

New York City Economic Development Corporation

Request for Proposals



East 125th Street Firehouse

Release Date: Tuesday, January 22, 2008

Submission Date: Friday, April 18, 2008



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INTRODUCTION/OBJECTIVE

New York City Economic Development Corporation (“NYCEDC”) and New York City Department of Housing Preservation and Development (“HPD”) are jointly seeking proposals for the rehabilitation and redevelopment of the former East 125th Street Firehouse (the “Site”) located at 120 East 125th Street, Manhattan New York.

The purpose of this Request for Proposals (“RFP”) is to solicit proposals from prospective respondents (“Respondents”) interested in purchasing and redeveloping the Site as a community and/or cultural facility. The Respondent ultimately selected for the project through this RFP is referred to herein as the “Selected Developer”. Potential acceptable Respondents for the Site include not-for-profit community entities and not-for-profit cultural institutions.

BACKGROUND

To ensure that the East Harlem community is an active participant in the process to determine the future use of the Site and that the future use of the Site fits the community’s needs, in March 2007, Council Member Melissa Mark Viverito established the East Harlem Firehouse Community Steering Committee (“the Steering Committee”). The Steering Committee includes representatives from the Mayor’s Office and a consortium of agencies as well as Council Member Melissa Mark-Viverito and representatives from Manhattan Borough President Scott Stringer’s office and Community Board 11.

The development goals and guidelines set forth in this RFP are a result of Steering Committee meetings as well as the Steering Committee’s community outreach, which included two public meetings and a written survey. NYCEDC and HPD will continue to consult with the Steering Committee throughout the selection process.

SITE CONTEXT & DESCRIPTION

Home to former Engine Company Number 36, the Site was decommissioned for budgetary reasons in May of 2003 and is currently vacant. The firehouse was designed by the architectural firm of Napoleon LeBrun & Sons and built in 1888-1889 in a Romanesque Revival style. The exterior of the building was designated landmark status in June 1997.

The Site is located on the south side of 125th Street between Lexington and Park Avenues in the East Harlem neighborhood known as the “East Harlem Triangle.” 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 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 sponsored 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. As a result of these programs/planning initiatives, 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 and is also located in the state-designated East Harlem Empire 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.

EXISTING CONDITIONS

The Site is located on Block 1773, Lot 62, in Community District 11. It has a lot square footage of approximately 2,500 square feet and a building square footage of approximately 8,500 square feet. A visual inspection was conducted by HPD's Division of Architecture, Construction and Engineering (DACE) on April 25, 2007. (See Appendix 2).

ZONING AND LAND USE

The Site is currently located in a C4-4 zoning district. However, the Site is located within the Department of City Planning's proposed 125th Street Rezoning and is proposed to be rezoned from C4-4 to C4-4D. This new contextual zoning designation will increase the maximum allowable residential FAR to 7.2 with an affordable housing bonus, the commercial FAR to 4.0 and decrease community facility FAR to 6.0. Additional information regarding the rezoning is available at www.nyc.gov/125thStreet

The Site is adjoined by a nursing home and a local retail store. The remainder of the block as well as the surrounding area has a mix of residential and commercial uses. Recent commercial development in this neighborhood includes a Pathmark supermarket located at East 125th Street and Lexington Ave, and Gotham and Gateway Plaza, retail plazas located on the north side of East 125th Street between Park and Lexington Avenues.

TRANSPORTATION

The Site is well served by local and regional mass transportation. The nearest 4,5,6 Lexington Avenue Subway Station is half a block east and the 125th Street Metro North railroad station is located one block west. Ten different MTA bus routes operate within the Site area. In addition, the Triborough Bridge entrance and exit ramps are two blocks east.

DEVELOPMENT GOALS, GUIDELINES, AND PROCESS

Proposals for the Site must be developed according to the goals and guidelines listed below.

DEVELOPMENT GOALS

- Redevelop the Site into an active space for community, educational, and cultural uses
- Primary uses should include services underrepresented in Community Board 11
- Reuse the Site in such a manner that directly benefits the local community
- Preserve the character and appearance of the Site
- Create a financially sustainable and economically viable project
- Rehabilitate the Site in accordance with existing zoning, and other regulatory controls
- Serve as an example of high-quality, sustainable design and construction

DEVELOPMENT GUIDELINES

Design – Design must be context-sensitive, considering the Site’s landmark status and the project’s relationship to the surrounding community. The project must be an asset to the area. Architectural design, urban design, and the extent to which the redevelopment is realized must be consistent with applicable zoning, environmental, and other regulatory controls. In addition, any proposed changes to the building must be reviewed and approved by the Landmarks Preservation Commission. The design shall maximize the sustainable performance of the project by integrating high performance measures and sustainable design practices where appropriate.

Ownership Structure– Respondents may seek to purchase and redevelop the Site under one of the following ownership structures: single owner/occupant; single owner with multiple occupants; or multiple owners and multiple occupants. Preference will be given to Respondents that include a local organization(s) as part of their ownership structure (See Appendix 7 for a complete list of Community Board 11 local organizations).

Purchase Price - The Site will be sold for \$1.

Funds and Financing– The Selected Developer will be responsible for all funds and financing related to the Site, including, but not limited to: development costs; ongoing maintenance and operation costs; and an endowment and/or capital reserve fund, if necessary. Potential sources of revenue may include corporations, foundations, government, special events, donations, program revenue/earned income and other miscellaneous income.

DEVELOPMENT PROCESS

NYCEDC and HPD will review responses to the RFP in collaboration with the Steering Committee. HPD will designate the Selected Developer and take the project through its public approval process for the approval of business terms. For further details on the public approvals required for this RFP refer to the “Public Review Process/Environmental Review” subsection of this RFP.

PROPOSAL REQUIREMENTS

Proposals must contain the following elements:

A. Project Description

The project description should be a detailed narrative describing relevant aspects of the project, including redevelopment plans and schedule, and the Respondent's operation assumptions. The project description must address each of the issues detailed in the Development Guidelines.

B. Financial Information

Respondents must provide the following financial information:

- Pro forma cash flows for ten years. Please outline all assumptions on which the pro forma document is based, including minimum returns sought. The pro forma document should include all necessary capital improvements over time and reserves and debt service payments associated with construction financing.
- A construction budget defining specific hard and soft costs, and sources and uses of funds;
- A detailed description of proposed equity investment and construction and permanent financing; cash flow from program and operations;
- Letters of interest and/or intent from lenders, if applicable

In order to complete our analysis in a timely manner, the pro forma document must be submitted on a computer disc in Excel.

C. Respondent Description

Respondents must demonstrate sufficient financial resources and professional ability to redevelop the Site in a manner consistent with its proposal. In addition, Respondents must complete and submit an HPD Development Team Information and Applicant Questionnaire, a copy of which is attached as Appendix 3. Each proposal must include a description of the Respondent's team, including:

- Current organizational structure, including members of Board of Directors and staff.
- Respondent's programming and mission including, as applicable, community outreach and educational programs.
- Documentation of a record of accomplishments.
- Description of any previous experience with capital projects, such as the development or redevelopment of a facility, as operator, manager, designer and/or builder; and debt offerings or other borrowings.
- Name, address, telephone number, and qualifications of the Respondent 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 Respondent’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 Respondent and each of its principals. If Respondent’s team consists of a partnership or joint venture, then certified net worth statements must be submitted for each member.
- Any additional documentation or information evidencing the strength of the Respondent’s team and their ability to complete the project.

D. Description of Community Benefits

Respondents must describe and quantify the direct benefits to the community from the proposed project. Specifically, Respondents must provide a narrative detailing anticipated number of visitors and visitor origin, and a description of programs available to community members.

E. Site Plan & Architectural Design

Respondents must provide conceptual drawings for the redeveloped the Site, including site-use plans, floor plans, rendering of the redeveloped the Site, and a summary of the proposed building program with all square footages identified. Five (5) copies of the conceptual drawings for the Site must be provided. Drawings must indicate the graphic scale.

F. Zoning Calculation

Respondents must provide a preliminary zoning analysis showing all calculations, and must also identify all permits and authorizations required for the proposed redevelopment.

G. Green Building/Sustainable Design

Respondents must submit a Green Building Plan that includes a narrative describing the proposed project’s sustainable design goals and declaration of commitment to incorporate the specific criteria into the overall project design.

A list of Green Building resources and contact information can be found in Appendix 4.

H. Construction Schedule

Respondents must provide a construction schedule for the proposed project.

I. MWBE/Local Hiring and Utilization Plan

Respondents must submit a plan to address both MWBE and local business participation in the project and local hiring (the “MWBE/Local Hiring and Utilization Plan” or “LHUP”).

NYCEDC and HPD are dedicated to furthering the participation of minority and women-owned businesses in its work. The MWBE component of the LHUP must outline methods to facilitate the participation of women-owned and minority-owned businesses (as certified by the New York City Department of Small Business Services) in the project. A full listing of MWBE certified firms is available at www.nyc.gov/buycertified. A complete list of MWBE certified firms in Community Board 11 is located in Appendix 8.

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:

- Identification of local businesses seeking construction work on the project;
- Sizing of bid packages to facilitate participation of smaller enterprises;
- 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 of recruitment to currently unemployed or underemployed segments of the population;
- Participation in local trade fairs;
- Ideas for ongoing implementation and monitoring of proposed LHUP components.

The LHUP must also detail the anticipated number, type, and wage level of post-construction jobs to be created.

J. Statement of Agreement

Respondents must submit a statement signed by an authorized principal or officer of the Respondent that states 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.

SELECTION CRITERIA

NYCEDC and HPD will jointly evaluate each proposal according to the criteria listed below, taking into account the information provided in the Proposal, references, and any other information about the Respondent's performance available to NYCEDC and HPD. Proposals that are not complete or do not conform to the requirements of this RFP will not be considered. NYCEDC and HPD reserve the right to request additional information, site visits, interviews, or presentations.

- *Economic Impact on / Spending in New York City* – projected expenditures, total project 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;

- *Land Use and Design* – thoughtful and innovative architecture and design that responds to the site and the Development Goals and Guidelines listed in the RFP; extent to which development potential is maximized in a manner consistent with applicable zoning, environmental, and other regulatory controls; overall quality of design and construction will be given significant consideration;
- *Respondent Team Qualifications* – experience, development skills, and financial resources necessary to complete a high-quality project on time and within budget; previous experience in managing and operating not-for-profit community and/or cultural institutions to the satisfaction of the tenants, in a financially sustainable manner, and in compliance with all applicable laws; factors that will be considered are experience in managing non-profit tenants, including record keeping, and reporting requirements of subsidy programs for such tenants.
- *Financial Feasibility* – the Respondent Team’s demonstrated financial condition to complete the project; availability of identifiable funding sources to finance the project; and sufficient revenue to support operating expenses, capital costs and debt service; NYCEDC and HPD will evaluate the Respondent’s assets, bank, or other lender references, and current commitments in order to assess the Respondent’s capacity to secure construction and permanent financing, meet construction lender’s equity requirements, absorb any cost overruns, and commence and complete construction of the Respondent’s entire development project in a timely manner;
- *Relationship to Surrounding Community* – project design and programming offered to the community must be context-sensitive, considering the project’s relationship to the surrounding community and neighborhood. The project must be an asset to the area and consider the development’s relationship to the surrounding community and existing neighborhood. NYCEDC and HPD will evaluate each proposal to determine the Project’s positive impact on the community and responsiveness to the neighborhood context;
- *Community Engagement and Access*: location of current facilities, past programs and services; affordability and accessibility of proposed facility and programming to local community;
- *Local Hiring Utilization Plan* – degree to which the LHUP addresses the goals outlined in the RFP;
- *Schedule* – demonstration of ability to complete the project, given the constraints set forth in the development controls, in a timely fashion;
- *Green Building Plan* – to the maximum extent possible, proposals should incorporate green building, sustainable development, and “smart building” concept and technologies in order to enhance overall design and construction, while simultaneously making the building environmentally responsible.

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 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 Liliana Ruiz at (212) 312-3840 or lruiz@nycedc.com.

The File contains, among other items:

- Phase I Environmental Site Assessment
- Building Plans as filed with the Department of Buildings
- Landmark Preservation Commission's Designation

DISPOSITION PROCESS

Public Review Process/Environmental Review

Site disposition will be subject to approval as an Urban Development Action Area Project (UDAAP). Such approval is subject to review by the City Planning Commission and City Council, with the City Council having final review authority. HPD shall initiate the necessary UDAAP approvals following developer designation. While disposition of the site was previously approved pursuant to the Uniform Land Use Review Procedure (ULURP), HPD nevertheless will need to initiate the UDAAP process given statutory requirements pertaining to HPD-initiated dispositions.

Conditional Designation Period

After review of the proposals, NYCEDC and HPD in collaboration with the Steering Committee will select and HPD will conditionally designate the Selected Developer. Upon execution of the conditional designation letter, the Selected Developer must reimburse NYCEDC \$4,264, the cost of the Phase I Site Investigation. This cost is non-refundable.

During the conditional designation period, the Selected Developer will be expected to complete its due diligence, including ordering a title report from a reputable title insurance or abstract company if applicable. These due diligence items must be prepared at the sole cost and expense of the Selected Developer. All work products shall become property of NYCEDC and HPD upon submission. These expenses are non-refundable.

By the end of the designation period, the Selected Developer will be expected to have entered into contract of sale with HPD to purchase the Site for \$1.

INFORMATIONAL MEETING/QUESTIONS/SITE VISIT

There will be an information session and Site visit held on **Monday, February 4, 2008 at 10:00am at the East 125th Street Firehouse**, located at 120 East 125th Street, New York. Those who wish to attend must complete a Site tour waiver and should RSVP by

contacting Liliana Ruiz at 212-312-3840 or Lruiz@nycedc.com on, or before, February 1, 2008 at 4:00pm. Directions, specific information, and Site tour waiver will be provided upon RSVP. Interested parties are strongly encouraged to attend this event. For those who aren't able to attend, the questions asked and answered at the session will be posted on the website by **February 13, 2008**.

Respondents may submit questions and/or request clarifications by emailing 125th StFirehouse@nycedc.com; all questions will be answered, posted and updated regularly to www.nycedc.com/RFP. No questions will be accepted after 4:00 p.m. on **Friday, March 28, 2008**. For all questions that do not pertain to the subject matter of this RFP please contact NYCEDC's Contracts Hotline at 212.312.3969.

HOW TO SUBMIT

Five (5) copies of the submission and one (1) electronic version of the submission on disc in .pdf format identified by "East 125th Street Firehouse" on the envelope must be submitted to and received by NYCEDC by **Friday, April 18, 2008**. 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: Maryann Catalano, Vice President of Contracts

CONDITIONS, TERMS, AND LIMITATIONS

This RFP and any transaction resulting from such proposals are subject to the conditions, terms and limitations set forth in Appendix 5.

FURTHER INFORMATION

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

Carolee Fink, Senior Project Manager
NYC Economic Development Corporation
110 William Street
New York, NY 10038
212.312.3721
cfink@nycedc.com

APPENDIX 1: MAPS

MAP 1: SITE LOCATION



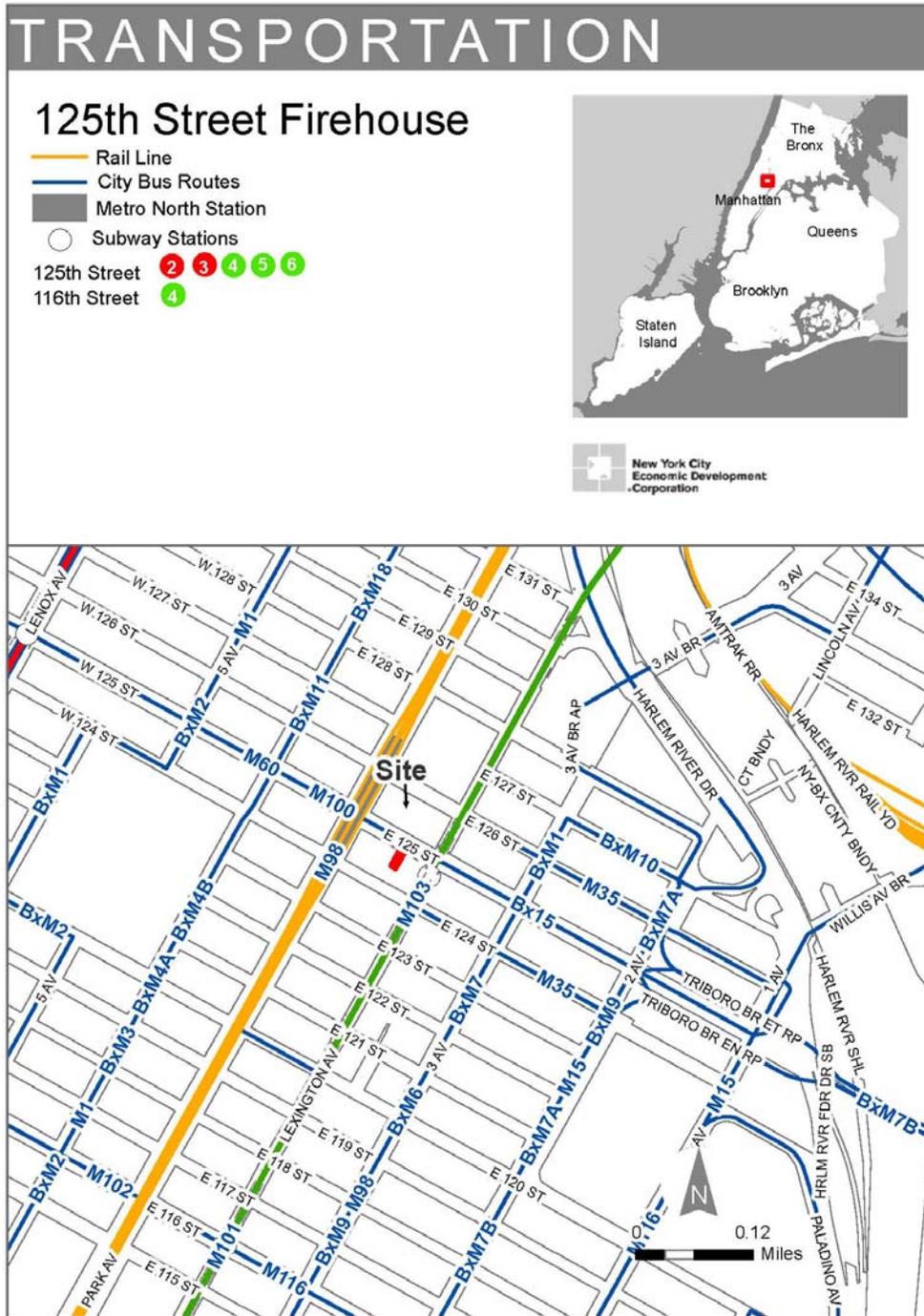
Source: NYCEDC

MAP 2: AREA LAND USE



Source: NYCEDC

MAP 3: TRANSPORTATION



Source: NYCEDC

APPENDIX 2: INSPECTION

The City of New York
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
Office of Housing Operations
Division of Architecture, Construction and Engineering
nyc.gov/hpd

DEPARTMENTAL MEMORANDUM

DATE: April 30, 2007

TO: Julie Behrens, Division of Planning and Pipeline Development

FROM: Peter Grebski, P.E., Director of BDR/DACE

SUBJECT: Vacant Firehouses Inspection
120 125th Street, Manhattan

Block 1773, Lot 62

This memo addresses DACE site inspection of the above referenced firehouse which was decommissioned and is currently vacant. The below information is based on the visual inspection on Wednesday morning, April 25, 2007 and on architectural plans, sections and elevations (dated and undated) of which the approximate dimensions quoted below were taken.

Scope

The scope was to determine via visual inspection the structural and general conditions of this building and to comment on the option of developing this building for community facility use.

The findings are as follows:

a. *History*

The fire station designed by the architectural firm of Napoleon LeBrun & Sons was built in 1888-9 in a Romanesque Revival style. Since 1975 it has been the home of Fire Engine Co. No. 36 – its last user – and is now vacant.

b. *Description of the Building*

The building is a **three story** building in a city block attached to both sides. Even though the façade has four stories in total, the front attic room is only about 21' deep with a flat roof behind.

The **first floor** (overall internal dimensions approx. 82' by 22'6" and approx. 13'6" floor to ceiling height) is comprised of the more or less unobstructed main space and an **extension** with a kitchen to the rear. A tiny **courtyard** can be accessed off the kitchen.

The **second floor** (overall internal dimensions approx. 82' by 22'6" and approx. 13'6" floor to ceiling height; a suspended ceiling system is in place but in a state of disrepair) is divided into a number of smaller rooms by partitions.

The **third floor** (overall internal dimensions approx. 82' by 22'6" and approx. 11'6" floor to ceiling height; a suspended ceiling system is in place but in a state of disrepair) is divided into a number of smaller rooms by partitions.

The **attic room** on the fourth floor is a single space (internal dimensions approx. 21' by 22'6" and approx. 15' floor to ceiling height) but only accessible via a vertical ladder.

The **vertical circulation** between all other levels is via cast-iron spiral staircases.

The **cellar** is used for mechanical equipment and along the middle of its length is divided by a row of columns (supporting the floor above = engine). Access to the flat **roof** behind the attic room is possible.

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c. *Zoning and Code*

The building is a **landmark** (see DOB website) and is located in a **C4-4 General Commercial District**. As per right **use groups** 1 to 6, 8 to 10 and use group 12 are permissible. ZR 31-14 states that *"The district regulations are designed to promote convenient shopping and the stability of retail development by encouraging continuous retail frontage and by prohibiting service and manufacturing establishments which tend to break up such continuity."*

The Department of City Planning proposed the **125th Street Rezoning** and as a result the current C4-4 zoning would change to a C4-4D contextual district. This contextual zoning will then permit a maximum **FAR** of 6.5 for community facility use (ZR 33-123). Should the building be used for community facility and commercial use, the maximum FAR would be 3.4 (ZR 33-123, 33-122). A FAR of 3.4 would more or less represent the current envelop of the building.

There is currently no **Certificate of Occupancy** (C of O) on file with the Department of Buildings and the anticipated change of use will require a new one. A **Place of Assembly permit** (PA) will be required should there be gatherings of more than 75 members of the public.

The New York City Building Code 27-745 requires **ventilation** in **occupiable rooms** (non-residential uses) ensured by either natural and/or mechanical means depending on the Index of Ventilation (27-753). In other words, a large number of people in a comparatively small room (floor area and air volume) with small window openings will require mechanical ventilation whereas reducing the number of people or increasing any of the aforementioned parameters would eventually render natural ventilation only sufficient.

Building code does **not require natural light** for non-residential uses (no habitable rooms).

Due to the **landmark status**, any new use should **maintain the character** of the building and for the rehabilitation, **tax incentives** might be available.

The building does not satisfy current building code (e.g. **means of egress**). Multiple uses located on upper floors might require an elevator to satisfy **accessibility standards**.

d. *Structural Condition*

Based on the visual inspection, the **structure** is in a sound condition and fit for reuse. A crack exists in the wall of the rear extension, probably the same that caused a complaint to the Department of Buildings (#1036120) dated 7/25/1995 and upon physical observation (date 7/26/1995) no action was found necessary. Another complaint to the Department of Buildings (#1032286) was lodged in 1994 regarding underpinning work but physical observation found that building underpinning was carried out as per plans (see also NYC Department of Buildings' website).

e. *Potential Development Options*

Conversion of the existing building:

The building would be suited for a variety of uses. Ideally and especially with view of the landmark status, a use should be found that is **compatible with the historical spaces**. A potential user could be an institutional organization (e.g. education) or a community based group (e.g. performing or visual arts).

Over time, the building has been altered and a number of **partitions** and **suspended ceilings** inside the building are of a later date and it can be anticipated that from a landmark point of view their removal would be desirable (essentially leaving the clear unobstructed shell of the building).

Principles of dealing with old buildings stress reversibility and clear distinction of any intervention and the historic fabric should be preserved wherever possible.

Extension of the existing building:

Should the new program (community facility only) require more space than the existing building can provide, the option of extending the building should be discussed with the appropriate landmark agencies. If such an option was viable, the existing building would count towards the allowable floor area and lot coverage and ZR 54-30 states that a "...*non-complying building or other structure may be enlarged or converted, provided that no enlargement or conversion may be made which would either create a new non-compliance or increase the degree of non-compliance of a building or other structure or any portion thereof.*"

Conclusion

In order to determine the feasibility options it is recommended to obtain further input in respect to future use(s), zoning and code requirements, schematic designs, cost estimates and financial models for the project.

Cc: J. James-Hernandez, P. Quinger, file.



APPENDIX 3: DEVELOPMENT TEAM INFORMATION AND APPLICANT QUESTIONNAIRE

Development Team Information

If the Applicant is a joint venture, a separate Applicant Questionnaire must be provided for each entity that comprises the joint venture, as identified below. If additional space is needed, please submit separate sheet(s), stating the question(s) being answered on each sheet. All responses must be typed.

1. Applicant Information

Name of Applicant: _____

Address: _____

Name of Contact for Applicant Entity: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____

2. Composition of Applicant Entity

Is the Applicant a joint venture? Yes [] No []

If yes, list below each Principal (individual and/or organization) that comprises the joint venture. Include the names, addresses, telephone and fax numbers, e-mail addresses, and percentages of ownership of the proposed development.

Name/Organization	Address	Telephone/Fax/E-mail	% Ownership

3. Development Team Consultants

List below each consultant (individual and/or organization) that comprises the Development Team. Include the names, addresses, telephone and fax numbers, and e-mail addresses. The Development Team may include other Team Roles that are not listed below; please include all known Team Roles. If unknown, enter "N/A".

Team Role	Name/Organization	Address	Telephone/Fax/E-mail
General Contractor			
Architect			
Landscape Architect			
Engineer			
Managing Agent (Residential and/or Community Center)			
Marketing Agent (Residential and/or Community Center)			
Legal Counsel			
Other			
Other			
Other			

3. References

For each of the following categories, provide the name, address, and telephone and fax numbers of at least three business references that we may contact regarding your experience. For each reference, identify the property or properties with which the individual is familiar.

- New Construction Experience
- Marketing Experience – Residential
- Leasing Experience – Retail/Commercial, Community/Institutional
- Management Experience – Residential, Community/Institutional
- Financial Capacity

4. Other

Has any individual identified in Section 2 of this questionnaire, or any organization in which the Individual is or was a general partner, corporate officer, or owned more than 10% of the shares of the corporation, been the subject of any of the following:

1. Arson conviction or pending case? Yes []
No []
2. Harassment complaint by the New York State Division of Rent Control or the New York State Division of Housing and Community Renewal? Yes []
No []
3. Had an ownership or management interest in a property that was taken in rem by the City or assigned by a judge of Landlord and Tenant Court to a 7A administrator or receiver? Yes []
No []
4. City mortgage foreclosure or currently more than 90 days in arrears on any City loan? Yes []
No []
5. Default on any contract obligation or agreement of any kind or nature entered into with the City or one of its agencies? Yes []
No []
6. In the past 10 years, failed to qualify as a responsible bidder, or refused to enter into a contract after an award has been made, privately or with any government agency? Yes []
No []
7. In the last 7 years, filed a bankruptcy petition or been the subject of involuntary bankruptcy proceedings? Yes []
No []
1. In the last 10 years, failed to file any required tax returns, or failed to pay any applicable Federal, State of New York, or City taxes or other charges? Yes []
No []
9. Been convicted of fraud, bribery, or grand larceny? Yes []
No []

If the answer to any question is yes, provide the following information about each instance: name(s) of individual(s), name(s) of organization(s) or corporation(s), individual's title(s) or role(s) in the organization (e.g. officer), date of the action(s), and current status and disposition.

Name of Principal: _____

Signature of Individual: _____

Print name and Title of Individual: _____

5. Certification

This certification must be signed by one of the individuals listed above. If the Applicant Entity is a joint venture, an individual representing each Principal of the joint venture must sign it.

I certify that the information set forth in this application and all attachments and supporting documentation is true and correct. I understand that the City of New York will rely on the information in or attached to this document and that this document is submitted to induce the City of New York to select this Proposal for development of the Site.

I understand that this statement is part of a continuing application and that until such time that the subject Project is finally and unconditionally approved by the City of New York, I will report any changes in or additions to the information herein, and will furnish such further documentation or information as may be requested by the City of New York or any agency thereof.

I understand that if I receive preliminary designation to develop this site, I must submit all additional disclosure forms required.

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

APPENDIX 4: 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:

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 5: CONDITIONS, TERMS, AND LIMITATIONS

NYCEDC and HPD, acting on behalf of the City of New York, are 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 Site is to be disposed of in “as is” condition and is to be conveyed subject to all applicable title matters.
- B. The City, NYCEDC, and HPD, 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 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 Site, the information contained herein, and all limitations or other arrangements affecting the Site. Neither NYCEDC, nor HPD, nor the City will be responsible for any injury or damage arising out of or occurring during any visit to the 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 subject to review by the City Planning Commission and City Council, with the City Council having final review authority. NYCEDC and HPD will cooperate with the Selected 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 and HPD’s sole discretion, to be not responsible 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, HPD, and the City’s Department of Investigation. Any designation may be revoked in NYCEDC and HPD’s sole discretion in the event any derogatory information is revealed by such investigation.
- E. NYCEDC, HPD, and the City are not obligated to pay and shall not pay any costs incurred by any respondent at any time unless NYCEDC, HPD, or the City has expressly agreed to do so in writing.
- F. NYCEDC and HPD invite 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 Selected Developer of the premises. It shall be a condition to the designation of a developer of the project that the Selected 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, HPD, 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 and HPD warrant and represent that it has not retained any broker in connection with the proposed development of the Site, liability, cost and/or expense incurred by NYCEDC, HPD, 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 and HPD shall judge each response's conformance with the requirements of this RFP and of the merits of the individual proposals. NYCEDC and HPD reserve 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 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, HPD, and/or the City to do so. If all proposals are rejected, this RFP may be withdrawn and the 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 and HPD shall judge the acceptability of the proposals. NYCEDC and HPD 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 and HPD may consider pertinent. All proposals become the property of NYCEDC and HPD.
- I. All terms in this RFP related to the permitted use and bulk of the 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 Selected Developer will pay all applicable taxes payable with respect to the project, including transfer and mortgage recording taxes. Selected 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 or HPD's involvement in the transaction.
- K. This transaction will be structured as a "net" deal to NYCEDC and HPD, with the Selected Developer being responsible for all fees relating to the project and all costs incurred by NYCEDC and HPD 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 and HPD 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 and HPD when evaluating the applicability of any exemptions in response to a FOIL request.
- M. In furtherance of NYCEDC and HPD's mission of economic development, the disposition of the Site will be subject to NYCEDC and HDP's standard provisions for similar transactions. The deed conveying the Site to the Selected Developer shall contain redevelopment obligations as well as restrictions on use and transfer of the Site. Failure to comply with these restrictions will result in a right by NYCEDC, HPD, or the City to re-enter and re-acquire the Site or such other remedies as NYCEDC and HPD deem appropriate.
- N. The Selected Developer will be required to deliver evidence to NYCEDC and HPD of the creation of employment opportunities at the Site for the first eight (8) years after the closing of the project. The Selected 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. The Selected

Developer will be required to cause commercial tenants to agree to these provisions at the time it enters into leases with such tenants.

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.

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>

New York State Empire Zone Program

The New York State Empire Zones Program encourages economic development in designated areas of NYC by offering incentives. Not for profit organizations can take advantage of wage, investment, zone credits and utility 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 Zone 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 Bronx.

For further information, contact:

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

APPENDIX 7: COMMUNITY BOARD 11 LOCAL ORGANIZATIONS

The following list was compiled by Community Board 11. Please contact the CB District office for further contact information.

116th Street Block Association	La Casa de la Herencia Cultural Puertorriqueña
ABC: Early Childhood Center	La Fonda Boricua
Addicts Rehabilitation Center	La Hermosa Day Care Center
Art for Change	LaGuardia House Nursery
Association of Hispanic Arts (AHA)	LaGuardia House/SCAN
Barrio Cinema	Langston Hughes House
Beatrice Lewis Senior Center	Latin American Theatre Ensemble
Boriken Neighborhood Health Center	Leonard Covello Senior Center
Boys Choir of Harlem	Lettire Construction
Boys Harbor, Inc.	Lexington Children's Center
Camaradas El Barrio	Lincoln East Senior Center
Cardinal McCloskey East Harlem Rehabilitation Center	Little Sisters of the Assumption
Casabe House for the Elderly	Manhattan Neighborhood Network
Casita Maria/Carver Senior Center	Manna House Workshops Inc.
Cemi Underground	Mariachi Academy of New York
Center for Comprehensive Health Practices	MediaNoche Gallery
Chamber Senior Center	Metro North Association
Chica Luna Productions	Metro North Day Care
Children's Aid Day Care Center	Metropolis Studios
Children's Aid Society	Monticello Day Care
Community Resource Center for the Developmentally Disabled	Museum of African Art
Corsi House Senior Center	Museum of the City of New York
Creole	N.E.R.V.E
Danisarte	National Black Theatre
DDM Development and Services	National Museum of Catholic Art and History
DIAL el Barrio	Neighborhood Children's Center
District Public Health Office Dept. of Health & Mental Hygiene	Northside Center for Child Development
East Harlem Block Nursery	Opus 118 Harlem School of Music
East Harlem Board of Tourism	Orbit East Harlem
East Harlem Chamber of Commerce	Pleasant Avenue Day Care Center
East Harlem Churches and Community Urban Center	PR Dreams
East Harlem Coalition of Senior Citizens	Project Green Hope
East Harlem Committee on the Aging/ Project Life	Puerto Rican Association for Community Affairs (PRACA)
East Harlem Council for Human Services	Puerto Rican Inter-Cultural Drama Ensemble (PRIDE)
East Harlem HIV Care Network	Raices Latin Music Museum Collection
East Harlem Human Services Consortium	RIF Development Corp. (former LDC del Barrio)
East Harlem Lupus Cooperative	Salsa Museum
East Harlem Neighborhood Based Alliance	Seton House
East Harlem Triangle	Settlement Health
East Harlem Tutorial Program	SFDS Development Corporation
East River Children's Center	St. Cecilia's Parish Social Ministry Program
East River Senior Center	STRIVE
EH Council for Human Services	Tafa Gallery
EHCCI	Taller Boricua/Puerto Rican Workshop

El Barrio Operation Fightback	Terence Cardinal Cooke Health Care Center
El Museo del Barrio	The Jazz Museum in Harlem
Exodus House	Theater Arts Senior Center
Franklin Plaza Day Care Center	Union Settlement Assoc.
Gaylord White Senior Center	UPWARD, Inc.
Good Neighbors Senior Center	VIDA Family Services
Groove With Me	Violence Intervention Program
Harbor Conservatory for the Performing Arts	Wagner Community Center
Hope Community Inc.	Washington/Lexington Senior Center
Horizon Youth Center	Wilson Community Center
IRIS House	Yorkville Common Pantry
Johnson Community Center	Youth Action Program
Just Us, Inc.	Zocalo Fine Arts Studio
KR3T (Keep Rising to the Top)	

APPENDIX 8: COMMUNITY BOARD 11 MWBE CERTIFIED FIRMS

Vendor/DBA	Contact Name	Telephone	Address	City	Zip
Casa Publications, Corp.	Ruben Lugo	2123488270	159 E. 116th Street	New York	10029
Copykat Information & Business Center, Inc	Raymond Bonhomme	2125341400	1785 Lexington Avenue	New York	10029
GLB Diversified International, Inc.	George Burgos	2122892143	334 East 105th Street	New York	10029
Hodge Metal Corp.	Rudolph Hodge	2129878144	237 East 110th Street	New York	10029
UGN Floodgate Ent. Co	Anthony Withersponon	3474151517	2060 3rd Avenue	New York	10029
Y.N.N.Y. Entertainment Inc.	Dwain Mitchell	9174929669	4 East 107th Street	New York	10029
Blackridge Construction LLC	Gregory D. Carroll	9179721520	115 East 122nd Street	New York	10035
Catspaw Construction Corp.	Nina DeMartini Day	2124107296	2080 Lexington Ave.	New York	10035
Centro Dental Dominicano	Teodoro Regus	2123040186	232 Sherman Avenue	New York	10035
DDM Development And Services	Nina DeMartini-Day	2124107296	2080 Lexington Ave.	New York	10035
Thorn Electric, Inc.	Lawrence Thorne	2129967689	322 E 117th St	New York	10035
Uptown Surgical, Vitoala Box, PBStyle	Gerald H. Graves	2123696330	316 E 120th Street	New York	10035
William Somerville, Inc.	Merna Miller	2125344600	166 East 124th Street	New York	10035