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the new housing
MARKETPLACE
CREATING HOUSING FOR THE NEXT GENERATION

REQUEST FOR PROPOSALS

Issue Date:
August 29, 2005



Cornerstone Program

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I INTRODUCTION

Pursuant to this Request for Proposals (“RFP”) the City of New York (“City”), through its Department of Housing Preservation and Development (“HPD”), is inviting developers to submit proposals for residential and/or mixed-use developments on twenty-one (21) separate sites through HPD’s Cornerstone Program (“Program”). This RFP includes eight (8) sites in Harlem, nine (9) sites in Brooklyn, and four (4) sites in the Bronx.

The Program is part of the Mayor’s *New Housing Marketplace (the “Plan”)*, which responds to the changing housing needs of the City’s communities by committing to the new construction or rehabilitation of 65,000 homes and apartments in five years, from fiscal year 2004 through 2008. Cornerstone serves the Plan’s critical goals of creating needed rental and homeownership opportunities, maximizing affordability, making City-owned land available for private residential development and, in turn, enhancing the City’s community revitalization efforts.

HPD has made programmatic changes to the Cornerstone RFP to increase the opportunities for smaller, neighborhood-based developers as well as not-for-profits to participate in the Program and to maximize affordability. The changes are as follows:

- HPD is no longer requesting a competitive purchase price. All sites will be conveyed for \$1.00, making it easier for developers to provide more affordability.
- All projects have a minimum affordability requirement of 20% of units affordable to households earning up to 80% of AMI, as adjusted for household size. Preference will be given to those projects targeting greater levels of affordability with minimized subsidy.
- Preference will be given to mixed-income projects.
- Preference will be given to projects that incorporate sustainable design elements.

The New York City Housing Development Corporation (“HDC”) will consider financing projects through its New Housing Opportunities Program (New HOP), Low-Income Affordable Market-Place Program (LAMP), and Cooperative Housing Program. HPD subsidies may be available through the New Construction Participation Loan Program. Developers may apply for 9% Low Income Housing Tax Credits. In addition, federal HOME funds, New York State Affordable Housing Corporation (AHC) funds and other sources of funding may be available. Proposals that provide the greatest affordability using the least amount of subsidy will be given preference. **Section III G, Financing** provides more information on financing sources and terms.

Respondents are responsible for assembling a development team and undertaking the design, financing, construction and marketing of the proposed project. A Respondent will be selected for each Site(s) based on an evaluation of the Respondent’s qualifications, feasibility of development proposal, development experience and quality of proposed design as outlined in **Section III B, Program Requirements and Guidelines** and other requirements as noted in **Section V, Developer Selection Process**. A Respondent may be awarded more than one site.

This RFP does not represent any obligation or agreement whatsoever on the part of the City. Any obligation or agreement on the part of the City may only be incurred after the City enters into a written agreement approved by the Mayor and the Corporation Counsel.

A pre-submission conference will be held on Thursday, September 15, 2005 at 2:00 p.m. at HPD, 100 Gold Street, Room 1R, New York, NY. All Respondents are strongly encouraged to attend.

Proposals are due by hand on **November 15, 2005**, no later than 4:00 P.M. Refer to **Section VI, Submission Requirements** for detailed instructions.

II DEFINITIONS

Developer

The entity or entities selected by HPD to commence negotiations regarding the development of the Development Site offered through this RFP. The entity or entities will assemble a Development Team that will provide equity, secure financing, design, develop, build, market, and manage the Project.

Development Site (or "Site")

One or more contiguous or non-contiguous sites being offered for development under this RFP as a single project, as described in **Section III A**.

Development Team

The Developer and the professional, technical, and construction entities (e.g. general contractor, architect, engineer, legal counsel, marketing, and managing agents) that will participate in the design, development, construction, marketing, and/or management of the Project.

Principal

An individual, partnership, limited liability company, corporation, or other not-for-profit or for-profit entity that will act as the general partner, officer or managing member of the Respondent, or any entity, known limited partner, or other member that has at least a 10% ownership interest in the Respondent.

Project

The development of housing, commercial/retail space, accessory residential parking, and other uses permitted on the Development Site.

Respondent

An individual, partnership, limited liability company, corporation, joint venture, or other entity that submits a proposal in response to the RFP.

Subordinated City Debt

The amount equal to the sum of:

- 1) the difference between the cash portion of the purchase price paid at closing and the appraised value of the land; plus
- 2) the amount of any City construction subsidy for the construction of the units or homes (less the amount required to be repaid from proceeds from the sale of the units or homes, for homeownership projects).

ULURP

The Uniform Land Use Review Procedure. ULURP is the process required under the City Charter for the review of certain types of land use decisions (such as disposition of City land and rezoning and mapping of City streets) by Community Boards, Borough President, City Planning Commission, City Council and the Mayor.

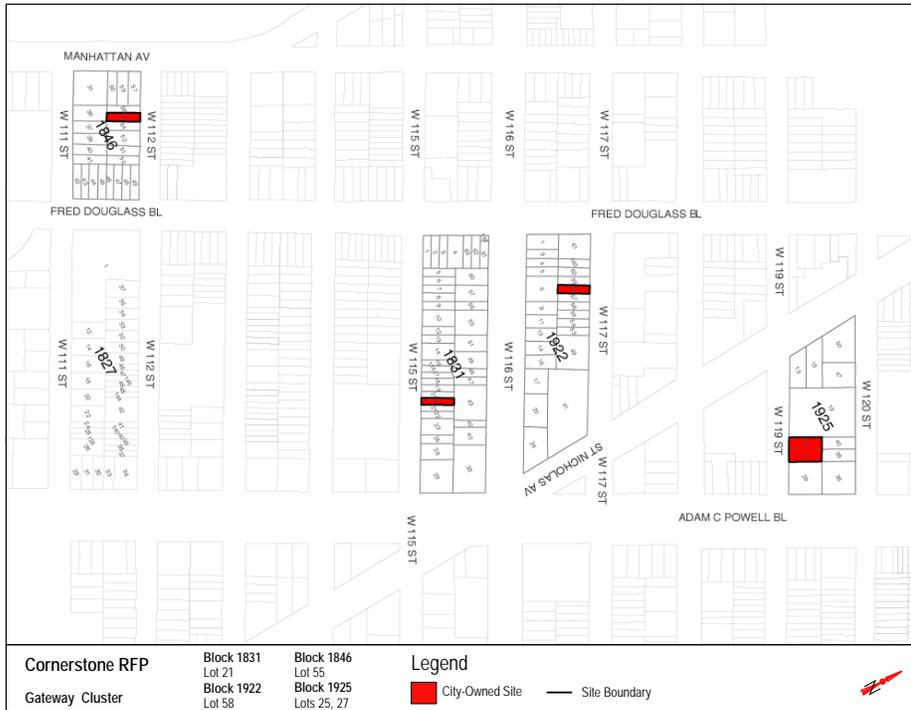
III PROJECT DESCRIPTION AND GUIDELINES

A. DEVELOPMENT SITES

The Development Sites offered pursuant to this RFP are listed below, followed by detailed Development Site maps and descriptions.

- Site 1: Gateway Cluster, Manhattan
- Site 2: Mid-Central Cluster, Manhattan
- Site 3: Bradhurst Cluster, Manhattan
- Site 4: West 131st Street / Lenox Avenue Site, Manhattan
- Site 5: East 131st Street Site, Manhattan
- Site 6: Madison Park / East Harlem South Cluster, Manhattan
- Site 7: Madison Park / East Harlem North Cluster, Manhattan
- Site 8: Pleasant Avenue Site, Manhattan
- Site 9: Brook Avenue Site, Bronx
- Site 10: Courtlandt Avenue Site, Bronx
- Site 11: Prospect Avenue / Macy Place Site, Bronx
- Site 12: Fox Street / Leggett Avenue Site, Bronx
- Site 13: Madison and Putnam Cluster, Brooklyn
- Site 14: Lafayette Site, Brooklyn
- Site 15: Gates Site, Brooklyn
- Site 16: Fulton / Marcus Garvey Site, Brooklyn
- Site 17: Glenmore Site, Brooklyn
- Site 18: New Lots Site, Brooklyn
- Site 19: Brownsville North Cluster, Brooklyn
- Site 20: Brownsville South Site, Brooklyn
- Site 21: Sutter Avenue Site, Brooklyn

Site 1: Gateway Cluster, Manhattan



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1831	21	2,000 SF	R7-A	This site includes one (1) unimproved vacant lot on the north side of West 115 th Street between Frederick Douglass Boulevard and Adam C. Powell Boulevard. There are 20 feet of frontage on West 115 th Street.
1846	55	2,600 SF	R7-A	This site includes one (1) unimproved vacant lot on the south side of West 112 th Street between Manhattan Avenue and Frederick Douglass Boulevard. There are 26 feet of frontage on West 112 th Street.
1922	58	2,500 SF	R7-A	This site includes one (1) unimproved vacant lot on the south side of West 117 th Street between Frederick Douglass Boulevard and St. Nicholas Avenue. There are 25 feet of frontage on West 117 th Street.

See next page for further information on Site 1.

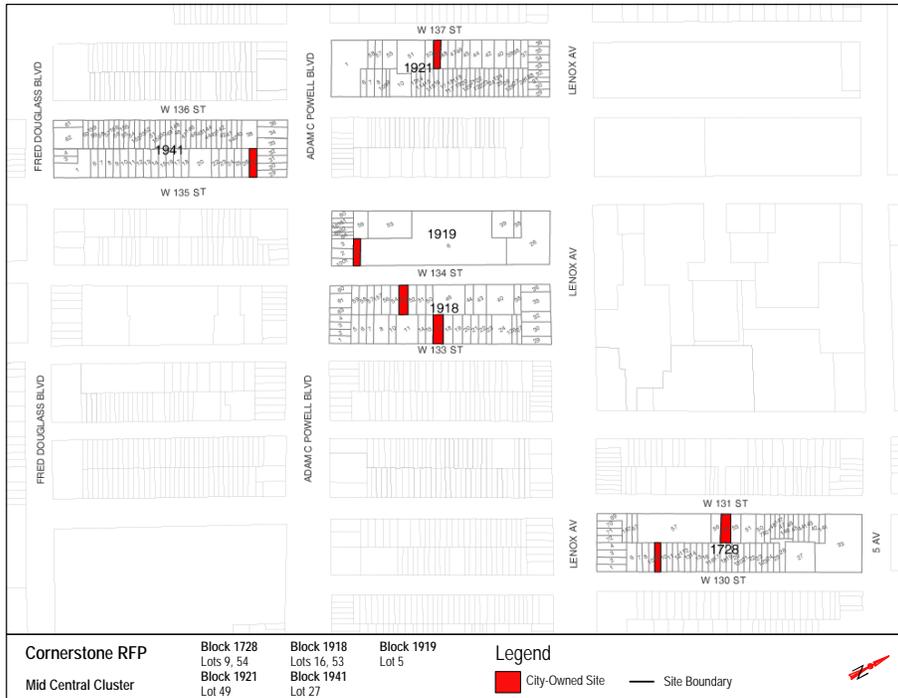
Site 1 (continued):

1925	25, 27	7,400 SF	R7-A	This site includes two (2) contiguous, unimproved vacant lots located on the north side of West 119 th Street between St. Nicholas Avenue and Adam C. Powell Boulevard. There are approximately 74 feet of frontage on West 119 th Street.
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Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 2: Mid-Central Harlem Cluster, Manhattan



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1728	9	1,980 SF	R7-2	This site includes one (1) unimproved vacant lot located on the north side of West 130 th Street between Lenox Avenue and Fifth Avenue. There are approximately 20 feet of frontage on West 130 th Street.
1728	54	3,267 SF	R7-2	This site includes one (1) unimproved vacant lot located mid-block on the south side of West 131 st Street between Lenox Avenue and Fifth Avenue. There are approximately 33 feet of frontage on West 131 st Street.
1918	16	3,267 SF	R7-2	This site includes one (1) unimproved vacant lot located mid-block on the north side of West 133 rd Street between Adam C. Powell Boulevard and Lenox Avenue. There are approximately 33 feet of frontage on West 133 rd Street.

See next page for further information on Site 2.

Site 2 (continued):

1918	53	2,970 SF	R7-2	This site includes one (1) unimproved vacant lot located mid-block on the south side of West 134 th Street between Adam C. Powell Boulevard and Lenox Avenue. There are approximately 30 feet of frontage on West 134 th Street.
1919	5	2,475 SF	R7-2, C1-4 Overlay	This site includes one (1) unimproved vacant lot located on the north side of West 134 th Street between Adam C. Powell Boulevard and Lenox Avenue. There are 25 feet of frontage on West 134 th Street.
1921	49	2,475 SF	R7-2	This site includes one (1) unimproved vacant lot located mid-block on the south side of West 137 th Street between Adam C. Powell Boulevard and Lenox Avenue. There are 25 feet of frontage on West 137 th Street.
1941	27	2,673 SF	R7-2, C1-4 Overlay	This site includes one (1) unimproved vacant lot located on the north side of West 135 th Street between Frederick Douglass Boulevard and Adam C. Powell Boulevard. There are 25 feet of frontage on West 135 th Street.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 3: Bradhurst Cluster, Manhattan



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
2036	Part of 13	3,960 SF	R7-2	This site includes one (1) unimproved vacant portion of the lot located mid-block on the north side of West 150 th Street between Macombs Place and Adam C. Powell Boulevard. There are two (2) existing buildings on the lot that are not part of this RFP. The vacant portion of the lot has approximately 40 feet of frontage on West 150 th Street.
2043	7	4,950 SF	R7-2	This site includes one (1) unimproved vacant lot located mid-block on the north side of West 141 st Street between Edgcombe Avenue and Frederick Douglass Boulevard. There are 40 feet of frontage on West 141 st Street.

See next page for further information on Site 3.

Site 3 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 4: West 131st Street / Lenox Avenue Site



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Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1915	32,33	4,620 SF	R7-2, C2-4 Overlay	This site includes two (2) unimproved vacant lots located mid-block on the west side of Lenox Avenue between 130 th and 131 st Street. There are approximately 50 feet of frontage on Lenox Avenue.
1915	36	2,160 SF	R7-2, C2-4 Overlay	This site includes one (1) unimproved vacant lot located on the southwest corner of West 131 st Street and Lenox Avenue. There are 22 feet of frontage on Lenox Avenue and 100 feet of frontage on West 131 st Street.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 5: East 131st Street Site, Manhattan



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1755	45, 46, 47, 48, 49, 146	12,078 SF	R7-2	This rectangular site consists of six (6) contiguous unimproved vacant lots on the south side of East 131 st Street between Madison Avenue and Park Avenue. The site frontage is approximately 103 feet along East 131 st Street.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 6: Madison Park / East Harlem South Cluster, Manhattan



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1616	31	5,000 SF	R7-2, C1-5 Overlay	<p>This site includes one (1) unimproved vacant lot located on the north side of East 110th Street between Madison Avenue and Park Avenue. There are approximately 50 feet of frontage on East 110th Street.</p> <p>This site is part of the Milbank Frawley Circle-East Urban Renewal Site 25B*.</p>

See next page for further information on Site 6.

Site 6 (continued):

1616	49, 51, 53, 146	12,250 SF	R7-2, C1- 4 Overlay	<p>This site includes four (4) unimproved vacant lots, two (2) of which are located on the south side of East 111st Street between Madison Avenue and Park Avenue. The remaining two (2) lots are located on the east side of Madison Avenue. There are approximately 50 feet of total frontage on Madison Avenue and 75 feet of total frontage on East 111st Street.</p> <p>This site is part of the Milbank Frawley Circle-East Urban Renewal Site 25B*.</p>
1616	23	1,875 SF	R7-2, C1- 5 Overlay	<p>This site includes one (1) unimproved vacant lot located on the corner of East 110th Street and Madison Avenue. There are approximately 75 feet of frontage on East 110th Street and 25 feet of frontage on Madison Avenue.</p> <p>This site is part of the Milbank Frawley Circle-East Urban Renewal Site 25B*.</p>
1637	23	2,500 SF	R7-2, C1- 5 Overlay	<p>This site includes one (1) unimproved vacant lot located on the north side of East 109th Street between Lexington Avenue and Third Avenue. There are approximately 25 feet of frontage on East 109th Street.</p>
1639	28	3,000 SF	R7-2	<p>This site includes one (1) unimproved vacant lot located on the north side of East 111th Street between Lexington Avenue and Third Avenue. There are approximately 25 feet of frontage on East 111th Street.</p>
1683	10	2,500 SF	R7-A	<p>This site includes one (1) unimproved vacant lot located on the north side of East 111th Street between Second Avenue and First Avenue. There are approximately 25 feet of frontage on East 111th Street.</p>

See next page for further information on Site 6.

Site 6 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

** Respondents may request a copy of the Milbank Frawley Circle-East Urban Renewal Plan by contacting Lauren Dietz, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P, (212) 863-5942.*

Site 7: Madison Park / East Harlem North Cluster, Manhattan



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1622	50	2,275 SF	R7-2, C1-4 Overlay	This site includes one (1) unimproved vacant lot located on the southeast corner of East 117 th Street and Madison Avenue. There are approximately 25 feet of frontage on Madison Avenue and 100 feet on East 117 th Street. This site is part of the Milbank Frawley Circle-East Urban Renewal Site 35B*.
1645	20, 120, 121	3,350 SF	R7-2, C1-4 Overlay	This L-shaped site includes three (3) unimproved vacant lots located on the east side of Lexington Avenue between East 117 th and East 118 th Street. There are 100 feet of frontage on Lexington Avenue.

See next page for further information on Site 7.

Site 7 (continued):

1645	51, 151, 152	3,452 SF	R7-2, C1-4 Overlay	This site includes three (3) unimproved vacant lots located on the southeast corner of Lexington Avenue and East 118 th Street. There are 52 feet of frontage on Lexington Avenue and 68 feet on East 118 th Street.
1645	52	1,130 SF	R7-2, C1-4 Overlay	This site includes one (1) unimproved vacant lot located mid-block on Lexington Avenue between East 117 th and East 118 th Streets. There are approximately 17 feet of frontage on Lexington Avenue.
1768	111	2,018 SF	R7-2	This site includes one (1) unimproved vacant lot on the north side of East 119 th Street between Park Avenue and Lexington Avenue. There are 20 feet of frontage on East 119 th Street.
1770	42, 141	2,080 SF	R7-B	This site includes two (2) unimproved vacant lots located on the south side of East 122 nd Street between Lexington Avenue and Third Avenue. There are approximately 28 feet of frontage on East 122 nd Street.
1770	47, 48	4,646 SF	R7-B	This site includes two (2) unimproved vacant lots located mid-block on the south side of East 122 nd Street between Lexington Avenue and Third Avenue. There are approximately 67 feet of frontage on East 122 nd Street.
1745	15, 16	4,250 SF	R7-2, C1-4 Overlay	This site includes two (2) unimproved vacant lots located on the west side of Madison Avenue between East 118 th and East 119 th Streets. There are 50 feet of frontage on Madison Avenue. This site is part of Milbank Frawley Circle-East Urban Renewal Site 37C*.

See next page for further information on Site 7.

Site 7 (continued):

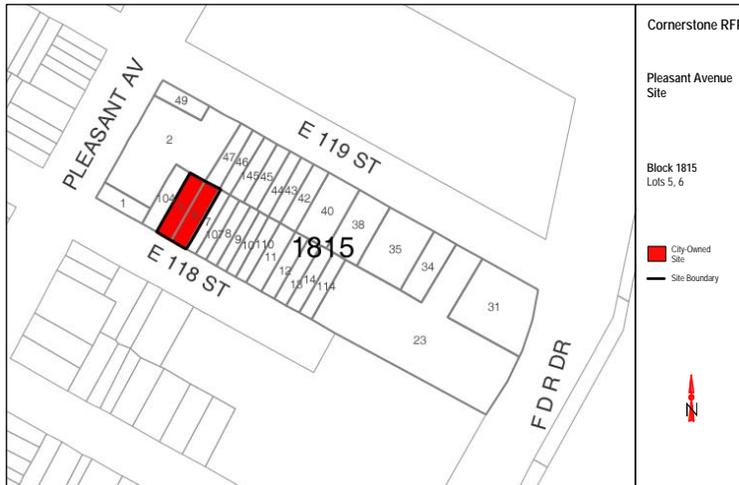
1745	54	1,500 SF	R7-2, C1-4 Overlay	This site includes one (1) unimproved vacant lot located mid-block on the west side of Madison Avenue between East 118 th and East 119 th Streets. There are 20 feet of frontage on Madison Avenue. This site is part of Milbank Frawley Circle-East Urban Renewal Site 37C*.
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Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

** Respondents may request a copy of the Milbank Frawley Circle-East Urban Renewal Plan by contacting Lauren Dietz, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P, (212) 863-5942.*

Site 8: Pleasant Avenue Site, Manhattan



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1815	5, 6	4,700 SF	R7-B	This site includes two (2) unimproved vacant lots located on the north side of East 118 th Street between Pleasant Avenue and FDR Drive. There are approximately 47 feet of frontage on East 118 th Street.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 9: Brook Avenue Site, Bronx



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
2292	49, 50	17,010 SF	R6, C1-4 Overlay	This site includes two (2) unimproved vacant lots located on the north side of East 147 th Street between Bergen Avenue and Brook Avenue. There are 25 feet of frontage on Brook Avenue and 240 feet on East 147 th Street. The C1-4 overlay includes all of Lot 49 from Brook Avenue along East 147 th Street and then the first 10 feet of Lot 50 along East 147 th Street.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 10: Courtlandt Avenue Site, Bronx



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
2404	1, 2	4,578 SF	R7-2, C1-2 Overlay	<p>This rectangular site located on the northeast corner of Courtlandt Avenue and East 157th Street consists of the vacant Lot 1 and a vacant three-story City-owned building, which should be demolished, on Lot 2. There are 51 feet of frontage on Courtlandt Avenue and 91 feet of frontage on East 157th Street.</p> <p>This site is part of Melrose Commons Urban Renewal Site 15*.</p>

See next page for further information on Site 10.

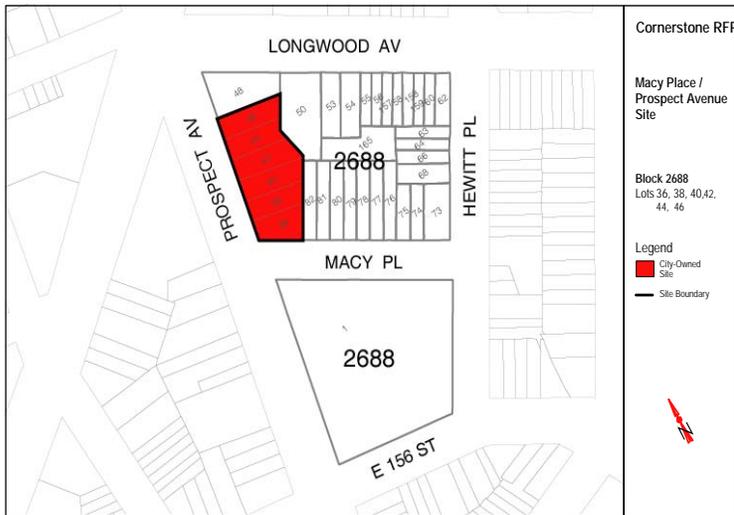
Site 10 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use actions requiring approval under ULURP are the disposition of City-owned property and the amending of the Melrose commons Urban Renewal Plan to change the land use designation for this site from Commercial to Residential. HPD will be the applicant for this approval.
- Line-up and Curb cut rules apply per the Melrose Commons Urban Renewal Plan.

**Respondents may request a copy of the Melrose Commons Urban Renewal Plan by contacting Lauren Dietz, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P, (212) 863-5942.*

Site 11: Prospect Avenue / Macy Place Site, Bronx



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
2688	36, 38, 40, 42, 44, 46	26,052 SF	R7-1, C1-4 Overlay	This site includes six (6) unimproved vacant lots located on Prospect Avenue between Macy Place and Longwood Avenue. There are approximately 220 feet of frontage on Prospect Avenue and 81 feet of frontage on Macy Place.

See next page for further information on Site 11.

Site 11 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site. This Site is above the 100 unit threshold for a Type II Environmental Review and will require an Environmental Assessment Statement (EAS).
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.
- Fifty (50) percent of the units created on this Site must be supportive housing units, defined as permanent housing for persons with special needs with social services provided on Site. **Appendix G** outlines the HPD Supportive Housing Program.

Site 12: Fox Street / Leggett Avenue Site, Bronx



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
2707	30, 32	12,650 SF	R7-1	This site includes two (2) contiguous unimproved vacant lots located on the northwest corner of Fox Street and Leggett Avenue. There are approximately 165 feet of frontage on Fox Street and approximately 100 feet of frontage on Leggett Avenue.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the site. This Site is above the 100-unit threshold for a Type II Environmental Review and will require an Environmental Assessment Statement (EAS).
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 13: Madison and Putnam Cluster, Brooklyn



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1484	6, 8	8,000 SF	R6, C1-3 Overlay	This site includes two (2) unimproved vacant lots located on the south side of Madison Street between Howard Avenue and Broadway. There are approximately 80 feet of frontage on Madison Street.
1484	41, 43	8,000 SF	R6, C1-3 Overlay	This site includes two (2) unimproved vacant lots located on the north side of Putnam Avenue between Howard Avenue and Broadway. There are 80 feet of frontage on Putnam Avenue.
1484	35	4,000 SF	R6, C1-3 Overlay	This site includes one (1) unimproved vacant lot on the north side of Putnam Avenue between Howard Avenue and Broadway. There are 40 feet of frontage on Putnam Avenue.
1486	15, 16	5,000 SF	R6	This site consists of two (2) unimproved vacant lots located mid-block on the south side of Putnam Avenue between Howard Avenue and Broadway. There are approximately 50 feet of frontage on Putnam Avenue.

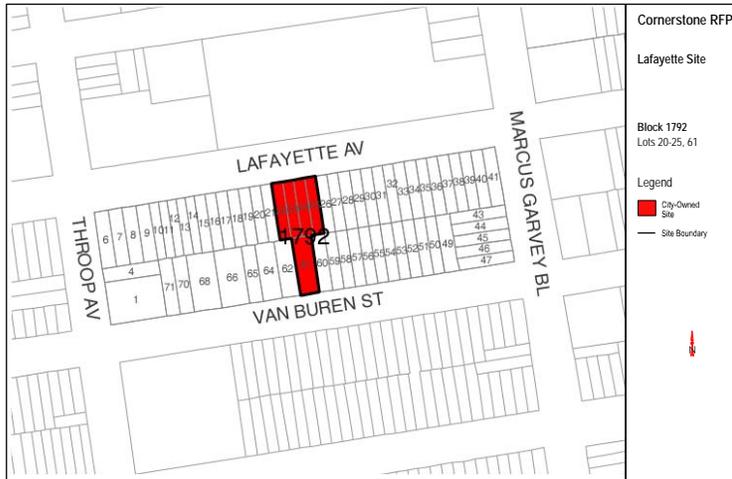
See next page for further information on Site 13.

Site 13 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.
- Line-up and Curb cut rules apply per **Appendix C - City of New York Zoning Resolution Language**.

Site 14: Lafayette Site, Brooklyn

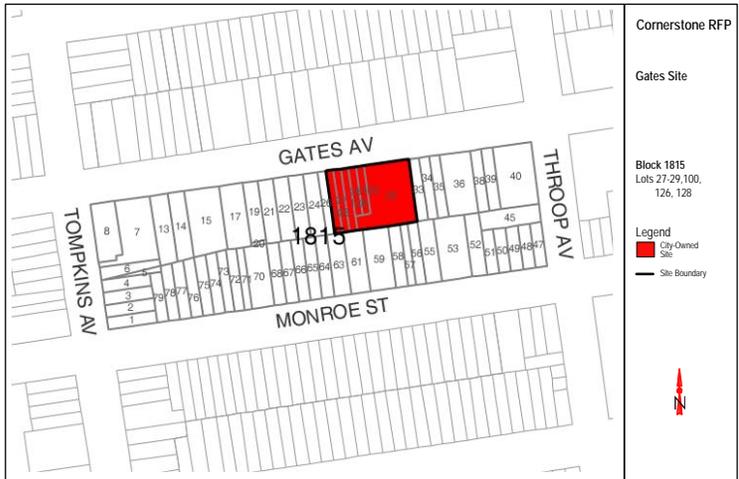


Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description/Comments
1792	22, 23, 24, 25, 61	11,300 SF	R5	This site T-shaped site includes five (5) unimproved vacant lots located mid-block on both Lafayette Avenue and Van Buren Street between Throop Avenue and Marcus Garvey Boulevard. There are 80 feet of frontage on Lafayette Avenue and 33 feet of frontage on Van Buren Street.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 15: Gates Site, Brooklyn

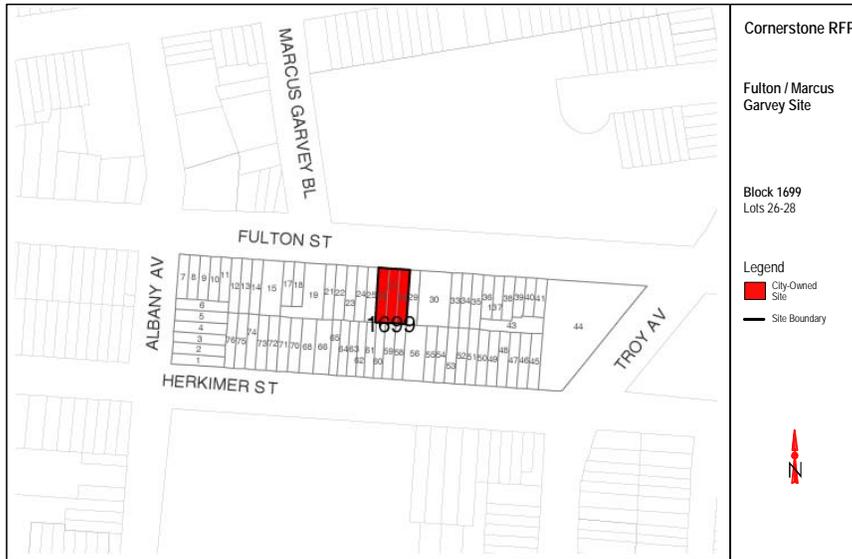


Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1815	27, 28, 29, 100, 126, 128	14,774 SF	R-6	This site contains six (6) contiguous unimproved vacant lots located on the south side of Gates Avenue between Tompkins Avenue and Throop Avenue. The total site frontage on Gates Avenue is 140 feet.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.
- Line-up and Curb cut rules apply per **Appendix C - City of New York Zoning Resolution Language**.

Site 16: Fulton / Marcus Garvey Site, Brooklyn



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1699	26, 27, 28	6,000 SF	R6, C2-3 Overlay	<p>This site includes three (3) contiguous unimproved vacant lots located on the south side of Fulton Street between Albany Avenue and Troy Avenue. There are 60 feet of frontage on Fulton Street.</p> <p>This site is part of the Fulton Park Urban Renewal Site 17D*.</p>

See next page for further information on Site 16.

Site 16 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- This Site received disposition approval through ULURP as part of the Fulton Park Urban Renewal Plan.
- Line-up and Curb cut rules apply per **Appendix C - City of New York Zoning Resolution Language**.

**Respondents may request a copy of the Fulton Park Urban Renewal Plan by contacting Lauren Dietz, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P, (212) 863-5942.*

Site 17: Glenmore Site, Brooklyn



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
3977	36, 37, 38, 39	10,000 SF	R5	This square site includes four (4) unimproved vacant lots located on the northeast corner of Miller Avenue and Glenmore Avenue. There are 100 feet of frontage on both Miller and Glenmore Avenues.

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

Site 18: New Lots Site, Brooklyn



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
4091	1, 8, 15, 16, 18, 19, 22	27,299 SF	C8-1	This site includes seven (7) unimproved vacant lots that make up the majority of the block bounded by Livonia Avenue on the north, Jerome Street on the east, New Lots Avenue on the south, and Barbey Street on the west. There are 168 feet of frontage on New Lots Avenue, 220 feet of frontage on Barbey Street, 120 feet of frontage on Livonia Avenue, and 66 feet of frontage on Jerome Street.

See next page for further information on Site 18.

Site 18 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site. This Site will require an Environmental Assessment Statement (EAS) due to previous land use. Lot 1 previously housed a steel manufacturing facility and Lot 16 contained an auto repair facility.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.
- This Site will require rezoning to R6. HPD will initiate rezoning action concurrent with the ULURP process for the disposition.
- Line-up and Curb cut rules apply per **Appendix C - City of New York Zoning Resolution Language**.

Site 19: Brownsville North Cluster, Brooklyn



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
1433	23, 25	10,000 SF	R6	This site includes two (2) unimproved vacant lots located mid-block on the south side of Atlantic Avenue between Saratoga Avenue and Hopkinson Avenue. There are 100 feet of frontage on Atlantic Avenue.
1447	67, 68, 69, 70	8,560 SF	R6	This site includes four (4) unimproved vacant lots located mid-block on the north side of Bergen Street between Saratoga Avenue and Hopkinson Avenue. There are 80 feet of frontage on Bergen Street. This site is part of the Ocean Hill Urban Renewal Site 43*.

See next page for further information on Site 19.

Site 19 (continued):

1451	40	1,800 SF	R6	<p>This site includes one (1) unimproved vacant lot located on the west side of Howard Avenue between St. Marks Avenue and Bergen Street. There are 18 feet of frontage on Howard Avenue.</p> <p>This site is part of the Ocean Hill Urban Renewal Site 53*.</p>
1451	42, 43	5,900 SF	R6	<p>This site includes two (2) unimproved vacant lots located on the west side of Howard Avenue between St. Marks Avenue and Bergen Street. There are 59 feet of frontage on Howard Avenue.</p> <p>This site is part of the Ocean Hill Urban Renewal Site 53*.</p>
1451	48	4,300 SF	R6	<p>This site includes one (1) unimproved vacant lot located on the northwest corner of Howard Avenue and St. Marks Avenue. There are 43 feet of frontage on Howard Avenue and 100 feet on St. Marks Avenue.</p> <p>This site is part of the Ocean Hill Urban Renewal Site 53*.</p>
1452	1, 87	2,926 SF	R6	<p>This site includes two (2) unimproved vacant lot on the northeast corner of Howard Avenue and St. Marks Avenue. There are 40 feet of frontage on St. Marks Avenue and 68 feet of frontage on Howard Avenue.</p> <p>This site is part of the Ocean Hill Urban Renewal Site 53*.</p>

See next page for further information on Site 19.

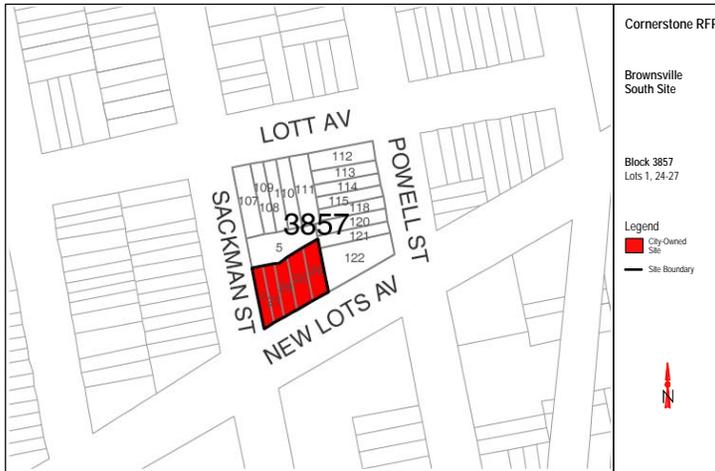
Site 19 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.
- Line-up and Curb cut rules apply per **Appendix C - City of New York Zoning Resolution Language**.

**Respondents may request a copy of the Ocean Hill Urban Renewal Plan by contacting Lauren Dietz, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P, (212) 863-5942.*

Site 20: Brownsville South Site, Brooklyn



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
3857	1, 24, 25, 26, 27	7,905 SF	R6	<p>This site includes five (5) contiguous unimproved vacant lots located on the northeast corner of Sackman Street and New Lots Avenue. There are 106 feet of frontage on New Lots Avenue and 86 feet of frontage on Sackman Street.</p> <p>This site is part of the Brownsville II Urban Renewal Area Site 138*.</p>

See next page for further information on Site 20.

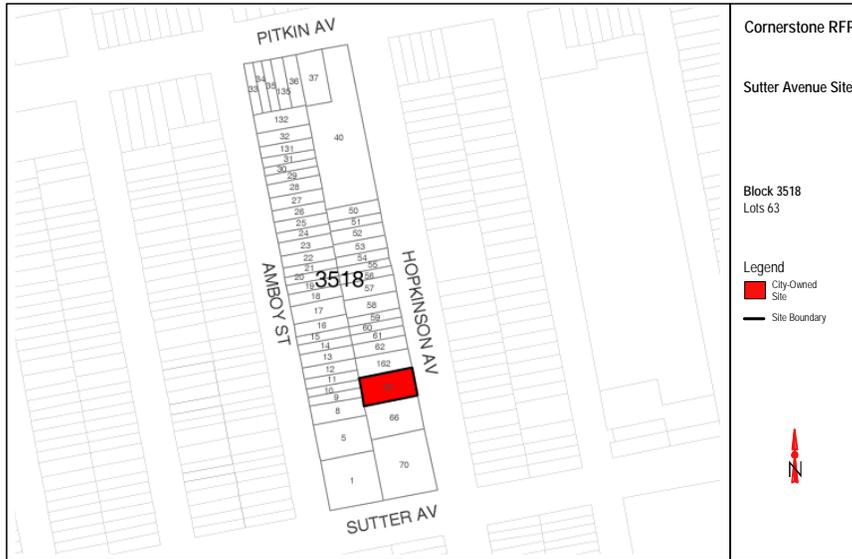
Site 20 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site. This Site is adjacent to an M1 Zone. A Phase I investigation should be submitted if a Type II review is being considered.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.
- Line-up and Curb cut rules apply per **Appendix C - City of New York Zoning Resolution Language**.

**Respondents may request a copy of the Brownsville II Urban Renewal Plan by contacting Lauren Dietz, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P, (212) 863-5942.*

Site 21: Sutter Avenue Site, Brooklyn



Block	Lot(s)	Approx. Lot Area	Current Zoning	Site Description / Comments
3518	63	6,000 SF	R6	<p>This site includes one (1) unimproved vacant lot located on the west side of Hopkinson Avenue between Sutter Avenue and Pitkin Avenue. There are 60 feet of frontage on Hopkinson Avenue.</p> <p>This site is part of the Marcus Garvey Urban Renewal Site 12B*.</p>

See next page for further information on Site 21.

Site 21 (continued):

Other Considerations:

- The Developer selected for this Site will be expected to work with the City to prepare the necessary environmental reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer will be responsible for any remediation that may be needed on the Site. This Site will require an Environmental Assessment Statement (EAS) due to previous land use. Lot 1 previously contained a dry cleaning facility.
- The Site will require approval through ULURP. The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.
- Line-up and Curb cut rules apply per **Appendix C - City of New York Zoning Resolution Language**.

**Respondents may request a copy of the Marcus Garvey Urban Renewal Plan by contacting Lauren Dietz, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P, (212) 863-5942.*

B. PROGRAM REQUIREMENTS AND GUIDELINES

Submissions must conform to the following requirements:

Zoning and Urban Renewal Areas

Proposals for the Development Site must comply with the New York City Zoning Resolution and any applicable Urban Renewal Plan(s).

Parcels within Boundaries of Proposed Rezoning Actions

Several parcels offered may be within the boundaries of proposed rezoning actions. The proposed rezonings may encourage new development that is in context with the existing neighborhood character. If the proposed new zoning is made publicly available by the Department of City Planning, submittals for Sites in such rezoning areas should include design proposals in accordance with the proposed zoning.

Respondents applying for Sites within areas that are being rezoned should be advised that their development timelines should take into account the period required for the rezoning to take effect, which may take up to a year. Additionally, Developers may be required to alter their design proposals during the predevelopment phase to comply with new zoning regulations.

Design Guidelines

Room Sizes

Room sizes must meet HPD minimum requirements. Please see **Appendix A** for room size minimum requirements as dictated by HPD's Design Guidelines for New Construction.

Detailing and Material

Details should define the bases, middles, and tops of buildings, as well as produce bases that reinforce human scale. Designs should maximize fenestration to increase light and views. Overall building fenestration should be varied in the bases and tops of buildings.

Street Treatment

Street trees, pedestrian lighting, and other streetscape features must be provided surrounding the Development Sites.

Entrances

The main residential entrance should be clearly articulated and differentiated from entrances to commercial / retail spaces.

Circulation

Pedestrian / vehicular conflicts should be minimized to the greatest extent possible. Parking, if any, and loading docks, if any, should be enclosed or appropriately screened.

Zoning

Sites currently zoned R6 or Sites that may be rezoned to R6 should follow the Quality Housing Program (ZR28).

Sustainable Design

Please refer to **Appendix B** for required sustainable design elements as outlined in HPD's Sustainable Design Criteria for New Construction.

C. LAND USE AND ENVIRONMENTAL APPROVALS

ULURP may have been completed for some Sites. If the proposed projects for those Sites differ from the scope described in the ULURP, they will need to be reviewed again through ULURP. All projects will require Mayoral approval. See **Section III A, Development Sites** for ULURP information on specific Sites.

The City may have completed the necessary Environmental Review for some Sites. If the proposed projects for those Sites differ from the current zoning requirements for the area, the project will require a new Environmental Review. Developers selected for Sites that have not completed an Environmental Review will be expected to work with the City to prepare the necessary Environmental Reviews, pursuant to the City Environmental Quality Review (CEQR) requirements. The Developer(s) will be responsible for any remediation that may be required on any of the development Sites. See **Section III A, Development Sites** for environmental information on specific Sites.

D. OBLIGATIONS OF THE SELECTED DEVELOPER

The Developer will be required to perform the following:

1. Prepare a complete set of schematic site plans, floor plans, and elevations and submit them to HPD for review and approval within two (2) months of selection.
2. Prepare a complete set of final site plans, floor plans, and elevations; samples of exterior building materials and detailed specifications, and submit them to HPD for review and approval prior to disposition.

Please see **Appendix A** for HPD DACE Design Guidelines and **Appendix D** for HPD DACE Submission Requirements.

3. Assist HPD in the preparation of the ULURP application (if applicable). Participate in all required public forums, hearings, and briefings with the Community Board, elected officials, City agencies, and other organizations as may be required.
4. Fund and conduct any environmental review and/or soil testing and remediation required on the Development Site.
5. Fund and complete the demolition of all City-owned buildings on the Development Site (if applicable, after closing).
6. Provide an equity contribution and any guarantees as required by the construction lender, secure construction financing, and meet any other terms and conditions required by construction lenders.
7. Pay all transfer taxes associated with the conveyance of the Development Site to the Respondent. Pay all transfer and recording taxes associated with project financing, where applicable.

8. Market the housing units in accordance with City requirements and policy.

Please see **Appendix E** for HPD Marketing Guidelines.

9. Submit ongoing status reports regarding project development, financing, marketing, leasing, and management.

Comment [JL1]: I don't see the Post-Designation Timeline in Appendix E.

E. DISPOSITION

Disposition of the Development Site to the Developer will be subject to: (1) the receipt of all public approvals required for the disposition of such Development Site and the development of the proposed Project on such Development Site, including without limitation, approval by the Mayor; and (2) the simultaneous closing of a bona fide construction loan for the full development of such Development Site. The Development Site will be conveyed in accordance with the terms of the Land Disposition Agreement ("LDA") to be entered into between the Developer and HPD at the time of sale and will be conveyed in "as is" condition. Among other terms, conditions, and provisions, the LDA will contain covenants running with the land that require the Developer to develop the Development Site in accordance with the approval by the Mayor, plans and specifications approved by HPD and the applicable Urban Renewal Plans.

F. DISPOSITION PRICE

Upon conveyance, the Developer will pay the nominal cash price of \$1.00 and will deliver an enforcement note and mortgage in the amount equal to the sum of the difference between the cash portion of the purchase price paid at closing and the appraised value of the land.

G. RESALE, REFINANCING, AND RECAPTURE RESTRICTION

The portion of the Subordinated City Debt attributable to the commercial component of the project, if any is repayable out of refinancing and resale profits and is non-evaporating.

Homeownership Projects

For proposed homeownership projects, the Subordinated City Debt will be converted into an obligation on the purchasers who acquire the units. The Subordinated City Debt is apportioned to each affordable unit and may be unsecured at the time of sale based on the unit or home's post-construction appraised value. In most cases, units sold at full market value will not have any Subordinated Debt attributed to their units. Purchasers repay the Subordinated City Debt attributable to their units by delivering a note and mortgage and/or conditional grant agreement to the City. The sum evidenced by the note and secured by the mortgage remains constant for the first five (5) years of a 15-year period and declines by one tenth (1/10) in years six (6) through fifteen (15), but will be forgiven after the fifteenth (15) year of owner occupancy.

Upon resale or refinancing, initial purchasers and subsequent owners are required to make payments to the City out of resale profits and refinancing proceeds, where applicable. During years one (1) to five (5), 100% of the resale or refinancing profits from the sale of the unit must be paid up to the amount of the Subordinated City Debt. During years six (6) through fifteen (15), 50% of the resale or refinancing profits must be paid up to the amount of the outstanding Subordinated City Debt. The use and recapture of any State and Federal funds subsidizing Sites will be guided by the specific guidelines for such funding source.

Rental Projects

For proposed rental projects, the Subordinated City Debt attributable to both the residential and commercial, if any, components of the project is repayable out of refinancing and resale profits and is non-evaporating.

H. FINANCING

It is the responsibility of the Developer to obtain construction and permanent financing in amounts consistent with the proposal. Proposals may include cash subsidy from HPD or HDC that equals a total of no more than \$85,000 per unit. This cash subsidy can be combined with financing available through various HDC programs and the Low Income Housing Tax Credit program. Respondents may also propose funding from the New York State Affordable Housing Corporation (AHC) Program, the New York State Housing Trust Fund (HTF), the federal Section 202 program and the federal HOME Program. HOME funds will only be considered for projects that include homeownership in Brooklyn or the Bronx. Developers may propose additional subsidy sources. Please see **Appendix F** for financing term sheets.

While subsidy may be used, Proposals will be evaluated based on the efficiency of the financing plan. Proposals that maximize affordability while minimizing subsidy will be given preference.

I. PROPERTY USE

The Sites must be developed for residential or mixed-use developments meeting all zoning requirements either as rental units or condo/co-op units in accordance with the proposal. Use of commercial overlays will be considered. Stand-alone commercial development is not permitted. Affordable homeownership units must be owner-occupied. Any resale within the fifteen (15) years following initial purchase of an affordable unit from the Developer must be to a buyer who will be an owner-occupant and who will maintain the home as his/her primary residence.

J. EQUAL OPPORTUNITY

Agreements resulting from this RFP will be subject to the provisions of Executive Order 50 and its implementing regulations as stated in **Appendix H, Equal Opportunity (EO) Requirements**. A representative from each selected development entity will be required to attend a class administered by HPD outlining the requirements of Executive Order 50 and to submit EO forms provided by HPD verifying their compliance with its provisions.

IV REQUEST FOR PROPOSALS PROCESS

The RFP process consists of the following stages:

A. SUBMISSION

On or before the submission deadline, the Respondent must submit their proposals in accordance with the instructions and attachments contained in this RFP.

Submission of a proposal shall be deemed permission by the Respondent for HPD to make such inquiries concerning the applicant as deemed necessary. Proposals that are not complete or not in conformance with the requirements of this RFP will be eliminated from further consideration. Respondents should note carefully the submission requirements listed below in **Section VI, Submission Requirements**.

After submission, HPD will not accept additions or changes to the proposals. Upon review, however, HPD, at its discretion, may notify a Respondent that additional information or clarification is necessary.

HPD, in its sole discretion, may amend or withdraw this RFP at any time. In order to be considered, proposals must conform to any amendments issued for any Site.

B. SELECTION

Proposals and Respondents will be evaluated based on the criteria detailed below in **Section V, Developer Selection Process**, taking into account the information provided in the proposal, references, and any other information about the Respondent's performance available to HPD. Only proposals that meet all threshold requirements will be considered.

Proposals that meet all threshold requirements, based on HPD's sole judgement and discretion, will be evaluated, rated and ranked according to the **Section V B, Competitive Selection Criteria**. HPD may request additional information, site visits, interviews, or other presentations by the Development Team. HPD may disapprove the inclusion of any member of the Respondent's Development Team and/or require the selected Respondent to substitute other individuals or firms.

HPD reserves the right to award a Respondent only as many Sites as HPD believes, based on the Respondent's organizational and financial capacity, the Respondent can develop within the proposed timeframe. Decisions will be based on HPD's sole evaluation and judgement. Respondents may be awarded more than one Site.

Selection of a Respondent for a Site(s) under this RFP will mean only that HPD will commence negotiations with such Respondent regarding the development of such Site(s). Upon such selection, HPD will send a letter to the Respondent regarding the commencement of such negotiations ("Negotiation Letter"). This letter will set forth certain information regarding the project, program, and procedures that will form the basis of such negotiation. **Exhibits, Tab C**, contains a **Respondent's Letter** that describes this process. Each proposal must include this letter signed by an authorized representative of the Respondent.

Any Respondent who receives a Negotiation Letter from HPD must thereafter disclose all previous participation with City-assisted projects. Such entity and all principals thereof will each be required to submit the appropriate disclosure forms. Upon request at any time, HPD will provide a copy of the disclosure forms to any Respondent.

V DEVELOPER SELECTION PROCESS

HPD will evaluate each proposal and each Respondent according to the Threshold Requirements below, taking into account the information provided in the proposal, references, and any other information about the Respondent's performance available to HPD. **Only proposals that meet all Threshold Requirements will be considered.**

Proposals that meet all Threshold Requirements, based on HPD's sole judgement and discretion, will be evaluated, rated, and ranked according to the Competitive Selection Criteria below. HPD may request additional information, site visits, interviews, or presentations by the Development Team. The selected Developer will be chosen from among the highest rated and ranked proposals.

HPD may disapprove the inclusion of any member of the Respondent's Development Team and/or require the selected Respondent to substitute other individuals or firms.

A. THRESHOLD REQUIREMENTS

Completeness of Proposal

The proposal must contain **all documentation** required under **Section VI, Submission Requirements**. All the required forms must be fully completed and application requirements met at the time of submission. Upon review, however, HPD, at its discretion, may notify a Respondent that additional information or clarification is necessary.

Comparable Development Experience

At least one principal of the Respondent must have had prior development experience, as a principal, by successfully completing new construction and/or substantial rehabilitation of at least one project of comparable size to that of the Site(s) requested. "Development Experience" is defined as the successful completion, as a principal of a developer or general contractor, of the substantial rehabilitation and/or construction of at least one residential project within the past ten (10) years. HPD will only consider similar projects completed in the New York metropolitan area or in a location comparable to the Development Site(s).

Development Capacity & Current Workload

Respondents must be capable of beginning construction within twelve (12) months from the date of the Negotiation Letter. A Respondent's current workload and other pending project obligations will be considered in assessing its capacity for undertaking the development project.

Ability to Finance

Respondents must demonstrate adequate financial resources to develop a project of the scope proposed in their submission. 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 Respondent's entire development project in a timely manner.

Affordability

All proposals must include a minimum of 20% of the units or homes affordable to households earning a maximum of 80% of Area Median Income (AMI), as adjusted for household size.

Feasibility of Development Proposal

Developer's financing plan must be considered feasible. Estimated development costs must be within current industry parameters. Proposed rents and sales prices for the housing units must be deemed realistic based upon proposal information and market conditions. An estimate of the square footage construction costs using both net and gross square footage should be provided along with the project budget.

Development Compliance

Proposed development must meet all minimum requirements outlined in **Section III B, Program Requirements and Guidelines**.

No Adverse Findings

A Respondent's proposal will be rejected if there are any adverse findings that would prevent the City from conveying a Site to the Respondent or any person or entity associated with the Respondent. Such adverse findings include, but are not limited to: (1) arson conviction or pending case; (2) harassment conviction or pending case; (3) City, State, Federal or private mortgage foreclosure proceedings or arrears; (4) in rem foreclosure or substantial tax arrears; (5) defaults under any City-sponsored program; (6) a record of substantial building code violations or litigation against properties owned by the Respondent or by any entity or individual that comprises the Respondent; or (7) conviction for fraud, bribery, or grand larceny. In addition, HPD reserves the right not to evaluate proposals where the Respondent or part of the Respondent's team has been de-designated from any government sponsored or publicly assisted project.

B. COMPETITIVE SELECTION CRITERIA

Proposals that satisfy the **Threshold Requirements**, based on HPD's sole judgement and discretion, will be evaluated and ranked according to the Competitive Selection Criteria described below. In evaluating proposals under these criteria, the combined experience and resources of all principals of the Respondent will be considered. HPD may request additional information, site visits, interviews, or other presentations by the Development Team.

Development Experience and Capacity

Previous development experience will be evaluated as it reflects the Respondent's ability to carry out a quality project in a timely manner. Among the factors that will be considered are: (1) the quality of construction and design in projects completed or currently being built by the Respondent and/or its principals; (2) the extent of the Respondent's experience, in terms of number, size and scale of projects completed; (3) Respondent's history of delivering projects on time and within budget; and (4) the absence of tenant and/or purchaser complaints.

HPD will give greater weight to developments that:

- Were new construction buildings;
- Are comparable in size, type, and scale to the project that is being proposed; and
- Were completed within the last seven (7) years.

Affordability

Proposals that include a greater percentage and level of affordability will be ranked higher under this criterion, as will projects that contain a mix of incomes (i.e. projects that do not designate all units at tax credit levels or below, where feasible). **Those proposals that maximize affordability with the least amount of subsidy, if any will be given preference.**

Quality of Proposed Design

HPD will evaluate each architectural proposal to determine the project's positive impact on community revitalization and responsiveness to the neighborhood context. Respondents should design structures that complement and elevate the level of urban design in each neighborhood and undertake creative and innovative ways to achieve that goal. Respondents are encouraged to use new materials and techniques, a diversity of architectural styles and imaginative site planning.

The design concept should employ architectural features that evoke appealing New York City residential environments. Dimensions, spacing, and setting of fenestration should complement neighborhood patterns. Horizontal and vertical architectural elements marked by a change in color, texture, material and fenestration should be used to reduce the scale of the building wall; to relate to lower, narrower adjacent buildings and to define the juncture of the middle of the building, with the base and the top.

All submissions are judged on applicable codes and the following elements:

SITE PLANNING

- Maximizing zoning potential
- Appropriate location of each function

- Variety of outdoor space, programming and landscaping enhancement
- Graceful parking integration, shielded from street and open spaces
- Use and programming of rooftop as additional tenants' open space
- Provision for landscaping, lighting and streetscape features

STREET FAÇADE & MASSING

- Facade composition, color, texture and heights
- Base, middle and top definition, roofline expression, ornamentation, details
- Distinguished residential entrance differentiated from commercial & community entries
- Lighting, landscaping, sidewalk paving to enhance & animate the pedestrian experience
- Contextual relationship with neighborhood buildings through massing, materials

BUILDING PLANNING

- Attractive, spacious, durable lobby space with maximum natural light
- Efficient circulation system undisrupted by building maintenance elements
- Provision for residential amenities, indoor and outdoors
- Provision and efficiency of building maintenance services

APARTMENT PLANNING

- Efficiency of layout with appropriate space adjacencies
- Furnishable spaces that exceed minimum requirements
- Variety of unit types

SUSTAINABILITY

- Energy efficiency
- Green Building Materials
- Resource efficiency
- Renewable energy

While **Appendix A** represents minimum design guidelines and construction requirements, applicants are encouraged to exceed those minimum standards to provide the best quality housing possible.

HPD Sustainable Design Criteria

In addition to the overall design quality, projects that include the most optional LEED qualifying points, as outlined in **Appendix B**, will achieve a high quality design ranking. For the purposes of this RFP, sustainable architecture describes development principles that demonstrate attention to design and building strategies that maximize energy efficiency and minimize impacts on the environment. The strategies are frequently described as “Green Building Techniques” (“GBT”) or, alternatively, “Low Impact Development Strategies (“LIDS”). Respondents are encouraged to propose projects that encourage energy efficiency and minimize impacts to the environment and Development Site.

Where possible, proposals should try to incorporate Green Building and Sustainable Development and Smart Building concepts and technologies in order to enhance overall housing design and construction, integration of high technology into affordable homes and the long-term marketability of the homes, while simultaneously making the buildings environmentally responsible. Additional points may be awarded to proposals that incorporate such concepts.

A. Green Building and Sustainable Development

1. According to the NAHB Research Center, “green building is the design, construction, and operation of homes according to resource-efficiency standards for energy, water, building design and materials, as well as indoor air quality standards.” These design and construction practices significantly reduce or eliminate the negative impact of buildings on the environment and occupants in five broad areas: sustainable site planning, safeguarding water and water efficiency, energy efficiency and renewable energy, conservation of materials and resources, and indoor environmental air quality.
2. Examples of these practices include tight construction, tight ducts, improved levels of insulation, high performance windows and high efficiency heating and cooling systems.
3. For background information or guidelines for integrating these energy efficient technologies into residential buildings, Respondents should visit some of the numerous websites that promote and explain them. Tax credits and funding from state and federal sources are often available to developers who take these initiatives. Some of the most useful sites are:
 - New York State Energy Research and Development Authority (NYSERDA) www.nyserda.org
 - Energy Star www.energystar.gov
 - US Green Building Council (USGBC) www.usgbc.org
 - Partnership for Advancing Technology in Housing (PATH) www.pathnet.org

B. Smart Building Technology

1. Smart Building refers to the installation of advanced communication technologies and integrated electronic systems that promote building automation.
2. The installation of a Smart Building system would allow the automation of a building's electronic systems such as lighting, heating and cooling, security and

communications, through home run wiring. Home run means running all the wires together vertically through a central PVC (plastic) pipe; wires serving the first floor should come up from the basement, while wires for the second floor would come down from the attic. The home run approach to clustering the wiring in a centrally located PVC conduit would allow homeowners to easily upgrade the electronic systems in the home.

3. For background information or guidelines for integrating these energy efficient technologies into residential buildings, Respondents should visit some of the numerous websites that promote and explain them. Some of the most useful sites are:
 - EH Publishing Inc. (www.Electronichouse.com)
 - Home Automation & Networking Association (www.hanaonline.org)
 - General Electric (GE) Connected Home (www.ge-smart.com/building)
 - Smart House Inc. (www.smart-house.com)
 - National Association of Home Builders Research Center (www.nahbrc.org)
 - One Economy (www.One-Economy.com)

VI SUBMISSION REQUIREMENTS

A. PRE-SUBMISSION INFORMATION AND INQUIRIES

Pre-Submission Communications

All communications regarding this RFP should be directed to Lauren Dietz, Office of Development at (212) 863-5942. Written communications and inquiries may be addressed to Lauren Dietz, Department of Housing Preservation and Development, Office of Development, 100 Gold Street, Room 9-P, New York, NY 10038; faxed to (212) 863-6423; or emailed to dietzl@hpd.nyc.gov.

Pre-Submission Conference

A pre-submission conference will be held on September 15, 2005 at 2:00p.m. at HPD, 100 Gold Street, Room 1R, New York, NY. The date, time, and location of this pre-submission conference will also be posted on HPD's website, www.nyc.gov/hpd. HPD **strongly recommends** that interested Respondents attend this pre-submission conference.

People with disabilities requiring special accommodations to pick up the RFP or to participate in the pre-submission conference should contact Lauren Dietz at (212) 863-5942.

B. GENERAL REQUIREMENTS

PROPOSALS MUST BE SUBMITTED BY HAND TO HPD AT THE ADDRESS BELOW NO LATER THAN 4:00 P.M. ON TUESDAY, NOVEMBER 15, 2005. PROPOSALS RECEIVED AFTER THE DUE DATE AND TIME WILL NOT BE CONSIDERED, REGARDLESS OF THE REASON FOR LATE SUBMISSION.

If a Respondent submits proposals for more than one Site, each Site Proposal must be submitted in a separate binder clearly labeled by the Site number.

HPD must receive one (1) original and three (3) bound copies of each proposal containing all required supporting documentation. **All proposals must be bound in three-ring binders of an appropriate size.** An authorized representative of the Respondent must sign the original proposal. The proposal must provide the name, address, telephone and fax numbers, and e-mail address of an authorized representative of the Respondent who may be contacted during the period of proposal evaluation. Each copy must be clearly labeled as described below and tabbed as indicated in **Section VI C, Contents of Proposal and Tabbing**. Respondents must inform any commercial delivery service, if used, of all delivery requirements and ensure that the required information appears on the box. The original and all copies must be submitted in a box and labeled as follows:

FROM: Respondent's name and address

TO: Department of Housing Preservation and Development
Multi-Family New Construction Unit
100 Gold Street, Room 9-P
New York, NY 10038
Attn: Lauren Dietz

RE: Proposal in Response to Cornerstone, Round IV

A proposal may be withdrawn or modified in writing only prior to the proposal due date and time or, if applicable, up until any subsequent due date and time set for the submission of proposals. Modifications received after the proposal due date will not be considered.

All proposals will become the property of HPD. Submission of a proposal will be deemed to be permission for HPD to make such inquiries concerning the proposal and the Respondent as HPD deems necessary. If HPD determines, upon review of a proposal, that any items are missing and/or incomplete, HPD, in its sole discretion, may notify the Respondent to provide such items. Failure to provide complete information in a timely fashion could result in rejection of the proposal.

HPD RESERVES THE RIGHT TO POSTPONE OR CANCEL THIS RFP AND TO REJECT ALL PROPOSALS.

C. CONTENTS OF PROPOSAL AND TABBING

Each proposal must contain the forms and supporting documentation described below. Each copy of the proposal must be tabbed as indicated below. The tabs should run down the right hand side of the bound proposal document.

TAB A – Completeness Checklist

Each Respondent must submit a **Completeness Checklist**. The format of this checklist is contained in **Exhibit Tab A**.

TAB B – Respondent Entity Information

Each Respondent must submit a completed **Respondent Information**. The format of this summary is contained in **Exhibit Tab B**.

TAB C – Respondent's Letter

Each Respondent must submit a **Respondent's Letter** printed on the Respondent's letterhead and signed by an authorized representative of the Respondent. The format of this letter is contained in **Exhibit Tab C**.

TAB D – Respondent Entity Principal Questionnaire

Each Respondent must submit a completed **Respondent Questionnaire**. The forms are contained in **Exhibit Tab D**. If the Respondent is a joint venture, a separate questionnaire must be submitted for each entity that comprises the joint venture. Any additional pages, which are part of the response to a questionnaire, should also be included under this tab.

TAB E – Development Experience and Current Workload

Each Principal that comprises the Respondent must submit a listing of **Development Experience & Current Workload**. This listing should contain all of the information requested in the format of **Exhibit Tab E**. Each entity that comprises the Respondent must list all construction projects that have been completed within the ten (10) years preceding the deadline for submission of proposals in response to this RFP. On a separate form, each entity that comprises the Respondent must list all construction projects that are in construction, pre-development, or otherwise committed.

TAB F – Assets Statement

Each Principal of the Respondent must submit audited or reviewed financial statements describing in detail the Principal's financial status within the two (2) most recent fiscal years preceding the deadline for the submission of proposals in response to this RFP. Publicly owned companies must submit the latest annual report and Form 10K as well as any Form 10Q submitted after such Form 10K. As an alternative, the **Assets Statement** in **Exhibit Tab F** may be used.

TAB G – Project Narrative

Respondent must provide a detailed narrative description outlining the concept of the Project and, among other things, include the Respondent's approach to urban design and streetscape. This description must provide all project information outlined in **Exhibit Tab G**.

TAB H – Project Financing

Respondent must complete the **Project Financing** forms in **Exhibit Tab H**. If portions of the proposal are separately financed, the Developer must provide additional forms for each portion. A financing narrative that clearly explains the financing structure of the project must accompany the forms. The narrative must 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.

A letter of interest from any source of funds that the Developer anticipates using, with the exception of HPD and HDC, must be included in the proposal. Each letter must be on the lender's letterhead and signed by a representative of the lender. Terms of the financing must be included in the letter(s).

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	\$42	\$16
1	1.5	.75	\$47	\$18
2	3	.9	\$54	\$19
3	4.5	1.04	\$60	\$19
4	6	1.16	\$65	\$20
5	7.5	1.28	\$65	\$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.

$$\begin{array}{r}
 \text{Household Factor (for appropriate Apartment Size)} \\
 \times \quad \$62,800 \text{ (Area Median Income for purposes of rent calculations)} \\
 \times \quad \% \text{ AMI Affordability} \\
 \times \quad 30\% \text{ (of income to housing)} \\
 / \quad 12 \text{ months} \\
 \hline
 \$ \text{ Total monthly gross rent} \\
 \text{(less) } \$ \text{ Electricity and Gas Allowances by Household Size} \\
 \hline
 \text{Total monthly net rent to development}
 \end{array}$$

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:

$$\begin{array}{r}
 \$ \text{ Monthly mortgage payment} \\
 + \quad \$ \text{ Monthly maintenance charges to co-ops/condos} \\
 + \quad \$ \text{ Taxes (condos only)} \\
 \hline
 \$ \text{ Total monthly gross housing cost} \\
 \times \quad 12 \text{ months} \\
 / \quad 33\% \text{ (of income to housing)} \\
 / \quad \$62,800 \text{ (Area Median Income for purposes of purchase price calculations)} \\
 / \quad \text{Household Factor (for appropriate Apartment Size)} \\
 \hline
 \% \text{ AMI Affordability}
 \end{array}$$

TAB I – Design / Architectural Documents

Respondent must provide the following information: (materials must be on 11" by 17" paper or smaller and must be easily reproduced)

1. Land use site plan / street level floor plan, showing residential lobby, commercial / retail space, and any other uses.

2. Typical and atypical floor plans and any other plans necessary to explain development concept.
3. Color renderings / elevations indicating building materials to be used (especially details at street level), how blank street walls are avoided, and the treatment of any loading docks, curb cuts, parking access, and landscaping.
4. Complete zoning analysis to demonstrate compliance with zoning.
5. Elements of sustainable design included in plan.

Please also refer to **Appendices B** and **D**, for HPD Sustainable Design Criteria and HPD DACE Submission Requirements.

TAB J – Design Team Experience

Respondents must submit Design Team's resume, focused on projects in the last ten (10) years and qualifications detailing applicable residential development experience.

TAB K – Post-Designation Timeline

Respondents must provide a development schedule and a phasing plan (if applicable), including benchmarks for commencement and completion of plans and drawings, construction start and completion, marketing, and occupancy of the Project. In order to complete the timeline, assume a six (6) month period for ULURP and a three (3) to six (6) month period for HPD design approval.

If selected, developers will be expected to start construction on the date specified in their Post-Designation Timeline.

VII CONDITIONS, TERMS AND LIMITATIONS

This RFP is subject to the specific conditions, terms and limitations stated below:

The Sites are to be disposed of in their "as is" condition. The City, its officers, agents and employees make no representation whatsoever as to the physical condition of the Sites or their suitability for any specific use.

Each Site shall be subject to New York City Real Property Taxes and charges. Tax exemption may be available under Article 16 of the New York State General Municipal Law, subject to approval by the City Council.

The proposed projects shall conform to, and be subject to, the provisions of the Zoning Resolution, Urban Renewal Plan, if any, and all other applicable laws, regulations and ordinances of all Federal, State, and City authorities having jurisdiction, as the same may be amended from time to time.

Valid permits and approvals, as required by City, State and Federal agencies, shall be obtained by the Developers prior to commencing work.

The conditional designation of a Developer will depend on satisfaction of the additional documentation and review requirements described in this RFP and will be subject to the subsequent approval of the Mayor.

The City will convey the Sites pursuant and subject to the provisions of the Land Disposition Agreement ("LDA"). HPD will recommend to the Mayor the acquisition price as stated. Where required, all documentation, including but not limited to the deed and LDA shall be in form and substance satisfactory to the City Council, the Mayor, and the Corporation Counsel. The conveyance will be subject to satisfaction of the applicable provisions of the City Charter and Article 16 of the New York State General Municipal Law.

No transaction will be consummated if any principal of any selected Developer is in arrears, or in default upon any debt, lease, contract or obligation to the City of New York, including without limitation real estate taxes and any other municipal liens or charges. The City reserves the right not to review any proposal by any such Respondent.

No commission for brokerage or any other fee or compensation shall be due or payable by the City, and the submission of a proposal will constitute the Respondent undertaking to indemnify and hold the City harmless from and against any such claim for any such fee or compensation based upon, arising out of, or in connection with any action taken by the Respondent, the selection of the Respondent's submission and invitation to the Respondent to respond to this RFP, the conditional designation of a Developer pursuant to this RFP or the sale of the Site.

The City is not obligated to pay nor shall in fact pay any costs or losses incurred by any Respondent at any time, including the cost of responding to the RFP.

The selection of a Respondent will mean only that HPD may commence negotiations with that Respondent regarding the development of the Development Site. HPD will send written notification ("Negotiation Letter") to the selected Respondent. The selected Respondent must begin pre-development work within thirty (30) days of the date of the Negotiation Letter. **The selected Respondent will be expected to start construction on the date**

specified in their Post-Designation Timeline, however the Respondent must commence construction no later than eighteen (18) months from the date of the Negotiation Letter.

This RFP does not represent any obligation or agreement whatsoever on the part of the City. Any obligation or agreement on the part of the City may only be incurred after the City enters into a written agreement approved by the Mayor and the Corporation Counsel. The City is under no legal obligation to convey the Development Site through a competitive process. The City may use the proposals submitted pursuant to this RFP as a basis for negotiation with Respondents as the City deems appropriate. HPD may reject at any time any or all proposals, amend or withdraw this RFP in whole or in part, negotiate with one or more Respondents, and/or negotiate and dispose of the Development Site on terms other than those set forth herein (including to parties other than those responding to this RFP). HPD may also, at any time, waive compliance with, or change any of the terms and conditions of this RFP, entertain modifications or additions to selected proposals, or withdraw or add individual Sites or parcels from or to this RFP.

Selection of a Respondent's proposal will not create any rights on the Respondent's part, including, without limitation, rights of enforcement, equity or reimbursement, until after the approvals of the City Council and the Mayor and the Corporation Counsel, and until the deed, LDA and all related documents are fully executed and approved. The terms of the deed and LDA, after execution, shall govern the relationship between the City and the Developer. In the event of any variance between the terms of this RFP and the deed or the LDA, the terms of the deed and/or LDA will govern.

The City reserves the right, in its sole discretion, to reject at any time any or all proposals, to withdraw the RFP, to negotiate with one or more Respondents, and/or negotiate and dispose of the Sites on terms other than those set forth herein (including to parties other than those responding to this RFP). The City likewise reserves the right, at any time, to waive compliance with, or change any of the terms and conditions of this RFP or to entertain modifications or additions to selected proposals. In addition, HPD retains the right to at any time withdraw individual Sites or portions of Sites from this RFP and to add vacant lots to Sites.

All determinations as to the completeness or compliance of any proposals, or as the eligibility or qualification of any Respondent, will be within the sole discretion of the City.

The City advises all Respondents that there is no legal obligation on the part of the City to convey the Sites offered through this RFP through a competitive process and that the City reserves the right to use the proposals submitted pursuant to this RFP as a basis for negotiation with Respondents as the City deems appropriate.

This RFP and any agreement resulting there from are subject to all applicable laws, rules and regulations promulgated by any Federal, State, or municipal authority having jurisdiction over the subject matter thereof, as the same may be amended from time to time.

VIII CONFLICTS OF INTEREST

Employees of the City of New York may respond to this RFP only in accordance with Chapter 68 of the New York City Charter governing ethics and conflicts of interest affecting City personnel. Section 2604(b)(7) of the City Charter contains specific prohibitions that exclude enumerated groups of employees from participating in the sales process.

Persons in the employ of the City considering the submission of a proposal are advised that opinions regarding the propriety of their purchase of City-owned property may be requested from the New York City Conflicts of Interest Board. This body is empowered, under Section 2602 of the City Charter, to issue advisory opinions on conflict of interest questions and other matters of ethical considerations. It is not necessary, however, that such an opinion be obtained prior to responding to this RFP.

Former employees of the City of New York are also advised that the City Charter imposes certain restrictions on post-employment and business relationships with the City. Such individuals should consult the specific provisions on this issue contained in the City Charter.

APPENDICES

- A. HPD DACE Design Guidelines
- B. HPD Sustainable Design Criteria
- C. City of New York Zoning Resolution Language
- D. HPD DACE Submission Requirements
- E. HPD Marketing Guidelines
- F. Financing Term Sheets
- G. HPD Supportive Housing Program
- H. EO Requirements

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. To the degree allowable by zoning, any new building will retain a consistent street wall with adjacent buildings.
3. 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.:
 - Appropriately landscaped front yards, if provided
 - 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 Facade / 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 are 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 and in 1 to 3 family houses, laundry hook-up must be provided 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. Vandal / frost-proof hose bibb must be provided at front and rear of building.
3. Trash chutes, recycling room, and trash compactor must be provided 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

<u>Name of Space</u>	<u>0-BR</u>	<u>1-BR</u>	<u>2-BR</u>	<u>3-BR</u>	<u>4-BR</u>	<u>Least Dimension</u>
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.

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.

Dining Area

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

Bathrooms

1. Every dwelling unit must contain at least one full bathroom containing a bathtub with a 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.

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:

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.

2 Person 0-BR Units

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

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:

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

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.

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. Proposed apartment distribution and building code occupancy group, construction group, and construction class must be shown.
3. Topographic Survey must be provided, as needed.

*Please also refer to **Appendix D, HPD DACE Submission Requirements**

Appendix B

HPD Sustainable Design Criteria

Improvement Category	Type of Improvement		LEED™ Point Value	Location in Sustainability Narrative (list page #)	Location of Improvement Description in Design/Architectural Documents (list the page/drawing number)			For HPD Use Only		
	HPD Cornerstone Required Sustainable Elements are described in the RFP scope.	The remainder of the improvements (starting with sustainable site design): Refer to LEED™ Rating System for description of the Intent http://www.usgbc.org/Docs/LEEDdocs/LEED_RS_v2-1.pdf			Land Use Site Plan	Floor Plans	Color Renderings/Elevation	Is this element proposed?	Is this element documented?	LEED™ points earned
HPD Cornerstone Required Sustainable Elements										
Required	1	Low E aluminum/fiberglass windows, insulated apartment doors with weather stripping, building entry door with weather stripping and thermally broken aluminum frame, and draft preventing window and door details	NA							NA
Required	2	Reduced set points for domestic hot water recirculation	NA							NA
Required	3	Kitchen and bathroom mechanical ventilation timer control	NA							NA
Required	4	Energy Star refrigerator	NA							NA
Required	5	Compact fluorescent, T8 electronic lighting, bi-level lighting for public spaces	NA							NA
Required	6	Photocell control for lighting fixtures of indoor and outdoor lighting	NA							NA
Required	7	LED exit signs	NA							NA
Required	8	Low flow fixtures for bathrooms and kitchens	NA							NA
Required	9	Low albedo/white Roof (flat roofs only)	NA							NA
Required	10	Planter in backyard	NA							NA

Notes:

Shaded rows are required elements

(1) A white roof is required but additional points can be earned by proposing another roof design to reduce heat island

Improvement Category	Type of Improvement		LEED™ Point Value	Location in Sustainability Narrative (list page #)	Location of Improvement Description in Design/Architectural Documents (list the page/drawing number)			For HPD Use Only		
	HPD Cornerstone Required Sustainable Elements are described in the RFP scope.				Land Use Site Plan	Floor Plans	Color Renderings/Elevation	Is this element proposed?	Is this element documented?	LEED™ points earned
	The remainder of the improvements (starting with sustainable site design): <u>Refer to LEED™ Rating System for description of the Intent</u> http://www.usgbc.org/Docs/LEEDdocs/LEED_RS_v2-1.pdf									
Sustainable Site Design										
Required	11	Erosion & Sedimentation Control	0							NA
	12	Site Selection	1							
	13	Urban Redevelopment	1							
	14	Brownfield Redevelopment	1							
	15	Alternative Transportation, Public Transportation Access	1							
	16	Alternative Transportation, Bicycle Storage & Changing Rooms	1							
	17	Alternative Transportation, Alternative Fuel Vehicles	1							
	18	Alternative Transportation, Parking Capacity and Carpooling	1							
	19	Reduced Site Disturbance, Protect or Restore Open Space	1							
	20	Reduced Site Disturbance, Development Footprint	1							
	21	Stormwater Management, Rate and Quantity	1							
	22	Stormwater Management, Treatment	1							
	23	Landscape & Exterior Design to Reduce Heat Islands, Non-Roof	1							
Required (1)	24	Landscape & Exterior Design to Reduce Heat Islands, Roof	NA: white roof only 1: beyond white roof							NA/1
	25	Light Pollution Reduction	1							

Notes:

Shaded rows are required elements

(1) A white roof is required but additional points can be earned by proposing another roof design to reduce heat island

Improvement Category	Type of Improvement		LEED™ Point Value	Location in Sustainability Narrative (list page #)	Location of Improvement Description in Design/Architectural Documents (list the page/drawing number)			For HPD Use Only		
	HPD Cornerstone Required Sustainable Elements are described in the RFP scope.				Land Use Site Plan	Floor Plans	Color Renderings/Elevation	Is this element proposed?	Is this element documented?	LEED™ points earned
	The remainder of the improvements (starting with sustainable site design): <u>Refer to LEED™ Rating System for description of the Intent</u> http://www.usgbc.org/Docs/LEEDdocs/LEED_RS_v2-1.pdf									
Water Efficiency										
	26	Water Efficient Landscaping, Reduce by 50%	1							
	27	Water Efficient Landscaping, No Potable Use or No Irrigation	1							
	28	Innovative Wastewater Technologies	1							
	29	Water Use Reduction, 20% Reduction	1							
	30	Water Use Reduction, 30% Reduction	1							

Notes:

Shaded rows are required elements

(1) A white roof is required but additional points can be earned by proposing another roof design to reduce heat island

Improvement Category	Type of Improvement		LEED™ Point Value	Location in Sustainability Narrative (list page #)	Location of Improvement Description in Design/Architectural Documents (list the page/drawing number)			For HPD Use Only		
	HPD Cornerstone Required Sustainable Elements are described in the RFP scope.	The remainder of the improvements (starting with sustainable site design): <u>Refer to LEED™ Rating System for description of the Intent</u> http://www.usgbc.org/Docs/LEEDdocs/LEED_RS_v2-1.pdf			Land Use Site Plan	Floor Plans	Color Renderings/Elevation	Is this element proposed?	Is this element documented?	LEED™ points earned
Energy & Atmosphere										
			1							
Required	31	Fundamental Building Systems Commissioning ** TO BE DETERMINED **	0							
Required	32	Minimum Energy Performance	0							NA
Required	33	CFC Reduction in HVAC&R Equipment	0							NA
	31	Optimize Energy Performance, Include percentage of reduced energy cost in narrative	20% 2 pts 30% 4pts 40% 6pts 50% 8pts 60% 10pts							
	32	Renewable Energy, 5%	1							
	33	Renewable Energy, 10%	1							
	34	Renewable Energy, 20%	1							
	35	Additional Commissioning	1							
	35	Ozone Depletion	1							
	36	Measurement & Verification	1							
	37	Green Power	1							

Notes:

Shaded rows are required elements

(1) A white roof is required but additional points can be earned by proposing another roof design to reduce heat island

Improvement Category	Type of Improvement HPD Cornerstone Required Sustainable Elements are described in the RFP scope. The remainder of the improvements (starting with sustainable site design): <u>Refer to LEED™ Rating System for description of the Intent</u> http://www.usgbc.org/Docs/LEEDdocs/LEED_RS_v2-1.pdf	LEED™ Point Value	Location in Sustainability Narrative (list page #)	Location of Improvement Description in Design/Architectural Documents (list the page/drawing number)			For HPD Use Only		
				Land Use Site Plan	Floor Plans	Color Renderings/Elevation	Is this element proposed?	Is this element documented?	LEED™ points earned
Materials & Resources		1							
Required	38 Storage & Collection of Recyclables	0						NA	
	39 Construction Waste Management, Divert 50%	1							
	40 Construction Waste Management, Divert 75%	1							
	41 Resource Reuse, Specify 5%	1							
	42 Resource Reuse, Specify 10%	1							
	43 Recycled Content, Specify 5% (post-consumer + ½ post-industrial)	1							
	44 Recycled Content, Specify 10% (post-consumer + ½ post-industrial)	1							
	45 Local/Regional Materials, 20% Manufactured Locally	1							
	46 Local/Regional Materials, of 20% Above, 50% Harvested Locally	1							
	47 Rapidly Renewable Materials	1							
	48 Certified Wood	1							

Notes:

Shaded rows are required elements

(1) A white roof is required but additional points can be earned by proposing another roof design to reduce heat island

Improvement Category	Type of Improvement		LEED™ Point Value	Location in Sustainability Narrative (list page #)	Location of Improvement Description in Design/Architectural Documents (list the page/drawing number)			For HPD Use Only		
	HPD Cornerstone Required Sustainable Elements are described in the RFP scope.				Land Use Site Plan	Floor Plans	Color Renderings/Elevation	Is this element proposed?	Is this element documented?	LEED™ points earned
	The remainder of the improvements (starting with sustainable site design): Refer to LEED™ Rating System for description of the Intent http://www.usgbc.org/Docs/LEEDdocs/LEED_RS_v2-1.pdf									
Indoor Environmental Quality										
Required	49	Minimum IAQ Performance	0							NA
Required	50	Environmental Tobacco Smoke (ETS) Control	0							NA
	51	Carbon Dioxide (CO2) Monitoring	1							
	52	Ventilation Effectiveness	1							
	53	Construction IAQ Management Plan, During Construction	1							
	54	Construction IAQ Management Plan, Before Occupancy	1							
	55	Low-Emitting Materials, Adhesives & Sealants	1							
	56	Low-Emitting Materials, Paints	1							
	57	Low-Emitting Materials, Carpet	1							
	58	Low-Emitting Materials, Composite Wood & Agrifiber	1							
	59	Indoor Chemical & Pollutant Source Control								
	60	Controllability of Systems, Perimeter	1							
	61	Controllability of Systems, Non-Perimeter	1							
	62	Thermal Comfort, Comply with ASHRAE 55-1992	1							
	63	Thermal Comfort, Permanent Monitoring System	1							
	64	Daylight & Views, Daylight 75% of Spaces	1							
	65	Daylight & Views, Views for 90% of Spaces	1							

Notes:

Shaded rows are required elements

(1) A white roof is required but additional points can be earned by proposing another roof design to reduce heat island

Improvement Category	Type of Improvement		LEED™ Point Value	Location in Sustainability Narrative (list page #)	Location of Improvement Description in Design/Architectural Documents (list the page/drawing number)			For HPD Use Only		
	HPD Cornerstone Required Sustainable Elements are described in the RFP scope.				Land Use Site Plan	Floor Plans	Color Renderings/Elevation	Is this element proposed?	Is this element documented?	LEED™ points earned
	The remainder of the improvements (starting with sustainable site design): <u>Refer to LEED™ Rating System for description of the Intent</u> http://www.usgbc.org/Docs/LEEDdocs/LEED_RS_v2-1.pdf									
Innovation & Design Process										
	66	LEED™ Accredited Professional	1							
					Are all required elements included in the proposal?					
					A. Total LEED™ Points earned:					
					B. Max. LEED™ points proposed for this site:					
					TOTAL RFP POINTS EARNED (A / B * max RFP points):					

Notes:

Shaded rows are required elements

(1) A white roof is required but additional points can be earned by proposing another roof design to reduce heat island

8/12/04

23-633

Street wall location and height and setback regulations in certain districts

In the districts indicated, street wall location and height and setback regulations are set forth in this Section. The height of all buildings or other structures shall be measured from the base plane. The provisions of Sections 23-64 (Alternate Front Setbacks) and 23-65 (Tower Regulations) shall not apply, except as otherwise set forth for buildings in R10X Districts.

(a) Street wall location

Comment [JL2]: Is the numbering correct here?

(2) In the districts indicated, and for buildings developed or enlarged pursuant to the Quality Housing Program on narrow streets in R6 and R7 Districts without a letter suffix, the street wall of any development or enlargement on a zoning lot with at least 50 feet of frontage along a street line shall be located no closer to the street line than the street wall of an adjacent existing building. On zoning lots with less than 50 feet of frontage along a street line, the street wall of any development or enlargement shall be located no closer to, nor further from the street line than the street wall of an adjacent existing building. For all zoning lots, the street wall of a building need not be located further from a street line than 15 feet. On corner lots, the street wall along one street line need not be located further from the street line than five feet.

Comment [JL3]: Is the numbering correct here?

8/12/04

25-633

Prohibition of curb cuts in certain districts

R4B R5B R6B R7B R8B

In the districts indicated, curb cuts are prohibited for residential developments on zoning lots having a width of less than 40 feet along a street and existing on the effective date of establishing such district on the zoning maps.

Appendix D

HPD DACE Submission Requirements

1. Photographs: at least 3"x 5" in size, of the site(s) proposed for development and the site's relation to surrounding building(s), streets and open spaces. Photos must be keyed on the area plan outlined below. The photos should be clear enough to be reproducible.
2. Area plan: A copy of the most recent Sanborn map of the area, indicating vehicular traffic directions, and location of nearest subway and bus stops in a two-block radius.
3. Zoning/ statistics: A zoning map for the Site, a detailed zoning analysis, and building code information indicating occupancy group and construction classification. Also include apartment count and distribution.
4. Site plan: Should be clearly legible and indicate all components of the development and within 10'-0" of the Site. It must include walks, sidewalks, parking, driveways, building access points, tree locations, plant materials, fences, gates, lighting, easements, and encroachments, and be a minimum scale of 1"= 20'-0".
5. Floor plans: All floor plans as well as plans for every dwelling type at 1/8" scale or 1/4" scale. Clearly indicate all rooms, their dimensions, and square footage. Plans should indicate the North direction, actual scale, and a graphic scale on all drawings.
6. Elevations: All elevations of the building(s) at the same scale as the plans. Elevations must indicate finishes, construction materials, ceiling heights, and floor elevations (level). Perspective drawings / renderings are optional, but cannot replace required elevations.
7. Final DACE Submission: A complete set of the final site plans, floor plans, and elevations along with a sample board of exterior building materials and specifications must be submitted to DACE for final approval before filing with the Department of Buildings.

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.

**HDC Low-Income Affordable Market-Place Program (LAMP)
HDC New Housing Opportunities Program (New HOP)
HDC Cooperative Housing Program**

**HPD New Construction Participation Loan Program
HOME Program**

**New York State Affordable Housing Corporation (AHC)
New York State Housing Trust Fund Program (HTF)**

I. HDC LAMP

LAMP Term Sheet (Low-Income Housing)

HDC's LAMP program (formerly known as 100% LITE) combines the use of tax exempt bond financing with as of right "4%" Federal Low Income Housing Tax Credits and other subsidies to produce housing affordable to those earning less than 60% of area median income.

As part of Mayor Bloomberg's "The New Market Place" housing plan, HDC will commit \$100 million over five years to provide direct subsidy for 100% LAMP projects to create units affordable to low income households. Specifically the Corporation will provide subordinate loans averaging up to \$50,000/unit or \$7,500,000/project. These HDC subsidies also may be utilized in conjunction with subsidies provided by other agencies. For example, HDC second mortgage loans may be utilized in conjunction with loans provided by the New York City Department of Housing Preservation and Development (HPD) through its Participation Loan Program or with loans provided by the New York State Division of Housing and Community Renewal (DHCR) through its Homes for Working Families Program. The Corporation may also provide subordinate second mortgage loans for projects for which a portion of the low-income units are utilized to generate section 421-A negotiable certificates.

HDC will also continue to provide tax-exempt bond financing for projects which are fully subsidized by other agencies programs such as those listed above.

HDC bonds may be issued in a variety of interest rate modes, ranging from weekly variable rates to long-term fixed rates. Additionally, bonds may be issued as individual ("Stand Alone") transactions or as part of a pooled financing under HDC's Open Resolution.

Eligible Use

New construction, substantial rehabilitation and conversions of non-residential buildings on an as-of-right-basis.

Maximum Income Limits

Lesser of 60% of area median income or as required by additional subsidy benefit providers.

HDC First Mortgage Amount

During construction, tax exempt bonds subject to "Volume Cap" must fund more than 50% of the total development costs of the project. Permanent first mortgage amount will be set based on HDC underwriting criteria.

First Mortgage Permanent Interest Rate

HDC permanent rate to be fixed either at construction loan closing or, if variable rate bonds are utilized to fund construction advances, following the completion of construction and the refunding of the variable rate bonds to a fixed rate. The permanent rate will equal HDC's cost of funds plus 70 basis points. Please call HDC staff for indicative rates.

Permanent Term

Up to 30 years.

HDC Second Mortgage Amount

Up to \$55,000 per unit up to a maximum of \$7,500,000 per project for projects reserving 30% of the units for homeless households.

Up to \$45,000 per unit up to a maximum of \$7,500,000 per project for projects reserving 10% of the units for homeless households.

Subsidy will be structured as a second mortgage bearing an interest rate of at least 1%.

Amortization of HDC Second Mortgage

Balloons are permitted. However, preference will be awarded to projects that amortize the second mortgage over the term of the loan.

Loan to Value

First Mortgage: Not to exceed 75% based on an independent MAI appraisal and reliance letter) acceptable to HDC. Combined first and second mortgage not to exceed 90% LTV.

Construction Period Credit Enhancement

Stand alone: Direct-pay letter of credit from a financial institution rated at least A1/P1.

Open Resolution: Stand by letter of credit from highly rated financial institution acceptable to HDC.

Permanent Credit Enhancement

Not Required.

HDC Fee

.75% of first mortgage amount plus costs of issuance as determined by HDC.

HDC Open Resolution: .75% of first mortgage amount plus costs of issuance as determined by HDC.

Real Estate Tax Benefits

§421-a for new construction, J51 for rehabilitation or conversion projects. Projects in which a not-for-profit corporation has at least a 50% interest in the managing partner or member may be eligible for §420-c benefits.

"95-5" Tax Certification Package

Prior to an issuance of notes or bonds, the developer must complete a "95-5" tax certification package for the review and approval of HDC's bond counsel. The "95-5" package will enable bond counsel to determine if the proposed project does, in fact, comply with Federal law governing the issuance of tax exempt bonds for multi family rental housing.

Debt Service Coverage

125% or greater on HDC First Mortgage.
115% or greater on all financing.

Required Income Expense Ratio

1.05 to 1 or greater on all financing

Replacement Reserve

Minimum of \$250/unit.

Marketing

50% community preference; other preferences to be approved by HDC; Marketing process overseen by HPD with income certification by HDC.

Social Services

If 30% of the units are reserved for formerly homeless tenants, social services will be required, including a minimum of case management and information referral services. The case management services should include the supervision of regular rent payments and the monitoring of life skills as necessary. The information referral service should allow tenants to access a network of service providers for referrals such as job training, literacy, financial/budget counseling, daycare, mental health, domestic violence prevention, healthcare, substance abuse and welfare benefits, as needed. Before permanent conversion, Developer must submit a Social Service Plan which shall describe in detail the specific services to be made available and list the estimated budget associated therewith, the names and summary of qualifications of each provider of the services. These services may be provided by a non-profit, the developer or through other arrangements to be made with an appropriate social service provider, as approved by HDC. This requirement will be reflected in HDC's regulatory agreement.

Design Guidelines

Must meet HPD's Design Guidelines for New Construction/Substantial Rehabilitation and should conform to HDC's minimum unit sizes.

Recourse

HDC permanent loans are generally non-recourse to Borrower, except for environmental indemnity and standard non-recourse "carve out" Guaranty for fraud and related misrepresentation.

Items Requires for Project Review

- Location and description of site & proposed development (including block and lots).
- Preliminary proforma including hard and soft costs, unit distribution and expected rents.
- Development team (borrower/GC/management company) and list of their experience and principals.

Conditions Precedent to Construction Loan Closing

- Completed and satisfactory disclosure documents for principals and known investors with more than 20% interest in the project.
- Completed and satisfactory State Environmental Quality Review Act (SEQRA) review.
- Completed and satisfactory third party reports with reliance letters to HDC.
- Financial statements and credit reports.
- Final architectural plans reviewed and approved by HDC.
- Evidence of all other required funding.
- Commitment letter from the construction lender and other subordinate lenders.
- Assignment of Leases and Rents.
- Mortgage and Note.
- UCC's.
- Certifications and attorney opinion letters.

- Borrower's organizational documents.
- Property and Liability Insurance in form and substance acceptable to HDC.
- Good and marketable title, free and clear of encumbrances except as permitted by HDC.
- Title Insurance and Survey in form and substance acceptable to HDC.
- Documentation will require that HDC be named a beneficiary on a number of documents, including but not limited to insurance certifications and completion guarantees.

Conditions Precedent to Closing Permanent Mortgage

- 100% rental achievement/sales evidenced by certified rent roll.
- Evidence of real estate tax benefits.
- Evidence of compliance with zoning and all applicable codes.
- Certification of "No Change" in borrower's financial status.
- Certificate of completion from construction lender's construction monitor.
- Evidence of Funds available for partial redemption of bonds.
- Social Services Plan, if applicable

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II. HDC New Housing Opportunities (New HOP)

New HOP Term Sheet (Middle-Income Housing)

The New York City Housing Development Corporation ("HDC") finances construction and/or permanent mortgage loans for the new construction, substantial rehabilitation and as-of-right conversions of non-residential buildings to rental housing developments affordable to middle-income families.

Under the New Housing Opportunities Program ("NHOP"), HDC issues taxable bonds to provide long-term fixed-rate permanent financing for rental projects affordable to middle-income families. HDC also provide subsidies of up to \$30,000/unit. However, under certain circumstances, subsidies of up to \$45,000/unit may be provided for projects with higher land costs, lower rents or larger units in accordance with the terms outlined herein. Subsidies will be advanced at nominal rates to either 1) provide subordinate financing or 2) combine with taxable bond proceeds to produce a below market rate first mortgage. Subsidy funds may be utilized during construction. Bond proceeds may also be utilized during construction with appropriate third-party credit enhancement.

General Terms:

Eligible Uses:

New construction, substantial rehabilitation and conversions of non-residential buildings on an as-of-right basis for projects containing a minimum of twenty (20) residential units.

Eligible Areas:

Brooklyn, Queens, the Bronx, Staten Island, and Manhattan (North of East/West 96th Street for all rehabilitation projects as well as for new construction projects located east of Fifth Avenue. New construction projects west of Fifth Avenue must be located north of West 110th Street.)

Maximum Monthly Rents:

Maximum Unit Type	Monthly Rents¹
Studio	\$1,045
1 BR	\$1,395
2 BR	\$1,810
3 BR	\$2,110

1) Projects with lower rents may qualify for subsidies in excess of \$30,000/unit and \$5,000,000/project. See **HDC Second Mortgage Amount** below.

Maximum Income Limits

Seven times annual rent for 1-2 person households; eight times for households of 3 or more up to a maximum of 175% of median income for 75% of the units and 200% for 25% of the units. (Specific units will be designated for each level prior to marketing).

Construction Period Credit Enhancement:

Stand by letter of credit from a highly rated financial institution acceptable to HDC.

First Mortgage Permanent Interest Rate:

Interest rates on long-term first mortgages established at bond sale based on market conditions. Indicative taxable bond rates can be obtained by calling the development staff at HDC.

Second Mortgage Permanent Interest Rate:

1% - 3%. Alternatively, HDC may combine subsidy funds with bond proceeds to achieve a lower blended first mortgage rate.

Permanent Term:

Up to 30 years.

HDC First Mortgage Amount:

Not to exceed 80% of value. Higher amounts will be considered and may require third party credit enhancement.

HDC Second Mortgage Amount:

\$30,000/unit, not to exceed \$5,000,000 per project. HDC will consider providing subsidies up to \$45,000/unit, not to exceed \$7,500,000 per project in certain circumstances (i.e., projects with high land costs, larger unit types or lower rents):

1) Higher Acquisition Costs:

<u>Acquisition</u>	<u>Maximum Subsidy</u>
\$20,000/unit or less	up to \$30,000/unit and up to \$5,000,000/project
\$20,001/unit or more	For every \$1.00 increase in the recognized acquisition cost² above \$20,000/unit, the maximum subsidy may be increased by \$.50, up to \$45,000/unit, not to exceed \$7,500,000/project

2) **Recognized acquisition cost** equals the lesser of the actual price paid for the property or the "as-is" land value as determined by a third party appraiser.

2) Lower Rents

MAXIMUM SUBSIDY RANGES			
Unit Type	Up to \$30,000/unit or \$5,000,000/project	Up to \$37,500/unit or \$6,250,000/project	Up to \$45,000/unit or \$7,500,000/project
Studio	\$921-1,045	\$746-920	\$745 or less
1 BR	\$1,171-1,395	\$971-1,170	\$970 or less
2 BR	\$1,461-1,810	\$1,186-1,460	\$1,185 or less
3 BR	\$1,736-2,110	\$1,411-1,735	\$1,410 or less

3) Larger Unit Types:

% of Units Containing 2 or more bedrooms	Maximum Subsidy
50%	Up to \$37,500/unit or \$6,250,000/project
75%	Up to \$45,000/unit or \$7,500,000/project

Loan to Value:

Combined loan to value not to exceed 95% as established by an independent MAI appraisal acceptable to HDC.

Loan to Cost:

Combined loan to cost may not exceed 90%.

HDC Fee:

.75% of the HDC first loan amount plus costs of issuance as determined by HDC.

Collateral:

First and/or second mortgage on land and improvements.

Other Subordinate Liens:

Permitted with HDC approval of terms.

Amortization:

First mortgage fully amortized over the term of the loan. Second mortgage may be interest only although preference will be given to projects which permit full amortization of HDC subordinate financing. Amortization on the second mortgage may be increased at permanent conversion in certain circumstances (see Rent/Loan Increases below).

Minimum Equity:

At least 10% of total development cost. No more than 50% of the minimum equity requirement may be met through the pledge of developer's fee. Preference will be given to proposals with greater equity contributions.

Maximum Developer's Fee:

Not to exceed 10% of non-subsidized development cost.

Real Estate Tax Benefits:

Enriched §421-a for new construction, standard or enhanced J-51 for rehabilitation and conversion projects. To receive enhanced J-51 benefits, project must restrict incomes to 165% of AMI, or 20% of the units can be set at 80% of AMI with the remaining units at 180% of AMI.

Debt Service Coverage:

115% or greater on all financing.
120% or greater on HDC first mortgage.

Income to Expense Ratio:

1.05 to 1 or greater on all financing.

Mortgage Insurance:

May be required for permanent mortgage. This requirement can be satisfied with partial REMIC mortgage insurance. Alternate mortgage insurance from SONYMA, HUD or other highly rated entities may be required for projects requiring a first mortgage in excess of \$20,000,000.

Replacement Reserve:

Minimum of \$250/unit/year.

Design Guidelines:

In addition to meeting HPD's Design Guidelines for New Construction/Substantial Rehabilitation, New HOP projects should meet the following overall square footages per apartment type:

Studio	400 sq. ft.
1-Bedroom	575 sq. ft.
2-Bedroom	775 sq. ft.
3-Bedroom	950 sq. ft.

Marketing:

Must comply with all HDC marketing guidelines. Guidelines can be found on the HDC website or by calling the development staff at HDC.

Rent/Loan Increases:

Rent increases may be permitted at the time of marketing. Any rent increase must be approved by HDC prior to the commencement of marketing. Increased rents must be in conformance with the HDC maximum allowable rents in effect at the time of marketing. A portion of the additional cash flow earned from these rent increases will be used to accelerate the amortization of the second mortgage.

If the additional income is sufficient and funds are available, an increase in the first mortgage may be permitted as well.

Recourse:

HDC permanent loans are generally non-recourse to Borrower, except for environmental indemnity and standard non-recourse "carve out" Guaranty for fraud and related misrepresentation.

Conditions Precedent to Construction Loan Closing:

- Completed and satisfactory disclosure documents for principals and known investors with more than 20% interest in the project.
- Completed and satisfactory State Environmental Quality Review Act (SEQRA) review.
- Completed and satisfactory third party reports with reliance letters to HDC.
- Financial statements and credit reports.
- Construction Lender Loan Offering Package.
- Commitment letter from the construction lender and other subordinate lenders.
- Assignment of Leases and Rents.
- Mortgage and Notes.
- UCC's
- Certifications and attorney opinion letters.
- Borrower's organizational documents
- Property and Liability Insurance in form and substance acceptable to HDC.
- Good and marketable title, free and clear of encumbrances except as permitted by HDC.
- Title Insurance and Survey in form and substance acceptable to HDC.
- Documentation will require that HDC be named a beneficiary on a number of documents, including but not limited to insurance certifications and completion guarantees.

Conditions Precedent to Closing Permanent Mortgage:

- 100% rental achievement/sales evidenced by certified rent roll.
- Evidence of real estate tax benefits.
- Evidence of compliance with zoning and all applicable codes.
- Certification of "No Change" in borrower's financial status.
- Certificate of completion from construction lender's construction monitor.

HDC Contacts:

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III. HDC Cooperative Housing Program

Affordable Cooperative Housing Program

Partners:

NYC Housing Development Corporation (HDC)

Banc of America Securities - Public Finance (BAS)

Bank of America (BAC)

The New York City Housing Development Corporation ("HDC"), Bank of America ("BAC"), and Banc of America Securities ("BAS") have partnered to offer an attractive lending program to finance affordable cooperative developments. Under this program, Bank of America will provide the construction financing for cooperative developments affordable to middle income families. HDC will also provide subordinate financing ranging from \$30,000 to \$45,000 per unit as determined by program guidelines during construction. Upon construction completion and achievement of sufficient sales HDC will provide a permanent loan that will be funded by taxable bonds which will be blended with the HDC subordinate financing for a 1st position mortgage. The interest rate on the bonds will be set at construction loan closing and the permanent loan must be insured by SONYMA. Insurance coverage from SONYMA is required prior to the construction loan closing.

Program Terms

Region

New York City (Manhattan, the Bronx, Brooklyn, Queens and Staten Island)

Bond Issuer

New York City Housing Development Corp.

Mortgage Insurer

SONYMA - State of New York Mortgage Agency

Construction Lender

BAC - Underwriter with HDC

Bond Underwriter

BAS - Banc of America Securities

Purpose

The new construction substantial rehabilitation or conversion of existing buildings creating affordable cooperative housing developments.

Eligible Sites

Privately owned or formerly city owned properties are eligible with a minimum of 50 units.

Income Eligibility

Not to exceed 175% of median income for 75% of the units and 250% for 25% of the units. (Specific units will be designated for each level prior to marketing.) All projects are subject to HDC's marketing guidelines, which include income verification and a lottery process for initial applicants.

Construction Lending

Private for profit or not-for-profit experienced developers. Subject to all underwriting and credit approvals as set forth by the program and BAC and HDC's credit policies.

BAC will co-underwrite with HDC individual construction loans. HDC will provide low-interest subordinate 2nd mortgage construction loans.

Maximum LTV on 1st Mtg: 80% LTV

Maximum combined LTV: 95%LTV

Minimum DSC on 1st Mtg: 1.20 under rental fallback scenario

Minimum DSC on combined debt: 1.15 under rental fallback scenario

Pricing / Interest Rate

BAC - Construction Loan Fee 1%

HDC- 1.0% upfront on the HDC Subordinate loan and .25% at conversion on HDC loan.

Individual construction loan pricing to be negotiated directly with BAC at a spread to be determined over 30, 60 or 90 day LIBOR

Construction Term

Not to exceed Two (2) years from closing of construction loan - no extension options

General

Underwriting including payment and completion guaranty will be required on all developments from the borrowers, principals. General Contractors shall also provide a guaranty of completion. Payment and Performance Bonds or such other instruments may be required at the discretion of BAC and HDC.

SONYMA

SONYMA commitment must be in place at closing of the construction loan - or must have received SONYMA Board approval

Fees: .10% of permanent loan

Annual premium - .50% of outstanding loan amount - will be included in permanent interest rate.

Co-op Plan Declaration of Effectiveness

Achievement of 75% sales contracts are required to declare the cooperative effective.

Permanent Take-out

Permanent bond rate shall be locked in at time of construction loan closing.

Required Underwritten Debt Service Coverage:

1.05

Minimum Income to Expense Ratio:

1.00 to 1.00

Sinking Funds:

Any funds collected by HDC from shareholder resale profits will be deposited into a sinking fund and used as a pre-payment on the HDC subsidy. Resale profits are considered to mean 100% of a unit's net appreciation during years 1-3, and 50% of the unit's net appreciation during years 4-15 from the HDC conversion date.

Term

30 year loan term with 30 year amortization schedule

HDC Subordinate Mortgage Amount:

\$30,000/unit, not to exceed \$5,000,000 per project. HDC will consider providing subsidies up to \$45,000/unit, not to exceed \$7,500,000 per project in certain circumstances (i.e., projects with high land costs or larger unit types):

1. **Higher Acquisition Costs:**

<u>Acquisition</u>	<u>Maximum Subsidy</u>
\$20,000/unit or less	up to \$30,000/unit and up to \$5,000,000/project
\$20,001/unit or more	For every \$1.00 increase in the recognized acquisition cost ² above \$20,000/unit, the maximum subsidy may be increased by \$.50, up to \$45,000/unit, not to exceed \$7,500,000/project

2. Larger Unit Types:

<u>% of Units containing two (2) or more bedrooms</u>	<u>Maximum Subsidy</u>
50%	Up to \$37,500/unit or \$6,250,000/project
75%	Up to \$45,000/unit or \$7,500,000/project

Collateral:

First and/or second mortgage on land and improvements.

Minimum Equity:

At least 5% of total development cost at construction loan closing.

Maximum Developer's Fee:

Not to exceed 10% of non-subsidized development cost

Real Estate Tax Benefits:

Enriched §421-a for new construction, standard or enhanced J-51 for rehabilitation and conversion projects. To receive enhanced J-51 benefits project must restrict incomes to 165% of AMI, or 20% of the units can be set at 80% of AMI with the remaining units at 180% of AMI.

Capitalized Operating Reserve:

Minimum of \$1,000 per unit will be capitalized by HDC at permanent conversion.

Replacement Reserve:

Minimum of \$250/unit/year increased with CPI. Smaller projects may require higher replacement reserves.

Design Guidelines:

In addition to meeting HPD's Design Guidelines for New Construction/Substantial Rehabilitation, Cooperative projects should meet or exceed the following minimum overall square footages per apartment type:

Studio:	400 sq. ft.
1-Bedroom:	575 sq. ft.
2-Bedroom:	775 sq. ft.
3-Bedroom:	950 sq. ft.

Marketing:

Must comply with all HDC marketing guidelines. Guidelines can be found on HDC website or by calling the development staff at HDC.

Items Required for Project Review:

- Location and description of site & proposed development (including block and lots).
- Preliminary proforma including hard and soft costs, unit distribution, anticipated maintenance charges, and expected sales prices.
- Development team (borrower/GC/management company) and list of their experience and principals.
- Financial statements of borrower

Conditions Precedent to Construction Loan Closing:

- Completed and satisfactory disclosure documents for principals and known investors with more than 20% interest in the project.
- Completed and satisfactory State Environmental Quality Review Act (SEQRA) review.
- Completed and satisfactory third party reports with reliance letters to HDC.
- Financial statements and credit reports.
- Final architectural plans reviewed and approved by HDC.
- Construction Lender Loan Offering Package.
- Commitment letter from the construction lender and other subordinate lenders.
- Mortgage and Note.

- UCC's.
- Certifications and attorney opinion letters.
- Borrower's organizational documents.
- Property and Liability Insurance in form and substance acceptable to BAC and HDC.
- Good and marketable title, free and clear of encumbrances except as permitted by BAC and HDC.
- Title Insurance and Survey in form and substance acceptable to BAC and HDC.
- Documentation will require that HDC be named a beneficiary on a number of documents, including but not limited to insurance certifications and completion guarantees.

Conditions Precedent to Closing Permanent Mortgage:

- Minimum 75% sales evidenced by sales contracts approved by HDC. An escrow will be held by HDC for any units not considered sold at the time of conversion.
- Effective SONYMA insurance.
- Evidence of real estate tax benefits.
- Evidence of compliance with zoning and all applicable codes.
- Certification of "No Change" in borrower's financial status.
- Certificate of completion from construction lender's construction monitor.

HDC Contacts:

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Aaron Koffman, Senior Project Manager
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Eli Weiss, Project Manger
Phone: (212) 227-9479
E-Mail: eweiss@nychdc.com

110 William Street, 10th Floor
New York, New York 10038
FAX: (212) 227-6845

Bank of America Contacts:

Diane Borradaile, Senior Vice President
Phone: (212) 819-5412
E-Mail: diane.borradaile@bankofamerica.com

Rachel Hyman, Senior Client Manager
Phone: (212) 819-6263
E-Mail: rachel.hyman@bankofamerica.com
1185 Avenue of the Americas, 16th floor New York, New York 10036

IV. HPD New Construction Participation Loan Program

Participation Loan Program/SBLP for New Construction

The Participation Loan Program has been expanded to include new construction with the program objective of facilitating the development of private sites in order to increase resources for affordable housing and to remove blight in neighborhoods caused by vacant lots. The criteria are:

- Eligible Sites:** Privately owned vacant land that can support the construction of rental housing projects.
- Eligible Borrowers:** Non-profit or for-profit developers
- Financing:** Loans will be made under the existing Participation Loan Program and the Small Building Loan Program using the budget allocated to these programs. HOME funds will be used to the greatest degree possible.
- Maximum Loan:** Maximum HPD loan of \$65,000 per unit. No restriction on amount of private loan.
- Rents:** 30% of the rents must be affordable to families earning no more than 60% of median income. The remainder of the rents will be set at levels required for project feasibility and in compliance with the applicable funding sources.
- Underwriting:** Underwriting will mirror the current PLP and Small Buildings guidelines as closely as possible with adjustments made to the cost allowances to include items specific to new construction projects.
- Statutory Authority:** Article 15 of the Private Housing Finance Law.

V. HOME Program

HPD utilizes federal HOME funds to provide direct subsidies for new construction condominium and cooperative projects to provide affordable homeownership opportunities and to leverage construction and permanent financing from sources such as private institutional lenders, the New York City Housing Development Corporation, and the New York State Affordable Housing Corporation.

ELIGIBLE BORROWERS:	Limited partnerships, corporations, trusts, joint ventures, limited liability corporations and 501(c)(3) corporations. The development team for the project must have demonstrated a track record in successfully developing; marketing and managing the type of facility proposed or must form a joint venture with an entity, which has such expertise. Borrowers must demonstrate sufficient financial stability and liquidity to construct and operate the project.
ELIGIBLE USES:	New construction
ALLOWABLE INCOME LEVELS:	All units receiving HOME subsidy must be affordable to 80% of the Area Median Income (AMI) or below.
DEBT SERVICE COVERAGE:	115% on all financing.
HPD SUBSIDIZED LOAN TERMS:	Maximum loan term: 15 years, evaporating 1/15 per year Interest rate: 0% Repayment: The HOME subsidy is repayable out of resale or refinancing profits.
HPD SUBSIDIZED LOAN AMOUNT:	Subsidy to be determined on a project-by project basis. Maximum subsidy amounts per unit (for an elevator building): 0 BR: \$108,557 1 BR: \$124,438 2 BR: \$151,318 3 BR: \$195,751 4 BR: \$214,874
TAX INCENTIVES:	§421-a for new construction

MARKETING: 50% community preference; marketing process overseen by HPD.

DESIGN GUIDELINES: Must meet HPD's Design Guidelines for New Construction.

CONTACT:

Syreeta McFadden
Director, Multi Family New Construction – Division of Housing Finance
NYC Department of Housing Preservation and Development
100 Gold Street, Room 9P8
New York, NY 10038
Phone: 212.863.6091 Fax: 212.863.6411
mcfaddes@hpd.nyc.gov

VI. New York State Affordable Housing Corporation

The New York State Affordable Housing Corporation (AHC), a subsidiary of the New York State Housing Finance Agency, pursuant to Section 1113(1) of the Private Housing Finance Law, was established to administer the Affordable Home Ownership Development Program ("Program").

The purpose of the Program is to promote home ownership by persons of low and moderate income, which, in turn, fosters development, stabilization, and preservation of neighborhoods and communities. To achieve these goals, AHC provides financial assistance, in conjunction with other private and public investment, for the construction, acquisition, rehabilitation, and improvement of owner-occupied housing.

AHC may provide grants within the following per dwelling unit limitations: up to \$20,000 per unit, or \$25,000 per unit within the limits of available funding, per unit for projects located in high cost areas as defined by the Corporation, or projects receiving a U.S. Department of Agriculture Rural Development Service (formerly the Farmer's Home Administration) Loan. To encourage the leveraging of other private and public funds, AHC grants cannot exceed 60% of the total project development cost. By reducing development and rehabilitation costs, assistance provided under the Act by AHC makes home ownership affordable to families and individuals for whom there are no other reasonable and affordable home ownership alternatives in the private market. Additionally, the development and rehabilitation activities undertaken in connection with this Program are intended to help eliminate conditions of blight and deterioration and to create jobs and stability in communities throughout the State.

Eligible applicants include: local Municipalities, housing authorities, housing development fund companies, neighborhood and rural preservation companies, as well as, not-for-profit or charitable organizations primarily involved in housing development.

AHC works with its parent Agency, HFA, and its sister Agency, the State of New York Mortgage Agency (SONYMA) to increase homeownership opportunities. As part of the Agency's policy of one-stop shopping the SONYMA Project Set-Aside application has been incorporated into the AHC application.

For more information about the Affordable Housing Corporation and to check for Notice of Funding Availability go to <http://www.nyhomes.org/ahc/ahc.html>.

VII. New York State Housing Trust Fund Program (HTF)

Chapter 67 of the Laws of 1985 created the Housing Trust Fund Corporation (HTFC), a public benefit corporation which administers the Low-Income Housing Trust Fund Program (HTF).

The Housing Trust Fund Program was established under Article XVIII of the Private Housing Finance Law (PHFL) to help meet the critical need for decent, affordable housing opportunities for people of low income. The Corporation, under the direction of a Board of Directors chaired by the Commissioner of the Division of Housing and Community Renewal (DHCR), receives staff and administrative support from DHCR. HTF provides funding to eligible applicants to construct low-income housing, to rehabilitate vacant or under-utilized residential property (or portions of a property), or to convert vacant non-residential property to residential use for occupancy by low-income homesteaders, tenants, tenant-cooperators or condominium owners. HTF can also provide seed funding to eligible non-profit applicants who need financial assistance in developing a full HTF project application.

Since 1985, HTF has received annual appropriations between \$25 and \$35 million; a nominal amount of each appropriation can be used for administration of the program.

Eligible Applicants

Applicants must be not-for-profit corporations or charitable organizations or their wholly-owned subsidiaries; housing development fund companies (pursuant to Article 11 of the PHFL); municipalities; counties (counties with their own department of assessment may be direct recipients; other counties are eligible only as local program administrators); housing authorities (for properties owned after July 1, 1986 only); private developers who make equity investments in a project and who limit their profits or rate of return to investors; or partnerships in which the non-profit partner has at least a 50 percent controlling interest. Low income persons may not be direct recipients of payments, grants or loans from the Corporation, but may receive such funds from another eligible applicant. Other than municipalities, counties and private developers, eligible applicants must have been in existence for at least one year prior to application and have, as one of their primary purposes, the improvement or provision of housing for low-income persons.

Eligible Areas

Projects must be located in an area which is blighted, deteriorated or deteriorating, or has a blighting influence on the surrounding area, or is in danger of becoming a slum or blighted area because of the existence of substandard, unsanitary, deteriorating or deteriorated conditions, an aged housing stock, or vacant non-residential property or an area in which the private sector has demonstrated an inability or unwillingness to participate in the provision of affordable housing without government assistance. To be eligible for HTF funding, properties must be located in eligible areas and at the time of application must be either: vacant or under-occupied residential properties, or portions of eligible residential properties as long as the portion is less than 60 percent occupied, vacant non-residential properties, or new construction. Under-occupied residential property is defined as property that is less than 60 percent occupied by lawful occupants. The vacancy requirement does not apply to one and two unit residential properties if rehabilitation creates at least one additional unit.

Income Population Served

Occupancy in HTF projects is limited to low-income persons and families defined as:

- in cities with a population of one million or more, those persons and families whose incomes do not exceed 80 percent of the median income for the metropolitan statistical area in which a project is located. In the case of an owner occupant of a homesteading project, persons of low income shall also mean those whose incomes do not exceed 80 percent of the median income for the State;
- in those portions of the State outside of cities with a population of one million or more persons and within a metropolitan statistical area (MSA), those persons and families whose incomes do not exceed 90 percent of the median income for the MSA in which the project is located, or 90 percent of the median income for the State, whichever is greater; or,
- in those portions of the State outside of a metropolitan statistical area, those persons and families whose incomes do not exceed 90 percent of the median income for the county in which a project is located, or 90 percent of the median income for the State, whichever is greater.

Funding Limitations

Funding under the Low-Income Housing Trust Fund is limited to \$75,000 per unit. The HTFC has the discretion to make available up to an additional \$25,000 per unit based on construction cost in the area, location of the project and the impact of the additional funding on the project's affordability to its low-income occupants. Project sponsors must ensure long-term (15-30 years) use by low and/or very low-income persons. Seed money funding is limited to \$5,000 per unit and a maximum amount of \$45,000 for the entire project.

Program funds cannot be used for a project's or applicant's administrative costs, nor can they be used for any non-residential facilities, except for community space for project tenants and such space necessary for operating and management activities as approved by the HTFC. No more than 25 percent of the HTF award may be used towards acquisition of the project property. Operating reserves cannot be capitalized with HTF monies.

No more than 50 percent of the annual HTF appropriation may be allocated to any one municipality. Additionally, no more than one-third of the funds appropriated in any one year may be used by private developers.

For more information or a Unified Funding Process Application, contact your DHCR Regional Office.

Last updated on 03/23/05

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
Office of Development
Division of Special Needs Housing

Shaun Donovan
Commissioner

Timothy O'Hanlon
Assistant Commissioner
Special Needs Housing

SUPPORTIVE HOUSING PROGRAM
Questions and Answers

WHAT ARE THE GOALS OF THE SUPPORTIVE HOUSING PROGRAM?

Making permanent housing with on-site services available to the City's homeless single adult population, including those with special needs such as the mentally ill and persons with AIDS, is one of the primary goals of the Supportive Housing Program. To a limited extent, funding is also available to develop permanent housing for homeless families with special needs, and for youth aging out of foster care.

While preservation of the City's existing SRO housing stock remains an important objective, many other types of buildings are eligible for acquisition and gut rehabilitation financing. For example, in addition to preserving critical SRO buildings such as the Euclid Hall on the Upper West Side and the Woodstock and Holland Hotels in Times Square, buildings such as the former Gouverneur Hospital on the Lower East Side, a former convent in Bedford Stuyvesant and a former warehouse in Chelsea were acquired and redeveloped as permanent housing for single adults with funds from the Supportive Housing Program. New construction is also eligible for funding.

WHAT TYPE OF FUNDING IS AVAILABLE THROUGH THE SUPPORTIVE HOUSING PROGRAM?

Qualified not-for-profit organizations can obtain full funding to acquire and develop sites to provide studio apartments, efficiency units and SRO rooms for single adults. Funding is made available in the form of a loan from HPD, which is made to a Housing Development Fund Corporation (HDFC) pursuant to Article XI of the New York State Private Housing Finance Law. The not-for-profit sponsor is not required to provide any equity.

The term of the loan is for thirty (30) years with interest generally at the rate of one (1) percent a year. Payment of this debt service is contingent upon the availability of adequate project subsidies and income to cover this expense and may be accrued. Payment of principal is due in the form of a balloon payment at the end of the loan's term. Assuming the HDFC has complied with all the program's requirements, the provisions of Article XI permit HPD to forgive the payment of principal over the last five years of the loan's term (years 26 through 30), leaving the property free of any debt.

The sponsor is also required to enter into a Regulatory Agreement with HPD which sets out the program's restrictions and requirements governing the ownership and occupancy of the

project. The term of the Regulatory Agreement is thirty (30) years, which is concurrent with the mortgage.

HPD uses a variety of funds for this program, including City capital funds and Federal funds provided through the HOME Program and the Housing for Persons With AIDS (HOPWA) Program.

CAN THE PROGRAM PROVIDE FUNDING TO COVER PRE-DEVELOPMENT COSTS?

Yes. Once the project is approved by HPD, seed loans are available to pay for your organization's pre-development costs such as architectural services, legal fees, housing and development consultants and other technical assistance. The seed loan may also be used to secure purchase options to acquire the property. Seed loans are available and are generally provided by the Corporation for Supportive Housing.

WHAT FUNDS ARE AVAILABLE FOR ON-SITE SERVICES?

A key component of the Supportive Housing Program is the development of housing with on-site services to meet the needs of the homeless population. For single adults, City and State funds are available to provide supportive services such as counseling, entitlement assistance, health care, meal programs and job training. As a result Supportive Housing Program staff work closely with other City agencies that provide funding for such services.

For example, subsidies may be available to qualified groups through contracts with the City Department of Mental Health and the State Office of Mental Health for projects providing housing for homeless mentally ill persons. Based on the availability of funding, SRO Support Services subsidies are provided through the Department of Homeless Services to qualified sponsors providing housing to homeless single adults from the shelter system. Sponsors providing housing for homeless persons with AIDS from the City's caseload are eligible for funding through Supported Housing for Persons with AIDS contracts with the Human Resources Administration's HIV-AIDS Services Administration (HASA).

In the past, the New York State Office of Temporary and Disability Assistance (OTDA) has made available funds for services for families and young adults through a pilot project utilizing surplus Federal TANF funds. Sponsors of family projects may also wish to investigate seeking an allocation of Low Income Housing Tax Credits (see below) in order to create reserves to fund services.

All of these contracts are available to qualified sponsors participating in the Supportive Housing Program, subject to the budgetary constraints and procurement procedures of the funding agency. HPD works closely with all the agencies and sponsors involved to insure that funding is available and application deadlines are met.

WHAT RENTAL SUBSIDIES ARE AVAILABLE?

Federal rent subsidies obtained by HPD are provided for eligible tenants in Supportive Housing Program projects. Rental assistance for the homeless is provided through the SRO Moderate Rehabilitation Program. The Shelter Plus Care Program provides rental subsidies for disabled homeless people. Section 8 rental assistance is not currently available.

DOES HPD UTILIZE LOW INCOME HOUSING TAX CREDITS (LIHTC)?

Yes. The staff of the Supportive Housing Program will help project sponsors obtain additional funds through the LIHTC program. While the Supportive Housing Program can provide full acquisition and development financing, we rely on equity generated through the LIHTC program to provide long term operating and social service reserves for the project and to pay development fees. Wherever possible, the equity will also be used to reduce the City's capital funding, which may then be used to develop additional projects.

HPD staff have considerable experience in tax credit syndication, and sponsors will be assisted in every way possible in order to obtain this important funding.

WHAT ARE THE BASIC REQUIREMENTS OF THE SUPPORTIVE HOUSING PROGRAM?

The not-for-profit sponsor is responsible for the development, management and operation of the project. The basic program requirements can be divided into four basic functions which are described below.

- *Site Selection and Pre-Development*

Both privately owned and City owned sites are eligible for acquisition and development. The not-for-profit sponsor is responsible for the identification of a site. Suitable buildings should contain between 25,000 and 35,000 square feet, and 40 to 60 dwelling units. This represents the most desirable building size since it provides for economies of scale for construction as well as maintenance and operation. Buildings with at least 15,000 square feet which could contain at least 25 dwelling units may be considered, but this represents the minimum for projects in the program.

Written guidelines for new construction under the Supportive Housing Program are available. They outline acceptable standards regarding the zoning, design, construction and cost for proposals involving new construction.

In addition to identifying an acceptable site, the sponsor is responsible for negotiating the proposed purchase price with the owner and assembling a development team which includes architects, development consultants, attorneys and other technical consultants. If a site is City owned, the applicant should inquire at HPD to determine whether the site is available for disposition and development under the Supportive Housing Program.

The sponsor must also initiate discussions with the local community board, elected officials and any other community organizations which may be affected by the proposed development in order to seek their approval and support for the project.

- *Providing On-Site Services*

During the project's pre-development, the not-for-profit sponsor must identify the social services program which it proposes for the site along with the appropriate sources of funding. The sponsor is responsible for meeting RFP deadlines for contracts with the appropriate agencies, e.g. the Department of Homeless Services, the Human Resources Administration, the Department of Mental Health, or the New York State OTDA. HPD will also work with the agencies involved to coordinate funding and program schedules.

* Note that the purchase price must be acceptable to HPD. Such acceptance will be based on an independent appraisal which HPD obtains. Acquisition financing from HPD must be supported by the property's value based on an amount not to exceed such an appraisal.

- *Development*

Once the project has been approved by HPD for funding, a scope of work** will be developed which is acceptable to both the sponsor and to HPD. The sponsor will be responsible for the preparation of architectural plans and construction documents. Bid documents must be prepared and the sponsor must select the lowest responsive bid from a list of qualified general contractors. Supportive Housing Program staff will assist the sponsor in this work and must approve the selection of the general contractor. Using HPD's documents, the sponsor enters into a contract for construction with the general contractor.

The sponsor's architect is typically responsible for overseeing much of the general contractor's work and HPD inspectors evaluate work and compliance with the contract as well. All vouchers for payments are reviewed and approved by HPD.

- *Rent-up and Management*

The sponsor must agree to a tenant referral protocol which is included in the Regulatory Agreement. Generally the Supportive Housing Program requires that sixty percent (60%) of the units are made available to single adults selected from the City's shelter system. Family projects must reserve 80% of the units for families with special needs from the City's shelter system. Such tenants are typically referred from the Shelter Placement Division of the Department of Homeless Services. Another twenty percent (40%) may be rented to low-income single adults from the community in which the project is located. This may include referrals from community-based facilities. Projects for families may have 20% of the units reserved for community referrals. All tenants should have incomes that do not exceed sixty percent (60%) of the area median income. Sponsors may, with HPD's approval, increase the percentage of homeless persons housed in a project depending on the sponsor's program. For example, sponsors serving some special needs populations, such as the mentally ill or persons with AIDS, may prefer to limit their tenants to those who are in need of such special services.

The sponsor is responsible for all aspects of rent-up and on-going management of the property. HPD will require a plan for both rent-up and management and may require that a property management firm with experience with this type of housing be hired by the sponsor to carry out this task.

HOW DOES MY ORGANIZATION APPLY FOR FUNDING?

First your organization should be familiar with the program's requirements and goals. This summary is meant as an initial introduction to the program and does not represent all of the program's parameters and requirements.

If your organization has a proposal which you believe may be suitable for funding through the Supportive Housing Program, you should contact the Director of Operations of Special Needs Housing, Dave Rouge (212-863-6469) to discuss your proposal and obtain a loan application. We suggest that you discuss your proposal with the Intake Coordinator before submitting a loan application. In this way, we hope to minimize the amount of work your organization must complete prior to an initial review by our staff. Ultimately a loan application is completed and submitted to the Supportive Housing Program for approval.

** Development of the scope of work is subject to HPD's approval, including cost estimates which are subject to the program's guidelines. Since the type of projects vary based on the population served and services provided, such costs are not included here and should be discussed with program staff.

HOW DOES HPD EVALUATE PROPOSALS AND SELECT THOSE FOR FUNDING?

Since loan applications may be received at any time, HPD is continually reviewing proposals in order to select the best projects for funding. While not intended to be all inclusive, in general we evaluate proposals by considering the following key questions:

- *Is the not-for-profit sponsor qualified?*

This includes not only the group's development experience, but their experience as a social service provider. We check with other agencies with which the group may have contracted for services to determine if they are in good standing.

- *Does the proposal serve the single adult population or families from the City's emergency shelter system?*

While many populations are in need, this program focuses on providing housing for single adults in the City's emergency and transitional shelter system. At least 60 percent of the units in a project funded by the Supportive Housing Program must be rented to referrals from the City's shelter system (80% in the case of family projects). Proposals cannot be considered which do not address this population's need for housing.

The Supportive Housing Program will also consider proposals for housing homeless families in which a family member has AIDS. To be eligible for this housing, the family must be referred by HRA's HASA. Capital funding for these projects is contingent upon the availability of operating and social service subsidies provided by HRA.

- *Is the rehabilitation or new construction feasible?*

We review the initial schematic design for the project, estimate the costs and consider whether or not the site is suitable for the project proposed. For example, projects may be rejected which are too expensive or too small.

- *Can the sponsor obtain community support for the project?*

While such housing may initially be met with local opposition, we expect community support from the local community board, elected officials and other community organizations.

- *Is the proposed use compatible with the existing land use?*

HPD reviews the project for land use and community planning concerns and may reject proposals that do not conform to existing land use or neighborhood planning objectives. For example, if the area already includes a large amount of special needs housing, or is insufficiently served by transportation or other community services, it may be rejected.

- *Is the proposed acquisition cost of privately owned property within HPD's guidelines and is the existing owner acceptable to HPD for purposes of acquisition?*

Following the submission to HPD of a proposed purchase price, we will obtain an independent appraisal to value the property. HPD's acquisition financing must be supported by an independent appraisal of value. In addition the owner's record as a landlord will be examined to insure that the owner does not have a record of tenant harassment. In such instances, proposals will be rejected.

- *Is the sponsor capable of obtaining adequate subsidies to provide the on-site services that are proposed?*

The sponsor must indicate that it can obtain all of the necessary contracts from the appropriate service agencies.

- *Has the sponsor provided an adequate management plan and development budget?*
This is part of HPD's basic evaluation of the sponsor's strength and abilities. Without a clear indication that the sponsor can provide an adequate plan for these important tasks, the proposal may be rejected.

CONCLUSION

These questions and answers are not intended to be all inclusive of the Supportive Housing Program's requirements or practices. Rather they represent answers to some basic questions that should help your organization determine if it wishes to consider developing and managing housing with on-site services for homeless and low-income adults or families. Please be advised that we are continually seeking ways to improve the program and therefore individual elements contained in these questions and answers are subject to change. Please feel free to contact the Assistant Commissioner for Special Needs Housing, Timothy O'Hanlon at 212-863-6473, or the Production Manager, Jessica Katz, at 212-863-8675 if you require any additional information.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 50

APRIL 25, 1980

BUREAU OF LABOR SERVICES

By the power vested in me as Mayor of the City of New York,
it is hereby ordered:

Section 1. Purpose. It is the purpose of this Order to ensure compliance with the equal employment opportunity requirements of City, State and Federal law in City contracting.

§ 2. Bureau Continued. The Bureau of Labor Services shall continue to serve such purposes and to have such responsibilities as restated by this Order.

§ 3. Definitions. Whenever used in this Executive Order, the following terms shall have the following meanings:

(a) Bureau means the Bureau of Labor Services;

(b) construction project means any construction, reconstruction, rehabilitation, alteration, conversion, extension, improvement, repair or demolition of real property contracted by the City;

(c) contract means any written agreement, purchase order or instrument whereby the City is committed to expend or does expend funds in return for work, labor, services, supplies, equipment, materials, or any combination of the foregoing;

*amended
E.C. 94*

(i) Unless otherwise required by law, the term "contract" shall include any City grant, loan, guarantee or other City assistance for a construction project.

(ii) The term "contract" shall not include:

(A) contracts for financial or other assistance between the City and a government or government agency;

(B) contracts, resolutions, indentures, declarations of trust, or other instruments authorizing or relating to the authorization, issuance, award, and sale of bonds, certificates of indebtedness, notes or other fiscal obligations of the City, or consisting thereof; or

(C) employment by the City of its officers and employees which is subject to the equal employment opportunity requirements of applicable law.

(d) contracting agency means any administration, board, bureau, commission, department or other governmental agency of the City of New York, or any official thereof, authorized on behalf of the City to provide for, enter into, award or administer contracts;

(e) contractor means a person, including a vendor, who is a party or a proposed party to a contract with a contracting agency, first-level subcontractors of supply or service contractors, and all levels of subcontractors of construction contractors;

(f) Director means the Director of the Bureau of Labor Services;

(g) economically disadvantaged person means a person who, or a member of a family which, is considered economically disadvantaged under applicable law.

(h) employment report means a report filed by a contractor containing information as to the employment practices, policies and programs, employment statistics and collective bargaining agreements, if any, of the contractor in such form as the Bureau may direct by regulation;

(i) equal employment opportunity means the treatment of all employees and applicants for employment without unlawful discrimination as to race, creed, color, national origin, sex, age, handicap, marital status, sexual orientation or affectional preference in all employment decisions, including but not limited to recruitment, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, lay-off and termination, and all other terms and conditions of employment except as provided by law;

(j) trainee means an economically disadvantaged person who qualifies for and receives training in one of the construction trades pursuant to a program other than apprenticeship programs, approved by the Bureau and, where required by law, the State Department of Labor or the United States Department of Labor, Bureau of Apprenticeship and Training.

§ 4. Responsibilities of Bureau. The responsibilities of the Bureau shall be as follows:

(a) To implement, monitor compliance with, and enforce this Order and programs established pursuant to City, State and Federal law requiring contractors to provide equal employment opportunity;

(b) To implement, monitor compliance with, and enforce on-the-job training requirements on construction projects;

(c) To monitor compliance by contractors with State and Federal prevailing wage requirements where required;

(d) To advise and assist contractors and labor unions with respect to their obligations to provide equal employment opportunity;

(e) To advise and assist persons in the private sector with respect to employment problems;

(f) To establish advisory committees, including representatives of employers, labor unions, community organizations and others concerned with the enforcement of this Order; and

(g) To serve as the City's principal liaison to Federal, State and local contract compliance agencies.

§ 5. Contract Provisions.

(a) Equal Employment Opportunity. A contracting agency shall include in every contract to which it becomes a party such provisions requiring the contractor to ensure equal employment opportunity as the Bureau may direct by regulation.

(b) On-the-Job Training. A contracting agency shall include in every contract concerning a construction project to which it becomes a party such provisions requiring the contractor to provide on-the-job training for economically disadvantaged persons as the Bureau may direct by regulation.

(c) Subcontractors. A contracting agency shall include in every contract to which it becomes a party such provisions requiring the contractor not to discriminate unlawfully in the selection of subcontractors as the Bureau may direct by regulation.

§ 6. Employment Reports.

(a) Submission Requirements. No contracting agency shall enter into a contract with any contractor unless such contractor's employment report is first submitted to the Bureau for its review. Unless otherwise required by law, an employment report shall not be required for the following:

(i) a contract in the amount of \$50,000 or less;

(ii) an emergency contract or other exempt contract except as the Bureau may direct by regulation; and

(iii) a contract with a contractor who has received a certificate of compliance with the equal employment opportunity requirements of applicable law from the Bureau, or an appropriate agency of the State of New York or the United States within the preceding twelve months, except as the Bureau may direct by regulation.

(b) Bureau Review. The Bureau shall review all employment reports to determine whether contractors are in compliance with the equal employment opportunity requirements of City, State and Federal law and the provisions of this Order. The contracting agency shall transmit the employment report to the Bureau within ten business days after the selection of a proposed contractor. A contracting agency may thereafter award a contract unless the Bureau gives prior written notice to the contracting agency and the contractor as follows:

(i) If the Bureau notifies the contracting agency and the contractor within five business days after the receipt by the Bureau of the employment report that the contractor has failed to submit a complete employment report, the Director may require the contracting agency to disapprove the contractor unless such deficiency is corrected in a timely manner;

(ii) If the Bureau notifies the contracting agency and the contractor within fifteen business days of the receipt by the Bureau of the completed employment report that the Bureau has found reason to believe that the contractor is not in substantial compliance with applicable legal requirements and the provisions of this Order, the Bureau shall promptly take such action as may be necessary to remedy the contractor's noncompliance as provided by this Order.

Provided that a contracting agency may award a requirements contract or an open market purchase agreement prior to review by the Bureau of the contractor's employment report, but may not make a purchase order against such contract or agreement until it has first transmitted such contractor's employment report to the Bureau and the Bureau has completed its review in the manner provided by this Section.

(c) Employment Program. The Bureau may require a contractor to adopt and adhere to a program designed to ensure equal employment opportunity.

(d) Periodic Reports. Contractors shall file periodic employment reports after the award of a contract in such form and frequency as the Bureau may direct by regulation to determine whether such contractors are in compliance with applicable legal requirements and the provisions of this Order.

§ 7. Training Programs. The Bureau shall monitor the recruitment, training and placement of economically disadvantaged persons in on-the-job training programs on construction projects. Contracting agencies shall require contractors to make a good faith effort to achieve the ratio of one trainee to four journey-level employees of each craft on each construction project.

(a) The Bureau shall determine the number of trainees and hours of training required by each contractor or subcontractor for each construction project.

(b) In the event that a contractor fails to make a good faith effort to train the required number of individuals for the required amount of hours, the Bureau, after consultation with the contracting agency, shall direct such agency to reduce the contractor's compensation by an amount equal to the amount of wages and fringe benefits which the contractor failed to pay to trainees.

(c) On-the-job training of economically disadvantaged persons shall not be required on construction contracts in the amount of \$125,000 or less.

§ 8. Compliance Investigations and Hearings. The Bureau shall conduct such investigations and hold such hearings as may be necessary to determine whether contractors are in compliance with the equal employment opportunity requirements of City, State and Federal law and the provisions of this Order.

(a) Voluntary Compliance. The Bureau shall seek to obtain the voluntary compliance of contractors and labor unions with applicable legal requirements and the provisions of this Order.

(b) Noncompliance. Upon receiving a complaint or at its own instance, the Bureau shall determine whether there is reason to believe a contractor is not in compliance with applicable legal requirements and the provisions of this Order.

(c) Hearings. The Bureau shall hold a hearing on prior written notice to a contractor and the contracting agency before any adverse determination is made with respect to such contractor's employment practices or imposing any sanction or remedy for non-compliance with applicable legal requirements and the provisions of this Order. The hearing shall be held before a City hearing officer, or such other person designated by the Director, who shall submit a report containing findings of fact and recommendations to the Director. Based on the record as a whole, the Director shall determine whether a contractor has failed to comply with applicable legal requirements or the provisions of this Order and the appropriate sanctions for noncompliance.

(d) Notices. The Bureau shall give prior notice of any hearing and shall provide a copy of any hearing report and determination of the Director under paragraph (c) of this Section to the contracting agency, the Corporation Counsel and the Comptroller. The Bureau shall notify appropriate City, State and Federal agencies of violations of law and may, with the approval of the Corporation Counsel, initiate proceedings in such agencies.

§ 9. Sanctions and Remedies. After making a determination that a contractor is not complying with applicable legal requirements and the provisions of this Order, the Director may direct that such sanctions as may be permitted by law or contractual provisions be imposed, including the disapproval of a proposed contractor, the suspension or termination of a contract and the reduction of a contractor's compensation, except as follows:

(a) Within five business days of the issuance of a determination by the Director under Section 8(c), a contracting agency head may file with the Director written objections to the sanctions to be imposed. Where such objections have been filed, the Director and the contracting agency head shall jointly determine the appropriate sanctions to be imposed.

(b) In lieu of any of the foregoing sanctions, the Director may require a contractor to adopt and adhere to a program to ensure equal employment opportunity.

§ 10. Public Agencies. Any administration, board, bureau, commission, department or other public agency, not subject to this Order, which imposes by rule, regulation or order equal employment opportunity requirements, may, with the consent of the Mayor, delegate such responsibilities to the Bureau as may be consistent with this Order.

§ 11. Confidentiality. To the extent permitted by law and consistent with the proper discharge of the Bureau's responsibilities under this Order, all information provided by a contractor to the Bureau shall be confidential.

§ 12. Regulations. The Bureau shall promulgate such regulations, subject to the approval of the Mayor, as may be necessary to discharge its responsibilities under this Order, including regulations increasing the dollar amounts referred to in this Order. Any regulations of the Bureau establishing terms and conditions for contractors shall be approved as to form by the Corporation Counsel.

§ 13. Annual Report. The Bureau shall submit an annual report to the Mayor concerning its responsibilities under this Order.

§ 14. Separability. If any provision of this Order or the application thereof is held invalid, the remainder of this Order and the application thereof to other persons or circumstances shall not be affected by such holding and shall remain in full force and effect.

§ 15. Revocation of Prior Orders. Executive Orders No. 71 (1968), No. 20 (1970), No. 23 (1970), No. 27 (1970), No. 31 (1971), No. 74 (1973), No. 7 (1974), and No. 80 (1977) are hereby revoked and the first paragraph of Section 2 of Executive Order No. 4 (1978) is hereby deleted. Nothing in this Order shall be deemed to relieve any person of any obligation not inconsistent with this Order assumed or imposed pursuant to an Order superseded by this Order.

§ 16. Effective Date. This Order shall take effect immediately.


EDWARD I. KOCH
M A Y O R

EQUAL EMPLOYMENT OPPORTUNITY

This contract is subject to the requirements of Executive Order No. 50 (1980) as revised ("E.O.50") and the Rules and Regulations promulgated thereunder. No contract will be awarded unless and until these requirements have been complied with in their entirety. By signing this contract, the contractor agrees that it:

(1) will not engage in any unlawful discrimination against any employee or applicant for employment because of race, creed, color, national origin, sex, age, disability, marital status or sexual orientation with respect to all employment decisions including, but not limited to, recruitment, hiring, upgrading, demotion, downgrading, transfer, training, rates of pay or other forms of compensation, layoff, termination, and all other terms and conditions of employment;

(2) the contractor agrees that when it subcontracts it will not engage in any unlawful discrimination in the selection of subcontractors on the basis of the owner's race, color, creed, national origin, sex, age, disability, marital status or sexual orientation;

(3) will state in all solicitations or advertisements for employees placed by or on behalf of the contractor that all qualified applicants will receive consideration for employment without unlawful discrimination based on race, creed, color, national origin, sex, age, disability, marital status or sexual orientation, or that it is an equal employment opportunity employer;

(4) will send to each labor organization or representative of workers with which it has a collective bargaining agreement or other contract or memorandum of understanding, written notification of its equal employment opportunity commitments under E. O. 50 and the rules and regulations promulgated thereunder; and

(5) will furnish all information and reports including an Employment Report before the award of the contract which are required by E. O. 50, the rules and regulations promulgated thereunder, and orders of the Director of the Bureau of Labor Services ("Bureau"), and will permit access to its books, records and accounts by the Bureau for the purposes of investigation to ascertain compliance with such rules, regulations, and orders.

The contractor understands that in the event of its noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, such noncompliance shall constitute a material breach of the contract and noncompliance with the E.O. 50 and the rules and regulations promulgated thereunder. After a hearing held pursuant to the rules of the Bureau, the Director may direct the imposition by the contracting agency held of any or all of the following sanctions:

- (i) disapproval of the contractor;
- (ii) suspension or termination of the contract;
- (iii) declaring the contractor in default; or
- (iv) in lieu of any of the foregoing sanctions, the Director may impose an employment program.

The Director of the Bureau may recommend to the contracting agency head that a Board of Responsibility be convened for purposes of declaring a contractor who has repeatedly failed to comply with E.O. 50 and the rules and regulations promulgated thereunder to be nonresponsible.

The contractor agrees to include the provisions of the foregoing paragraphs in every subcontract or purchase order in excess of \$50,000 to which it becomes a party unless exempted by E.O. 50 and the rules and regulations promulgated thereunder, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the Director of the Bureau of Labor Services as a means of enforcing such provisions including sanctions for noncompliance.

The contractor further agrees that it will refrain from entering into any contract or contract modification subject to E.O. 50 and the rules and regulations promulgated thereunder with a subcontractor who is not in compliance with the requirements of E.O. 50 and the rules and regulations promulgated thereunder."



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Executive Order No. 108
December 29, 1986

Amendment of Executive Order No. 50
(April 25, 1980)

BUREAU OF LABOR SERVICES

By the power vested in me as Mayor of the City of New York,
it is hereby ordered:

Section 1. Prior Order Amended.

a. Section 6(a) of Executive Order No. 50, dated
April 25, 1980, is amended to read as follows:

"Submission Requirements. No contracting
agency shall enter into a contract with any
contractor unless such contractor's
employment report is first submitted to the
Bureau for its review. Unless otherwise
required by law, an employment report shall
not be required for the following:

(i) a construction contract in the
amount of less than \$1 million; a
construction subcontract in the amount of
less than \$750,000; or a supply and service
contract in the amount of \$50,000 or less
or of more than \$50,000 in which the
contractor employs fewer than 50 employees
at the facility or facilities involved in
the contract;

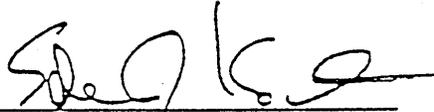
(ii) an emergency contract or other
exempt contract, except as the Bureau may
direct by regulation; and

(ifi) a contract with a contractor who has received a certificate of compliance with the equal employment opportunity requirements of applicable law from the Bureau within the preceding twenty-four months, or an appropriate agency of the State of New York or of the United States within the preceding twelve months, except as the Bureau may direct by regulation."

b. Section 7(c) of such Order is amended to read as follows:

"On-the-job training of economically disadvantaged persons shall be required on all construction contracts covered by the submission requirements of this Order."

Section 2. Effective Date. This Order shall take effect immediately, but shall have no retrospective effect with respect to the two (2) year approval period provided for in Section 1(a) of this Order, amending Section 6(a) (iii) of Executive Order No. 50, dated April 25, 1980.



Edward I. Koch
M A Y O R



JUN 23 1986

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Executive Order No. 94
June 20, 1986

Amendment of Executive Order No. 50
(April 25, 1980)

BUREAU OF LABOR SERVICES

By the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Prior Order Amended.

a. Section 1 of Executive Order No. 50, dated April 25, 1980, is amended to read as follows:

"Purpose. It is the purpose of this Order to ensure equal employment opportunity in City contracting."

b. Section 3(i) of such Order is amended to read as follows:

"equal employment opportunity means the treatment of all employees and applicants for employment without unlawful discrimination as to race, creed, color, national origin, sex, age, disability, marital status or sexual orientation in all employment decisions, including but not limited to recruitment, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, lay-off and termination, and all other terms and conditions of employment;"

c. Section 5(a) of such Order is amended to read as follows:

"Equal Employment Opportunity. A contracting agency shall include in every

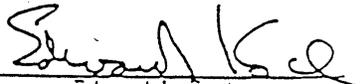
contract to which it becomes a party such provisions requiring the contractor to ensure equal employment opportunity as the Bureau may direct, consistent with this Order."

d. Section 12 of such Order is amended to read as follows:

"Regulations. The Bureau shall promulgate such regulations, subject to the approval of the Mayor, as may be necessary to discharge its responsibilities under this Order, including regulations increasing the dollar amounts and number of employees referred to in this Order. Any regulations of the Bureau establishing terms and conditions for contractors shall be approved as to form by the Corporation Counsel.

Nothing contained herein shall be construed to bar any religious or denominational institution or organization, or any organization operated for charitable or educational purposes, which is operated, supervised or controlled by or in connection with a religious organization, from limiting employment or giving preference to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained. The regulations shall set forth this exemption for religiously-sponsored organizations and provide for the discharge of the Bureau's responsibilities in a manner consistent with such exemption."

Section 2. Effective Date. This Order shall take effect immediately.


Edward L. Koch
M A Y O R

EXHIBITS: Proposal Forms

- Tab A: Completeness Checklist
- Tab B: Respondent Entity Information
- Tab C: Respondent's Letter
- Tab D: Respondent Entity Principal Questionnaire
- Tab E: Development Experience and Current Workload
- Tab F: Assets Statement
- Tab G: Project Narrative
- Tab H: Project Financing
 1. Rental Project Income and Affordability
 2. Condo / Co-op Project Income and Affordability
 3. Construction Period Uses of Funds
 4. Construction Financing
 5. Permanent Financing
 6. Rental Pro Forma Income and Expense Schedule
 7. Condo / Co-op Pro Forma Income and Expense Schedule

Exhibit: Tab A - Completeness Checklist

Tab	Exhibit	✓
A	Completeness Checklist	
B	Respondent Entity Information	
C	Respondent's Letter	
D	Respondent Entity Principal Questionnaire	
E	Development Experience and Current Workload	
F	Assets Statement	
G	Project Narrative	
H	Project Financing	
	1. Rental Project Income and Affordability	
	2. Condo / Co-op Project Income and Affordability	
	3. Construction Period Uses of Funds	
	4. Construction Financing Sources	
	5. Permanent Financing Sources	
	6. Rental Pro Forma Income and Expense Schedule	
	7. Condo / Co-op Pro Forma Income and Expense Schedule	
I	Design / Architectural Documents	

Exhibit: Tab B – Respondent Entity Information

1. Respondent Entity Information

Name of Respondent: _____

Address: _____

Contact for Respondent Entity: _____

Address: _____

Telephone: _____

Email: _____

Fax: _____

2. Respondent Entity Principals

Is the Respondent Entity a joint venture? Yes [] No []

If yes, list below each Principal (Individual or Organization) that comprises the Respondent Entity. Include percentage of ownership, address, contact person, telephone, e-mail, and fax numbers.

% Ownership	Respondent Entity Principal
	Principal Name Address Contact Telephone Email Fax
	Principal Name Address Contact Telephone Email Fax
	Principal Name Address Contact Telephone Email Fax

3. Development Team

List below each Individual / Organization that comprises the development team. For each entry, please include the address, contact person, telephone, e-mail, and fax numbers. The Development Team may include other Team Roles not listed below; please include all known Team Roles. If unknown, enter "N/A".

Team Role	Individual / Organization
Contractor	Name Address Contact Telephone Email Fax
Architect	Name Address Contact Telephone Email Fax
Managing Agent (Residential and/or Commercial)	Name Address Contact Telephone Email Fax
Marketing Agent (Residential and/or Commercial)	Name Address Contact Telephone Email Fax
Legal Counsel	Name Address Contact Telephone Email Fax
Other	Name Address Contact Telephone Email Fax

Exhibit:

Tab C – Respondent’s Letter

Department of Housing Preservation and Development
Office of Development
100 Gold Street, Room 9P
New York, NY 10038
Attention: Lauren Dietz

Re: Request for Proposals for
CORNERSTONE, ROUND IV

Dear Ms. Dietz:

This letter is being submitted in connection with my proposal (“Proposal”) submitted in response to the Request for Proposals (“RFP”) issued by the Department of Housing Preservation and Development (“HPD”) of the City of New York (“City”) for Cornerstone, Round IV, mixed-use development on Sites 1-21 (“Development Sites”) in Manhattan, Brooklyn, and the Bronx.

I have received, read, and understand the provisions of the RFP. I understand that selection of a Respondent (“Respondent”) under the RFP for disposition of a Development Site and the development of the Project described in the RFP (“Project”) will mean only that HPD will commence negotiations with such Respondent regarding the development of the Development Site.

I recognize that any negotiations with HPD will be subject to the following terms and conditions:

1. The commencement of negotiations will not represent any obligation or agreement on the part of the City, which may only be incurred or entered into by a written agreement which has been (i) approved as to form by the City’s Law Department, (ii) approved by the Mayor after a hearing on due notice; and (iii) duly executed by the Respondent and the City. The Negotiation Letter will only indicate HPD’s intention to commence negotiations, which may ultimately lead to the execution of such an agreement.
2. The Respondent will not have permission to enter upon the Development Site, which permission will only be granted, if at all, in the form of a license agreement duly executed by the Respondent and the City. The execution of any such license agreement, if it occurs, will only indicate that the City has granted permission for the Respondent to enter onto the Development Site for the limited purposes stated in the scope of work set forth therein, and will not indicate that the City reached any other agreement with the Respondent regarding the Development Site or the Project.
3. The following requirements will have to be satisfied prior to the disposition of the Development Site:

The disposition of the Development Site and tax exemptions to be granted, if any, must be reviewed and approved in accordance with all applicable HPD and City policies, which include, but are not limited to, the following:

- a. The Respondent, any other potential grantee of the Development Site, and their respective principals must successfully undergo a background check concerning their suitability to do business with the City.
 - b. The Development Site will not be sold to any person or entity which, or to any entity with a principal who: (i) has not fulfilled development responsibilities undertaken in connection with the City or other governmental entities, (ii) is in default on any obligations to the City, (iii) is a former owner of the Development Site, or (iv) has lost real property to the City in tax or lien enforcement proceedings.
 - c. The price and other terms for the disposition of the Development Site and the tax exemption to be provided, if any, will be consistent with applicable City policies.
- 4. During negotiations, the Respondent must diligently, competently, and expeditiously comply with all requirements communicated to the Respondent by HPD.
 - 5. The design of the Project must comply with any applicable Urban Renewal Plan and HPD development guidelines.
 - 6. Either HPD or the Respondent may terminate negotiations at any time with or without cause. Negotiations will be terminated if Respondent does not commence construction within eighteen (18) months from the date of the Negotiation Letter.
 - 7. If negotiations are terminated by either HPD or the Respondent, whether with or without cause, or if negotiations terminate automatically, then neither the City nor the Respondent will have any rights against or liabilities to the other.
 - 8. The City is not obligated to pay, nor will it in fact pay, any costs or losses incurred by the Respondent at any time, including, but not limited to, the cost of: (i) any prior actions by the Respondent in order to respond to any selection process, or (ii) any future actions by the Respondent in connection with the negotiations, including, but not limited to, actions to comply with requirements of HPD, the City, or any applicable laws.

Very truly yours,

Signature

Title

Respondent

Exhibit: Tab D – Respondent Entity Principal Questionnaire

A separate Respondent Entity Principal Questionnaire must be provided for each Individual and/or Organization that comprises the Respondent Entity.

1. Principal Information

Name of Principal: _____

2. Individual Information

Provide the following information about all Individuals that make up the Principal completing this questionnaire. State the role that each would play in the development of the site, using the categories specified below.

For corporations, provide the names of the officers and any shareholders owning 10% or more. For partnerships, provide the names of all general partners.

Name Position / Title	Home Address	Role *	% Owned	Social Security Number

- * Role categories:
 GP = General/Managing Partner
 GC = General Contractor
 F = Provides Financing, Inactive
 A = Architect
 L = Legal Services
 MR = Marketing Agent, Residential
 MC = Marketing Agent, Commercial/Retail
 O = Other (specify)

3. References

For each of the following categories, provide the name, address, 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
- Marketing — Residential
- Leasing – Commercial / Retail, Community / Institutional
- Management
- 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:

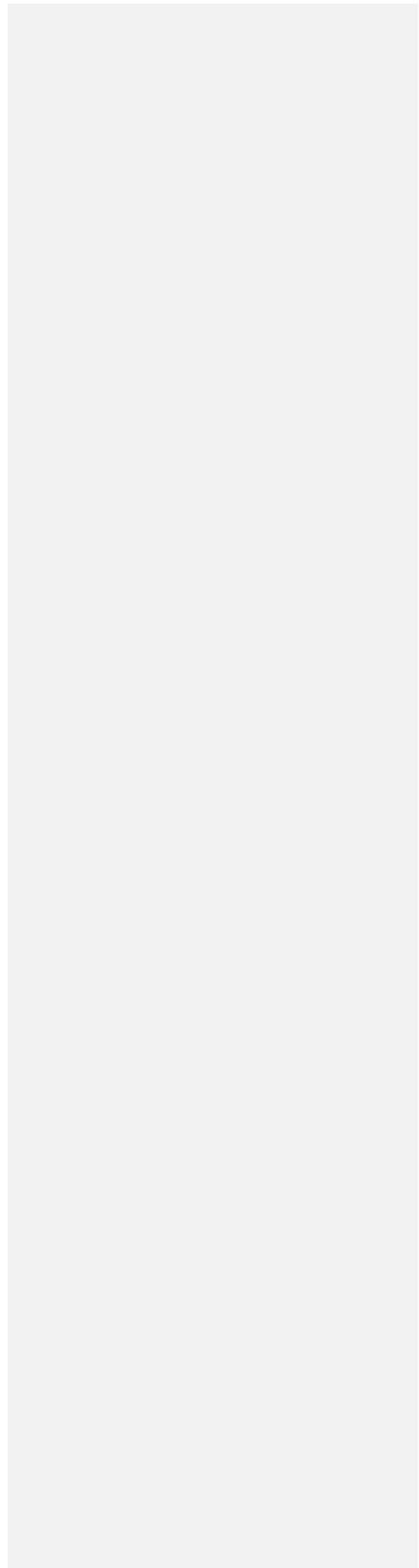
1. Arson conviction or pending case? Yes [] No []
2. Harassment complaint by the New York State Division of Rent Control or the New York State Division of Housing and Community Renewal? Yes [] No []
3. Had an ownership or management interest in a property that was taken in rem by the City or assigned 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 ten (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 seven (7) years, filed a bankruptcy petition or been the subject of involuntary bankruptcy proceedings? Yes [] No []
8. In the last ten (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 of Individual(s); name(s) of organization(s) or corporation(s); Individual's title or role in the organization (e.g. officer); date of the action; 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 Respondent 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 a 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: _____

Exhibit: Tab E – Development Experience and Current Workload

The most recent projects should be listed first; attach additional pages as necessary.

Principal or Individual whose experience is described below:

		PROJECT 1	PROJECT 2
1	Project Name and Address		
2	Role (a)		
3	Type (b)		
4	Category (c)		
5	# of Buildings in Project		
6	# of Stories		
7	Total # of Units		
8	Retail Space SF		
9	Office Space SF		
10	Total Development Cost		
11	Start Date (Mo./Yr.)		
12	Completion Date (Mo./Yr.)		
13	Status (d)		
14	Government Program (e)		
15	Construction Lender (f)		
16	Permanent Lender (f)		
17	Marketing Method (g)		
18	Marketing Period (h)		
19	Initial Occupancy & 90% Leased (i)		
20	Management (j)		

- (a) **ROLE:** Indicate the role or roles you played in the development of each property listed. If developed as part of a joint venture, indicate such by adding JV to the respective role (e.g., D/JV).
D=Developer, B=Builder, GC= General Contractor, CM=Construction Manager, F=Provided Financing
- (b) **TYPE:** Project Type: RH=Rental Housing; CH=Coop/Condo Housing; SF=Single Family Housing; O=Office; R=Retail; M=Mixed Use
- (c) **CATEGORY:** NC=New Construction; SR=Substantial Rehab; MR=Moderate Rehab
- (d) **STATUS:** Indicate if project is Pre=Pre-development; UC=Under Construction; Com=Completed
- (e) **GOVERNMENT PROGRAM:** Provide the name of the program; contact name and telephone number.
- (f) **CONSTRUCTION/PERMANENT LENDER:** Provide the name of the institution.
- (g) **MARKETING METHOD:** Indicate if you marketed the project directly or used a marketing agent. Provide the name of the marketing agent used, if any.
- (h) **MARKETING PERIOD:** Provide the month/year for the start and completion of marketing.
- (i) **INITIAL OCCUPANCY & 90% LEASED:** Provide the month/year for the date of initial occupancy and the date that 90% of the project was under contract or leased.
- (j) **MANAGEMENT:** Indicate if you manage the project directly or use a property manager. Provide the name of the property manager used, if any. Indicate N/A if you no longer own the project.

Exhibit: Tab F – Assets Statement

[Assets Statement must describe financial status within the last twelve months and must be dated and signed.]

Principal or Individual whose assets are described below:

1. Personal Information

Name:

Business Name:

Business Phone:

Marital Status:

Residence Address:

City:

State:

Zip Code:

Business Address:

City:

State:

Zip Code:

Position (Title):

Years of Service:

Salary:

Bonus/Commission:

Other Income:

Source of Other Income:

Gross Life Insurance:

Beneficiaries:

Are you a defendant in any lawsuits or legal action?

If so, please describe:

Do you have any contingent liabilities?

If so, please describe:

2. Statement of Financial Condition

Assets	Dollars (omit cents)	Liabilities	Dollars (omit cents)
Cash On Hand and in Banks		Notes Payable to Banks <i>Secured</i>	
Notes Receivable		Notes Payable to Banks <i>Unsecured</i>	
Mortgages Owned See Schedule A		Notes Payable to Others <i>Secured</i>	
		Notes Payable to Others <i>Unsecured</i>	
Marketable Securities Owned See Schedule B		Debt Balances in Margin Accounts with Brokers	
Real Estate Owned See Schedule C		Mortgages on Real Estate See Schedule C	
Cash Value of Life Insurance		Loans Against Life Insurance	
Other Assets* (Itemize)		Other Liabilities (Itemize)	
Total Assets		Total Liabilities	
		Net Worth	

* Any interest in a closely held business must be documented by providing a current balance sheet for that business and stating the percent of interest held by the applicant.

Schedule A: Mortgages Owned

List Separately and check (X) next to those pledged as collateral.

Mortgages Owned	Dollars (Omit Cents)	Collateral?

Schedule B: Marketable Securities Owned

List Separately and check (X) next to those pledged as collateral.

Marketable Securities Owned	Dollars (Omit Cents)	Collateral?

Schedule C: Real Estate Owned and Property Income

C1. Real Estate Owned

No.	Address	Title in Name of*	% Ownership	Date Acquired	Market Value	Purchase Price	Original Mortgage Amount	Present Mortgage Amount	Maturity Date

*If any title to Real Estate is in any name other than your own, state the extent of your interest, explaining all efforts, claims, or debts against such name.

Comment [JL4]: Maybe "against your name," or "against the name."

By whom are present mortgages on property held?

Are any mortgage(s) endorsed or guaranteed? If so, by whom?

C2. Income from Properties

	Real Estate Owned (by property number above)				
	No. 1	No. 2	No. 3	No. 4	No. 5
Present Annual Gross Income <i>Not Including Vacancies and Concessions</i>					
Less Total Operating Expenses and Property Taxes					
Net Income					
Less Amortization and Income Payments					
Net Profit					
Net Rental Value of Present Vacancies					
Annual Rental Value of Space on which lease expires during the next six months					
Net Profit Last Year					
Amount and Classes of Insurance Carried					

List other encumbrances, debts, taxes, mortgage installments or interest past due.

List (circumstances of) any litigation or judgement (s) pending in connection with the above listed properties.

3. Signature Page

For the purpose of procuring and maintaining credit from time to time in any form whatsoever with you, the undersigned hereby represents the above to be a true and accurate Statement signed as of the date herein before set forth and agrees (I) that, if said Statement or any part thereof proves false or misleading in any particular, each and all of the obligation and/or liabilities of the undersigned of every kind to you, whether joint or several, primary or secondary, direct or contingent, shall, at your option, become immediately due and payable all without demand or notice of any kind and (II) that you will be notified promptly in writing of any materially unfavorable changes in the financial conditions herein set forth. Whenever the undersigned may apply to you for credit, and until a substitute Statement may have been submitted to you, this Statement shall have the same force and effect as if delivered at the time such further credit is requested.

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

Date: _____

Exhibit:**Tab G – Project Narrative**

Please submit separate narratives for the General Information and Project Description segments of the Project Narrative for each non-contiguous lot within the site.

General Information

Site Number

Block and Lot(s)

Address

Project Name

Project Type (Rental / Co-op / Condo)

Project Description

Provide a description of the project including:

- # of stories
- Total project square footage and square footage breakdown (net and gross) of Residential, Commercial / Retail Space, Community Space, Open Space, and Parking
- Use descriptions: Fully describe ALL intended uses as outlined below:
 - Residential: total # of units, unit mix / distribution, type, characteristics of the housing units, location and approximate square footages for each unit type
 - Commercial / Retail Space: description of expected use, type, location
 - Community Space: description of expected use, location, service provider if applicable
 - Open Space: description of expected use, location
 - Parking and # of spaces: description of expected use, location
- A description of the public and private amenities
- If the project includes housing for a special needs population (e.g. formerly homeless), describe services to be provided, location of services, and service provider
- Pricing structures, amenities, assessment of competition, and absorption rates assumed
- Project zoning and zoning requirements
- A rationale for the design concept chosen for the new development that explains new building configuration and lot coverages, heights, primary building materials, and major architectural features
- Description of Sustainable Design elements
- A detailed description of construction methods, foundation type(s), and building systems for all new buildings

Design Team Description

Provide a brief description of the Design Team principals involved in the Project.

Developer Description

Provide a brief description of the Respondent developer. Include information on the developer's experience in the management or development of affordable housing in NYC. If the developer has participated in other HPD programs, please list recent projects (closing in the last five (5) years), the programs through which they were developed, and contact names.

Not-For-Profit Partner

Describe the not-for-profit partner or community sponsor. Identify the role of the organization (e.g. obtaining cooperation of tenants, providing construction oversight); include previous experience and performance.

Description of Project Ownership Structure

Describe ownership structure (current and future) and financial agreement between Developer and Not-For-Profit Partner.

Exhibit:

Tab H – Project Financing

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

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

Unit Size	Affordability (% of AMI)	# of Units	# of Rooms	Avg. SF per Unit	Sales Price	A	B	C	Total Monthly Housing Cost (sum of columns A, B, and C)	Total Annual Revenue to Coop / Condo
						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	Description of Equity Source		
Equity:				
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	Description of Equity Source		
Equity:				
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	Description of Equity Source		
Estimated Commercial / Retail Total Development Cost				
Equity:				
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)			