail tenant mix should also reflect the cultural diversity of East Harlem. In addition, the project's unique identity may be achieved by providing entertainment amenities such as live music and dancing, restaurants, clubs, lounges, and cafes that reflect the multi-cultural diversity of the local community. Proposals will be evaluated based on conformity to the following guidelines:

- A **maximum of 470,000 square feet total retail and entertainment space** consisting of:
 - A minimum of 200,000 square feet and a maximum of 300,000 square feet of national anchor retail; individual businesses are limited to a maximum size of 125,000 square feet;
 - Approximately 120,000 square feet of both credit and non-credit specialty retail goods and services that reflect the cultural diversity of East Harlem (e.g. cinema, restaurant, lounge, café, live music and dancing);
 - Approximately 50,000 square feet of retail space dedicated to small and locally-owned businesses. Preference will be given to proposals that offer any of the following in order to achieve the goal of attracting and retaining small and locally-owned businesses: 1) below-market rents; 2) tenant improvement allowances; or 3) other financial inducements. Leasing preference should be given to qualified locally-owned businesses with secondary leasing preference given to women- and minority-owned businesses ("W/MBEs"). In addition, please note:
 - Individual businesses are limited to a maximum size of 5,000 square feet;
 - "Qualified locally-owned businesses" will be identified by DSBS with the assistance of Manhattan Community Board #11;
 - Leasing preference for locally-owned businesses will be given to those within Manhattan Community Board #11 with secondary leasing preference given to those within Manhattan Community Boards #10, #9, #12 and Bronx Community Board #1;
 - W/MBEs must be certified by DSBS;
 - Rental space for small and locally-owned businesses should also include movable food stands, retail kiosks, and booths for artists and artisans in the public outdoor open space on Parcel B.
 - Performance area in the public outdoor open space on Parcel B for musicians, dancers or other performers to be programmed by the not-for-profit arts organization described herein.
 - Retail space located throughout the Project Site, where appropriate, on the ground, second, and third floors with office, hotel, and residential space above, with a majority of the retail square footage on the Parcel B.
- Ground floor commercial space to be primarily situated throughout the Project Site along Second Avenue, Third Avenue, East 125th Street and facing any proposed public outdoor open space.
- Market-rate commercial space concentrated in high trafficked sections of the Project Site, including East 125th Street and Third Avenue.
- A retail program that will:
 - attract businesses that provide goods and services currently underrepresented in the East Harlem market (See **Appendix 3**);
 - emphasize attracting anchor tenants unique to the region;
 - be oriented toward the street and outdoor public open space to provide a comfortable pedestrian-friendly environment along the public streets and public open space; and
 - avoid replicating or directly competing with the existing and planned retail uses in the surrounding area.

Respondents are required to provide a detailed marketing and leasing plan indicating what categories of goods and services -- including small and locally-owned businesses -- are planned for the project and how respondent will address local and W/MBE requirements. It is expected that the leasing plan and tenant mix will be further refined through ongoing dialogue with the Community Task Force.

D. Media Creative Office/Production/Post Production Space

Respondents are required to include a minimum of 100,000 square feet and a maximum of 300,000 square feet of commercial office space.

The Project Site offers an unprecedented opportunity to create a critical mass of media businesses along the East end of the 125th Street Corridor, as well as create a dynamic urban place where the newest trends, technology, and solutions in media and entertainment emerge. Although respondents are encouraged to include the following uses: production, and post-production space for diversified media companies, music, film and television production companies, and other media businesses (e.g. publishing, radio, internet, and advertising), other office uses are permitted.

Respondents are required to provide a detailed marketing and leasing plan and, if available, letters of interest from potential tenants.

E. Cultural Space

In furthering the City's goals listed above and in order to promote the next generation of talented local visual, performing and media artists, Respondents must include approximately 30,000 square feet of not-for-profit arts uses. The Cultural Space should be programmed by a not-for-profit arts organization and the organization's capacity, role, responsibilities and expected rent must be described in the RFP response. Preference will be given to proposals that support cultural arts programming by providing at least one of the following: 1) below-market rent, 2) tenant improvement allowance, or 3) other financial inducements.

Cultural programming should reflect the ethnic and cultural diversity found throughout East Harlem. Although the cultural space can be located elsewhere it should have its main entrance on the ground floor of East 125th Street. Respondents are encouraged to include the following elements:

- *Performing Arts Space:* Live performance space with appropriate seating capacity.
- *Film/Video Exhibition:* Exhibition space for independent motion picture productions that could also host film festivals.
- *Visual Arts Exhibition:* Exhibition space for the visual arts throughout the Project Site. Possibilities include:
 - Space set aside specifically for an art gallery;
 - The use of public plazas, hallways, and lobbies to showcase the work of local artists;
 - Studio space for artists.
- *Media Arts Space:* production and post-production space for not-for-profit use.

Efforts to engage the local community must be part of any proposed Cultural Space and space should be dedicated for the use of local not-for-profit arts organizations. The following community outreach efforts are encouraged:

- Internship programs in the areas of visual arts, performing arts, and media.
- Corporate Sponsorships between for-profit media companies and local artists and not-for-profit arts institutions.
- Collaboration and communication between tenants occupying the specialty retailers and the not-for-profit space.

F. Hotel

In order to support the creation of a globally competitive destination that successfully attracts media and entertainment companies to New York City, respondents may include a full-service hotel with a maximum of approximately 100,000 square feet.

G. Parking Garage

The City requests that respondents provide the *minimum* commercial parking and no more than the required amount of residential parking under the applicable zoning. All parking (and the bus storage facility as described in the Project Site Description) must be underground with entrances, exits and loading docks positioned to minimize traffic congestion and other adverse impacts on the project and surrounding neighborhood. No curb cuts will be allowed on 125th Street. Further information on parking requirements can be found in **Appendix 8**.

H. Additional Development Provisions

The Developer must respond to the RFP as part of a joint venture development team with at least one member or entity that is a well-capitalized, experienced developer with a track record of large mixed-use urban projects and one or more Local Development Partner(s). A Local Development Partner should ideally be both (1) a locally-based development company and (2) an M/WBE as certified by DSBS. If unachievable, the Local Development Partner must qualify as either (1) a locally-based development company or (2) an M/WBE as certified by DSBS. A Local Development Partner may complete DSBS certification process by the end of the developer selection process.

Local Development Partner(s) should demonstrate the following:

- Presence of company office in the local community.
- Presence of development projects in the local community.
- Length of time in local community.
- History of contributions to the betterment of the local community.

Local Development Partner(s) must demonstrate:

- Proven track record of successful developments.
- Capacity to contribute to the development of the project.
- Ability to secure financing through public and private sources.
- Letter of commitment from financial institution or subsidy source detailing the maximum financial investment that it can contribute to project.

Note: The local community is defined as a preference for Manhattan Community Board #11, and a secondary preference for: Manhattan Community Boards #10, #9, #12, and Bronx Community Board #1.

The following components of the project will require a Local Development Partner:

- Affordable Housing – At least one Local Development Partner must have an ownership interest in the affordable housing component of the development and the proposed structure of such ownership interest must be detailed in the RFP response.
 - In addition, an experienced financially sound organization, preferably local, must be identified to manage any affordable housing. The organization's capacity, role, responsibilities and expected financial return/payment must be described in the RFP response.
- Small/Local Retail – At least one Local Development Partner must have an ownership interest in the small and locally-owned retail component of the development and the nature and proposed structure of such ownership interest must be detailed in the RFP response.

- Cultural Component – At least one Local Development Partner must have an ownership interest in the cultural component of the development and the nature and proposed structure of such ownership interest must be delineated in the RFP response.

The Developer will be required to provide copies of all partnership agreements between members of the joint venture development team prior to selection.

Respondents are encouraged to establish a local investment fund, to be administered by DSBS in conjunction with the Task Force and local elected officials, that will focus on small businesses and entrepreneurs from Manhattan Community Board #11 that locate in the proposed development. Proposals could provide for a one-time capital endowment or an annual cross subsidy derived from market-rate commercial rents at the Project Site to be used for the following purposes:

- 20% for marketing of local businesses at the new development.
- 20% for low-interest revolving loans for new small businesses moving into the new development.
- 20% for grants to support culture and arts education reflecting East Harlem's ethnic diversity at the new development.
- 20% for seed capital for start-ups and local business expansion at the new development.
- 20% for job training programs for local residents to be hired at the new development.

It is anticipated that the Community Task Force, under the leadership of Manhattan Community Board #11 and Council Member Melissa Mark-Viverito, will continue to remain in existence throughout the development, construction, leasing and operation of the project and could enter into a written agreement with the Developer, which codifies points of consensus and agreement with respect to ongoing compliance with the objectives outlined in this RFP.

PROPOSAL REQUIREMENTS

A. Purchase Price

Respondents must submit a proposed purchase price for all City-owned parcels shown in **Figure 3** expressed in a fixed, non-contingent dollar amount. The purchase price shall be paid in full at closing. Developer will be notified if any non City-owned parcels are acquired by the City or NYCEDC. NYCEDC will sell to Developer any parcels it acquires at cost.

The offering price must be confirmed by appraisal and the final purchase price will be the higher of the offering price or the appraised value. The appraised value will be determined by NYCEDC through an independent appraisal paid for by the selected developer. Respondent's financial offer for the Project Site should assume that it will be disposed of in as-is condition.

B. Project Description

Respondents must submit a detailed narrative responding to the guidelines as presented in the RFP and describing relevant aspects of the project, including type and size of development, proposed uses, type and number of housing units, type and number of commercial tenants, and a list of potential and committed tenants for the proposed project along with letters of interest and/or intent from tenants. If applicable, please include an acquisition strategy and a proposed phasing plan and schedule. The proposed development should be sensitive to the needs of those who live and work in the community. Employment generation projections (direct and indirect, construction and permanent jobs) must also be supplied.

For the housing portion, a letter of interest from any source of funds anticipated to be used must be included. In addition, please include an alternative financing scenario for proposals that incorporate the use of competitively allocated funds, such as 9% Low Income Housing Tax Credits and NYS Housing Trust Fund subsidies.

C. Financial Information

Respondents must submit:

- Pro forma cash flows, in hard copy and in Excel format with formulae shown on computer disk, for the development, lease-up, and project operation periods, including details of any as-of-right or discretionary real estate tax, other tax, energy, or other governmental benefits assumed in the model. *NOTE: Indicate clearly if the proposed project is contingent on the receipt of assumed governmental benefits. The current assessed value for the Project Site can be found on the Department of Finance Web-Site. Please note clearly any changes to this value assumed in your modeling.* The cash flows should include a section outlining all assumptions on which all calculations were based, including assumptions regarding the number of proposed rental units/tenants and the rental rate by unit size, the minimum IRRs sought and those relating to exit strategies. These data should extend out to 20 years of operations from stabilization and include all necessary capital improvements over time, and reserves and debt service payments associated with the financing.
- Completed project financing forms for the residential portion provided in Appendix 10 as applicable, in addition to the combined cash flows required above for the entire project. Please outline financing assumptions for each portion of the total residential development to be financed separately.
- Construction sources and uses of funds, including details of equity and financing sources and a break out of all soft and hard costs and development and financing fees to be paid on the “uses” side.
- Permanent sources and uses of funds; including details of equity and financing sources and all development fees and financing fees to be paid.
- Letters of interest and/or intent from equity sources and lenders.
- Market comparables, in the form of a detailed listing of at least three properties/projects with similar operations, as back-up for revenue and cost assumptions.

D. Respondent Description

Respondents must demonstrate sufficient financial resources and professional ability to develop the Project Site that is consistent with its proposal. In addition, each entity must complete and submit an Internal Background Investigation form, a copy of which is attached as **Appendix 2**. Each proposal must include a description of the management and/or development team, including:

- The intended form and structure of any proposed partnership or joint venture including a chart/diagram of the purchaser/and or development entity, showing structure (percentages) of ownership and investment must be included.
- Name, address, telephone number and qualifications of the development team, including all persons or entities that will design, develop, manage, operate or lease space in the facility, as well as the lawyer and other professionals, as appropriate, who will be involved in this project. Respondents must provide the Federal EIN number of the development entity and the Social Security number of its principals.
- Background information on all members of the purchaser’s team, including the relevant experience of all principal members thereof and their availability for commitment to the project. This information must be submitted for every participant in a joint venture.

- If available, the latest credit report for each of the principals and any relevant business entities and the most recent financial statements for the purchasing entity and each of its principals. Certified net worth statements must be submitted for every participant in a partnership or joint venture.
- Any additional documentation or information evidencing the strength of the purchaser's team and their ability to complete the project.

E. Site Plan and Architectural Design

Respondent should provide eight (8) copies of the schematic drawings for the proposed development including site use plans, floor plans, renderings of the building, and a summary of the proposed building program with all square footages identified. Drawings must indicate the graphic scale. Respondents should also provide up to three (3) 24" x 36" boards depicting site plan, architectural design, and a summary of the proposed building program with all square footages identified. Please put the name of the firm/development team only on the back of each board.

F. Green Building/Sustainable Design

The Developer of the Project Site will be required to seek a LEED rating of Silver or better from the US Green Building Council. Requirements for this rating can be found at www.usgbc.org. Respondents must build the cost of achieving a LEED Silver or better rating into their financial analysis and submit financial offers that incorporate not only the initial cost, but also the significant long term benefits of lower operating costs.

The following components are required as part of the Respondent's Green Building Plan:

- Narrative describing the proposed project's sustainable design goals and declaration of commitment to incorporate the specific criteria into the overall project design.
- Using the LEED Scorecard, identify each credit the project will seek to achieve at minimum LEED Silver Certification. Describe the specific steps that will be taken and proposed technologies the project will use to achieve each credit and provide an estimate of the total incremental cost for each LEED category (e.g. Water Efficiency), keeping in mind that many strategies and credits are inter-related. For the credits that your project does not seek to achieve, please explain why.
- Statement of experience of the applicable members of the team who will develop and implement the specific steps that will be taken to achieve LEED Silver Certification or better. The statement should describe the team's specialized experience in the field of sustainable building design and demonstrate an ability to comprehensively integrate the concept of sustainability into the project through experience with the LEED certification system. At least one member of this team must be LEED accredited and have demonstrated experience in constructing and monitoring performance in similar projects.
- Respondents should demonstrate how they will achieve the above results by incorporating the following specific "Green" design elements:
 - Energy efficient site and building design
 - Energy efficient appliances
 - Energy efficient heating, ventilation, and air conditioning systems
 - Green roofs
 - Day lighting in apartments and common areas
 - Green spaces and common areas
 - Low VOC (Volatile Organic Compounds) paint
 - Materials that promote indoor air quality

To ensure compliance with the requirement of achieving at minimum LEED Silver Certification, regular progress reports will be required throughout the design, due diligence, and pre-development phases.

A list of Green Building resources and contact information can be found in **Appendix 7**.

G. Zoning Calculation

Preliminary zoning analysis showing all calculations, including proposed use groups, required and proposed parking, and identifying all required permits and authorizations must be provided.

H. Construction Plan

Respondent must provide a construction schedule and staging area plan.

I. W/MBE/ Local Hiring and Utilization Plan

Respondents are required to submit a plan to address both W/MBE and local business participation in the project and local hiring (the “W/MBE/Local Hiring and Utilization Plan”, or “LHUP”). The W/MBE component of the LHUP must outline methods for facilitating the participation in the project of women-owned and minority-owned businesses (as certified by DSBS), and address items such as, but not limited to:

- Identification of local businesses seeking construction work on the project; and
- Sizing of bid packages to facilitate participation of smaller enterprises.

The local hiring component of the LHUP must outline methods for encouraging local hiring during and post construction, and address items such as, but not limited to:

- Recruitment of local employees seeking construction work on the project and the provision of training programs, apprenticeships, and other professional development opportunities for such employees;
- Targeting recruitment to currently unemployed or underemployed segments of the population;
- Participation in local trade fairs;
- Coordination with proposed tenants to create new local hiring programs
- Working with existing local hiring programs and community organizations to foster training programs in the pre-development phase so that local residents are ready to work when construction starts; and
- Ideas for ongoing implementation and monitoring of proposed LHUP components.

The LHUP must also detail the anticipated targets for local hiring as well as the number, type, and wage level of post-construction jobs to be created at the project. Plans that maximize local hiring will be looked at favorably. The LHUP must explain how the proposed tenanting plan maximizes the number of jobs that meet these criteria.

J. Leasing and Marketing Plan

Respondents are required to submit leasing and marketing plans that address the Retail and Entertainment, Media Creative Office/Production/Post Production, and Cultural Space guidelines as outlined in this RFP.

K. Statement of Agreement

A statement signed by an authorized principal or officer of the Respondent that the Respondent has read this RFP and the Appendices fully and agrees to the terms and conditions set forth in this RFP and in the Appendices.

DEVELOPER DUE DILIGENCE

It is the Respondent's responsibility to conduct due diligence on the Site.

Site Information File

NYCEDC's Site Information File (the "File"), containing important public information regarding the Project Site, will be available by appointment only. Respondents are encouraged to review the File prior to submitting a proposal. The File may be purchased for \$150 or reviewed in NYCEDC's offices at no charge. To review or purchase the File, please contact Anifia Binns at (212) 618-5721 or abinns@nycedc.com.

The File contains, among other items:

- Community Task Force members
- 125th Street River-to-River Initiative
- MTA MOU
- Conceptual Plans and Owner's Requirements for MTA underground bus storage facility
- Requirements for future Second Avenue Subway
- Area Maps
- Zoning Map
- IPIS Records
- Transportation Map
- Phase I Environmental Site Assessment
- Harlem-East Harlem Urban Renewal Plan
- Demographics

DISPOSITION PROCESS

Public Review Process/ Environmental Review

Disposition of City-owned land is generally subject to the City Charter's (197-c and 197-d) Uniform Land Use Review Procedure ("ULURP") and dispositions accomplished through NYCEDC are also subject to City Charter Section 384(b)4 for public review of the business terms. In addition, dispositions are subject to City Environmental Quality Review ("CEQR"). A NYCEDC planner will assist the Developer and its consultants in complying with the applicable ULURP and environmental review procedures, including preparation of an Environmental Impact Statement ("EIS"). The Developer will be responsible for the preparation of, and all costs associated with, appropriate ULURP and environmental review documents.

Conditional Designation Period

After review of the proposals, NYCEDC intends to select one of the responses and conditionally designate the Developer. Upon execution of the Conditional Designation Letter, the Developer must reimburse NYCEDC for the following costs and fees which are non-refundable and cannot be used to offset the required down payment:

- Appraisal fee: to be determined
- Phase I site investigation (Refer to Site File)

In addition, upon conditional designation, the Developer will be required to pay NYCEDC the following:

- Administrative Fee (non-refundable and not credited against the purchase price). The Administrative Fee is based on the purchase price (refer to **Appendix 4**), 50% payable at the execution of the Conditional Designation Letter and 50% payable at the earlier of ULURP certification or execution of the Contract of Sale.
- Conditional Designation Fee in the amount of \$250,000. This fee will be credited against the

down payment due at contract execution.

During the conditional designation period, the Developer will be expected to complete its due diligence, including ordering a title report from a reputable title insurance or abstract company and, if necessary, a survey and metes and bounds description, preparing an EIS, and conducting a Phase II site investigation. These due diligence items must be prepared at the sole cost and expense of the Developer. All work products shall become property of NYCEDC upon submission. These expenses are non-refundable and cannot be used to offset the required down payment or Purchase Price.

All fees related to the ULURP and CEQR processes will also be at the Developer's sole cost and expense. Fee schedules are outlined in **Appendix 5**.

By the end of the designation period, the Developer will be expected to have entered into a Contract of Sale and Development Agreement. Upon execution, NYCEDC requires a down payment of 10% of the Purchase Price.

SELECTION CRITERIA

NYCEDC will use the following criteria as a guideline to review submissions and select a proposal:

- Economic Impact on / Spending in New York City: projected expenditures, including purchase price, construction costs and annual operating costs; temporary (construction) and permanent on-site employment and payroll; and any applicable New York City taxes such as real property, sales, and personal income taxes, reduced by any as-of-right and discretionary incentives and benefits assumed;
- Development Team Qualifications: experience, development skills, and financial resources necessary to complete a high-quality project on time and within budget;
- Financial Feasibility: the Respondent's demonstrated financial condition to complete the project; availability of identifiable funding sources to finance the project; and an economically viable mix of residential, retail, office and entertainment uses that generate sufficient revenue to support operating expenses, capital costs and debt service; a clear and justifiable intent to pursue as-of-right or discretionary real estate tax incentives or benefits, which would help make the project more economically feasible. If the Respondent decides to pursue discretionary benefits through the New York City Industrial Development Agency ("IDA"), then the Respondent must meet IDA eligibility requirements;
- Relationship to Surrounding Community: pedestrian access, vehicular access and circulation, building massing, parking availability, landscaping and other aspects of the development's relationship to the surrounding community; and
- Land Use and Design: thoughtful and innovative architectural and, urban design, innovative environmental development techniques, and the extent to which the development potential of the Site is maximized in a manner consistent with applicable zoning, environmental and other regulatory controls. The design shall maximize the sustainable performance of the development by integrating sustainable design practices as proposed in the Respondent's Green Building Plan.
- Consistency with the goals and guidelines outlined in this RFP.

INFORMATIONAL MEETING

A question and answer session to discuss the project will be held on Wednesday, November 15, 2006 at 3:00 pm at NYCEDC's Office, located at 110 William Street, 4th Floor. Those who wish to attend the informational meeting must contact Anifia Binns at (212) 618-5721 or abinns@nycedc.com by 4:00 pm,

Friday, November 10, 2006. Respondents who cannot attend the question and answer session may submit questions by e-mail to E125Development@nycedc.com by 5:00 pm, November 13, 2006. The questions will be asked and answered at the session and a transcript of the entire session will be posted on the NYCEDC website by Thursday, November 30, 2006. Directions and specific information will be provided upon RSVP. NYCEDC strongly encourages all interested respondents to attend this session.

CONDITIONS, TERMS AND LIMITATIONS

This RFP and any transactions resulting from such proposals are subject to the conditions, terms and limitations set forth in **Appendix 3**.

SUBMISSIONS

Eight (8) copies and one (1) electronic version of the proposal identified by “East 125th Street Development” on the envelope must be submitted to and received by NYCEDC by January 12, 2007 at 4:00 pm. Such proposals must be delivered to the following address:

New York City Economic Development Corporation
110 William Street, 6th Floor
New York, NY 10038
Attn: Dominic Domingo, Agency Chief Contracting Officer

ADDITIONAL INFORMATION

For further information regarding the proposal requirements or the Project Site, please contact:

Carolee Fink, Project Manager
NYC Economic Development Corporation
110 William Street
New York, NY 10038
(212) 312-3721
cfink@nycedc.com

APPENDIX 1: ESTIMATED PROJECT TIMELINE

The following is an estimated timeline for major project milestones:

October 2006	NYCEDC Releases RFP
January 2007	RFP Responses Due
January 2007	Revise DEIS
September 2007	Designate Developer
January 2008	Finalize Project Design
January 2008	Complete DEIS
Spring/ Summer 2008	ULURP
Late 2008.....	Site Disposition

APPENDIX 2: NYCEDC BACKGROUND INVESTIGATION FORM



**Internal Background
Investigation Questionnaire**

THIS FORM IS FOR:

**Contracts under \$100,000,
Land Sales, Leases, Licenses, Permits,
NYCIDA Projects and any Discretionary Reviews**

New York City Economic Development Corporation • New York City Industrial Development Agency • Apple Industrial Development Corp.
110 William Street, New York, NY 10038

INSTRUCTIONS FOR COMPLETING NYCEDC INTERNAL BACKGROUND INVESTIGATION QUESTIONNAIRE

1. Please submit, with this Questionnaire, the organizational documents for the submitting business entity.

2. For purposes of completing this Questionnaire, the following defined terms shall have the meanings given to them below (unless provided otherwise with respect to specific questions in the Questionnaire):

"Affiliate" – A Person is "affiliated with" or an "affiliate" of another Person if the Person controls, is controlled by or is under common control with that other Person.

"Applicant" – The submitting business entity.

"Control" – A Person controls another Person if the Person (i) owns ten percent (10%) or more of the voting interest or has a ten percent (10%) or greater ownership interest in that other Person or (ii) directs or has the right to direct the management or operations of that other Person or (iii) is a member of that other Person's Board of Directors*.

"Executive Officer" – Any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the Applicant, by whatever titles known, and all other executive officers of Applicant.

"Family Member" – With respect to a particular Person, includes spouse, children, grandchildren, parents, parents-in-law, brothers, sisters, brothers-in-law, sisters-in-law, and all family members living in the same household as such Person (except if such individuals are minors).

"Person" – Any individual, corporation, partnership, joint venture, sole proprietorship, limited liability company, trust or other entity.

"Principal" – each of the following Persons is a Principal of the Applicant and must be identified in Section B, Part I on page 2 of the Questionnaire.

- Executive Officers
- Persons that "Control" the Applicant
- For Limited Liability Companies, ALL members
- For Partnerships, ALL general partners and ALL partners performing on the contract or able to bind the Partnership

*For a not-for-profit corporation, ONLY the Chairperson of the Board of Directors and any director who is also an employee of Applicant needs to be considered for purposes of determining "Control" under this clause (iii).

SECTION A

The following questionnaire is to be completed by Persons desiring to do business with the New York City Economic Development Corporation or the New York City Industrial Development Agency or Apple Industrial Development Corp.

This form may be duplicated for additional space. PLEASE COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY.

Refer to attached instruction sheet for specific instructions and definitions of terms required to complete this Questionnaire.

BUSINESS NAME: _____ EIN/SSN: _____

BUSINESS ADDRESS: _____ City _____ State _____ Zip Code _____

BUSINESS TELEPHONE: _____ TYPE OF ENTITY: _____

BUSINESS FAX: _____ BUSINESS E-MAIL: _____

SECTION B

I. PRINCIPALS OF APPLICANT

PRINCIPAL NAME	TITLE	HOME ADDRESS	PERCENTAGE OF VOTING INTEREST	PERCENTAGE OF OWNERSHIP	DATE OF BIRTH	SOCIAL SECURITY NUMBER/EMPLOYER IDENTIFICATION NUMBER
(1)			%	%		
(2)			%	%		
(3)			%	%		
(4)			%	%		
(5)			%	%		

II. FAMILY MEMBERS OF EACH INDIVIDUAL PRINCIPAL

Note: Only the following Family Members need to be identified in this Section B. Part II:

- Spouse
- Family Members who are employed by, are officers of or have a less than 10% voting or ownership interest in the Applicant
- Family Members who are directly or indirectly providing services and/or supplies with respect to the subject project (e.g. consultants, subcontractors, suppliers or an employee thereof)

PRINCIPAL NAME	IMMEDIATE FAMILY MEMBER	RELATIONSHIP TO PRINCIPAL	HOME ADDRESS
(1)			
(2)			
(3)			
(4)			
(5)			

SECTION B (Continued)

PROVIDE A DETAILED RESPONSE TO ALL QUESTIONS CHECKED "YES" ON THE FOLLOWING PAGE

NO	YES	
☐	☐	1. Does the Applicant or any Principal have any Affiliates? If yes, please identify the Affiliates, with SSN/EIN and respective addresses, and describe the nature of the affiliation, on the following page.
☐	☐	2. In the past 7 years, has the Applicant, any Principal, or any entity affiliated with the Applicant (each of the foregoing individually, a "Subject Person" and collectively, the "Subject Persons") been adjudicated bankrupt or placed in receivership, filed bankruptcy, or is any Subject Person currently the subject of any bankruptcy or similar proceedings? If yes, please explain on the following page.
☐	☐	3. In the past 5 years, has any Subject Person been a plaintiff or defendant in any civil proceeding (including any court and federal, state and local regulatory agency proceedings) other than a domestic relations proceeding (e.g., divorce, separation, support, alimony, maintenance, adoption, custody)? If yes, please identify all adjudicated, settled and pending lawsuits on the following page.
☐	☐	4. In the past 5 years, has any Subject Person or any Family Member identified in Section B, Part II (a "Subject Family Member"):
☐	☐	• been disqualified as a bidder, or defaulted or terminated, on a permit, license, concession, franchise, lease, or other agreement with the City of New York or any governmental agency? If yes, please explain on the following page. • failed to file any required tax returns or to pay any applicable federal, state, or New York City taxes or other assessed New York City charges or fines, including but not limited to water and sewer charges and administrative fees? If yes, please explain on the following page.
☐	☐	5. In the past 10 years, has any Subject Person or any Subject Family Member used an EIN, SSN, name, trade name, or abbreviation other than the name or number provided in response to Section A or Section B, Part I or II of this Questionnaire or provided in response to question 1 above, as the case may be? If yes, please specify on the following page.
☐	☐	6. In the past 5 years, has any Subject Person, any Subject Family Member, any Affiliate of any Subject Family Member or any managerial employee of Applicant:
☐	☐	• been the subject of any criminal investigation and/or civil anti-trust investigation (by any federal, state or local prosecuting or investigative agency) and/or investigation by any governmental agency (including, but not limited to federal, state and local regulatory agencies)? If yes, please explain on the following page. • had any judgment, injunction or sanction obtained against it in any judicial or administrative action or proceeding other than a domestic relations proceeding or motor vehicle proceeding? If yes, please explain on the following page.
☐	☐	7. In the past 10 years, has any Subject Person, any Subject Family Member, any Affiliate of any Subject Family Member or any managerial employee of Applicant been convicted, after trial or by plea, of any criminal offense and/or are there any felony or misdemeanor charges pending against any of them? If yes, please explain on the following page.

**INDICATE
QUESTION #**

BELOW PROVIDE A DETAILED EXPLANATION TO ALL QUESTIONS CHECKED "YES". IF YOU NEED MORE SPACE, PHOTOCOPY THIS PAGE AND ATTACH IT TO THIS QUESTIONNAIRE.

[illegible]

Section C – IDENTIFICATION OF PROPERTY INTERESTS

1. Identify Project Property:

Block & Lot(s): _____

Street Address: _____

Borough of _____

- 2. The following, together with attachment(s) hereto, if any, is a complete list of properties in which any of the Subject Persons or any of the Subject Family Members have an ownership interest and which are located in the City of New York, together with a statement as to each such property of any current arrears in real estate taxes, sewer rents, sewer surcharges, water charges or assessments due and owing to the City of New York.**

PROPERTY OWNED IN THE CITY OF NEW YORK

PROPERTY OWNER	BOROUGH	BLOCK/LOT	STREET ADDRESS	DATE OF PURCHASE	AMOUNT OF ARREARS	TYPE OF ARREARS

SECTION C (Continued)

PROVIDE A DETAILED RESPONSE TO ALL QUESTIONS CHECKED "YES" ON THE FOLLOWING PAGE

NO	YES	
☐	☐	3. In the past 5 years, has any Subject Person or any Subject Family Member, been a former owner of the Project Property?
☐	☐	4. Is any Subject Person or any Subject Family Member a tenant of the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Account Number, Monthly Rent, and Current Balance.
☐	☐	5. Has any Subject Person or any Subject Family Member previously purchased property from the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Sale Date, Parcel Number, and Closing Date.
☐	☐	6. Does any Subject Person or any Subject Family Member have a mortgage with the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Account Number, Principal Amount, Monthly Installment, and Current Balance.

**INDICATE
QUESTION #**

BELOW PROVIDE A DETAILED EXPLANATION TO ALL QUESTIONS CHECKED "YES". IF YOU NEED MORE SPACE, PHOTOCOPY THIS PAGE AND ATTACH IT TO THIS QUESTIONNAIRE.

[illegible]

CERTIFICATION

A FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE OR ANY FALSE INFORMATION WILLFULLY OR FRAUDULENTLY SUBMITTED IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE APPLICANT NOT RESPONSIBLE WITH RESPECT TO THE PRESENT PROJECT OR FUTURE PROJECTS INVOLVING THE NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION, THE NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, APPLE INDUSTRIAL DEVELOPMENT CORP. AND THE CITY OF NEW YORK AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state that I have read and understand the items contained in the foregoing 8 pages of this questionnaire and _____ pages of attachments, if any, and that, having made due inquiry, I supplied full, complete, and truthful answers to each item therein to the best of my knowledge, information and belief; that I will notify the New York City Economic Development Corporation, the New York City Industrial Development Agency, or Apple Industrial Development Corp., as the case may be, in writing of any change in circumstance occurring after the submission of this Questionnaire and before (i) the execution of any contract or agreement with any of them and/or the City of New York and (ii) in the case of an agreement to purchase or enter into a ground lease for real property and/or a financing through or straight lease or retention transaction with the New York City Industrial Development Agency, the closing of the transaction; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the New York City Economic Development Corporation, the New York City Industrial Development Agency, or Apple Industrial Development Corp., as the case may be, will rely on the information supplied by me in this Questionnaire as an inducement to enter into a contract or agreement and to close a transaction with the Applicant.

Sworn to me

This _____ Day of _____ 200 _____

Name of Applicant

Notary Public

By: _____
Signature of Authorized Person

Print Name and Title of Authorized Person

Date

APPENDIX 3: CONDITIONS, TERMS AND LIMITATIONS

NYCEDC, acting on behalf of the City of New York, is issuing this Request for Proposals (“RFP”). In addition to those stated elsewhere, this RFP and any transaction resulting from this RFP are subject to the conditions, terms and limitations stated below:

- A. The Project Site is to be disposed of in “as is” condition and is to be conveyed subject to all applicable title matters.
- B. The City and NYCEDC, and their respective officers, employees, and agents, make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this letter, the physical condition of the Project Site, the status of title thereto, its suitability for any specific use, the absence of hazardous waste, or any other matter. All due diligence is the responsibility of the respondent and respondents are urged to satisfy themselves with respect to the physical condition of the Project Site, the information contained herein, and all limitations or other arrangements affecting the Project Site. As stated in the RFP, NYCEDC will make available for review, to any respondent so requesting, the Site Information File. Neither NYCEDC nor the City will be responsible for any injury or damage arising out of or occurring during any visit to the Project Site.
- C. The proposed development shall conform to, and be subject to, the provisions of the New York City Zoning Resolution, all other applicable laws, regulations, and ordinances of all Federal, State and City authorities having jurisdiction, and any applicable Urban Renewal Plan, design guidelines or similar development limitations, as all of the foregoing may be amended from time to time. Without limiting the foregoing, closing on a proposed transaction shall be subject to successful completion of the City’s Uniform Land Use Review Procedure (“ULURP”), if not already completed, completion of the City Environmental Quality Review (“CEQR”), approval by the applicable Community Board, compliance with Section 384(b)(4) of the New York City Charter, and approval by NYCEDC’s Board of Directors. ULURP and CEQR compliance shall be solely at the expense of the developer. NYCEDC will cooperate with the designated developer in obtaining necessary approvals.
- D. A respondent submitting a proposal in response to this RFP may be rejected if it or, if the respondent is a business entity, any of its principal shareholders, principals, partners or members is determined, in NYCEDC’s sole discretion, to be within a category of persons or entities with whom or which the City or NYCEDC will not generally do business or otherwise to be a “prohibited person” as defined by the City. Respondent and all officers and principals thereof must complete a background questionnaire and shall be subject to investigation by NYCEDC and the City’s Department of Investigation. Any designation may be revoked in NYCEDC’s sole discretion in the event any derogatory information is revealed by such investigation.
- E. Neither NYCEDC nor the City is obligated to pay and shall not pay any costs incurred by any respondent at any time unless NYCEDC or the City has expressly agreed to do so in writing.
- F. NYCEDC invites the participation of real estate brokers acting on behalf of and with the authorization of identified principals, provided that the broker arranges for the payment of its commission or other compensations exclusively by the proposed developer of the premises. It shall be a condition to the designation of a developer of the project that the developer agrees to pay any commission or other compensation due to any broker in connection with the development of the premises, and to indemnify and hold harmless NYCEDC and the City from any obligation, commission or compensation brought by any broker by reason of the project or the development

of the premises. NYCEDC warrants and represents that it has not retained any broker in connection with the proposed development of the Project Site, liability, cost and/or expense incurred by NYCEDC and/or the City as a result of any claim of commission or compensation brought by any broker by reason of the project or the development of the premises.

- G. Only proposals from principals will be considered responsive. Individuals in representative, agency or consultant status may submit proposals only that the direction of identified principals, where the principals are solely responsible for paying for such services.
- H. This is a Request for Proposals **not** a Request for Bids. NYCEDC shall be the sole judge of each response's conformance with the requirements of this RFP and of the merits of the individual proposals. NYCEDC reserves the right to waive any conditions or modify any provision of this RFP with respect to one or more Respondents, to negotiate with one or more of the Respondents with respect to all or any portion of the Project Site, to require supplemental statements and information from any Respondents, to establish additional terms and conditions, to encourage Respondents to work together, or to reject any or all responses, if in its judgment it is in the best interest of NYCEDC and or the City to do so. If all proposals are rejected, this RFP may be withdrawn and the Project Site may be retained, and re-offered under the same or different terms and conditions, or disposed of by another method, such as auction or negotiated disposition. In all cases, NYCEDC shall be the sole judge of the acceptability of the proposals. NYCEDC will enforce the submission deadline stated in the RFP. The timing of the conditional selection may differ depending upon the degree to which further information on individual proposals must be obtained or due to other factors that NYCEDC may consider pertinent. All proposals become the property of NYCEDC.
- I. All terms in this RFP related to the permitted use and bulk of the Project Site shall be as defined in the New York City Zoning Resolution and any applicable Urban Renewal Plan, design guidelines, or similar development limitations and controls. Where any conflict arises in such terms, the most restrictive shall prevail.
- J. Except as specifically provided herein, the developer will pay all applicable taxes payable with respect to the project, including transfer and mortgage recording taxes. Developer will be required to pay the New York City Real Property Transfer Tax and New York State Real Estate Transfer Tax, notwithstanding any exemption from sale on account of the City's or NYCEDC's involvement in the transaction.
- K. This transaction will be structured as a "net" deal to NYCEDC, with the developer being responsible for all fees relating to the project and all costs incurred by NYCEDC including, but not limited to, costs for outside legal counsel, if any, studies, and outside consultants.
- L. All proposals and other materials submitted to NYCEDC in response to this RFP may be disclosed in accordance with the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law ("FOIL"). The entity submitting a proposal may provide in writing, at the time of submission a detailed description of the specific information contained in its submission, which it has determined is a trade secret and which, if disclosed, would substantially harm such entity's competitive position. This characterization shall not be determinative, but will be considered by NYCEDC when evaluating the applicability of any exemptions in response to a FOIL request.
- M. In furtherance of NYCEDC's mission of economic development, the disposition of the Project Site will be subject to NYCEDC's standard provisions for similar transactions. The deed

conveying the Project Site to the selected developer shall contain redevelopment obligations as well as restrictions on use and transfer of the Project Site. Failure to comply with these restrictions will result in a right by NYCEDC or the City to re-enter and re-acquire the Project Site or such other remedies as NYCEDC deems appropriate.

- N. The developer will be required to deliver evidence to NYCEDC of the creation of employment opportunities at the Project Site for the first eight (8) years after the closing of the project. The developer must also agree in good faith to consider any proposals made by the City or City-related entities with regard to jobs developer is seeking to fill and to provide the City with the opportunity to make job referrals and create a training program for City residents. Developer will be required to cause commercial tenants to agree to these provisions at the time it enters into leases with such tenants.

APPENDIX 4: ADMINISTRATIVE FEE SCHEDULE

Purchase Price:	Fee:
Less than \$100,000	\$5,000
\$100,001-\$500,000	\$20,000
\$500,001-\$1,000,000	\$40,000
\$1,000,001-\$5,000,000	\$50,000
More than \$5,000,000	1% of purchase price

APPENDIX 5: CEQR/ULURP DESCRIPTION AND FEE SCHEDULE

Subchapter A of Chapter 3 of Title 62 of the Rules of the City of New York

City Environmental Quality Review (CEQR) (Department of City Planning and Department of Environmental Protection)

§3-01 Fee for CEQR Applications

Except as specifically provided in this section, every application made pursuant to Executive Order 91 (August 24, 1977) and Chapter 5 of these rules, on or after August 1, 1995, shall include a non-refundable fee which shall be submitted to the lead agency for the action or to an agency that could be the lead agency pursuant to §5-03 of the rules of the Commission, and shall be in the form of a check or money order made out to the "City of New York".

The fee for an application shall be as prescribed in the following Schedule of Charges, §3-02 of these rules. The fee for modification for an action, which modification is not subject to §197-c of the New York City Charter, shall be twenty percent of the amount prescribed in the Schedule of Charges for an initial application. The fee for any modification for an action, which modification is subject to § 197-c of the New York City Charter, shall be the amount set forth in the Schedule of Charges (§3-02) as if the Modification were an initial application for the action. Where the fee for an application is set pursuant to §3-02(a) and the square footage of the proposed modification is different from the square footage of the original action, the fee for an application for the modification shall be based upon the square footage of the modified action or as set forth in §3- 02(b), as determined by the lead agency.

Agencies of the federal, state or city governments shall not be required to pay fees, nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of the earnings of which inures to the benefit of any private shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes. In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portion thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding such director's jurisdiction, certifies that the property affected, or such portion thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionately reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee category.

Fees shall be paid when the application is filed, and these fees may not be combined in one check or money order with fees required pursuant to other land use applications submitted to the Department of City Planning or the City Planning Commission. No application shall be processed by the lead agency until the fee has been paid and twenty-five copies of the application have been filed with the lead agency.

§3-02 Schedule of Charges

Effective Date 11/7/02

(a) Projects measurable in square feet (square footage of total project).

Less than 10,000 square feet	\$370
10,000 to 19,999 square feet	\$1,090
20,000 to 39,999 square feet	\$2,365
40,000 to 59,999 square feet	\$4,400
60,000 to 79,999 square feet	\$6,600
80,000 to 99,999 square feet	\$11,000
100,000 to 149,999 square feet	\$22,000
150,000 to 199,999 square feet	\$38,500
200,000 to 299,999 square feet	\$57,500
300,000 to 499,999 square feet	\$103,500
500,000 to 1,000,000 square feet	\$155,250
over 1,000,000 square feet	\$253,000

(b) Projects not measurable in square feet (Ex. bus franchises) -- \$1,515
Type II Actions -- \$75

(c) Modifications

The fee for modification for an action, which modification is not subject to Section 197-c of the New York City Charter, shall be 20% of the amount prescribed in the Schedule of Charges for an initial application. The fee for any modification for an action, which modification is subject to Section 197-c of the New York City Charter, shall be set forth in the Schedule of Charges as if the modification were an initial application for the action. Where the fee for an application is set pursuant to the Schedule of Charges for projects measurable by square footage, and the square footage of the proposed modification is different from the square footage of the original action, the fee for the application for the modification shall be based upon the square footage of the modified action, or the schedule of charges for projects not measurable by square footage, as determined by the lead agency.

FEES FOR APPLICATIONS PURSUANT TO CITY CHARTER § 197-C AND OTHER APPLICATIONS

Except as specifically provided in this section, every application for a map change, landfill permit, special permit, zoning authorization or certification, revocable consent for sidewalk cafe, or cable television franchise or for a modification or renewal thereof, made on or after November 7, 2002, shall include a non- returnable fee which shall be paid by check or money order made out to the Department of City Planning. The fee of an initial application, or for a modification thereof, shall be as prescribed in the following Schedule of Charges, provided that if an applicant simultaneously submits applications for several actions relating to the same project, the maximum fee imposed shall be two hundred percent of the single highest fee. The fee for a modification which is subject to § 197-c of the New York City Charter shall be the same as the fee for an initial application. The fee for renewal shall be one-half of the amount prescribed in the schedule for an initial application. No fee shall be charged for an application to eliminate a paper street from the property of an owner-occupied, one- or two-family residence. Agencies of the federal, state or city governments shall not be required to pay fees nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of

the earnings which inures to the benefit of any private' shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes. In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portions thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding to such Director's jurisdiction, certifies that the property affected, or such portions, thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionally reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee. Fees shall be paid when the application is filed, and no application shall be processed by the Department until the fee has been paid.

SCHEDULE OF FEES FOR ULURP APPLICATIONS

Effective 11/7/02

§ 3-07 Schedule of Charges

(a) Applications for City Map changes, Zoning Map Amendments or Special Permits, pursuant to Section 197-c of the City Charter:

1. Applications relating to new development or enlargement or conversion of existing development:

For special permits, the total amount of floor area, or in the case of open uses, area of the zoning lot:

Less than 10,000 square feet	\$1,350
10,000 to 19,999 square feet	\$2,050
20,000 to 39,999 square feet	\$2,700
40,000 to 69,999 square feet	\$3,450
70,000 to 99,999 square feet	\$4,050
100,000 to 239,999 square feet	\$4,500
240,000 to 500,000 square feet	\$11,750
over 500,00 square feet	\$19,500

For zoning map amendments, the area of all zoning lots in the area to be rezoned:

Less than 10,000 square feet	\$1,450
10,000 to 19,999 square feet	\$2,150
20,000 to 39,999 square feet	\$2,850
40,000 to 69,999 square feet	\$3,600
70,000 to 99,999 square feet	\$4,250
100,000 to 239,999 square feet	\$4,700
240,000 to 500,000 square feet	\$12,200

over 500,00 square feet	\$20,250
-------------------------	----------

2. Other applications not measurable by floor area or lot area (e.g. street map change to remove cloud on title):

Elimination of a paper street	\$1,150
Establishment of a Landfill	\$2,250
Any other change in The City Street Map	\$3,600

3. Extension of previously approved special permits granted for a specific term -- 1/2 of the fee schedule set forth in subdivision (a) (1) [above].

(b) Applications for franchises and revocable consents:

1. Applications pursuant to Section 197-c of the City Charter -- \$2,250
2. Sidewalk cafes:

Unenclosed	\$15 per seat/minimum of \$375
Enclosed	\$36 per seat/minimum of \$900

3. Renewal of Sidewalk cafes –

1/2 of the fee schedule set forth in subdivision (b) 2 above.

(c) Modifications which are subject to Section 197-c of the City Charter -- Fee schedule set forth in subdivision (a) (1)

(d) Modifications which are not subject to Section 197-c of the City Charter or follow-up actions required of the Chairperson, Commission or Department as a condition of a previous action -- 1/4 of the fee schedule set forth in subdivisions (a) (b) and (f).

(e) Applications for amendments to the text of the Zoning Resolution pursuant to Sections 200 and 201 of the City Charter -- \$3,600

(f) Applications for Zoning Authorizations or Zoning Certifications:

(1) Pursuant to Article VI, Chapter 2 (Special Regulations Applying in The Waterfront Area), Article X, Chapter 5 (Natural Area District), Chapter 7 (Special South Richmond Development District) and Article XI, Chapter 9 (Special Hillsides Preservation District) of the Zoning Resolution.

Certifications --	\$250 Additional tax or zoning lots, whichever is the greater number. Addresses or structures will be charged \$160 each.
Authorizations -	\$700 Additional tax or zoning lots, whichever is the greater number. Addresses or structures will be charged \$550 each.

1. Pursuant to Section 95-04 (Transit Easements) of the Zoning Resolution -- \$250
2. Pursuant to all other sections of the Zoning Resolution:

Total amount of floor area, or in the cases of open uses, area of the zoning lot:

Less than 10,000 square feet	\$700
10,000 to 19,999 square feet	\$1,050
20,000 to 39,999 square feet	\$1,350
40,000 to 69,999 square feet	\$1,750
70,000 to 99,999 square feet	\$2,050
100,000 square feet and over	\$2,250

(g) Renewals of previously approved applications -- 1/2 of the fee schedule set forth in subdivisions (a) and (f).

Source: NYC Department of City Planning

APPENDIX 6: ECONOMIC DEVELOPMENT BENEFITS

The following are economic development benefits that may be available to certain types of projects if the project meets eligibility requirements, including but not limited to factors such as site use and location. The descriptions are for general informational purposes only. The potential benefits and incentives described herein are subject to approval by the appropriate government agencies. Accordingly, neither the RFP respondents nor any third party should view the contents of this section as a final offer from, or commitment of, the City, EDC or other agencies. For more information on these and other economic development benefits, please refer to www.nycedc.com.

Relocation Employment Assistance Program (“REAP”)

REAP encourages businesses to relocate from Manhattan south of 96th Street, or from outside the city, to eligible premises in Manhattan north of 96th Street and all other boroughs. Qualified businesses (excluding retail activities and hotels) are entitled to a credit against a city business income tax liability of up to \$3,000 per eligible employee per year for up to 12 years. Businesses must relocate either to a building improved by at least 50% of its assessed value or sign a lease of at least three years and spend a minimum of \$25 per square foot on improvements. The city business income taxes against which the credit can be taken include the general corporation tax, unincorporated business tax, banking corporation tax or the utility tax. Credits are refundable for the year of relocation and the succeeding four years. Unused credits from subsequent years may be carried forward for five years.

For more information, including eligibility requirements, please visit:
http://www.nyc.gov/html/dof/html/property/property_tax_reduc_reap.shtml

Industrial and Commercial Incentive Program (“ICIP”)

The Industrial and Commercial Incentive Program (ICIP) provides a partial exemption from or abatement of property taxes for varying periods of up to 25 years for eligible industrial or commercial buildings that are constructed, expanded, modernized, rehabilitated or otherwise physically improved. ICIP benefits are granted "as-of-right" to all applicants whose projects qualify under the provisions of the legislation. All applicants must file preliminary applications with the Department of Finance prior to the issuance of a building permit or, if no permit is required, prior to the start of construction. All applicants must meet the minimum required expenditure target, which is a percentage of the assessed value of the property determined in the year the building permit is issued or, if no permit is required, at the start of construction.

For more information, including eligibility requirements, please visit:
http://www.nyc.gov/html/dof/html/property/property_tax_reduc_incentive.shtml

New York City Industrial Development Agency (“IDA”)

NYCEDC administers the programs of the New York City Industrial Development Agency. The IDA issues double and triple tax-exempt industrial development revenue bonds to assist eligible commercial, industrial, and nonprofit corporations to finance capital expansion projects within the City’s five boroughs. These organizations may also qualify for abatements on their sales, real estate and mortgage recording taxes (if applicable). An eligible project must create or retain permanent jobs in New York City and must need IDA financing in order to move forward. Bond

proceeds must be used for acquiring land and/or equipment.

For more information regarding the programs' eligibility requirements and restrictions, contact
New York City Economic Development Corporation
Financial Services Division
110 William Street
New York, NY 10038
(212) 312-3600/(888) NYC-0100
www.nycedc.com/nycida

New York City Capital Resource Corporation ("CRC")

The New York City Capital Resource Corporation (CRC) encourages community and economic development and job creation and retention throughout New York City by providing lower-cost financing programs to qualified not-for-profit institutions and manufacturing, industrial, and other businesses for their eligible capital projects. Currently, through its Loan Enhanced Assistance Program (LEAP), CRC can make direct loans to not-for-profits that are expanding or improving services in New York City. Eligible projects may include acquisition, construction, renovation and equipping of facilities primarily for the nonprofit's own use located within New York City, and/or, under certain circumstances, reimbursement or refinancing of existing debt used to fund a capital expense.

For more information, including eligibility requirements, please visit:
http://www.nycedc.com/Business_Incentives/Financing/leap.html or email LEAP@nycedc.com

Energy Cost Savings Program ("ECSP")

The energy cost savings program reduces electricity and natural gas bills. Qualifying businesses must either (1) relocate to the Site from outside of New York City or from Manhattan below 96th Street; or (2) make an investment that is greater than 10 percent of the Site's Assessed Value. Retailers, hotels, personal-service providers, and public-benefit corporations are not eligible

For more information regarding these requirements, contact:
Energy Cost Savings Program
New York City Department of Small Business Services
110 William Street
New York, NY 10038
(212) 513-6415
www.nyc.gov/html/sbs

In addition to ECSP, other energy discount programs may be available. For more information, contact:
New York City Economic Development Corporation
Energy Department
110 William Street
New York, NY 10038
(212) 312-3600/(888) NYC-0100

New Markets Tax Credit Program (“NMTC Program”)

The New Markets Tax Credit (NMTC) Program permits taxpayers to receive a credit against Federal income taxes for making qualified equity investments in designated Community Development Entities (CDEs). Substantially all of the qualified equity investment must in turn be used by the CDE to provide investments in low-income communities. The credit provided to the investor totals 39% of the cost of the investment and is claimed over a seven-year credit allowance period.

The NMTC Program is administered by the federal Community Development Financial Institutions (CDFI) Fund. For more information regarding the program’s eligibility requirements and restrictions, as well as a complete listing of CDEs with an allocation of the tax credits that may be used in the financing of projects and businesses located in low-income areas of New York City please visit: <http://www.cdfifund.gov>

The New York State Empire Zone Program

The New York State Empire Zones Program encourages economic development in designated areas of NYC by offering significant incentives to new and expanding retail, commercial and industrial firms which are Zone-certified. Eligible companies can take advantage of wage, investment, real property, and sales tax credits, as well as utility cost discounts.

For further information, contact
NYC Department of Small Business Services
NYC Business Solutions
311 or (212) NEW-YORK
www.nyc.gov/smallbiz

Upper Manhattan Empowerment Zone Program

The Empowerment Zones Program is a federal economic development initiative using public funds and tax incentives to promote investment in the Zones. New York City has an Empowerment Zone that encompasses parts of Upper Manhattan and the South Bronx. Businesses relocating and/or expanding operations within the New York City Empowerment Zone can qualify for various federal income tax credits for hiring employees, purchasing equipment/machinery, and investing in real estate property. Owners can also access loans that have below-market, fixed-interest rates; long-term financing; and very low fees.

Upper Manhattan Empowerment Zone Development Corporation (UMEZ)
290 Lenox Avenue
New York, NY 10027
(212) 410-0030
Fax: (212) 410-9616
www.umez.org

APPENDIX 7: GREEN BUILDING INFORMATION

Background Information for High Performance/Green Building Development

Please refer to the following list of Internet resource sites to facilitate with high performance/green building research. In addition, please refer to LEED and the New York State Green Building Tax Credit guidelines.

Green Building Funding Sources:

New York State Green Building Tax Credit

New York State Department of Taxation and Finance

Business Tax Hotline:

1-800-972-1233

General Tax Information Hotline:

1-800-225-5829

New York State Energy Research and Development Authority

Craig Kneeland, Project Manager

(518) 862-1090 ext. 3311

e-mail: cek@nyserda.org

New York State Department of Environmental Conservation

James Austin, Assistant Commissioner

Phone: (518) 485-8437

e-mail: jdaustin@gw.dec.state.ny.us

web site: <http://www.dec.state.ny.us>

Green Building Program Information:

New York State Energy and Research Development Authority

For more information about NYSERDA's building Programs, contact:

NYSERDA

Technical Communications Unit

Corporate Plaza West

286 Washington Avenue Extension

Albany, NY 12203-6399

Phone: (518) 862-1090 ext 3250

web-site: <http://www.nyserda.org>

United States Department of Energy

For more information about USDOE building programs, contact:

Dru Crawley

1000 Independence Avenue, SW

Washington, DC 20585

Phone: (202) 586-2344
Fax: (202) 586-1628
e-mail: drury.crawley@ee.doe.gov
web-site: <http://www.doe.gov>

Green Building Resources:

Web-Sites:

American Council for an Energy-Efficient Economy
<http://www.aceee.org>

Energy Efficiency and Renewable Energy Network (EREN)
<http://www.eren.doe.gov>

Energy Star Program (U.S. EPA)
<http://www.energystar.gov>

Environmental Building News
<http://www.ebuild.com>

Environmental Defense Fund
<http://www.edf.org>

National Resources Defense Council
<http://www.nrdc.org>

New York State Energy and Research Development Authority
<http://www.nyserda.org>

Rocky Mountain Institute
<http://www.rmi.org>

Southface Energy Institute
<http://www.southface.org>

US Department of Energy
<http://www.doe.gov>

US Environmental Protection Agency
<http://www.epa.gov>

US Green Building Council
<http://www.usgbc.org>

APPENDIX 8: REQUIRED PARKING PER ZONING

East 125th Street Development			
Build Program	Zoning ¹	Zoning ²	Notes
	C4-4	C4-5, C4-6, C4-7, C6	
Commercial Requirement	1 per 1000 sf	No commercial or assembly parking required	470,000 sf
Residential Requirement ³	25% -30% if HPD/HDC otherwise 40% -50%	25% - 30% if HPD/HDC otherwise 40% - 50%	Up to 1,000 units
Auditorium Requirement	1 per 25 seats	No requirement	TBD
Hotel/Community Facility ⁴	TBD	TBD	TBD sf
Retail	470	per EIS	1 per 1000 sf
Housing	250 - 300	250 - 300	25% - 30%
Office	200	per EIS	1 per 1000 sf
Live Theatre	TBD	0	1 per 25
Hotel/Community Facility	TBD	TBD	TBD
Total	920 – 970 + TBD	250 – 300 + TBD	

¹In C4-4 districts (i.e., C4-4, C4-4A and C4-4D), the commercial parking requirement is generally 1 space per 1,000 sq. ft. of commercial floor area. For a 1,000 seat auditorium, in C4 districts (C4-4, C4-4A and C4-4D) the parking requirement would be based on 1 space per 25 persons rated capacity (see Zoning Resolution 36-21).

²In C4-5, C4-6 and C4-7 districts, as well as all C6 districts, commercial parking is not required. However, parking may be necessary, as per EIS, to accommodate the anticipated demand generated by the project's retail mix. ⁴In C4-5, C4-6, C4-7 and C6 districts, no parking is required for a 1,000 seat auditorium.

³Parking for residential and community facility uses must be provide in the above districts. Depending on the district, required residential parking can range from 40- 50 % of the units. However, the parking requirement can be lowered (i.e., 25-30%) for projects that receive public financing, such as HPD-sponsored/HDC-funded projects (see ZR 25-25).

⁴The community facility parking requirement can be based on floor area, the number of rooms/suites (i.e., commercial hotel) or in the case of places-of-assembly, the number of fixed seats provided.

Note: Also, all commercial districts require off-street loading berths. The number of berths varies with zoning district.

***APPENDIX 9: LIST OF UNDER-REPRESENTED GOODS AND SERVICES**

- 1) Quality Supermarket
- 2) Café/Coffee House
- 3) Books
- 4) Full Service Restaurants including:
 - a. Bar and Grille
 - b. Family-oriented Sports/Entertainment Restaurant/Bar
- 5) Linens and House Wares
- 6) Casual Home Furnishings
- 7) Moderate/Better to Bridge Retail Apparel (Mid to High-end) for men, women & children
- 8) Business Attire for men and women
- 9) Movie Theatre (Cinema)
- 10) Bowling Alley with bar and food
- 11) Professional Services including:
 - a. Legal
 - b. Immigration
 - c. Accounting/ Tax Prep/ Investment Services
 - d. Information Technology/ Computer Support/ Web Design
- 12) Wholesale Wine and Spirits (offering a diverse inventory and capable of hosting wine tasting events)
- 13) Multi-Use Event/ Banquet Hall for birthdays, weddings, graduation ceremonies, etc.
- 14) Hotel

* This list was compiled by Manhattan Community Board #11 and is not intended to be exhaustive or definitive – but to serve as a guide for categories of goods and services which are under-represented in the local community.

APPENDIX 10: FINANCING FORMS FOR HOUSING USES

Financing Form 1: Rental Project Income and Affordability

Financing Form 2: Condo / Co-op Project Income and Affordability

Financing Form 3: Construction Period Uses of Funds

Financing Form 4: Construction Financing Sources

Financing Form 5: Permanent Financing Sources

Financing Form 6: Rental Pro Forma Income and Expense Schedule

Financing Form 7: Condo / Co-op Pro Forma Income and Expense Schedule

All proposals must reflect the Rent and Purchase Price Affordability calculations described below. All calculations must use the Household Factors and Electricity and Gas Allowances in the table below.

Apt. Size	Household Size	Household Factor	Electricity Allowance	Gas Allowance
0	1	.7	\$44	\$16
1	1.5	.75	\$48	\$18
2	3	.9	\$54	\$20
3	4.5	1.04	\$62	\$20
4	6	1.16	\$69	\$20
5	7.5	1.28	\$69	\$20

Rent and Affordability Calculations

- All rents by apartment size must be calculated using the equation below. Reference the table above for Household Factors and utility allowances.

$$\begin{array}{rcl}
 & \text{Household Factor (for appropriate Apartment Size)} & \\
 \times & \$70,900 \text{ (Area Median Income for purposes of rent calculations)} & \\
 \times & \% \text{ AMI Affordability} & \\
 \times & 30\% \text{ (of income to housing)} & \\
 / & 12 \text{ months} & \\
 \hline
 & \$ \text{ Total monthly gross rent} & \\
 \text{(less)} & \$ \text{ Electricity and Gas Allowances by Household Size} & \\
 \hline
 & \text{Total monthly net rent to development} &
 \end{array}$$

Purchase Price and Affordability Calculations

Purchase Price and Affordability levels must be calculated using the following assumptions:

- o 10% down payment
- o 30 year mortgage term
- o 7% annual fixed mortgage rate

% AMI Affordability for given Purchase Price must be calculated using the formula below:

$$\begin{array}{rcl}
 & \$ \text{ Monthly mortgage payment} & \\
 + & \$ \text{ Monthly maintenance charges to co-ops/condos} & \\
 + & \$ \text{ Taxes (condos only)} & \\
 \hline
 & \$ \text{ Total monthly gross housing cost} & \\
 \times & 12 \text{ months} & \\
 / & 33\% \text{ (of income to housing)} & \\
 / & \$70,900 \text{ (Area Median Income for purposes of purchase price calculations)} & \\
 / & \text{Household Factor (for appropriate Apartment Size)} & \\
 \hline
 & \% \text{ AMI Affordability} &
 \end{array}$$

FINANCING FORM 1: RENTAL PROJECT INCOME AND AFFORDABILITY

Financing outlined below must reflect guidelines outlined in Submission Requirements

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

Residential:

Residential Gross Square Feet:						
Residential Rentable Square Feet:						
Unit Size	Affordability (% of AMI)	# of Units	# of Rooms	Avg. SF per Unit	Monthly Net Rent per Unit	Annual Rent
Studio						
1 BR						
2 BR						
3 BR						
Other type						
Super						
Total						
					Less 5% vacancy	
					Total Annual Rent	

Commercial / Retail:

	Commercial / Retail	Community	Total
Gross Square Feet			
Rentable Square Feet			
Avg. Annual Rent per SF			
Gross Annual Rent			
		Less 10% vacancy	
		Total Annual Rent	

Parking:

	Commercial / Retail	Residential	Total
Number of Spaces			
Avg. Annual Rent per Space			
Gross Annual Rent			
		Less 10% vacancy	
		Total Annual Rent	

FINANCING FORM 2: CONDO/ CO-OP PROJECT INCOME AND AFFORDABILITY

Financing outlined below must reflect guidelines outlined in Submission Requirements

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

Ownership type: _____ Co-op _____ Condo

Residential:

						A	B	C	Total Monthly Housing Cost (sum of columns A, B, and C)	Total Annual Revenue to Coop / Condo
Unit Size	Affordability (% of AMI)	# of Units	# of Rooms	Avg. SF per Unit	Sales Price	Owner Monthly Mortgage Payment	Monthly Utilities (Gas and Electric)	Maintenance to Condo / Co-op*		
Studio										
1 BR										
2 BR										
3 BR										
Other type										
Super										
Total										

*Maintenance payments to the Condo / Co-op should include debt service on any underlying mortgage.

Commercial / Retail:

	Commercial / Retail	Community	Total
Gross Square Feet			
Rentable Square Feet			
Avg. Annual Rent per SF			
Gross Annual Rent			
	Less 10% vacancy		
	Total Annual Rent		

Parking:

	Commercial / Retail	Residential	Total
Number of Spaces			
Sales Price per Space			

FINANCING FORM 3: CONSTRUCTION PERIOD USES OF FUNDS

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

I. PROPOSED CASH PURCHASE PRICE	\$0	
II. HARD COSTS		
Contractor's Price for Residential Component		
Contractor's Price for Commercial / Retail Component		
Hard Cost Contingency @ ____%		
Total Hard Costs		
III. SOFT COSTS		
A. Financing Costs		
Construction Interest		
Bank Commitment Fee		
Bank Letter of Credit Fee		
Bank Mortgage Insurance Premium		
Bond Issuance		
Negative Arbitrage		
Other:		
Other:		
B. Pre-Construction Costs		
Appraisal		
Surveys		
Borings		
Title and Recording		
Mortgage Recording Tax		
Mortgage Insurance Premium		
Real Estate Taxes		
Water & Sewer, Utilities		
Permits & Fees		
Insurance		
Bonding / Letter of Credit		
Other:		
C. Professional Fees		
Architect & Engineer		
Landscape Architect / Urban Designer		
Lender Engineering Fee		
Environmental Svcs (Phase I & CEQRA)		
Borrower Legal		
Lender Legal		
Accounting		
Other:		
D. Sales Costs		
Marketing / Sales		
Transfer Taxes (City and State)		
Other:		
Total Soft Costs		
III. DEVELOPER FEE		
IV. TOTAL DEVELOPMENT COST		

FINANCING FORM 4: CONSTRUCTION FINANCING SOURCES

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

Construction Sources of Financing:

	Amount			
Equity:		Description of Equity Source		
Cash Equity				
Other Equity Source				
Other Equity Source				
Total Equity				
Loans:		Lender	Rate	Term
Bank Construction Loan				
2nd Construction Loan				
3rd Construction Loan				
Total Loans				
Total Sources of Funds*				

*this amount should be equal to Total Development Cost

FINANCING FORM 5: PERMANENT FINANCING SOURCES

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

If the residential development is financed separately from the commercial / retail development, please estimate the Commercial / Retail TDC, and complete "1. Permanent Sources of Financing" for the residential component and "2. Permanent Sources of Commercial / Retail Financing" for the Commercial / Retail component.

If the residential and commercial / retail components are financed together, only complete "1. Permanent Sources of Financing."

1. Permanent Sources of Financing:

	Amount			
Equity:		Description of Equity Source		
Cash Equity				
Other Equity Source				
Other Equity Source				
Total Equity				
Loans:		Lender	Rate	Term
Bank Construction Loan				
2nd Construction Loan				
3rd Construction Loan				
Total Loans				
Total Sources of Funds*				

*this amount should be equal to Total Development Cost

2. Permanent Sources of Commercial / Retail Financing

	Amount			
Estimated Commercial / Retail Total Development Cost				
Equity:		Description of Equity Source		
Cash Equity				
Other Equity Source				
Other Equity Source				
Total Equity				
Loans:		Lender	Rate	Term
Bank Construction Loan				
2nd Construction Loan				
3rd Construction Loan				
Total Loans				
Total Sources of Funds*				

*this amount should be equal to Estimated Commercial / Retail Total Development Cost

FINANCING FORM 6: RENTAL PRO FORMA INCOME AND EXPENSE SCHEDULE

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

	Amount	Per DU	Per Room
I. REVENUES			
Gross Residential Income			
(This amount must correspond to estimates for Total Annual Revenue in Financing Form 1)			
Less Vacancy @ _____ %			
Net Residential Income			
Gross Commercial / Retail Income			
(This amount must correspond to estimates for Gross Income in Financing Form 1)			
Less Vacancy @ _____ %			
Net Commercial / Retail Income			
Laundry Income			
Parking Income			
Other Income			
EFFECTIVE GROSS INCOME			
II. EXPENSES			
Janitorial / Cleaning Supplies			
Repairs & Replacements			
Painting			
Grounds Maintenance			
Heating			
Cooking Gas & Electric			
Office Supplies & Equipment			
Elevator Maintenance & Repairs			
Superintendent & Maintenance Staff Salaries			
Security @ _____ hours / day			
Management Fee			
Legal & Accounting/Auditing			
Fire / Liability Insurance			
Real Estate Taxes			
Water & Sewer Charges			
Capital Replacement Reserve			
Other (identify)			
TOTAL EXPENSES			
NET OPERATING INCOME			
III. DEBT SERVICE			
First Mortgage @ _____ DCR			
Second Mortgage			
Third Mortgage			
TOTAL DEBT SERVICE @ _____ DCR			
IV. TOTAL EXPENSES + TOTAL DEBT SERVICE			
V. NET CASH FLOW (NOI less TOTAL DEBT SERVICE)			

FINANCING FORM 7: CONDO/ CO-OP PRO FORMA INCOME AND EXPENSE SCHEDULE

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

	Amount	Per DU	Per Room
I. REVENUES			
Gross Residential Income			
(This amount must correspond to estimates for Total Annual Revenue in Financing Form 2)			
Less Vacancy @ _____ %			
Net Residential Income			
Other Income			
EFFECTIVE GROSS INCOME			
II. EXPENSES			
Janitorial / Cleaning Supplies			
Repairs & Replacements			
Painting			
Grounds Maintenance			
Heating			
Cooking Gas & Electric			
Office Supplies & Equipment			
Elevator Maintenance & Repairs			
Superintendent & Maintenance Staff Salaries			
Security @ _____ hours / day			
Management Fee			
Legal & Accounting / Auditing			
Fire / Liability Insurance			
Real Estate Taxes			
Water & Sewer Charges			
Capital Replacement Reserve			
Other (identify)			
TOTAL EXPENSES			
NET OPERATING INCOME			
III. DEBT SERVICE			
First Mortgage @ _____ DCR			
TOTAL DEBT SERVICE @ _____ DCR			
IV. TOTAL EXPENSES + TOTAL DEBT SERVICE			
V. NET CASH FLOW (NOI less TOTAL DEBT SERVICE)			

APPENDIX 11: HPD NEW CONSTRUCTION GUIDELINES

HPD has outlined a set of design principles and guidelines to foster quality and encourage creative approaches throughout the entire design development process. The design guidelines apply to all new construction housing projects subject to HPD review and approval.

The purpose of these guidelines is to establish minimum criteria for the design of quality housing. These guidelines are not intended to supersede the requirements of any other rules or regulations of any other agency having jurisdiction, in which case the more restrictive will govern.

Other agency rules and regulations may include but are not limited to New York City Building Code; Housing Maintenance Code; Zoning Resolution; Local Law 58 Handicap Standards, and particular program requirements. Also, projects must meet Federal, State, and City environmental laws, including those pertaining to: historic preservation; air, water, and noise quality; flood plain, wetland and coastal zone management; and solid waste management.

Guidelines using the word, must, are mandatory. However, the word, should, is advisory and minor deviations from the guidelines will be allowed if necessary to accommodate a clearly superior design. Substantial deviations from the advisory guidelines may disqualify proposals.

I. SITE PLANNING

A. Relationship to Neighborhood

1. When applicable, the height of a new building should relate to the prevailing heights of the existing buildings in the immediate neighborhood. The street wall and façade materials of any new building should visually and physically harmonize with the immediate neighborhood.
2. The design should be pedestrian friendly and provide architectural elements that generate activity, interest and interaction at the street level, such as stoops, porches, setbacks, bay windows, etc.

B. Outdoor Space

1. A variety of outdoor spaces should be programmed and landscaped for specific uses according to the project's intended population, e.g.
 - If provided, front yards should be appropriately landscaped, toddler play area with matting and safe equipment
 - infrastructure for tenant gardens
 - seating and game tables in the shade
2. Outdoor spaces must be buffered from vehicular service areas.
3. Wherever possible, windows should be located to insure surveillance of public and private outdoor spaces.
4. A secure barrier, such as the building or a steel picket fence (chain link fence is not acceptable along the street), should protect the perimeter of the site. The number of entry points into a building or project site should be minimized.
5. Street trees must be provided along the street frontage as per the NYC department of Parks and Recreation and the NYC Department of Transportation standards.

C. Street Façade/Building Elevation

1. The façade materials of all new buildings should be compatible with the surrounding neighborhood. Brick should be used in neighborhoods with a predominantly brick character.
2. Dimensions and spacing of fenestration should echo neighborhood patterns and maximize daylight into the unit.

3. Color, texture, material, and fenestration should be used to:
 - relate to adjacent buildings
 - define the base, middle, and top of buildings
 - reinforce the human scale at the base level

D. Parking

1. Parking should be shielded from the street and from on-site open spaces. Trees should provide a canopy over the parking areas.
2. If a large number of parking spaces is needed, consideration should be given to parking below grade.
3. Front pad parking should be avoided.

II. **BUILDING PLANNING**

A. Lobby

1. The lobby should be treated as an attractive and gracious space with materials and furnishings that are attractive, durable, and easy to maintain.
2. The lobby should be undisrupted by other elements, i.e.
 - garbage removal should not pass through the lobby
 - the compactor chute should not open into the lobby
 - janitor's closet and fire stair should not be visible.
3. If a mailroom is provided, it should be located in an area that is visible and accessible from the lobby.
4. Natural light should be maximized, and if possible, a view of the exterior landscaped space should be exploited.
5. The primary vertical circulation/elevator should be visible and accessible from the lobby.
6. The lobby should be visible from the street to insure security. Main residential entry should be clearly articulated and differentiated from commercial/retail entry.
7. Entry from the project's open space, the parking area, and the sidewalk should lead directly into the same lobby.

B. Interior Circulation

1. Public circulation space should be minimized.
2. The interior circulation system should have a minimal number of changes in corridor direction and minimal recesses or offsets.
3. Natural light should be maximized in circulation spaces.

C. Community Spaces

1. A variety of community spaces should be programmed for specific uses and sized accordingly with appropriate finishes and furnishings, e.g.
 - children's indoor play room with safe and durable play equipment and playful finishes
 - party room or adult lounge with comfortable furniture, T.V., bar/kitchenette, in close proximity to laundry room
 - exercise room with ventilation and natural light
 - common laundry room conveniently located and directly accessible from the public circulation. In 1 to 3 family houses, provide laundry hook-up for the homeowner.
2. All community spaces should receive natural light and have direct physical and visual access to the outdoor recreation space.
3. Appropriate relationships between community spaces should be fostered.

D. Building Services

1. Janitor closets should be provided with slop sinks.
2. Provide vandal/frost-proof hose bib at front and rear of building.
3. Provide trash chutes, recycling room, and trash compactor in elevator buildings with 30 or more dwelling units.

4. The compactor room should be located for convenient transport of compacted refuse to the outside, minimizing transportation of garbage through the building's circulation space or across outdoor space.
5. Curb-side storage space for refuse/recycling pick-up should be provided and screened from the sidewalk, street, and building entrance.

III. APARTMENT PLANNING

A. Unit Arrangement

1. There must be no circulation through bedrooms to other bedrooms or to primary bathrooms. Bathrooms should be near the bedrooms. Bathrooms must not open into the Living Room, Dining Room, or Kitchen. Circulation through the Living Room should be avoided.
2. All door placements and wall lengths should accommodate furniture placement.
3. Direct access to private outdoor space should be provided from a living space within the unit, not a bedroom.

B. Minimum Room Sizes

Name of Space	0-BR	1-BR	2-BR	3-BR	4-BR	Least Dimension
LR	NA	160	160	170	180	11'-0"
LR/DA	NA	210	210	230	250	11'-0"
LR/DA/SA	250	NA	NA	NA	NA	11'-0"
LR/DA/K	NA	270	270	300	330	11'-0"
LR/SA	210	NA	NA	NA	NA	11'-0"
K/DA	100	120	120	140	160	8'-0"
DR	NA	100	100	110	120	8'-0"
BR (primary)	NA	130	130	130	130	10'-0"
BR (secondary)	NA	NA	110	110	110	9'-4"

Abbreviations:

LR	-	Living Room
DR	-	Dining Room
K	-	Kitchen/Kitchenette
BR	-	Bedroom
SA	-	Sleeping Area
0-BR	-	Apartment with no separate bedroom
NA	-	Not Applicable

Note: The room area shall be computed to the inside finished surfaces of the walls and partitions, and exclude columns, pipe chases, and closets.

C. Kitchenette/Kitchen

1. Kitchen to Living Room visibility should be maximized by pass-through openings, open counters, and half height partitions.
2. Plumbing and ventilation chase walls should be shared where possible, but not at the expense of the design.
3. Kitchen equipment must consist of a 30" range, refrigerator (14 c.f. min), 24" sink, base cabinets with countertop and wall hung cabinets. In 1 to 3 family homes, provision for dishwasher and hook-ups should be provided for the homeowner.
4. Countertop work surface should be located on both sides of the sink and both sides of the range.
5. The minimum length of countertop work surface (excluding sink and appliances) and cabinet shelving must be as follows:

<u>Apartment Type</u>	<u>Countertop Work Surface</u>	<u>Shelving</u>
0-BR	5 lin. Ft	30 lin. Ft.
1-BR	6 lin. Ft.	40 lin. Ft.
2-BR	7 lin. Ft.	50 lin. Ft.
3-BR	8 lin. Ft.	55 lin. Ft.
4-BR	8 lin. Ft.	65 lin. Ft.

6. Base cabinets and countertops must be 2'-0" deep. Shelving must be 11 ^{1/2}" deep.
7. Pantries are desirable, encouraged, and qualify as required shelving.

D. Dining Area

Every dwelling unit must contain a space for dining, which accommodates a table and chairs for the intended maximum number of occupants.

E. Bathrooms

1. Every dwelling unit must contain at least one full bathroom containing a bathtub with showerhead, a sink, and a toilet. Compartmentalizing the bathroom, to enable simultaneous use by more than one person, is encouraged.
2. Three bedroom apartments must have an additional half bathroom containing a sink and a toilet, and possibly a shower.
3. Four bedroom apartments must contain two complete bathrooms.

F. Storage

1. Every dwelling must contain a coat closet that is convenient to the entrance and is at least 2'-0" deep and 3'-0" wide.
2. Every bedroom must contain a clothes closet that is at least 2'-0" deep and 5'-0" wide.
3. Every dwelling unit must contain storage for linens that is at least 1'-6" deep and 2'-0" wide.
4. Additional general storage space, such as a walk-in-closet, should be provided within each dwelling, especially for units with more than 2 bedrooms.

IV. HANDICAPPED/ ELDERLY REQUIREMENTS

In addition to meeting all other applicable laws and regulations, units designed for elderly and/or handicapped persons must meet the following provisions:

A. Lobby seating

In all projects designed for exclusive occupancy by elderly or handicapped persons, adequate sitting space with a view of the street or open space should be provided in the lobby or adjacent lobby of each building.

B. 2 person 0-BR units

Every 0-BR dwelling unit designed for occupancy by elderly or handicapped persons must accommodate two persons sleeping separately.

C. Outdoor space

1. In all projects designed for exclusive occupancy by elderly or handicapped persons, provisions should be made for sitting space for at least 20% of all residents in appropriate outdoor areas.
2. All outdoor space must be programmed and landscaped for specific uses.
3. All outdoor spaces must be buffered from vehicular service areas.

V. SUBMISSION REQUIREMENTS

All plans must be prepared by a Registered Architect or Professional Engineer. The developer or his agent must submit one easily reproduced copy of each of the following:

A. Plans:

Clearly indicate all community spaces on the appropriate floor plan (laundry room, playroom, adult lounge, etc).

- Site plan showing all walks, sidewalks, building access points, driveways, parking areas, play areas with equipment, benches, other exterior furnishings, trees, plant material, and elevations/grades.
- Street level commercial and/or residential lobby/entrance plan
- Typical residential floor plan
- Cellar or basement and roof plan
- Unit plans at 1/8"=1'-0".
- Any other plans needed to explain design concept.

B. Elevations

1. Street front elevations must indicate materials, colors, total building heights, and floor levels.
2. Elevations should show adjacent buildings to demonstrate the new building's compatibility.

C. Project Statistics and Zoning Analysis

1. Complete zoning analysis is required, including allowable and proposed F.A.R; open space requirements; lot area per zoning room or dwelling unit; and parking and dwelling unit count. Zoning analysis must cite all relevant sections of the Zoning Resolution.
2. Show proposed apartment distribution and indicate building code occupancy group, construction group, and construction class.
3. Provide Topographic Survey as needed.

APPENDIX 12: HPD MARKETING GUIDELINES

All HPD development projects are leased through a lottery system monitored by HPD's marketing department. Market-rate units will not be subject to the HPD lottery.

Marketing Preferences:

- Applicants who are residents of the community board in which the project is being built will receive preferential consideration for 50% of the apartments.
- Mobility-impaired applicants will receive preferential consideration for 5% of the apartments.
- Visually and hearing impaired applicants will receive preferential consideration for 2% of the apartments.
- Active New York City Police Officers will receive preferential consideration for 5% of the apartments.
- Other Public Employees will receive preferential consideration for 5% of the apartments.

APPENDIX 13: POSSIBLE FINANCING SOURCES FOR AFFORDABLE HOUSING

The table below lists a variety of New York State and New York City affordable housing programs that the respondent may consider to finance the proposed development. This is not an exhaustive list as other financing options exist, including 4% as-of-right and 9% competitive Low-Income Housing Tax Credits.

Please visit the websites for term sheets and additional information.

	Program	Type of Unit	Additional Information
New York Housing Development Corporation (HDC)	Low-Income Affordable Marketplace Program (LAMP)	Rental	www.nychdc.com
	New Housing Opportunities Program (New HOP)	Rental	
	Cooperative Housing Program	Homeownership	
City of New York Housing Preservation & Development (HPD)	Mixed Income Rental Program (MIRP)	Rental	www.nyc.gov/hpd
	New Construction Participation Loan Program (PLP)	Rental	
New York State Affordable Housing Corporation (NYS AHC)	AHC Subsidy	Homeownership	www.nyhomes.org
New York State Division of Housing and Community Renewal (DHCR)	Low-Income Housing Trust Fund Program (HTF)	Rental/ Homeownership	http://www.dhcr.state.ny.us/