



THE CITY OF NEW YORK  
DEPARTMENT OF  
HOUSING PRESERVATION  
AND DEVELOPMENT

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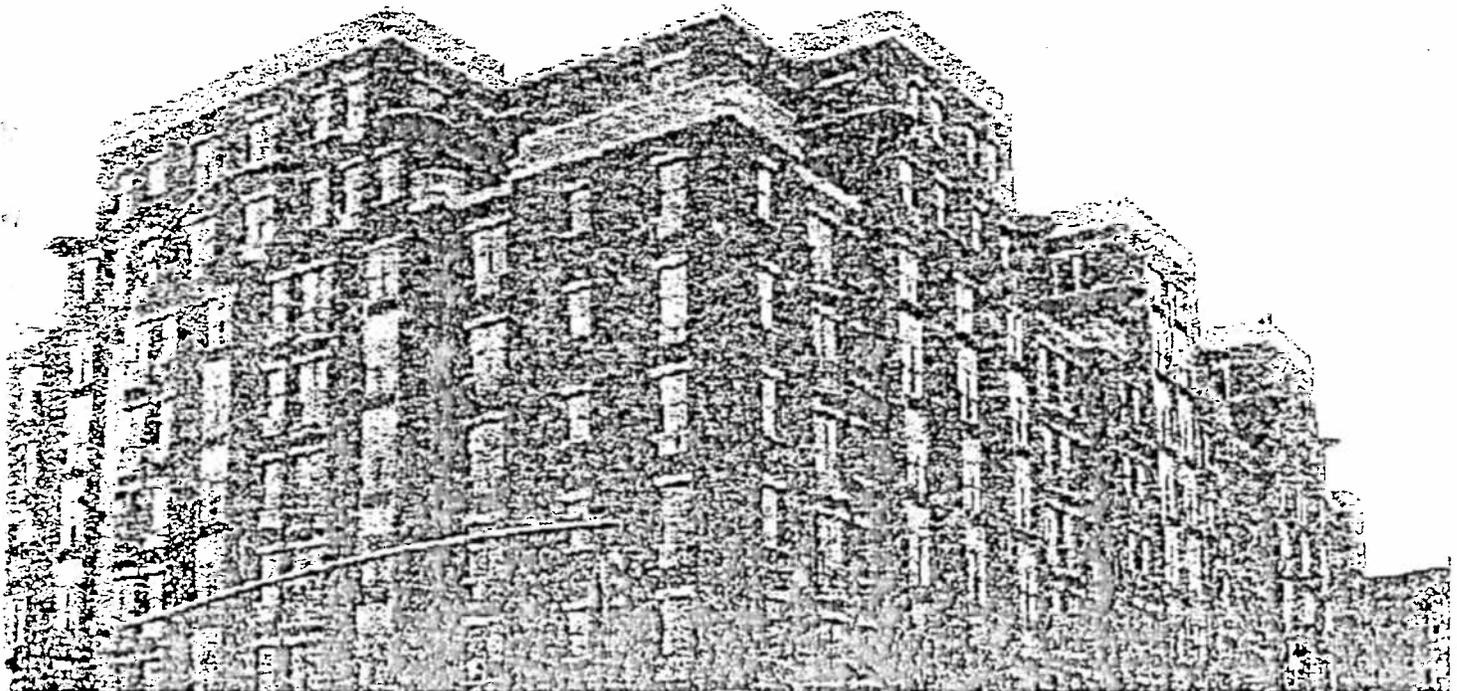
*Volume III*

the **new** housing  
**MARKETPLACE**  
CREATING HOUSING FOR THE NEXT GENERATION

# REQUEST FOR PROPOSALS

Issue Date:  
*February 10, 2003*

## Cornerstone Program



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### EXHIBITS

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- A. Proposal Summary, Respondent Questionnaire, and Respondent's Letter
- B. Development Experience and Current Workload Form
- C. Assets Statement Forms
- D. Project Financing Forms
- E. HPD Minimum Room Size Requirements
- F. HPD Marketing Guidelines
- G. HDC New Housing Opportunities (New HOP) Term Sheet

# 1 INTRODUCTION

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A major objective of *The New Housing Marketplace* plan, recently announced by the City of New York ("City"), is to create new markets for affordable housing. Pursuant to this goal, the City, through its Department of Housing Preservation and Development ("HPD"), is inviting developers to submit proposals for residential and/or mixed-use developments on fourteen separate site areas through HPD's Cornerstone Program. This Request for Proposals ("RFP") includes eleven site areas in Harlem, one site area in Downtown Brooklyn, and two site areas in the Bronx.

The selected Developer for each site will finance and build new residential and, where applicable, mixed-use, multi-family developments through the Cornerstone Program. Preference will be given to proposals for owner-occupied housing, except for proposals for Melrose Commons (Site 14), which must include homeownership with commercial/retail space development on each block.

The New York City Housing Development Corporation ("HDC") will consider financing cooperative or rental projects through its New Housing Opportunities Program (NHOP). HPD subsidies will be available solely for the Melrose Commons project (Site 14).

**Section 3G, Financing** provides more information on HDC and HPD financing.

HPD will select a Developer based on an evaluation of the Respondents' qualifications, the proposed development plan, the proposed design, the proposed cash purchase price, and compliance with **Section 3B, Program Requirements and Guidelines** and other requirements as noted in **Section 4, Developer Selection Process**.

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 Respondent must commence construction no later than twelve (12) 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.

## 2 DEFINITIONS

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### **Developer**

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

### **Development Site**

One or more contiguous or non-contiguous sites being offered for development under this RFP as a single project, as described in **Section 3A**.

### **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 entity that will act as the general partner 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**

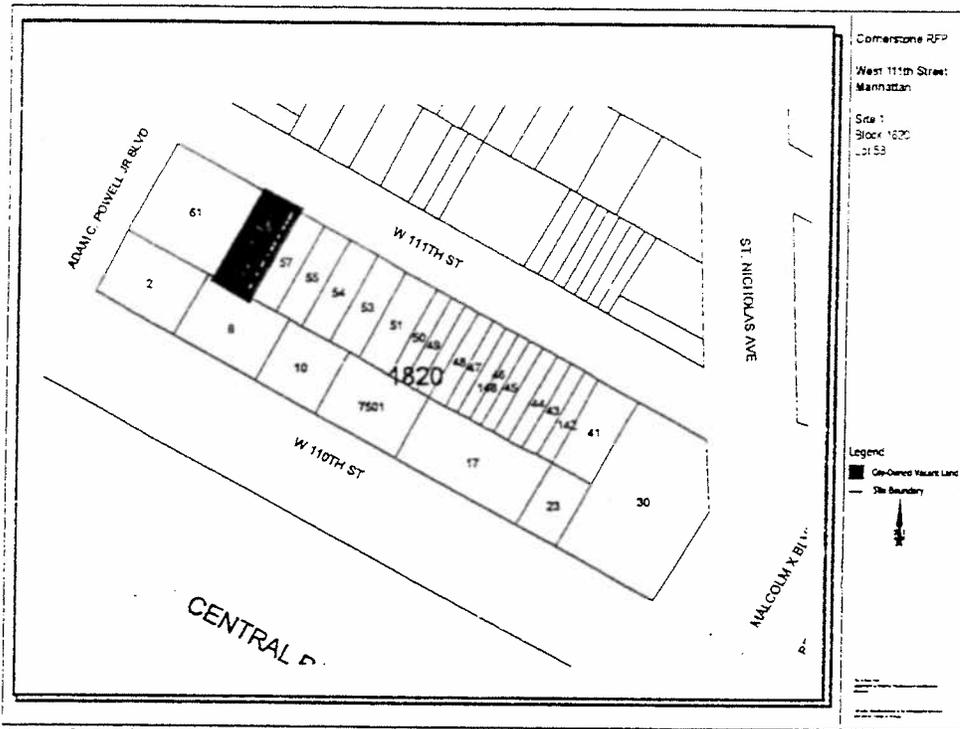
An individual, partnership, limited liability company, corporation, joint venture, or other entity that submits a proposal in response to the RFP.

### 3 PROJECT DESCRIPTION

#### A. DEVELOPMENT SITES

The Development Sites offered pursuant to this RFP are described below.

#### SITE 1: West 111<sup>th</sup> Street, Manhattan



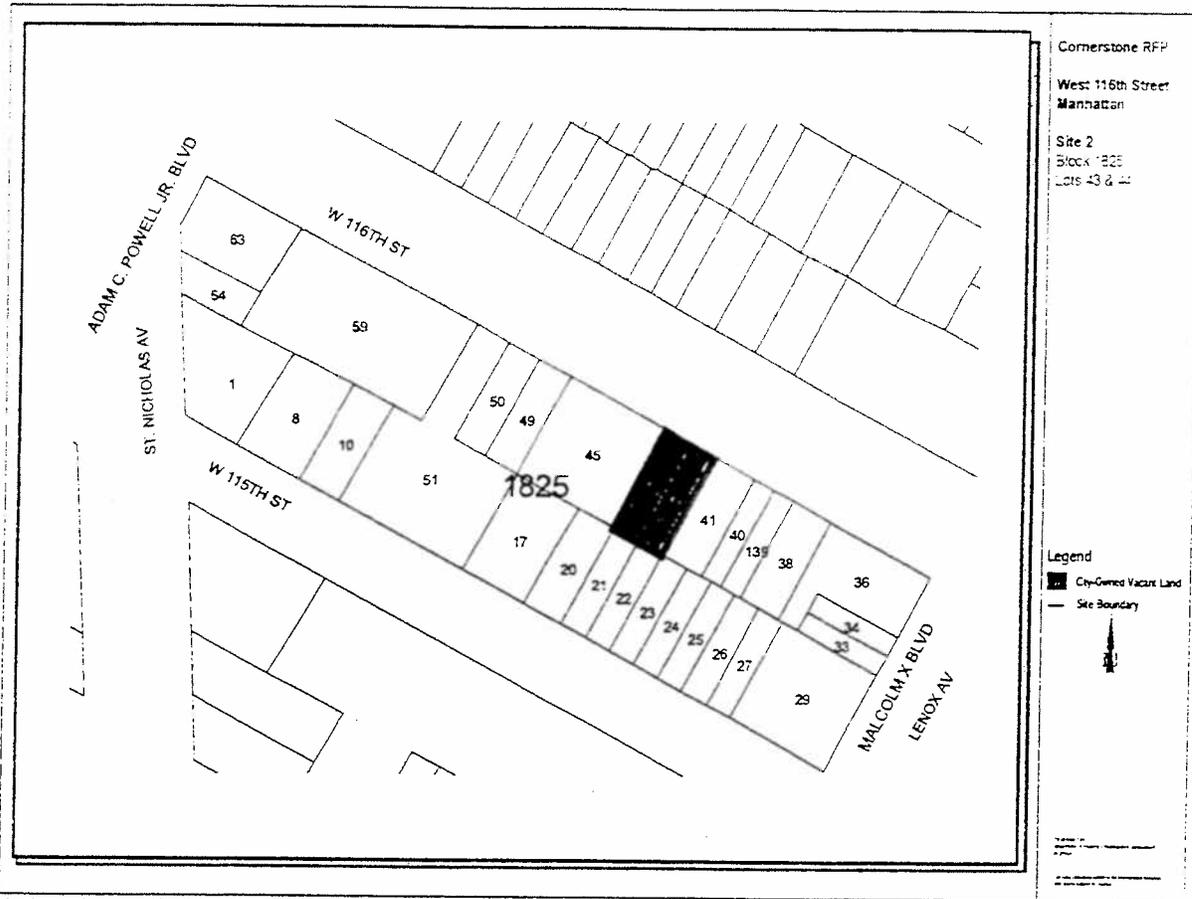
Map source: Department of City Planning, 1996 DDP's, HPD, West 111th Street, Large Scale, JRF

Block	Lot	Approx. Lot Area	Current Zoning	Site Description
1820	58	4,000 sq. ft.	R7-2	This site includes one (1) unimproved vacant lot on the south side of West 111 <sup>th</sup> Street between Adam Clayton Powell Jr. Boulevard and St. Nicholas Avenue. There is approximately 40 feet of frontage on West 111 <sup>th</sup> 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.
- This site will require approval through the City's Uniform Land Use Review Procedure (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: West 116<sup>th</sup> Street, Manhattan



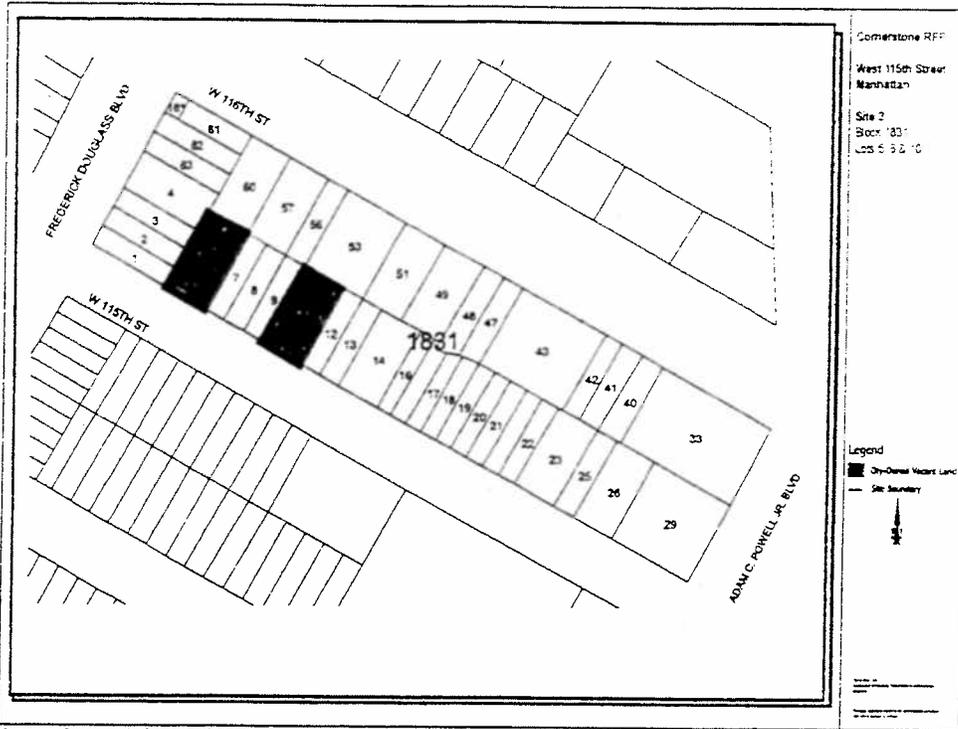
Data Source: Department of City Planning 1995 CGIS, HPD Development Large Scale Unit

Block	Lots	Approx. Lot Area	Current Zoning	Site Description
1825	43 & 44	5,000 sq. ft.	R7-2 / C1-4 overlay	This site includes two (2) unimproved vacant lots located mid-block on the south side of West 116 <sup>th</sup> Street between Adam Clayton Powell Jr. and Malcolm X Boulevards. There is approximately 50 feet of frontage on West 116 <sup>th</sup> Street.

### Other Considerations:

- This site is part of the Milbank Frawley Circle-West Urban Renewal Area (Milbank Frawley Circle-West Urban Renewal Site #30). Respondents may request a copy of the Milbank Frawley Circle-West Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- 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 approval through the City's Uniform Land Use Review Procedure (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: West 115<sup>th</sup> Street, Manhattan



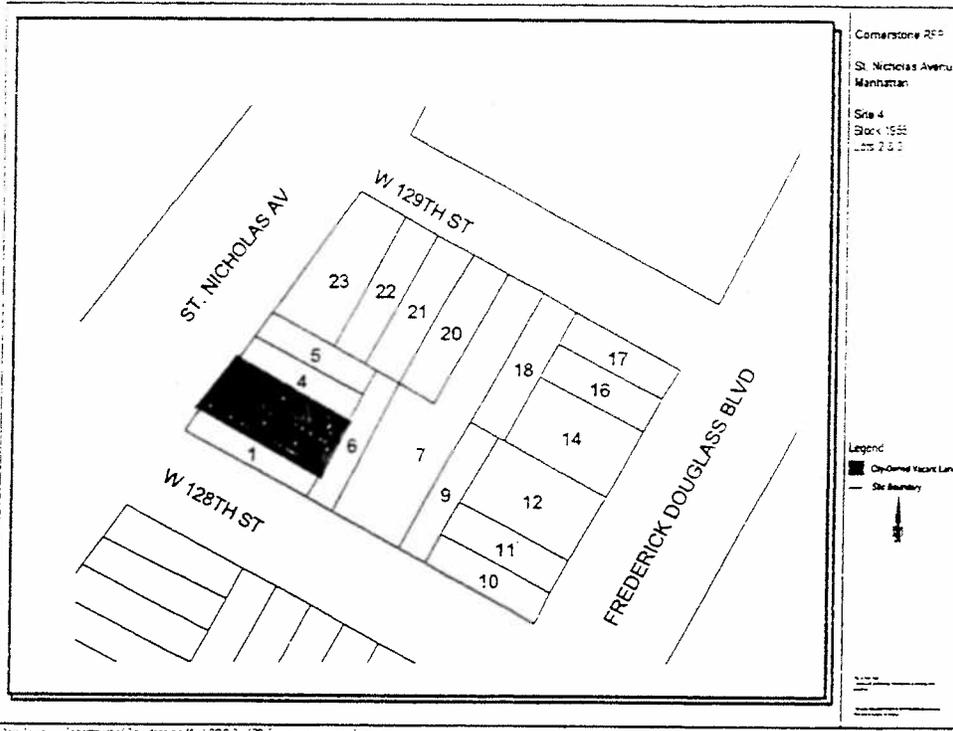
Data Source: Department of City Planning, 2018 COGS, HPD Development Large Scale Unit

Block	Lots	Approx. Lot Area	Current Zoning	Site Description
1831	5 & 6	5,000 sq. ft.	R7-2	This site includes two (2) unimproved vacant lots located mid-block on the north side of West 115 <sup>th</sup> Street between Frederick Douglass and Adam Clayton Powell Jr. Boulevards. There is approximately 50 feet of frontage on West 115 <sup>th</sup> Street.
1831	10	5,000 sq. ft.	R7-2	This site includes one (1) unimproved vacant lot located mid-block on the north side of West 115 <sup>th</sup> Street between Frederick Douglass and Adam Clayton Powell Jr. Boulevards. There is approximately 50 feet of frontage on West 115 <sup>th</sup> 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.
- This site will require approval through the City's Uniform Land Use Review Procedure (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: St. Nicholas Avenue, Manhattan

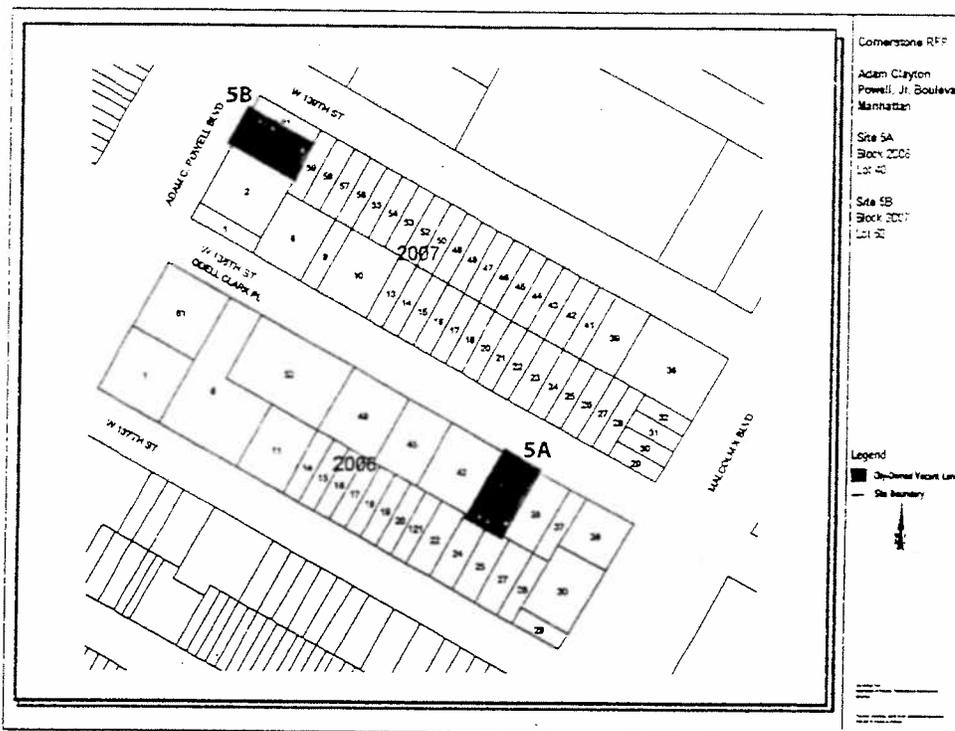


Block	Lots	Approx. Lot Area	Current Zoning	Site Description
1955	2 & 3	3,460 sq. ft.	R7-2	This site includes two (2) unimproved vacant lots located mid-block on the east side of St. Nicholas Avenue, between West 128 <sup>th</sup> and West 129 <sup>th</sup> Streets, across the street from St. Nicholas Park. There is approximately 40 feet of frontage on St. Nicholas 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 will require approval through the City’s Uniform Land Use Review Procedure (ULURP). The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for this approval.

# SITES 5A & 5B: Adam Clayton Powell, Jr. Boulevard, Manhattan



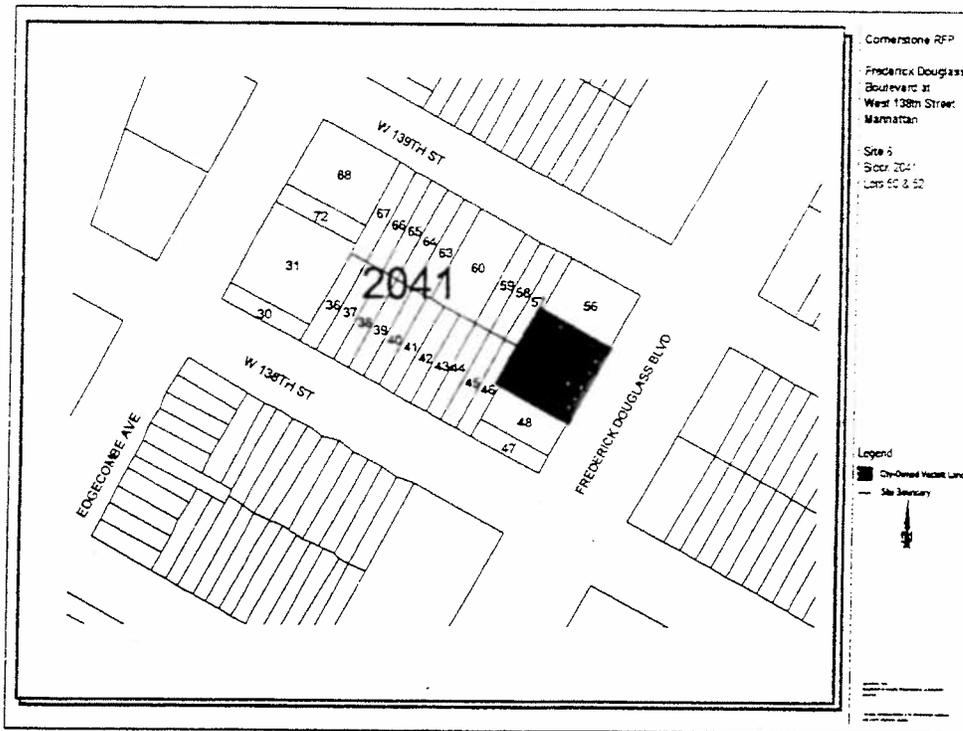
Map Source: Department of City Planning, 1998 DDCS, RPD Development Layer, June, 2002

Site	Block	Lot	Approx. Lot Area	Current Zoning	Site Description
5A	2006	40	5,000 sq. ft.	R7-2	This rectangular site consists of one (1) unimproved vacant lot located mid-block on the south side of West 138 <sup>th</sup> between Adam Clayton Powell Jr. and Malcolm X Boulevard. There is approximately 50 feet of frontage on West 138 <sup>th</sup> Street.
5B	2007	62	5,000 sq. ft.	R7-2 / C1-4 overlay	This rectangular site consists of one (1) unimproved vacant lot located on the east side of Adam Clayton Powell Jr. Boulevard between West 138 <sup>th</sup> and West 139 <sup>th</sup> Streets. There is approximately 50 feet of frontage Adam Clayton Powell Jr. Boulevard.

### Other Considerations:

- Developer(s) 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(s) will be responsible for any remediation that may be needed on the site.
- This site will require approval through the City's Uniform Land Use Review Procedure (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: Frederick Douglass Boulevard at West 138<sup>th</sup> Street, Manhattan



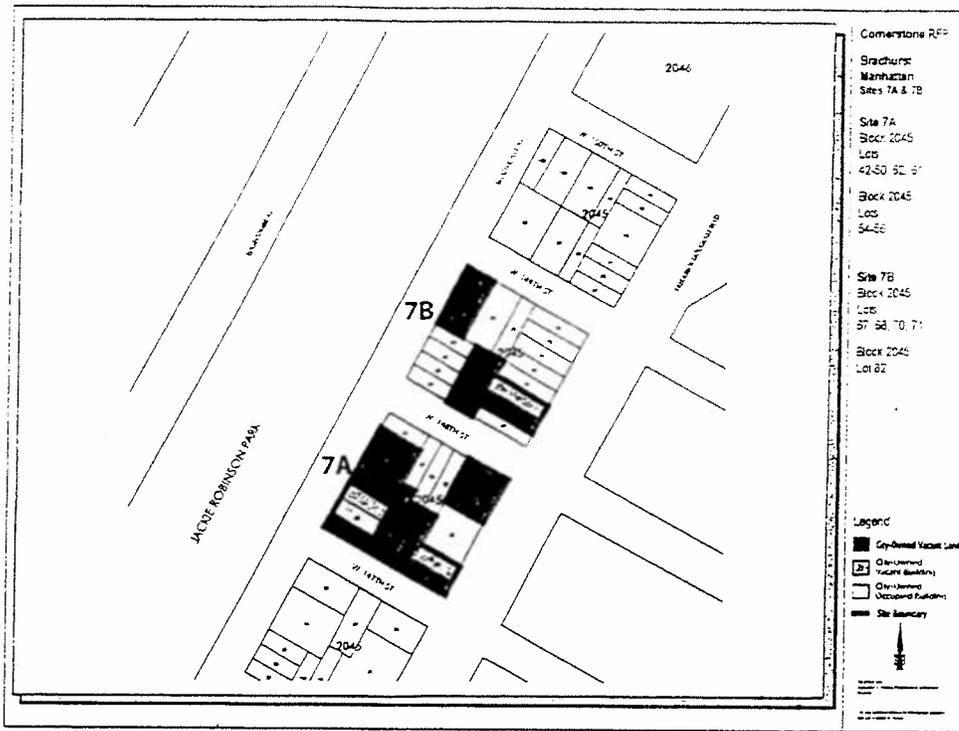
Data provided by Department of City Planning (199-10068), HPD Development Lamp Scale, etc.

Block	Lots	Approx. Lot Area	Current Zoning	Site Description
2041	50 & 52	6,000 sq. ft.	R7-2 / C1-4 overlay	This site includes two (2) unimproved vacant lots located mid-block on the west side of Frederick Douglass Boulevard between West 138 <sup>th</sup> and West 139 <sup>th</sup> Streets. There is approximately 80 feet of frontage on St. Nicholas Avenue.

### Other Considerations:

- This site is part of the Bradhurst Urban Renewal Area (part of Bradhurst Urban Renewal Site #1). Respondents may request a copy of the Bradhurst Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- An Environmental Assessment Statement (EAS) was completed for the entire Bradhurst Urban Renewal Area. The site may require an additional environmental review. The Developer will be responsible for any remediation that may be needed on the site. Respondents may request a copy of the Negative Declaration by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- This site received disposition approval through the City's Uniform Land Use Review Procedure (ULURP) as part of the Bradhurst Urban Renewal Plan. Further governmental approvals will be required.

# SITES 7A & 7B: Bradhurst, Manhattan



Site	Block	Lots	Approx. Lot Area	Current Zoning	Site Description
7A	2045	42, 43, 44, 45, 46, 47, 48, 49, 50, 61, 62	24,675 sq. ft.	R8 and R7-2 / C1-4 overlay	This L-shaped site facing Jackie Robinson Park includes eight (8) unimproved vacant lots and three (3) occupied lots. Two of the occupied lots contain occupied buildings and the other occupied lot contains a vacant building. There is approximately 225 feet of frontage on West 147 <sup>th</sup> Street, approximately 175 feet of frontage on Bradhurst Avenue, and approximately 50 feet of frontage on Frederick Douglass Boulevard.  This site is Bradhurst Urban Renewal Site 32A.
	2045	54, 55, 56	5,625 sq. ft.	R7-2 / C1-4 overlay	This rectangular site includes three (3) unimproved vacant lots on the corner of West 148 <sup>th</sup> Street and Frederick Douglass Boulevard. There is approximately 75 feet of frontage on West 148 <sup>th</sup> Street and approximately 75 feet of frontage Frederick Douglass Boulevard.  This site is Bradhurst Urban Renewal Site 32B.

See next page for a description of Site 7B.

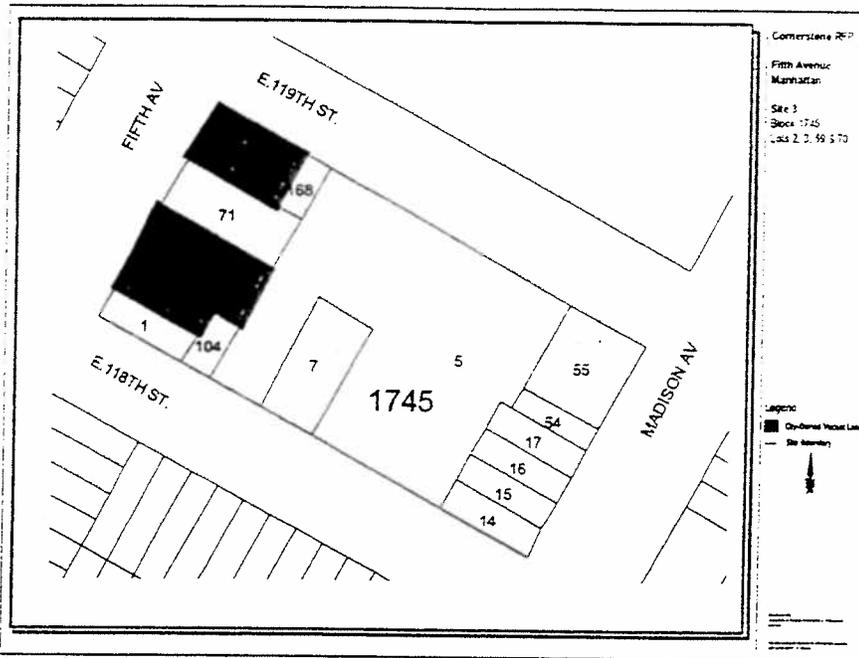
**Site 7 (continued):**

Site	Block	Lots	Approx. Lot Area	Current Zoning	Site Description
7B	2045	67, 68, 70, 71	7,500 sq. ft	R8 and R7-2 / C1-4 overlay	<p>This T-shaped site includes three (3) unimproved vacant lots and one (1) occupied lot, which contains one vacant building. There is 50 feet of frontage on West 148<sup>th</sup> Street and 50 feet of frontage on Frederick Douglass Boulevard.</p> <p>This site is part of Bradhurst Urban Renewal Site 33.</p>
	2045	82	4,950 sq. ft.	R8	<p>This rectangular site includes one (1) unimproved vacant lot on the corner of West 149<sup>th</sup> Street and Bradhurst Avenue. There is 50 feet of frontage on West 149<sup>th</sup> Street and approximately 100 feet of frontage on Bradhurst Avenue.</p> <p>This site is part of Bradhurst Urban Renewal Site 33.</p>

**Other Considerations:**

- HPD will relocate the tenants of the occupied buildings on Site 7A (Lots 43 & 44) to renovated buildings within the neighborhood.
- The Developer(s) may propose to incorporate the rehabilitation of the existing buildings on Sites 7A (Lots 43, 44 & 50) and 7B (Lot 71) as part of a rehabilitation/new construction project or demolish them to make way for a larger new construction project. The Developer will be responsible for the demolition of all of the buildings on the sites.
- These sites are part of the Bradhurst Urban Renewal Area (Bradhurst Urban Renewal Sites 32A, 32B, and part of 33). Respondents may request a copy of the Bradhurst Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- An Environmental Assessment Statement (EAS) was completed for the entire Bradhurst Urban Renewal Area. The sites may require additional environmental review. The Developer(s) will be responsible for any remediation that may be needed on the site. Respondents may request a copy of the Negative Declaration by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- These sites received disposition approval through the City's Uniform Land Use Review Procedure (ULURP) as part of the Bradhurst Urban Renewal Plan. Further governmental approvals will be required.

## SITE 8: Fifth Avenue, Manhattan

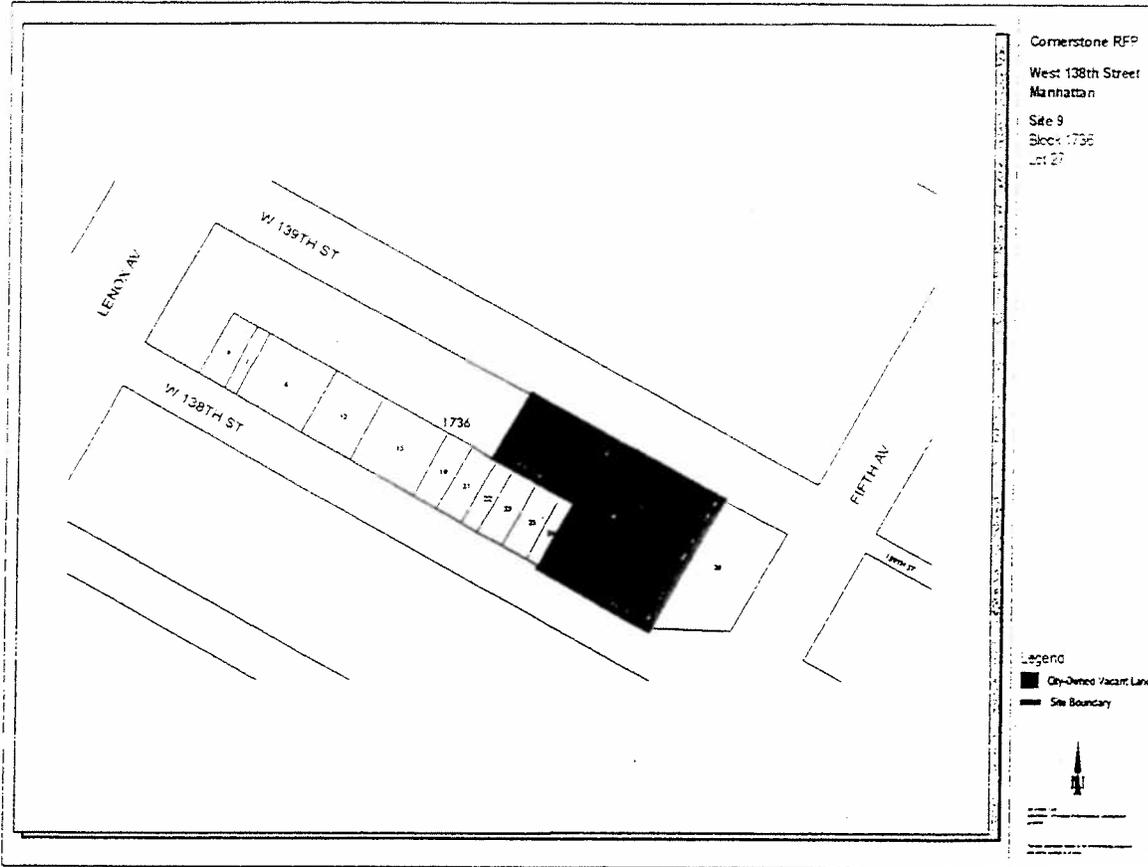


Block	Lots	Approx. Lot Area	Current Zoning	Site Description
1745	2 & 3	7,575 sq. ft.	R7-2 / C1-4 overlay	This site includes two (2) unimproved vacant lots located mid-block on Fifth Avenue between East 118 <sup>th</sup> and East 119 <sup>th</sup> Streets. There is approximately 75 feet of frontage on Fifth Avenue.
1745	69 & 70	4,250 sq. ft.	R7-2 / C1-4 overlay	This site includes two (2) unimproved vacant lots on the southeast corner of Fifth Avenue and East 119 <sup>th</sup> Street. There is approximately 50 feet of frontage on Fifth Avenue and 85 feet on East 119 <sup>th</sup> Street.

### **Other Considerations:**

- This site is part of the Milbank Frawley Circle-East Urban Renewal Area (part of Milbank Frawley Circle-East Urban Renewal Site 38A). Respondents may request a copy of the Milbank Frawley Circle-East Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- 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 approval through the City's Uniform Land Use Review Procedure (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: West 138<sup>th</sup> Street, Manhattan



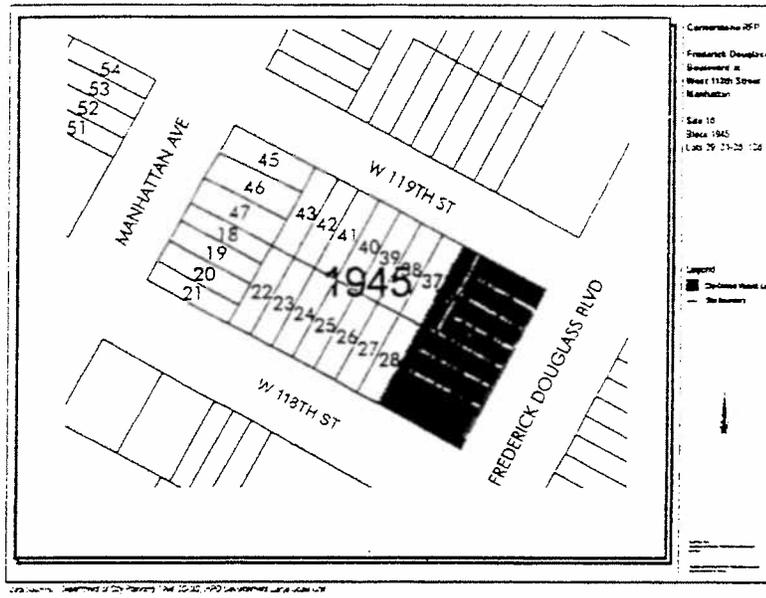
Data Source: Department of City Planning 1998 DOGIS, HPD Development Large Scale Unit

Block	Lot	Approx. Lot Area	Current Zoning	Site Description
1736	27	46,345 sq. ft.	R7-2	This L-shaped site consists of one (1) vacant lot located on the north side of West 138 <sup>th</sup> Street between Malcolm X Boulevard and Fifth Avenue. There is approximately 295 feet of frontage on the south side of West 139 <sup>th</sup> Street, and approximately 170 feet of frontage on the north side of West 138 <sup>th</sup> 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.
- This site will require approval through the City's Uniform Land Use Review Procedure (ULURP). The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for all required approvals.

# SITE 10: Frederick Douglass Boulevard at West 118<sup>th</sup> Street, Manhattan



Block	Lots	Approx. Lot Area	Current Zoning	Site Description
1945	29, 31-36, 136	20,000 sq. ft.	R7-2 / C1-4 overlay	This rectangular site consists of eight (8) unimproved vacant lots along the entire frontage on the west side of Frederick Douglass Boulevard between West 118 <sup>th</sup> and West 119 <sup>th</sup> Streets. There is approximately 202 feet of frontage along Frederick Douglass Boulevard, approximately 100 feet of frontage on West 118 <sup>th</sup> Street, and approximately 100 feet of frontage on West 119 <sup>th</sup> Street.

**Other Considerations:**

- A Greenthumb garden is located on lots 29, 31, and 32. This garden is subject to immediate development as agreed upon in the NYC Community Gardens Agreement.
- This site is part of the Harlem Gateway Urban Renewal Area (part of Harlem Gateway Urban Renewal Site 102). Respondents may request a copy of the Harlem Gateway Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- The City has completed the necessary environmental review for a project with 65 residential units, 2,400 square feet of commercial space, and 50 parking spaces. The Developer is responsible for any remediation that may be needed on the site. Respondents may request a copy of the Negative Declaration for the Environmental Assessment Statement (EAS) by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499
- This site received disposition approval through the City's Uniform Land Use Review Procedure (ULURP) for a project with up to 65 units, 4,200 square feet of commercial space, and 50 parking spaces. If the proposed project fits the previously approved scope, the site will need approval only from the Mayor's Office of Contracts. If the proposed project differs from this scope, the site will need to be reviewed again through ULURP.

# SITE 11: Manhattan Avenue and West 119<sup>th</sup> Street, Manhattan



Map Source: Department of City Planning 1996 GIS Data, 1997 Jurisdiction Map, 2000 GIS

Block	Lots	Approx. Lot Area	Current Zoning	Site Description
1946	18-21	9,590 sq. ft.	R7-2	This site consists of four (4) unimproved vacant lots on the northeast corner of Manhattan Avenue and West 119 <sup>th</sup> Street. There is approximately 100 feet of frontage along Manhattan Avenue and approximately 95 feet of frontage along West 119 <sup>th</sup> Street.
1946	23 & 24	5,020 sq. ft.	R7-2	This site consists of two (2) unimproved vacant lots located mid-block on the north side of West 119 <sup>th</sup> Street between Manhattan Avenue and Frederick Douglass Boulevard. There is approximately 50 feet of frontage along West 119 <sup>th</sup> Street.
1946	26-28	7,523 sq. ft.	R7-2	This site consists of two (2) unimproved vacant lots on the north side of West 119 <sup>th</sup> Street between Manhattan Avenue and Frederick Douglass Boulevard. There is approximately 75 feet of frontage along West 119 <sup>th</sup> Street.
1946	46	2,565 sq. ft.	R7-2	This site consists of one (1) unimproved vacant lot located mid-block on the east side of Manhattan Avenue between West 119 <sup>th</sup> and West 120 <sup>th</sup> Streets. There is approximately 27 feet of frontage along Manhattan Avenue.

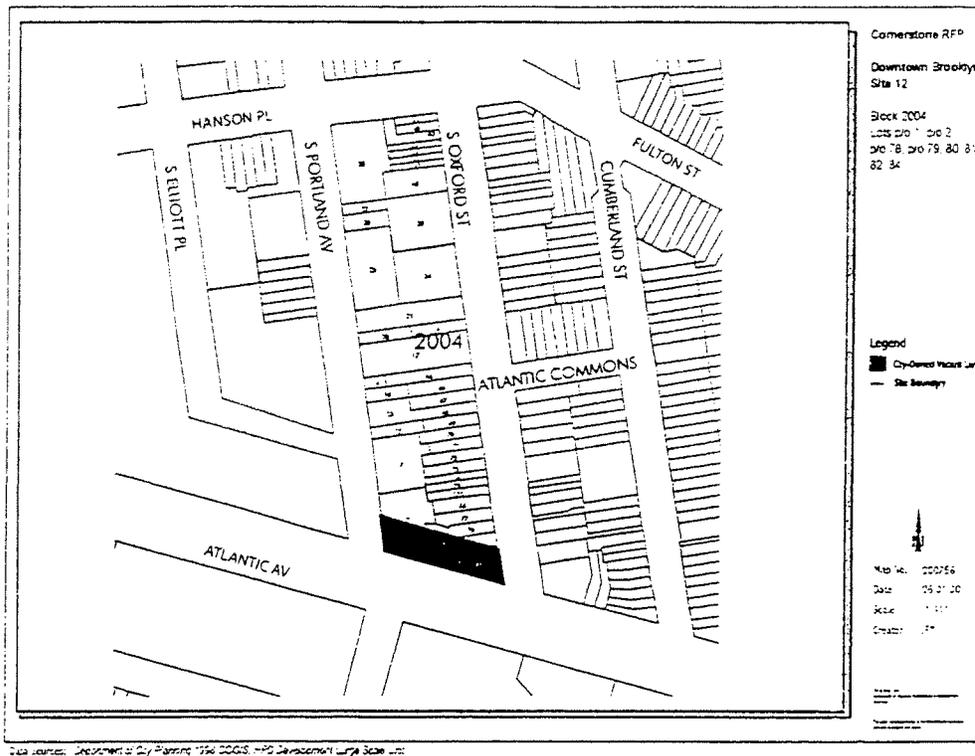
See next page for further information on Site 11.

## Site 11 (continued)

### *Other Considerations:*

- The City has completed the necessary environmental review for a project with 50 residential units, 2,400 square feet of commercial space, and 50 parking spaces. The Developer is responsible for any remediation that may be needed on the site. Respondents may request a copy of the Negative Declaration for the Environmental Assessment Statement (EAS) by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- This site received disposition approval through the City's Uniform Land Use Review Procedure (ULURP) for a project with up to 50 residential units, 2,400 square feet of commercial space, and 50 parking spaces. If the proposed project fits the previously approved scope, the site will need approval only from the Mayor. If the proposed project differs from this scope, the site will need to be reviewed again through ULURP.

## SITE 12: Downtown Brooklyn

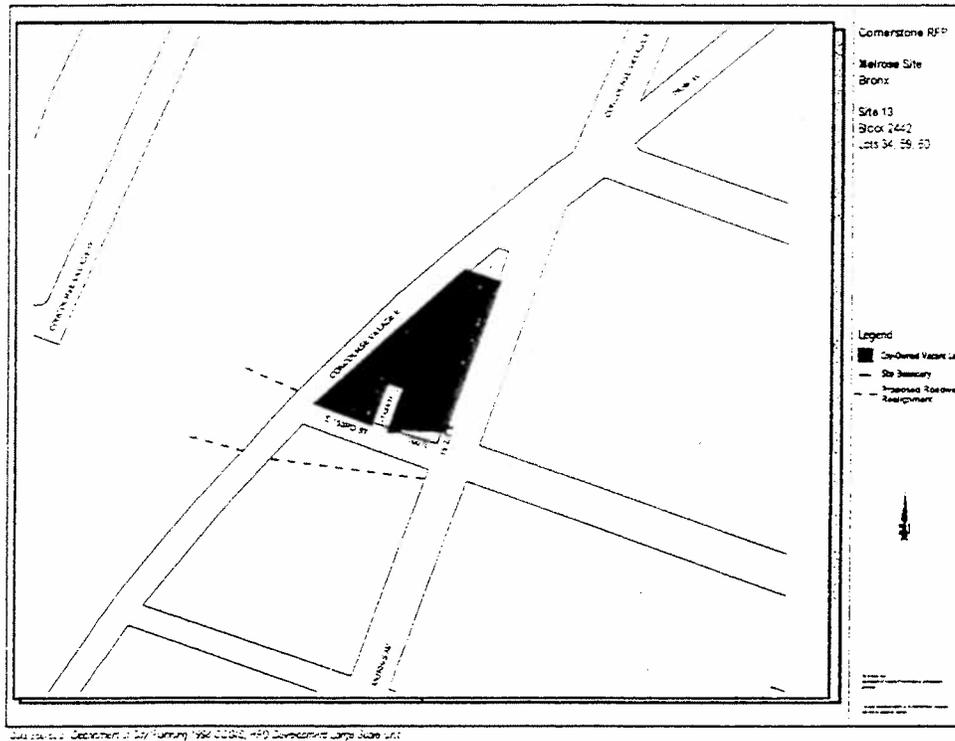


Block	Lot	Approx. Lot Area	Current Zoning	Site Description
2004	p/o 1, p/o 2, p/o 78, p/o 79, 80-82, 84	15,075 sq. ft.	C6-1	This site includes four (4) unimproved vacant lots and portions of four (4) unimproved vacant lots on the north side Atlantic Avenue between South Portland Avenue and South Oxford Street. There is approximately 217 feet of frontage on Atlantic Avenue.

### Other Considerations:

- This site is part of the Atlantic Terminal Urban Renewal Area (part of Atlantic Terminal Urban Renewal Site 3). Respondents may request a copy of the Atlantic Terminal Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- An Environmental Impact Statement (EIS) was completed for the Atlantic Terminal Urban Renewal Area. Further environmental review specific to this site may be necessary. The Developer will be responsible for any remediation that may be needed on the site. Respondents may request a copy of the Notice of Completion for the Environmental impact Statement (EIS) by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- This site will require approval through the City's Uniform Land Use Review Procedure (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: Melrose (Park Avenue), Bronx



Block	Lots	Approx. Lot Area	Current Zoning	Site Description
2442	34, 59, 60	58,109 sq. ft.	R6 / C2-4 and R6 / C8-3 Overlay.	<p>This triangular-shaped site consists of three (3) unimproved vacant lots bordered by East 153<sup>rd</sup> Street to the south, Concourse Village East to the west and Morris Avenue to the east. Lot 34 surrounds a church on East 153<sup>rd</sup> Street. The church is not part of the development site. Lot 59, although still used as a street, has been demapped. It will be incorporated into the development site.</p> <p>There is a total of approximately 215 feet of non-continuous frontage on East 153<sup>rd</sup> Street (approximately 115 feet on the west side of the church and approximately 100 feet on the east side of the church), approximately 417 feet of frontage on Concourse Village East, and 375 feet of frontage on Morris Avenue.</p>

### Other Considerations:

- The Department of Transportation is currently designing a bridge that will eventually impact the southeast corner of lot 34. The bridge, which is set to begin construction in Summer 2005, will be on East 153<sup>rd</sup> Street, between Morris Avenue and the Grand Concourse. The construction of this bridge includes the realignment of a portion of East 153<sup>rd</sup> Street. This will result in the loss of 100 feet of frontage on East 153<sup>rd</sup> Street and 16 2/3 feet on Morris Avenue (See Map of Site).

See next page for further information on Site 13.

**Site 13 (continued):**

- The entire site will be rezoned to R7-2.
- This site is part of the Melrose Urban Renewal Area (Melrose Urban Renewal Site C). Respondents may request a copy of the Melrose Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- 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 approval through the City's Uniform Land Use Review Procedure (ULURP). The land use actions requiring approval under ULURP are the disposition of City-owned property, a zoning map change of the entire site to R7-2, and an urban renewal plan amendment to eliminate the requirement dictating that there must be a project with a Section 8 subsidy. HPD will be the applicant for all required approvals.

**Site 14 (continued):**

Block	Lots	Approx. Lot Area	Zoning	Site Description
2364S	2, 3, 4, 5, 7, 9, 15, 17, 19, 21, 23, 24	33,300 sq. ft.	R8 / C1-4 overlay and R7-2 / C1-4 overlay	<p>This irregularly-shaped site includes twelve (12) unimproved lots which front Third Avenue, Brook Avenue and East 156<sup>th</sup> Street. On Third Avenue, there is 100 feet of continuous frontage and two (2) separate parcels, which have 25 feet of frontage each (150 feet total). There is 220 feet of continuous frontage on Brook Avenue. On East 156<sup>th</sup> Street, there is 50 feet of continuous frontage and a separate parcel with 25 feet of frontage, also on East 156<sup>th</sup> Street. The site surrounds four privately owned properties on Third Avenue.</p> <p>This is Site 17 of the Melrose Commons Urban Renewal Area.</p>
2378E	62, 64, 65, 66	12,706 sq. ft.	R8 / C1-4 overlay	<p>This site includes four (4) vacant lots on the west side of Third Avenue between East 156<sup>th</sup> and East 157<sup>th</sup> Streets. There is approximately 119 feet of frontage on Third Avenue.</p> <p>This is part of Site 3 of the Melrose Commons Urban Renewal Area.</p>

**Other Considerations:**

- A below-grade exposed railroad track runs through Block 2364 N, Lot 58. Development will include the air rights above the track (15'-10" minimum clearance from the top of the rail of lot 58).
- HPD will relocate the community facility on Block 2364 N, lot 45, and the Developer will be responsible for the demolition of the building.
- Block 2364 N, lot 70, contains a Greenthumb Garden, which is subject to development pending the outcome of the Garden Review Process as dictated by the NYC Community Gardens Agreement.
- This site is part of the Melrose Commons Urban Renewal Area (Melrose Commons Urban Renewal Plan, Sites 1, part of 3, 17, and 28) and is subject to additional bulk control restrictions outlined in *Section C, Land Use Controls*, of the Melrose Commons Urban Renewal Plan. Respondents may request a copy of the Melrose Commons Urban Renewal Plan by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.
- An Environmental Impact Statement (EIS) was completed for the Melrose Commons Urban Renewal Area. The Developer will be responsible for any remediation that may be needed on the site. Respondents may request a copy of the Notice of Completion for the Environmental Impact Statement (EIS) by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9-P9, (212) 863-7499.
- This site will require approval through the City's Uniform Land Use Review Procedure (ULURP). The land use action requiring approval under ULURP is the disposition of City-owned property. HPD will be the applicant for all required approvals.

## **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 to the New York City Zoning Resolution, the Milbank Frawley Circle West Urban Renewal Plan (Site 2), the Bradhurst Urban Renewal Plan (Sites 6 & 7), the Milbank Frawley Circle East Urban Renewal Plan (Site 8), the Harlem Gateway Urban Renewal Plan (Site 10), the Atlantic Terminal Urban Renewal Plan (Site 12), the Melrose Urban Renewal Plan (Site 13), and the Melrose Commons Urban Renewal Plan (Site 14).

Copies of these Urban Renewal plans are available by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.

### **Room Sizes**

Room sizes must meet HPD minimum requirements. Please see **Exhibit E** 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.

For Site 10, Respondents may download a copy of the Manhattan Borough President's Frederick Douglass Boulevard Abridged Study from the Manhattan Borough President's website at [http://www.cvfieldsmbp.org/special\\_reports.htm](http://www.cvfieldsmbp.org/special_reports.htm).

### **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.

## **C. LAND USE AND ENVIRONMENTAL APPROVALS**

The City's Uniform Land Use Review Procedure (ULURP) has been completed for Sites 6, 7, 10, and 11. Sites 6 and 7 were approved through ULURP as part of the Bradhurst Urban Renewal Plan. This approval will cover the scope of a project which adheres to zoning. Sites 10 and 11 were approved through ULURP together as part of a three-block project area. The approval allows for a project of up to 115 residential units, 8,400 square feet of commercial/retail space, and 100 parking spaces, collectively, on both Sites 10 and 11. If the proposed projects for these sites differ from the scope described, they will need to be reviewed again through ULURP. All of these sites still need approval from the Mayor.

Environmental reviews have been completed for Sites 6, 7, 10, and 11. For Sites 6 and 7 the City has completed the necessary environmental review for a project that adheres to the current zoning for the area. Additional environmental review may be needed for these sites. For Sites 10 and 11, the City has completed the necessary environmental review for up to 115 residential units, 8,400 square feet commercial/retail space, and 100 parking spaces, collectively. Respondents may request a copy of the Negative Declaration for the Environmental Assessment Statement (EAS) for Sites 6, 7, 10, and 11 by contacting Alison Wong, Senior Project Manager, HPD Office of Development, 100 Gold Street, Room 9P-9, (212) 863-7499.

Developers selected for sites 1, 2, 3, 4, 5, 8, 9, 12, 13, and 14 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.

In addition, Sites 1, 2, 3, 4, 5, 8, 9, 12, 13, and 14 will require approval through the City's Uniform Land Use Review Procedure (ULURP). For Sites 1-4, 8, 9, 12, and 14, the land use action requiring approval under ULURP is the disposition of City-owned property. For Site 13, the land use actions requiring approval under ULURP are the disposition of City-owned property, a zoning map change to R7-2, and an Urban Renewal Plan Amendment. HPD will be the applicant for all required approvals.

#### **D. OBLIGATIONS OF THE DEVELOPER**

The Developer will be required to perform the following:

1. Prepare a complete set of schematic site plans, floor plans, and renderings and submit them to HPD for review and approval within two (2) months of selection of the Developer.
2. Prepare a complete set of final site plans, floor plans, and renderings; samples of exterior building materials; and detailed specifications and submit them to HPD for review and approval within nine (9) months of selection of the Developer.
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 (if applicable).
5. Fund and complete the demolition of all City-owned buildings on the Development Site (if applicable).
6. Provide an equity contribution in the form of cash and/or payment of pre-development costs, secure private market construction financing, provide any personal guarantees required, and meet any other terms and conditions required by construction lenders. Secure a construction loan commitment within twelve (12) months of selection of the Developer. Pay all transfer taxes of associated with the disposition of the Development Site.
7. Arrange for timely commencement and completion of the Project.
8. Market the housing units in accordance with City requirements and policy. See **Exhibit F** for HPD marketing guidelines.

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

#### **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 LDA to be entered into between the Developer and HPD 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 plans and specifications approved by HPD and in accordance with the Milbank Frawley Circle West Urban Renewal Plan, the Bradhurst Urban Renewal Plan, the Milbank Frawley Circle East Urban Renewal Plan, the Harlem Gateway Urban Renewal Plan, the Atlantic Terminal Urban Renewal Plan, the Melrose Urban Renewal Plan, and the Melrose Commons Urban Renewal Plan where applicable.

#### **F. LAND PRICE**

Upon sale of the land, the Developer will pay, in cash, the amount bid in the proposal. HPD will place a land lien on the property for the difference, if any, between the appraised value of the land and the proposed cash purchase price.

For proposed homeownership projects, the portion of the land attributable to the residential component of the project will have a land lien that shall evaporate 1/25 per year over years 1-25 following the permanent loan closing provided there have been no defaults there under, and among other things, shall require repayment out of:

- 1). 100% of resale or refinancing profits from the sale of the Residential Unit during years 1-3
- 2). 50% of resale or refinancing profits during years 4-25.

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

For proposed rental projects, the Developer will pay the proposed cash purchase price upon sale of the land and will deliver a non-evaporating land lien for the balance of the appraised value. The land lien is repayable out of refinancing and resale profits

#### **G. FINANCING**

It is the responsibility of the Developer to obtain construction and permanent/end loan financing from private lenders in amounts consistent with the proposal. Within 120 days of HPD's issuance of a Negotiation Letter, the selected Developer will be required to submit a signed term sheet from a private lender for construction financing for the site(s).

HDC financing through the New Housing Opportunities Program (New HOP) may be available to increase affordability for the proposed projects. Please see **Exhibit G** for the New HOP term sheet or go to <http://www.nychdc.org/developers/potdev/newhoptermssheet.htm>. You may also contact Rachel Grossman, Senior Project Manager, at HDC at (212) 227- 9373 for

more information. A letter of interest from HDC and/or any other source of funds that the Developer anticipates using must be included in the proposal.

In order to promote economic growth along the Third Avenue commercial corridor in Melrose Commons (Site 14), \$2.0 million of Economic Development Initiative (EDI) grant funds and \$6.1 million of Section 108 Loans will be available for the commercial/retail component of the project. HPD will also provide Capital Budget funding for the residential component of the project (see **Section 4B, Competitive Selection Criteria**).

## 4 DEVELOPER SELECTION PROCESS

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HPD will evaluate each proposal and each Respondent according to **Section 4A, Threshold Requirements**, 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 judgment and discretion, will be evaluated, rated, and ranked according to the **Section 4B, Competitive Selection Criteria**. 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 5, Submission Requirements** or it will be eliminated from further consideration.

A Respondent will be deemed to have met the Comparable Development Experience and Ability to Finance requirements, described below, if each criterion is met by at least one Principal of the Respondent.

#### **Comparable Development Experience**

Acting in the role of an at-risk developer, Respondents must have successfully completed new construction and/or substantial rehabilitation of at least one project of comparable size to that of the site requested. HPD will only consider similar projects completed in the New York metropolitan area or in a location comparable to the development site.

In addition, Respondents must demonstrate an ability to work with government agencies, community organizations, and/or locally based organizations.

#### **Development Capacity & Current Workload**

Respondents must be capable of beginning construction within twelve (12) months of selection. A Respondent's current workload and other pending project obligations will be considered in assessing its capacity for undertaking the development project proposed by the Respondent within the time frame prescribed for development.

#### **Ability to Finance/Financial Feasibility**

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 private market 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 on a timely basis.

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.

### **Development Compliance**

Proposed development must meet all minimum requirements outlined in **Section 3B, Program Requirements & Guidelines**.

### **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 mortgage foreclosure proceedings or arrears; (4) in rem foreclosure or substantial tax arrears; (5) defaults under any City-sponsored program; (6) de-designation as developer of any government sponsored or publicly assisted project; (7) 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 (8) conviction for fraud, bribery, or grand larceny.

## **B. COMPETITIVE SELECTION CRITERIA**

Proposals that satisfy the **Section 4A, Threshold Requirements** above will be rated 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.

### **Development Experience**

HPD will consider the number, size, type, and scale of projects built, and Respondent's role in each project. HPD will give greater weight to development experience in which the Respondent was an at-risk developer in new construction projects comparable to the project that is being proposed. HPD will also consider quality of design and construction on completed projects, current workload, history of completing projects on time and within budget, satisfactory handling of punch list items, and the absence of tenant and/or purchaser complaints.

### **Affordability**

Preference will be given to those proposals which achieve greater affordability. Proposals that include the highest percentage of units affordable to households earning 80% of Area Median Income (AMI) or less will be ranked highest under this criterion.

### **Quality of Design Proposal**

HPD will evaluate the quality of the overall site plan, building design, unit layouts, and elevations. HPD will consider building arrangement, massing, character, materials, public and private residential amenities, and streetscape treatment.

### **Purchase Price**

The proposed cash payment for the site will be considered as a selection criterion. The strength of the entire proposal will be considered when evaluating the proposed purchase price.

### **Subsidy**

Preference will be given to proposals that require the lowest City subsidy for Melrose Commons (Site 14) only.

## 5 SUBMISSION REQUIREMENTS

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### A. PRE-SUBMISSION INFORMATION

**Pre-Submission Communications** All communications regarding this RFP should be directed to Alison Wong, Senior Project Manager, Office of Development at (212) 863-7499. Written communications and inquiries may be addressed to Alison Wong, Department of Housing Preservation and Development, Office of Development, 100 Gold Street, Room 9P-9, New York, NY 10038; faxed to (212) 863-8055; or emailed to [wonga@hpd.nyc.gov](mailto:wonga@hpd.nyc.gov).

**Pre-Submission Conference** A pre-submission conference will be held on Thursday, March 6, 2003 at HPD, 100 Gold Street, 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](http://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 Ms. Wong.

### B. GENERAL REQUIREMENTS

**PROPOSALS MUST BE SUBMITTED BY HAND NO LATER THAN 4:00 P.M. ON FRIDAY, MAY 2, 2003 TO HPD AT THE ADDRESS BELOW. PROPOSALS RECEIVED AFTER THE DUE DATE AND TIME WILL NOT BE CONSIDERED, REGARDLESS OF THE REASON FOR LATE SUBMISSION.**

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 5C, Contents of Proposal** below. 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 9P-9  
New York, NY 10038  
Attn: Alison Wong

RE: Proposal in Response to Cornerstone, Round 3

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. 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.

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. All proposals will become the property of HPD.

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

### **C. CONTENTS OF PROPOSAL**

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 - Proposal Summary, Respondent Questionnaire, Respondent's Letter, and Principal's Property Listing**

Each Respondent must submit a completed **Proposal Summary (Tab A1)** and **Respondent Questionnaire (Tab A2)**; these forms are contained in **Exhibit A**. 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. Each Respondent must submit a **Respondent's Letter (Tab A3)** printed on the Respondent's letterhead and signed by an authorized representative of the Respondent. The format of this letter is contained in **Exhibit A**. Each Respondent must submit a completed **Principal's Property Listing**. This listing should contain all of the information requested in the form from **Exhibit A**, but need not be submitted on the forms provided.

#### **TAB B - 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 form from **Exhibit B**, but need not be submitted on the form provided. 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 C - Ability to Finance**

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. As an alternative, the **Assets Statement (Tab C1)** in **Exhibit C** may be used. Publicly owned companies must submit the latest annual report and Form 10K as well as any Form 10Q submitted after such Form 10K.

Private Lender Letter - Each proposal must include a letter of interest from a private lender(s) indicating a willingness to lend for the project and specifying the amount such lender(s) is

willing to consider financing. 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).

#### **TAB D –Narrative Description**

Provide a detailed narrative description, which outlines the concept of the Project and among other things, includes the Respondent's approach to urban design and streetscape. This description should identify:

1. 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.
2. The type, location, and square footage (net and gross) of commercial/retail space.
3. The type, location, and characteristics of the housing units, including number of units, unit mix, and approximate square footages for each unit type.
4. A detailed description of construction methods, foundation type(s), and building systems for all new buildings.
5. A description of the public and private amenities.
6. Information on design team principals involved in the Project.
7. Pricing structures, amenities, assessment of competition, and absorption rates assumed.

#### **TAB E - Development Proposal**

The **Project Financing** forms in **Exhibit D** must be completed. If portions of the proposal are separately financed, than the Developer should provide additional forms for each portion.

#### **TAB F – Design/Architectural Documentation**

Provide the following information. (All materials must be on paper size of 11" by 17" 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.

## 6 TERMS AND CONDITIONS

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

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

The Project shall be subject to New York City Real Property Taxes and charges. Tax exemption and/or abatement with respect to residential development may be available.

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

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.

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

The City will convey the Development Site pursuant and subject to the provisions of the LDA. HPD will recommend to the Mayor that the Development Site be conveyed at the purchase price described herein. Where required, all documentation, including but not limited to the deed and LDA, shall be in form and substance satisfactory to the City Council and the Mayor and to the Corporation Counsel. The conveyance will be subject to applicable laws.

Selection of a Respondent to negotiate with HPD regarding the development of a Development Site as contemplated by this RFP will not create any rights on the Respondent's part, including, without limitation, rights of enforcement, equity, or reimbursement, until after all required governmental approvals are received, and until the LDA, deed, and any other necessary project documents are fully approved and executed. The terms of the deed and LDA, after execution, shall govern the relationship between HPD and the Developer. In the event of any variance between the terms of this RFP and the deed and/or the LDA, the terms of the deed and/or the LDA will govern.

The selection of a Developer will depend on the satisfaction of the additional documentation and review requirements described in this RFP.

No transaction will be consummated if any selected Respondent, or Principal of the selected Respondent (individual or business entity) 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. HPD reserves the right not to review a proposal submitted by such a 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's 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, invitation to the Respondent to respond to this RFP, the selection of the Respondent's proposal pursuant to this RFP, or the conveyance of a Development Site.

## 7 CONFLICTS OF INTEREST

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Employees of the City 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 qualifications 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 before responding to this RFP.

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

# EXHIBIT A

## TAB A1 – PROPOSAL SUMMARY

If the Respondent is a joint venture, a separate Respondent Questionnaire must be provided for each entity that comprises the joint venture, as identified below. If additional space is needed, please submit a separate sheet(s) stating the question(s) being answered on each sheet. All responses must be typed. See Section 5 of the RFP for detailed submission requirements.

All responses must be typed.

### 1. RESPONDENT INFORMATION

Name of Respondent: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Name of Contact for Respondent Entity: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_ Fax: \_\_\_\_\_

### 2. COMPOSITION OF RESPONDENT ENTITY

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

If yes, list below the name, address, and telephone and fax numbers of each individual and/or organization that comprises the joint venture and their percentage of ownership.

<u>NAME OF INDIVIDUAL OR ORGANIZATION/ADDRESS/TELEPHONE/FAX</u>	<u>% OF OWNERSHIP</u>
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### 3. DEVELOPMENT TEAM CONSULTANTS

Provide the names, addresses, telephone, and email addresses, and fax numbers of the Development Team consultants. If unknown, enter "N/A".

<u>Architect:</u>	<u>Marketing Agent (Residential):</u>
<u>Landscape Architect:</u>	<u>Marketing Agent (Commercial/Retail):</u>
<u>Urban Designer:</u>	<u>Managing Agent (Commercial/Retail):</u>
<u>Engineer:</u>	<u>Legal Counsel:</u>
<u>General Contractor:</u>	<u>Other:</u>

## TAB A2 - RESPONDENT QUESTIONNAIRE

### 1. ENTITY INFORMATION

Name of Respondent: \_\_\_\_\_

Name of Entity\*: \_\_\_\_\_

\* If other than Respondent (i.e. member of a joint venture).

### 2. PRINCIPALS

Provide the following information about all principals of the entity completing this questionnaire. For corporations, provide the names of the officers and any shareholders owning 10% or more; for partnerships, provide the names of all general partners. State the role that each would play in the development of the site, using the categories specified below.

Name/Position/Title	Home Address	Role*	Percentage 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, and telephone and fax numbers of **at least three** business references that we may contact regarding your experience. For each reference, identify the property or properties with which the individual is familiar.

- NEW CONSTRUCTION EXPERIENCE
- MARKETING EXPERIENCE – RESIDENTIAL
- LEASING EXPERIENCE – COMMERCIAL/RETAIL AND/OR COMMUNITY/INSTITUTIONAL
- MANAGEMENT EXPERIENCE
- FINANCIAL CAPACITY

### 4. OTHER

Has any principal identified in Section II of this questionnaire, or any organization in which the principal 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 five (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 five (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 principal(s); name(s) of organization(s) or corporation(s); principal's status in the organization (e.g. officer); date of the action; and current status and disposition.

Name of Entity: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

## 5. CERTIFICATION

[This certification must be signed by one of the principals listed above; if the applicant is a joint venture, it must be signed by a principal of each entity that comprises the joint venture.]

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 Organizaiton

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name and Title

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name and Title

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name and Title

## TAB A3 – RESPONDENT'S LETTER

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

Re: Request for Proposals for  
CORNERSTONE, ROUND 3

Dear Ms. Wong:

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 3, mixed-use development on Sites 1-14 ("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 provide within six (6) months from the date of the Negotiation Letter final plans and specifications for a significant phase of the development, and within twelve (12) months of the Negotiation Letter, evidence of financing for acquiring and developing the property.
  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 B**

# FORM B - DEVELOPMENT EXPERIENCE

NAME OF RESPONDENT: \_\_\_\_\_  
 NAME OF ENTITY/INDIVIDUAL\*: \_\_\_\_\_

\* If other than Respondent, is a member of a joint venture?

	PROJECT 1	PROJECT 2	PROJECT 3
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 (Sq. Ft.)			
9 Office Space (Sq. Ft.)			
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)			
Initial Occupancy & 90%			
19 Leased (i)			
20 Management (j)			

ALL RESPONSES MUST BE TYPED. START WITH MOST RECENT PROJECT FIRST. COPY AND ATTACH ADDITIONAL PAGES AS NECESSARY

(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).

(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-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 C**

**FORM C1 - ASSETS STATEMENT**

Name of Applicant: \_\_\_\_\_  
Site(s) Applied For: \_\_\_\_\_

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

Financial Statement is submitted for (check one)

- Individual
- Corporation
- Limited Partnership
- Not-For-Profit
- Other (specify): \_\_\_\_\_

Section 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:	
Gross Life Insurance:		
Beneficiaries:		

Are you a defendant in any lawsuits or legal action? If so, describe below:

Do you have any contingent liabilities? If so, describe below:









**FORM C1 - ASSETS STATEMENT**

Name of Applicant: \_\_\_\_\_  
 Site(s) Applied For: \_\_\_\_\_

**Schedule C - Income From Properties**

	1	2	3	4	5	6
Property No. (Refer to Schedule A)						
Present Annual Gross Income <i>Not Including Vacancies and Concessions</i>						
Less Total Operation 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 next six months						
Net Profit Last Year						
Amount & Classes of Insurance Carried						

List Other Encumbrances, Debts, Taxes, Mortgage Installments or Interest Past Due:

By whom are present Mortgages on Property held?

Any Mortgage(s) endorsed or guaranteed? If so, by whom?

List (circumstances of) any litigation or judgments pending in connection with the above listed Properties.

If additional room needed, attach Supplemental Schedule B (Part 2).  
 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 and, in the absence of such notice or the submission to you of a new and full written Statement that may be considered as a continuing Statement and substantially correct. 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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**EXHIBIT D**

Name of Respondent: \_\_\_\_\_

Site(s): \_\_\_\_\_

**RESIDENTIAL**

Unit Distribution	Residential Gross Sq. Ft.:		# of Rooms	Average Sq. Ft./Unit	Average Monthly Rent	Total Annual Rental Revenue <small>(# of units x Avg. Rent x 12)</small>
	Rentable Sq. Ft.:	Vacancy Rate:				
Studio						
1-BR						
2-BR						
3-BR						
Other Type:						
Other Type:						
Super						
Total						

**COMMERCIAL/RETAIL**

	Commercial	Retail	Total
Gross Sq. Ft.			
Rentable Sq. Ft.			
Avg. Annual Rent/Sq. Ft.			
Gross Income			
Vacancy Rate			

**PARKING**

Number of Parking Spaces	Residential	Commercial	Retail	Total

COMMENTS:

**FORM D1 - PROJECT INCOME AND AFFORDABILITY (CONDO/CO-OP PROJECTS)**

Complete for each type of Condo or Co-op project.

Name of Respondent: \_\_\_\_\_

Site(s): \_\_\_\_\_

**RESIDENTIAL**

Unit Distribution	# of Units	# of Rooms	Average Sq. Ft./Unit	Average Sales Price	Mortgage Payment*	Maintenance	Monthly Housing Expense*	Minimum Annual Income Required*	Total Annual Coop/Condo Revenue <small>(# of units x Maint. x 12)</small>
Studio									
1-BR									
2-BR									
3-BR									
Other Type:									
Other Type:									
Super									
Total									

\*On a separate page, briefly describe how the monthly mortgage payment and minimum income requirement were calculated. Include assumptions on the end loan interest rates, development requirements, taxes, insurance, and housing expense ratios.

**COMMERCIAL/RETAIL**

	Commercial	Retail	Total
Gross Sq. Ft.			
Rentable Sq. Ft.			
Avg. Annual Rent/Sq. Ft.			
Gross Income			
Vacancy Rate			

**PARKING**

Number of Parking Spaces	Residential	Commercial	Retail	Total

COMMENTS:

**FORM D2 - CONSTRUCTION PERIOD USES OF FUNDS**

Name of Respondent: \_\_\_\_\_

Sites: \_\_\_\_\_

**DEVELOPMENT COSTS**

**I. PROPOSED CASH PURCHASE PRICE** \_\_\_\_\_

**II. HARD COSTS**

- 1 Contractor's Price for Residential Component \_\_\_\_\_
- 2 Contractor's Price for Commercial/Retail Component \_\_\_\_\_
- 3 Hard Cost Contingency @ \_\_\_% \_\_\_\_\_
- 4 **Total Hard Costs** \_\_\_\_\_

**III. SOFT COSTS**

**A. Financing Costs**

- 5 Construction Interest \_\_\_\_\_
- 6 Bank Commitment Fee \_\_\_\_\_
- 7 Bank Letter of Credit Fee \_\_\_\_\_
- 8 Bank Mortgage Insurance Premium \_\_\_\_\_
- 9 Other: \_\_\_\_\_
- 10 Other: \_\_\_\_\_
- 11 Other: \_\_\_\_\_
- 12 Other: \_\_\_\_\_

**B. Pre-Construction Costs**

- 13 Appraisal \_\_\_\_\_
- 14 Surveys \_\_\_\_\_
- 15 Borings \_\_\_\_\_
- 16 Environmental \_\_\_\_\_
- 17 Title and Recording \_\_\_\_\_
- 18 Mortgage Recording Tax \_\_\_\_\_
- 19 Mortgage Insurance Premium \_\_\_\_\_
- 20 Taxes, Water & Sewer, Utilities \_\_\_\_\_
- 21 Permits & Fees \_\_\_\_\_
- 22 Insurance \_\_\_\_\_
- 23 Bonding/Letter of Credit \_\_\_\_\_
- 24 Other: \_\_\_\_\_

**D. Professional Fees**

- 25 Architect & Engineer \_\_\_\_\_
- 26 Landscape Architect/Urban Designer \_\_\_\_\_
- 27 Legal \_\_\_\_\_
- 28 Lender Legal/Engineering Fee \_\_\_\_\_
- 29 Accounting \_\_\_\_\_
- 30 Other: \_\_\_\_\_

**E. Sales Costs**

- 31 Marketing/Sales \_\_\_\_\_
- 32 Transfer Tax \_\_\_\_\_
- 33 Other: \_\_\_\_\_
- 34 **Total Soft Costs** \_\_\_\_\_

**III. DEVELOPER FEE** \_\_\_\_\_

**IV. TOTAL DEVELOPMENT COST** \_\_\_\_\_

(do not include infrastructure and acquisition costs)

**FORM D3 - CONSTRUCTION FINANCING**

Name of Respondent: \_\_\_\_\_

Site(s): \_\_\_\_\_

TOTAL DEVELOPMENT COST \_\_\_\_\_  
(from Form E2 - Construction Uses of Funds, line IV)

**SOURCES OF FINANCING**

A. EQUITY \_\_\_\_\_  
(Please indicate sources below)

B. BANK CONSTRUCTION LOAN \_\_\_\_\_

C. 2nd CONSTRUCTION LOAN (If applicable) \_\_\_\_\_  
(May include HPD Subsidy for Melrose Commons (Site 14) only)

D. 3rd CONSTRUCTION LOAN (If applicable) \_\_\_\_\_

TOTAL SOURCES OF FUNDS (A + B + C + D) \_\_\_\_\_  
(This total should equal Total Development Cost)

CONSTRUCTION LENDER \_\_\_\_\_

INTEREST RATE: \_\_\_\_\_

TERM: \_\_\_\_\_

INTEREST RATE: \_\_\_\_\_

TERM: \_\_\_\_\_

INTEREST RATE: \_\_\_\_\_

TERM: \_\_\_\_\_

SOURCES OF EQUITY \_\_\_\_\_

CASH EQUITY: \_\_\_\_\_

OTHER: \_\_\_\_\_

OTHER: \_\_\_\_\_

**FORM D4 - PERMANENT FINANCING**

Name of Respondent: \_\_\_\_\_

Sites: \_\_\_\_\_

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

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

TOTAL DEVELOPMENT COST  
(from Form E2 - Construction Uses of Funds, line IV) \_\_\_\_\_

**I. SOURCES OF FINANCING**

A. EQUITY  
(Please indicate sources below.) \_\_\_\_\_

B. BANK MORTGAGE  
(The loan amount must be consistent with the projected debt service in Tab D4, line 30) \_\_\_\_\_

C. SECOND MORTGAGE (if applicable)  
(The loan amount must be consistent with the projected debt service in Tab D4, line 31) \_\_\_\_\_

D. THIRD MORTGAGE (if applicable)

TOTAL SOURCES OF FUNDS (A + B + C + D) \_\_\_\_\_

FIRST MORTGAGE LENDER  
INTEREST RATE (including SONYMA): \_\_\_\_\_  
TERM: \_\_\_\_\_

SECOND MORTGAGE LENDER (if applicable):  
INTEREST RATE: \_\_\_\_\_  
TERM: \_\_\_\_\_

SOURCES OF EQUITY  
CASH EQUITY: \_\_\_\_\_  
OTHER: \_\_\_\_\_  
OTHER: \_\_\_\_\_

**II. SOURCES OF COMMERCIAL/RETAIL FINANCING (if financed separately from residential)**

COMMERCIAL/RETAIL TDC \_\_\_\_\_

D. EQUITY  
(Please indicate sources below.) \_\_\_\_\_

E. FIRST MORTGAGE  
(The loan amount must  
be consistent with the  
projected debt service in  
Tab D4, line 31)

\_\_\_\_\_

F. SECOND MORTGAGE  
(The loan amount must  
be consistent with the  
projected debt service in  
Tab D4, line 32)

\_\_\_\_\_

TOTAL SOURCES OF FUNDS (D + E + F)

\_\_\_\_\_

(Total Sources of Funds  
must match the  
Commercial/Retail TDC)

FIRST MORTGAGE LENDER  
INTEREST RATE (including SONYMA):  
TERM:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECOND MORTGAGE LENDER (if applicable)  
INTEREST RATE:  
TERM:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SOURCES OF EQUITY  
CASH EQUITY:  
OTHER:  
OTHER:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The Assets Statement (TAB C) must demonstrate sufficient assets to provide the required cash equity.

**FORM D5 - PRO FORMA INCOME AND EXPENSE SCHEDULE: 1ST YEAR OF STABILIZED OPERATIONS (RENTAL)**

Name of Respondent: \_\_\_\_\_

Site(s): \_\_\_\_\_

**A. REVENUES**

- 1 Gross Residential Income \_\_\_\_\_  
(This amount must correspond to estimates for Total Annual Revenue in Form D5)
- 2 Less Vacancy @ \_\_\_\_\_% \_\_\_\_\_
- 3 Net Residential Income \_\_\_\_\_
- 4 Gross Commercial/Retail Income \_\_\_\_\_  
(This amount must correspond to estimates for Gross Income in Form D5)
- 5 Less Vacancy @ \_\_\_\_\_% \_\_\_\_\_
- 6 Net Commercial/Retail Income \_\_\_\_\_
- 7 Laundry Income \_\_\_\_\_
- 8 Parking Income \_\_\_\_\_
- 9 Other Income \_\_\_\_\_
- 10 **EFFECTIVE GROSS INCOME** \_\_\_\_\_  
(The sum of lines 3, 6, 7, 8 & 9)

**B. EXPENSES**

- 11 Janitorial/Cleaning Supplies \_\_\_\_\_
- 12 Repairs & Replacements \_\_\_\_\_
- 13 Painting \_\_\_\_\_
- 14 Grounds Maintenance \_\_\_\_\_
- 15 Heating \_\_\_\_\_
- 16 Cooking Gas & Electric \_\_\_\_\_
- 17 Office Supplies & Equipment \_\_\_\_\_
- 18 Elevator Maintenance & Repairs \_\_\_\_\_
- 19 Superintendent & Maintenance Staff Salaries \_\_\_\_\_
- 20 Security @ \_\_\_\_\_ hours/day \_\_\_\_\_
- 21 Management Fee \_\_\_\_\_
- 22 Legal & Accounting/Auditing \_\_\_\_\_
- 23 Fire/Liability Insurance \_\_\_\_\_
- 24 Real Estate Taxes \_\_\_\_\_
- 25 Water & Sewer Charges \_\_\_\_\_
- 26 Capital Replacement Reserve \_\_\_\_\_
- 27 Other (identify) \_\_\_\_\_
- 28 **TOTAL EXPENSES** \_\_\_\_\_
- 29 **NET OPERATING INCOME** \_\_\_\_\_

**C. DEBT SERVICE**

- 30 First Mortgage @ \_\_\_\_\_ DCR \_\_\_\_\_
- 31 Second Mortgage \_\_\_\_\_
- 32 **TOTAL DEBT SERVICE** @ \_\_\_\_\_ DCR \_\_\_\_\_

**D. EXPENSES + DEBT SERVICE** \_\_\_\_\_

**E. NET CASH FLOW** \_\_\_\_\_

**FORM D5 - PRO FORMA INCOME AND EXPENSE SCHEDULE: 1ST YEAR OF STABILIZED OPERATIONS (CO-OP/CONDO)**

Name of Respondent: \_\_\_\_\_

Site(s): \_\_\_\_\_

**A. EXPENSES**

- 1 Janitorial/Cleaning Supplies \_\_\_\_\_
- 2 Repairs & Replacements \_\_\_\_\_
- 3 Painting \_\_\_\_\_
- 4 Grounds Maintenance \_\_\_\_\_
- 5 Heating \_\_\_\_\_
- 6 Cooking Gas & Electric \_\_\_\_\_
- 7 Office Supplies & Equipment \_\_\_\_\_
- 8 Elevator Maintenance & Repairs \_\_\_\_\_
- 9 Superintendent & Maintenance Staff Salaries \_\_\_\_\_
- 10 Security @ \_\_\_\_ hours/day \_\_\_\_\_
- 11 Management Fee \_\_\_\_\_
- 12 Legal & Accounting/Auditing \_\_\_\_\_
- 13 Fire/Liability Insurance \_\_\_\_\_
- 14 Real Estate Taxes \_\_\_\_\_
- 15 Water & Sewer Charges \_\_\_\_\_
- 16 Capital Replacement Reserve \_\_\_\_\_
- 17 Other (identify) \_\_\_\_\_
- 18 **TOTAL EXPENSES** \_\_\_\_\_
  
- 19 **NET OPERATING INCOME** \_\_\_\_\_

## **EXHIBIT F: HPD MARKETING GUIDELINES**

**All HPD development projects are filled through a lottery system which will be monitored by HPD's marketing department.**

### **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

**EXHIBIT G**



NEW YORK CITY  
HOUSING DEVELOPMENT  
CORPORATION

### **New Housing Opportunities Program**

The New York City Housing Development Corporation ("HDC") intends to make 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 will issue taxable bonds to provide long-term fixed-rate permanent financing for rental projects affordable to middle-income families earning up to 250% of the City's median income. HDC will also generally provide subsidies of up to \$25,000/unit. However, under certain circumstances, subsidies of up to \$40,000/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.

The HDC loan terms are outlined below:

- Eligible Projects:** Projects containing a minimum of twenty (20) residential units which are newly constructed, substantially rehabilitated or converted on an as-of-right basis to residential use.
- 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 110<sup>th</sup> Street.)

**Maximum Monthly Rents:**

<u>Unit Type</u>	<u>Maximum Monthly Rents<sup>1</sup></u>
Studio	\$1,025
1 BR	1,375
2 BR	1,775
3 BR	2,075

**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 250% of median income.

**Interest Rate On First Mortgage:**

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

**Interest Rate On Second Mortgage:**

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

**Term:**

Up to 30 years for new construction, rehabilitation and conversion projects.

**Maximum First Mortgage Amount:**

\$10,000,000, not to exceed 80% of value. Higher amounts will be considered and may require third party credit enhancement.

---

<sup>1</sup>Projects with lower rents may qualify for subsidies in excess of \$25,000/unit and \$2,750,000/project. See **Maximum Second Mortgage Amount** below.

**Maximum Second Mortgage Amount:**

\$25,000/unit, not to exceed \$2,750,000. Combined loan to value not to exceed 95%. Combined loan to cost may not exceed 90%. HDC will consider providing subsidies up to \$40,000/unit, not to exceed \$4,000,000 per project in certain circumstances (i.e., projects with high land costs, larger unit types or lower rents). The conditions for higher subsidies are set as follows:

**1) Higher Acquisition Costs:**

Acquisition  
\$20,000/unit or less

Maximum Subsidy  
up to \$25,000/unit and  
up to \$2,750,000/project

\$20,001/unit or more

For every \$1.00 increase in the *recognized acquisition cost*<sup>2</sup> above \$20,000/unit, the maximum subsidy may be increased by \$.50, up to \$40,000/unit, not to exceed \$4,000,000/project

**2) Lower rents**

**MAXIMUM SUBSIDY RANGES**

<u>Unit Type</u>	<u>Up to \$25,000/unit or \$2,750,000/project</u>	<u>Up to \$32,500/unit or \$3,500,000/project</u>	<u>Up to \$40,000/unit or \$4,000,000/project</u>
Studio	\$ 901-1,025	\$ 726- 900	\$ 725 or less
1 BR	\$1,151-1,375	\$ 951-1,150	\$ 950 or less
2 BR	\$1,426-1,775	\$1,151-1,425	\$1,150 or less
3 BR	\$1,701-2,075	\$1,376-1,700	\$1,375 or less

<sup>2</sup>*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.

3) **Larger Unit Types:**

**% of Units  
containing two (2)  
or more bedrooms**

50%  
75%

**Maximum Subsidy**

Up to \$32,500/unit or \$3,500,000/project  
Up to \$40,000/unit or \$4,000,000/project

**HDC Financing Fee:** .5% 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.

**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.

**Payment Guaranty:** Not required on permanent loans.

**Real Estate Tax Benefits:** §421-a (25-year) for new construction in eligible areas.  
J-51 for rehabilitation and conversion projects.

**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 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 \$10,000,000.
- Replacement Reserve:** Minimum of 2% of first year projected gross income.
- Application/Construction Loan Closing Documentation:**
- Appraisal.
  - Financial statements and credit reports.
  - Construction Lender Loan Offering Package.
  - Commitment letter from the construction lender and other subordinate lenders.
  - Buy-Sell Agreement (with construction lender).
  - Assignment of Leases and Rents.
  - Mortgage and Note.
  - UCC's.
  - Certifications and attorney opinion letters.
  - Borrower's organizational documents.
  - Completed disclosure documents for principals and known investors with more than 20% interest in the project.
- Property and Liability Insurance:** In form and substance acceptable to HDC.
- Title:** 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.
- Environmental:**
- Site assessment in form and substance satisfactory to HDC and hazardous substance indemnity.
  - State Environmental Quality Review Act ("SEQRA") review.

**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.

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