

## **East Harlem RFP Addendum**

RFP Issue Date: August 8, 2019

Pre-submission Conference Date: September 5, 2019

Addendum 1 Issue Date: October 21, 2019

### Contents of the Addendum

**A. Key Dates (Amended)**

**B. Questions and Answers** – Enclosed are questions and answers that were asked at the East Harlem RFP pre-submission conference held on September 5, 2019 as well as questions sent to the East Harlem RFP email address.

**C. Contact Information** - Contact information is provided for those individuals who attended the pre-submission conference and indicated their willingness to share their contact information.

#### **A. Key Dates**

The RFP previously stated that “all written questions must be submitted by October 31, 2019 to be included in the RFP addendum.” The deadline for questions to be included in subsequent RFP addendums has been revised.

All written questions must be submitted by **November 8<sup>th</sup>, 2019** to be included in the RFP addendum.

## B. Questions and Answers

### Applicable to Both Sites

**Q1: Should we assume prevailing wage for construction labor?**

A1: Respondents should assume prevailing wage requirements only if they are utilizing financing programs that trigger such requirements such as, but not limited to, a program assuming more than 8 project based vouchers.

**Q2: Does the construction job have to be unionized?**

A2: There is no requirement for the construction job to be unionized.

**Q3: Is there any financial incentive or grants involved?**

A3: Please refer to Section VIII F. of the RFP.

**Q4: When evaluating how responsive the proposal is to community needs, how much weight do you give to the community visioning report as opposed to other data points or criteria in the RFP?**

A4: Preference will be given to proposals that thoughtfully consider goals and priorities outlined in the Community Visioning Report. HPD evaluates responses holistically and will weigh how submissions comprehensively address the criteria and requirements outlined in the RFP.

**Q5: How does remainder interest program work for condominiums included in the project that aren't regulated affordable housing?**

A5: Remainder interest applies to the entire Project. Title to the Project, including the non-residential component, will revert to the City upon the expiration of the regulatory period unless the parties mutually agree to an additional term of affordability.

**Q6: Does the developer have to manage the building after it is completed?**

A6: There is no requirement that the developer manage the building after completion. At least one Principal (of Respondent, or the Respondent's Property Manager) must have experience managing at least one hundred (100) residential units in New York City within the past seven (7) years. The Principal must have been the owner and manager, or the owner acting through a management entity, to fulfill this qualification.

**Q7: Are there any Passive House preferences in this project**

A7: Preference will be given to submissions that demonstrate excellence in sustainability as indicated on page 28 of the RFP.

**Q8: Should we expect to pay the City compensation for the sites?**

A8: The land is anticipated to be disposed of at a nominal fee.

**Q9: Is there any expectation the developers may mix and match different capital sources?**

A9: Developers may propose a capital stack that mixes different sources.

**Q10: Is there any preference given to teams with direct experience or background working in the area of East Harlem?**

A10: There is no direct preference given to teams that include organizations with experience or background working in the area of East Harlem.

**Q11: What should we assume for construction commencement?**

A11: For the purpose of your RFP response, respondents should assume construction commencement within 18-36 months from the date of the Negotiation Letter.

**Q12: How is the responsiveness to community visioning report evaluated?**

A12: We look at both how the proposed program and design thoughtfully consider the priorities outlined in the report in a holistic manner as they relate to the criteria of the RFP. Additionally, submissions that thoughtfully consider design goals and priorities outlined in the Community Visioning Report will receive preference under the Design and Performance category. Note that this was not initially indicated in the Design and Performance category of the competitive criteria.

**Q13: Will there be only one addendum released after the deadline to submit questions?**

A13: Addenda will be released on a rolling basis as determined by HPD.

**Q14: Has City (or HPD) legal conferred with, and received approval from HUD, that the AIRS requirements as written in the zoning are Fair Housing compliant?**

A14: As stated in the RFP, HPD is committed to affirmatively furthering fair housing (AFFH) through all of its projects. AFFH means contributing to a thriving, integrated neighborhood in East Harlem through the development of quality affordable housing and valuable amenities that serve local residents. AFFH also means ensuring that all projects comply with the federal Fair Housing Act, the New York State Human Rights Law, and the New York City Human Rights Law. HPD will review all proposals in light of its AFFH obligations and commitments.

**Q15: Where can we download form E-4?**

A15: There is no Form E-4 included in the RFP. Commercial management experience can be listed in the respondent's chosen format.

**Q16: There is no "Zoning, Site Plan, and Building Design Guidelines and Site Specific Design Guidelines" appended to the RFP. Please clarify.**

A16: The reference to the "Zoning, Site Plan, and Building Design Guidelines and Site Specific Design Guidelines" should be disregarded as it was made in error. The competitive criteria are described in the bullets and are not discussed further in "Zoning, Site Plan, and Building Design Guidelines and Site Specific Design Guidelines."

**Q17: Is there a preference under the Design category for Submissions that consider goals and priorities outlined in the Community Visioning Report?**

A17: Yes. Submissions that thoughtfully consider design goals and priorities outlined in the Community Visioning Report will receive preference under the Design and Performance Category. Note that this was not initially indicated in the Design and Performance category.

**Q18: Could you provide us with the most up to date term sheets for ELLA, and Mix and Match?**

A18: The current term sheets, which should be used at the time of the RFP submission, may be accessed on our webpage at <https://www1.nyc.gov/site/hpd/developers/new-construction.page>.

**Q19: Do all members team members with property management experience have to fill out form E-2 and E-3 or can it be just the proposed management company?**

A19: A separate form must be provided for each Principal with residential management experience.

## **MSC SITE**

**Q1: Is it compulsory that the Multi-Service Center building be retained?**

A1: No.

**Q2: Is there any expected subsidy to supplement the rent collected from the proposed community facility tenants? What if the \$25 psf rent is not enough to justify the capital improvements to the Site?**

A2: No subsidy to supplement non-residential income is anticipated. Respondents should identify the gap, if any, associated with the community facility rent ceiling and propose ways to fill this gap.

**Q3: Are the MSC tenants required to stay in the same area around East Harlem or can they be relocated elsewhere in the City.**

A3: Proposals should aim to ensure that Tenants have space that allows them to continue serving their constituents during the construction period. Please refer to Appendix D for more information about each individual organization.

**Q4: Will there be funding for the relocation of the tenants and is there any federal funding such as CDBG funds involved?**

A4: Relocation costs should be included in the development budget. Respondents may identify specific competitive financing sources to be used for relocation provided they explain the feasibility of obtaining the proposed sources and/or describe the respondents' history of successfully applying for the proposed sources.

**Q5: Is there any substantial unoccupied space in the MSC? For example, is the one-story annex to the west occupied?**

A5: The two-story annex shown in Appendix C no longer exists as it has been demolished. Please refer to available building data, the site tour, Appendix C and Appendix D with regards to how the space is currently utilized.

**Q6: Will the City contribute money for the temporary relocation of the tenants and/or bringing the tenants back to the newly developed community facility space?**

A6: At this time, the City has not identified any sources beyond what is outlined in the RFP for the relocation of tenants or potential relocation back to the newly developed community facility on the MSC site. The City will work with designated developer to identify sources as well as work with tenants on relocation prior to construction closing.

**Q7: Are the developers free to contact each individual organization?**

A7: Development Teams should use their discretion as to what organizations they would like to engage in developing their proposals.

**Q8: Can Respondents propose to accommodate the MSC tenants in the existing building during the construction period without disruption to staff and clients? Will not submitting a Plan for Tenant Relocation, in that case, be either a disqualifier or be considered a negative attribute of an application?**

A8: Respondents may propose to accommodate the MSC tenants in the existing building during the construction period provided they are able to substantiate the construction and financial feasibility of such plan. If a Respondent proposes maintaining the MSC tenants in the existing building during the

construction period, they may submit a plan detailing such arrangements in lieu of a plan for tenant relocation.

**Q9: Do all the shared spaces listed on the first page of Appendix D need to be provided in a temporary relocation space regardless of whether all the Tenants are relocated in the same shared space?**

A9: There are no threshold requirements regarding the square footage of temporary relocation space for Tenants. The plan to relocate Tenants prior to closing will be evaluated on, among other things, the ability to provide space that meets the Tenants' continued needs outlined in Appendix D, an engagement strategy, the costs associated with relocation, and the proposed schedule.

## **NYPD SITE**

**Q1: Is there a preference to provide more than 10% units for formerly homeless households on the NYPD site?**

A1: No, all preferences are outlined in the Competitive Criteria. Proposals will be evaluated based on how they maximize affordability.

**Q2: Does the Respondent need to propose a temporary relocation of NYPD parking?**

A2: No. HPD will work with NYPD to arrange for temporary relocation of NYPD parking.

**Q3: Is there any possibility to provide stacked parking spaces or attended parking?**

A3: For the purpose of the RFP, respondents should assume that the parking must be designed for operating without an attendant. Thus, attended parking or stackers should not be proposed.

**Q4: Is there parking in the adjacent NYPD precinct cellar and may the proposed parking connect to that cellar?**

A4: For the purpose of the RFP, respondents should assume that all parking requirements need to be addressed on site.

**Q5: In appendix E, what is the item called rock wall? Is there a rock wall expected in the new building?**

A5: The rock wall is a moveable climbing wall that the NYPD uses for community events. The parking area needs to accommodate this structure.

**Q6: Have any environmental studies been done on the parking lot already?**

A6: The parking lot was analyzed as a potential development site as part of the East Harlem Rezoning environmental review process. Respondents may refer to the publicly available documents related to the East Harlem rezoning found here:

<https://www1.nyc.gov/site/planning/applicants/eis-documents.page>

**Q7: Do you see any advantage of proposing community facility or commercial uses on the NYPD 25th precinct site given the \$25 psf requirement for not for profit space.**

A7: There is no requirement to underwrite non-residential space at a specific rate for the NYPD 25th Precinct site. Respondents should substantiate income from any such space by providing market comparables.

Respondents should propose a development program that meets the goals of the RFP. The development program will be evaluated per the competitive criteria outlined in the RFP.

**Q8: Is there an expectation that the community facility and commercial space be condo-ed out for the NYPD site?**

A8: Respondents may propose legal structures provided they conform with LIHTC rules and any other applicable regulatory requirements.

**Q9: Will the NYPD precinct be redeveloped under this project?**

A9: The police precinct is not part of the site or the project.

**Q10: For the police parking garage, are there specifications for the vehicles?**

A10: Please refer to Exhibit E of the RFP.

### C. Contact Information

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