

REQUEST FOR PROPOSALS LIVONIA AVENUE INITIATIVE PHASE I EAST NEW YORK, BROOKLYN

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Robert K. Steel, Deputy Mayor for Economic Development



Department of
Housing Preservation
& Development

Mathew M. Wambua, Commissioner

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FORMS ARE AVAILABLE FOR DOWNLOAD ON THE WEBSITE IN WORD AND EXCEL FORMATS AS PART OF THIS RFP.

- FORM A-1: COMPLETENESS CHECKLIST
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I. INTRODUCTION

Pursuant to this Request for Proposals (“RFP”), the City of New York (“City”), through its Department of Housing Preservation and Development (“HPD”), is inviting developers (“Applicants”) to submit development proposals (“Proposals”) for the design and construction of high-quality, mixed-use development (“Project(s)”) on four sites in the East New York section of Brooklyn. The Project may include a mix of affordable housing, ground-floor retail/commercial, community facility space, parking and accessory open space.

This RFP is in accordance with the Mayor’s New Housing Marketplace Plan, which responds to the changing housing needs of New York’s communities by committing to the new construction or rehabilitation of 165,000 housing units by 2014 (see map of HPD investments in Appendix A). The proposed Project serves the Plan’s critical goals of creating needed housing opportunities, maximizing affordability, making City-owned land available for private residential development, and, in turn, enhancing the City’s community revitalization efforts.

The development sites (“Sites”), are located on four blocks along Livonia Avenue between Pennsylvania Avenue and Williams Avenue in the East New York neighborhood of Brooklyn within Community District 5 and comprise approximately 68,030 square feet. The Sites consist of four parcels on the Blocks/Lots described as follows (see map of Livonia Avenue Initiative Phase I Sites in Appendix A):

- Site 1 corresponds to Block 3805, Lots 1 and 6, and comprises approximately 12,600 SF.
- Site 2 corresponds to Block 3804, Lot 1, and comprises approximately 23,430 SF.
- Site 3 corresponds to Block 3820, Lot 123, and comprises approximately 20,000 SF.
- Site 4 corresponds to Block 3819, Lots 121 and 130, and comprises approximately 12,000 SF.

The Project envisioned for the Sites will include mixed-use buildings with ground floor uses that provide retail/commercial space and/or active community facility space. The Project is the first phase of development in the Livonia Avenue Initiative (“Initiative”), which aims to revitalize City-owned sites along Livonia Avenue in East New York (see Livonia Avenue Initiative map in Appendix A) and Brownsville.

The Initiative seeks to transform the corridor into a vibrant mixed-use area by adding density and creating retail opportunities along Livonia Avenue while acting as a catalyst for future development, both public and private. Providing access to local services while also creating job opportunities is crucial for improving the neighborhood’s economic health. The Initiative is a comprehensive plan that will be implemented in multiple phases. Phase I of the initiative focuses on the above mentioned four sites. Phase II of the initiative will focus on additional City-owned property between Williams Avenue and Van Sinderen Avenue. Future phases of the project will address the remaining City-owned property on Livonia Avenue in Brownsville.

The Sites are expected to be conveyed to the selected Developer(s) for a nominal price of \$1.00 per lot. City, State, and/or Federal subsidies may be available to enhance housing affordability. Proposals must comply with all terms of any subsidy programs that are utilized. Applicants are responsible for securing all necessary construction and permanent sources of financing.

All Applicants must adhere to the requirements of this RFP. HPD will select an Applicant based on an evaluation of professional qualifications; feasibility of the Proposal; experience in development and management of housing and mixed-use projects; retail plans; affordability of residential units; and overall quality of design and construction. Applicants may submit proposals for any one site or a combination of sites.

Applicants are responsible for assembling a development team (“Development Team”) that includes members with expertise in affordable housing development; mixed-use development; and retail development and leasing. The Development Team will be responsible for undertaking the design and construction of the dwelling units, retail spaces, accessory open space, community facilities, and leasing.

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 Corporation Counsel.

A pre-submission conference will be held on Friday, October 21, 2011, 10 am at HPD, 100 Gold Street, Room 1R, New York, New York 10038. Every Applicant wishing to submit a Proposal in response to this RFP is encouraged to attend, as this will be the only opportunity to ask questions and receive answers in person regarding this RFP. Proposals are due by hand on December 19, 2011 no later than 4:00 p.m.

II. DEFINITIONS

Applicant

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

Area Median Income

Area Median Income shall mean the median income levels as modified by household size for the New York metropolitan statistical area as determined from time to time by HUD. For 2011, 100% of the AMI is \$81,800 for a family of four in the New York Metropolitan Statistical Area and \$57,300 for a single person.

Developer

The entity or entities selected by the City to commence negotiations regarding the development of the Sites 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 Proposal or Proposal

The Proposal submitted by an Applicant in response to this RFP.

Development Site or Sites

The property being offered for development under this RFP, shown in Appendix A (Livonia Avenue Initiative Phase I Sites Map).

Development Team

The Developer and the professional, technical, and construction entities (e.g. general contractor, architect, engineer, legal counsel, not-for-profit organization, marketing agent, and managing agent) that will participate in the design, development, construction, marketing, and/or management of the Project.

HDC

The New York City Housing Development Corporation.

Initiative

The Livonia Avenue Initiative is a comprehensive, long-range plan to revitalize the Livonia Avenue corridor into a vibrant mixed-use area by adding density and creating retail opportunities.

Principal

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

Project

The development of housing, retail that provides local services, active community facilities and accessory open space envisioned for the Development Sites.

Subordinated Debt

The amount equal to the sum of:

1. the difference between the cash portion of the purchase price paid at closing and the appraised value of the Development Site(s); plus
2. the aggregate amount of any City, State, or Federal construction subsidies for the construction of the units less the amount required to be repaid from proceeds from the sale of the units, if applicable; plus
3. any additional value as reflected by the difference between the home sales price and the as-built market value of the Site and improvements, if applicable.

Uniform Land Use Review Process (ULURP)

The process, set forth in the City Charter, prescribing the City's land use review process, including public hearings and several levels of government approvals. Actions requiring ULURP include, among others, changes to the City Map, designation or change of zoning districts, Special Permits within the New York City Zoning Resolution requiring approval of the City Planning Commission (CPC), and disposition of City-owned property.

III. **SITE DESCRIPTION, PROGRAM REQUIREMENTS, AND GUIDELINES**

A. Development Sites

The development sites (“Sites”) are located on four blocks along Livonia Avenue between Pennsylvania Avenue and Williams Avenue in the East New York neighborhood of Brooklyn within Community District 5, and comprise approximately 68,030 square feet. The Sites consist of four parcels on the Blocks/Lots bounded by and described as follows (see map of Livonia Avenue Initiative Phase I Sites in Appendix A):

- Site 1, located on the block bounded by Livonia Avenue, Sheffield Avenue, Dumont Avenue, and Pennsylvania Avenue, corresponds to Block 3805, Lots 1 and 6, and comprises approximately 12,600 SF. Site 1 is currently zoned R6 (2.2 FAR) with a C2-3 overlay, allowing for a mix of residential, community facility, commercial, and parking uses. The C2-3 commercial overlay is located along Livonia Avenue up to a depth of 150 feet.
- Site 2, located on the block bounded by Livonia Avenue, Georgia Avenue, Dumont Avenue, and Sheffield Avenue, corresponds to Block 3804, Lot 1, and comprises approximately 23,430 SF. Site 2 is currently zoned R6 (2.2 FAR) allowing for a mix of residential, community facility, and parking uses.
- Site 3 located on the block bounded by Livonia Avenue, Georgia Avenue, Riverdale Avenue, and Alabama Avenue, corresponds to Block 3820, Lot 123, and comprises approximately 20,000 SF. Site 3 is currently zoned R6 (2.2 FAR) allowing for a mix of residential, community facility, and parking uses.
- Site 4 located on the block bounded by Livonia Avenue, Alabama Avenue, Riverdale Avenue, and Williams Avenue, corresponds to Block 3819, Lots 121 and 130, and comprises approximately 12,000 SF. Site 4 is currently zoned R6 (2.2 FAR) with a C2-3 overlay, allowing for a mix of residential, community facility, commercial, and parking uses. The C2-3 commercial overlay is located along Livonia Avenue up to a depth of 100 feet.

B. Neighborhood and Project Context

Neighborhood Land Use

The housing stock within the area consists primarily of one- and two-family residences and multifamily buildings. Commercial uses along Livonia Avenue include small stores in the ground floor of mixed-use buildings. Existing retail uses, including a small grocery store, convenience stores, salons, and limited service restaurants serve the local population (see Land Use map in Appendix A).

The surrounding neighborhood includes several areas of open space. The Success Garden Park is located directly across from Site 4 and an Administration for Childrens’ Services “Tot

Lot” is located on the same block as Site 1. Public facilities, including schools and day care centers, are scattered throughout.

Located to the north and west of the Sites is the East Brooklyn Industrial Business Zone (EBIBZ). The EBIBZ, established in 2006, encompasses a total of 53 blocks and includes approximately 125 businesses employing approximately 2,700 workers (see East New York Industrial Business Area map in Appendix A).

About 75 percent of the EBIBZ catchment area is zoned M1-3, for light to heavy industrial manufacturing. The remaining areas include a commercial mix, the Trey Whitfield School, and a small number of residential units and churches. The IBZ manager, the LDCENY serves as a voice for area businesses, providing district maintenance, incentives, support to and linkages between manufacturers in the zone and city agencies. It also works to attract businesses to the area and to encourage established companies to relocate to East Brooklyn¹.

Proposed Zoning

A zoning map change is needed to achieve the goal of increasing residential density and creating a contiguous retail corridor. Proposals should assume an **R7A with a C2-3 commercial overlay** for all the Sites, as modified by the included design guidelines (see Section III. D.) The rezoning action will facilitate the change of the existing R6 zoning to R7A along Livonia Avenue between Pennsylvania and Van Sinderen Avenues. A C2-3 overlay will be mapped along certain frontages to a depth of 150 feet within the Rezoning Area where they currently are not mapped to create a contiguous commercial overlay.

This rezoning will be done concurrently with the disposition ULURP. See Section III. F. Land for detailed information about required approvals.

Neighborhood Access

The area is accessible by several means of public transportation and provides convenient connections to all parts of New York City. The 3 train runs elevated along Livonia Avenue with stops at Pennsylvania Avenue and Junius Street, which provide easy access to the Downtown Brooklyn Business District, the Lower Manhattan Financial District and the West Side of Manhattan en route to the Bronx. At Livonia and Van Sinderen Avenues, the L train provides access to northern Brooklyn and Manhattan.

Buses connect area residents to major Brooklyn amenities and other mass transit options. The B20 and B83 buses run north and south on Pennsylvania Avenue. The B20 connects the US Postal Bulk Handling Facility at the Spring Creek area with Broadway Junction, a major transportation hub where connections to other subway lines and the LIRR are available. The B83 Bus travels between Starrett City, Broadway Junction and the Bushwick neighborhood.

¹ Source: <http://www.ldceny.org/programs/industrial/ebibz.asp>. Accessed 16 September 2011.

Demographics

After twenty years of public investment and local initiatives, the East New York neighborhood continues to experience a resurgence from the devastation of 1970's and 1980's when the wave of population loss and massive abandonment of the housing stock and businesses changed the makeup of many of New York City's low-income communities.

East New York, located in Brooklyn, is an active and ethnically diverse mixed-use community. According to the 2010 U.S. Census figures², of the 91,958 persons residing in East New York, Black/African American residents constituted over 60% of the population. The second largest population living in the area included residents of Hispanic origin (of any race), comprise 29.6%.

Over 70% of the community is 18 to 64 years old and those under 18 years constitute an additional 29.1% of the population. There are a total of 30,806 households in East New York and the 22,140 family households make up approximately 71% of all households. Among the family households, 54.0% are female headed (no husband present) and more than half of the female headed households, 56.4%, have a child under age 18.

Today, East New York's³ population and median household income have risen from 1980 and 1990 levels. However, income levels still remain somewhat lower when compare to Brooklyn as a whole. East New York has a mean household size of 3.48 with median household incomes of \$42,000 and \$28,400 for homeowners and renters, respectively, and a \$30,000 Median household income for all households. 34.5% of the population earns annually less than \$20,000. 27.6% of residents live below the Federal Poverty Level, and 21.3% receive Public Assistance.

Local Economy

Employment opportunities in the area⁴ surrounding the Development Sites grew by almost 40% between 2000 and 2009. Over 40,000 people live within a half-mile radius of the Sites, which is equivalent to a small city. In addition to the residents of the neighborhood, employees working in the area, which total over 2,000 workers, add to the customer base of local retailers.

Over 50% of the area's workforce is employed by firms providing health care and social assistance services. The number of employment opportunities in these sectors doubled from over 500 jobs in 2000 to over 1,100 jobs in 2009. The second largest employment

² Source: U.S. Census Bureau, 2010 Census Summary File 1, Population Division-New York City Department of City Planning (July 14, 2011).

³ The neighborhood of East New York combined with Starret City fall under the boundaries of Sub- Borough 5, as defined by HPD's 2008 Housing and vacancy Report. Therefore it is reasonable to characterize the neighborhood of East New York by the demographic information provided by the Housing and Vacancy Report (HVR) relative to Sub-Borough 5. The boundary of Community District 5 in Brooklyn does not completely conform to the boundaries of Sub-Borough 5, although they encompass East New York and Starret City.

⁴ Neighborhood Market Analysis: Livonia Avenue, NYC Department of City Planning, 2011. Area refers to the secondary trade area as defined by the Livonia Avenue HPD Development Sites and Study Area Map.

sector in the area is retail, employing approximately 250 people or 11% of the area's workforce. The number of employees working in the manufacturing sector declined from 28% in 2000 to 10.8% in 2009. The remaining 25% of the area's workforce is employed in a variety of sectors including, but not limited to, real estate, wholesale trade, construction and educational services.

Both the immediate vicinity and areas surrounding the Development Sites are currently underserved by some retail uses. The largest retail opportunity gaps, representing the difference between what is currently available and the amount that could be supported by the area, exist for grocery stores, pharmacies and drug stores, full-service restaurants and general merchandise stores. Additional information and details of the retail opportunity gap analysis are available in Appendix E, Livonia Avenue Retail and Market Studies.

C. Development Program

The Initiative will transform the Livonia Avenue corridor in to a vibrant, mixed-use corridor that enhances the area while supporting the needs of the existing community. To achieve these goals, proposal submissions must conform to the following requirements and guidelines:

Residential Component

- Proposals will be rated based on providing the most affordability with the least subsidy.
- Proposals must provide that at least 50% of the affordable units will be 2-bedrooms or larger (exclusive of senior units and supportive housing if the Proposal includes these uses).
- Proposals must include at least one rental scenario that does not include competitive financing sources from Federal, State or City Governments, including but not limited to DHCR or HPD 9% Low Income Housing Tax Credits or any other competitive programs offered by HFA, DHCR, or HPD.
- City subsidy is expected to be available for this project. If subsidy is available, it would be provided according to the term sheets of applicable programs available at http://www.nyc.gov/html/hpd/html/developers/finance_new_construction.shtml and <http://www.nyc.gov/html/hpd/html/developers/shlp.shtml>.
- See Appendix C, Supportive Housing Guidelines and Requirements for term sheets and guidelines for Supportive Housing Loan Program, if applicable.

Commercial Space

- Sites must be developed with ground floor retail or other active ground floor uses such as community facility or supportive service space.
- Appendix D, Community Input, includes desired retail uses identified by the community. See Appendix E, Livonia Avenue Retail and Market Studies, for detailed analysis of the area's retail market.
- Proposals must include a detailed retail plan to bring vibrant retail to Livonia Avenue. See Section V.H. TAB G-Retail Plan, for submission requirements.

- Development Teams may propose a partnership with a party responsible for the leasing and management of the retail space.

Community Facility

- The Project may include a community facility component that will add to and enhance the current inventory of community and cultural uses and spaces available in the neighborhood.
- The Developer must finish the community facility space to a level approved by HPD, which will be specified in negotiations between HPD and the Developer (“Negotiation Letter”).
- Ownership of the space may be transferred to the operator(s) of the community facility upon completion of the Project, or, if the Developer or other entity retains ownership of the community facility and leases it, the use of the space as community facility must be guaranteed in perpetuity.

Parking and Open Space

Parking and open space for all uses must comply with the New York City Zoning Resolution requirements as proposed to be modified herein.

Throughout the Spring 2011, HPD staff met, briefed and received feedback from the Land Use Committee of Community Board 5 regarding the process, land use, and urban design for the Livonia Avenue RFP. This feedback played an integral part in shaping the development program of this RFP. See Appendix D for the input received during the outreach meetings.

D. Design Guidelines

Livonia Avenue Design Guidelines

Proposals should strive to conform to the Livonia Avenue Design Guidelines, and preference will be given to those Proposals that most closely adhere to the Guidelines, available in Appendix B. Proposals should aspire to design excellence and standards reflecting the City’s interest in quality architectural projects. Proposals must also conform to the HPD Design Guidelines for New Construction, included within Appendix B, as well as the current New York City Zoning Resolution and Building Code, and all other applicable laws and regulations including, but not limited to, the Americans with Disabilities Act.

The goal is to encourage distinctive character through placemaking, architectural variety and appropriately scaled architectural detail within the developments. Developer(s) are encouraged to include placemaking elements that enhance the aesthetic of the building and street. Submissions should include the following elements:

Streetscape

- Setback buildings on Livonia Avenue from the street line to accommodate a 22-foot wide sidewalk, this setback will vary from 4-6 feet.

- Street trees on Livonia Avenue to be placed in a 5-foot wide continuously trenched tree pit, trees spaced no further than 25 feet apart.
- Setback buildings on side streets from the street line to accommodate a minimum 13-foot wide sidewalk.
- Plant street trees on a 5-foot wide continuous planting strip along side street curb line.
- Tree pits may be planted with approved Department of Parks and Recreation (DPR) plantings or with tree grates or paving as per the DPR and Department of Transportation standards, to allow for pedestrian crossing.
- Parking entrances and curb cuts only allowed on side streets at minimum 50 feet from the corner.
- Exterior lighting should provide additional light to the sidewalk to achieve a safe, inviting experience for building tenants, pedestrians, and retail customers.

Building Massing

- A minimum ground floor-to-floor height of 14 feet.
- 50% ground floor glazing, from 2 to 12 feet along Livonia, and wrapping at corners to a minimum of 30 feet where there is ground floor retail space.
- Base height of buildings not to exceed 55 feet.
- Maximum overhangs above ground floor not to exceed 2 feet.

Appendix B, Design Guidelines, provides illustrative drawings including an axometric drawing, guidelines plan, and street section that convey the goals of the Livonia Avenue Design Guidelines.

Energy Efficiency and Green Design

Proposals must achieve Certification through the Enterprise Green Communities Program, which is a comprehensive green building framework for affordable housing that provides cost-effective standards for creating healthy and energy-efficient homes. Enterprise Green Communities offers an online certification process for affordable housing developments built using these criteria. The Green Communities Checklist can be found in Appendix F. For affordable housing developments funded by the City of New York, instructions can be found online at: http://www.greencommunitiesonline.org/tools/certification/nyc_hpd_certification.asp

In addition to the documentation requirements of the Green Communities Program, the designated Developer(s) will be required to periodically provide budgets that identify project costs specifically related to green design, energy efficiency measures and building operations, upon HPD's request.

E. East New York Urban Renewal Area & Sites

The East New York I Urban Renewal Plan (ENY I URP), part of the larger Central Brooklyn Community Development Plan (1968), included 161 blocks in East New York. Since 1986,

the URP has been amended twice (1992 and 1995) to modify land uses, add 14 additional blocks, facilitate development of commercial uses, and designate areas for recreation.

The ENY I URP currently restricts construction of housing within 100 feet of the right-of-way line of Livonia Avenue and must be amended to permit the development program anticipated for the Sites. In addition, Site 1, known as Urban Renewal Site 127, requires a land use change from Public/Institutional to Residential to permit the development of mixed-use buildings. See Appendix G for the Second Amended East New York I Urban Renewal Plan. See Section III. F. for detailed information about required approvals.

F. Land Use Approvals and Environmental Review Requirements

Uniform Land Use Review Procedure (ULURP)

Anticipated land use actions requiring approval under ULURP for development of the Sites include the disposition of City-owned property, urban renewal plan amendment to the East New York I Urban Renewal Plan, and a zoning map change.

HPD will be the applicant for the ULURP application, with assistance from the Developer in preparing supporting documentation. This Project will also require City Council and Mayoral approval. Applicants should be advised that their development timelines should take into account the period required for the ULURP application to be certified and approved. HPD design approval and ULURP (including certification) may take at least one (1) year from commencement. In addition, the Developer may be required to alter the design Proposal before and during the ULURP process to comply with any request for modifications.

City Environmental Quality Review (CEQR)

The Developer will be responsible for preparing an Environmental Assessment in accordance with the guidelines contained in the 2010 CEQR Technical Manual. It is anticipated that HPD will serve as lead agency for the CEQR review and will oversee the preparation of all CEQR documentation; however, the Developer will be responsible for retaining an environmental consultant, preparing and submitting all CEQR documents, and the cost of the studies and analyses required for the completion of CEQR. Completion of the CEQR review may be required prior to the commencement of ULURP. The CEQR assessment will consider the discretionary ULURP approvals described above, including, but not necessarily limited to zoning map amendments and the disposition of City-owned property. In addition to assessing the development generated on Sites 1 through 4 considered under this RFP, the CEQR review will consider the development generated in subsequent phases, including development generated under the zoning map amendment and on future potential disposition sites located along the Livonia Avenue corridor. The Developer will be solely responsible for any mitigation measures on Sites 1 through 4 identified as a result of the CEQR review. HPD does not make any representation or warranty whatsoever regarding the condition of the property or the suitability of the property for the uses contemplated by this RFP. The Developer will be solely responsible for providing engineering and institutional controls to allow for the re-use of the Site.

G. Obligations of the Selected Developer(s)

Development Team

The Developer will be responsible for assembling a Development Team, including at minimum a contractor, architect/planner, marketing agent, and managing agent (if applicable). The Development Team will design, construct, and lease the completed units. A consultant will not be considered part of the Development Team.

Design

Within six (6) months of selection the Developer must complete a set of schematic site plans, floor plans, and elevations that include any modifications to the original plans included in the Proposal in response to this RFP, as agreed upon by HPD and the Developer, and submit them to HPD for review and approval. Prior to disposition, the Developer must submit a complete set of final site plans, floor plans, elevations, samples of exterior building materials, and detailed specifications to HPD for review.

Environmental Documents

The Developer will be responsible for preparing and submitting a CEQR Environmental Assessment Statement (EAS), which includes an EAS form, graphics and technical assessments and appendices, as necessary. The Developer should select a reputable environmental planning consultant with experience in the preparation of CEQR documents for rezonings. The selected environmental consultant should also have expertise in acoustical studies and extensive familiarity with CEQR and HUD noise assessment methodologies.

In addition, the Developer will be responsible for preparing associated environmental studies including, but not limited to Phase I Environmental Site Assessments (ESA), Phase IA archaeological assessments, and site-specific (subsurface) soil and groundwater investigations. The Developer will be responsible for implementing any remedial measures identified in connection with the redevelopment of Sites 1 through 4 as determined by HPD. Due to the presence of the elevated MTA-NYCT transit line along Livonia Avenue, detailed noise assessments will likely be required in connection with the proposal's environmental assessment. In connection with the design, construction and operation of the buildings on Sites 1 through 4, the Developer will be responsible for the provision of window-wall attenuation, including alternate means of ventilation, as necessary. In the event federal funds are used in connection with construction financing, the Developer will be responsible for the preparation and submission of all environmental reviews to HPD in accordance with the National Environmental Policy Act (NEPA) and other federal environmental requirements. The Developer will obtain all necessary environmental approvals and will fund and undertake any environmental review, soil testing, and/or remediation required on the Site.

Community Outreach

The Developer will participate in required public forums, hearings, and briefings with the Community Board, elected officials, City agencies, and other organizations, as needed.

Public Approvals

The Developer will assist HPD in the preparation of the ULURP application and will be responsible for obtaining all necessary public approvals.

Equity and Financing

The Developer must provide an equity contribution in the form of cash and/or payment of pre-development costs, secure necessary construction and permanent financing, provide guarantees if required, and meet any other terms and conditions as required by HPD, other lenders, and/or investors.

Taxes

The Developer will pay all transfer taxes associated with the conveyance of the Site(s) to the Developer, and all transfer and recording taxes associated with project financing.

Marketing

The Developer will market the residential units in accordance with City requirements and policy as stated in Appendix H (HPD Marketing Guidelines).

Maintenance and Operations

The Developer(s) will be responsible for submitting maintenance and operations costs and data to HPD, as requested.

Schedule

The Developer will be responsible for arranging timely commencement and completion of the Project. The Developer will be held accountable for the schedules outlined in their Proposal and agreed upon with HPD. The Developer will be required to submit ongoing status reports regarding Project development, financing, marketing, leasing, and management.

H. Disposition and Disposition Price

Disposition of the Development Sites to the Developer(s) will be subject to the following:

- Receipt of all public approvals required for disposition of the Site and development of the proposed Project on such Site, including without limitation, approval by the Mayor.
- Execution and delivery of the documents necessary to complete the disposition process within a time period specified by HPD. These documents include, but are not limited to, a Land Disposition Agreement (“LDA”), as required.
- The Site(s) 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, including without limitation, all environmental conditions and hazards. The LDA will

contain covenants running with the land that require the Developer to develop the Site in accordance with plans and specifications determined and approved by HPD.

- The simultaneous closing of a bona fide construction loan required to finance the full development of such Site.
- Upon conveyance, the Developer will pay a nominal disposition price of one dollar per lot and will deliver an enforcement note and mortgage in the amount equal to the nominal disposition price and the appraised value of the land.

I. Financing

It is the responsibility of the Developer to obtain construction and permanent financing from lenders in amounts consistent with the Proposal. Developers may use different lenders for construction and permanent financing. The amount of the Developer's equity will be determined by the lender(s). The Developer will be required to submit a term sheet and letter of intent from a lender indicating willingness to lend an amount for construction financing of the Project within a period of time to be defined in a Negotiation Letter executed upon the selection of the Developer.

With the exception of a supportive housing Proposal component, Proposals must include a primary financing scenario that does not propose competitive financing sources from Federal, State or City Governments including but not limited to DHCR or HPD 9% Low Income Housing Tax Credits or any other programs offered by HFA, DHCR, or HPD. A supportive housing Proposal component may use Supportive Housing Loan Program funds and 9% Low Income Tax Credits, in accordance with the requirements of the Supportive Housing Loan Program. Detailed information is available in Appendix C for the Supportive Housing Guidelines and Requirements.

Residential Incentives

Proposals must comply with all terms of any HPD or New York City Housing Development Corporation ("HDC") subsidy programs utilized. Please refer to http://www.nychdc.com/developers/developer_page.htm and http://www.nyc.gov/html/hpd/html/developers/finance_new_construction.shtml for further information and program term sheets. See Section V.H. TAB H – Letters of Interest for information on letters of interest from lenders.

Cash subsidy may be combined with financing available through HDC programs and the Low Income Housing Tax Credit program, which Developers may apply for to help finance the residential component. Developers may propose additional subsidy sources. While subsidy may be used, Proposals will be evaluated based on the efficiency of proposed financing plans.

Retail Incentives

- New York City Economic Development Corporation's guide to financing and incentives can be found at <http://www.nycedc.com/FinancingIncentives/Pages/FinancingIncentives.aspx>.
- FRESH Program: promotes the establishment and retention of neighborhood grocery stores in underserved communities by providing zoning and financial incentives to eligible grocery store operators and developers.
- NYC EDC Capital Access Loan Guaranty Program: Provides up to a 40 percent guarantee on loans for qualified NYC micro (under 20 employees) and small (21-100) businesses experiencing difficulty in accessing loans.
- NY Healthy Food & Healthy Communities Fund: A \$30 million statewide program created to provide grants and loans for food markets in those communities.
- New Market Tax Credits: The NMTC Program attracts investment capital to low-income communities by permitting individual and corporate investors to receive a tax credit against their Federal income tax return in exchange for making equity investments in specialized financial institutions called Community Development Entities (CDEs).

J. Real Property Taxes

The Development Sites are subject to New York City Real Property Taxes and charges. However, the tax exemptions described below may be available. For details of each program, it is necessary to consult the relevant statute and rules. Applicants should indicate in the Project Narrative which tax exemption program(s), if any, they plan to utilize. It is the responsibility of the Developer to apply for and meet the requirements of the specific tax benefit program(s). **HPD makes no representations or warranties as to the continued availability of these benefits or as to the eligibility to receive these benefits.**

The 421-a partial tax exemption for new multiple dwellings provides an exemption from the New York City Real Property Tax on the increase in assessed valuation resulting from the improvement to the property. The full amount of New York City Real Property Tax on the assessed valuation of the property in the tax year preceding the tax year in which construction commences must be paid each year. In addition, New York City Real Property Tax must also be paid for any commercial, community facility, or accessory uses that in total exceed 12% of the aggregate floor area of the project. The 421-a partial tax exemption allows up to three (3) years of construction period exemption, and up to twenty-five (25) years of post-construction exemption, including a gradual phase-in of full taxes over the last four (4) years of the exemption.

The 420-c tax exemption provides an exemption from New York City Real Property Tax for up to sixty (60) years for housing financed or previously financed in part with Federal Low Income Housing Tax Credits. Projects must be owned or leased for at least thirty (30) years by a corporation, partnership, or limited liability company, of which at least fifty percent (50%) of the controlling interest is held by a tax exempt 501(c)(3) or (4) charitable

organization whose purposes include low income housing, or a wholly-owned and wholly-controlled subsidiary of such a charitable organization. HPD must approve a regulatory agreement that requires use as low-income housing and that may require a payment in lieu of taxes (PILOT).

K. Marketing, Sales and/or Leasing

Marketing of the rental, retail and sale of the homeownership units, as applicable, is the sole responsibility of the Development Team. In carrying out these functions, the Developer must comply with HPD's marketing requirements, which are designed to ensure that the availability of the units is disseminated as widely and fairly as possible. The HPD Marketing Guidelines are stated in Appendix H, and will be part of the LDA that the Developer will execute. The marketing of the units will be monitored by HPD staff to ensure compliance with these requirements.

The rent prices of the units projected in the Proposal are to be determined by the Developer in accordance with HPD and the requirements outlined in Section III. C. Development Program.

L. Rent Stabilization

Initial rents will be established in accordance with the regulatory agreement consistent with the income requirements outlined in this RFP. Prior to initial occupancy all units must be entered into the New York State Rent Stabilization system at rents specified in the regulatory agreement. Units must remain in the system for the duration of the Project, but in no case less than fifty (50) years.

M. Fair Housing Requirements

The Developer is required to comply with all applicable Federal, State, and local laws, orders, and regulations prohibiting housing discrimination.

N. Warranty Coverage

Units must be sold with a warranty that is the same as the housing merchant implied warranty described in Section 777(a) of the New York State General Business Law. The warranty shall be applied to all units, regardless of the number of stories of the building in which they are located, and may not be limited, modified, or excluded by the methods provided for in Section 777(b).

O. Resale, Refinancing, and Recapture Restrictions

Residential Rental Component

The portion of the Subordinated City Debt attributable to any residential rental component of the Project is subject to repayment from refinancing and resale profits, and is non-evaporating.

Homeownership Component (if applicable)

Homeowners must agree to occupy the multi-family unit as a primary residence for 15 years following the initial purchase of the home. Any resale within the 15 years following the initial purchase of an affordable unit from the Developer must be to a buyer who will be an owner-occupant and maintain the unit as his/her primary residence.

The Subordinated City Debt will be converted into an obligation of purchasers who acquire the units. The debt will be apportioned for each according to a formula determined by HPD.

Upon resale or refinancing, initial purchasers and subsequent owners may be required to make payments to the City out of resale profits and refinancing proceeds, where applicable. The use and recapture of any State and Federal funds will be guided by the specific guidelines for such funding source.

Retail/Commercial and Community Facility Components (if applicable)

The portion of the Subordinated City Debt attributable to the retail/commercial and community facility components of the Project is repayable from refinancing and resale profits, and is generally non-evaporating and non-extinguishing.

P. Equal Opportunity

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

Q. Section 3 Clause

The project resulting from this RFP may be subject to Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and the implementing regulations at 24 CFR part 135. If applicable to the project, (i) to the greatest extent feasible, opportunities for training and employment arising in connection with the planning and carrying out of the project must be given to "Section 3 Residents" as such term is defined in 24 CFR 135.5; and (ii) to the greatest extent feasible, contracts for work to be performed in connection with any such project must be awarded to "Section 3 Business Concerns" as such term is defined in 24 CFR part 135.5.

R. HOME funds and Davis-Bacon

Every contract for the construction of housing (rehabilitation of new) that contains 12 or more units assisted with HOME funds will be required to comply with Davis-Bacon and the Contract Work Hours and Safety Standards Acts.

S. Accessibility

Construction of the project must comply with the accessibility requirements of the New York City Building Code, the Fair Housing Act, the Americans for Disability Act, and Section 504 of the Rehabilitation Act.

IV. DEVELOPER SELECTION PROCESS

HPD will evaluate each Proposal and each Applicant according to the threshold requirements (“Threshold Requirements”) below, taking into account the information provided in the Proposal, references, and any other available information about the Applicant’s performance. Proposals that are not complete or do not conform with the requirements of this RFP will be eliminated from further consideration.

Proposals that meet all Threshold Requirements will be comprehensively evaluated, rated, and ranked according to the competitive selection criteria (“Competitive Selection Criteria”) below. HPD may request additional information, site visits, interviews, or presentations. The selected Applicant will be chosen from among the highest rated and ranked Proposals.

A. Threshold Requirements

Completeness of Proposal

The Proposal must contain all documentation required under Section V (Submission Requirements and Selection Process). All of the required forms must be fully completed and application requirements met at the time of submission. Upon review, however, HPD, at their discretion, may notify an Applicant that additional information or clarification is necessary.

Comparable Development Experience

At least one Principal of the Applicant must have had prior development experience, as Principal, by successfully completing new construction of at least one project of comparable size and scope to the one proposed in this RFP. “Development Experience” is defined as the successful completion of the construction of at least one mixed-use new construction project of at least one hundred (100) residential units within the past seven years.

Comparable Management Experience

At least one Principal of the Applicant or the proposed managing agent must have comparable rental management experience. “Comparable Management Experience” is defined as the successful management of 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. No changes in managing agent may be made without prior HPD approval.

Development Capacity and Current Workload

Applicants must be capable of meeting the construction timeline presented in Section III, G., “Obligations of Selected Developer(s).” An Applicant’s current workload and other pending project obligations will be considered in assessing capacity for undertaking the Project proposed by the Applicant within HPD’s proposed timeframe prescribed for the Project.

Conformance with RFP

Proposed Projects must meet all minimum requirements outlined in Section III, Site Description, Program Requirements, and Guidelines.

Ability to Finance

Applicants must demonstrate adequate financial resources to develop a project of the scope proposed in their submission. HPD will evaluate the Applicant's assets, bank or other lender references, and current commitments in order to assess the Applicant's capacity to secure construction and permanent financing, meet construction lender's equity requirements, absorb any cost overruns, and commence and complete construction of Applicant's entire Project in a timely manner.

Feasibility of Development Proposal

The Applicant's financing plan must be considered feasible. Estimated Project costs must be within current industry parameters. Proposed rents for the housing units must be deemed realistic based upon Proposal information and market conditions. An estimate of the square footage construction costs using both net and gross square footage must be provided along with the Project budget.

No Adverse Findings

An Applicant's Proposal will be rejected at any time during the evaluation process and thereafter if there are any adverse findings that would prevent HPD from conveying the Sites to the Applicant or any person or entity associated with the Applicant. Such adverse findings include, but are not limited to:

- Negative findings from the Inspector General's Office
- Arson conviction or pending case;
- Harassment conviction or pending case;
- City, State, Federal or private mortgage arrears, default, or foreclosure proceedings;
- In rem foreclosure;
- Sale of tax lien or substantial tax arrears;
- Fair Housing violations or current litigation;
- Defaults under any Federal, State or City-sponsored program;
- A record of substantial building code violations or litigation against properties owned and/or managed by the Applicant or by any entity or individual that comprises the Applicant;
- Past or pending voluntary or involuntary bankruptcy proceeding; or
- Conviction for fraud, bribery or grand larceny.

B. Competitive Selection Criteria

Proposals that satisfy the Threshold Requirements above will be evaluated and ranked according to the Competitive Selection Criteria described below. In evaluating Proposals under these criteria, the combined experience and resources of all Principals of the Applicant will be considered. HPD may request additional information, site visits, interviews, or other presentations by the Development Team.

Financial Feasibility of Development Proposal

Weight: 35%

Proposals will be evaluated based on estimated development costs, proposed rents, demonstrated financial condition to complete the Project, the feasibility of the financing sources proposed to finance the Project, and the ability to support operating expenses, capital costs, and debt service. Proposals will be rated based on providing the maximum affordability with the least subsidy.

Retail Plan

Weight: 25%

Proposals will be evaluated on the Applicant's ability to develop, lease and manage the retail space(s) proposed at each Site. Applicants must submit a Retail Plan indicating the Development Team's strategy for marketing and leasing the ground floor retail space (see Section V. I. Tab G for submission requirements). The narrative should describe the Applicant's experience in retail management. The Retail Plan may include, but is not limited to, the following components:

- overall strategy for the commercial revitalization of Livonia Avenue including a business attraction and retention strategy;
- create district identity through design, marketing, and other practices;
- management plans outlining how the retail space(s) will be managed to ensure the space retains retail tenants;
- propose a tenant mix that is feasible and responsive to the community's needs;
- proposals that include Letters of Interest from retailers will be given additional points; and
- any additional information conveying your strategy for developing, leasing and managing the retail space(s).

Development Experience, Management, and Capacity

Weight: 20%

Previous development experience will be evaluated as it reflects the Applicant's demonstrated ability to successfully carry out a quality project of this type, size, and complexity in a timely manner. Among the factors that will be considered are:

- quality of construction and design in projects completed or currently being built by the Applicant and/or its Principals;
- extent of the Applicant's experience, in terms of number, size, type, and scale of projects completed within the last seven (7) years;
- extent of the Applicant's experience developing and managing residential space and managing retail space within the last (7) years;

- history of delivering quality projects on time and within budget; and
- experience with sustainable design practices consistent with Enterprise Green Communities requirements.

Quality of Design Proposal

Weight: 20%

Proposals will be evaluated on overall quality of design and construction. HPD will evaluate each architectural Proposal to determine the Project’s positive impact on community revitalization and responsiveness to the goals of the Livonia Avenue Design Guidelines. Site planning, building arrangement, street wall elevations, massing, interior layouts, building materials, amenities, and streetscape treatment will be considered. Structures should complement and elevate the level of urban design in the neighborhood. Street trees, lighting, and other streetscape features should be provided around the Development Site(s). Proposals must comply with all applicable codes and the requirements of Appendix B (HPD Design Guidelines for New Construction). Preference will be given to those Proposals that most closely adhere to the Livonia Avenue Design Guidelines outlined in Section III. D. Applicants are strongly encouraged to exceed those standards to provide the best quality Project possible.

V. SUBMISSION REQUIREMENTS AND SELECTION PROCESS

A. Inquiries

All communications and inquiries regarding this RFP should be directed in writing to Diane Sherard at:

E-mail: livonia1rfp@hpd.nyc.gov

All written questions should be submitted by November 1, 2011 to be included in the RFP addendum.

B. Pre-Submission Information

A pre-submission conference will be held on October 21, 2011, 10 am at HPD, 100 Gold Street, Room 1R, New York, NY 10038. The date, time, and location of this pre-submission conference and any updates and/or additional communications regarding this RFP will also be posted on HPD's website at the following address: <http://www.nyc.gov/html/hpd/html/developers/rfp.shtml>

HPD strongly recommends that interested Applicants attend this pre-submission conference, as this will be the only opportunity to ask questions and receive answers in person regarding the RFP. Responses to all inquiries will be collectively provided at the pre-submission conference and in an addendum, which will be posted on HPD's website and sent to all registered prospective Applicants after the pre-submission conference.

People with disabilities requiring special accommodations to pick up the RFP or to attend and/or participate in the pre-submission conference should contact Diane Sherard.

C. General Requirements

Time and Place of Submission

On or before the submission deadline, the Applicant must submit a development proposal in accordance with the instructions and attachments contained in this RFP, as well as in any addenda that may be issued to the RFP. Applicants submitting proposals for more than one Development Site may submit one package with a separate Tab F, Tab K and Tab L for each Development Site. All submissions become the property of HPD.

Proposals must be delivered by hand no later than 4:00 p.m. on December 19, 2011 to:

N.Y.C Department of Housing Preservation and Development
Office of Development
Division of Planning, Marketing and Sustainability
100 Gold Street, Room 9-G6
New York, NY 10038
Attention: Diane Sherard

Late submissions will not be accepted.

Format of Proposal

Each Proposal must include one (1) bound original, seven (7) bound copies and one (1) CD with all components of the Proposal. All Financing Forms must be submitted as Excel files and in original formatting on the CD. All Proposals must be bound in three-ring binders of an appropriate size. An authorized representative of the Applicant must sign the original proposal.

Each original and copy must contain a label showing the following information:
Livonia Avenue Initiative Phase I
Name of Applicant
Date of Submission

Each proposal must be tabbed as indicated below in *Section H. Contents of Proposal and Tabbing*. All forms associated with the Proposal must follow the format included in this RFP. All Forms included in L (proposal forms) will be made available for download on the HPD website.

D. Proposal Modifications

An Applicant may submit a complete modified Proposal to replace all or any sections of a previously submitted proposal up until the submission deadline of December 19, 2011. HPD personnel will not insert pages or otherwise modify the Applicant's Proposal. The Applicant has the full responsibility for ensuring that its final Proposal has been submitted in the desired form by the submission deadline. The front cover of a modified Proposal must identify the submission as a modified proposal and include the date on which the modified Proposal is submitted.

Modifications received after the submission deadline due date will not be considered. If HPD determines, upon review of a Proposal, that any items are missing and/or incomplete, HPD, in their sole discretion, by written notification given to the Applicant, may permit the Applicant to provide or clarify such items. Failure to provide complete information in a timely fashion could result in rejection of the Proposal.

E. RFP Addenda

HPD reserves the right to amend or withdraw this RFP at any time. In order to be considered, Proposals must conform to any amendments that may be issued to this

RFP. Amendments may include, without limitation, any requirements and terms or conditions contained in this RFP. HPD will advise each Applicant that has requested a copy of this RFP of any clarifications or revisions.

If, in HPD's judgment, additional time is required for Applicants to prepare their Proposals, HPD reserves the right to grant an extension of the deadline for submission of a Proposal, and such extension will then be granted to all Applicants.

F. Complete Proposals

Proposals that are not complete or not in conformance with the requirements of this RFP will be eliminated from further consideration. Applicants should note carefully the submission requirements listed below in Section H. Contents of Proposal and Tabbing.

G. References and Requests for Further Information

Submission of a Proposal shall constitute permission from the Applicant for HPD to make such inquiries concerning the Applicant as HPD deems necessary. HPD reserves the right to communicate with any of the Applicants, but HPD is not obligated to do so. HPD may discuss the Proposals of any Applicants concurrently or sequentially, as HPD may determine. No Applicant has any rights against HPD arising from any such invitation to a discussion, or from any negotiations that may arise pursuant to the discussions.

Applicants must comply with all requests for information and, if requested by HPD, appear for presentations or discussions. If any Applicant fails to do so within the time period given (or within any time extension that HPD may grant), HPD may deem this as a failure and act of non-compliance with the RFP, which will permit HPD to select another Applicant or to solicit new Proposals. In furtherance and not in limitation of the foregoing, before a final selection is made, an Applicant may be required to produce more detailed information concerning the professional background of those persons who own and manage such Applicant, a report on the financial background of such Applicant, and information concerning the nature and status of any past or pending threatened charges or actions (including lawsuits, criminal or disciplinary actions, administrative proceedings by any governmental or regulatory agency or bankruptcy action) against such Applicant or any of its partners, directors, officers, employees, shareholders, subsidiaries, or affiliates, as the case may be.

H. Contents of Proposal and Tabbing

Each Proposal must contain the forms and supporting documentation described below. Each copy of the Proposal must be tabbed as indicated below. The tabs should run down the right hand side of the bound Proposal document. All Proposal Forms can be found in Appendix J.

TAB A – Completeness Checklist and Applicant’s Letter

Each Applicant must submit a **Completeness Checklist** (Form A-1) and **Applicant’s Letter** (Form A-2). The letter must be printed on the Applicant’s letterhead and signed by an authorized representative of the Applicant.

TAB B – Project Summary and Project Narrative

Applicants must complete the **Project Summary** (Form B).

In addition, Applicants must include a narrative of one or more pages that describes the Proposal. The narrative must include, at a minimum, the size of the Project, proposed uses, a breakdown of all residential units by type and affordability, the income and rent levels contemplated, the sources and amounts of financing, including any tax exemption assumptions, and a brief description of the most relevant development experience of at least the Principal(s) who would manage the Project.

TAB C – Applicant Description

All Applicants must complete the **Development Team Information and Applicant Questionnaire** (Forms C-1 and C-2). Applicants that include a not-for-profit organization as a Principal of the Developer or a member of the Development Team must also complete the not-for-profit section of the Applicant Description.

If the Applicant is a joint venture, the Principals of each entity that comprises the joint venture must be identified, and a Principal of each entity must sign the Form.

Applicants must include a chart or diagram explaining the intended form and structure of any proposed partnership or joint venture. The structure and percentages of ownership and investment must be included.

Applicants are encouraged to provide resumes describing key members of the Development Team and/or brochures describing the Applicant and any similar projects in which the Applicant has been involved. This information may include information regarding projects that the Applicant has developed in the vicinity of the Development Site or clarification of information provided in the forms included in the Proposal. Provide a staffing plan indicating which Principals and staff members would have primary responsibilities for implementing the Project and their roles in day-to-day management of the Project.

TAB D – Development Experience, Management Experience and Current Workload

Each Principal of the Applicant must complete Forms D-1 through D-4. If an individual has no experience, this shall be indicated by including a form marked “None”. These forms should be submitted as Excel files in original formatting on disc.

A separate form shall be provided for each Principal with residential management

experience. Care should be taken to provide accurate information about references. In addition, a separate form shall be provided for a Principal or managing agent proposed to manage the Development.

TAB E – Assets Statement

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

TAB F – Financing Proposal

Applicants must submit a completed **Financing Proposal** (Form F) in both hard copy and Excel format. Electronic copies of the forms can be downloaded from the HPD website. If portions of the Project are separately financed, the Applicant should provide separate proposals for each portion.

All proposals must reflect the rent price affordability calculations, and utility allowances described in Form F. In addition to the minimum affordability requirements described throughout this RFP, any subsidy programs that are utilized will determine additional, if any, required affordability levels.

Specific information about the superintendent's unit(s) should be included, as appropriate, in Form F. If the superintendent is not located onsite, a letter explaining alternative provisions for janitorial services that satisfy the Housing Maintenance Code must be included in this tab.

In addition to Form F, a narrative description that clearly explains the financing structure of the Project should be included. The narrative must explicitly identify proposed subsidy/financing programs. The narrative may also include an alternative financing scenario for proposals that incorporate the use of competitively allocated funds, such as 9% Low Income Housing Tax Credits and NYS Housing Trust Fund subsidies, among others.

Market comparables, in the form of detailed rental listings of at least three properties/projects within less than a mile of the Site and with similar operations, must be provided.

TAB G – Retail Plan

All Proposals must include a narrative that describes in detail the plans for developing, marketing, and leasing the retail space(s). The narrative must include, at a minimum, the overall vision and strategy for the commercial revitalization of Livonia Avenue; the business attraction and retention strategy; management plan outlining how the retail space(s) will be managed to ensure the space retains retail

tenants; and proposed tenant mix, which is feasible and responsive to the community's needs. Proposals may include any additional information conveying your strategy for developing, leasing and managing the retail space(s). Proposals that include Letters of Interest from retailers will be given additional points.

Market comparables, in the form of detailed rental listings of at least three retail spaces within less than a mile of the Site or a comparable retail location with similar retailer types, must be provided. If the Proposal includes a retailer not currently found in the area, provide estimated rents that can be feasibly achieved at that Site(s).

TAB H – Letters of Interest Private and Public Funds

Private Financing – If private financing is proposed, a letter or letters of interest from a private lender or lenders must be included. Letters must be dated no earlier than two (2) months from the date of submission of the Developer's proposal. The letter(s) must indicate a willingness to provide construction and permanent financing in amounts and with terms consistent with the proposal, and must include the following:

Construction Loan

- The amount of financing that the lender would consider based on the lender's preliminary determination of feasibility, based on expected development costs, and rent levels; and
- The interest rate, fixed or variable, the equity requirement and other terms under which the lender would provide construction financing.

Permanent Loan

- The amount of financing that the lender would consider based on the lender's preliminary determination of feasibility, based on expected development costs and rent levels; and
- The maximum loan to value ratio and other underwriting criteria, including treatment of rental income, minimum maintenance and operating expenses, and debt service coverage requirements.

The letters must be provided on the lender's letterhead, signed by a representative of the lender, and must state the amount and terms of the financing. Applicants may use different private lenders for construction and permanent financing.

Public Financing

If HDC bond financing is proposed, a letter of interest from HDC is NOT required. However, a letter of interest from a credit enhancer acceptable to HDC must be provided.

If the use of public funds from sources other than HPD or HDC is proposed, a written indication of interest (e.g. a letter of interest, a commitment letter or an award letter) dated no earlier than two (2) months from the date of submission of the Developer's proposal, must be included. Each letter must be on the organization's letterhead and signed by a representative of that organization.

Competitive Sources

Any Proposal that includes funding or financing that is awarded on a separate competitive basis must submit an alternate scenario using non-competitively awarded sources and must provide appropriate letters of interest from those sources.

TAB I – Environmental Proposal

Applicants must submit a proposal for environmental testing and/or remediation, if applicable.

The Developer should select a reputable environmental planning consultant with experience in the preparation of CEQR documents for rezonings. The selected environmental consultant should also have expertise in acoustical studies and extensive familiarity with CEQR and HUD noise assessment methodologies.

TAB J – Design Team Experience & Narrative

Applicants must submit design team's resume, focused on projects in the last ten (10) years, and qualifications detailing applicable residential and mixed-use development experience.

Applicants must provide a detailed narrative description outlining the proposed concept and methodology of the Project and include, among other things, the Applicant's approach to the Project, critical Project issues and problem solving techniques, primary design objectives of the Project intended to meet the standard of design and construction described throughout this RFP for both the core and shell and the residential units, level of engagement anticipated by the Applicant, and specific high performance and sustainable design opportunities appropriate for this Project. This description should identify:

- A rationale for the design concept chosen for the Project that includes circulation (private and public), new building configuration and lot coverage, heights, orientation and relationship to surroundings, primary building materials, major architectural features, and sustainable design elements.
- Type, location, and total Project square footage (gross and saleable or rentable, including basement(s), if applicable), as well as total square footage breakdown for each use.
- Type, number, and characteristics of the residential units, including unit distribution, number of bedrooms, approximate square footages and amenities.

- Detailed description of construction methods, foundation type(s), and building systems for all new buildings.
- Description and location of all mandatory infrastructure and other public improvements, including public and private open spaces, landscaping, and parking.
- If applicable, a general discussion of the rationale for the proposed phasing of the development and how this phasing plan is impacted by the requirements for providing infrastructure and other public improvements.
- Description of how development complies with all zoning and other legal requirements.

TAB K – Architectural Submission

All plans must be prepared by a Registered Architect or Professional Engineer. All materials must be on paper size of 11" by 17" or smaller and must be easily reproducible. The following must be included:

- Photographs: Photos of the Development Site and the Development Site's relation to surrounding buildings, streets and open spaces, at least 3" x 5" in size. Photos must be keyed on the area plan outlined below. The photos should be clear enough to be reproducible.
- Area Plan: A copy of the most recent Sanborn map of the area; indicate vehicular traffic directions and locations of bus stops in a two-block radius.
- Zoning / Statistics: a zoning map for the Development Site, a detailed zoning computation and analysis to demonstrate compliance with existing zoning, and Building Code information indicating occupancy group and construction classification. Also include apartment count and distribution, retail space, community facility space.
- Development Site Plan: Clearly legible site plan indicating all components of the Project and other development within one block of the Development Site. It must include walkways, sidewalks, parking, driveways, building access points, tree locations, plant materials, fences, gates, lighting, easements, and encroachments.
- Typical and Atypical Floor Plans: It is not required that design and architectural documents submitted include full apartment layouts for the floor plans. Submissions, however, must show blocked out units and clearly indicate all dimensions and total square footages. Community spaces (laundry room, play room, etc.) should be indicated in the floor plans. Unit plans must be 1/8"=1'0". Unit and bedroom dimensions should be computed to the inside of finished surfaces of walls, excluding columns, pipe chases, kitchens, kitchenettes, entryways, and closets. Plans should include a North arrow, actual scale and graphic scale.
- Retail Plan: Provide ground-floor plan to explain development concept as well as plans for the ground floor retail space(s) and/or community facility space. Clearly indicate access points, existing columns, storage space, electrical outlets and

bathrooms. Provide any additional plans and details if they provide a better understanding of the retail space and/or community facility space.

- **Lighting Plan:** Provide lighting plan indicating the location of proposed exterior building lights. Plans should include the location of existing streetlight poles and any other lighting visible at street level. Existing lighting and area of illumination should be clearly indicated. Indicate the location of the light source, type and number of luminaire equipment (fixtures), bulb type, lumen output, mounting height with distance noted to the nearest property line for each luminaire and proposed hours when each fixture will be operated. Provide any additional plans and details if they provide a better understanding of the lighting concept.
- **Elevations:** All elevations of the buildings at the same scale as the plans. Finishes, construction materials, ceiling heights, and floor elevations (level) must be shown and labeled on drawings. Perspective drawings/renderings are optional; however, they must not replace required elevations. Color renderings and/or elevations are appreciated but not required.
- Any other architectural drawings such as axonometric, street frontage elevations, perspective or sectional drawings or computer generated modeling, if they provide a better understanding of the development concept.
- **Phasing Plan,** if applicable.

TAB L– Sustainability Elements

Applicants should provide a concise narrative describing sustainability elements included in their proposal. Applicants should also include the Intended Methods for Green Communities (Form L) in this tab. Applicants should clearly indicate which of the elements are included in their proposal.

TAB M – Marketing Plan

Applicants must provide marketing plans for all components of the Project. The marketing plans should include information about pricing structures, amenities, assessment of competition, and absorption rates assumed; anticipated target markets for all components of the Project; advertising strategy; description of marketing plans for analogous projects; and other relevant information.

TAB N – Development Schedule

Applicants must provide a development schedule and phasing plan (if applicable), including benchmarks for commencement and completion of plans and drawings, New York City Department of Buildings plan approval, site preparation, construction commencement and completion, marketing, and occupancy of the Project. In order to complete the timeline, assume at least one (1) year for HPD design approval and ULURP (including certification).

I. Review

Each Proposal will be reviewed according to the Threshold Requirements detailed in *Section IV. Threshold Requirements*. Proposals that fail to meet the Threshold Requirements will not be further evaluated.

Proposals that pass the Threshold Requirements will be evaluated and ranked based on the Competitive Selection Criteria detailed in *Section IV. Competitive Selection Criteria*. HPD may request additional information, site visits, interviews, or other presentations by the Development Team(s). HPD may disapprove the inclusion of any member of an Applicant's Development Team and/or require the selected Applicant to substitute other individuals or firms.

J. Selection

Selection of a Developer or Developers under this RFP means only that HPD will commence negotiations with such Applicant regarding the proposal for the Development Site(s).

Negotiation Letter

Upon such selection, HPD will send written notification ("Negotiation Letter" or "Letter") to the Developer(s) regarding the commencement of negotiations. This Negotiation Letter will set forth certain information regarding the Development and procedures that will form the basis for such negotiation.

Form A-2 is an Applicant's Letter that describes this process. Each Proposal must include this letter signed on behalf of the Applicant by a Principal. HPD reserves the right to terminate negotiations with or without cause after the issuance of such Negotiation Letter.

Pre-Development Timetable

The Negotiation Letter will include a development schedule setting out the major actions and timeframes necessary to start construction within 12 or 24 months from the date of the Letter, depending on the site. Failure of the Developer(s) to follow the development schedule may result in the termination of negotiations and the selection of another Developer or Developers. The selected Applicant(s) must begin pre-development work within thirty (30) days of the date of the Negotiation Letter.

Disclosure

The Developer or Developers who receive a Negotiation Letter from HPD must thereafter disclose all previous participation with City-assisted projects. Such entity or entities and all Principals thereof will each be required to submit completed Entity and Individual Disclosure Statements which will be forwarded to the Developer(s). HPD will provide copies of these forms upon request to any Applicant.

No Obligation

This RFP does not represent any obligation or agreement whatsoever on the part of HPD. Any obligation or agreement on the part of HPD may only be incurred after HPD and the Developer(s) enter into a written agreement approved by the Mayor and the Corporation Counsel. HPD may use the Proposals submitted pursuant to this RFP as a basis for negotiation with Applicants as they deem 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 Applicants, and/or negotiate and dispose of the Development Sites 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 Development Sites or parcels from or to this RFP.

VI. CONDITIONS, TERMS, AND LIMITATIONS

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

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

The Site shall be subject to New York City Real Property Taxes and charges. Tax benefits may be available under the 421-a, UDAAP, 420-c, and/or 420-a tax exemption programs.

The proposed Project shall conform to, and be subject to, the provisions of the New York City Zoning Resolution, Building Code, and all other applicable laws, regulations, and ordinances of all Federal, State, and City authorities having jurisdiction, as the same may be amended from time to time.

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

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

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

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

Entities that are in debarred status by either the Comptroller of the City of New York or the United States Department of Labor, and entities with histories of convictions of criminal violations of the Occupational Health and Safety Act within the five years preceding the closing date, will not be eligible to enter into development agreements or serve as prime or general contractors on this project.

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 Applicant 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

Applicant, the selection of the Applicant's submission and invitation to the Applicant to respond to this RFP, the conditional designation of a Developer pursuant to this RFP, or the sale of the Site.

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

The selection of an Applicant will mean only that HPD may commence negotiations with that Applicant regarding the development of the Development Site. HPD will send the Negotiation Letter to the selected Applicant. The selected Applicant must begin pre-development work within thirty (30) days of the date of the Negotiation Letter. The selected Applicant will be expected to start construction on the date specified in their Development Schedule; however, the Applicant must expect to 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 Corporation Counsel. The City is under no legal obligation to convey the Development Site offered through this RFP through a competitive process. The City reserves the right to use the Proposals submitted pursuant to this RFP as a basis for negotiation with Applicants 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 Applicants, 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 the Site or portions of the Site from or add individual parcels to this RFP.

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

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

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

VII. CONFLICTS OF INTEREST

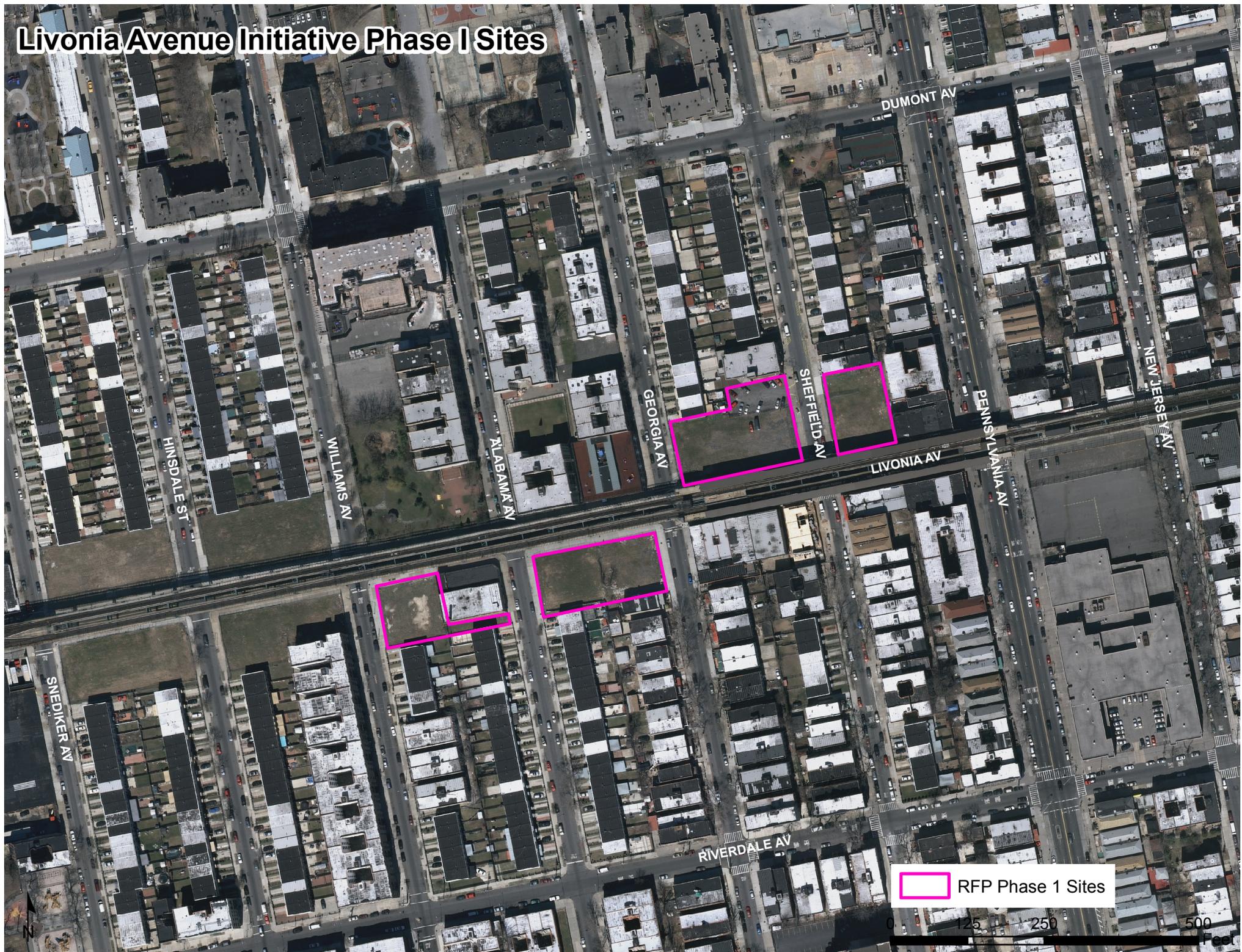
Current and former employees of the City of New York may respond to this RFP only in accordance with Chapter 68 of the New York City Charter governing ethics and conflicts of interest affecting City personnel. Section 2604(b)(7) of the City Charter contains specific prohibitions that exclude enumerated groups of employees from participating in the sales process. In addition, current HPD employees may not respond to this RFP.

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

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

APPENDIX A: MAPS

Livonia Avenue Initiative Phase I Sites



RFP Phase 1 Sites

0 125 250 500 Feet

Livonia Avenue Initiative



Future Phases

Phase II

Phase I

Land Use

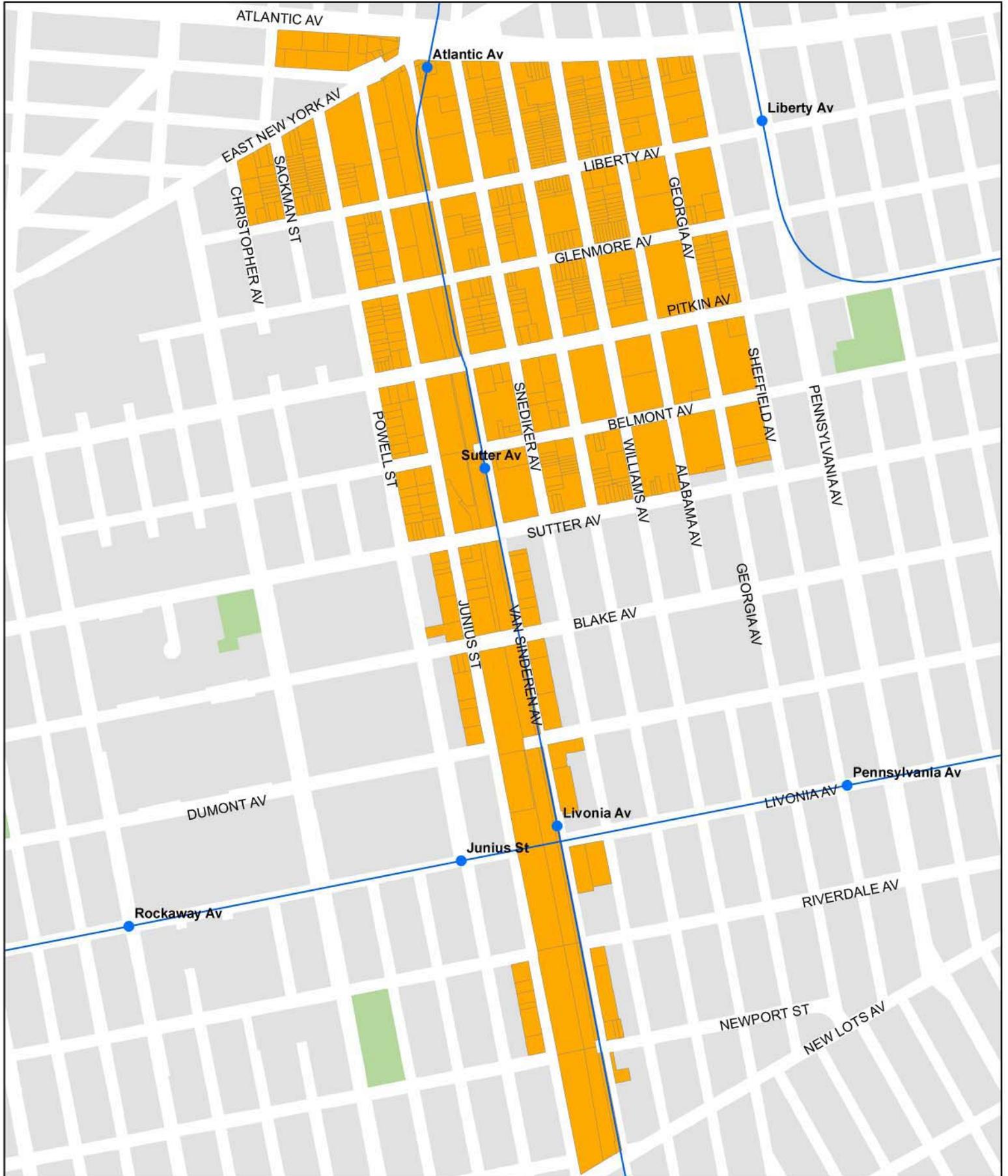


-  L Train
-  3 Train
-  RFP Phase 1 Sites
-  1 & 2 Family
-  Multi-Family Walkup
-  Multi-Family Elevator
-  Mixed Residential/Commercial
-  Commercial & Office
-  Industrial / Manufacturing
-  Transportation & Utility
-  Public Facilities / Institutions
-  Open Space & Outdoor Rec
-  Parking Facilities
-  Vacant Land
-  No Data



East New York Industrial Business Area

 Industrial Business Zone

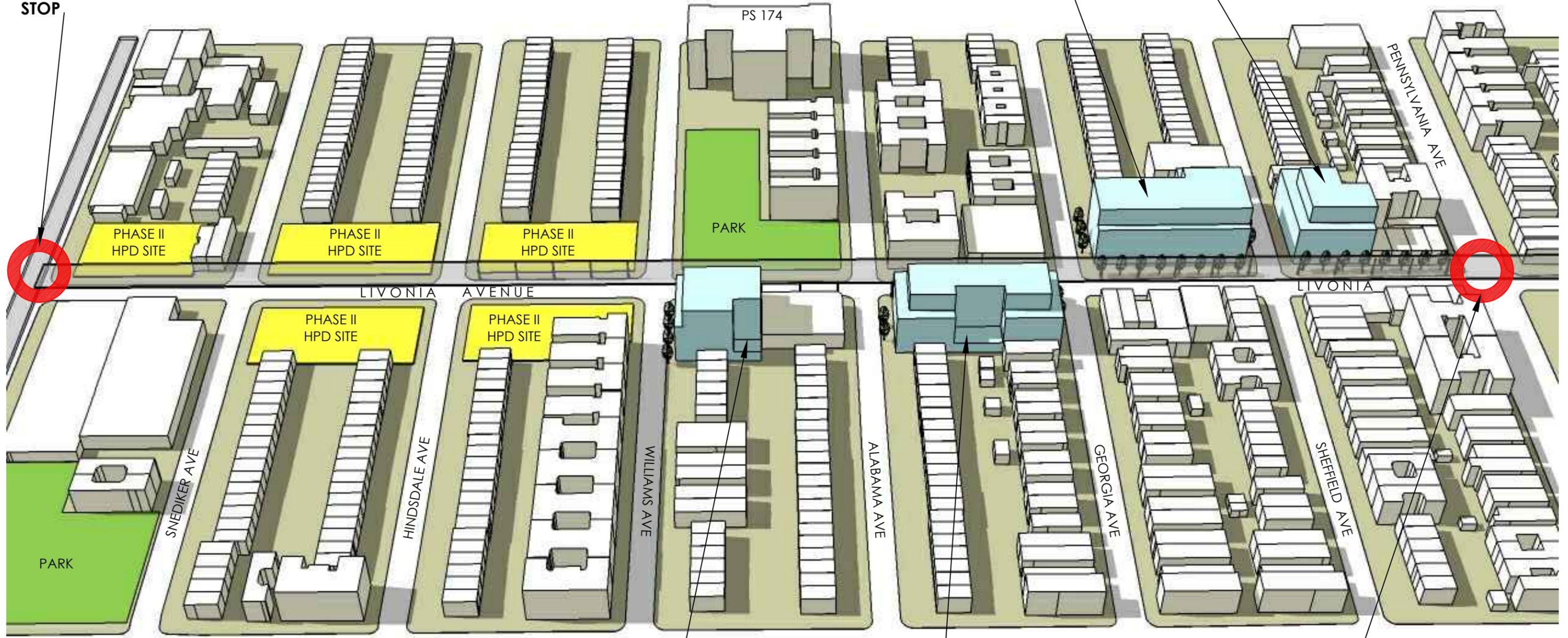


APPENDIX B: DESIGN GUIDELINES

Livonia Avenue Design Guidelines



'L' SUBWAY STOP



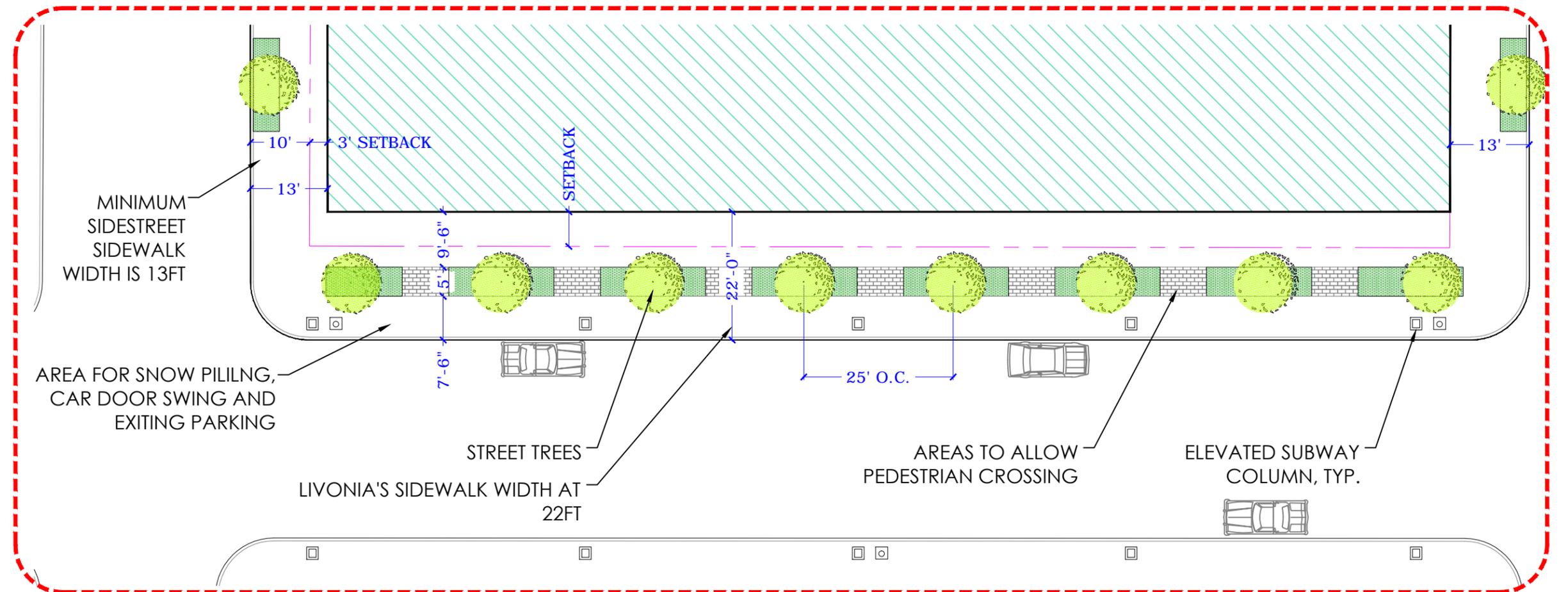
SITE 4

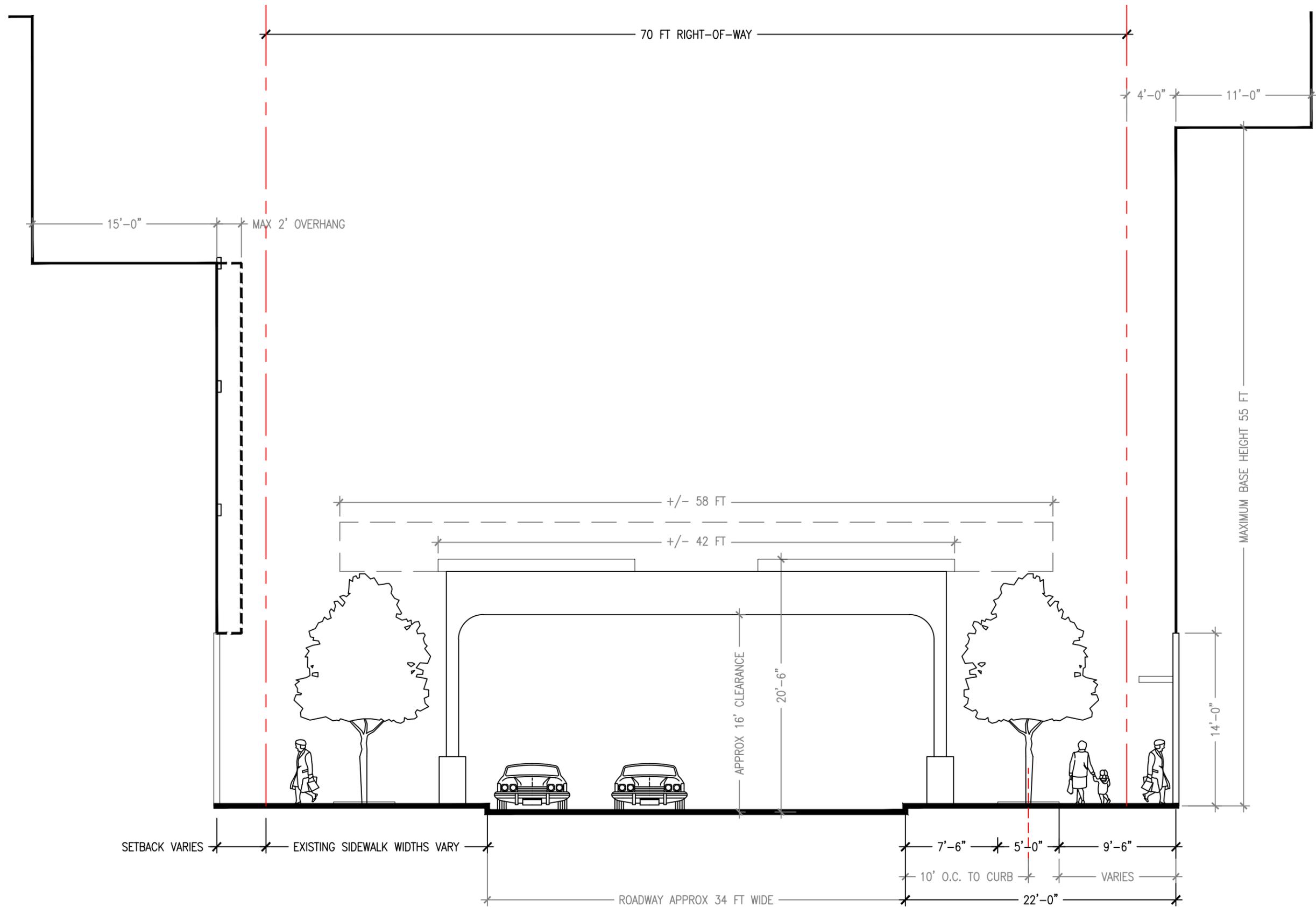
SITE 3

SITE 2

SITE 1

#3 SUBWAY STOP





LIVONIA AVENUE

**SECTION TYPICAL ON BOTH SIDES OF STREET

HPD Design Guidelines for New Construction

HPD has outlined a set of design principles and guidelines to foster quality and encourage creative approaches throughout the entire design development process. The design guidelines apply to all new construction housing projects subject to HPD review and approval.

The purpose of these guidelines is to establish minimum criteria for the design of quality housing. These guidelines are not intended to supersede the requirements of any other rules or regulations of any other agency having jurisdiction, in which case the more restrictive will govern.

Other agency rules and regulations may include but are not limited to New York City Building Code; Housing Maintenance Code; Zoning Resolution; Local Law 58 Handicap Standards, and particular program requirements. Also, projects must meet Federal, State, and City environmental laws, including those pertaining to: historic preservation; air, water, and noise quality; flood plain, wetland and coastal zone management; and solid waste management.

Guidelines using the word, must, are mandatory. However, the word, should, is advisory and minor deviations from the guidelines will be allowed if necessary to accommodate a clearly superior design. Substantial deviations from the advisory guidelines may disqualify proposals.

I. SITE PLANNING

A. Relationship to Neighborhood

1. When applicable, the height of a new building should relate to the prevailing heights of the existing buildings in the immediate neighborhood. The street wall and façade materials of any new building should visually and physically harmonize with the immediate neighborhood.
2. The design should be pedestrian friendly and provide architectural elements that generate activity, interest and interaction at the street level, such as stoops, porches, setbacks, bay windows, etc.

B. Outdoor Space

1. A variety of outdoor spaces should be programmed and landscaped for specific uses according to the project's intended population, e.g.
 - If provided, front yards should be appropriately landscaped.
 - toddler play area with matting and safe equipment
 - infrastructure for tenant gardens
 - seating and game tables in the shade
2. Outdoor spaces must be buffered from vehicular service areas.
3. Wherever possible, windows should be located to insure surveillance of public and private outdoor spaces.
4. A secure barrier, such as the building or a steel picket fence (chain link fence is not acceptable along the street), should protect the perimeter of the site. The number of entry points into a building or project site should be minimized.

5. Street trees must be provided along the street frontage as per the NYC department of Parks and Recreation and the NYC Department of Transportation standards.

C. Street Facade/Building Elevation

1. The façade materials of all new buildings should be compatible with the surrounding neighborhood. Brick should be used in neighborhoods with a predominantly brick character.
2. Dimensions and spacing of fenestration should echo neighborhood patterns and maximize daylight into the unit.
3. Color, texture, material, and fenestration should be used to:
 - relate to adjacent buildings
 - define the base, middle, and top of buildings
 - reinforce the human scale at the base level

D. Parking

1. Parking should be shielded from the street and from on-site open spaces. Trees should provide a canopy over the parking areas.
2. If a large number of parking spaces is needed, consideration should be given to parking below grade.
3. Front pad parking should be avoided.

II. BUILDING PLANNING

A. Lobby

1. The lobby should be treated as an attractive and gracious space with materials and furnishings that are attractive, durable, and easy to maintain.
2. The lobby should be undisrupted by other elements, i.e.
 - garbage removal should not pass through the lobby
 - the compactor chute should not open into the lobby
 - janitor's closet and fire stair should not be visible.
3. If a mailroom is provided, it should be located in an area that is visible and accessible from the lobby.
4. Natural light should be maximized, and if possible, a view of the exterior landscaped space should be exploited.
5. The primary vertical circulation/elevator should be visible and accessible from the lobby.
6. The lobby should be visible from the street to insure security. Main residential entry should be clearly articulated and differentiated from commercial/retail entry.
7. Entry from the project's open space, the parking area, and the sidewalk should lead directly into the same lobby.

B. Interior Circulation

1. Public circulation space should be minimized.
2. The interior circulation system should have a minimal number of changes in corridor direction and minimal recesses or offsets.

3. Natural light should be maximized in circulation spaces.

C. Community Spaces

1. A variety of community spaces should be programmed for specific uses and sized accordingly with appropriate finishes and furnishings, e.g.
 - children's indoor play room with safe and durable play equipment and playful finishes
 - party room or adult lounge with comfortable furniture, T.V., bar/kitchenette, in close proximity to laundry room
 - exercise room with ventilation and natural light
 - common laundry room conveniently located and directly accessible from the public circulation. In 1 to 3 family houses, provide laundry hook-up for the homeowner.
2. All community spaces should receive natural light and have direct physical and visual access to the outdoor recreation space.
3. Appropriate relationships between community spaces should be fostered.

D. Building Services

1. Janitor closets should be provided with slop sinks.
2. Provide vandal/frost-proof hose bibb at front and rear of building.
3. Provide trash chutes, recycling room, and trash compactor in elevator buildings with 30 or more dwelling units.
4. The compactor room should be located for convenient transport of compacted refuse to the outside, minimizing transportation of garbage through the building's circulation space or across outdoor space.
5. Curb-side storage space for refuse/recycling pick-up should be provided and screened from the sidewalk, street, and building entrance.

III. APARTMENT PLANNING

A. Unit Arrangement

1. There must be no circulation through bedrooms to other bedrooms or to primary bathrooms. Bathrooms should be near the bedrooms. Bathrooms must not open into the Living Room, Dining Room, or Kitchen. Circulation through the Living Room should be avoided.
2. All door placements and wall lengths should accommodate furniture placement.
3. Direct access to private outdoor space should be provided from a living space within the unit, not a bedroom.

B. Minimum Room Sizes

<u>Name of Space</u>	<u>0-BR</u>	<u>1-BR</u>	<u>2-BR</u>	<u>3-BR</u>	<u>4-BR</u>	<u>Least Dimension</u>
LR	NA	160	160	170	180	11'-0"
LR/DA	NA	210	210	230	250	11'-0"
LR/DA/SA	250	NA	NA	NA	NA	11'-0"
LR/DA/K	NA	270	270	300	330	11'-0"
LR/SA	210	NA	NA	NA	NA	11'-0"
K/DA	100	120	120	140	160	8'-0"
DR	NA	100	100	110	120	8'-0"
BR (primary)	NA	130	130	130	130	10'-0"
BR (secondary)	NA	NA	110	110	110	9'-4"

Abbreviations:

LR	-	Living Room
DR	-	Dining Room
K	-	Kitchen/Kitchenette
BR	-	Bedroom
SA	-	Sleeping Area
0-BR	-	Apartment with no separate bedroom
NA	-	Not applicable

Note: The room area shall be computed to the inside finished surfaces of the walls and partitions, and exclude columns, pipe chases, and closets.

C. Kitchenette/Kitchen

1. Kitchen to Living Room visibility should be maximized by pass-through openings, open counters, and half height partitions.
2. Plumbing and ventilation chase walls should be shared where possible, but not at the expense of the design.
3. Kitchen equipment must consist of a 30" range, refrigerator (14 c.f. min), 24" sink, base cabinets with countertop and wall hung cabinets. In 1 to 3 family homes, provision for dishwasher and hook-ups should be provided for the homeowner.
4. Countertop work surface should be located on both sides of the sink and both sides of the range.
5. The minimum length of countertop work surface (excluding sink and appliances) and cabinet shelving must be as follows:

<u>Apartment Type</u>	<u>Countertop Work Surface</u>	<u>Shelving</u>
0-BR	5 lin. Ft.	30 lin. Ft.
1-BR	6 lin. Ft.	40 lin. Ft.
2-BR	7 lin. Ft.	50 lin. Ft.
3-BR	8 lin. Ft.	55 lin. Ft.
4-BR	8 lin. Ft.	65 lin. Ft.

6. Base cabinets and countertops must be 2'-0" deep. Shelving must be 11^{1/2}" deep.

7. Pantries are desirable, encouraged, and qualify as required shelving.

D. Dining Area

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

E. Bathrooms

1. Every dwelling unit must contain at least one full bathroom containing a bathtub with showerhead, a sink, and a toilet. Compartmentalizing the bathroom, to enable simultaneous use by more than one person, is encouraged.
2. Three bedroom apartments must have an additional half bathroom containing a sink and a toilet, and possibly a shower.
3. Four bedroom apartments must contain two complete bathrooms.

F. Storage

1. Every dwelling must contain a coat closet that is convenient to the entrance and is at least 2'-0" deep and 3'-0" wide.
2. Every bedroom must contain a clothes closet that is at least 2'-0" deep and 5'-0" wide.
3. Every dwelling unit must contain storage for linens that is at least 1'-6" deep and 2'-0" wide.
4. Additional general storage space, such as a walk-in-closet, should be provided within each dwelling, especially for units with more than 2 bedrooms.

IV. HANDICAPPED/ ELDERLY REQUIREMENTS

In addition to meeting all other applicable laws and regulations, units designed for elderly and/or handicapped persons must meet the following provisions:

A. Lobby seating

In all projects designed for exclusive occupancy by elderly or handicapped persons, adequate sitting space with a view of the street or open space should be provided in the lobby or adjacent lobby of each building.

B. 2 person 0-BR units

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

C. Outdoor space

1. In all projects designed for exclusive occupancy by elderly or handicapped persons, provisions should be made for sitting space for at least 20% of all residents in appropriate outdoor areas.
2. All outdoor space must be programmed and landscaped for specific uses.
3. All outdoor spaces must be buffered from vehicular service areas.

V. SUBMISSION REQUIREMENTS

All plans must be prepared by a Registered Architect or Professional Engineer. The developer or his agent must submit one easily reproduced copy of each of the following:

A. Plans:

Clearly indicate all community spaces on the appropriate floor plan (laundry room, playroom, adult lounge, etc).

- Site plan showing all walks, sidewalks, building access points, driveways, parking areas, play areas with equipment, benches, other exterior furnishings, trees, plant material, and elevations/grades.
- Street level commercial and/or residential lobby/entrance plan
- Typical residential floor plan
- Cellar or basement and roof plan
- Unit plans at 1/8"=1'-0".
- Any other plans needed to explain design concept.

B. Elevations

1. Street front elevations must indicate materials, colors, total building heights, and floor levels.
2. Elevations should show adjacent buildings to demonstrate the new building's compatibility.

C. Project Statistics and Zoning Analysis

1. Complete zoning analysis is required, including allowable and proposed F.A.R; open space requirements; lot area per zoning room or dwelling unit; and parking and dwelling unit count. Zoning analysis must cite all relevant sections of the Zoning Resolution.
2. Show proposed apartment distribution and indicate building code occupancy group, construction group, and construction class.
3. Provide Topographic Survey as needed.

**APPENDIX C: SUPPORTIVE HOUSING
GUIDELINES & REQUIREMENTS (IF
APPLICABLE)**

HPD Division of Special Needs Housing
Supportive Housing Loan Program Term Sheet
Sept 19, 2011

Program Description	<p>The HPD Division of Special Needs Housing through its Supportive Housing Loan Program (SHLP) makes low-interest loans, up to \$125,000/unit to non-profit sponsors to develop permanent supportive housing with on-site social services. Lower SHLP subsidy request will increase project competitiveness.</p> <p>SHLP loan funds may be used in conjunction with 9% Low Income Housing Tax Credits and other loan and subsidy sources. A limited number of projects may be eligible for tax-exempt bond financing and 4% Low Income Housing Tax Credits.</p> <p>Projects developed with SHLP funding must provide 60% of units for NYNY3 homeless and disabled individuals. The remaining 40% can be rented to individuals from the community earning low incomes. All units must be affordable to persons earning 60% or less of Area Median Income. Units for individuals must be studio units. Subsidy may be available for family units that have a NYNY3 families award.</p> <p>Projects may be new construction or rehab, on privately owned or City-owned land, with acquisition cost approved by SHLP up to appraised value.</p> <p>Most projects are funded with federal HOME funds requiring compliance with Davis-Bacon Prevailing Wages.</p>
Loan Amount	Up to \$125,000/unit, subject to HPD budget review.
Rate	A typical loan is 0.25% to 1% accrued (including HDC servicing fees).
Term	Construction loan plus minimum 30-year permanent loan. May opt for extended use based on tax credit regulations.
Eligible Borrowers	Not for profit organizations. The non-profit sponsor will form an Article XI Housing Development Fund Corporation (HDFC), and a Limited Partnership if funded with LIHTC.
Repayment	Sponsor signs an HPD regulatory agreement that the property will be used as affordable housing for homeless and disabled tenants for a minimum of 30 years. The sponsor is required to comply with the terms of the regulatory agreement, and the loan is forgiven over the last 5 years of the loan term, if those conditions are met. For projects funded with LIHTC, loan will be structured to comply with LIHTC regulations.
Design	<p>A typical project consists of studio apartments plus a super's unit. 50-unit minimum project is preferred. Projects must meet the requirements of the Enterprise Green Communities program.</p> <p>Projects are filed Building Code: R-2 occupancy group; Zoning: Community Facility Use Group 3-Non-Profit with Sleeping Accommodations.</p>

Eligible Tenants	100% of units must be rented to tenants earning up to 60% AMI. A minimum of 60% of units must be reserved for homeless and disabled tenants referred by city agencies such as the Department of Homeless Services (DHS), the Department of Health & Mental Hygiene (DOHMH), or the HIV/AIDS Services Administration (HASA). 40% of units can be rented to community board residents, or other low-income population, such as senior citizens.
Rents	Homeless tenants pay 30% of their income. Low-income tenants can be charged a rent up to 30% of 55% of AMI.
Rental Subsidies	HPD will work with sponsors to obtain rental assistance. Potential sources of subsidy include HUD McKinney grants through Shelter Plus Care or SRO Mod Rehab Program, or Section 8. NYNY3 contracts may also include a rental assistance component in the absence of other rental sources.
Social Services	Social Services contracts are typically obtained from DOHMH, DHS, and HASA. New sponsors must submit a proposal to the NYNY3 RFP with DOHMH or HASA to ensure qualification for a contract before working with HPD. DOHMH provides allocation letters which HPD requires to consider a project for the SHLP pipeline.
Tax Exemption	LIHTC projects may be eligible for a 420c tax exemption. Non-tax credit projects can apply for a 420a exemption.
Predevelopment Funding	Seed loans are available from various organizations to pay for acquisition and pre-development costs such as architectural services, legal fees, environmental costs, consultant fees, and other costs. The Corporation for Supportive Housing and the NY Acquisition Fund provide acquisition and pre-development funding for supportive housing projects.
Eligible Development Costs	Acquisition, construction, professional fees, and other soft costs. Projects that apply for tax credits may use equity to create operating and social service reserve accounts to enhance ongoing project feasibility. Please note, there are some development cost items that SHLP loans cannot fund such as furniture, consultant fees, owner's rep, carrying costs, taxes, tax credit and syndication fees, reserves.
M&O	Should not exceed \$7,500 per unit for a singles project. Should achieve economies of scale with larger buildings.

Eligible Development Costs

Acquisition	Up to the appraised “as is” market value of the property. HPD will factor “reasonable” price/FAR.
Construction Cost	Total GC construction price approved by HPD. Price includes Davis Bacon prevailing wages in most cases, general conditions, labor costs, overhead, profit, asbestos removal, rock allowance, DOB fees, performance and payment bonds, or letter of credit, insurance and other requirements of the construction contract.
Controlled Inspections	Maximum of \$100,000 per project.
Architect Fee	A maximum of 7.5% of construction price of \$265/sf (4.5% for design & 3% for construction supervision). For projects over 120 units, sponsor should negotiate lower fees. Architect’s contract must be in HPD format and approved by HPD prior to execution.
Legal Fees	Maximum of \$100,000 per project. (Legal fees for syndication related costs are listed separately).
Consultant	Up to \$80,000 maximum per project. Allowable fees are: \$50,000 base per project. \$10,000 for LIHTC project consultant. \$10,000 for HHAP application and grant execution. \$10,000 for AHP application and grant execution.
Owner’s Rep	Maximum of \$75,000 per project.
Land Survey	\$5,000 per building.
Appraisal/Market Study	\$10,000 per site.
Environmental Survey	Maximum of \$45,000 for Phase 1 and Phase 2. Additional funding for CEQR and Remediation Monitoring.
Soil Borings	Maximum of \$25,000.
Tax Exemption Filing fee	For projects funded using LIHTC, sponsors should apply for a 420(c) tax exemption, calculated at \$250 for a declaratory ruling fee, plus \$100 for the initial application, and \$80 per A unit and \$60 per B unit (SRO). For projects without LIHTC, sponsor should apply for a 420(a) exemption.
HPD Tax Credit Fees	2.5% of the requested annual allocation due at the application phase and 2.5% due at the 8609 phase for a total of 5%.
Real Estate Taxes	Actual up to the date the regulatory agreement is signed (effective date of 420c or 420a exemption). Please note that commercial space is not tax exempt under 420c or 420a.

Water/Sewer	Actual. Vacant land and buildings may be exempt through construction period.
Title Insurance and Recording Costs	.9% (.009) of total mortgage.
NY Transfer Tax	Projects are exempt from City Transfer tax when property is purchased by a not-for-profit. If a subsequent transfer occurs between HDFC and L.P., then state transfer tax is incurred, .4% (.004) of HPD mortgage.
Leasing/Marketing	\$20,000 per project plus \$300 per unit.
Lease-Up/Start-up/Rent-up Expenses	50% of projected annual M&O (or sufficient funds to cover operating deficits during first 6 months while leasing up and waiting rental assistance payments).
Working Capital	For occupied buildings, the difference between rental income and M&O expenses during construction.
Relocation Costs	Cost of apartment preparation, moving of phone lines, and other moving expenses. In some instances HUD relocation payments may apply. Allow \$3,000 per residential DU; up to \$10,000 for commercial units.
Site Carrying Costs	Maximum of \$10,000 per project.
Construction Period Insurance	1% of value of construction.
Furniture and Fixtures	\$2,000 per unit.
Developer Fee & Reserves	<p>\$7,500 per unit for the first 100 units, and \$2,500 per unit thereafter, up to a maximum of \$1,000,000 SHLP guideline. For non-tax credit projects, \$5,000 for the first 75 units (but projects are highly encouraged to apply for tax credits).</p> <p>Projects funded with tax-exempt bonds and 4% LIHTC must place developer's fees in excess of SHLP guideline in reserves dedicated to the project; use subject to HPD approval.</p> <p>Net cash on all deals, after debt service and fees, must be placed in reserves dedicated to the project, and can only be accessed subject to HPD approval.</p>
Operating Reserve	As determined by cash flow projections so that project breaks even after 15 years. Amount approved by HPD in the range of \$5,000-\$7000 per DU.
Social Service Reserve	An amount approved by HPD but not more than \$5,000 per unit.
Syndication Legal	\$25,000 per project.
Partnership Publication	\$3,500 per project.
Cost Certification	\$12,000 per project.
Net Cash	Net cash on all deals, after debt service and fees, must be placed in reserves dedicated to the project, and can only be accessed subject to HPD approval.

Project Name
 Address
 Borough, NY

Units
 Rooms

71
 144

Maintenance and Operating Expenses (Example)

EXPENSES	SHLP	per rm/du	
Supplies/Cleaning/Exterminating	\$7,200	\$50	per room
Heating	\$61,200	\$425	per room
Gas & Electricity (inc Cooking Gas)	\$19,440	\$135	per room
Repairs/Replacement	\$35,500	\$500	per unit
Legal	\$10,650	\$150	per unit
Accounting/Auditing	\$7,100	\$100	per unit
Superintendent & Maintenance Staff Salaries	\$91,000	\$1,648	per unit
Elevator Maintenance & Repairs	\$10,000	\$5,000	per elevator (2)
Management Fee	\$61,436	8.00%	of ERI
Water & Sewer	\$28,800	\$200	per room
Fire and Liability Insurance	\$31,950	\$450	per unit
LIHTC Tax Credit Monitor Fee	\$6,090	\$86	per unit
Building Reserve	\$17,750	\$250	per unit
Administrative Expenses	\$7,200	\$50	per room
Misc. (grounds keeping, snow removal, etc.)	\$7,100	\$100	per unit
Security	\$122,640	\$1,727	per unit
M & O Before Taxes and Debt Service	\$525,056	\$3,646	per room
Real Estate Taxes (assumes 420-c benefits)	\$0	\$0	per unit
Total Expenses	\$525,056		
		\$7,395	per unit
		\$3,646	per room

Salaries	
Superintendent (1 F/T)	\$40,000
Porter (1.2 F/T)	\$30,000
Fringe (30%)	\$21,000
Total:	\$91,000

Security (Including Fringe)	
Security (1 F/T @\$14/hr, 24/7)	\$122,640
Total:	\$122,640

HPD Division of Special Needs Housing
Supportive Housing Loan Program Design Considerations
Sept 19, 2011

Unit Size: The Supportive Housing Loan Program typically funds efficiency units for homeless and low-income individuals. Each unit must contain a minimum net floor area of 300 square feet consisting of living space, a private bathroom, kitchenette, and storage space. The standard floor to ceiling height for all residential floors should be 8'-0". At a minimum, the design of each unit must clearly distinguish the areas allocated to living, sleeping and dining spaces within the required 150 square feet living area. The layout must also include a kitchenette separated from the main living area. If the layout proposes a kitchenette within the living/sleeping space, the area of the kitchenette and the floor space up to 3'-0" in depth from the counter, while counted towards living area, must be free and clear of furniture and obstructions. Kitchenettes must be at least 2'-0" deep by 10'-0" long, with a minimum 2'-6" of linear countertop work surface, and must comply with Fair Housing Act Guidelines. Every dwelling unit must have at least one full bathroom, Type B-Appendix P Bathroom per Building code. The bathroom must conform to Fair Housing Act Guidelines. Each unit must contain a minimum 6 linear feet of storage.

Building Area: Circulation space within the building shall be less than 25 percent of gross building area. Additionally, social service offices, common spaces, building services and their related circulation spaces shall be less than 25 percent of the gross square footage of the building. In buildings with more units, the ratio of social service space to the number of units should decrease as would the ratio of circulation space to the gross floor area. The gross floor area per efficiency unit shall not be greater than 580-600 square feet. Typically there is an economy of scale as developments increase in size beyond 70 efficiency units.

APPENDIX D: COMMUNITY INPUT

Community Input

General Issues

- Lighting desired along Livonia Avenue to improve security
- Preference for 1 developer to create holistic plan for housing/retail/CF along Livonia Avenue

Housing

- Preference for mixed income buildings to complement Nehemiah homes and create more diverse income mix in the area
- Supportive housing, perhaps housing for children aging out of foster care

Retail

- Desired retail uses:
 - yogurt/food service with wi-fi connection
 - dry cleaner
 - shoe repair
 - higher end dollar store
 - pack and ship store
 - bookstore
 - gift shops

Design

- Placemaking:
 - chandelier street lights
 - cobblestone sections on sidewalk
 - trees
- Design building to accommodate families and mixed income households:
 - Family-sized units
 - Quality construction, roofing
 - Quality interiors: hardwood floors, ceramic tiles, dishwashers
- Preference for community center surrounded by housing
- Buildings should have separate entrances for the retail and residential

APPENDIX E: LIVONIA AVENUE RETAIL AND MARKET STUDIES

Livonia Avenue Development Sites

Neighborhood Market Analysis

Summary

- Both the immediate vicinity and surrounding areas from the sites proposed for development are underserved in neighborhood retail establishments, including grocery stores, drug stores, restaurants and general merchandise stores.
- Over 40,000 people live within walking distance (½ mile) of the development sites- a population equivalent to a small city.
- In addition to the residents of the neighborhood, there are more than 2,000 employees working within ½ mile of the sites thereby adding substantially to the customer base.
- Median income and car ownership, while low in this neighborhood compared to Brooklyn and the rest of New York City, appear to be growing.
- The majority of workers in this area are employed in the health care and social assistance sector, likely to support the large portion of the population relying on public assistance.
- About 30% of the population in this neighborhood is under the age of 18, which is higher than the rest of Brooklyn with a youth population less than 24%.
- Two of the four development sites are not located in a commercial zone; however these sites permit community facilities such as medical offices or schools.

Contents

Maps:

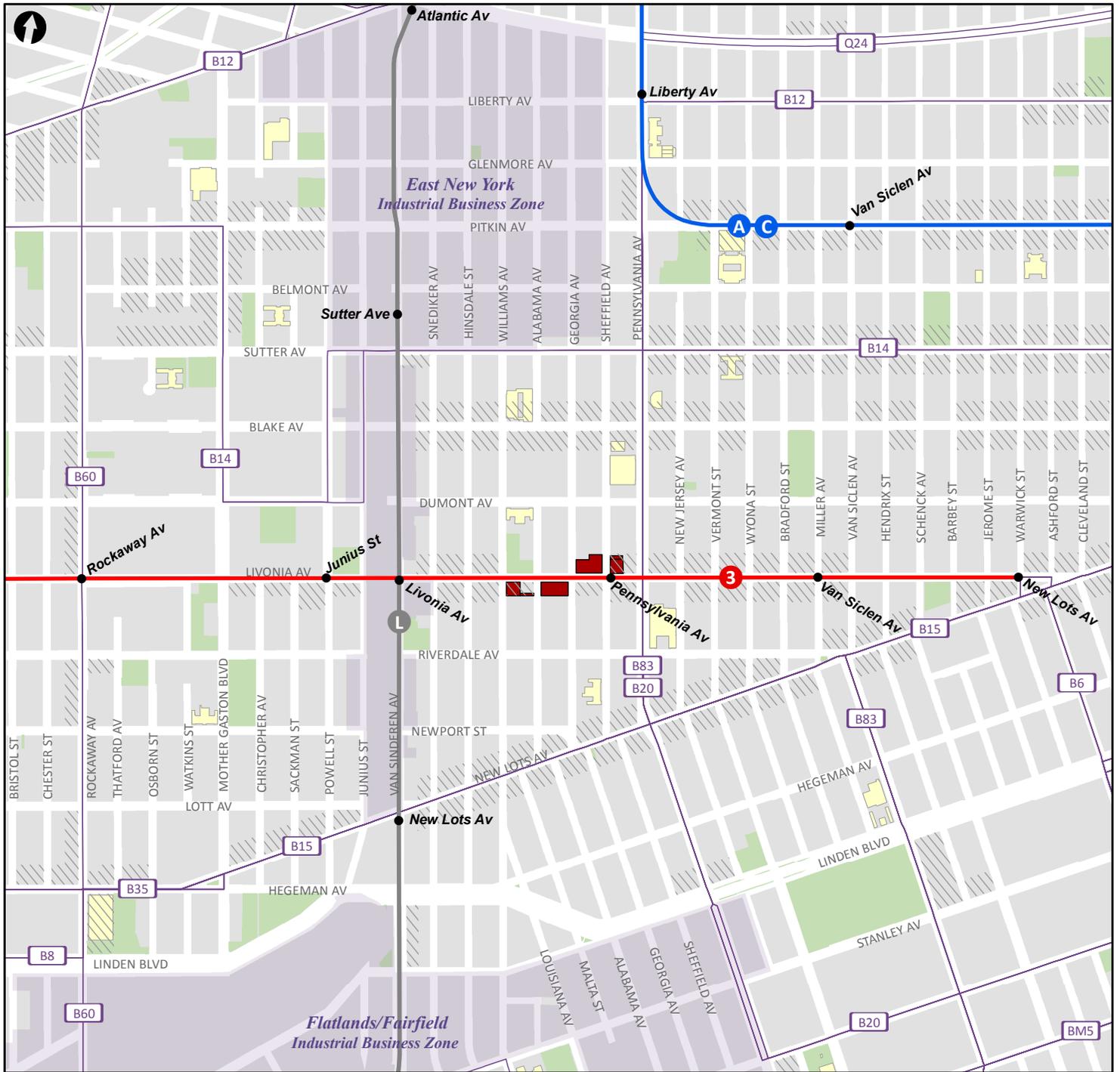
- Neighborhood Overview
- Study Area Geography

Tables:

- Economic Indicators
- Demographic Characteristics
- Retail Opportunity Gap
- Firms and Employment

Prepared for the NYC Department of Housing Preservation and Development by the Housing, Economic and Infrastructure Planning Division of the NYC Department of City Planning, August 2011.

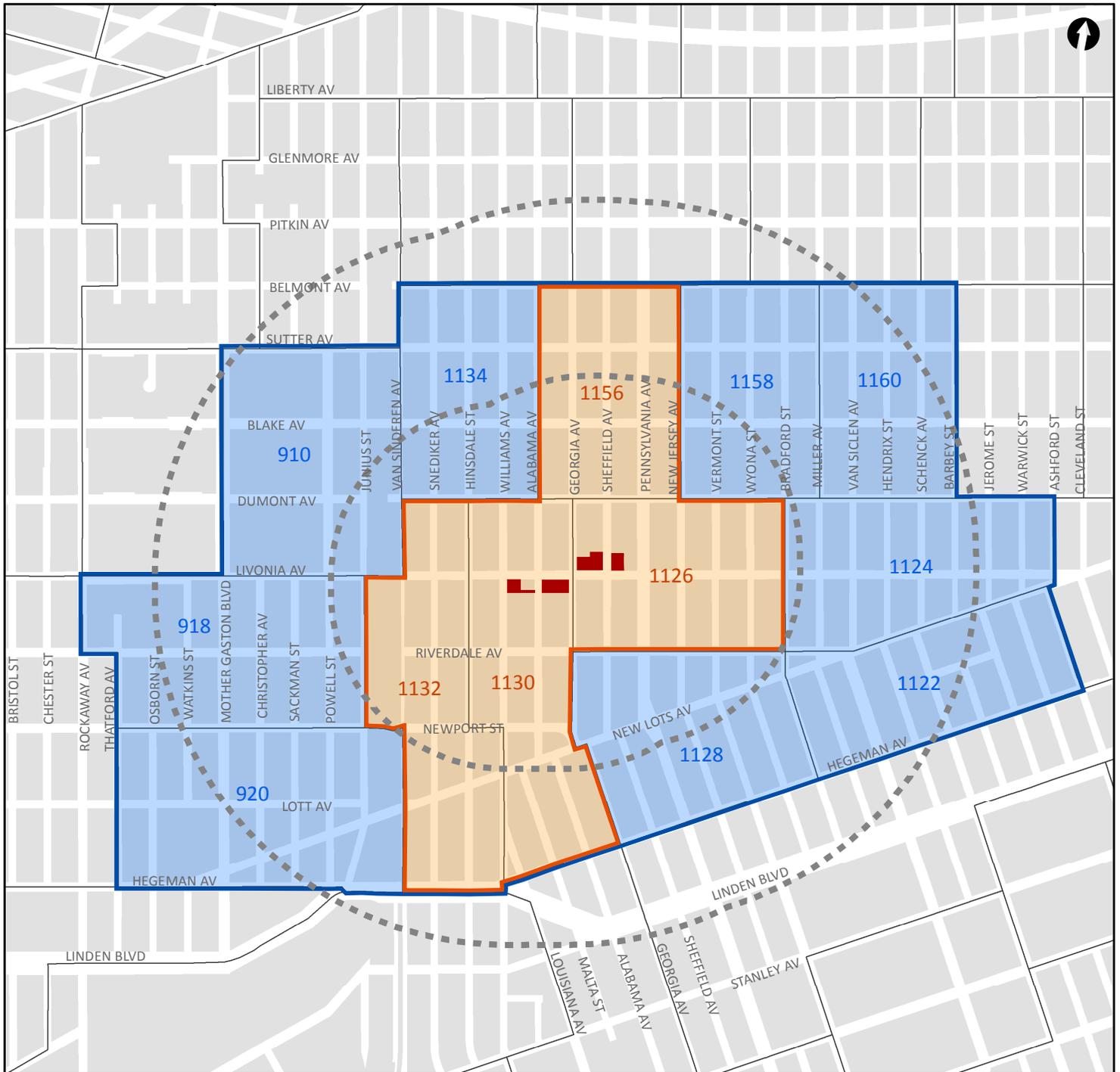
Data from the 2000 and 2010 US Decennial Census, NYS Department of Labor Quarterly Census of Employment and Wages (QCEW) for 2000 3Q, 2008 3Q and 2009 3Q, and Nielsen SiteReports (Claritas).



Livonia Avenue HPD Development Sites and Neighborhood Overview

-  Commercial Districts
-  Livonia Ave. RFP Sites
-  Schools
-  Parks
-  Subway Lines and Stations
-  Bus Lines





Livonia Avenue HPD Development Sites and Study Area



- Livonia Ave RFP Sites
- 1/4 Mile and 1/2 Mile Buffer
- 2000 Census Tracts
- 1132 Tracts within 1/4 Mile of Sites
- 918 Tracts Between 1/4 and 1/2 Mile of Sites
- Primary Study Area
- Secondary Study Area

Economic Indicators

	Primary Study Area		Secondary Study		Brooklyn		NYC	
	2010	% change from 2000	2010	% change from 2000	2010	% change from 2000	2010	% change from 2000
Population	13,926	10.2	44,467	4.2	2,504,700	1.6	8,175,133	2.1
Median household income	\$24,248	6.3 *	\$25,979	4.4	\$42,667	3.3	\$50,063	1.8
Per capita income	\$11,838	10.1 *	\$13,224	5.5	\$21,747	2.4	\$28,215	-0.5
% of households with vehicles	30.9	1.4	33.5	1.5	43.7	0.6	45.8	1.5
% of households owner occupied	22.2	4.1	25.7	3.8	27.7	0.6	31.0	0.8

Figures in blue are estimates from Claritas

Figures in black are from the decennial census

* Comparison is based on 2010 dollars

Demographic Characteristics (Census)

	Primary Study Area		Secondary Study		Brooklyn		NYC	
	2010	% change from 2000	2010	% change from 2000	2010	% change from 2000	2010	% change from 2000
Total population	13,926	10.2	44,467	4.2	2,504,700	1.6	8,175,133	2.1
White nonhispanic	112	57.7	325	24.0	893,306	4.5	2,722,904	-2.8
Black/African American nonhispanic	9,825	14.5	31,737	5.9	799,066	-5.8	1,861,295	-5.1
Other nonhispanic	334	-4.3	938	-16.4	316,043	15.2	1,254,858	15.7
Hispanic origin	3,655	0.5	11,467	1.5	496,285	1.7	2,336,076	8.1
Population under age 18	4,653	-9.4	13,281	-12.8	594,378	-10.3	1,768,111	-8.9

Retail Opportunity Gap (Claritas)

Retail Type- NAICS Code	Primary Study Area	Secondary Study Area
Food and Beverage Stores-445	\$ 10,263,612	\$ 36,809,077
Supermarkets, Grocery (Not Convenience) Stores-44511	\$ 9,804,026	\$ 32,547,052
Pharmacies and Drug Stores-44611	\$ 3,460,568	\$ 10,972,241
Full-Service Restaurants-7221	\$ 4,963,358	\$ 16,500,892
General Merchandise Stores-452	\$ 19,317,862	\$ 58,078,932

Public and Private Employment, Excluding Corporate Headquarters (QCEW)

Primary Study Area	2000				2008				2009				Δ2000-2008				Δ2008-2009			
	Firms		Emp		Firms		Emp		Firms		Emp		Firms		Emp		Firms		Emp	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Manufacturing	5	8.8	201	41.2	4	6.9	-	-	4	5.1	-	-	-1	-20.0	-	-	0	0.0	-	-
Health Care/Social Assistance	9	15.8	125	25.6	13	22.4	284	41.4	13	16.5	287	39.9	4	44.4	159	127.2	0	0.0	3	1.1
Real Estate/Rental/Leasing	12	21.1	50	10.2	6	10.3	25	3.6	6	7.6	24	3.3	-6	-50.0	-25	-50.0	0	0.0	-1	-4.0
Retail Trade	11	19.3	24	4.9	10	17.2	46	6.7	16	20.3	42	5.8	-1	-9.1	22	91.7	6	60.0	-4	-8.7
Accommodation/Food Services	3	5.3	5	1.0	4	6.9	7	1.0	8	10.1	13	1.8	1	33.3	2	40.0	4	100.0	6	85.7
Other Services (except Public Administration)	4	7.0	4	0.8	8	13.8	13	1.9	10	12.7	14	1.9	4	100.0	9	225.0	2	25.0	1	7.7
Other Industrial	6	10.5	30	6.1	6	10.3	114	16.6	9	11.4	128	17.8								
Other non-Industrial	7	12.3	49	10.0	7	12.1	98	14.3	13	16.5	136	18.9								
All Sectors	57	100	488	100	58	100	686	100	79	100	719	100	1	1.8	198	40.6	21	36.2	33	4.8

Secondary Study Area	2000				2008				2009				Δ2000-2008				Δ2008-2009			
	Firms		Emp		Firms		Emp		Firms		Emp		Firms		Emp		Firms		Emp	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Health Care/Social Assistance	25	15.2	543	34.5	39	21.7	1148	54.2	40	18.4	1156	52.7	14	56.0	605	111.4	1	2.6	8	0.7
Manufacturing	13	7.9	441	28.0	9	5.0	269	12.7	9	4.1	236	10.8	-4	-30.8	-172	-39.0	0	0.0	-33	-12.3
Retail Trade	30	18.3	146	9.3	42	23.3	249	11.8	48	22.1	255	11.6	12	40.0	103	70.5	6	14.3	6	2.4
Real Estate/Rental/Leasing	17	10.4	89	5.7	10	5.6	31	1.5	12	5.5	43	2.0	-7	-41.2	-58	-65.2	2	20.0	12	38.7
Other Services (except Public Administration)	24	14.6	76	4.8	21	11.7	64	3.0	30	13.8	68	3.1	-3	-12.5	-12	-15.8	9	42.9	4	6.3
Educational Services	5	3.0	74	4.7	-	-	-	-	3	1.4	105	4.8	-	-	-	-	-	-	-	-
Construction	7	4.3	56	3.6	13	7.2	74	3.5	12	5.5	116	5.3	6	85.7	18	32.1	-1	-7.7	42	56.8
Accommodation/Food Services	11	6.7	23	1.5	12	6.7	31	1.5	17	7.8	37	1.7	1	9.1	8	34.8	5	41.7	6	19.4
Wholesale Trade	5	3.0	16	1.0	5	2.8	89	4.2	6	2.8	84	3.8	0	0.0	73	456.3	1	20.0	-5	-5.6
Transportation/Warehousing	7	4.3	9	0.6	11	6.1	37	1.7	12	5.5	32	1.5	4	57.1	28	311.1	1	9.1	-5	-13.5
Finance and Insurance	3	1.8	6	0.4	4	2.2	11	0.5	3	1.4	12	0.5	1	33.3	5	83.3	-1	-25.0	1	9.1
Prof./Scientific/Technical Services	-	-	-	-	3	1.7	-	-	3	1.4	9	0.4	-	-	-	-	0	0.0	-	-
All Other	17	10.4	95	6.0	11	6.1	115	5.4	22	10.1	42	1.9								
All Sectors	164	100	1574	100	180	100	2118	100	217	100	2195	100	16	9.8	544	34.6	37	20.6	77	3.6

Livonia Avenue Retail Market Study

June 15, 2007



This document was prepared for the New York State Department of State with funds provided under the Quality Communities Initiative.



Work to Date



- Overview of Previous Work
- Competitive Position Analysis
- SWOT Analysis
- Recommendations

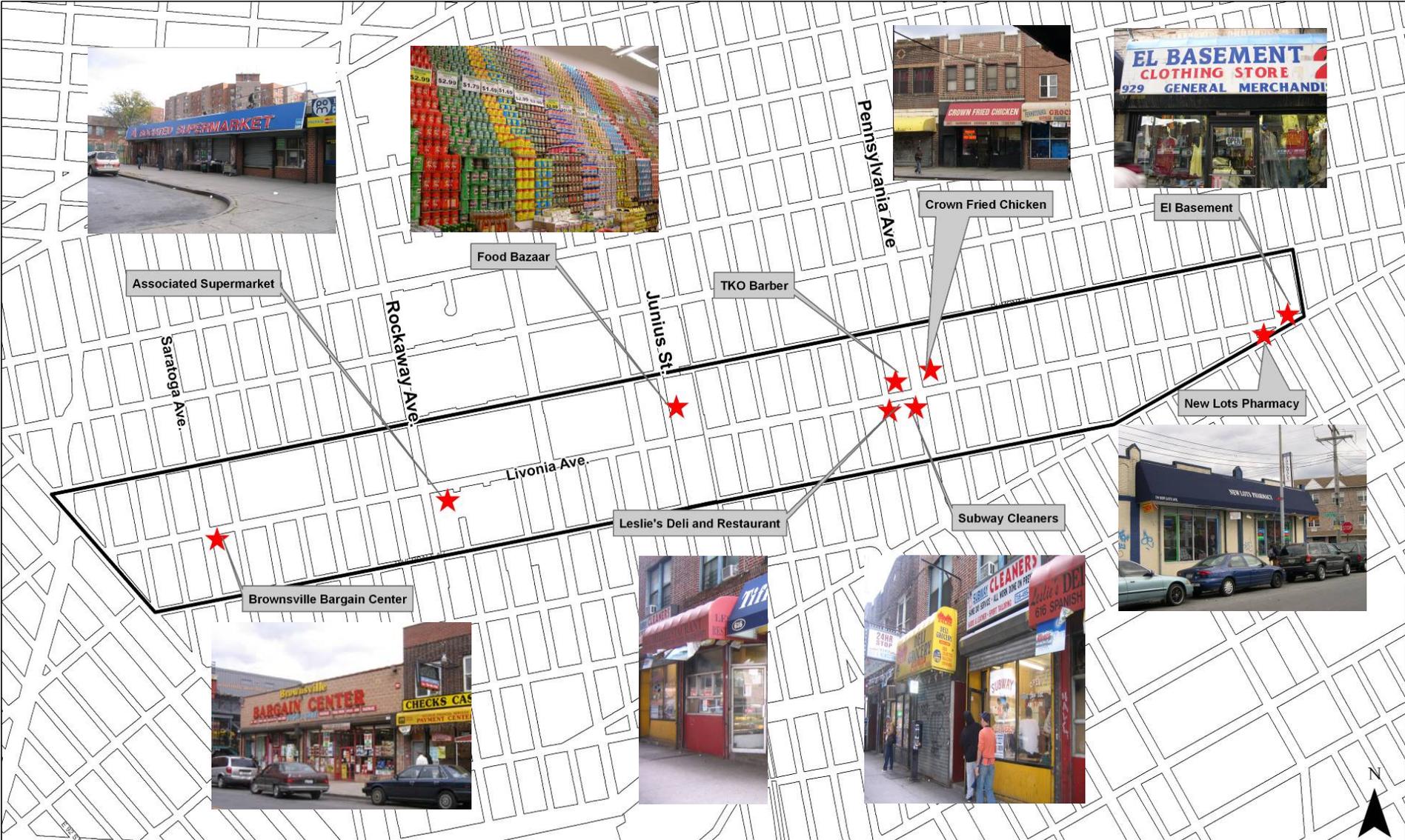
Overview: Retail Survey



Overview: Retail Survey Findings

- 111 retail storefronts
 - Approximately 199,000 sf
 - Clustered around subway stations
- Approximately 50% of establishments are convenience goods and neighborhood services
 - Most businesses local
 - Chains not common (exceptions: Popeye's, Associated Grocery)
- 19% of storefronts are vacant
 - 21 totaling approximately 18,170 sf
- 19% of establishments (21 storefronts) have visible high-security measures in place
- Most retail establishments are small (1,050 median gsf)

Overview: Merchant Interviews



Overview: Merchant Findings

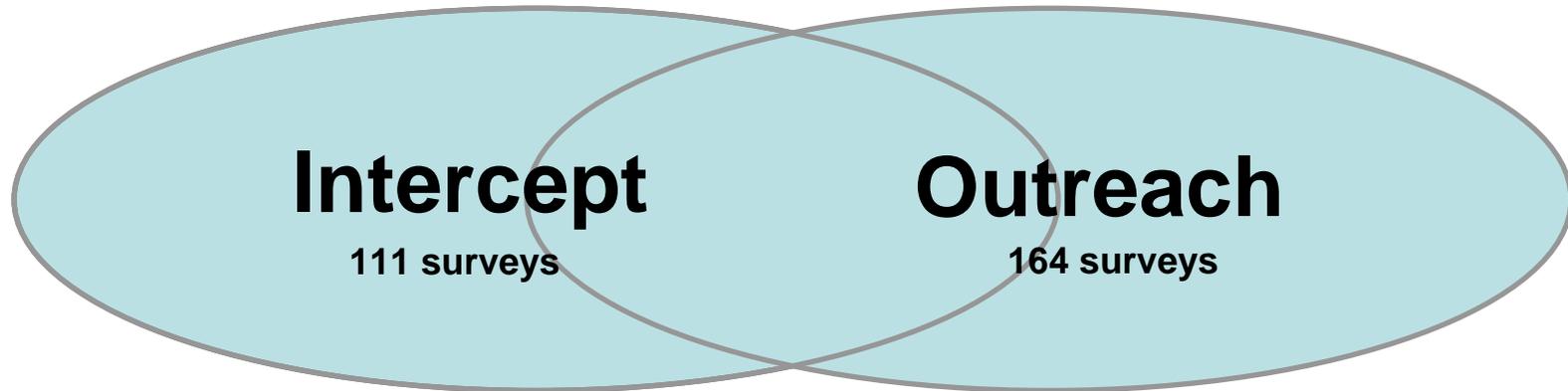
- Regular customers from immediate neighborhood
- Small day-to-day items sell best: food, personal care products
- Business performance varies
- Major competitors are Pitkin Avenue, East 98th Street, Gateway Center, and Downtown Brooklyn
- Negative perception of the area remains despite drop in crime
- Aesthetic improvements, more street activity, and better lighting are needed
- New retail uses needed: sit-down restaurants, a laundromat, a bank, clothing and shoe stores

Overview: Consumer Surveys



- 275 Total Surveys
 - Intercept (111) and Outreach (164)
- 65% shop on Livonia
 - Most at least once a week
- Customers are local: 58% walk
- Shop at deli/groceries and supermarkets most
- Variety and quality lacking on Livonia
- Other shopping areas preferred
 - Pitkin and Gateway Center
- Greater variety would improve Livonia
 - Clothing, Banks, Supermarkets, Dining Options wanted most
- Improvements needed
 - Better lighting, streetscaping
 - Safety still an issue despite drop

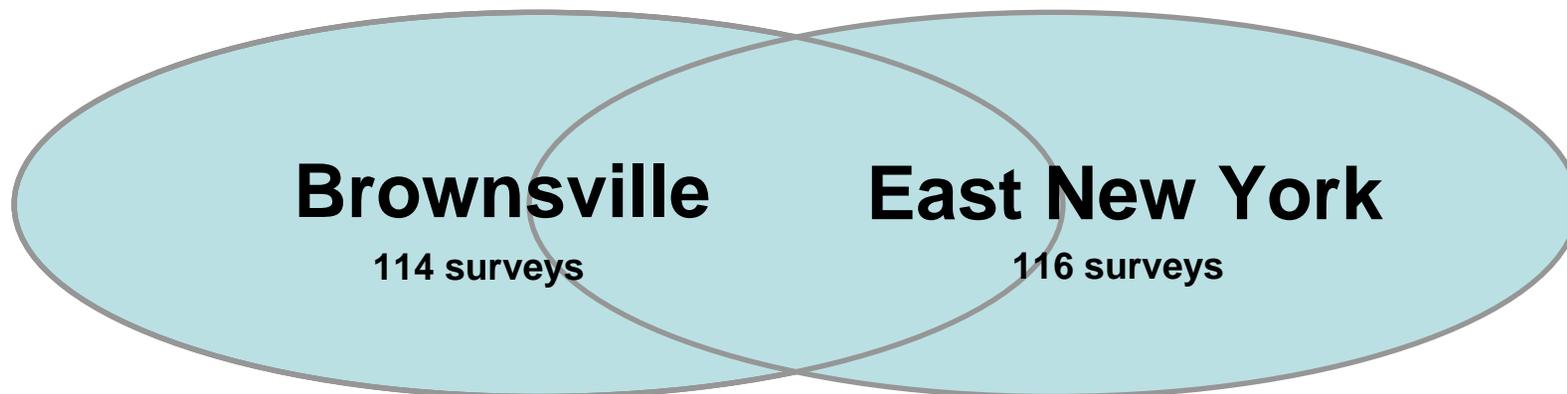
Intercept v. Outreach Surveys



- 60% shop on Livonia
- Shop more frequently and spend more
- Shop at Supermarkets most
- More shop at Pitkin Ave
- More likely to come by subway and bus
- Shop elsewhere for “variety”
- Want clothing stores, restaurants, supermarkets, banks, entertainment options

- 68% shop on Livonia
- Shop less frequently and spend less
- Shop at Deli/Groceries most
- More shop at Gateway Center
- More likely to come by car
- Shop elsewhere for “variety”
- Want banks, supermarkets, clothing, entertainment, restaurants

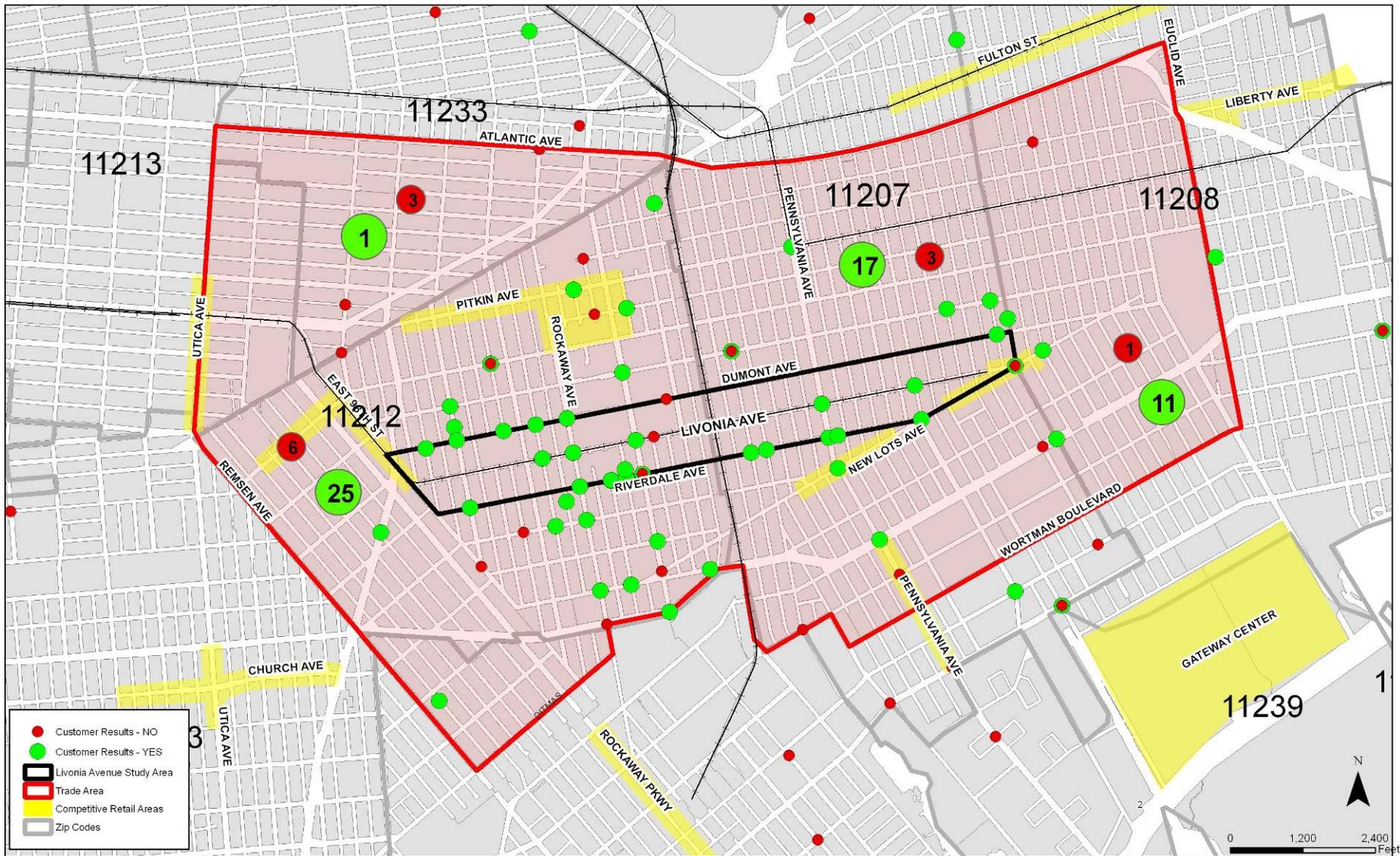
Brownsville vs. East New York Surveys



- 53% shop on Livonia
- 65% shop at least once a week
- Spend \$50 to \$100 a month on Livonia
- Shop at Supermarkets most
- More shop at Pitkin Ave
- More likely to walk or take bus to Livonia
- Variety #1 reason prefer other areas
- Want clothing stores, supermarkets, banks and restaurants

- 67% shop on Livonia
- 72% shop at least once a week
- Spending varied on Livonia
- Shop at Deli/Groceries most
- More shop at Gateway Center
- More likely to walk or drive to Livonia
- Variety #1 reason prefer other areas
- Want banks, clothing, supermarkets, and restaurants

Overview: Trade Area



Overview: Trade Area Demographics 2000



- Total Population: 213,300
- Households: 70,783
- Race and Ethnicity
 - 78% Black or African American
 - 21% Hispanic or Latino
- 1999 Median HH Income: \$22,321
- 38% Below Poverty Level
- 82% Renter occupied housing
- Since 2000: 2,845 new housing units
 - 4% increase since 2000

Overview: Capture Rates

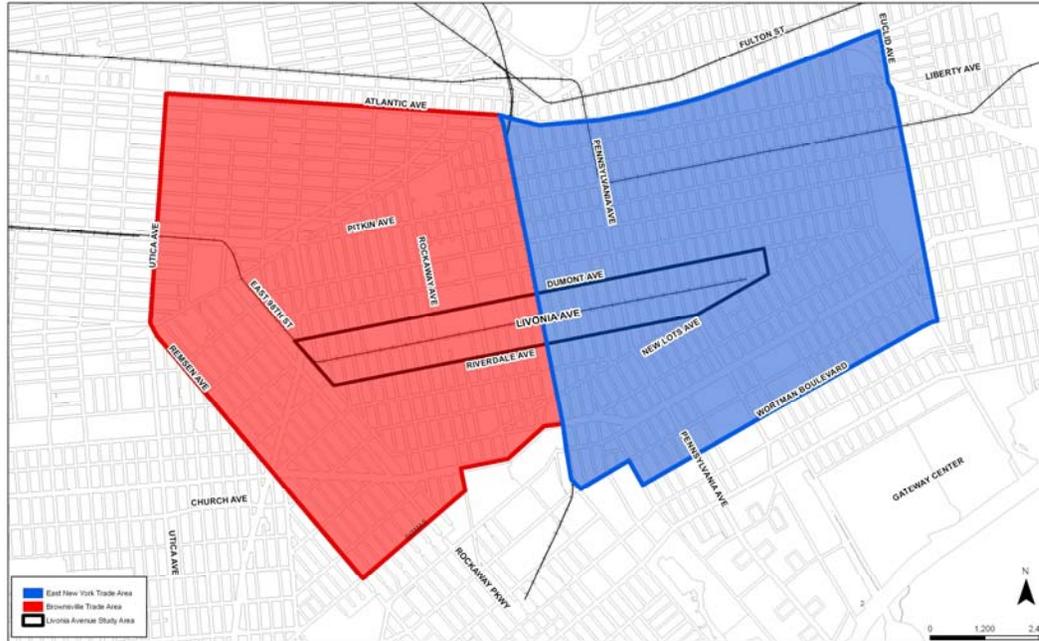
Study Area Capture Rate: 78%

- Retail Sales: \$451 million.
- Retail Expenditure Potential: \$580 million
- Gap: \$129 million

→ Individual Capture Rates

- Shopping Goods: 67%
 - Electronics and appliances: 22%
 - Clothing: 60%
 - General merchandise: 79%
- Convenience Goods: 90%
 - Grocery Stores: 77%
 - Specialty food stores: 35%
 - Health and personal care: 161%
- Eating & Drinking: 24%

Overview: Brownsville vs. East New York Capture Rates



Brownsville

→ Total Capture Rate: 90%

- Shopping Goods: 83%
- Convenience Goods: 98%
- Eating & Drinking: 20%

East New York

→ Total Capture Rate: 58%

- Shopping Goods: 42%
- Convenience Goods: 77%
- Eating & Drinking: 29%

Overview Summary: Retail Along Livonia is....

→ Local and Convenient

- Located at subway and bus stops
- Establishments cater to community
 - Bodegas and small markets
 - Limited-service food (fast food)
 - Neighborhood services, particularly hair and nail salons
- Small store sizes

→ Limited

- Only 111 storefronts in 6 clusters
 - Some with under 10 storefronts
- Consumers want better variety.
 - Banks, clothing stores, better supermarkets, restaurants

→ Unpredictable and Unappealing

- Some businesses doing well, others struggling
- High vacancy rate (particularly small spaces)
- Streetscape, storefront and lighting improvements needed



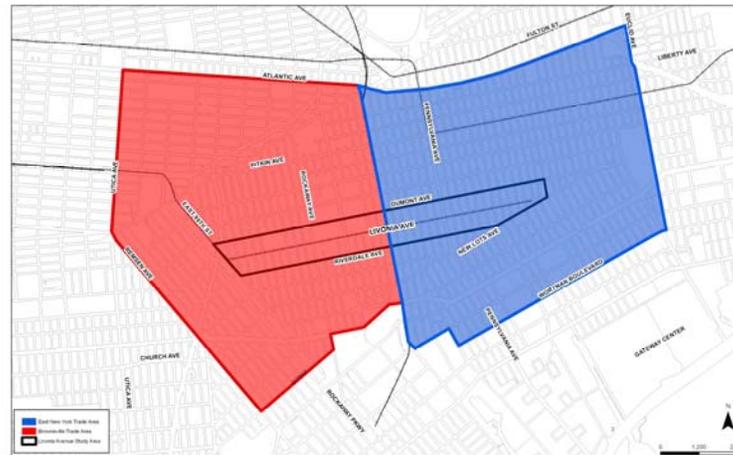
Part II

Competitive Position Analysis

Competition Analysis: Retail Demand on Livonia

Consumers Want

→Banks, Clothing Stores, Better Supermarkets, and Restaurants



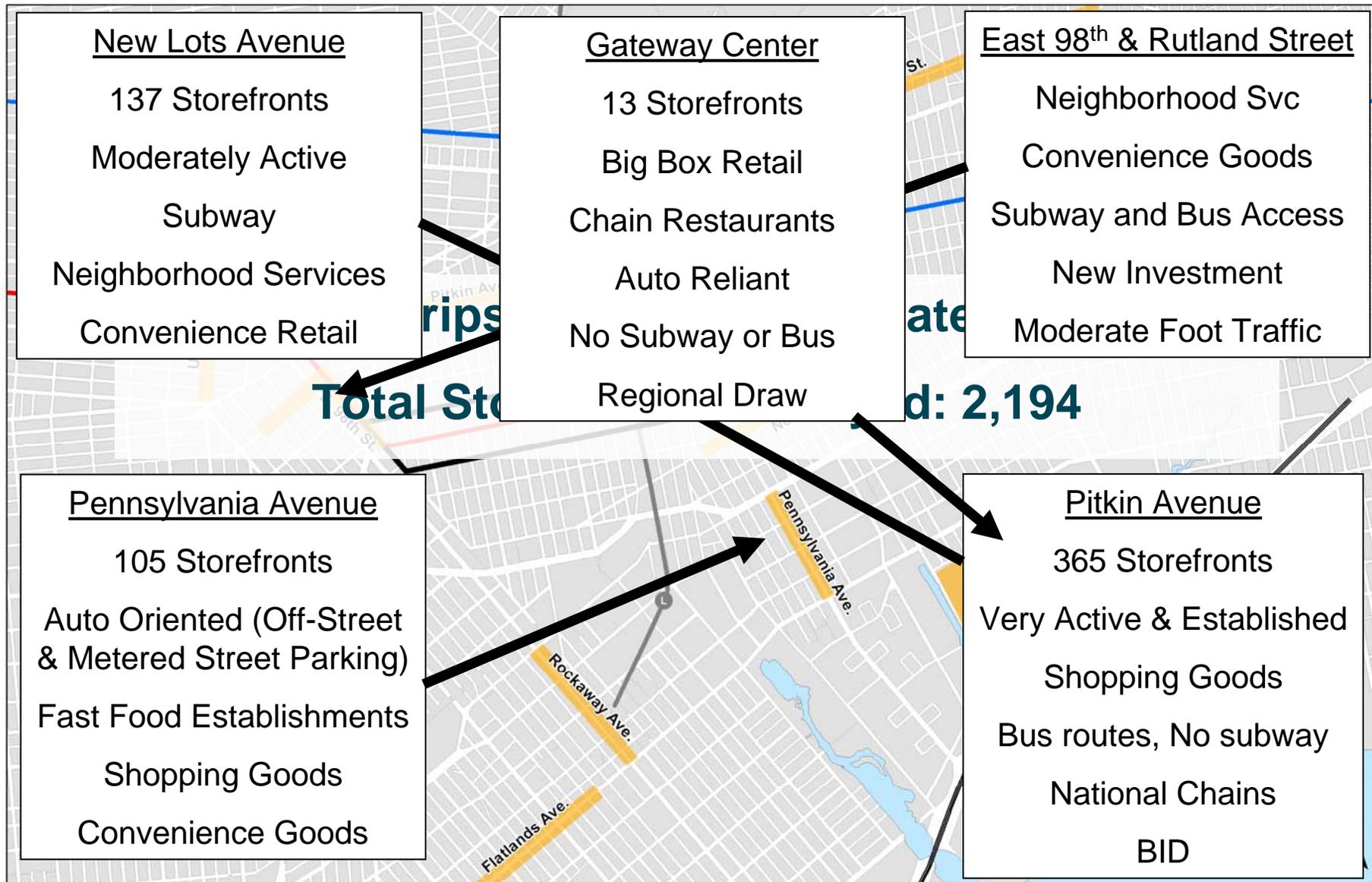
Opportunity in Brownsville

- Shopping Goods: 83%
- Eating & Drinking: 20%

Opportunity in East New York

- Shopping Goods: 42%
- Convenience Goods: 77%
- Eating & Drinking: 29%

Competition Analysis: Retail Surveys



Retail Surveys



→ Retail Composition of All Competitive Strips

- Shopping Goods: 23.4%
- Convenience Goods: 16.0%
- Neighborhood Services: 32.5%
- Eating and Drinking Establishments: 11.9%
- Vacant Storefronts: 12.2%

Competition Analysis: Livonia v. Surveyed Areas

TYPES OF STORES	LIVONIA AVENUE	ALL AREAS
Shopping Goods	8.1%	23.4%
Convenience Goods	27.9%	16.0%
Neighborhood Services	28.8%	32.5%
Eating and Drinking	15.3%	11.9%
Auto Trade	0.9%	2.4%
Building Materials	0%	1.6%
Vacant Storefronts	18.9%	12.2%

Competitive Position Analysis: Retail Surveys

TYPES OF STORES	LIVONIA AVENUE	PITKIN AVENUE	GATEWAY CENTER
Shopping Goods	8.1%	39.2%	69.2%
Convenience Goods	27.9%	13.4%	0.0%
Neighborhood Services	28.8%	20.8%	0.0%
Eating and Drinking	15.3%	7.1%	23.1%
Auto Trade	0.9%	0.5%	0.0%
Building Materials	0%	0.3%	7.7%
Vacant Storefronts	18.9%	18.6%	0.0%

Competitive Position Analysis: Retail Surveys

TYPES OF STORES	BROWNSVILLE	EAST NY	PITKIN AVENUE	GATEWAY CENTER
Shopping Goods	9.6%	10.0%	39.2%	69.2%
Convenience Goods	28.8%	23.3%	13.4%	0.0%
Neighborhood Services	21.2%	28.3%	20.8%	0.0%
Eating and Drinking	17.3%	11.7%	7.1%	23.1%
Auto Trade	0.0%	1.7%	0.5%	0.0%
Building Materials	0.0%	0.0%	0.3%	7.7%
Vacant Storefronts	23.1%	25.0%	18.6%	0.0%

Competitive Retail Strips: Rent Levels

→ Rent Levels

- Pitkin Avenue: \$35 psf
- East 98th and Rutland: \$22 psf
- Liberty Avenue: \$45 psf
- Pennsylvania Avenue: \$30 psf
- Fulton: \$16-30 psf

→ Terms

- Generally, leases are for 10 years. Some are 5-year renewable, others negotiate.

Livonia Avenue: Realtor Insight

- Retail should be in or near established retail clusters
 - Access to subway is essential
- Opportunities better on cross streets than along Livonia (Rockaway, Pennsylvania)
 - More auto traffic
 - Junius and Livonia Cluster area referred to as a retail “dead zone”
 - Little traffic, dead end
 - More opportunity for larger sf stores
- Isolated mixed-use development success unlikely away from clusters
 - Creating new clusters where large parcels of vacant land could work

Livonia Avenue: Rent Terms

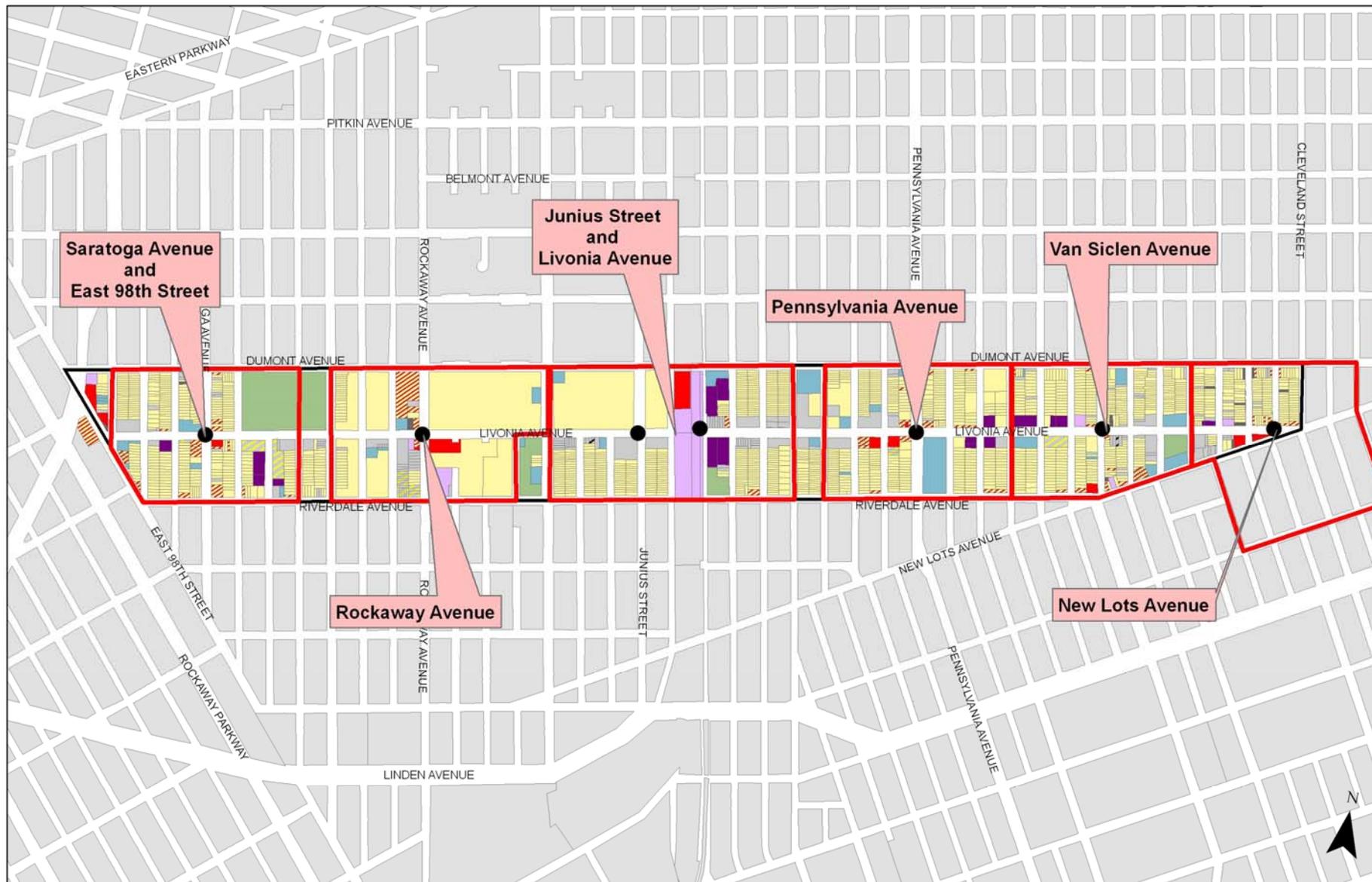
→ Livonia Retail Clusters

- Saratoga Avenue: \$17 to \$22 psf
- Rockaway Avenue: \$17 to \$20 psf
- Pennsylvania Avenue: \$22 to \$25 psf
- New Lots Avenue: \$17 to \$20, \$25 near subway stop
- Junius/Livonia & Van Sicken (untested)
 - Mother Gaston Blvd and Livonia a “dead zone”
- Lower rents for smaller storefronts, especially away from main cluster

Part III

SWOT Analysis

SWOT Analysis: Introduction



Retail Cluster Ranking

Current Conditions



SWOT Analysis: Pennsylvania Avenue



SWOT Analysis: New Lots Avenue



SWOT Analysis: Rockaway Avenue



SWOT: Saratoga Avenue and East 98th Street



SWOT Analysis: Junius Street and Livonia Avenue



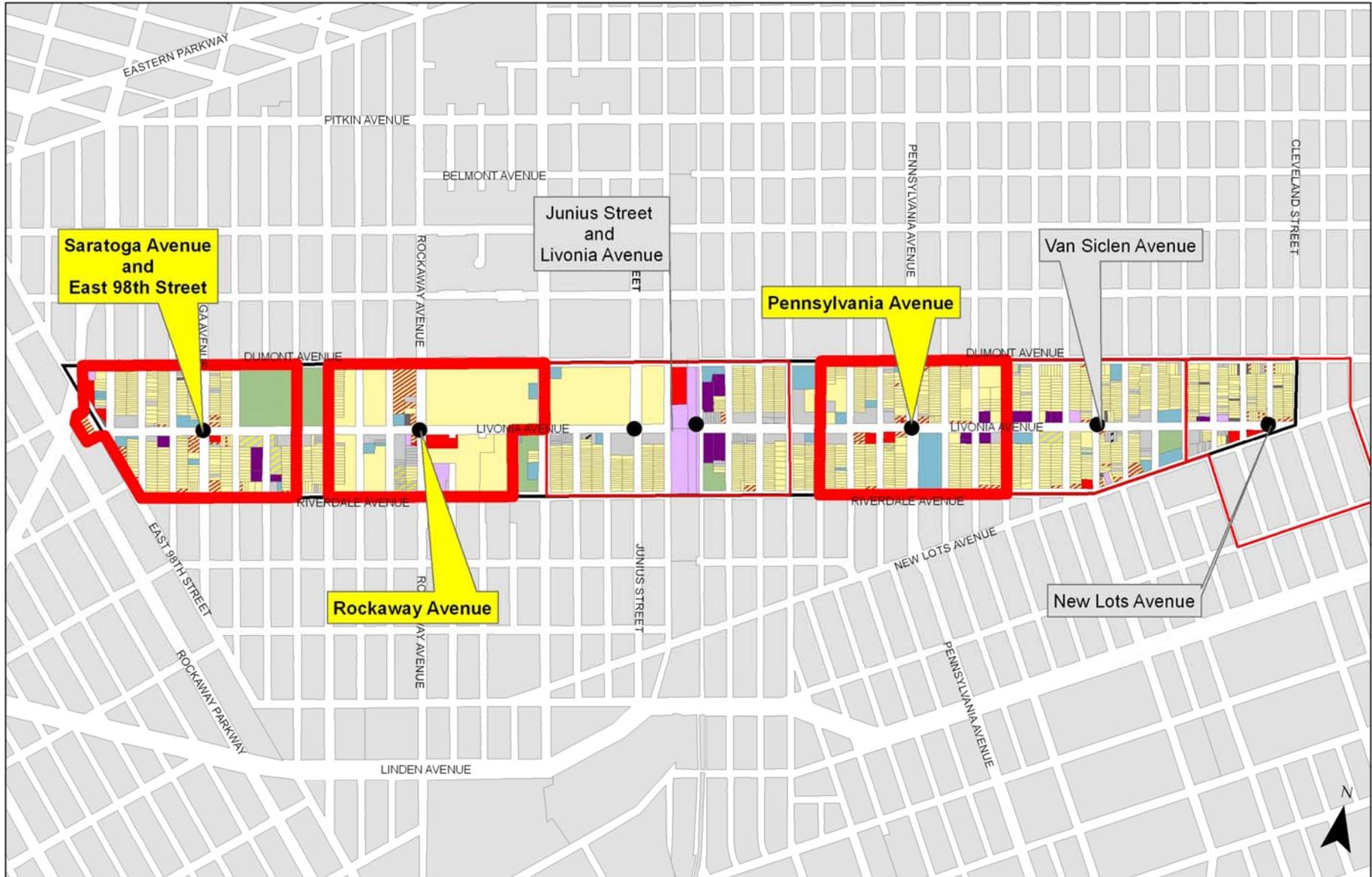
SWOT Analysis: Van Siclen Avenue



Part III

Recommendations

Recommendations



Recommendations

Pennsylvania Avenue Cluster

RE-ESTABLISH RETAIL COORIDOR

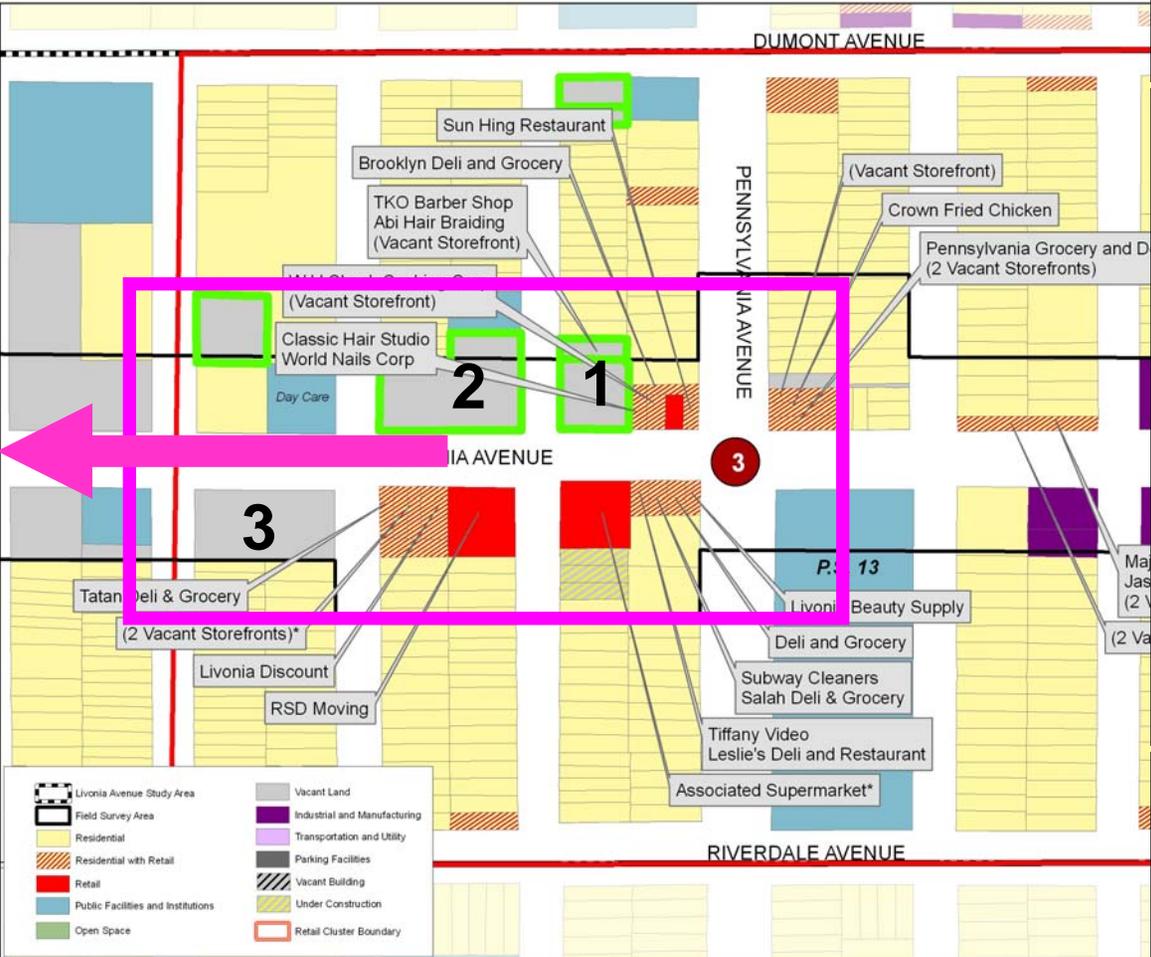
- New Investment east of Subway
- Large Vacant Properties
 - Total Square Feet: 56,100
 - HPD Square Feet: 36,100
- Further west – development potential

INDIVIDUAL LOTS

- **Lot 1**
 - Dimensions: 100 x 130 ft (approx)
 - Total Square Ft: 12,600
 - Frontage: 100 ft
- **Lot 2**
 - Dimensions: 200 x 140/100 ft (approx)
 - Total Square Ft: 23,500
 - Frontage: 200 ft
- **Lot 3**
 - Dimensions: 200 x 100 ft
 - Total SF: 20,000
 - Frontage: 200 ft

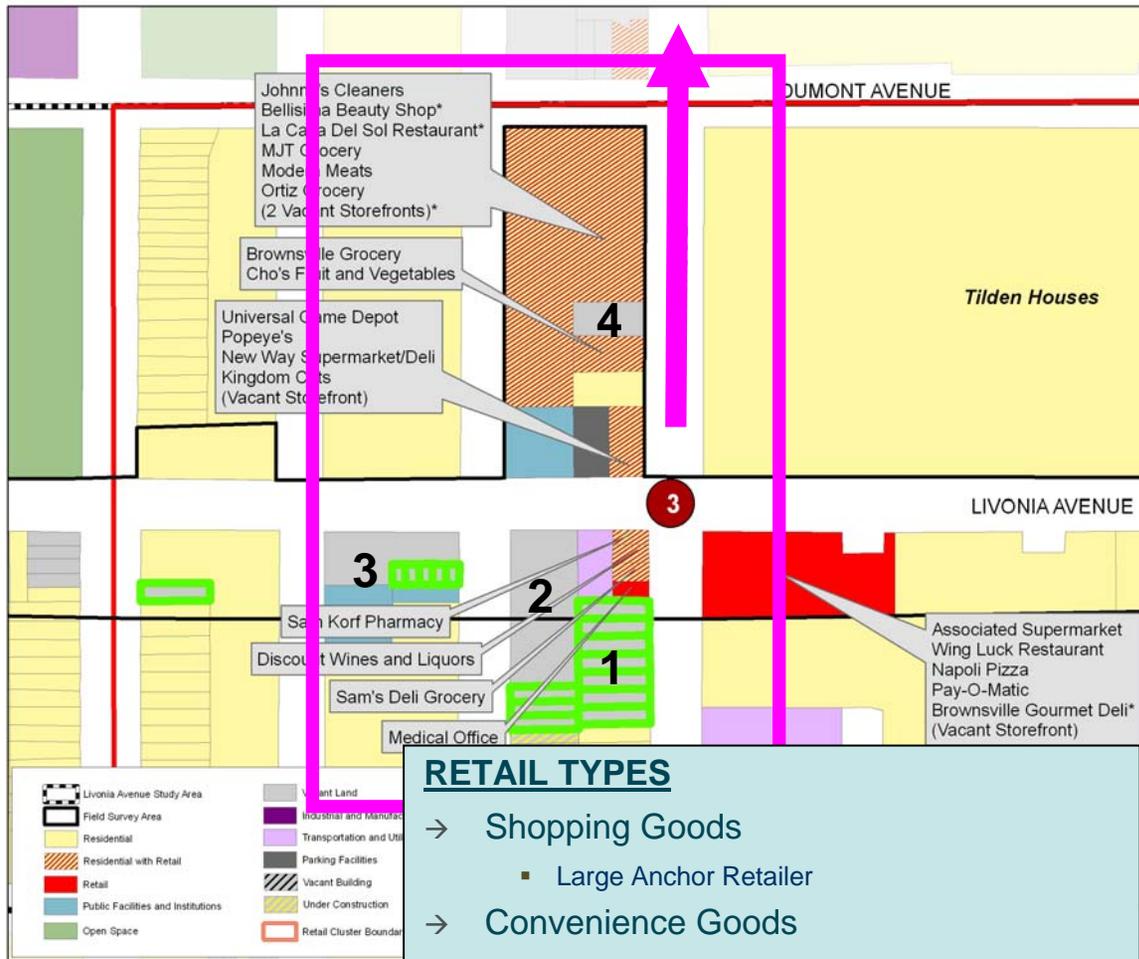
RETAIL TYPES

- Eating & Drinking
- Convenience Goods
 - Larger Drugstore
- Neighborhood Services
 - Build upon what's already there.



Recommendations

Rockaway Avenue Cluster



CREATE LINK TO PITKIN

- Pitkin Just to the North
 - Subway could feed customers
- Vacant Properties
 - Total Square Feet: 65,525
 - HPD Square Feet: 28,500

INDIVIDUAL LOTS

- Lot 1 (10 lots combined):
 - Dimensions: 175 x 100/200
 - Total Square Ft: 23,500
 - Frontage: 175 ft
- Lot 2:
 - Dimensions: 220.5 x 100 (approx)
 - Total Square Ft: 22,025
 - Frontage: 100 ft (along Livonia)
- Lot 3
 - Dimensions: 200 x 75
 - Total SF: 15,000
 - Frontage: 200 ft
- Lot 4
 - Dimensions: 50 x 100
 - Total SF: 5,000
 - Frontage: 50

Recommendations

Saratoga Avenue Cluster

A GATEWAY TO LIVONIA AVENUE

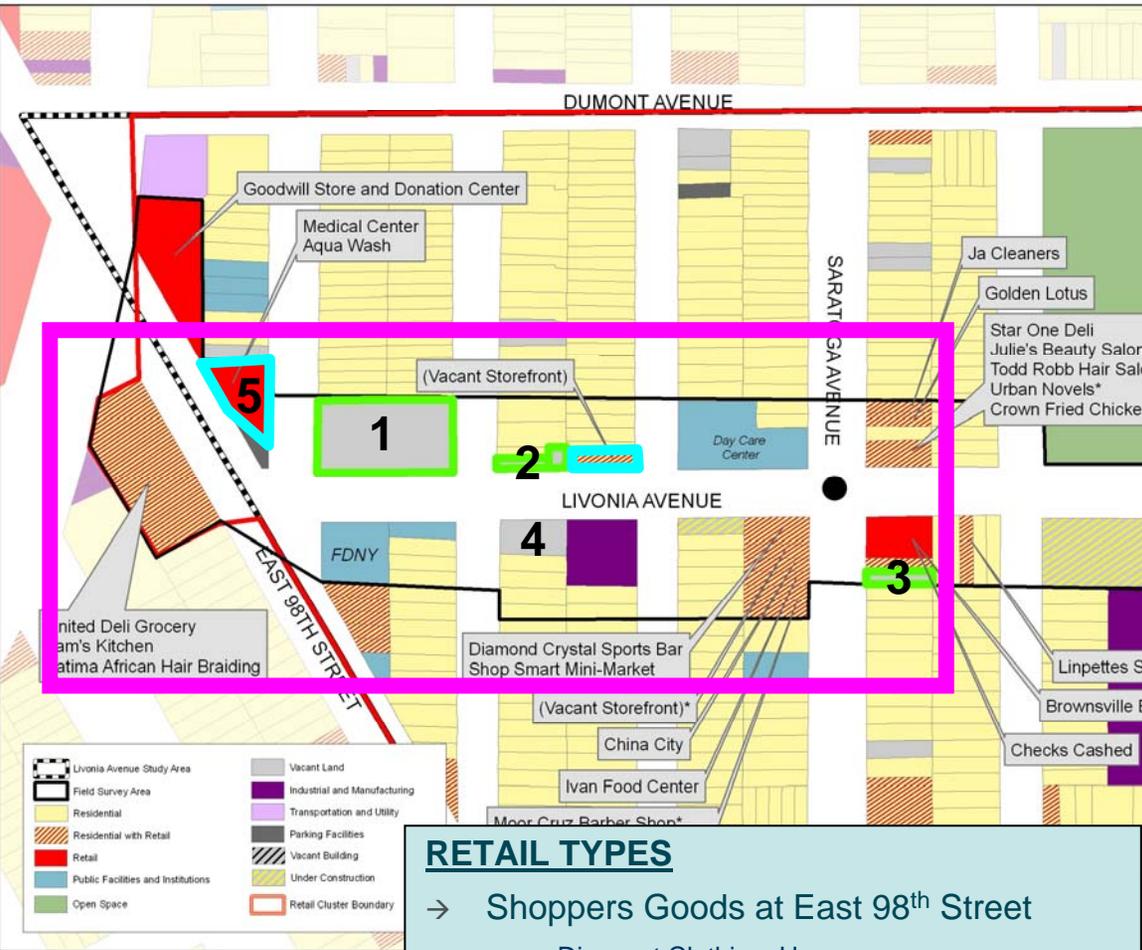
- Establish retail corridor from East 98th Street to Saratoga
- Key vacant properties
 - Total Square Feet: 29,950
 - HPD Square Feet: 24,950
- Soft Sites Square Feet: 7,250

INDIVIDUAL LOTS

- Lot 1
 - Total Square Ft: 12,600 (100 x 200)
 - Frontage: 200 ft
- Lot 2 (includes neighboring soft site)
 - Total Square Ft: 3,350 (200 x 15/30)
 - Frontage: 200 ft
- Lot 3
 - Total SF: 2,000 (20 x 100)
 - Frontage: 20 ft
- Lot 4
 - Total SF: 5,000 (50 x 100)
 - Frontage 100 ft
- Lot 5 (Soft Site)
 - Total SF: 7,250
 - Frontage: 145 ft (approx)

RETAIL TYPES

- Shoppers Goods at East 98th Street
 - Discount Clothing, Housewares
- Eating & Drinking
- Neighborhood Services



Total Vacant Land Square Feet

SARATOGA AVENUE

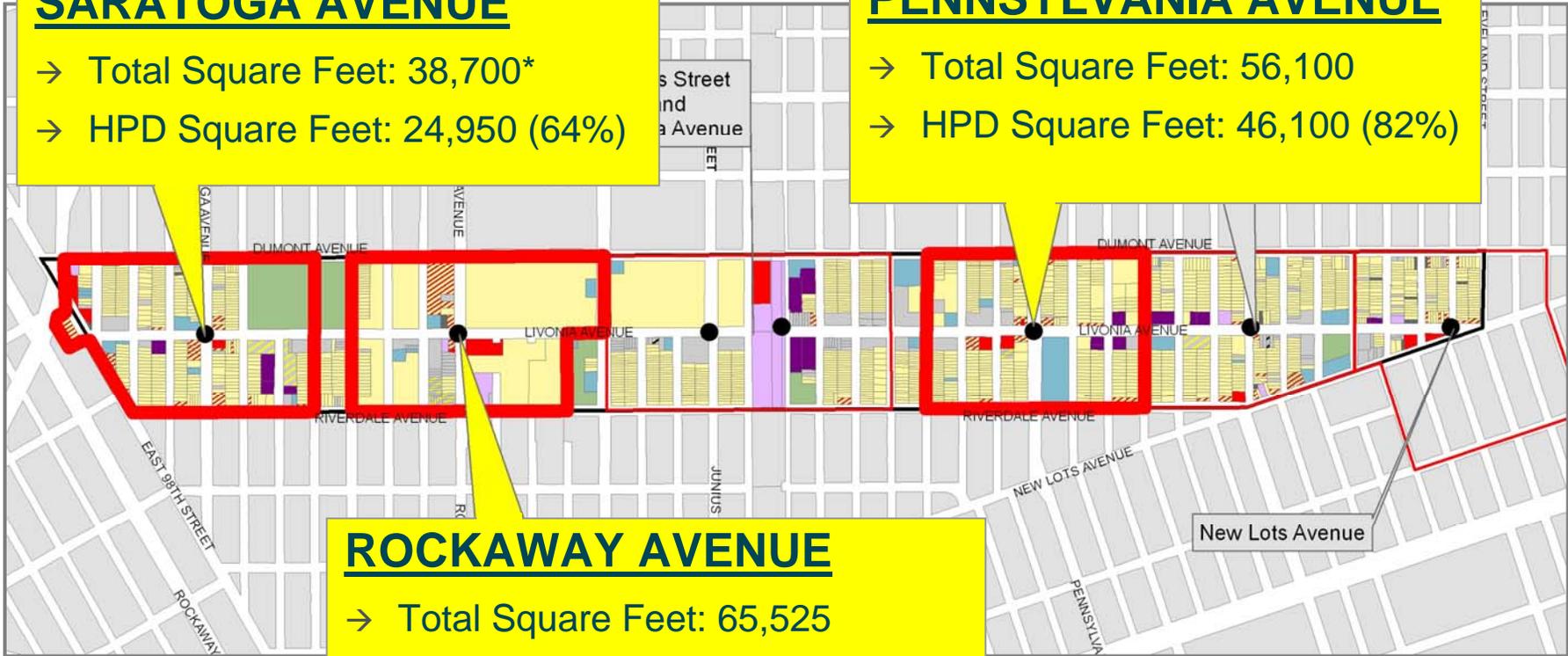
- Total Square Feet: 38,700*
- HPD Square Feet: 24,950 (64%)

PENNSYLVANIA AVENUE

- Total Square Feet: 56,100
- HPD Square Feet: 46,100 (82%)

ROCKAWAY AVENUE

- Total Square Feet: 65,525
- HPD Square Feet: 28,500 (43%)



*Includes Soft Sites

Total New Retail Square Feet

SARATOGA AVENUE

- Total Retail: 29,600 sf
- Total HPD Retail: 17,350 sf (59%)
- Retail Opportunity: Shoppers Goods and Eating & Drinking

PENNSYLVANIA AVENUE

- Total Retail: 28,000 sf
- Total HPD Retail: 18,000 sf (64%)
- Retail Opportunity: Convenience Goods (Food) and Eating & Drinking

ROCKAWAY AVENUE

- Total Retail: 29,500 sf
- Total HPD Retail: 10,500 sf (36%)
- Retail Opportunity: Shoppers Goods and Eating & Drinking



New Retail Distribution

SARATOGA AVENUE

- Shopping Goods: 2,000—16,600 sf
- Convenience Goods: 0 sf
- Eating & Drinking: 6,000—9,625 sf
- Neighborhood Services: 3,350 sf

PENNSYLVANIA AVENUE

- Shopping Goods: 2,500—5000 sf
- Convenience Goods: 2,500—14,500 sf
- Eating & Drinking: 3,000—6,000 sf
- Neighborhood Services: 3,000—8,000 sf



ROCKAWAY AVENUE

- Shopping Goods: 3,000—13,000 sf
- Convenience Goods: 2,000—4,500 sf
- Eating & Drinking: 2,500—8,500 sf
- Neighborhood Services: 6,000 sf

Summary

- Total New Retail: 87,100 sf
- Total HPD Owned: 45,850 sf
 - 53% of total retail sf



- Shopping Goods: 7,500 to 34,600 sf
- Convenience Goods: 4,500 to 19,000 sf
- Eating & Drinking: 11,500 to 24,125 sf
- Neighborhood Services: 12,300 to 17,350 sf

Total New Retail Sales

SARATOGA AVENUE

- Rent psf: \$17 - \$22
- Sales psf: \$250 - \$400
- Total: \$6.6 - \$13.2 million

PENNSYLVANIA AVENUE

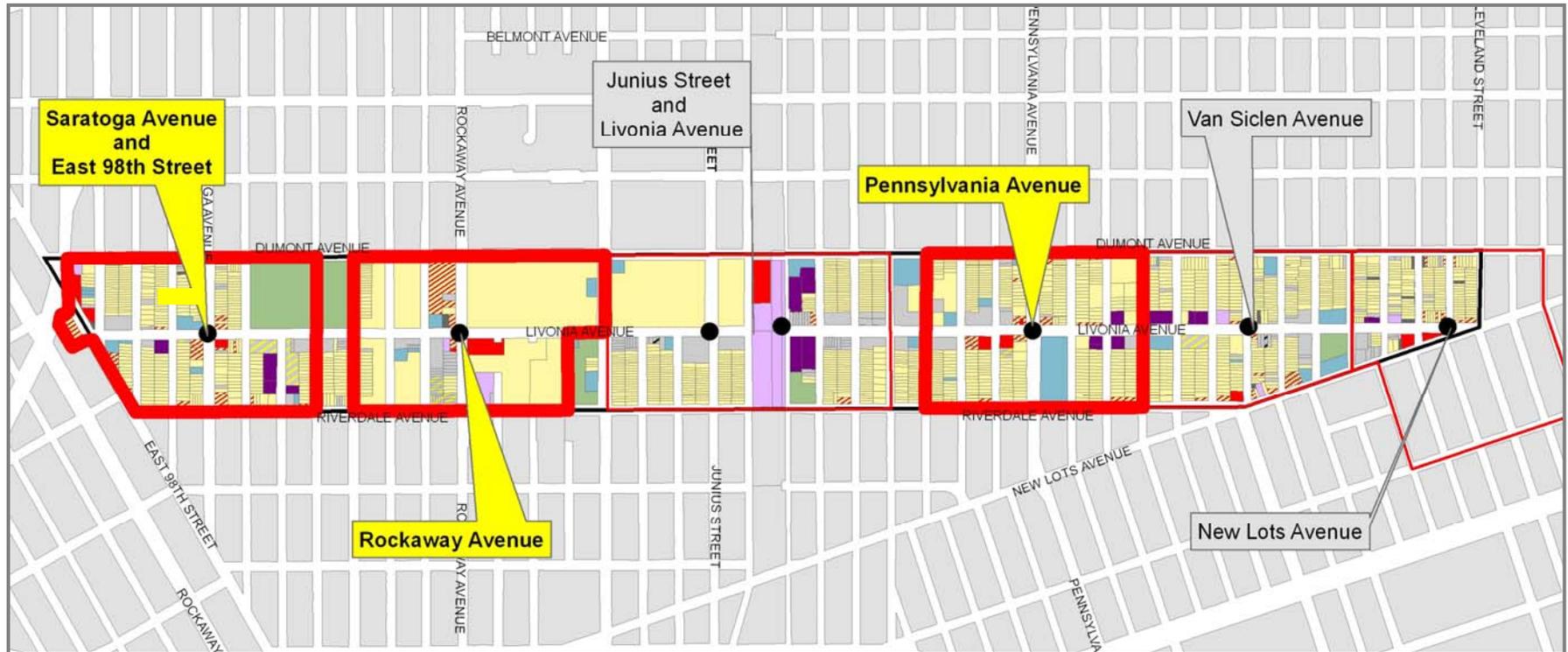
- Rent: \$22 - \$25
- Sales psf: \$290 - \$500
- Total: \$8.1 - \$14.0 million



ROCKAWAY AVENUE

- Rent psf: \$17 - \$20
- \$225 to \$400 psf
- Total: \$6.6 - \$11.8 million

Total New Retail Sales



Total Sales: \$21.3 to \$39.0 million
Incremental Capture Rate: 3.5% to 6.5%

APPENDIX F: GREEN COMMUNITIES CHECKLIST



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

2011 Enterprise Green Communities Criteria Checklist

This checklist provides an overview of the technical requirements within the Enterprise Green Communities Criteria. **To achieve Enterprise Green Communities Certification, all projects must achieve compliance with the Criteria mandatory measures applicable to that construction type. Additionally, New Construction projects must achieve 35 optional points, Substantial Rehab projects must achieve 30 optional points, and Moderate Rehab projects must also achieve 30 optional points.**

1: INTEGRATIVE DESIGN

YES NO MAYBE

M

1.1a Green Development Plan: Integrative Design Meeting(s)

Conduct one or more integrative design meetings and submit a Green Development Plan or equivalent documentation.

YES NO MAYBE

M

1.1b Green Development Plan: Criteria Documentation

Create design and construction documentation to include information on implementation of appropriate Enterprise Green Communities Criteria.

YES NO MAYBE

2

1.2a Universal Design *(New Construction only)*

Design a minimum of 15% of the dwelling units (no fewer than one) in accordance with ICC/ANSI A117.1, Type A, Fully Accessible guidelines.

YES NO MAYBE

2 or 3

1.2b Universal Design *(Substantial and Moderate Rehab only)*

Design a minimum of 10% of the dwelling units (no fewer than one) in accordance with ICC/ANSI A117.1, Type A, Fully Accessible guidelines [2 points] and, for an additional point, the remainder of the ground-floor units and elevator-reachable units should have accessible unit entrances.

SUBTOTAL OPTIONAL POINTS

2: LOCATION + NEIGHBORHOOD FABRIC

YES NO MAYBE

M

2.1 Sensitive Site Protection *(New Construction only)*

Do not locate new development, including buildings, built structures, roads, or other parking areas, on portions of sites that meet any of the following provisions:

- Land within 100 feet of wetlands, including isolated wetlands or streams
- Land on slope greater than 15%
- Land with prime soils, unique soils, or soils of state significance
- Public parkland
- Land that is specifically identified as habitat for any species on federal or state threatened or endangered lists
- Land with elevation at or below the 100-year floodplain

YES NO MAYBE

M

2.2 Connections to Existing Development and Infrastructure *(New Construction only, except for projects located on rural tribal lands, in colonias communities, or in communities of population less than 10,000)*

Locate project on a site with access to existing roads, water, sewers, and other infrastructure within or contiguous to existing development. Connect the project to the pedestrian grid.



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

LOCATION + NEIGHBORHOOD FABRIC (CONTINUED)

YES NO MAYBE

M

2.3 Compact Development *(New Construction only)*

Design and build the project to a density of at least:

- *Urban/Small Cities:* 10 dwelling units per acre, or at least 75% of surrounding net residential density, whichever is greater
- *Suburban/Mid-Size Towns:* 7 dwelling units per acre, or at least 75% of surrounding net residential density, whichever is greater
- *Rural/Tribal/Small Towns:* 5 units per acre for detached or semi-detached housing; 10 units per acre for townhomes; 15 units per acre for apartments

YES NO MAYBE

5 or 6

2.4 Compact Development

Design and build the project to a density of at least:

- *Urban/Small Cities:* 15 dwelling units per acre, or at least 75% of surrounding net residential density, whichever is greater [5 points]
- *Suburban/Mid-Size Towns:* 10 dwelling units per acre, or at least 75% of surrounding net residential density, whichever is greater [6 points]
- *Rural/Tribal/Small Towns:* 7.5 units per acre for detached or semi-detached housing; 12 units per acre for townhomes; 20 units per acre for apartments [6 points]

YES NO MAYBE

M

2.5 Proximity to Services *(New Construction only)*

Locate the project within:

- *Urban/Small Cities:* a 0.25-mile walk distance of at least two **OR** a 0.5-mile walk distance of at least four of the list of facilities
- *Suburban/Mid-Size Towns:* a 0.5-mile walk distance of at least three **OR** a 1-mile walk distance of at least six of the list of facilities
- *Rural/Tribal/Small Towns:* two miles of at least two of the list of facilities

YES NO MAYBE

M

2.6 Preservation of and Access to Open Space: Rural/Tribal/Small Towns Only

(New Construction only)

Set aside a minimum of 10% of the total project acreage as open space for use by residents **OR** locate project within a 0.25-mile walk distance of dedicated public open space that is a minimum of 0.75 acres

YES NO MAYBE

3
max

2.7 Preservation of and Access to Open Space

Set aside a percentage of the total project acreage as open space for use by residents: 20% [1 point]; 30% [2 points]; and 40% + written statement of preservation/conservation policy for set-aside land [3 points]

YES NO MAYBE

5

2.8 Access to Public Transportation

Locate the project within:

- *Urban/Small Cities:* a 0.5-mile walk distance of combined transit services (bus, rail, and ferry) constituting 76 or more transit rides per weekday and 32 or more transit rides on the weekend
- *Suburban/Mid-Size Towns:* a 0.5-mile walk distance of combined transit services (bus, rail, and ferry) constituting 60 or more transit rides per weekday and some type of weekend ride option
- *Rural/Tribal/Small Towns:* 5-mile distance of either a vehicle share program, a dial-a-ride program, an employer van pool, or public-private regional transportation

YES NO MAYBE

5

2.9 Walkable Neighborhoods: Connections to Surrounding Neighborhood—Rural/Tribal/Small Towns

Connect the project to public spaces, open spaces, and adjacent development by providing at least three separate connections from the project to sidewalks or pathways in surrounding neighborhoods and natural areas.



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

LOCATION + NEIGHBORHOOD FABRIC (CONTINUED)

YES NO MAYBE

7
max

2.10 Smart Site Location: Passive Solar Heating/Cooling

Demonstrate a building with a passive solar design, orientation, and shading that meet specified guidelines. *Select one:*

- Single building—New Construction [7 points]
- Multiple buildings—New Construction [7 points]
- Moderate or Substantial Rehab [7 points]

YES NO MAYBE

2

2.11 Brownfield or Adaptive Reuse Site

Locate the project on a brownfield or adaptive reuse site. *Select either:* adaptive reuse site [2 points] or brownfield remediation [2 points]

YES NO MAYBE

6

2.12 Access to Fresh, Local Foods

Pursue one of three options to provide residents and staff with access to fresh, local foods, including neighborhood farms and gardens; community-supported agriculture; proximity to farmers market.

YES NO MAYBE

4

2.13 LEED for Neighborhood Development Certification

Locate the project in a Stage 2 Pre-Certified LEED for Neighborhood Development plan or a Stage 3 LEED for Neighborhood Development Certified Neighborhood Development.

SUBTOTAL OPTIONAL POINTS

3: SITE IMPROVEMENTS

YES NO MAYBE

M

3.1 Environmental Remediation

Conduct an environmental site assessment to determine whether any hazardous materials are present on site.

YES NO MAYBE

M

3.2 Erosion and Sedimentation Control *(Except for infill sites with buildable area smaller than one acre)*

Implement EPA's Best Management Practices for erosion and sedimentation control during construction.

YES NO MAYBE

M

3.3 Low-Impact Development *(New Construction only)*

Projects located on greenfields must meet the list of low-impact development criteria.

YES NO MAYBE

M

3.4 Landscaping

Provide new plants (including trees, shrubs, and ground cover) such that at least 50% of area available for landscaping is planted with native or adaptive species, all new plants are appropriate to the site's soil and microclimate, and none of the new plants is an invasive species.

YES NO MAYBE

M

3.5 Efficient Irrigation and Water Reuse

If irrigation is utilized, install an efficient irrigation or water reuse system.

YES NO MAYBE

2 or 6

3.6 Surface Stormwater Management

Retain, infiltrate, and/or harvest stormwater on site. *Select only one:* partial stormwater retention [2 points] or full stormwater retention [6 points]

SUBTOTAL OPTIONAL POINTS



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

4: WATER CONSERVATION

YES NO MAYBE

M

4.1 Water-Conserving Fixtures

Install or retrofit water-conserving fixtures in all units and any common facilities with the following specifications: Toilets—1.28 gpf; Urinals—0.5 gpf; Showerheads—2.0 gpm; Kitchen faucets—2.0 gpm; Bathroom faucets—1.5 gpm

YES NO MAYBE

6
max

4.2 Advanced Water-Conserving Appliances and Fixtures

Install or retrofit water-conserving fixtures in all units and any common facilities with the following specifications: Toilets—1.2 gpf; Showerheads—1.5 gpm; Kitchen faucets—1.5 gpm; Bathroom faucets—0.5 gpm. *Select any, or all, of the options:*

- Toilets [2 points]
- Showerheads [2 points]
- Faucets—kitchen and bathroom [2 points]

YES NO MAYBE

4
max

4.3 Water Reuse

Harvest, treat, and reuse rainwater and/or greywater to meet a portion of the project's water needs.

- 10% reuse [1 point]
- 20% reuse [2 points]
- 30% reuse [3 points]
- 40% reuse [4 points]

SUBTOTAL OPTIONAL POINTS

5: ENERGY EFFICIENCY

YES NO MAYBE

M

5.1a Building Performance Standard: Single family and Multifamily (three stories or fewer)
(New Construction only)

Certify the project under ENERGY STAR New Homes.

YES NO MAYBE

M

5.1b Building Performance Standard: Multifamily (four stories or more)
(New Construction only)

Demonstrate compliance with EPA's Multifamily High-Rise program (MFHR) using either the prescriptive or the performance pathway.

YES NO MAYBE

M

5.1c Building Performance Standard: Single family and Multifamily (three stories or fewer)
(Substantial and Moderate Rehab only)

Demonstrate that the final energy performance of the building is equivalent to a Home Energy Rating System (HERS) Index of 85.

YES NO MAYBE

M

5.1d Building Performance Standard: Multifamily (four stories or more)
(Substantial and Moderate Rehab only)

Demonstrate that the final energy performance of the building is equivalent to ASHRAE 90.1-2007.

YES NO MAYBE

15
max

5.2 Additional Reductions in Energy Use

Improve whole-building energy performance by percentage increment above baseline building performance standard for additional points.

YES NO MAYBE

M

5.3 Sizing of Heating and Cooling Equipment

Size heating and cooling equipment in accordance with the Air Conditioning Contractors of America (ACCA) Manuals, Parts J and S, or ASHRAE handbooks.

YES NO MAYBE

M

5.4 ENERGY STAR Appliances

If providing appliances, install ENERGY STAR-labeled clothes washers, dishwashers, and refrigerators.



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	M	<p>ENERGY EFFICIENCY (CONTINUED)</p> <p>5.5a Efficient Lighting: Interior Units Follow the guidance appropriate for the project type: install the ENERGY STAR Advanced Lighting Package (ALP); <i>OR</i> follow the ENERGY STAR MFHR program guidelines, which require that 80% of installed lighting fixtures within units must be ENERGY STAR-qualified or have ENERGY STAR-qualified lamps installed; <i>OR</i> if replacing, new fixtures and ceiling fans must meet or exceed ENERGY STAR efficiency levels.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	M	<p>5.5b Efficient Lighting: Common Areas and Emergency Lighting Follow the guidance appropriate for the project type: use ENERGY STAR-labeled fixtures or any equivalent high-performance lighting fixtures and bulbs in all common areas; <i>OR</i> if replacing, new common space and emergency lighting fixtures must meet or exceed ENERGY STAR efficiency levels. For emergency lighting, if installing new or replacing, all exit signs shall meet or exceed LED efficiency levels and conform to local building codes.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	M	<p>5.5c Efficient Lighting: Exterior Follow the guidance appropriate for the project type: install ENERGY STAR-qualified fixtures or LEDs with a minimum efficacy of 45 lumens/watt; <i>OR</i> follow the ENERGY STAR MFHR program guidelines, which require that 80% of outdoor lighting fixtures must be ENERGY STAR-qualified or have ENERGY STAR-qualified lamps installed; <i>OR</i> if replacing, install ENERGY STAR compact fluorescents or LEDs with a minimum efficacy of 45 lumens/watt.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	M	<p>5.6a Electricity Meter <i>(New Construction and Substantial Rehab only)</i> Install individual or sub-metered electric meters in all dwelling units.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	3	<p>5.6b Electricity Meter <i>(Moderate Rehab only)</i> Install individual or sub-metered electric meters in all dwelling units.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	12 max	<p>5.7a Renewable Energy Install photovoltaic (PV) panels, wind turbines, or other electric-generating renewable energy source to provide a specified percentage of the project's estimated energy demand.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	1 or 2	<p>5.7b Photovoltaic/Solar Hot Water Ready Site, design, engineer, and/or plumb the development to accommodate installation of photovoltaic (PV) or solar hot water system in the future.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	5	<p>5.8 Advanced Metering Infrastructure Site, design, engineer, and wire the development to accommodate installation of smart meters and/or be able to interface with smart grid systems in the future.</p>
SUBTOTAL OPTIONAL POINTS		

6: MATERIALS BENEFICIAL TO THE ENVIRONMENT

<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	M	<p>6.1 Low/No VOC Paints and Primers All interior paints and primers must be less than or equal to the following VOC levels: Flats—50 g/L; Non-flats—50 g/L; Floor—100 g/L</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	M	<p>6.2 Low/No VOC Adhesives and Sealants All adhesives must comply with Rule 1168 of the South Coast Air Quality Management District. All caulks and sealants must comply with regulation 8, rule 51, of the Bay Area Air Quality Management District.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	M	<p>6.3 Construction Waste Management Commit to following a waste management plan that reduces non-hazardous construction and demolition waste by at least 25% by weight through recycling, salvaging, or diversion strategies.</p>



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

MATERIALS BENEFICIAL TO THE ENVIRONMENT (CONTINUED)

YES NO MAYBE

5
max

6.4 Construction Waste Management: Optional

Determine percentage of waste diversion and earn all points below that threshold:

- 35% waste diversion [1 point]
- 45% waste diversion [1 point]
- 55% waste diversion [1 point]
- 65% waste diversion [1 point]
- 75% waste diversion [1 point]

YES NO MAYBE

5

6.5 Recycling Storage for Multifamily Project

Provide one or more easily accessible, permanent areas for the collection and storage of materials for recycling.

YES NO MAYBE

5
max

6.6 Recycled Content Material

Incorporate building materials that are composed of at least 25% post-consumer recycled content or at least 50% post-industrial recycled content. *Select from the following:*

- Framing materials [1 point]
- Exterior materials: siding, masonry, roofing [1 point]
- Concrete/cement and aggregate [1 point]
- Drywall/interior sheathing [1 point]
- Flooring materials [1 point]

YES NO MAYBE

5
max

6.7 Regional Material Selection

Use products that were extracted, processed, and manufactured within 500 miles of the home or building for a minimum of 50% of the building material value (based on cost). *Select any or all of these options:*

- Framing materials [1 point]
- Exterior materials: siding, masonry, roofing [1 point]
- Concrete/cement and aggregate [1 point]
- Drywall/interior sheathing [1 point]
- Flooring materials [1 point]

YES NO MAYBE

5

6.8 Certified, Salvaged, and Engineered Wood Products

Commit to using wood products and materials of at least 25% that are (by cost): FSC-certified, salvaged products, or engineered framing materials without urea-formaldehyde binders.

YES NO MAYBE

1 or 3

6.9a Reduced Heat-Island Effect: Roofing

Use Energy Star-compliant roofing or install a “green” (vegetated) roof for at least 50% of the roof area. *Select only one: cool roof [3 points] or green roof [1 point]*

YES NO MAYBE

2

6.9b Reduced Heat-Island Effect: Paving

Use light-colored, high-albedo materials and/or an open-grid pavement, with a minimum solar reflectance of 0.3, over at least 50% of the site’s hardscaped area.

SUBTOTAL OPTIONAL POINTS

7: HEALTHY LIVING ENVIRONMENT

YES NO MAYBE

M

7.1 Composite Wood Products that Emit Low/No Formaldehyde

All composite wood products must be certified compliant with California 93120. If using a composite wood product that does not comply with California 93120, all exposed edges and sides must be sealed with low-VOC sealants.



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

HEALTHY LIVING ENVIRONMENT (CONTINUED)

<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.2 Environmentally Preferable Flooring Do not install carpets in entryways, laundry rooms, bathrooms, kitchens / kitchenettes, utility rooms, and all rooms of ground-connected floors. Any carpet products used must meet the Carpet and Rug Institute’s Green Label or Green Label Plus certification for carpet, pad, and carpet adhesives. Any hard surface flooring products used must be either ceramic tile, unfinished hardwood floors, OR in compliance with the Scientific Certification System’s FloorScore program criteria.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>4</p>	<p>7.3 Environmentally Preferable Flooring: Alternative Sources Use non-vinyl, non-carpet floor coverings in all rooms of building.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.4a Exhaust Fans: Bathroom <i>(New Construction and Substantial Rehab only)</i> Install Energy Star–labeled bathroom fans that exhaust to the outdoors, are connected to a light switch, and are equipped with a humidistat sensor, timer, or other control (e.g., occupancy sensor, delay off switch, ventilation controller).</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>6</p>	<p>7.4b Exhaust Fans: Bathroom <i>(Moderate Rehab only)</i> Install Energy Star–labeled bathroom fans that exhaust to the outdoors, are connected to a light switch, and are equipped with a humidistat sensor, timer, or other control (e.g., occupancy sensor, delay off switch, ventilation controller).</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.5a Exhaust Fans: Kitchen <i>(New Construction and Substantial Rehab only)</i> Install power-vented fans or range hoods that exhaust to the exterior at the appropriate cfm rate, per ASHRAE 62.2, or install a central ventilation system with rooftop fans that meet efficiency criteria.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>6</p>	<p>7.5b Exhaust Fans: Kitchen <i>(Moderate Rehab only)</i> Install power-vented fans or range hoods that exhaust to the exterior at the appropriate cfm rate, per ASHRAE 62.2, or install a central ventilation system with rooftop fans that meet efficiency criteria.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.6a Ventilation <i>(New Construction and Substantial Rehab only)</i> Install a ventilation system for the dwelling unit capable of providing adequate fresh air per ASHRAE requirements for the building type.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>5</p>	<p>7.6b Ventilation <i>(Moderate Rehab only)</i> Install a ventilation system for the dwelling unit capable of providing adequate fresh air per ASHRAE requirements for the building type.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.7 Clothes Dryer Exhaust Clothes dryers must be exhausted directly to the outdoors using rigid-type duct work.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.8 Combustion Equipment Specify power-vented or closed-combustion equipment when installing new space and water-heating equipment in New Construction and any Substantial and Moderate Rehab projects.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.9a Mold Prevention: Water Heaters Provide adequate drainage for water heaters that includes drains or catch pans with drains piped to the exterior of the dwelling.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.9b Mold Prevention: Surfaces In bathrooms, kitchens, and laundry rooms, use materials that have durable, cleanable surfaces.</p>
<input type="radio"/> YES <input type="radio"/> NO <input type="radio"/> MAYBE	<p>M</p>	<p>7.9c Mold Prevention: Tub and Shower Enclosures Use non–paper-faced backing materials such as cement board, fiber cement board, or equivalent in bathrooms.</p>



M = MANDATORY
= AVAILABLE OPTIONAL POINTS

HEALTHY LIVING ENVIRONMENT (CONTINUED)

YES NO MAYBE

M

7.10 Vapor Barrier Strategies *(New Construction and Rehab Projects with foundation work only)*
Install vapor barriers that meet specified criteria appropriate for the foundation type.

YES NO MAYBE

M

7.11 Radon Mitigation *(New Construction and Substantial Rehab only)*
For New Construction in EPA Zone 1 and 2 areas, install passive radon-resistant features below the slab. For Substantial Rehab projects in those Zones, test for the presence of radon and mitigate if elevated levels exist.

YES NO MAYBE

M

7.12 Water Drainage *(New Construction and Rehab projects replacing assemblies called out in Criterion only)*
Provide drainage of water away from windows, walls, and foundations by implementing list of techniques.

YES NO MAYBE

M

7.13 Garage Isolation
Follow list of criteria for projects with garages, including: provide a continuous air barrier between the conditioned (living) space and any garage space to prevent the migration of any contaminants into the living space, and install a CO alarm inside the house in the room with a door to the garage and outside all sleeping areas.

YES NO MAYBE

M

7.14 Integrated Pest Management
Seal all wall, floor, and joint penetrations with low-VOC caulking or other appropriate sealing methods to prevent pest entry.

YES NO MAYBE

M

7.15 Lead-Safe Work Practices *(Substantial and Moderate Rehab only)*
For properties built before 1978, use lead-safe work practices consistent with the EPA's Renovation, Repair, and Painting Regulation and applicable HUD requirements.

YES NO MAYBE

9

7.16 Smoke-Free Building
Implement and enforce a no smoking policy in all common, individual living areas, and with a 25-foot perimeter around the exterior of all residential buildings.

SUBTOTAL OPTIONAL POINTS

8: OPERATIONS + MAINTENANCE

YES NO MAYBE

M

8.1 Building Maintenance Manual *(All Multifamily Projects)*
Provide a building maintenance manual that addresses maintenance schedules and other specific instructions related to the building's green features.

YES NO MAYBE

M

8.2 Resident Manual
Provide a guide for homeowners and renters that explains the intent, benefits, use, and maintenance of green building features.

YES NO MAYBE

M

8.3 Resident and Property Manager Orientation
Provide a comprehensive walk-through and orientation for residents and property managers using the appropriate building maintenance or resident's manual.

YES NO MAYBE

12

8.4 Project Data Collection and Monitoring System
Collect and monitor project performance data on energy, water, and, if possible, healthy living environments for a minimum of five years.

SUBTOTAL OPTIONAL POINTS

TOTAL OPTIONAL POINTS

**APPENDIX G: EAST NEW YORK I URBAN
RENEWAL PLAN**



THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION & DEVELOPMENT
OFFICE OF DEVELOPMENT

EAST NEW YORK I

**URBAN
RENEWAL
PROJECT**

SECOND AMENDED URBAN RENEWAL PLAN

REVISED: NOVEMBER 1994

AUGUST 1993

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT
OFFICE OF DEVELOPMENT

EAST NEW YORK I
URBAN RENEWAL AREA

Brooklyn
Community District No. 5

SECOND AMENDED URBAN RENEWAL PLAN

August 1993

Revised November 1994

HISTORY OF PRIOR APPROVALS

Prior to the initial date of approval of this Urban Renewal Plan by the Board of Estimate, as shown below, this project was a portion of the former Central Brooklyn Urban Renewal (Community Development) Project for which the "History of Prior Approvals" is set forth on the following pages.

Original (July 1985)

City Planning Commission: December 6, 1985 (C860236HUK)
Board of Estimate: March 6, 1986 (Cal. No. 8-A)

Amendments

First (March 1990)

City Planning Commission: March 11, 1992 (C 910119HUK)
City Council: April 28, 1992 (Res. No. 533)
Mayor: October 29, 1992

Second (August 1993) Revised Nov. 1994

City Planning Commission: _____, 19__ (C _____)
City Council: _____, 19__ (Res. No. _____)
Mayor: _____, 19__

CENTRAL BROOKLYN COMMUNITY DEVELOPMENT PLAN
History of Prior Approvals

Urban Renewal Plans for three areas within the Central Brooklyn Community Development Project, including East New York (I), were separately approved before being consolidated into the overall Central Brooklyn Project, which came into existence on December 18, 1968.

Central Brooklyn Community Development Plan dated October 1968
Approved by City Planning Commission: November 20, 1968 (CP-20511)
Adopted by Board of Estimate: December 19, 1968 (Cal. No. 9)

First Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: April 30, 1969 (CP-20714)
Adopted by the Board of Estimate: August 21, 1969 (Cal. No. 7)

Second Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: August 18, 1969 (CP-20825)
Adopted by the Board of Estimate: September 18, 1969 (Cal. No. 14)

Third Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: March 4, 1970 (CP-21075)
Adopted by the Board of Estimate: April 16, 1970 (Cal. No. 8)

Fourth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: October 14, 1970 (CP-21330)
Adopted by the Board of Estimate: December 17, 1970 (Cal. No. 16)

Fifth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: November 18, 1970 (CP-21335)
Adopted by the Board of Estimate: January 14, 1971 (Cal. No. 11)

Sixth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: September 22, 1979 (CP-21739)
Adopted by the Board of Estimate: January 13, 1972 (Cal. No. 1)

Seventh Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: June 14, 1972 (CP-21981)
Adopted by the Board of Estimate: August 17, 1972 (Cal. No. 5)

Eighth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: August 7, 1974 (CP-22699)
Adopted by the Board of Estimate: October 10, 1974 (Cal. No. 6)

Minor Change
Approved by the City Planning Commission: December 3, 1973 (H)73-69)

Ninth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: September 9, 1974 (CP-22782)
Adopted by the Board of Estimate: October 24, 1974 (Cal. No. 5)

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Central Brooklyn Community Development Plan
History of Prior Approvals
(continued)

Tenth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: July 23, 1975 (CP-22926)
Adopted by the Board of Estimate: October 2, 1975 (Cal. No. 17)

Eleventh Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: July 2, 1975 (CP-23014)
Adopted by the Board of Estimate: November 3, 1975 (Cal. No. 10)

Twelfth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: June 18, 1975 (CP-22959)
Adopted by the Board of Estimate: March 18, 1975 (Cal. No. 10A)

Minor Change
Approved by the City Planning Commission: August 22, 1977 (C-77037HCK)

Minor Change
Approved by the City Planning Commission: October 26, 1977 (C-770439HCK)

Thirteenth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: June 4, 1980 (C-790722HUK)
Adopted by the Board of Estimate: August 21, 1980 (Cal. No. 25)

Minor Change
Approved by the City Planning Commission: August 18, 1980 (N-800527HCK)

Fourteenth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: February 2, 1981 (C-800784HUK)
Adopted by the Board of Estimate: September 10, 1981 (Cal. No. 19)

Fifteenth Amended Central Brooklyn Community Development Plan
Approved by the City Planning Commission: June 1, 1983 (C-830971HUK)
Adopted by the Board of Estimate: June 30, 1983 (Cal. No. 32)

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NOVEMBER 1994
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A: URBAN RENEWAL AREA

1. LEGAL AUTHORITY

The City of New York ("City") has designated the East New York I Urban Renewal Area ("Area") pursuant to Section 504 of Article XV ("Urban Renewal Law") of the General Municipal Law. The Department of Housing Preservation and Development ("HPD") represents the City in carrying out the provisions of the Urban Renewal Law pursuant to Section 502(5) of the Urban Renewal Law and Section 1802(6)(e) of the City Charter.

2. BOUNDARY

The Area is located in Community District No. 5 in the Borough of Brooklyn and is generally bounded by (i) Sutter Avenue on the north, (ii) Pennsylvania Avenue on the east, (iii) Linden Blvd. on the south, and (iv) Van Sinderin Avenue on the west ("Project Boundary"). The Project Boundary is described in Exhibit A ("Project Boundary Description") and is shown on Map 1 ("Project Boundary Map"). The Project Boundary Map also shows all thoroughfares and street rights-of-way. The major streets include: Atlantic Avenue, Liberty Avenue, Pitkin Avenue, Sutter Avenue, New Lots Avenue Linden Blvd. and Pennsylvania Avenue.

3. SITES

The properties located within the Project Boundary which have been or will be acquired by the City ("Acquisition Parcels") for redevelopment pursuant to this Second Amended East New York I Urban Renewal Plan ("Plan") are indicated on the Project Boundary Map and are listed in Exhibit B ("Properties Acquired And to be Acquired"). The properties located within the Project Boundary which will not be acquired by the City for redevelopment pursuant to this Plan ("Exempt Parcels") are listed in Exhibit C ("Properties Not to be Acquired").

4. AREA

The Acquisition Parcels listed in Exhibit B comprise the entire Area and, as such, are the only properties to be redeveloped pursuant to this Plan. The Exempt Parcels listed in Exhibit C are not part of the Area and are not subject to the provisions of this Plan, notwithstanding the fact that they are located within the Project Boundary.

5. ELIGIBILITY

The Area is eligible for designation as an urban renewal area pursuant to the Urban Renewal Law. The following insanitary and substandard conditions adversely affect the quality of life in the Area and its immediate vicinity: [See Instructions]

- a. Vacant, substandard, and/or deteriorating buildings with high levels of code violations.
- b. Safety hazards due to the presence of obsolescent and vacant buildings.

- c. Vacant, unfenced, and unsanitary lots.
- d. Obsolete and dilapidated buildings and structures characterized by defective construction, outmoded design, physical deterioration, lack of proper sanitary facilities, and/or inadequate fire or safety protection.
- e. Inadequate maintenance.
- f. Abandoned or underutilized properties.
- g. Hazardous or detrimental industrial uses.
- h. Poorly or improperly designed street patterns and intersections.
- i. Lack of suitable off street parking.
- j. Unsuitable topography, subsoil, or other physical conditions.

B: URBAN RENEWAL PLAN

1. LEGAL AUTHORITY

The City, acting by and through HPD, has established this Second Amended East New York I Urban Renewal Plan ("Plan") for the redevelopment of the Area pursuant to Section 505 of the Urban Renewal Law.

2. STATEMENT OF COMPLIANCE

This Plan complies with Section 502(7) of the Urban Renewal Law, as more particularly set forth in the statement below:

a. Proposed Land Uses

See Section C.

b. Proposed Land Acquisition, Demolition, And Removal Of Structures

See Section D.

c. Proposed Acquisition Of Air Rights And Concomitant Easements Or Other Rights Of User Necessary For The Use And Development Of Such Air Rights

Not applicable.

d. Proposed Methods Or Techniques Of Urban Renewal

See Section D.

e. Proposed Public, Semi-Public, Private Or Community Facilities Or Utilities. No Significant Adjustments Or Improvements In Utilities Or Community Facilities Are Contemplated, Except As Set Forth In Section D

f. Proposed New Codes And Ordinances And Amendments To Existing Codes And Ordinances As Are Required Or Necessary To Effectuate The Plan

No changes are proposed.

g. Proposed Program Of Code Enforcement

See Section D.

h. Proposed Time Schedule For Effectuation Of Plan

<u>Project Activity</u>	<u>Estimated Commencement Date</u>	<u>Estimated Completion Date</u>
Land Acquisition	April 1969	April 1995
Relocation of Site Occupants	July 1969	May 1996
Demolition and Site Clearance	June 1971	August 1994
Site Preparation (Including Installation of Site Improvements)	August 1971	April 1997
Land Disposition	August 1971	April 1997
Project Completion		April 1998

3. OBJECTIVES

This Plan seeks to:

- a. Eliminate blight and maximize appropriate land use;
- b. Remove substandard and insanitary structures;
- c. Remove impediments to land assemblage and orderly development;
- d. Strengthen the tax base of the City by encouraging development and employment opportunities in the Area;
- e. Provide new and/or rehabilitated low, moderate, and/or middle income housing exhibiting good design in terms of privacy, light, air, and open space;
- f. Provide convenient community facilities, parks and recreational uses, retail shopping, public parking, and private parking.
- g. Redevelop the Area in a comprehensive manner, removing blight and restoring the residential character of the Area, with appropriate support facilities.

- h. Encourage the upgrading of housing quality in the immediate vicinity.

Following the completion of construction, the projected redevelopment and the surrounding area will have reasonable protection from decay, will constitute a stable environment, and will have a beneficial influence on abutting public and private developments.

C: LAND USE CONTROLS

1. LAND USE PLAN

The projected land uses in the Area are shown on Map 2 ("Land Use Plan").

2. LAND USE PROVISIONS AND BUILDING REQUIREMENTS

The meaning of the technical terms used in this Plan to establish controls on development (including, but not limited to, permitted uses, limits on building bulk, and required off-street parking and loading) will be as defined in the Comprehensive Amendments to the Zoning Resolution of the City, as published in the City Record on November 10, 1960 and approved by resolution of the City's Board of Estimate on December 15, 1960, as amended ("Zoning Resolution").

The zoning of the Area will be as set forth in the Zoning Resolution. The proposed amendments to the Zoning Map set forth in Section D.6 will have no force or effect until they are approved pursuant to Sections 200 and 197-c of the City's Charter ("Charter") and become a part of the Zoning Resolution. The predominant zoning of the Area at present is residential (R5 and R6). With respect to any property acquired or to be acquired in accordance with this Plan, in any case in which a specific control of the Plan conflicts with a provision of the Zoning Resolution, the Zoning Resolution will govern until acquisition and the more restrictive of the two will govern after acquisition.

a. Permitted Land Uses

As shown in the Land Use Plan, the following uses will be permitted in the Area in accordance with the additional regulations, controls, and restrictions set forth in this Plan, and all other uses will be excluded:

(1) Residential

Housing and accessory uses shall be as permitted in R5 and R6 General Residential Districts. Accessory uses include off-street parking, community rooms and play areas. Appurtenant community facility and recreational uses appropriate in residential areas, including, but not limited to, medical offices, health centers, day care centers, limited recreational facilities and uses of a similar nature, shall also be permitted. Where permitted by zoning, commercial uses shall be allowed on residential sites.

(2) Commercial

Commercial uses will be as permitted in C1, C2, and C4 districts in accordance with the Zoning Resolution.

(3) Public and Institutional

Permitted public and institutional uses shall be those specified in Use Groups 3 and 4 of the Zoning Resolution. Permitted uses in Groups 3 and 4 include schools, libraries, community centers, hospitals, and other essential service uses which can function best in a residential environment and are not objectionable in residential areas. Where permitted by zoning, commercial uses shall be allowed on public and institutional sites.

(4) Public Open Space

Permitted uses shall be for playgrounds, parks, and similar open space available for public recreational purposes in accordance with the Zoning Resolution.

b. Additional Regulations, Controls, and Restrictions

(1) Building Bulk and Parking

Building bulk (including, but not limited to, zoning room, lot coverage, floor area, open space, height, and setback requirements) and parking requirements will be as required by the Zoning Resolution, except as is more restrictively set forth below. Proposals by redevelopers will be subject to the review and approval of HPD as set forth in Section E.

(2) Urban Design Objectives

It is the intent of this Plan that, to the extent deemed feasible by HPD, (i) the Area should be developed in a manner compatible with or beneficial to the surrounding residential area, (ii) new construction should be designed to relate to the surrounding community, (iii) the project should harmonize in scale, configuration, and materials to the prevailing neighborhood pattern, (iv) low rise buildings should be preferred for family occupancy, (v) low to medium rise buildings should be preferred for adult and elderly occupancy, and (vi) in areas with exceptionally strong or uniform street character, the new construction should reinforce the existing urban pattern and there should be minimal initial setbacks from front and side lot lines.

(3) Underground Utility Lines

Any existing overhead telephone and electrical lines in the Area will be removed and relocated underground and all new or additional telephone and electrical lines will be placed underground, unless HPD determines that such placement underground either is not necessary or is not feasible.

(4) Easements

Easements will be provided as shown on Map 2.

c. Environmental Review

All projects for the redevelopment of the Area are subject to the requirements of Article 8 ("SEQRA") of the Environmental Conservation Law. SEQRA is implemented in the City by Executive Order 91 of 1977, the City Environmental Quality Review ("CEQR").

Any project for the redevelopment of the Area which requires a future discretionary act (including, but not limited to, the decision to provide funding) by the United States ("Federal") government will also be subject to the requirements of the National Environmental Policy Act at 42 U.S.C. 4321 ("NEPA"). NEPA is implemented through (i) regulations at 40 CFR 1500-1508 governing all Federal projects, (ii) supplementary regulations at 24 CFR 50 governing projects funded by the Federal Department of Housing and Urban Development ("HUD"), and (iii) supplementary regulations at 24 CFR 58 governing projects using Federal Community Development Block Grant, Rental Rehabilitation, or Housing Development Grant funds. The Federal environmental review process must consider, where applicable, criteria, standards, policies, and regulations concerning noise impact, historic properties, flood plains, wetlands, coastal zones, air quality, water quality, wildlife, endangered species, and solid waste.

D: RENEWAL ACTIONS

1. ACQUISITION

a. Legal Authority

All properties to be acquired in accordance with this Plan will be acquired pursuant to Section 506 of the Urban Renewal Law and, if necessary, the Eminent Domain Procedure Law.

b. Properties Acquired or to be Acquired Pursuant to this Plan

The properties located within the Project Boundary which have been or are to be acquired by the City pursuant to this Plan are listed in Exhibit B and are shown on Map 1.

The properties comprising the sites numbered 5, 110B, 118B, 118C, 121-126, 128, 130-133, 136, 138-140, 143A, 143B, 144A, 144B, 147A, 147B, 150A, 150B, 151B-153, 156, 158-159, 117R, 134R, 137R, 154R, 155R, 157R, 125, 135, 142, 127, 21, 129, 141, as identified on the Land Use Plan, have been acquired with Federal and State of New York ("State") assistance. All such properties will be subject to (i) HUD approval of the redeveloper, (ii) the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601), as amended ("Uniform Relocation Act"), and (iii) State disposition requirements. However, such properties will not be subject to NEPA unless their redevelopment involves a future discretionary act of the Federal government. All other properties, as identified on the Land Use Plan, have been or will be acquired with City funds, without Federal or State assistance.

c. Properties Acquired Through Other Means

Acquisition Parcels acquired by the City through authority other than that set forth in this Plan will be subject to the restrictions of this Plan and will be developed in accordance with this Plan. Exempt Parcels acquired by the City will not be subject to the restrictions of this Plan.

d. Properties Not to be Acquired

The properties located within the Project Boundary which will not be acquired by the City pursuant to this Plan are listed in Exhibit C. Such properties will not be redeveloped pursuant to this Plan and will not be subject to the land use controls imposed pursuant to this Plan.

2. RELOCATION

Relocation of residential and commercial occupants is anticipated.

a. HPD will relocate site occupants in compliance with all applicable laws and regulations, including, but not limited to, Section 505 (4)(e) of the Urban Renewal Law. Occupants of sites acquired or to be redeveloped with Federal funding, if any, will alternatively receive benefits and services pursuant to the Uniform Relocation Act.

b. There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe, and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment.

3. DEMOLITION AND/OR REHABILITATION

The structures on properties acquired in accordance with this Plan will either be demolished and cleared for new construction or retained for rehabilitation in accordance with the objectives and requirements of this Plan. [Properties designated for rehabilitation are indicated in Exhibit B and shown on Map 2. Rehabilitation will be undertaken in conformance with HPD's Design Guidelines for Multi-Family Housing/Substantial Rehabilitation.] [See Instructions]

4. LAND DISPOSITION

Properties acquired will be disposed of for redevelopment in accordance with this Plan, including the provisions set forth in Section E.

5. CODE ENFORCEMENT

Throughout the Area, there will be a continuous program of enforcement of applicable existing laws, codes, ordinances, and regulations of the City, the State, and any other governmental authority having jurisdiction. All properties will be required to meet at least the minimum standards contained in all applicable laws, codes, ordinances, and regulations of the City, the State, and any other governmental authority having jurisdiction.

6. ZONING MAP AMENDMENTS

Zoning Map Amendments may be necessary to implement the land use and redevelopment proposals of this Plan. Such rezonings will be undertaken pursuant to Sections 200 and 197-c of the Charter.

7. STREET MODIFICATIONS

To meet the objectives of this Plan, streets within the Area may be mapped, demapped, or modified to improve or limit access of vehicular traffic in order to enhance pedestrian and vehicular circulation and site development. All street modifications, including, but not limited to, closings and openings of new streets, will take into consideration the objectives of this Plan and the policies and requirements of City agencies and public utility companies. Such remapping of streets will be contingent upon the approval of all governmental agencies involved and will be undertaken pursuant to Sections 202 and 197-c of the Charter.

The street modifications proposed by this Plan are shown on Map 2, Land Use Plan and Map 3, Site Boundary and Acquisition Maps. These modifications, as proposed to date, consist of the following street closings:

Site 9 - Alabama Avenue between Dumont and Blake Avenues.

Site 42 - New Jersey Avenue between Belmont and Pitkin Avenues.

8. UTILITIES

Sewers, water lines, street lighting, and electrical and gas services will be installed as required. Water supply will be provided in accordance with the requirements of the City's Department of Environmental Protection ("DEP"). Sanitary and storm sewers will conform to the requirements contained in the "Rules and Regulations Governing the Construction of Private Sewers and Drains" of DEP's Bureau of Sewers.

9. PUBLIC, SEMI-PUBLIC, AND PRIVATE COMMUNITY FACILITIES

The predominant land use of the Area will be residential. However, land or space may be made available for public or non-profit institutions providing community services. In addition, some new housing may have incorporated within it private community facilities for the use of residents. The Area is well served by existing parks, schools, and shopping facilities.

E: REDEVELOPER OBLIGATIONS

1. RECORDABLE AGREEMENTS

The disposition instruments for any land in the Area to be redeveloped in accordance with this Plan will contain (i) covenants which incorporate this Plan by reference and require compliance with the terms and restrictions set forth herein, and (ii) covenants running with the land which require compliance with Section E.4.

2. LAND USE RESTRICTION

Each redeveloper will be required to devote the land solely to the uses specified in this Plan.

3. TIMELY PERFORMANCE

Each redeveloper will be required to begin and complete the redevelopment and construction of the improvements mandated by this Plan and agreed upon in the disposition instruments within a reasonable time.

4. NON-DISCRIMINATION

Each redeveloper, its successors and assigns of the land conveyed or any part thereof, and any lessee of the land conveyed or any part thereof (i) will not enter into any agreement, lease, conveyance, or other instrument whereby such land or any part thereof is restricted upon the basis of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy thereof, and (ii) will comply with all applicable Federal, State and Local laws in effect from time to time prohibiting discrimination or segregation by reason of race, color, national origin, ancestry, alienage status, religion, creed, age, sex, marital status, sexual orientation, or disability in the sale, lease, or occupancy of the property.

5. DESIGN REVIEW

Prior to commencement of construction, each redeveloper will be required to submit site plans, landscape plans, architectural drawings, outline specifications, and schedules of materials and finishes for the construction of improvements on the land, all in sufficient detail to permit determination of compliance with the intent and controls of this Plan and the design and character of proposed construction, for the review and approval of HPD. Each redeveloper will submit any material change thereafter proposed for the review and approval of HPD prior to commencement of construction of such change. Final working drawings will be submitted before construction begins.

6. RESTRICTION ON TRANSFER PRIOR TO COMPLETION

No redeveloper will be permitted to sell, lease, or otherwise transfer land at any time prior to completion of the redevelopment thereof without prior written consent of HPD, except as set forth in the disposition instruments.

7. COOPERATION WITH HPD

Each redeveloper will be required to expeditiously submit all documents required by HPD for the approval and processing of the redevelopment project.

8. COOPERATION WITH OTHER CITY AGENCIES

Each redeveloper will be required to cooperate fully with the appropriate City agencies in realizing the specific objectives of this Plan.

9. CERTIFICATE OF COMPLETION

Each redeveloper will be required to provide HPD with current revised drawings as required by HPD, including, but not limited to, descriptions reflecting substantial changes during construction. HPD will use these drawings and descriptions, together with materials submitted prior to commencement of construction, for final determination of compliance and issuance of a Certificate of Completion in accordance with the terms of the disposition instruments.

F: MODIFICATION OF PLAN

1. AMENDMENTS

The City may amend this Plan at any time pursuant to Section 505 of the Urban Renewal Law and Section 197-c of the Charter.

2. MINOR CHANGES

Where literal enforcement of the restrictions set forth in this Plan would result in unnecessary hardship, would involve practical difficulties, or would constitute an unreasonable limitation beyond the intent and purpose of this Plan, HPD may authorize such minor changes of the terms of these restrictions as conform with the intent and purpose of this Plan; provided, however, that (i) no variations or modifications will be less restrictive than applicable Federal, State, and City laws, codes, ordinances, and regulations, and (ii) concurrence is obtained from the City Planning Commission ("CPC").

3. MERGERS AND SUBDIVISIONS

The merger and/or subdivision of any of the development sites in the Area will be permitted where HPD determines in writing that (i) the site plan complies with the intent and provisions of this Plan, and (ii) the unused portion of the subdivided development site, if any, is marketable and developable in accordance with this Plan and with all applicable laws, codes, ordinances, and regulations. The merger and/or subdivision of a development site will not require review or approval by CPC, but the Urban Renewal Plan, as modified to indicate such merger and/or subdivision, will be filed with the Department of City Planning for information purposes.

G: DURATION OF PLAN

This Plan will remain in effect for a period of forty (40) years from the date of the original approval of this Plan, until July 1025, except as provided in Section F.

EXHIBIT A

PROJECT BOUNDARY DESCRIPTION

Lying within the Borough of Brooklyn, Kings County in The City of New York, New York.

BEGINNING at the intersection of the northerly line of Linden Boulevard and the westerly line of Van Sinderen Avenue;

Thence northerly, along the westerly line of Van Sinderen Avenue to its intersection with the northerly line of Sutter Avenue;

Thence easterly, along the northerly line of Sutter Avenue to its intersection with the westerly line of Sheffield Avenue;

Thence northerly, along the westerly line of Sheffield Avenue to its intersection with the northerly line of Atlantic Avenue;

Thence easterly, along the northerly line of Atlantic Avenue to its intersection with the easterly line of Barbey Street;

Thence southerly, along the easterly line of Barbey Street to its intersection with the northerly line of Pitkin Avenue;

Thence easterly along the northerly line of Pitkin Avenue to its intersection with the easterly line of Montauk Avenue;

Thence southerly, along the easterly line of Montauk Avenue to its intersection with the southerly line of New Lots Avenue;

Thence southwesterly, along the southerly line of New Lots Avenue to Pennsylvania Avenue;

Thence southerly, along the easterly line of Pennsylvania Avenue to its intersection with the northerly line of Linden Blvd.;

Thence southwesterly, along the northerly line of Linden Blvd. until its intersection with Alabama Avenue;

Thence northwesterly, along the northerly line of Linden Boulevard to the point or place of beginning.

EXHIBIT B

PROPERTIES ACQUIRED 1st AMENDED URBAN RENEWAL PLAN

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
1	3783	*39, *42, *45, *47
2	3767	*27-31, *33, *35
3	3767	*37-42, *44-48
4	3784	*29-44
5	3784	+*6, +*8, +*11, +*14, +*16, +*18, +*23, +*26
5A	3784	*45, *47
6	3784	*1, *50-56
7	3785	*16-28, *30-32, *34-36, *38, *40, *41
8	3785	*6-11, *13
9	3785 3786	*42-51 *6, *8, *11, *13, *15, *17 including the bed of Alabama Ave. between Blake Ave. and Dumont Ave.
10	3785	*1-5, *52-54, *154, *55, *57
11	3786	*19, *21, *23-27
12	3786	*28-31, *34-44
13	3786	*1, *45, *47, *50, *52-57
14-R	3802	*38, 40, *42, *44, *46
15	3768	*18, *21, *24, *26
16	3769	*6-11, *13, *15, *17, *19, *21, *24-26
17	3769	*31-46
18	3769	*1, *4, *5, *48-56

NOTES: + = To be reacquired pursuant to the Second Amended UR Plan
R = Rehabilitation Site
* = City-owned property

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
19	3803	*18, *21, *22-28, *128, *29, *30, *130
20-R	3803	*11, *13, *16
21	3803	*6
22A	3819	*17
22B	3819	*1, *7, *32, *36, *39, *42, *44, *49, *54
24	3770	*5-21
25	3770	*23-32, *34, *36-51
25A	3770	*1, *52-61
26	3787	*19-22, *122, *23, *123, *24-29
27	3787	*5-18
28	3787	*1, *4, *30-50, *55
29	3772	*6
30	3754	*13, *20-24, *124, *25-28
32	3737	*1-11, 14, *23-25, *27-32, *34, *35 *38 (Entire Block)
33	3724	*29-36
34	3725	*1-3, *23, *25, *26, *28-32, *35
35	3993	*1-3, *24-26, *28, *29, *31-35
36	4009	*1, *3, *6, *9
39-R	3803	*1, *4
40-R	3803	*31-44
41	3738	*15-20, *22, *25-29

NOTES: R = Rehabilitation Site
* = City-owned property

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
42	3738 3739	*30 *1, *3, *29-34, including the bed of New Jersey Ave. between Pitkin Ave. and Belmont Ave.
44	3704	*35
45	3756	*23, *24, *26, *28, *29, *30, *31, *34, *35
46	3757	*1-18, *21, *22, *28
50A	3772	*29-34
50B	3772	*40, *43-48
51	3773	*1-5, *7-10, *12, *28-41, *43-45, *48-52, *56
52	3774	*1-5, *7-15, *38, *43-52
53	3775	*1, *4, *8, *10, *12, *14, *16-21, *23, *24, *28, *29, *32-37, *51, *52
54A	3789	*1-6
54B	3789	*35-38
55	3825	*21, *27
56	4010	*32-34, *36, *38, *39
57	4011	*1-8, *10-19, *21-25, *125, *26-37, (Entire Block)
58A	4026	*10-14
58B	4026	*2, *3, *20-22, *24-26, *28-31, *34, *35
59A	4030	*10-17, *19, *20
59B	4031	*20, *22, 24-25, *27, *28
59C	4032	*17-22

NOTES: * = City-owned property

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
60A	4042	*8-12, *14-16, *18, *23, *24
60B	4042	*32-35, *135, *36, *136, *37-39
61A	4045	*20-22
61B	4045	*25-28, *30-34
61C	4045	*1-12, *38, *39, *43-47
62	4046	*1-3, *6, *106, *7-15, *21-32, *39, *40, *42, *43
63	4047	*1, *5-10, *15-18, *20, *22-32, *35, *40-45, *47-52, *54-56, 58-61, (Entire Block)
64A	4048	*16, *21-26, *28-30, *32, *33
64B	4048	*1-10, *41-48
65A	4058	*12, *14, *16-18
65B	4058	*1-7, *30-34, *134, *35-39, *45
65C-R	4058	*28, *29
66	4059	*1-2, *102, *3-12, *18, *20, *23-34, *36-40, *42-46 (Entire Block)
67A	4060	*16, *17
67B	4060	*20, *21, *24
67C	4060	*1-4, *104, *5-8, *26-32, *34, *35, *43-47
67D	4060	*38, *40
68A	4061	*17-20, *22-24, *26-34
68B	4061	*38-40
69A	4062	*21-26, *28, *29, *31-34
69B	4062	*11-13, *15, *16, *39, *41, *42
69C	4062	*1, *2, *4, *5-7

NOTES: R = Rehabilitation Site

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
70A	4063	*20, *21, *25-33, *35-41
70B	4063	*49, *50, *52-56
71	4064	*13, *14, *16, *17, *23-28, *32-37
72	4075	*111, *12, *14, *18, *22-24, *26-29, *129, *30-32, *132, *33-39, *42, *43
73	4076	*5, *105, *6-10, *110, *11-15, *115, *16, *17, *117, *18-20, *25, *28-31, *131, *32, *132, *33, *133, *34-38
74A	4077	*18-22
74B	4077	*12, *42
75	4089	*1-4, *13-23
76	4091	*22, *24
77	4017	*1, *3, *6, *8, *32, *33, *36, *38-40
78	4021	*1-3, *36-41
79	4022	*1, *9-13, 15, *17-23, *26-30 (Entire Block)
80	4033	*9-13, *15-19, *22, *23
81	4034	*29-38, *40, *43
82	4035	*1, *2, *5-9, *109, *10-14, *16-18, *21, *22, *122, *24, *25, *36-38
83A	4036	*5, *7-9, *108, *10, *11, *28, *29, *129, *30, *32, *33
83B	4036	*1, *35-39
84	4037	*5-7, *14, *16, *17-19, *22-25, *125
85	4038	*1-11, *13, *28-31, *33, *34, *36-40, *45
86	4049	*1, *5-25, *28, *29, *130, *31-47, *148, *49-59 (Entire Block)

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
87A	4050	*1-4, *27-32, *132, *33-35, *38, *40-44
87B	4050	*12-14, *25
87C	4050	*22, *23
88A	4051	*8, *9, *109, *10-14, *33, *133, *34, *134, *35-43
88B-R	4051	*4
89	4052	*1-6, *8-11, *33, *36, *37-43, *46
90	4053	*4-6, *36-38, *138, *39, *41-44
91	4054	*46-51, *53-55
92	4055	*46, *48-54
92A	4055	*3, *4
93	4065	*24-30
94	4066	*14-20
95	4067	*8, *32-38, *40, *42-44, *46, *48, *49
96	4083	*4-6, *12-27
101A	3766	*1-23, *25, *26, *28-30, *33-38, *40, *50-53
101B	3766	*43, *45, *47, *49
102	3765	*127, *28, *29, *129, *30, *32, *132, *33, *34, *134, *35, *36, *136, *37-40
103A	3771	*6, *8, *10-15, *17-20, *22-27, *30, *32
103B	3771	*46-51
104	3782	*19, *22, *25, *29-38, *41
105A	3783	*6-10, *14-29, *31, *33-38

NOTES: R = Rehabilitation Site
* = City-owned property

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
105B	3783	*1, *49, *52, *55, *58
106	3800	*1-5, *7, *9, *10, *22, *27-30, *130, *31, *34, *36-42, *46-52
107	3802	*1, *3, *6, *8, *11, *48, *54
108	3818	*1, *3, *4, *5, *6-9, *11, *13-15, *17-32
109	3820	*1-3, *5-21, *24, *27, *30, *31, *131
110A-R	3822	+*4, +*5, +*6
110B	3822	+*1, +*2, +*3
111A	3801	*11, *14, *17, *19, *22
111B	3801	*1, *3, *5, *45, *47, *49
111C	3801	*8, *25, *28, *30, *32, *34, *37, *39, *42
112	3834	*23-26, *126, *27, *28
113A	3804	*16, *19, *21-29
113B	3804	*1, *3, *6, *10, *13, *33, *38, *46, *50
114	3836	*1, *46
115A	3817	*2-10, *110, *11, *12, *14-16, *116, *17, *117, *18-24, *26-29
115B	3817	*31-35, *37, *40
115C	3817	*1, *46, *47
116	3837	*1
117R	3818	+*33, +*35, +*37, +*39, +*41, +*43, +*46,
118	3851	+*10, +*11, *12, *13, *14, *15 *42
119	3852	*1, *15-23, *26-37
120	3853	*9-13

NOTES: + = To be reacquired pursuant to the Second Amended UR Plan
R = Rehabilitation Site
* = City-owned property

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
A-R	3790	*1
B-R	3790	*4, *49
C-R	3790	*11
D-R	3790	*16
E-R	3791	*25-28
F-R	3792	*1
G-R	3809	*27
H-R	3825	*12, 13
J-R	3826	*48
K-R	3840	*33
L-R	3841	*7
M-R	3841	*32
N-R	3841	*41
P-R	3842	*24

PROPERTIES TO BE ACQUIRED 2ND AMENDED URBAN RENEWAL PLAN

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
5	3784	*6 (Lots have been merged. Formerly known as Lots 6, 8, 11, 14, 16, 18, 23, 26)
21	3803	*6
110B	3822	*4, *5
117-R	3818	*33, *35, *37, *39, *41, *43, *46, *49, *52
118B	3851	*10
118C	3851	*15

NOTES: R = Rehabilitation Site
* = City-owned property
East New York I
Second Amended Urban Renewal Plan
Page 24

August 1993
Revised November 1994

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
121	3765	18, 19, 20, 22
122	3767	*5
123	3767	*10, *11, *12, *13
124	3799	*35, *36, *37, *38, *39
125	3799	*45, *46, *47, *48, *49, *50, *51
126	3800	*13
127	3805	*1, *6
128	3805	*9, *10, *11, *14, *15, *16, 17, *19, *20, *22
129	3805	*23, *24
130	3819	15
131	3821	36, 38, 39, *41, *42, 43
132	3833	*43, *44, *47
133	3834	*38, *39, *40, *41, *42, 142, *43
134-R	3838	*39, *40
135	3850	1
136	3850	44, *45, *46, 47, *48
137-R	3850	33
138	3851	1, 23, 24, 25, 26, *27, *28, 29, 30, 31, *32, *33, 34, *35, *36, *37, *38, *39

NOTES: R = Rehabilitation Site
* = City-owned property

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
139	3852	9, *10, *12, 13, 14
140	3853	1, 21, *22, *23, 24, 25, 26, 27, *28, *29
141	3854	*1, *2, 3, *4, *5, *7, *8, *9, 10, 11, *12, *13 (Entire Block)
142	3865	*24, *25, *26, *27, *28 (partial lot), *29 (partial lot)
143A	3865	*28 (partial lot), *29 (partial lot), *30, *31, *32, *33, *34, 35, *36, *37, 38, *39, *40, *41, *42, *43
143B	3865	*46, *47, 49, *50, *51, *52
144A	3866	*3, 4, 5, 6, *7, *8, 9, *10, *11, 13, 15, 16, *17, *18, *43, *46, *47, *48, *49, *50, *51, *52, 54, 55, *56, *58, *59, *60, 61
144B	3866	*20, 21, *22, 24, 25, 26, 27, 28, *29, *30, *31, *32, *33, *34,
145	3866	*41
146	3866	68
147A	3867	*8, 9, 10, *11, *12, *13, *15, 16, 17, 18, *19, *20, 21, 22, 23, 24, 25, 27, *28, *29, *30, *32, *33, *34, *35, *36, *37, *38, 39, 40, *41, 42, 43, 44, *45, 46, 48, *49, *50, 51, *53, *54, 55, 56, 57, *58, *59, 60,
147B		62, 63, 64
148	3867	1, 72, 74, 78
149	4294	1, *2, *4, *5, *7, *9, 10, *11, *13, *18, *20, *53, *54, 55, *56, 58, 59, *60, *62, *63, *64, *65, 66, *67, 68, 69, *70, *71, *72, *73
150A	4294	31, *32, *35, *36, *37, *38, *40, *42, *43
150B	4294	27, *28, *29
151A	4295	*1, *2, *3, *4, *5, *6, *7, *8, *9, *10, *77
151B	4295	67, 68, *69, *70, 71, *72, 73
152	4295	23, *24, 25, *54, *55, *56, *57, *58, *59, *60, *61, *62, *63

NOTES: * = City-owned property
 East New York I
 Second Amended Urban Renewal Plan
 Page 26

August 1993
 Revised November 1994

EXHIBIT B (continued)

<u>Site</u>	<u>Block</u>	<u>Lot(s)</u>
153	4295	40, 41, *42, 43, 44, 45, *46, *47, *48 49
154-R	4296	1
155-R	4296	*4
156	4296	*44, *45, *46, *48, *49, *50, *51, 53, *55, 56, *57, *58, *59, *61, 63 64
157-R	4297	*1, 2
158	4318	*1, 12, *13, *14, *16
159	4319	*1, *2, *3, *4, *5, *6, *7, *8, *9, *10, 42, *54, 55, 56, 57, 59

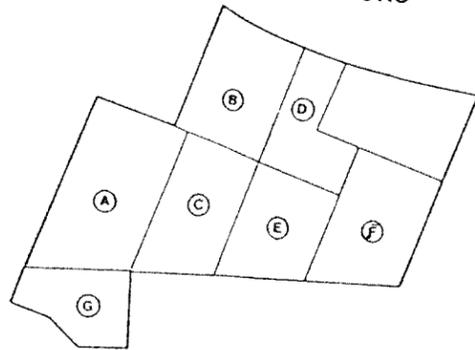
NOTES: R = Rehabilitation Site
* = City-owned property

EXHIBIT C

PROPERTIES NOT TO BE ACQUIRED

All properties located within the Project Boundary which are not listed in Exhibit B.

KEY MAP TO SECTIONS



LEGEND

- PROJECT BOUNDARY
- R REHABILITATION SITE
- ▶(A)◀ MAP SECTION
- [X] EXCLUDED FROM PROJECT
- * POINT OF BEGINNING OF BOUNDARY DESCRIPTION

- 3926
[1/2] BLOCK AND LOT NUMBERS
- (15) ACQUISITION SITE BOUNDARY AND NUMBER
- (Q) NOT TO BE ACQUIRED
- (S) MAJOR SOUND PROPERTY

THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION & DEVELOPMENT

EAST NEW YORK I
URBAN RENEWAL PROJECT

PROJECT BOUNDARY

DATE: OCT 1968
AMENDED: JULY 1985; MARCH 1990; AUGUST 1993
REVISED: NOVEMBER 1994



MAP BY NEW YORK CITY DEPARTMENT OF CITY PLANNING - COGK

THE CITY OF NEW YORK
DEPARTMENT OF
HOUSING PRESERVATION
AND DEVELOPMENT

EAST NEW YORK I

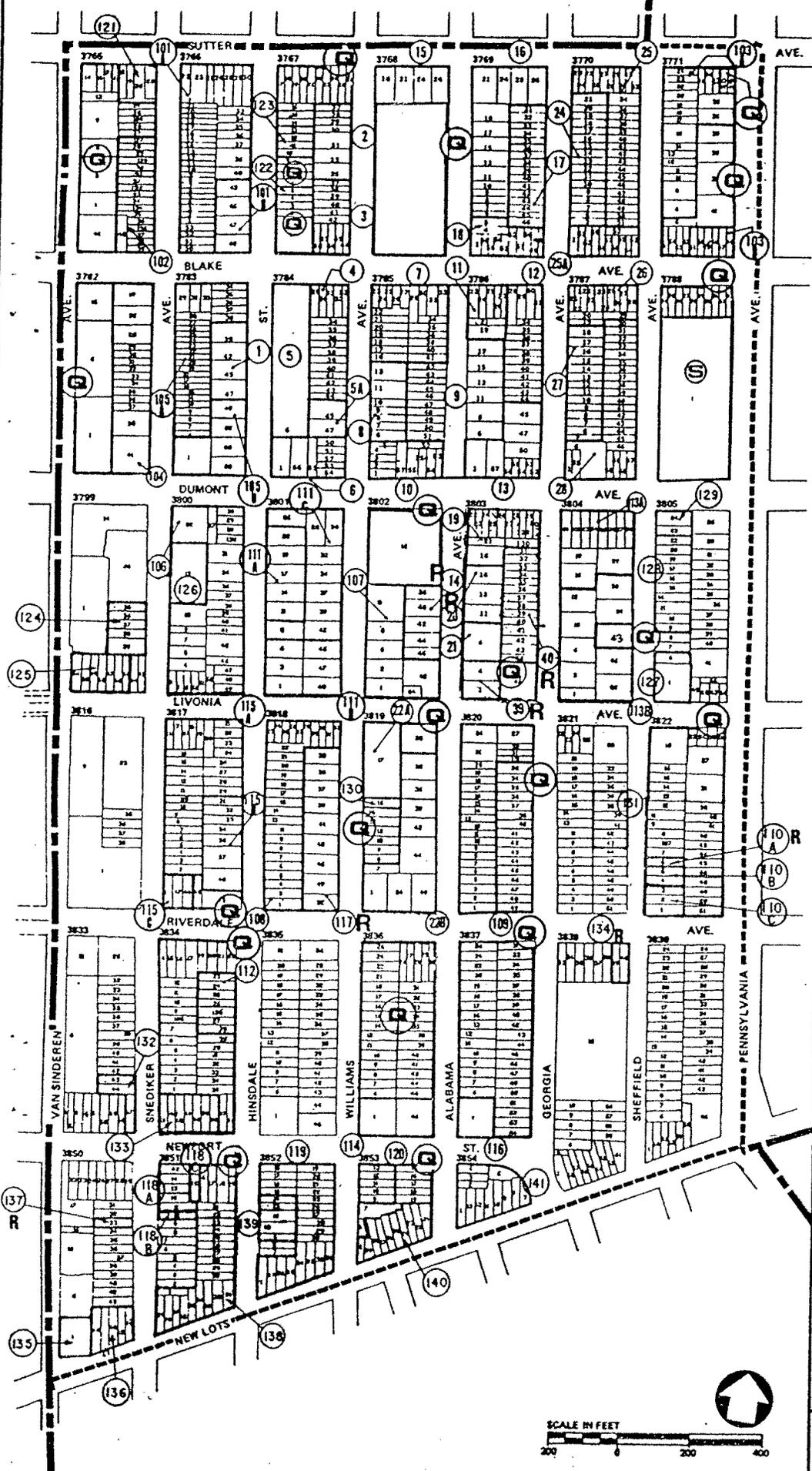
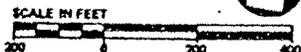
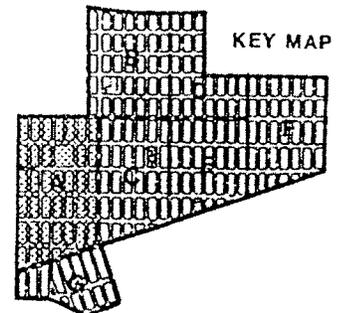
URBAN RENEWAL
PROJECT

SITE BOUNDARY & ACQUISITION

DATE: OCTOBER 1968
AMENDED: JULY 1985; AUGUST 1993
REVISED: NOVEMBER 1994

LEGEND

-  PROJECT BOUNDARY
- 3996
 BLOCK & LOT NUMBERS
-  ACQUISITION SITE AND NUMBER
-  NOT TO BE ACQUIRED
-  REHABILITATION SITE



BASE MAP BY NEW YORK CITY DEPARTMENT OF CITY PLANNING - C0018

THE CITY OF NEW YORK
DEPARTMENT OF
HOUSING PRESERVATION
AND DEVELOPMENT

EAST NEW YORK I

URBAN RENEWAL
PROJECT

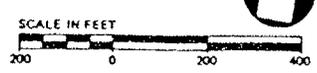
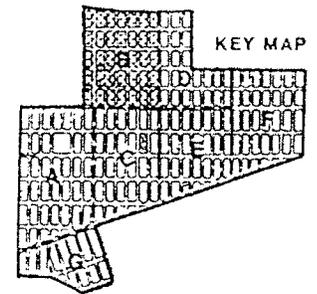
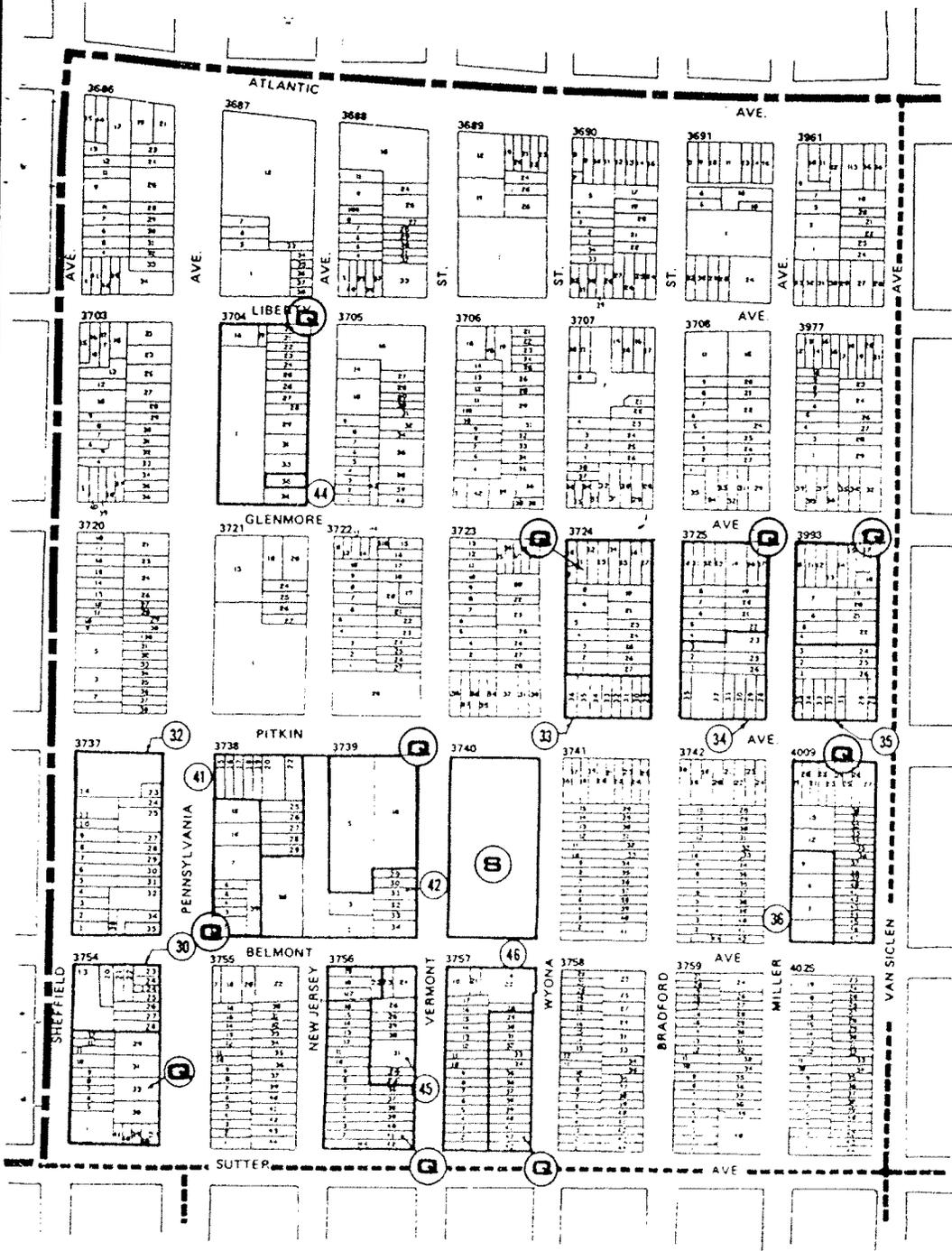
SITE BOUNDARY & ACQUISITION

DATE: OCTOBER 1968

AMENDED: JULY 1985

LEGEND

-  PROJECT BOUNDARY
-  BLOCK & LOT NUMBERS
-  ACQUISITION SITE AND NUMBER
-  NOT TO BE ACQUIRED
-  Subject to Rehab Standards
-  Major Sound Property



THE CITY OF NEW YORK
DEPARTMENT OF
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AND DEVELOPMENT

EAST NEW YORK I

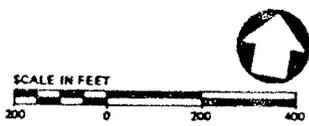
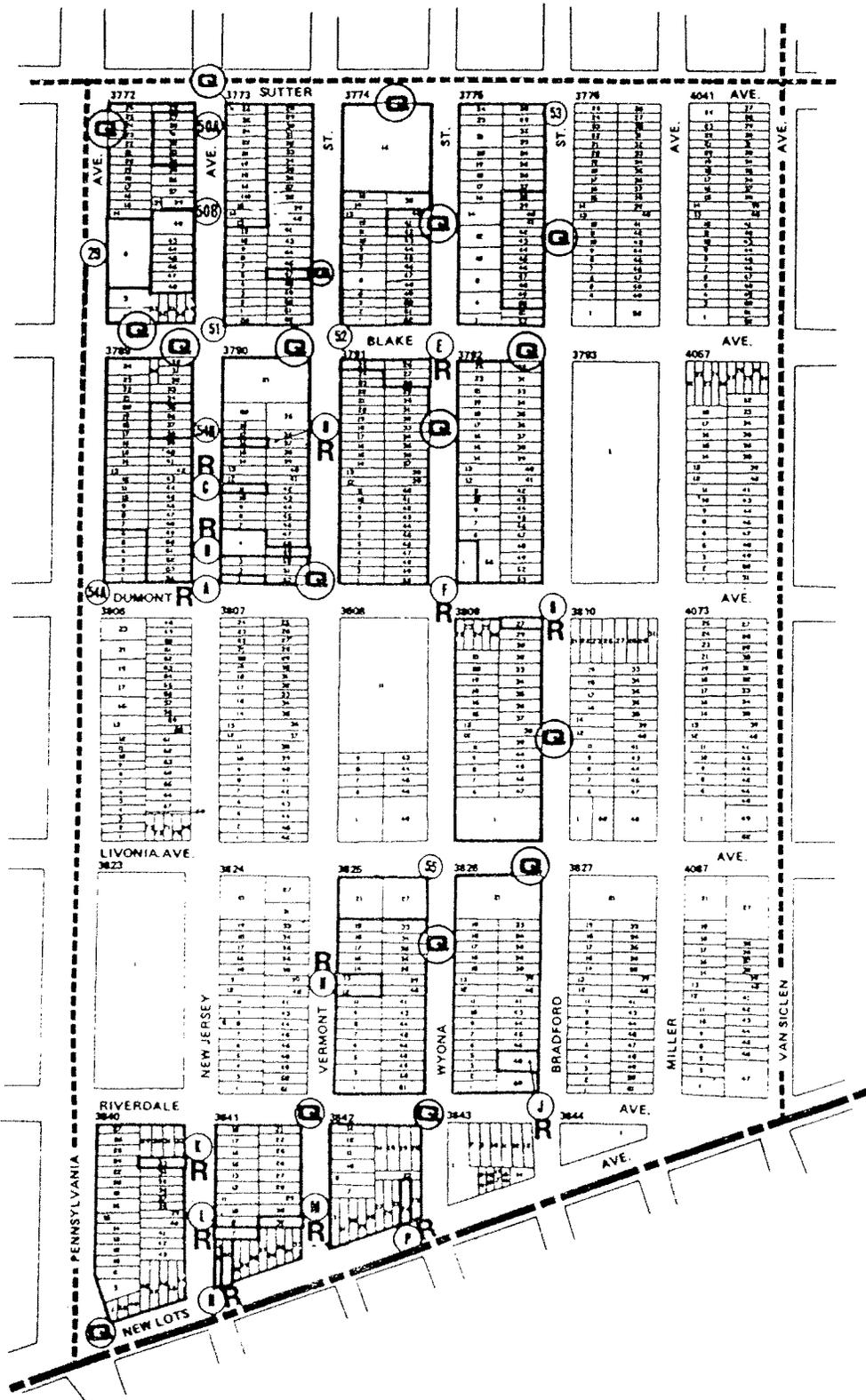
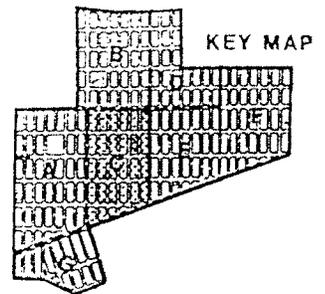
URBAN RENEWAL
PROJECT

SITE BOUNDARY & ACQUISITION

DATE: OCTOBER 1968
AMENDED: JULY 1985

LEGEND

-  PROJECT BOUNDARY
-  3996
BLOCK & LOT NUMBERS
-  (45) ACQUISITION SITE AND NUMBER
-  NOT TO BE ACQUIRED
-  Q Subject to Rehab. Standards
-  S Major Sound Property



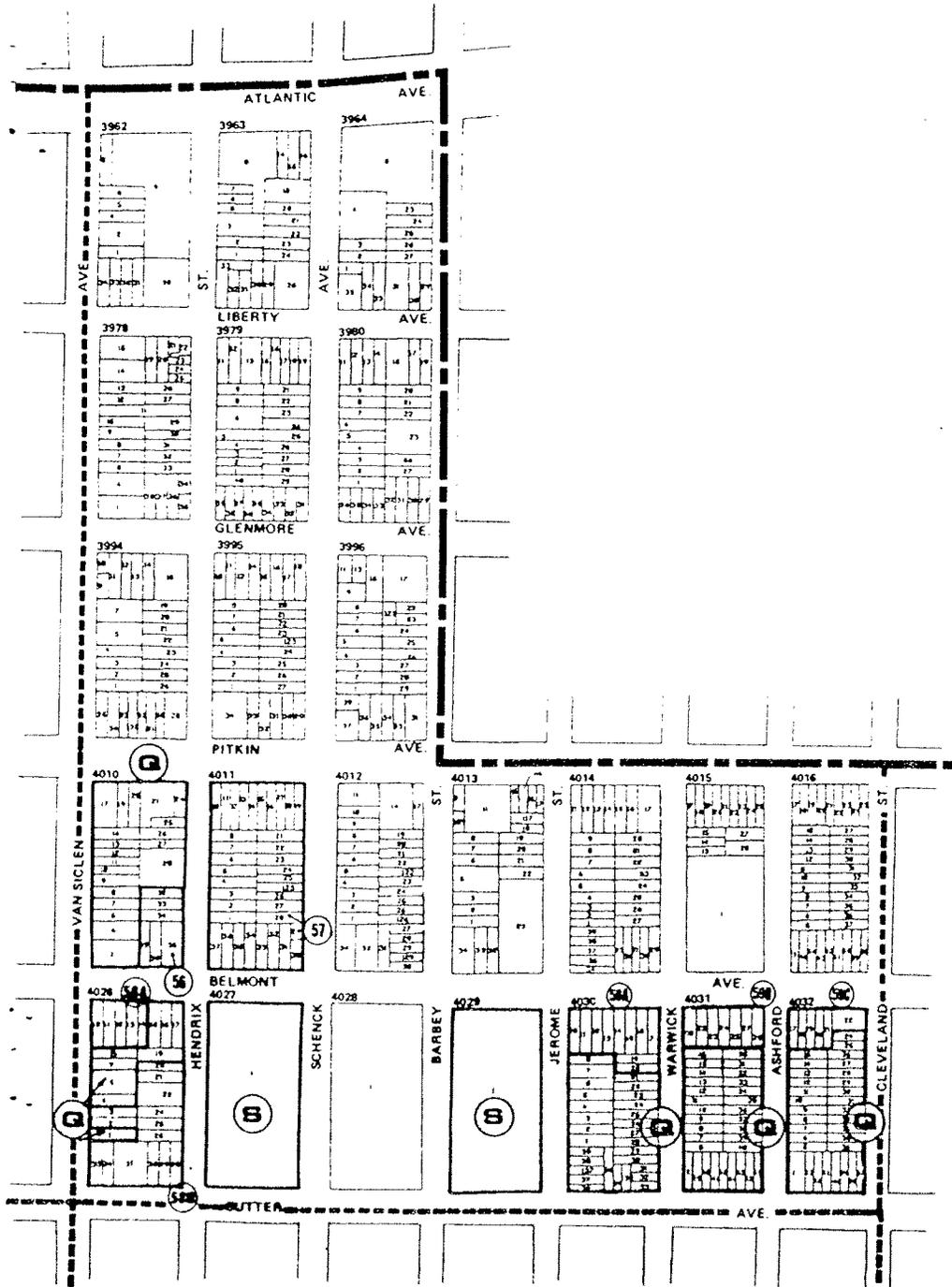
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EAST NEW YORK I

URBAN RENEWAL
PROJECT

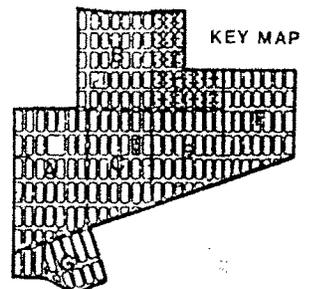
SITE BOUNDARY & ACQUISITION

DATE: OCTOBER 1968
AMENDED: JULY 1985.



LEGEND

-  PROJECT BOUNDARY
-  BLOCK & LOT NUMBERS
-  ACQUISITION SITE AND NUMBER
-  NOT TO BE ACQUIRED
-  Subject to Rehab. Standards
-  Major Sound Property



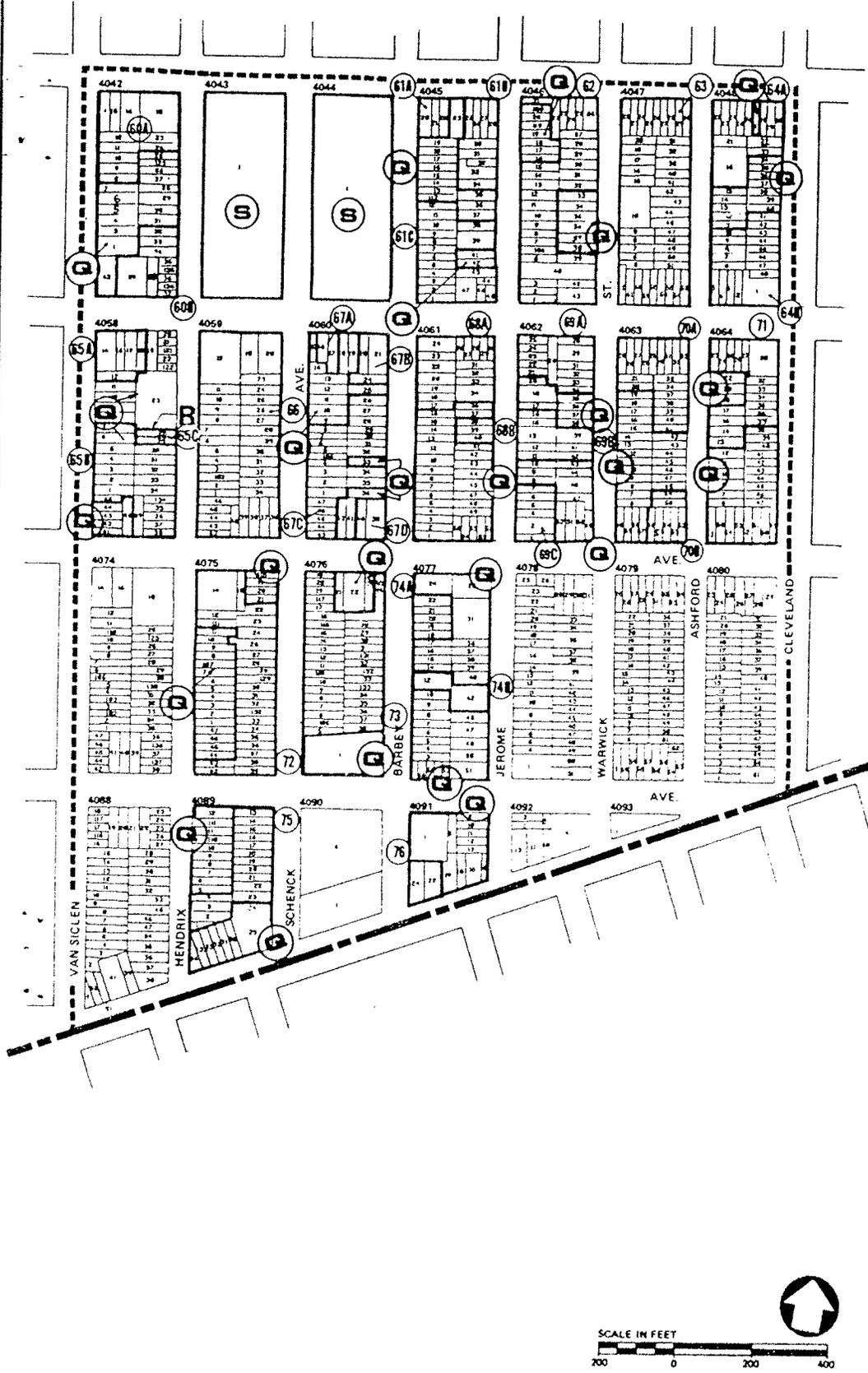
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EAST NEW YORK I

URBAN RENEWAL
PROJECT

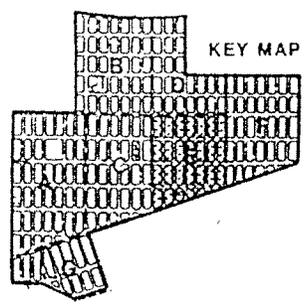
SITE BOUNDARY & ACQUISITION

DATE: OCTOBER 1968
AMENDED: JULY 1985



LEGEND

- PROJECT BOUNDARY
- BLOCK & LOT NUMBERS
- ACQUISITION SITE AND NUMBER
- NOT TO BE ACQUIRED
- Subject to Rehab. Standards
- Major Sound Property



THE CITY OF NEW YORK
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HOUSING PRESERVATION
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EAST NEW YORK I

URBAN RENEWAL
PROJECT

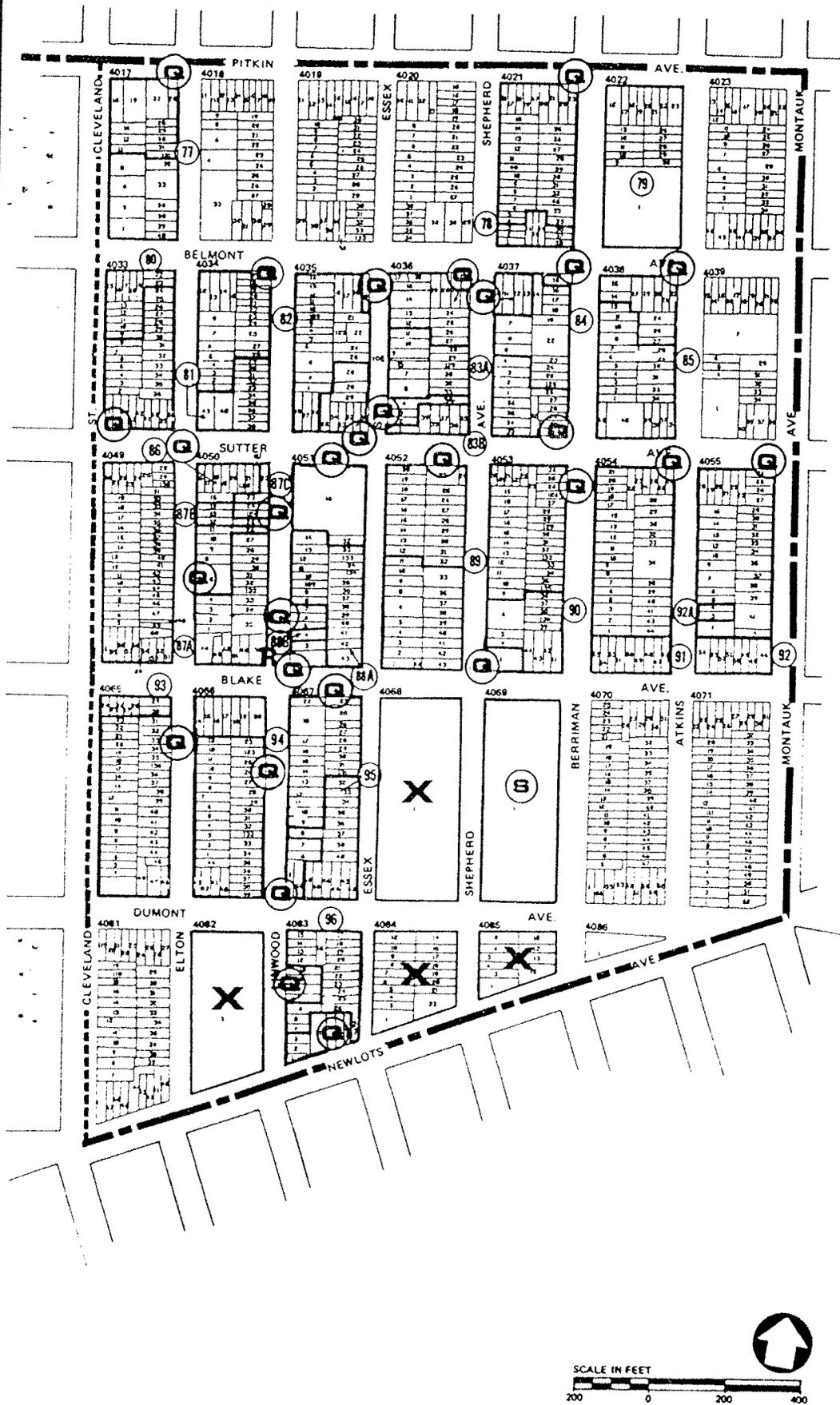
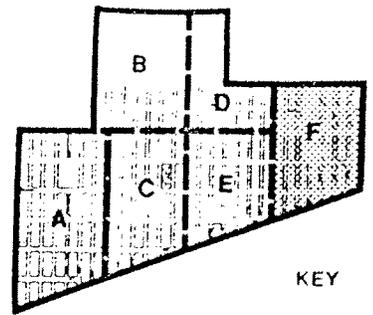
SITE BOUNDARY & ACQUISITION

DATE: OCTOBER 1968

AMENDED: JULY 1985; MARCH 1990

LEGEND

-  PROJECT BOUNDARY
-  BLOCK & LOT NUMBERS
-  ACQUISITION SITE AND NUMBER
-  NOT TO BE ACQUIRED
-  MAJOR SOUND PROPERTY



THE CITY OF NEW YORK
DEPARTMENT OF
HOUSING PRESERVATION
AND DEVELOPMENT

EAST NEW YORK I

URBAN RENEWAL
PROJECT

SITE BOUNDARY & ACQUISITION

DATE: AUGUST 1993

REVISED: NOVEMBER 1994

LEGEND

-  PROJECT BOUNDARY
-  3996
BLOCK & LOT NUMBERS
-  (45) ACQUISITION SITE AND NUMBER
-  Q NOT TO BE ACQUIRED
-  S MAJOR SOUND PROPERTY

MAP **3G**



FACT SHEET

EAST NEW YORK I URBAN RENEWAL PLAN
SECOND AMENDMENT

AUGUST 1993

Revised November 1994

REASON FOR AMENDMENT

The East New York I Urban Renewal Plan is being amended to create additional sites for residential, commercial, public institutional, and open space development, and to include new language in the Urban Renewal Plan. The Second Amendment expands the boundary of the East New York I Urban Renewal Plan by designating 14 additional blocks as suitable for urban renewal.

Urban Renewal Sites proposed for residential development will yield approximately 400 units comprised of 350 homeownership units and approximately 50 units of rental housing.

SPECIFIC CHANGES

1. The Second Amendment proposes the acquisition of 45 new sites. 32 sites (#5, #110B, #118B, #118C, #121-#126, #128, #130-#133, #136, #138-#140, #143A, 143B, 144A, 144B, 147A, 147B, 150A, 150B, 151A, 151B-#153, #156, #158-#159) have been targeted for residential/new construction use, 5 sites (#117R, #134R, #137R, #154R, #155R, #157R) have been reserved for rehabilitation use, 3 sites (#125, #135, #142) have been reserved for commercial use, 1 site (#127) has been reserved for public and institutional use, 3 sites have been reserved for open space development (#21, #129, #141).

2. The Second Amendment proposes the disposition of 28 sites (#110B, #118B, #118C, #124, #126, #128, #130-#133, #136, #138-#140, #143A, 143B, 144A, 144B, 147A, 147B, 150A, 150B, 151A, 151B-#153, #156, #158-#159) to the East Brooklyn Congregations.

3. The Land Use Plan has been amended to permit development of approximately 32,000 square feet of passive and active recreation space. A detailed description of each site is attached.

OTHER CHANGES

1. The language and format of the Urban Renewal Plan have been changed to the current standard form, and the time schedule for the effectuation of the project has been updated. A new subsection, in section F, has been added regarding the subdivision of urban renewal sites.

PROJECT DATA

	<u>CITY OWNED</u>	+	<u>PRIVATELY OWNED</u>	=	<u>TOTAL</u>	<u>COST</u>
Acquisition:	243 parcels		129 parcels		372	\$4,045,000
Relocation:	52 residential		160 residential		212	\$1,140,000
	1 commercial/ community facility		17 commercial/ community facility		18	
Demolition:	32 buildings		80 buildings		112	\$915,000
Property Mgmt.:						\$700,000

REVISED EDITION
FOR INFORMATION ONLY/NOT PART OF URBAN RENEWAL PLAN

FACT SHEET

EAST NEW YORK I URBAN RENEWAL PLAN
SECOND AMENDMENT

AUGUST 1993
Revised November 1994

SITE STATUS

The Second Amendment will require the acquisition of 372 properties. These 372 properties are composed of 261 vacant lots and 87 occupied residential structures, as well as 24 vacant structures.

APPENDIX H: HPD MARKETING GUIDELINES

HPD marketing guidelines

for rentals



MARKETING PACKAGE CONTENTS

Tenant Selection Procedures (Pages 2-24)

Notice of Intent (Pages 27- 29)

Cover Letter to Marketing Application (Page 31)

Marketing Application(Pages 31-41)

Ineligibility Letter (Page 43)

Notice of Eligibility (Page 45)

Request for Interview (Page 47)

Application Information Form (Page 49)

Marketing Lottery Log Sheet (Addendum)



TENANT SELECTION PROCEDURES

1. NOTICE OF INTENT

The Sponsor/Developer, or a representative, must submit to HPD a Notice of Intent to begin marketing according to the following timetable:

- Marketing Meeting: Seven (7) months prior to anticipated occupancy
- Ads Placed and Community Letters Mailed when applicable: Six (6) months prior to anticipated occupancy
- Application Deadline: Four (4) months prior to anticipated occupancy, allowing for the required 60 day application period; i.e. 2 months following the placement of ads.

2. WRITING AND PLACING ADVERTISEMENT

The Developer, or a representative, shall begin marketing by placing an advertisement for applicants in accordance with the following:

- A| HPD will provide developer with the ad format. No changes to the format will be permitted without the prior written approval of the Director of Marketing.
- B| Developer, or a representative, is responsible for placing ad.
- C| Ad must be advertised in at least three (3) newspapers, including:
 - one (1) citywide daily newspaper with a circulation of at least 200,000;
 - one (1) ethnic-based newspaper with a circulation of at least 10,000;
 - one (1) local newspaper.
- D| Ad to run at least three (3) days (with at least one (1) day falling on a weekend), at least sixty (60) days prior to the application deadline.

3. CONTENTS OF APPLICATION

- A| Format of Application will be provided by HPD. Any changes to the application must receive prior approval from HPD.

- B| Application must be accompanied by a cover letter that reiterates program guidelines and highlights the post office box to which applications must be returned. The format will be provided by HPD. Any changes to the letter must receive prior approval from HPD.

4. PICKING UP COMPLETED APPLICATIONS

NOTE: The P.O. Call Box used will be one governed solely by The United States Postal Service. HPD will reserve the P.O. Box at the USPS branch of its own choosing, with all charges and fees to be reimbursed by the Developer. Only HPD will have access to the box and it will not be opened until the date of the lottery.

- A| Applications will be picked up from the post office box approximately one (1) week after the postmark deadline. The applications must be picked up by the Developer or a representative in the presence of HPD staff.
- B| If the post office requires that letters be picked up on a regular basis due to the large volume of mail, the USPS will notify HPD prior to picking up the mail and HPD and the Developer will place all letters, unopened, in a secure locker/footlocker (see 5f). The Developer will then return to the post office approximately one (1) week after the postmark deadline to pick up, in the presence of HPD staff, any remaining mail.
- C| Any applications postmarked after the application deadline ("late" applications) will be set aside for possible consideration pursuant to these Homeownership Selection Procedures, only after all applications postmarked by the deadline have been exhausted. (See Sections 8b and 9b)

5. OPENING APPLICATIONS & CREATING THE LOG

- A| Log format will be provided by HPD (See Addendum)
- B| Based on anticipated response volume, HPD will recommend a minimum number of staff/volunteers to be provided by the borrower for the full day of the lottery. Staff should be made familiar with the application log process and freed from any other duties or distractions on the day of the lottery. Agency monitors will be present strictly to observe the opening of applications and completion of the log sheets; they will be unable to assist in the actual opening and logging so as to not divert their attention from their oversight responsibilities.
- C| After picking up applications from the post office as described in Section 4, in the presence of HPD staff, all applications, or a minimum number of applications equal to fifty (50) times the number of units being marketed in the project, will be randomly opened and entered in ink in a log in the order of which they were randomly opened. All names will then be selected in number order from this log. All subsequent loggings from this applicant pool, unless waived by HPD, must take place in the presence of HPD staff.
- E| Developer or a representative must provide a copy of the Log to HPD immediately after the lottery described under Section 5b is completed. If the Lottery takes more than one (1) day, Developer must provide a copy of the updated Log after each day's logging is completed.
- F| If more than one day is required, remaining applications must be secured in a locker or footlocker (to be provided by the Developer) which can accommodate a standard combination lock. HPD will provide the lock with a combination known only to HPD. This locker/footlocker will be stored by the

Developer in a location approved by the agency monitors and subsequent days of opening and logging must also occur under agency supervision. At the completion of all sales, after enough applications have been opened to achieve occupancy and establish a waiting list, any surplus applications will be shredded by the Developer.

- G| Developer or representative must also provide copies of the Log to HPD for review indicating each applicant's selection status. The copies must be provided prior to units to eligible applicants. HPD approval is required prior to signing leases.
- H| All offers of apartments must be made by Developer or representative to "eligible applicants", and must be made in numbered order from this Log, as long as units of appropriate size are available. An applicant to whom an apartment has been offered must be given a reasonable specific amount of time to respond to the offer before a Developer can proceed to offer an apartment to the next eligible applicant on the Log.
- I| If units of appropriate size are unavailable to eligible applicants from the Log as they are being reviewed, the applicant's name will remain on the Log until an appropriate unit becomes available or until the Log expires.
- J| The Applicant Log will be retained as a record for no less than three (3) years.

6. **TENANTING APARTMENTS**

- A| **Referrals:** The City reserves the right to refer potential tenants to the Developer. Developer, if directed by HPD, must first offer units to these referrals, when eligible. Referrals must be entered into a separate Log by the Developer or a representative. Developer must indicate the source of the referral on the log.

- B| **Homeless Units:** If required by the project's Regulatory Agreement, Developer must offer units to "eligible homeless" applicants. "Eligible Homeless" applicants are very low-income applicants who are certified as eligible by HRA, HPD or an approved alternate referral source. Refer to the Regulatory Agreement for the required percentage (or number) of homeless units to be tenanted under this category. For apartments reserved for Homeless Families, the owner/manager must promptly notify HPD's Division of Housing Finance and Production when vacancies occur and request that homeless households certified as eligible by HRA, HPD or an approved alternate referral source be referred as prospective tenants. Records documenting the rental and referral source for all homeless units must be maintained by the owner or designated manager and must be made available to HPD upon request. Failure to comply with these requirements may result in HPD extending the fifteen year restricted use period.
 - **"Eligible Neighborhood Residents" defined:** Eligible applicants whose address at the time of application is in the community board(s) in which the project is located, or when applicable, in the community board upon which the project borders.

 - **Requirement for projects with homeless units:** For projects containing homeless units, Developer must rent not less than fifteen per cent (15%) of the total number

of homeless units as described in Section 6b above to "eligible neighborhood residents" if the project is located in one (1) community board, and not less than twenty per cent (20%) of the total number of these units to "eligible neighborhood residents" if the project is located in two (2) community boards or is on the border of two (2) community boards. In the event that all non-neighborhood preference homeless units in a project have been rented, and the neighborhood preference requirement has not been met, Developer must rent the next remaining homeless units only to "eligible neighborhood homeless residents" until the neighborhood homeless preference requirement is met. See also Section 9 for completing neighborhood preference rent-up.

- Requirement of non-homeless units: For non-homeless units, Developer must rent not less than fifty per cent (50%) of the total number of non-homeless units in the project to eligible neighborhood residents. See also Section 9 for completing neighborhood preference rent-up.

- C| **Neighborhood Preference Requirement:** Fifty per cent (50%) of all marketed units will be rented up to Community Board residents.
- D| **Municipal Employee Preference:** Five per cent (5%) of all marketed units will be rented to Municipal Employees of the City of New York.

E| **Federal Disability Preference:** If (i) this is a rehabilitation project containing fifteen (15) or more units and if the cost of the alterations is 75% or more of the replacement cost of the completed facility, or (ii) if this is a new construction project containing five (5) or more units, a minimum of 5% of the project units, or one unit, whichever is greater, is required to be made adaptable for disabled persons with mobility impairments, and a minimum of 2% of the project units, or one unit, whichever is greater, is required to be made adaptable for disabled persons with visual or hearing impairments. Such units (the 5% and 2% of the project units which were required to be made adaptable) are referred to as "disabled preference units." Applicants who have at least one household member with a mobility impairment or a visual or hearing impairment are referred to as "disabled applicants." Developer must offer disabled preference units to appropriate disabled applicants. Disabled applicants are instructed to place a check mark (✓) on the outside of the envelope, and will be randomly selected with all other applicants. Disabled applicants must meet all programmatic requirements in order to be eligible for the unit. If not met, Developer, or representative, may go to the next disabled applicant on the log.

If Developer, or representative, cannot rent all disabled preference units from the original applicant pool, Developer or representative, in the presence of HPD staff must open and log only remaining unopened applications for disabled applicants identified with a check mark (✓) on the outside of the envelope.

Developer will notify the Mayor's Office for People with Disabilities (MOPD) or its successor office, if there are disabled preference units remaining after the above procedures have been met. Applications from additional disabled applicants referred to Developer by MOPD must be postmarked not more

than 35 days following such notification. Developer will open and log additional applications from disabled applicants in the same manner as all other applications, and will offer the remaining disabled preference units to appropriate disabled applicants who have submitted applications by the aforesaid deadline. If there are disabled preference units remaining after the procedures described in this paragraph have been met, such units may be offered to non-disabled applicants.

If all the disabled preference units have been rented to disabled applicants, the remaining disabled applicants, if any, remain on the log and are treated the same as all other (non-disabled) applicants. If the Developer offers an apartment to a disabled applicant who remained on the log, developer must offer an adaptable apartment of appropriate size, if available. If no such apartment is available, a non-adaptable apartment should be offered. Developers are advised that Federal law requires the developer to provide a reasonable accommodation to the applicant, if requested.

7. COMPLETING RENT-UP OF LOW-INCOME APARTMENTS

If after following procedures outlined in Sections 5 and 6, and exhausting all eligible names on the Log, low-income apartments are still available but some applications remain unopened, Developer or a representative, must notify HPD, and in the presence of HPD and pursuant to procedures listed in Section 5, randomly open and log a number of remaining vacancies. The developer, or a representative will then follow Tenant Selection Procedures outlined in Section 6.

- A | If apartments are still available after the Developer has exhausted all remaining applications pursuant to Section 7a, Developer or a representative, must notify HPD, and in the presence of HPD and pursuant to procedures listed in Section 5, randomly open and log a number of "late" applications set aside pursuant to Section 4c sufficient to tenant the remaining low-income vacancies. The Developer, or a representative will then follow Tenant Selection Procedures in Section 6.

- B | If after the Developer has exhausted all remaining applications as described above and low-income apartments are still available, Developer, or a representative, must notify HPD. HPD will provide the format for a re-advertisement, which will contain an open application. All applications will be picked up from the post office as needed in the presence of HPD staff. Future lotteries for the site will be held as needed in the presence of HPD staff. During this period, all other requirements contained in these Tenant Selection Procedures will continue to apply.

8. COMPLETING RENT-UP OF MODERATE-INCOME APARTMENTS

Developer and/or HPD may determine upon reviewing the initial log that there will be an insufficient number of qualified moderate-income applicants from the lottery to complete the moderate-income rent-up. Unless otherwise specified and upon written approval from HPD, Developer will be permitted to conduct direct outreach or solicit additional applications pursuant to procedures listed below in this section in order to rent the remaining moderate-income units. Developer will be permitted to process these additional applicants, but may not rent to these applicants until all eligible applications from the original applicant pool have been exhausted.

- A| Developer will then be required at minimum to re-advertise the units in addition to any direct outreach/solicitation.
 - Ad will be provided by the Developer.
 - Ad must be placed in at least three (3) newspapers as described in Section 2c of these Tenant Selection Procedures.
 - Developer must provide HPD with a copy of the re-advertisement.
- B| All applications received as a result of this process must be logged by the Developer.
- C| Developer must apply the same eligibility and rent-up criteria/requirements utilized for all other applicants when renting these apartments.
- D| Developer will be required to certify to HPD that this process has been completed in accordance with these guidelines.

9. COMPLETING NEIGHBORHOOD PREFERENCE RENT-UP

Developer must contact HPD if, upon renting the maximum number of non-resident units, the log from the original applicant pool contains an insufficient number of eligible applicants to meet neighborhood preference requirements. Then, the Developer will attempt to meet the neighborhood preference requirement by following the procedures listed below, in the order in which they appear until all neighborhood preference units are rented:

- A| Developer must open and log any remaining unopened applications and attempt to tenant the remaining units with eligible neighborhood residents.
- B| Developer must open and log any "late applications" and attempt to tenant the remaining units with eligible neighborhood residents, in log order.
- C| Where applicable, developer may consider applicants from the moderate-income advertisement.

After developer certifies to HPD that the above procedures have been followed, in order, and after considering all eligible neighborhood residents, the neighborhood preference requirement cannot be met, Developer may proceed to tenant apartments with eligible non-neighborhood residents in log order.

10. INTERVIEWS

- A| Units must be offered to eligible applicants in log number order but interviews can be conducted by Developer, or a representative, in any order.

- B| Developer will notify each applicant to be interviewed by regular mail. Format for letter will be provided by HPD. Letter will indicate:
 - date, time, and location of interview and phone number should applicant be unable to appear;
 - list of required documents to be brought to interview by applicant;
 - that Developer reserves the right to make home visits or other appropriate inquiries to assist in qualifying applicants;
 - that no broker or application fees will be charged to the tenant;
 - if credit checks will be conducted by Developer, that the following fees can be charged to the tenant: a maximum of \$50 for market-rate tenants, or \$25 for low-income tenants. No credit check fees may be charged to homeless applicants. A credit check fee can only be charged after an interview has been conducted and all other threshold selection criteria have been met.

- C| In cases where an applicant fails to appear for an interview, Developer must send a second letter by regular mail to schedule another interview. The applicant will be given a reasonable specific amount of time from the date of the second letter in which to respond.

11. QUALIFYING APPLICANTS

- A| All selections will be made by the Developer, or a representative.
- B| Developer, employees, agents and employees of agents are prohibited from seeking an apartment through the Developer’s lotteries, and are further prohibited from being considered through any other means for any apartment being marketed by this Developer pursuant to these Tenant Selection Procedures, regardless of their position with the firm.
- C| If required by the Regulatory Agreement, Developer must disqualify those applicants for whom there is not at least one household member who is a New York City resident at the time of application.
- D| Developer must disqualify those applicants from whom multiple copies of an application are received.
- E| HPD will provide Developer with initial rents, income guidelines and minimum household size requirements when the Notice of Intent is received.
- F| HPD’s low-income affordable apartments are not intended for “roommate situations” or other combinations of friends and/or distant relatives who join together solely for the purposes of qualifying for such a housing opportunity. For the purposes of HPD’s low-income housing programs, a household shall be defined as “an immediate family or other such configuration of persons who have a documented financial interdependence.” Aside from immediate family members (spouses and parent/child combinations), other possible households may document “financial interdependence” as follows:
 - Adult persons already living together as a household as may be formally documented through current leases, deeds, or current utility records identifying each person residing at the same address;
 - Adult persons who can document shared assets, such as shared bank accounts reflecting each person’s name, going back at least one year.

- Adult couples who are not married but who meet the criteria above or who can document registration with The City of New York as a domestic partnership.
- Additional minors who can be documented as being the lawful dependents of one or more adult household members. Individual letters signed by applicants or other individuals (such as a statement from an applicant's sister that her child will be living with the applicant) are not acceptable documentation. Acceptable documentation may include the following:
 - a) legal custody or guardianship papers;
 - b) tax documents reflecting the minor as a dependent;
 - c) school records identifying the adult household member as the minor's guardian of record; or
 - d) Third Party verification from a governmental social services agency regarding the placement of the minor within the household

G| Developer must notify all applicants processed of their selection status by regular mail as soon as a determination has been made. (See also Section 5f) A copy of the letter must be attached to the application and kept on file.

H| As required under Section 5e, Developer will provide HPD with a copy of the completed Log, indicating the final selection status of each applicant and reason for rejection, such as:

- income ineligibility;
- applicant's being an employee of Developer, or Developer's agent (See Section 11b);
- does not meet New York City residency requirement;
- lack of adequate income to support mortgage payments;

- ineligible household size;
- poor payment or credit history;
- receipt of more than one application per household;
- falsification of information;
- any other reason for rejection;
- if files are incomplete or if flags are raised which require further review either internally or with The NYC Department of Investigation (DOI), the process will take as long as necessary to:
 - a) acquire the missing or additional paperwork from the borrower's management staff or
 - b) complete an additional review with DOI. On a case by case basis, if such processes extend past ten (10) business days without a resolution, the agencies may grant permission to place such questionable applicants on hold and proceed with other applications while such special reviews are being completed.
- Ineligibility and Rejection Letters to Applicants must provide a specific reason an applicant cannot be approved. Responses to appeals must be even more specific and detailed. For example, stating "You are rejected because you are under-income" is not sufficient. The letter would need to state, as an example, "You have been deemed ineligible for this housing program because you do not meet the minimum income required for your family and unit size. The minimum income is \$35,000 and your household's annual income has been determined to be \$34,000".

I| The first applications processed and submitted to the agencies from the log must be those that meet one of the approved housing preferences; community board, disability, municipal employee, etc.

- If preferences are not met and there are still

unopened applications remaining, another day of opening applications to identify additional preference applicants must be scheduled with the agencies. No preferences will be waived unless all received applications have been opened.

- Only after all preferences have been achieved (or waived by the agencies following the exhaustion of the lottery) may non-preference applications be submitted for approval. This is to prevent non-preference applicants from being processed for units that are intended for preference-eligible applicants.

J| Developer, or a representative cannot disqualify an applicant solely on the basis that the applicant receives Section 8 assistance.

12. COMPLIANCE WITH REGULATORY AGREEMENTS

In addition to discretionary selection criteria such as credit checks, landlord references, etc., HPD hereby makes criminal background checks a mandatory criterion. The owner must disclose in the project's marketing plan which types of information revealed through such a check will or will not adversely impact an applicant's eligibility except that HPD hereby requires a determination of ineligibility in the event that one or both of the following criminal findings is flagged during the background check:

- A prior conviction of fraud in connection to any governmental housing program;
- A revelation that an applicant is a criminal fugitive being sought by law enforcement for either incarceration or deportation (as such applicants would not lawfully be able to "anticipate" income or even be anticipated to be an included member of the household).

Developer must certify to HPD, compliance with all provisions of the Rent Regulatory Agreement and these Tenant Selection Procedures and must maintain all records pertaining to the marketing of the project and the certification or re-certification of each tenant, for a period of not less than three (3) years.

NOTE: DISCOVERY OF FALSE INFORMATION:

Even before documents are submitted there are times when owners/agents may independently detect applicants who have falsified information. For example, the tax transcripts may come back and differ from the provided returns, or provided pay stubs or other documents may be detected as having been tampered with. In all such cases, this fraud (or potential fraud) must be reported. Even if it is detected early and does not result in the applicant receiving an apartment, the attempt of fraud itself must be reported. Owners/agents may report such findings to HPD or, if they prefer, directly to The NYC Department of Investigation.

13. INCORPORATION OF “FAIR HOUSING LAWS”

There are Federal, State and local laws, orders and regulations prohibiting housing discrimination (“Fair Housing Laws”). Such Fair Housing Laws, as they may be amended from time to time, are hereby explicitly incorporated in these Tenant Selection Procedures, any violation thereof will be a violation of these Tenant Selection Procedures.

14. AMENDMENTS

HPD reserves the right to amend any provision of these Tenant Selection Procedures.

15. INSPECTIONS

HPD reserves the right to conduct periodic inspections and spot-checks of the Developer's tenanting process.

16. CORRESPONDENCE

All notices to HPD regarding the Tenant Selection Procedures must be sent by regular mail or email to the attention of:

Director of Marketing
City of New York
Department of Housing Preservation and Development
100 Gold Street Room 9V5A
New York, New York 10038

torisj@hpd.nyc.gov

[To be placed on Developer's Letterhead]

The ad should list the following PO Box or address for application requests:

The ad should state that application requests must be made by mail only: Yes ____No ____.

The handicapped information for this project is as follows:

Number of elevators in buildings;
Number of ramps to buildings;
Total Number of handicapped adaptable units.

I understand that the Department of Housing Preservation and Development will provide the camera-ready ad for this project. If I provide my own ad for this project I understand that the ad is subject to HPD's final review and approval. If there are any questions regarding the above information please contact:

Phone: ()

FAX: ()

Email:

Sincerely,

Developer/Manager

[To be placed on Developer's Letterhead]

COVER LETTER TO APPLICATION
[Indicate Developer Name Only]

Thank you for contacting us. Per your request, an application is enclosed for an apartment at

_____.

The completed application must be returned by **REGULAR MAIL ONLY** to the following Post Office Box (Please note that this is a **DIFFERENT** address than where you wrote for an application):

The application deadline is **[Date]**. Applications postmarked after this deadline will be set aside for possible future consideration.

If you answered “yes” to question “I” on the application regarding if you or a member of your household requires a special accommodation, kindly place a check mark (✓) on the outside of the envelope.

MAIL ONLY ONE APPLICATION PER FAMILY. YOU WILL BE DISQUALIFIED IF MORE THAN ONE APPLICATION PER FAMILY IS RECEIVED.

DO NOT GIVE BROKERS OR APPLICATION FEE TO ANYONE IN CONNECTION WITH THE OBTAINING, PREPARING OR FILING OF THIS APPLICATION FOR HOUSING.

The prices and income distribution for these units are as follows:

[Developer must insert chart from advertisement]

Applications for these units will be randomly selected. If your application is selected, we will notify you in writing and schedule an interview. Please be prepared to document your income and the other information you provide on the application. A list of required documentation will be sent to you when an interview is scheduled.

Thank you for your interest.

[DEVELOPER NAME]
[PROJECT NAME]
[PROJECT ADDRESS]

APPLICATION FOR APARTMENT

Instructions:

1. Mail only one application per family. You will be disqualified if more than one application per family is received.
2. When completed, this application must be returned by regular mail only; do not send registered or certified mail.
3. The completed application must be postmarked no later than (month, day, year). Applications postmarked after this date will be set aside for possible future consideration.
4. Mail completed application to:

[POST OFFICE BOX ADDRESS]

5. **No payment should be given to anyone in connection with the preparation or the filing of this application.**

-
6. This information to be filled out by the Applicant:

A. *Name and Address*

Name: _____

Current Address: _____

City, State, Zip Code: _____

Home / Cell Phone: _____

Work Phone: _____

How long have you lived at this address? _____ Years, _____ Months

B. *Household Information*

How many persons in your household, including yourself, WILL LIVE IN THE UNIT FOR WHICH YOU ARE APPLYING? _____.

List all of the people WHO WILL LIVE IN THE UNIT FOR WHICH YOU ARE APPLYING, starting with yourself, and provide the following information. Add additional pages if necessary.

Full Name	Relation to Applicant	Birth Date	Age	Sex	Occupation

Are you or any member of your household disabled? Yes No

If yes, would you describe the disability as mobility impairment? visual impairment?
 hearing impairment?

If you checked either mobility impairment, or visual impairment, or hearing impairment, do you or a member of your household require a special accommodation? Yes No

If yes, please specify the special accommodation required:

C. *Income from Employment*

1) **Are you an employee of the City of New York, the New York City Housing Development Corporation, the New York City Economic Development Corporation, the New York City Housing Authority, or the New York City Health and Hospitals Corporation?**
 Yes _____ No _____ (If Yes, please identify the agency or entity at which you are employed):

Agency/Entity: _____

2) If you answered “yes” to Question 1 above, have you personally had any role or involvement in any process, decision, or approval regarding the housing development that is the subject of this application?
 Yes ____ No ____

NOTE: If you answered ‘Yes’ to Question 1 above, you may be required to submit a statement from your employer that your application does not create a conflict of interest. If you answered ‘Yes’ to Question 2 above, you will be required to submit a statement from your employer that your application does not create a conflict of interest. Such statement would not be required until later in the application process, after you have been selected through the lottery, when you will also be required to provide other documents to verify your income and eligibility.

List all full and/or part time employment for ALL HOUSEHOLD MEMBERS including yourself, WHO WILL BE LIVING WITH YOU in the residence for which you are applying. Include self-employment earnings.

Household Member	Employer Name and Address	Years Employed	Gross Earnings

D. Income from Other Sources

List all other income, for example, welfare (including housing allowance), AFDC, Social Security, SSI, pension, disability compensation, unemployment compensation, Interest income, babysitting, care-taking, alimony, child support, annuities, dividends, income from rental property, Armed Forces Reserves, scholarships and/or grants, etc.:

HOUSEHOLD MEMBER	Type of Income	Amount
_____	_____	\$ _____ per _____
_____	_____	\$ _____ per _____
_____	_____	\$ _____ per _____
_____	_____	\$ _____ per _____

E. Total Annual Household Income

Add All Income Listed Above and Indicate the Total Earned for the Year \$_____per year

F. Current Landlord

Landlord's Name: _____

(If you live in a public housing project enter "NYCHA." If you live in a city-owned/In Rem building enter "HPD")

Landlord's Address: _____

Landlord's Phone Number: _____

G. Current Rent

What is the total rent on the apartment where you currently live or temporarily staying? \$ _____monthly

How much do you contribute to the total rent of the apartment? If nothing write "0" \$ _____monthly

H. Reason for Moving

Why are you moving? Please check all that apply.

- | | |
|--|---|
| <input type="checkbox"/> Living with parents | <input type="checkbox"/> Do not like neighborhood |
| <input type="checkbox"/> Not enough space | <input type="checkbox"/> Living with relatives/other family members |
| <input type="checkbox"/> Living in shelter or on the streets | <input type="checkbox"/> Rent too high |
| <input type="checkbox"/> Bad housing conditions | <input type="checkbox"/> Increase in family size (marriage, birth) |
| <input type="checkbox"/> Health Reasons | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Disability access problems | |
-

I. Section 8 Housing Assistance

Are you presently receiving a Section 8 housing voucher or certificate? Yes No (Please check Yes or No.)

This information will not affect the processing of the application.

J. Assets

Checking /Bank or Branch: _____

Savings/Bank or Branch: _____

Certificates/Bank or Branch: _____

K. Source of Information

How did you hear about this development?

- Newspaper Sign Posted on Property
 Local Organization or Church Friend
 City "affordable housing hotline" listing new ads for the month Web Site/Internet
 Other: _____
-

L. Ethnic Identification (Used for Statistical Purposes Only)

This information is optional and will not affect the processing of the application. Please check one group that best identifies the applicant.

- White (non Hispanic origin) Black
 Hispanic origin Asian or Pacific Islander
 American Indian/Alaskan Native Other _____
-

M. Signature

I DECLARE THAT STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I have not withheld, falsified or otherwise misrepresented any information. I fully understand that any and all information I provide during this application process is subject to review by The New York City Department of Investigation (DOI), a fully empowered law enforcement agency which investigates potential fraud in City-sponsored programs. I understand that the consequences for providing false or knowingly incomplete information in an attempt to qualify for this program may include the disqualification of my application, the termination of my lease (if discovery is made after the fact), and referral to the appropriate authorities for potential criminal prosecution.

I DECLARE THAT NEITHER I, NOR ANY MEMBER OF MY IMMEDIATE FAMILY, IS EMPLOYED BY THE DEVELOPER OR ITS SUBSIDIARIES, OR THE BUILDING OWNER OR ITS PRINCIPALS.

Signed: _____ Date: _____

OFFICE USE ONLY:

Community Board Resident Yes No
Municipal Employee Yes No
Size of Apartment Assigned Studio 1 Bedroom 2 Bedroom 3 Bedroom 4 Bedroom
Family Composition: Adult Males: _____ Adult Females: _____ Male Children: _____ Female Children: _____
Person with Disability Mobility Visual Hearing
TOTAL VERIFIED HOUSEHOLD INCOME: \$ _____ per Year

SAMPLE INELIGIBILITY LETTER

[To be placed on Developer's Letterhead]

Date

Applicant's Name and Address

Re: **[PROJECT NAME]**

Log #_____

Dear (Applicant):

We have received your application for residency in the project indicated above. Based on the guidelines for eligibility under this program, you are ineligible for the following reason:

- ___ 1. Your family's gross income exceeds the program limit.
- ___ 2. Your family's gross income is not sufficient to sustain the rent level.
- ___ 3. No remaining units are available within the project to accommodate your family size.
- ___ 4. Your application was not received through regular mail as instructed.
- ___ 5. Poor Credit History
- ___ 6. Home Visit
- ___ 7. Other

If you have additional information which you feel would entitle you to appeal this determination, you may contact this office within two (2) weeks from the date of this letter to request a review.

Sincerely,

Owner/Manager

SAMPLE ELIGIBILITY LETTER

[To be placed on Developer's Letterhead]

Date

NOTICE OF ELIGIBILITY

To:

RE: [PROJECT NAME/ADDRESS]

Dear:

Congratulations! We are pleased to inform you that you have been approved for an apartment at _____ **[PROJECT ADDRESS]** _____.
You will be occupying apartment #_____.

Please contact us upon receipt of this letter in order to arrange for an inspection of the unit and the signing of the lease.

Thank you.

Sincerely,

Owner/Manager

Re: **[PROJECT NAME]**

Log # _____

[To be placed on Developer's Letterhead]

REQUEST FOR AN INTERVIEW

Date:

Dear:

Your application for an apartment at _____ **[Project Name/Address]** _____ has been randomly selected for further processing.

THIS IS ONLY A NOTICE TO APPEAR FOR AN INTERVIEW. YOU MUST MEET CERTAIN ELIGIBILITY REQUIREMENTS BEFORE YOU CAN BE APPROVED.

An interview has been set-up for you at _____
on _____ am/pm.

[Developer to insert list of documents here]

IF YOU ARE UNABLE TO ATTEND, PLEASE CONTACT US AT LEAST 24 HOURS BEFORE YOUR SCHEDULED APPOINTMENT AT () _____ OR AT THE ADDRESS LISTED ABOVE.

We look forward to seeing you.

Sincerely,

Owner/Manager

APPLICANT INFORMATION FORM

(To be completed for all applicants to whom you intend to offer an apartment)

SITE: _____

1. Applicant Name: _____ **Log #:** _____

2. Building Address: _____ **Apartment #:** _____

3. Household Income: \$: _____ **3a. Rent: \$** _____

4.	a. NYCHA Housing	_____	Yes	_____	No
	b. Community Board Resident	_____	Yes	_____	No
	c. Municipal Employee	_____	Yes	_____	No
	d. Borough Resident	_____	Yes	_____	No
	e. Section 8 Recipient	_____	Yes	_____	No
	f. Disabled	_____	Yes	_____	No

If "Yes": _____ **Mobility** _____ **Visual** _____ **Hearing**

5. Ethnicity (check one)

White _____ **Black** _____ **Hispanic** _____ **Asian** _____ **Other** _____

6. Size of Apt. Assigned (check one)

Studio _____ **1 Bedroom** _____ **2 Bedroom** _____ **3 Bedroom** _____ **4 Bedroom** _____

7. List Names of all Family Member residing in Unit

a. Head _____

b. Co-Head/Spouse: _____

c. Family Member # 3: _____

d. Family Member # 4: _____

e. Family Member # 5: _____

f. Family Member # 6: _____

9. Rent of Apartment Assigned (check one)

Very Low _____ **Low** _____ **Moderate** _____ **Market** _____ **HOME unit** _____

10. a. Does this AIF serve to replace a previously approved applicant? Yes [] No []

If "Yes", please indicate the name, log number, date, and reason why applicant is being replaced.

Name: _____ **Log#:** _____ **Date:** _____

b. Reason for replacement of previous applicant:

Applicant Cancelled: _____ **Rejected:** _____ **Moved-Out:** _____ **Evicted:** _____

Unit Transfer: _____ (Please give new unit #: _____) **Vacant Unit:** _____ **Other:** _____

APPENDIX I: EQUAL OPPORTUNITY



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

EXECUTIVE ORDER NO. 50

APRIL 25, 1980

BUREAU OF LABOR SERVICES

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

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

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

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

(a) Bureau means the Bureau of Labor Services;

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

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

*amended
E.C. 94*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 5. Contract Provisions.

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

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

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

§ 6. Employment Reports.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EQUAL EMPLOYMENT OPPORTUNITY

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

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

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

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

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

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

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

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

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

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

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



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

Executive Order No. 108
December 29, 1986

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

BUREAU OF LABOR SERVICES

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

Section 1. Prior Order Amended.

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

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

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

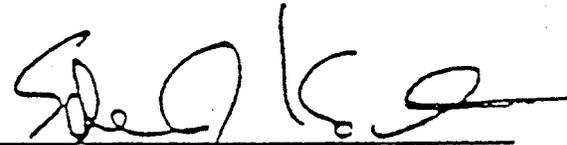
(ii) an emergency contract or other
exempt contract, except as the Bureau may
direct by regulation; and

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

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

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

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



Edward I. Koch
M A Y O R



JUN 23 1986

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

Executive Order No. 94
June 20, 1986

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

BUREAU OF LABOR SERVICES

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

Section 1. Prior Order Amended.

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

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

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

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

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

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

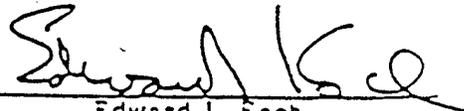
contract to which it becomes a party such provisions requiring the contractor to ensure equal employment opportunity as the Bureau may direct, consistent with this Order."

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

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

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

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



Edward I. Koch
M A Y O R

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

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

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

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


EDWARD I. KOCH
M A Y O R

APPENDIX J: PROPOSAL FORMS

Form A: Completeness Checklist and Applicant's Letter

A1 – Completeness Checklist (Tab A)

Before completing the following forms, please see instructions in **Section V (Submission Requirements and Selection Process)**.

Tab	Form	✓
A	Completeness Checklist and Applicant's Letter	
	1. Completeness Checklist (Form A-1)	
	2. Applicant's Letter (Form A-2)	
B	Project Summary and Project Narrative	
	1. Proposal Narrative (<i>provided by Applicant</i>)	
	2. Proposal Summary (Form B)	
C	Applicant Description	
	1. Development Team Information (Form C-1)	
	2. Not-For-Profit Organization Description (Form C-2)	
	3. Additional Evidence of Experience and Qualifications (<i>provided by Applicant</i>)	
D	Development Experience, Management Experience and Current Workload	
	1. Residential Development Experience and Current Workload (Form D-1)	
	2. Residential Management Experience (Form D-2)	
	3. Retail Management Experience (Form D-3)	
	4. Management Questionnaire (Form D-4)	
E	Assets Statement	
	1. Assets Statement (Form E or alternate statements)	
F	Financing Proposal	
	1. Rental Pro Forma (Form F)	
	2. Financing Narrative (<i>provided by Applicant</i>)	
G	Retail Plan (<i>provided by Applicant</i>)	
H	Letters of Interest for Private and Public Funds (<i>provided by Applicant</i>)	
I	Environmental Proposal (<i>provided by Applicant</i>)	
J	Design Team Experience & Narrative (<i>provided by Applicant</i>)	
K	Architectural Submission (<i>provided by Applicant</i>)	
L	Sustainability Elements	
	1. Sustainability Narrative (<i>provided by Applicant</i>)	
	2. Green Communities Intended Methods Workbook (Form L)	
M	Marketing Plan (<i>provided by Applicant</i>)	
N	Development Schedule (<i>provided by Applicant</i>)	

**Livonia Avenue Initiative Phase I
Form A2 – Applicant’s Letter**

NYC Department of Housing Preservation and Development
Office of Development
100 Gold Street, Room 9G-6
New York, NY 10038
Attention: Diane Sherard

Re: Proposal in Response to Livonia Avenue Initiative Phase I RFP

Dear Ms. Sherard:

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 mixed-use/housing Livonia Avenue Initiative Phase I RFP (“Development Site”) in Brooklyn.

I have received, read, and understand the provisions of the RFP. I understand that selection of an Applicant (“Applicant”) under the RFP for disposition of the Development Site and the development of the Project described in the RFP (“Project”) will mean only that HPD will commence negotiations with such Developer 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 Applicant 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 Applicant 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 Applicant and the City. The execution of any such license agreement, if it occurs, will only indicate that the City has granted permission for the Applicant 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 Applicant 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 Applicant, 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(s) to be provided, if any, will be consistent with applicable City policies.
 - d. The grantee must execute legal documents in form and substance acceptable to HPD and in form approved by the City's Law Department.
4. During negotiations, the Applicant must diligently, competently, and expeditiously comply with all requirements communicated to the Applicant by HPD.
 5. The design of the Project must comply with any applicable HPD development requirements and guidelines.
 6. Either HPD or the Applicant may terminate negotiations at any time with or without cause. Negotiations may be terminated if Applicant does not commence construction within eighteen (18) months from the date of the Negotiation Letter.
 7. If negotiations are terminated by either HPD or the Applicant, whether with or without cause, or if negotiations terminate automatically, then neither the City nor the Applicant 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 Applicant at any time, including, but not limited to, the cost of: (i) any prior actions by the Applicant in order to respond to any selection process, or (ii) any future actions by the Applicant 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

Applicant

Livonia Avenue Initiative Phase I RFP
Form B – Project Summary

Unit Summary

Building Name/Description	Rental Units	Super Units	Total Units	Gross Square Feet
Total				
% of Total Project			-	-

Affordability Summary

Building Name/Description	___%AMI	___%AMI	___%AMI	___%AMI
Total Units				
% of Total Project				

Unit Count by Type

Building Name/Description	Studio	1BR	2BR	3BR/4BR
Total Units				
% of Total Project				

Average Unit Size (SF)

Building Name/Description	Studio	1BR	2BR	3BR/4BR

Summary of other uses (commercial, community, etc.)

Building Name/Description	Use	Gross Square Feet
Total Gross Square Feet		

Form C: Development Team Information and Applicant Questionnaire

C1 – Development Team Information (Tab C)

All applicants shall complete pages 1 - 3 of this form. Applicants that include a not-for-profit entity as principal of the developer or part of the Development Team shall also complete pages 4 -6.

Name of Applicant: _____

Name of Contact Person: _____ E-mail: _____

Mailing Address: _____

Telephone No: _____ Alternate Phone: _____

COMPOSITION OF APPLICANT ENTITY:

1. Type of organization (i.e. partnership, corporation, limited liability company, joint venture): _____

2. Provide the following information about all principals of the applicant. For corporations, provide the names of the officers and any shareholders owning 10% or more; for partnerships, provide the names of all general partners. For joint ventures, provide the information separately for each entity that comprises the joint venture. Also, state the role(s) that each principal would play in the development of the site, using the categories specified below.

NAME OF ENTITY # 1: _____ **Percent Interest in Proposed Project:** _____

PRINCIPALS: Name/Position/Title	Home Address	Role*	% Interest in Entity

NAME OF ENTITY # 2: _____ **Percent Interest in Proposed Project:** _____

PRINCIPALS: Name/Position/Title	Home Address	Role*	% Interest in Entity

* Role Categories: GP = General/Managing Partner; GC = General Contractor; F = Provides financing, inactive; A = Architect; L = Legal Services; MA = Managing Agent; O = Other (specify)

3. Provide the names, addresses, e-mail addresses, and telephone of members of the development team to the extent that these have been decided; if unknown, enter "N/A".

DEVELOPMENT TEAM:

<u>Architect:</u>	<u>Marketing Agent:</u>
<u>General Contractor:</u>	<u>Managing Agent:</u>
<u>Legal Counsel:</u>	<u>Social Service Provider:</u>
<u>Other:</u>	<u>Other:</u>

Is there an identity of interest between any principals of the developer and any other entities that comprise the development team? Yes [] No []

If yes, please explain.

4. Has any principal identified above, 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 filed 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, or was subject to tax lien sale? Yes [] No []
- (4) City State or Federal 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 of New York or one of its agencies? Yes [] No []
- (6) In the past 5 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 7 years, filed a bankruptcy petition or been the subject of involuntary bankruptcy proceedings? Yes [] No []
- (8) In the last 5 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 []
- (10) Negative findings from the Inspector General's Office? 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 or corporation (e.g. officer), the date of the action, and current status and disposition.

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 Organization

Signature

Date

Print or Type Name and Title

Name of Organization

Signature

Date

Print or Type Name and Title

C2 – Not-For-Profit Organization: Applicant Description

Name of Organization: _____

Office Address: _____

City: _____ State: _____ ZIP Code _____

Executive Director: _____

Contact Person: _____ Title: _____

Phone No. _____ FAX No. _____

ROLE OF ORGANIZATION IN THE PROJECT: Describe the role that the not-for-profit organization will play, such as developer, marketing agent, etc.

Date Established: _____ Date Incorporated: _____

CERTIFICATION: I CERTIFY THAT THE INFORMATION SET FORTH IN THIS DISCLOSURE STATEMENT AND ITS ATTACHMENTS IS TRUE AND CORRECT.

Signature of Officer

Print Name and Title

Date

C2 – Not-For-Profit Organization: Directors, Officers, and Key Staff

Name of Organization: _____

Name and Home Address	Position and/or Office in Organization	Date of Initial Appointment	Current Occupation and Name of Employer

C2 – Not-For-Profit Organization: Major Sources of Funding

Name of Organization: _____

Provide the following information regarding your major sources of funding during the two years preceding the deadline for submission of proposals under this RFP.

Funding Source (Agency, Department, etc.)	Name of Program	Contact Person Name and Phone Number	Purposes of Funding	Dates of Funding	Funding Amount

D4 – Management Questionnaire

1. Across your portfolio, what is the typical ratio of property managers to number of units? Describe if staffing plans differ based on the funding source (e.g. LIHTC or HOME).
2. Describe the management and maintenance staffing plan envisioned for this project. If you have one, please submit a sample or project-specific Management Plan.
3. What property management certifications and licenses are held by your staff? (For example: RAM or IREM certification, tax credit certification, commercial real estate broker's license, etc.)
4. Please describe any LIHTC and/or HOME compliance coursework management staff has completed.
5. Has any property managed by the manager or owned by the owner ever had a recapture of LIHTC? If so, please explain in detail. Please include instances where you may have purchased or taken over management of a property with open compliance issues.
6. Have IRS Forms 8823s been issued for your properties, reporting noncompliance that was uncorrected at the time of issuance? If so, how many have been issued? Please include instances where you may have purchased or taken over management of a property with open compliance issues.
7. Do any properties managed by the manager or owned by an affiliate of the owner have open HOME compliance issues? If so, please explain in detail. Please include instances where you may have purchased or taken over management of a property with open compliance issues.
8. Do any properties managed by the manager or owned by an affiliate of the owner have open Class C NYC Housing Maintenance Code violations or open NYC DOB violations? If so, please explain in detail. Please include instances where you may have purchased or taken over management of a property with open violations.
9. Has the management company or any of its principals been disbarred by HUD or any other government agencies?
10. What is the vacancy rate across your portfolio as of the date of this submission? Please explain.
11. What are delinquent rents as a percentage of total rent roll across your portfolio of owned/managed properties? Please submit data showing arrears at 30, 60, and 90+ days arrearages.
12. Please submit a sample Monthly Management Report from the last year for an affordable housing property of your choosing.

Form E: Assets Statement

E- Assets Statement (Tab E)

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

Principal or Individual whose assets are described below:

1. Personal Information

Name:

Business Name:

Business Phone:

Residence Address:

City:

State:

Zip Code:

Business Address:

City:

State:

Zip Code:

Position (Title):

Years of Service:

Salary:

Bonus/Commission:

Other Income:

Source of Other Income:

Are you a defendant in any lawsuits or legal action that may impact your financial standing?

If so, please describe:

Do you have any contingent liabilities?

If so, please describe:

2. Statement of Financial Condition

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

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

Schedule A: Marketable Securities Owned

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

Marketable Securities Owned	Dollars (Omit Cents)	Collateral?

3. Signature Page

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

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

Date: _____

Livonia Avenue Initiative Phase I RFP
Form F: Rental Pro Forma

Instructions

Please complete this pro forma for the rental component of your project. Fill in the cells shaded blue. Keep cells linked and maintain calculations. If you modify given assumptions, please clearly note the changes.

Applicants should provide separate pro formas for each component of a project that will be separately financed.

Applicants must provide these forms in Excel file format on CD in addition to the hard copies submitted in the binder.

Livonia Avenue Initiative Phase I RFP

Site:

Units:

-

SOURCES AND USES

Construction Sources			per DU	% of total
First Mortgage (Lender:)		\$0	#DIV/0!	#DIV/0!
Second Mortgage (Lender:)		\$0	#DIV/0!	#DIV/0!
Third Mortgage (Lender:)		\$0	#DIV/0!	#DIV/0!
Fourth Mortgage (Lender:)		\$0	#DIV/0!	#DIV/0!
	Developer Equity	\$0	#DIV/0!	#DIV/0!
	LIHTC Equity	\$0		
	Deferred Developer's Fee	\$0		
Other source (Specify:)		\$0	#DIV/0!	#DIV/0!
TOTAL SOURCES		\$0	#DIV/0!	#DIV/0!

Permanent Sources				
First Mortgage (Lender:)		#DIV/0!	#DIV/0!	#DIV/0!
Second Mortgage (Lender:)		\$0	#DIV/0!	#DIV/0!
Third Mortgage (Lender:)		\$0	#DIV/0!	#DIV/0!
Fourth Mortgage (Lender:)		\$0	#DIV/0!	#DIV/0!
	Developer Equity	\$0	#DIV/0!	#DIV/0!
	LIHTC Equity	\$0		
	Deferred Developer's Fee	\$0		
Other source (Specify:)		\$0	#DIV/0!	#DIV/0!
TOTAL SOURCES		#DIV/0!	#DIV/0!	#DIV/0!

Uses				
Acquisition Cost		\$0	#DIV/0!	#DIV/0!
Construction Cost		\$0	#DIV/0!	#DIV/0!
Soft Cost		#DIV/0!	#DIV/0!	#DIV/0!
Developer's Fee		\$0	#DIV/0!	#DIV/0!
TOTAL USES		#DIV/0!	#DIV/0!	#DIV/0!

DEVELOPMENT BUDGET

		Developer Costs	
Acquisition Cost			
Construction Cost			
Contractor Price			
Residential	#DIV/0! /du		#DIV/0! psf
Commercial Space			#DIV/0! psf
Community Space			#DIV/0! psf
Parking			#DIV/0! psf
Contingency			
Total Hard Cost	#DIV/0! /du		#DIV/0! average per sf
Soft Cost			
Borrower's Legal			
Borrower's Engineer/Architect Fees			
Accounting & Cost Certification			
Housing/Development Consultant			
Bank's Engineer			
Bank Legal			
Permits and expediting			
Environmental Phase I & II			
CEQR			
Borings			
Survey			
Geotechnical			
Title Insurance			
Appraisal			
Other (Specify: _____)			
Subtotal			\$0
Financing Fees (Please maintain links to original calculations and note any changes)			
Upfront L/C Fee			of LOC amt -
Annual L/C Fee			of LOC amt -
HDC Fee (if applicable)			of HDC cons 1st -
Costs of Issuance			
HPD Fee (if applicable)			
Interest Rate Cap (estimate)			
421A Fees & Consultant			
LIHTC Application Fee			
Non Profit Sponsor			
Other (Specify: _____)			
Subtotal			-
Carrying Costs			
Construction Interest		#DIV/0!	(change link if assuming variable rate)
Negative Arbitrage		#DIV/0!	
Mortgage Recoring Tax			
Water/Sewer & Real Estate Taxes			
Utilities			
Insurance			
Construction Monitor			
Marketing			
Security			
Other (Specify: _____)			
Subtotal			#DIV/0!
Reserves and Contingency			
Social Service Reserve			
Capitalized Operating Reserve	/unit		
Additional Operating Reserve (if applicable)			
Soft Cost Contingency			#DIV/0! of soft costs
Subtotal			-
Total Soft Costs			#DIV/0!
Developer's Fee			#DIV/0! of TDC less Dev Fee
Total Development Cost:			#DIV/0!

Construction Sources

First Mortgage (Lender:)		#DIV/0!
Second Mortgage (Lender:)		#DIV/0!
Third Mortgage (Lender:)		#DIV/0!
Fourth Mortgage (Lender:)		#DIV/0!
Developer Equity		#DIV/0!
LIHTC Equity		#DIV/0!
Deferred Developer's Fee		#DIV/0!
Other source (Specify: _____)		#DIV/0!
Total		\$0

Permanent Sources

First Mortgage (Lender:)		#DIV/0!
Second Mortgage (Lender:)		#DIV/0!
Third Mortgage (Lender:)		#DIV/0!
Fourth Mortgage (Lender:)		#DIV/0!
Developer Equity		#DIV/0!
LIHTC Equity		#DIV/0!
Deferred Developer's Fee		#DIV/0!
Other source (Specify: _____)		#DIV/0!
Total		#DIV/0!

CONSTRUCTION INTEREST

Bond Amount						
Long Term Amount	#DIV/0!			% of bond	#DIV/0!	
Short Term Amount	#DIV/0!				#DIV/0!	
Total Bond Amount	\$0					
Term						
		Months		Years		
Construction term				0.00		
Rent-up & conversion term				0.00		
Total term		0		0.00		
Fixed Rates						
Long Term						
Short Term						
2nd Construction						
3rd Construction						
4th Construction						
Variable Rate						
SIFMA		0.00%				
+ ___ bps cushion		0.00%				
Variable Rate		0.00%				
Interest Calculations						
	Fixed Rate	Amount	% Outstanding	Term (years)	Interest Rate	Interest
1st - Short Term		#DIV/0!	50%	0.0	0.00%	#DIV/0!
		#DIV/0!	100%	0.0	0.00%	#DIV/0!
1st - Long Term		#DIV/0!	50%	0.0	0.00%	#DIV/0!
		#DIV/0!	100%	0.0	0.00%	#DIV/0!
2nd Construction		\$0	100%	0.0	0.00%	\$0.00
3rd Construction		\$0	100%	0.0	0.00%	\$0.00
4th Construction		\$0	100%	0.0	0.00%	\$0.00
	Total Fixed Rate Cons. Interest				0.00%	#DIV/0!
	Variable Rate	Amount	% Outstanding	Term (years)	Interest Rate	Interest
HDC 1st		\$0	50%	0.0	0.00%	\$0.00
		\$0	100%	0.0	0.00%	\$0.00
HDC 2nd		\$0	100%	0.0	0.00%	\$0.00
MIRP		\$0	100%	0.0	0.00%	\$0.00
	Total Variable Rate Cons. Interest					\$0.00

NEGATIVE ARBITRAGE

(for fixed-rate deals only)

Investment Rate			
	Short Term	Long Term	
Rate	0.00%	0.00%	
Short Term Amount	#DIV/0!	#DIV/0!	
% Outstanding	50%	50%	
Investment Spread	0.00%	0.00%	
Construction Term (years)	1.5	1.5	
	#DIV/0!	#DIV/0!	
Negative Arbitrage	#DIV/0!		

LETTER OF CREDIT AMOUNT

Bond Amount		-
Days Interest		-
LC Amount		-

Livonia Avenue Initiative Phase I RFP

Site:

Units: 0

MAINTENANCE & OPERATING EXPENSES

0	Units
0	Rooms

Expenses		per rm/du	
Supplies/Cleaning/Exterminating	\$ -		per room
Heating (oil)	\$ -		per room
Gas & Electricity	\$ -		per room
Cooking Gas	\$ -		unit
Repairs/Replacement	\$ -		per unit
Legal	\$ -		per unit
Accounting	\$ -		per project
Painting	\$ -		per room
Superintendent & Maintenance Staff Salaries	\$0	#DIV/0!	per unit
Number of:			
F/T super(s)	<input type="text"/>	\$0	annual + fring
porters	<input type="text"/>	\$0	annual + fring
Elevator Maintenance & Repairs	<input type="text"/> \$ -		per elevator
Management Fee	\$ -		of ERI
Water & Sewer	\$ -		per room
Fire and Liability Insurance	\$ -		per unit
Other Expenses(Specify:_____)	\$ -		per unit
Other Expenses(Specify:_____)	\$ -		per unit
Replacement Reserve	\$ -		per unit
M & O Before Taxes and Debt Service	\$ -		Total
		#DIV/0!	per room
		#DIV/0!	per unit
Real estate taxes	<input type="text"/>		
TOTAL ANNUAL PROJECT EXPENSES	\$0		
	#DIV/0!		per unit
	#DIV/0!		per room

MORTGAGE SIZING

Income			
Residential Income			\$0
Less Residential Vacancies	<input type="text"/>		\$0
<i>Net Residential Income</i>			\$0
Parking Income			\$0
Commercial Income			\$0
Community Space Income			\$0
Ancillary/Laundry			\$0
Less Parking Vacancies	<input type="text"/>		\$0
Less Commercial Vac	<input type="text"/>		\$0
Less Community Space Income	<input type="text"/>		\$0
Less Ancillary/Laundry Vac	<input type="text"/>		\$0
<i>Net Comm & Ancillary Income</i>			\$0
Net Income			\$0
Expenses			
Maintenance/Operating	#DIV/0!	per unit	\$0
Real estate taxes	#DIV/0!	per unit	\$0
Replacement Reserve	#DIV/0!	per unit	\$0
Total Expenses	#DIV/0!	per unit	\$0
NET OPERATING INCOME \$0			
Net Available @1.05 Income to Expense			\$0
Combined DSCR			
Net Available for Debt Service @	<input type="text"/>	#DIV/0!	
Income to Expense		#DIV/0!	
1st Mort DSCR			
Net Available for Debt Service @	<input type="text"/>	#DIV/0!	
Income to Expense		#DIV/0!	

Determination of Maximum Insurable Mortgage
 based on net available for debt service and land taxes

Variable Interest Rates		Fixed Interest Rates	
Base Rate	<input type="text"/>	Base Underwriting Rate	TAX EXEMPT <input type="text"/>
Underwriting Cushion		Servicing Fee	
LC Fees		MIP	
Trustee		Sum of above rates	0.00%
Remarketing			
Servicing	0.00%		

Total Supportable First Mortgage	<input type="text"/>	Enter 1st Mortgage Amount from Cell H30 here
Second Mortgage	\$ -	
Third Mortgage	\$ -	
Fourth Mortgage	\$ -	
Total Combined Debt	\$ -	

	1st Loan Reduction	2nd Loan Constant	3rd Loan Constant	4th Loan Constant	Total
1st Loan	<input type="text"/>				
Rate	0.0%	\$ -	\$0	\$0	#DIV/0!
Term	0.00%				
Yrs 1 - 30 Amt Amortized	#DIV/0!	\$0	\$0	\$0	
Balance	\$0	\$0	\$0	\$0	
Balloon %	#DIV/0!	100%	#DIV/0!	0%	
Debt Service	#DIV/0!	-	-	-	#DIV/0!
Debt Coverage	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

Assumed Subsidies

2nd Loan	Source:	<input type="text"/>	/du
3rd Loan	Source:	<input type="text"/>	/du
4th Loan	Source:	<input type="text"/>	

Livonia Avenue Initiative Phase I RFP

Site:

Units: -

TAX CREDIT ANALYSIS*

*This is an estimate; for actual raise and calculation, defer to LIHTC Investor

	Eligible Cost (Y/N)	Total Cost	Eligible Amount
Acquisition Cost	N	-	
Construction Cost			
Contractor Price			
Residential	Y	-	
Commercial Space	Y	-	
Community Space	Y	-	
Parking	Y	-	
Contingency	Y	-	
Total Hard Cost		-	-
Soft Cost			
Borrower's Legal	Y	-	
Borrower's Engineer/Architect Fees	Y	-	
Accounting & Cost Certification	Y	-	
Housing/Development Consultant	Y	-	
Bank's Engineer	Y	-	
Bank Legal	Y	-	
Permits and expediting	Y	-	
Environmental Phase I & II	Y	-	
CEQR	Y	-	
Borings	Y	-	
Survey	Y	-	
Geotechnical	Y	-	
Title Insurance	Y	-	
Appraisal	Y	-	
Subtotal		-	-
Financing Fees (Please maintain links to original calculations and note any changes)			
Upfront L/C Fee	Y	-	
Annual L/C Fee	Y	-	
HDC Fee (if applicable)	N	-	
Costs of Issuance	Y	-	
HPD Fee (if applicable)	N	-	
Interest Rate Cap (estimate)	N	-	
421A Fees & Consultant	N	-	
LIHTC Application Fee	N	-	
Non Profit Sponsor	N	-	
Subtotal		-	-
Carrying Costs			
Construction Interest	Y	-	
Negative Arbitrage	Y	-	
Mortgage Recording Tax	N	-	
Water/Sewer & Real Estate Taxes	Y	-	
Utilities	Y	-	
Insurance	Y	-	
Construction Monitor	Y	-	
Marketing	N	-	
Security	Y	-	
Subtotal		-	-
Reserves and Contingency			
Social Service Reserve	N	-	
Capitalized Operating Reserve	N	-	
Additional Operating Reserve (if applicable)	N	-	
Soft Cost Contingency	Y	-	
Subtotal		-	-
Total Soft Costs		-	-
Developer's Fee	Y	-	
Total Development Cost:		-	-

Number of TC Units	
% TC Units	#DIV/0!
% Non Residential Costs	#DIV/0!
Applicable Fraction	#DIV/0!
Construction Bonds	#DIV/0!

Eligible Basis with Boost		-
Annual Credit @		-
Amount Raised per Credit @		-
Amount Raised Total		-

**Livonia Avenue Initiative Phase I RFP
Site:**

Units: 0

TRADE ITEM	\$ AMOUNT
1 Demolition	_____
2 Environmental Remediation	_____
3 Railroad trench deck (Site B only)	_____
4 Landscaping / Site Work	_____
5 Concrete	_____
6a Masonry, pointing, waterproofing, steam cleaning	_____
6b Carpentry, rough	_____
7 Carpentry, finished	_____
8 Metals, structural steel	_____
9 Roofing	_____
10 Insulation	_____
11 Doors, frames, hardware	_____
12 Windows and glazing	_____
13 Entrance doors	_____
14 Drywall and plastering	_____
15 Ceramic tile	_____
16 Finish flooring	_____
17a Painting	_____
17b Kitchen cabinets	_____
18 Appliances, medicine cabinet	_____
19 Heating and ventilation	_____
20 Plumbing	_____
21 Electrical	_____
22 Other:_____	_____
23 Other:_____	_____
24 Other:_____	_____
25 SUBTOTAL	\$0
26 General Conditions	_____
27 Overhead	_____
28 Profit	_____
29 GRAND TOTAL	\$0

Livonia Avenue Initiative Phase I RFP

Units: 0

Site:

These calculations must match the architectural plans included in the proposal.

TOTAL BUILT FLOOR AREA (Gross Square Feet):

1. Residential Space	0
2. Unfinished Basement	
3. Cellar	
4. Attics	
5. Mechanical / Utility Areas	
6. Garages	
7. Commercial Space	0
8. Community Space	0
9. Parking	
10. Other _____	
11. Subtotal Gross Square Feet	0

Site:

Please provide the information below for the entire project, including all separately financed rental and homeownership components.

	<u>Component 1</u>	<u>Component 2</u>	<u>Component 3</u>	<u>All</u>
<u>TOTAL DEVELOPMENT COST</u>	(Specify)	(Specify)	(Specify)	<u>Components</u>
Acquisition				\$0
Hard Costs				\$0
Soft Costs				\$0
Developers Fee				\$0
TOTAL DEVELOPMENT COST	\$0	\$0	\$0	\$0

Construction Sources of Financing

<u>Equity</u>	<u>Lender / Source</u>			
Cash Equity				\$0
Other Source				\$0
Other Source				\$0
Other Source				\$0
Other Source				\$0
Total Equity	\$0	\$0	\$0	\$0

<u>Loans / Grants</u>	<u>Lender / Source</u>			
Loan				\$0
Other Loan / Grant				\$0
Other Loan / Grant				\$0
Other Source				\$0
Other Source				\$0
Total Loans / Grants	\$0	\$0	\$0	\$0

Total Construction Sources	\$0	\$0	\$0	\$0
-----------------------------------	------------	------------	------------	------------

Permanent Sources of Financing

Sales Proceeds				\$0
-----------------------	--	--	--	------------

<u>Equity</u>	<u>Lender / Source</u>			
Cash Equity				\$0
Other Source				\$0
Other Source				\$0
Other Source				\$0
Other Source				\$0
Total Equity	\$0	\$0	\$0	\$0

<u>Loans / Grants</u>	<u>Lender / Source</u>			
Bank 1 st Mortgage				\$0
2 nd Mortgage				\$0
Other Loan / Grant				\$0
Other Source				\$0
Other Source				\$0
Total Loans / Grants	\$0	\$0	\$0	\$0

Total Permanent Sources	\$0	\$0	\$0	\$0
--------------------------------	------------	------------	------------	------------

Total Residential Units				0
Gross Square Footage				0



GENERAL 2011 GREEN COMMUNITIES CERTIFICATION WORKBOOK INSTRUCTIONS

This document lays out the information required for Green Communities certification throughout the design and construction process. This Excel workbook contains 4 spreadsheet forms (identified by tabs in bottom left corner) that Enterprise requires you to complete to demonstrate your compliance with the Mandatory Criteria and the appropriate number of Optional Criteria. Please note that this is an integrated worksheeted and the completion of some cells will automatically populate cells in later, related tabs. The cells that will be automatically populated have been locked for your ease of use.

Step 1:

The "Project Overview" and "Intended Methods" are required to be completed and submitted for certification before the construction start date of the project.

For additional information and instructions on how to submit for Green Communities Certification please see the certification website at www.greencommunitiesonline.org/tools/certification/

GREEN COMMUNITIES PROJECT OVERVIEW WORKSHEET

Project Name _____	Organization Name _____
Project Address _____	Organization Contact _____
Project Status _____	Date _____

PROJECT OVERVIEW WORKSHEET: This document provides a brief overview of the building, including major systems. It is considered a quick way to assess the context in which the Green Communities criteria will be implemented. Please provide the basic building information as requested below.

This worksheet must be filled out and submitted before the construction start date. For additional information on how to submit go to www.greencommunitiesonline.org/tools/certification/

****Gray text** within the spreadsheet indicates the type of information that could occupy that cell. It is not intended to be left in your final submission documents.

Building Overview				
BUILDING ENVELOPE	Primary Envelope Material	Describe primary building cladding system		
	Foundation	Please identify the assembly type for this component and its associated minimum R-value as required by your building code		
	Wall(s)	Please identify the assembly type for this component and its associated minimum R-value as required by your building code		
	Roof	Please identify the assembly type for this component and its associated minimum R-value as required by your building code		
	Windows	Please indicate U-Value, Air Infiltration rate of window system(s), and the SHGC (solar heat gain coefficient)		
	Doors	Please indicate U-Value and Air Infiltration Rate of exterior doors and entry systems		
MECHANICAL SYSTEMS		System Type	Fuel Type	Additional Explanation (i.e. multiple systems, alternative fuel source)
	Heating System			
	Cooling System			
	Hot Water			

Alternative Water Sources	If applicable, please identify any systems for alternative water sources and the expected volume to subsidize municipal supply
Ventilation	Please identify systems and measures as required by your building code to ensure proper indoor air quality

Building Data		
BUILDING DATA	Tenancy	
	Current occupancy percentage	
	Year of Most Recent Substantial Rehabilitation or Adaptive Reuse	
	Does the building contain the following?	
	Hallways/lobbies/stairwells	
	Elevator	
	Community room(s)	
	Basement	
	Laundry room(s)	
	Office(s)	
	Commercial kitchen	
	Exercise room	
	Swimming pool	
	Parking garage (indoor)	
	Parking lot (outdoor)	
	Irrigated Lawn/Landscaping	
	Retail Space(s)	
	Who pays tenant electricity, cooling, heating and hot water?	
	Electric Meter Type	
	Natural Gas Meter Type	
Water Meter Type		
Fuel for Clothes Dryers		
Number of units w/ in-unit laundry		
Total number of common laundry rooms		
Total number of elevators		

Building Code(s) and applicable Green Building/Public Incentive Programs	
Enter the Building Code(s), Energy Code, Green Building Standard(s), and/or Public Incentive program you are required to build in compliance with.	
Building Code	
Energy Code	
Green Building standard	
Public Incentive program	

GREEN COMMUNITIES INTENDED METHODS WORKSHEET

Project Name <blank> Organization Name <blank>
 Project Address <blank> Organization Contact <blank>
 Project Status <blank> Date <blank>

INTENDED METHODS WORKSHEET: This worksheet identifies how the project team intends to incorporate all the Mandatory and adequate number of Optional Criteria into the development.

This worksheet must be filled out and submitted before the construction start date. For additional information on how to submit go to www.greencommunitiesonline.org/tools/certification/

INSTRUCTIONS:

- 1) Select an answer provided in the drop-down menu under Column D ("How Criterion will be implemented") for each criterion.
- 2) Explain special circumstances or request a waiver using Column E ("If necessary, describe deviations from intended approach"). This may include information on an approach proposed by the project team that does not appear as an option in the drop-down menu.
- 3) Indicate where the Criterion references can be found within the project documents in Column F and G ("Criteria Documentation"). This is required for Criterion 1.1b
- 4) Indicate the project team member who is responsible for documenting and ensuring the completion of the Criterion under Column 'H' (Champion).
- 5) Indicate the number of optional points being pursued by completing Column H ("Intended Points").

****Gray text within the spreadsheet (under "Green Development Agreement" section at bottom) indicates the type of information that could occupy that cell. It is not intended to be left in your final submission documents.**

Complete this document by signing the Green Development Agreement at the bottom of this worksheet. Without the mandatory signatures, this document remains *incomplete and the project will not receive Step 1 Certification*.

1: INTEGRATIVE DESIGN

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation		Champion	Intended Points
			Location of Measure in Project Documents	Spec page number / plan type for locating measure		
1.1a Green Development Plan: Integrative Design Meeting(s)						M
1.1b Green Development Plan: Criteria Documentation						M
1.2a Universal Design (<i>New Construction only</i>)						0
1.2b Universal Design (<i>Substantial & Moderate Rehab only</i>)						0
						0 Intended Points

2: LOCATION + NEIGHBORHOOD FABRIC

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation		Champion	Intended Points
			Location of Measure in Project Documents	Spec page number / plan type for locating measure		
2.1 Site Sensitive Selection (<i>New Construction Only</i>)						M
2.2 Connections to Existing Development and Infrastructure (<i>New Construction only, except for projects located on rural tribal lands, in colonias communities, or in communities of population less than 10,000</i>)						M
2.3 Compact Development (<i>New Construction Only</i>)	Provide the net density and net density calculation for the project.					M
2.4 Compact Development	Provide the net density and net density calculation for the project.					0
2.5 Proximity to Services (<i>New Construction only</i>)						M
2.6 Preservation of and Access to Open Space						M
2.7 Preservation of and Access to Open Space						0
2.8 Access to Public Transportation	Provide a brief narrative that summarizes the location, quantity and type of public transportation choices around project site					0
2.9 Walkable Neighborhoods: Connections to Surrounding Neighborhood	Provide summary of the project's sidewalk and pathway connections to public spaces, open spaces or adjacent development					0
2.10 Smart Site Location: Passive Solar Heating / Cooling	Provide a brief narrative that describe passive solar heating/cooling tactics					0
2.11 Brownfield or Adaptive Reuse Site						0
2.12 Access to Fresh, Local Foods						0
2.13 LEED for Neighborhood Development certification						0
						0 Intended Points

3: SITE IMPROVEMENTS

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation		Champion	Intended Points
			Location of Measure in Project Documents	Spec page number / plan type for locating measure		
3.1 Environmental Remediation						M
3.2 Erosion and Sedimentation Control (Except for infill sites with buildable area smaller than one acre)						M
3.3 Low Impact Development (New Construction only)						M
3.4 Landscaping						M
3.5 Efficient Irrigation and Water Reuse	Provide a brief narrative describing type of irrigation systems to be implemented					M
3.6 Surface Stormwater Management	Provide a brief narrative of the design strategies and systems that will be implemented, and indicate the calculated volume of water being retained, infiltrated, or harvested on site					0
						0 Intended Points

4: WATER CONSERVATION

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation		Champion	Intended Points
			Location of Measure in Project Documents	Spec page number / plan type for locating measure		
4.1 Water-Conserving Fixtures						M
4.2 Advanced Water-Conserving Appliances and Fixtures						0
4.3 Water Reuse						0
						0 Intended Points

5: ENERGY EFFICIENCY

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation		Champion	Intended Points
			Location of Measure in Project Documents	Spec page number / plan type for locating measure		
5.1a Building Performance Standard: Single family & Multifamily, 3 stories or fewer (New Construction only)						M
5.1b Building Performance Standard: Multifamily, 4 stories or more (New Construction Only)						M
5.1c Building Performance Standard: Single family & Multifamily, 3 stories or fewer (Substantial and Moderate Rehab)						M
5.1d Building Performance Standard: Multifamily, 4 stories or more (Substantial and Moderate Rehab)						M
5.2 Additional Reductions in Energy Use						0
5.3 Sizing of Heating and Cooling Equipment and Ducts						M
5.4 ENERGY STAR Appliances						M
5.5a Efficient Lighting: Interior Units						M
5.5b Efficient Lighting: Common Areas and Emergency Lighting (all multifamily projects)						M
5.5c Efficient Lighting: Exterior						M
5.6a Electricity Meter (New Construction and Substantial Rehab only)						M
5.6b Electricity Meter (Moderate Rehab only)						0
5.7a Renewable Energy	Provide brief narrative describing the types of renewable energy system installed and the estimated percentage of energy it will provide for the overall energy demand of the project					0
5.7b Photovoltaic / Solar Hot Water Ready						0

5.8	Advanced Metering Infrastructure					0
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0
Intended Points

6: MATERIALS BENEFICIAL TO THE ENVIRONMENT

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation		Champion	Intended Points
			Location of Measure in Project Documents	Spec page number / plan type for locating measure		
6.1	Low / No VOC Paints and Primers					M
6.2	Low / No VOC Adhesives and Sealants					M
6.3	Construction Waste Management	Provide a brief narrative that lists the materials in the Construction Waste Management Plan, the % recycled, salvaged, or diverted and the strategies to do so				M
6.4	Construction Waste Management: Optional	Provide a brief narrative that lists the materials in the Construction Waste Management Plan, the % recycled, salvaged, or diverted and the strategies to do so				0
6.5	Recycling Storage for Multifamily Project					0
6.6	Recycled Content Material	Provide a brief narrative that summarizes the building materials made of recycled content material				0
6.7	Regional Material Selection					0
6.8	Certified, Salvaged and Engineered Wood Products					0
6.9a	Reducing Heat-Island Effect: Roofing					0
6.9b	Reducing Heat-Island Effect: Paving					0

0
Intended Points

7: HEALTHY LIVING ENVIRONMENT

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation		Champion	Intended Points
			Location of Measure in Project Documents	Spec page number / plan type for locating measure		
7.1	Composite Wood Products that Emit Low / No Formaldehyde					M
7.2	Environmentally Preferable Flooring					M
7.3	Environmentally Preferable Flooring: Alternative Sources					0
7.4a	Exhaust Fans: Bathroom (New Construction and Substantial Rehab only)					M
7.4b	Exhaust Fans: Bathroom (Moderate Rehab only)					0
7.5a	Exhaust Fans: Kitchen (New Construction and Substantial Rehab only)					M
7.5b	Exhaust Fans: Kitchen (Moderate Rehab only)					0
7.6a	Ventilation (New Construction and Substantial Rehab only)					M
7.6b	Ventilation (Moderate Rehab only)					0
7.7	Clothes Dryer Exhaust					M
7.8	Combustion Equipment					M
7.9a	Mold Prevention: Water Heaters					M
7.9b	Mold Prevention: Surfaces					M
7.9c	Mold Prevention: Tub and Shower Enclosures					M
7.10	Vapor Barrier Strategies (New Construction and Rehab projects with foundation work only)					M
7.11	Radon Mitigation (New Construction and Substantial Rehab only)					M
7.12	Water Drainage (New Construction and Rehab projects replacing assemblies called out in Criterion only)					M
7.13	Garage Isolation					M
7.14	Integrated Pest Management	Provide a brief narrative that describes specific tactics and strategies used for the Integrated Pest Management Plan				M
7.15	Lead-Safe Work Practices (Substantial and Moderate Rehab only)					M
7.16	Smoke-Free Building					0

0
Intended Points

8: OPERATIONS + MAINTENANCE

Criteria Item	How Criterion will be implemented	If necessary, provide additional information or explanation of alternative approach to meeting this measure	Criteria Documentation	Champion	Intended Points
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Criteria Item	How Criterion will be implemented	Information or explanation of alternative approach to meeting this measure	Location of Measure in Project Documents	Spec page number / plan type for locating measure	Champion	Intended Points
8.1 Building Maintenance Manual (all multifamily projects)	Provide a brief narrative of how this project specifically creates or fulfills the intentions of this criteria item					M
8.2 Resident's Manual	Provide a brief narrative of how this project specifically creates or fulfills the intentions of this criteria item					M
8.3 Resident and Property Manager Orientation	Provide a brief narrative of how this project specifically creates or fulfills the intentions of this criteria item					M
8.4 Project Data Collection and Monitoring System						0

0
Intended Points

ENTERPRISE GREEN COMMUNITIES CRITERIA TOTAL INTENDED POINTS	0
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Green Development Agreement:	The following signatures provides a written commitment demonstrating that all parties involved in the execution and delivery of this project agree to be accountable to measures and strategies as outlined in application documents.
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INSTRUCTIONS:
This signature portion is most easily satisfied by either: a) printing the Intended Methods tab and having the various team members fill out and sign their portion or b) using digital signatures. Both forms of submission will be accepted.

To proceed with Enterprise Green Communities Certification, signatures must be provided by at the project manager, architect, and general contractor. If these 3 signatures are not present, your building will not proceed through Step 1 of Certification.

MANDATORY SIGNATURES

<Provide Signature of Green Development Team Member>	<Insert Date>
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Project Manager: <PRINT Green Development Team Member's Name>
.....

<Provide Signature of Green Development Team Member>	<Insert Date>
--	---------------

Architect: <PRINT Green Development Team Member's Name>
.....

<Provide Signature(s) of Green Development Team Member(s)>	<Insert Date>
--	---------------

General Contractor: <PRINT Green Development Team Member's Name(s)>
.....

OPTIONAL SIGNATURES

<Provide Signature of Green Development Team Member>	<Insert Date>
--	---------------

Green Building Specialist: <PRINT Green Development Team Member's Name>
.....

<Provide Signature(s) of Green Development Team Member(s)>	<Insert Date>
--	---------------

Engineer (MEP): <PRINT Green Development Team Member's Name(s)>
.....

<Provide Signature(s) of Green Development Team Member(s)>	<Insert Date>
--	---------------

Energy and/or System Specialist: <PRINT Green Development Team Member's Name(s)>
.....