

Diagram of Criteria and Requirements for Local Law 86 of 2005

2.19.10; revised 5.6.10; revised 1.6.11; revised 5.2.11; revised 10.1.11; revised 10.24.11

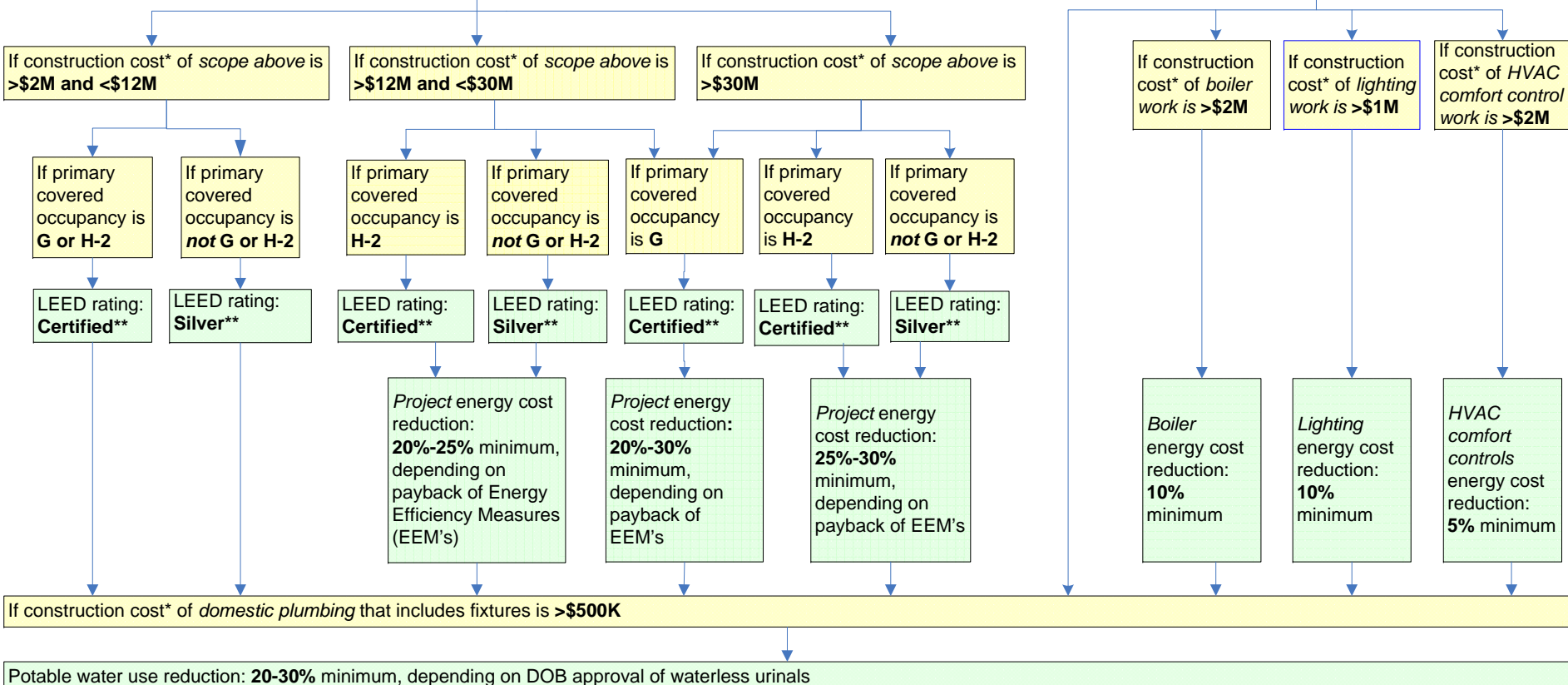
yellow = criteria
green = requirements

Project**** threshold criteria:

- 1) OMB must approve a city contribution that is >\$10M, including both expense and capital funds, or, if OMB approves <\$10M, such contribution must be 50% or more of the value of all capitably eligible work in the project, where "capitably eligible" is defined in accordance with the NYC Comptroller's Directive 10, **and**
- 2) The first payment to a non-city entity for capitably eligible project work must be released from the City Treasury after January 1, 2007, **and**
- 3) All portions of the project that are paid for with City funds must receive design approval on or after January 1, 2007, where design approval is defined as the issuance by OMB of all Certificates to Proceed or CBX Certificates (for land acquisition) required to spend the city contribution.

Project***** or project phase scope of work criteria (note that MOEC must approve phase definition in writing):

- 1) If the project or project phase scope of work involves one or more new buildings, fit-outs of space in new buildings, additions, or substantial reconstructions*** with a primary occupancy of B-1, B-2, C, E, F-1a, F-1b, F-3, F-4, G, H-1, or H-2 per the NYC 1968 building code, *i.e.* all occupancy groups except residential (R1, R-2, R-3), industrial (D-1 or D-2), and outdoor assembly structures and equipment (F-2), follow applicable criteria and requirements below:
- 2) If a project or project phase involves a building with a primary occupancy of B-1, B-2, C, E, F-1a, F-1b, F-3, F-4, G, H-1, or H-2 per the NYC 1968 building code **and** does not involve work described in item (1) to the left, follow applicable criteria and requirements below:



*Construction cost is based on actual or anticipated estimates in the OMB approved CP(s) for construction or CP(s) for design and construction of capitably eligible work, and includes all contractor mark-ups, all contingencies, as well as construction management fees.

** On LL86 LEED projects where construction is managed by a City agency, this agency must also apply to the USGBC for certification of a sufficient number in order to account for at least 50% of the city dollars spent on all such projects each FY.

***To qualify as substantial reconstruction, work scope in an existing building must involve two of the following three mechanical systems, HVAC, electric, and domestic plumbing, **and** must also involve general construction work (described in Divisions 2-14 of MasterFormat 2011) excluding minor alterations and ordinary repairs (defined in the NYC building code) that affects more than 50% of the building floor area, where the affected building floor area is calculated as the combined floor area of spaces served by HVAC equipment in which there is any change as a result of such general construction.

****Project is defined as capitably eligible work described in all OMB issued project CP's and CBX certificates, including all supporting documentation.

*****While some portions of a project may not be directly covered with city funds, all capitably eligible work described in all CP(s), CBX certificates, and their supporting documentation shall be considered to determine applicable LL86 requirements.