

**M/WBE Building Opportunity RFP Addendum 2**

**RFP issue date: November 24, 2015**

**Addendum 2 issue date: February 3, 2016**

**Contents of the Addendum**

**A. Questions and Answers** – Enclosed is a summary of questions and answers that were sent to the MWBE RFP email address.

## A. Questions and Answers

**Q1: The RFP states that compliance with zoning open space and parking regulations is required. Can proposals be submitted that modify other bulk regulations that support RFP goals?**

A1: Applicants should only consider the existing (as-of-right) zoning when developing their proposals. Proposals should comply with all elements of existing zoning, not just open space and parking.

**Q2: Some of the sites are located near elevated transit lines. Have noise abatement levels been established or is site testing completed that would assist in making this evaluation?**

A2: No, as mentioned in the RFP, the Developer will be responsible for any noise/acoustical studies. Please refer to Section V. E. of the RFP for more details related to Environmental Documents and Review.

**Q3: The RFP states that the primary financing scenario must not include 9% LIHTC or other competitive financing, and that 4% credits are not considered competitive. What is the minimum project size to be eligible for HDC tax-exempt bond financing? If projects are below that minimum size, what City or State financing sources would the City consider to be non-competitive?**

A3: HDC typically does not issue bonds for projects that produce fewer than 50 units. In terms of HPD financing, there are additional sources that focus on smaller projects, including subsidy through the New Construction Program.

**Q4: Will a project developed under HPD's ELLA Program fall under the category of "Public Housing Developments for Low Income Tenants" and therefore qualify for a reduction of required parking to 25% as per Zoning Resolution 25-25?**

A4: Projects financed through the HPD ELLA Program should qualify for parking reductions based on Section 25-25 of the NYC Zoning Resolution. Final review and determination of parking reductions based on the Zoning Resolution is the responsibility of the NYC Department of Buildings.

**Q5: To meet the accessory parking requirement on-site, is it permissible to utilize parking stackers and/or valet parking to meet the requirement?**

A5: HPD permits the use of parking stackers and/or valet parking. Proposals must comply with zoning, as well as HPD Design Guidelines for New Construction.

**Q6: Will joint ventures involving two or more MWBE firms on the Pre-Qualified List, where their joint ownership of the project is 51%, fulfill the majority ownership requirement, or must each individual MWBE firm on the PQL own greater than 50% of a given project?**

A6: For a proposal to any of the six development sites included in the M/WBE Building Opportunity RFP, a developer from the Pre-Qualified List must have greater than 50% ownership (percent interest) in the development project. Multiple developers from the Pre-Qualified List can have an ownership stake in the same development project, as long as one developer from the PQL has an ownership stake greater than 50%.

**Q7: Is there a minimum allocation to housing per project (i.e. could a project be 50% housing and 50% retail)?**

A7: Proposals must be consistent with the existing zoning, and should be responsive to neighborhood needs.

**Q8: Are we expected to complete a Phase I environmental site assessment?**

A8: The developer will be responsible for environmental assessments and any remediation for any of the Sites included in this RFP. Please refer to Section V. E. of the RFP for more details related to Environmental Documents and Review.

**Q9: For purposes of RFP underwriting, does HPD view discretionary awards like Article XI like it does competitive financing?**

A9: HPD does not consider Article XI to be competitive financing.

**Q10: Is the development entity responding to the RFP required to have the legal entity actually formed prior to submission or can this be done post award?**

A10: No, a development team is not required to form a legal entity prior to submitting a proposal for this RFP.

**Q11: The AMI and coordinating rents are based on 2014 HUD income limits. Should the RFP response reflect 2014 HUD income limits or update the rents to 2015 assumptions?**

A11: Proposals should reflect the updated 2015 HUD income limits.

**Q12: Is Reso A funding considered competitive financing?**

A12: Yes, Reso A funding is considered to be competitive.