

## **BAM North Site II RFP Addendum 1**

RFP issue date: November 26, 2012

Addendum 1 issue date: December 21, 2012

### **Contents of the Addendum**

- A) Amendment to the RFP
- B) Questions and Answers – Included are questions discussed at the Pre-submission Conference on December 19, 2012.
- C) Map – included for reference is a zoning lot map for Block 2107 indicating the site dimensions.
- D) Contact Information – Contact Information is provided for those individuals who downloaded the RFP and indicated that they are willing to share their contact information.

### **A. Amendment to the RFP**

Section III. C. and Section IV. B. has been update to reflect the following change:

Dwelling units with rents affordable to households earning up to 130% of AMI will be considered affordable housing.

### **B. Questions and Answers**

#### **Pre-submission Conference Questions**

Q1. Is the 100,000 square feet based on zoning square footage or gross square footage?

A1. The 100,000 square feet is zoning square footage.

Q2. If my calculations indicate that there is more than 100,000 square feet available for development on the site, will you still require me to adhere to the 100,000 square feet?

A2. Yes, we are asking teams to adhere to the 100,000 square feet since this is our best estimate of the square footage available for the Site at this time.

Q3. Given that the zoning lot is shared, can you provide a map with the exact dimensions of the development site?

A3. See map provided in Section C of this addendum for the site dimensions.

Q4. Since there are two other projects in construction on Block 2107, can you share an image or massing and/or rendering?

A4. Renderings for the TFANA site and North Site I are not available at this time. Should these images become available, HPD will include these in a future addendum.

Q5. Will it be up to the Development Team to handle the zoning lot splits in conjunction with the other development teams?

A5. No, a zoning lot split is not anticipated at this time. Should there be a need for a zoning lot split in the future, it will be the responsibility of the development team to complete.

Q6. Is parking a requirement?

A6. Proposals are expected to conform with zoning requirements. Proposals may include an alternative scenario that does not include parking but must include strong justification for doing so. In addition, please refer to the Department of City Planning's website for information about the recently adopted Downtown Brooklyn Parking Text Amendment.

Q7. Is parking available on the other development sites on Block 2107 that could be used for BAM North Site II?

A7. No, parking is not available on other sites on Block 2107 for the BAM North Site II.

Q8. Is there a bonus for supportive housing?

A9. No, there is not a bonus for supportive housing.

Q9. In relation to the 5% competitive points for affordability versus the acquisition price, does HPD have a preference between more than 20% of dwelling units being affordable and less acquisition or providing up to 20% of dwelling units as affordable with more acquisition price? The financial feasibility section carries 40% of the competitive points also mentions maximizing affordability. Is maximizing affordability the preference for HPD?

A9. HPD will review the proposal as stated in Section IV. Developer Selection Process.

Q10. Will HPD consider a broader definition of affordability that goes beyond 80% of AMI?

A10. Yes, we will allow proposals to consider affordable housing to include units that are affordable to households earning up to 130% of AMI. The RFP has been amended to reflect this change.

Q11. Will Quality Housing be permitted?

A11. The Quality Housing Program (QH) requires all buildings containing residential uses in a single zoning lot to comply with QH program (ZR23-011). Since Site 1 will be developed with a building using a Tower Regulation, QH program cannot be applied to the proposed building on Site 2.

Q12. Is Lafayette Avenue a wide street by the zoning resolutions definition?

A12. Yes, Lafayette Avenue is a wide street.

Q13. Do you have any information about what is below grade on the site since there are a lot of subway lines nearby?

A13. No, we do not have a subsurface survey available for the site.

Q14. What does approximately 100,000 square feet mean? For example, can we go over by 5% or is the 100,000 square feet an absolute?

A14. We are asking development team to adhere to the 100,000 square feet. If you chose to go over the 100,000 square feet you need to make a case to support your proposal.

Q15. Is there a differentiation between the 15,000 square feet for the cultural space and the active, ground floor space?

A15. Yes, development teams have the flexibility to make the ground floor space the cultural facility or some other use that is active.

Q16. Is the requirement for 50% of the units being 2 bedrooms or greater for all dwelling units or just the affordable units?

A16. The requirement relates to the affordable units. We are requiring that 50% of the affordable units be 2 bedrooms or greater.

Q17. Are there any guidelines for the acquisition price? What weight is given to the acquisition price?

A17. There are no guidelines about the amount of the acquisition payment other than it is a competitive component of the RFP. Please refer to the RFP for information pertaining to structuring the acquisition payment. The acquisition payment is 5% of the competitive score, if the proposal includes 20% or less of the dwelling units as affordable housing or the proposal is for a non-residential building.

Q18. Should we assume an enforcement mortgage in cases where there is a nominal acquisition price?

A18. Yes, development teams should assume an enforcement mortgage if proposing a nominal acquisition price.

Q19. What is total amount of the enforcement mortgage?

A19. The total amount of the enforcement mortgage is the unrestricted appraised value (per the HPD appraisal) minus the purchase price.

Q20. Regarding the acquisition price that is not nominal, what do you mean by nominal?

A20. A nominal value for HPD land is \$1 per tax lot and we are asking proposals for an acquisition price that is not nominal.

Q21. The setback in the RFP is less than permitted by as-of-right in the zoning, is the setback mandated to the same depth on all sides or would you permit the dormer rule to modulate the site?

A21. The setback is set at 60-65 feet in order to maintain a consistent street wall on the block. We would prefer that the dormer rules not be used.

Q22. The RFP states that the bulk heads must be hidden, does that have to be within the 130 feet height limit specified in the RFP?

A22. No, the bulk heads do not need to be within the 130 feet height limit of the building.

### **Questions submitted in writing**

#### **Design**

Q1. What is the precise FAR and buildable square footage for North Site II? The RFP says approximately 100,000 SF but based on our due diligence of the zoning and the FAR, the developable square footage could be higher.

A1. Based on the current plans for BAM Site I being developed by the Gotham, the 100,000 square feet is the best estimation of square footage available for development on BAM North Site II. In addition, we are asking teams to adhere to this square footage so that proposals can be reviewed in comparison to one another in our design review.

Q2. Are the air rights from the Visual Arts Plaza or TFANA site available?

A2. Air rights are not available since they were used on Site I.

Q3. In the event that the selected Respondent acquires the land directly from HPD, would any of the bulk restrictions outlined in the RFP, such as height limit, remain in place beyond the limitations already defined by zoning ordinance?

A3. The selected development team will acquire the land directly from HPD. Second, the design restrictions outlined in the RFP are in addition to zoning ordinance. As stated in the RFP on page 10, all proposals that include housing must conform to HPD's Design Guidelines for New Construction. Proposals should also adhere to the guidelines outlined in the RFP on page 9. Proposals are awarded points based on these guidelines and teams that choose not to incorporate these will have less competitive proposals.

Q4. For Applicants proposing non-residential uses, should all parts of Form G "Intended Methods for Green Communities" be completed?

A4. As stated on page 10 of the RFP, proposals that include housing must achieve Certification through the Enterprise Green Communities Program. Non-residential uses are not required to adhere to this program.

## **Development Team**

Q1. Do General contractors need to register with HPD as an General contractor after the award to a development team?

A1. General contractors do not register with HPD but will be subject to background checks through the agency's Sponsor Review process.

Q2. Do HPD contracts require a Project Labor Agreement?

A2. No

Q3. How much bid bond can be made in cash?

A3. Industry standards would apply.

Q4. Do HPD contracts need Payments and performance bond?

A4. A Payment and Performance bond is accepted but not required. For a new construction project, we will accept Payments and Performance bond in lieu of a letter of credit.

## **Submission Requirements**

Q1. Do all documents in the binder submission need to be threaded through the 3 rings? Or may insert folders (that are threaded through the 3 rings) be used?

A1. Yes, all documents in the binder submission need to be threaded through the 3 rings. The binders are used regularly during the review process and having insert folders is harder to maintain.

Q2. If no use change is proposed, and since the land use actions under ULURP have already been completed, then an Applicant does not have to assume that the ULURP process will be part of the development schedule?

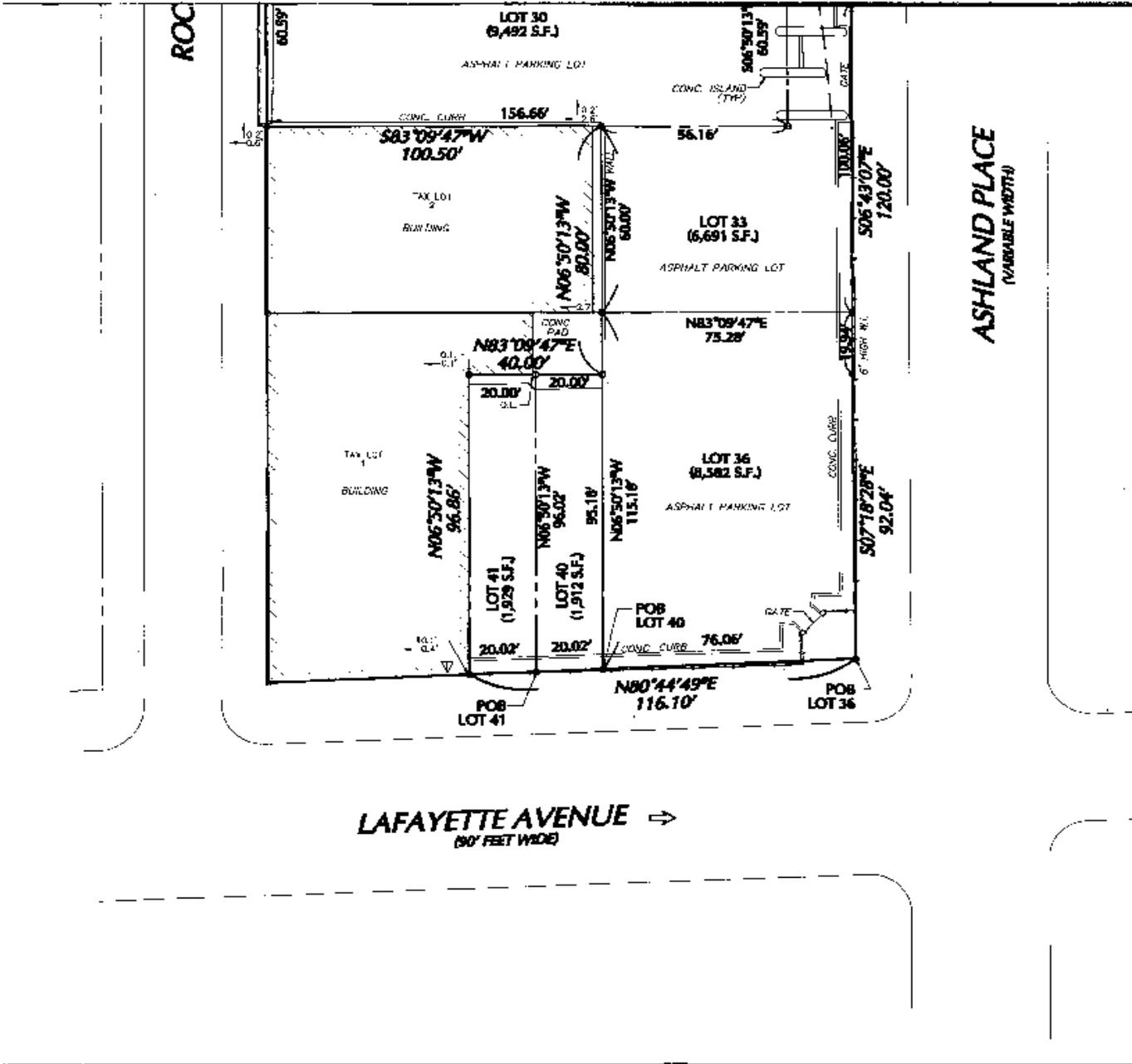
A2. Since the ULURP has been completed, development schedules should not assume that the typical 7 month ULURP process.

Q3. In the event that the selected Respondent acquires the land directly from the HPD, would there be any construction requirements related to prevailing wage or union labor?

A3. No, acquisition of land from HPD does not include requirements for prevailing wage or union labor. Construction requirements relating to prevailing wages or union labor come from specific funding sources. See page 17, Sections P and Q for additional information.

**C. Maps and Images**

Please note that the following map is for reference only. This information is available on the Department of Finance's Automated City Register Information System (ACRIS) records for Block 2107 Lot 15.



**D. Contact list of people who elected to share their information**

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