



Grand Concourse Library and Affordable Housing Request for Proposals

Issue Date: January 28, 2025

Pre-Submission Conference: February 18, 2025

Submission Deadline: May 2, 2025



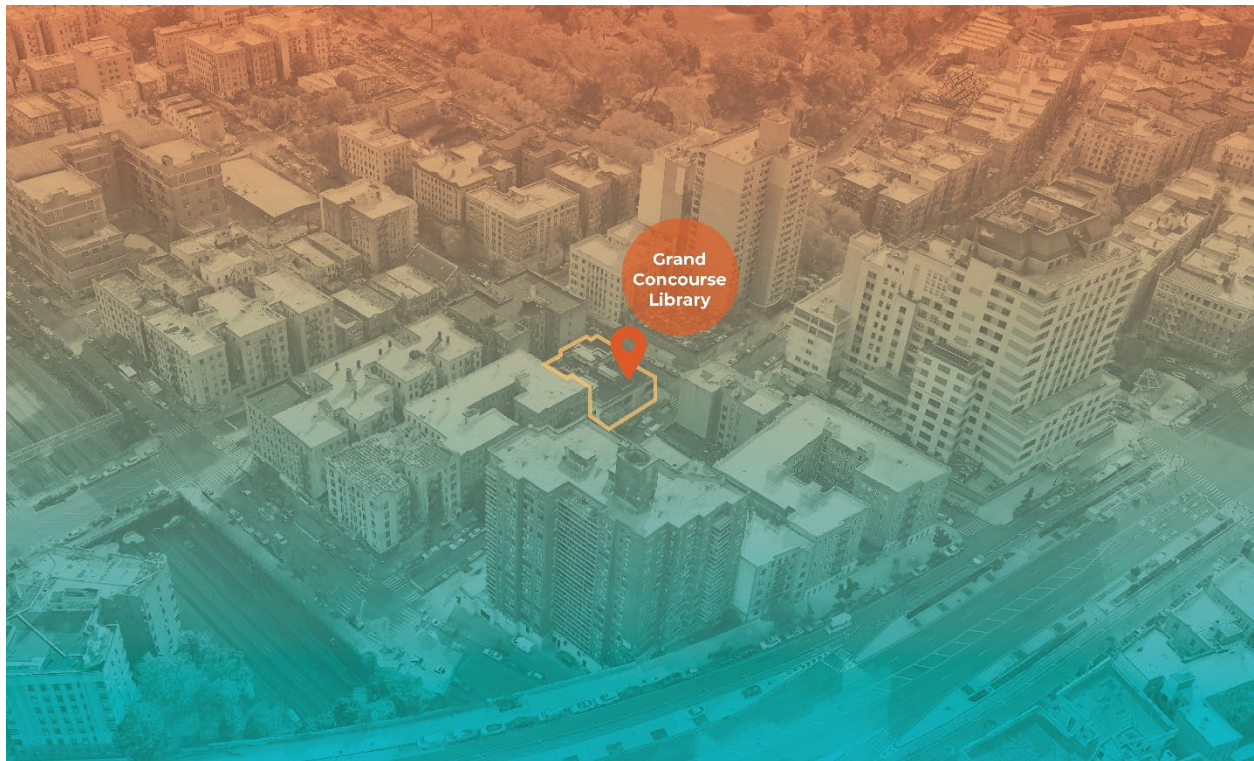
Mayor, Eric Adams
First Deputy Mayor, Maria Torres-Springer
Executive Director for Housing, Leila Bozorg
Commissioner, Department of Housing Preservation and Development, Adolfo Carrión Jr.
President, New York Public Library, Tony Marx

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I. INTRODUCTION

In furtherance of the vision set forth in [Housing Our Neighbors: A Blueprint for Housing and Homelessness](#), the Department of Housing Preservation and Development (“HPD”) and The New York Public Library, Astor, Lenox and Tilden Foundations (“NYPL”) are pleased to release this Request for Proposals (“RFP”) to develop a high quality, resilient, and sustainable new project (the “Project”) comprising a new mixed-use development including a state-of-the-art library and 100% affordable housing at the location of the existing Grand Concourse Library in the Bronx. The Project will be constructed on a site owned by the City located at 155 East 173 Street (Block 2824, Lot 34), the Bronx, New York, in Community District 4 (the “Site”). The Project is part of the Adams Administration’s Living Libraries initiative, which focuses on jointly developing new libraries and housing.



HPD and NYPL are inviting all qualified developers (“Respondents”) to submit complete responses (“Submissions”) to this RFP for the development of the Project. If the selected Project includes rental housing, the City will convey the Site subject to an extended affordability reverter, such that title to the Site (except for the Library Unit, which will be conveyed to NYPL as described in this RFP) will revert to the City upon expiration of the regulatory period unless the parties mutually agree to an additional term of affordability.

Development Teams

Qualified Respondents may be for-profit, non-profit, or joint venture entities that demonstrate the experience and capacity to implement the Project in accordance with community development objectives and long-term equitable investments in neighborhoods. In furtherance of HPD’s commitment to community development, HPD encourages responses from Minority and/or Women Owned Business Enterprises (“M/WBEs”), as well as Community Housing Development Organizations (CHDOs) and Community Development Corporations (“CDCs”) that bring enhanced and tangible community development benefits to the proposed Project. Respondents may include Community Land Trusts (“CLTs”).

The development team (“Development Team”) must meet HPD’s Equitable Ownership Requirement and include an M/WBE or Eligible Non-Profit that in either case will hold at least 25% of the managing ownership interest in the Project. HPD encourages potential Respondents to assemble an experienced, complete, and competitive Development Team. Individuals or firms may not have an ownership interest in more than one Respondent submitting a Proposal.

II. DEFINITIONS

Area Median Income (AMI)

The median income levels, as modified by household size, for the New York Metropolitan Statistical Area as determined from time to time by the United States Department of Housing and Urban Development (HUD). For 2024 100% of the AMI is \$155,300 for a family of four and \$108,700 for an individual.

CEQR

City Environmental Quality Review

City

The City of New York

CLT

Community Land Trust

CRDG

The [Climate Resiliency Design Guidelines \(CRDG\)](#) utilize future-looking climate change projections to inform the design of buildings and public infrastructure. This ensures that projects constructed today will be prepared for worsening extreme weather decades into the future and can continue to provide critical services to New Yorkers. Per [Local Law 41\(LL41\) \(2021\)](#) compliance with the NYC CRDG will become mandated on December 31, 2026 for the design of NYC capital projects, including City-financed projects, that are exposed to climate impacts from increasing heat, precipitation, and sea level rise.

DEP

The New York City Department of Environmental Protection

DOHMH

The New York City Department of Health and Mental Hygiene

Developer

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

Development Team

The Developer and other entities that bring the necessary expertise and experience to develop and manage the Project, such as experts in affordable housing development and finance, marketing and property management (residential and commercial, if applicable), design and construction, and community development.

EAS

Environmental Assessment Statement

NYCEDC

The New York City Economic Development Corporation

EDDE

The [Equitable Development Data Explorer](#) is an interactive web tool that equips New Yorkers with data to navigate conversations about housing affordability, displacement, and racial equity.

EIS

Environmental Impact Statement

Eligible Non-Profit

A corporation formed under the New York Not-for-Profit Corporation Law that is not controlled by or under common control with one or more for-profit entities on the Development Team (or any owner, principal, employee, or affiliate of any such entity).

ESA

Environmental Site Assessment

FAR

Floor Area Ratio

FRESH Zone

Food Retail Expansion to Support Health Program

HDC

The New York City Housing Development Corporation

HPD

The New York City Department of Housing Preservation and Development

HPD Design Guidelines for New Construction

The [HPD Design Guidelines for New Construction](#) establish the design criteria by which HPD will evaluate proposed developments upon application for financial assistance. The Guidelines represent an effort to meet housing demand, respond to market changes, and contain costs, and are intended to apply to HPD-assisted housing developments across a variety of conditions.

Heat Vulnerability Index (HVI)

The NYC HVI is a measure of how the risk of heat-related illness or death differs across neighborhoods.

LDA

Land Disposition Agreement

Library Development Agreement

A written agreement between NYPL and the Developer that sets forth the requirements for construction of the Library Unit.

Library Unit

The new Grand Concourse Library condominium unit that will be conveyed to NYPL and operated as a public library.

LIHTC

Low-Income Housing Tax Credit

M/WBE

An entity that has been certified as a Minority and/or Women-Owned Business Enterprise by a governmental or quasi-governmental entity acceptable to HPD. Approved certifying entities include SBS, Empire State Development, the State of New Jersey Department of the Treasury, the Port Authority of New York & New Jersey, or any other verifiable governmental or quasi-governmental certifying body.

MIH

Mandatory Inclusionary Housing

Negotiation Letter

The written notification sent by HPD to the Developer selected under this Request regarding the commencement of negotiations.

NTA

Neighborhood Tabulation Area

NYPL

The New York Public Library, Astor, Lenox and Tilden Foundations, a 501(c)(3) not-for-profit education corporation

OER

The Mayor's Office of Environmental Remediation

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 Respondent, or any entity, known limited partner, or other member that has at least a 10% ownership interest in the Respondent.

Project

The development proposed for the Site, as further described in this Request.

Proposal

Used to describe the Project, or elements of the Project, proposed for the Site.

RFP or Request

Request for Proposals

Respondent

An individual, partnership, limited liability company, corporation, joint venture, CLT, or other entity that offers a Submission in response to this Request.

SBS

The New York City Department of Small Business Services

Site

The property to be developed by a Developer selected under this Request

Submission

The proposed Project from the Development Team in response to this Request

Transit Zone

An area where special lower accessory parking requirements apply for various types of affordable housing including income-restricted housing units. These are generally areas of the city beyond the Manhattan Core within one-half mile of a subway station where auto ownership rates are among the lowest in the city.

Urban Development Action Area Project (UDAAP)

Article 16 of the General Municipal Law, a State statute authorizing the City to convey City-owned property, make loans, and grant tax exemptions.

Uniform Land Use Review Procedure (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. PROJECT OVERVIEW

The Site presents an opportunity to achieve the City’s broader development goals and provide a new library, much-needed affordable housing, and other improvements for the local community through high-quality development.

A. PROJECT SNAPSHOT

Site Location	The Site is a corner lot located at 155 East 173 rd Street (Block 2824, Lot 34), on the northeast corner of Selwyn Avenue and East 173 rd Street.
Site Description	The Site is a City-owned parcel currently occupied by the Grand Concourse Branch of the New York Public Library. The Site has approximately 93.3 feet of frontage on Selwyn Avenue and 95 feet of frontage on East 173 rd Street.
Lot Size	The Site is approximately 8,864 square feet.
Land Use/Zoning	<p>The Site is currently in an R8 residential district within a Transit Zone. For purposes of this Request, Respondents should assume a rezoning to an R9X district. The Site will be subject to the requirements of Mandatory Inclusionary Housing (“MIH”).</p> <p>Respondents should also assume the passage of the City of Yes for Housing Opportunity text amendment, which would increase the maximum Floor Area Ratio (“FAR”) and adjust building envelopes with higher base and maximum heights for MIH developments.</p> <p>After the passage of the City of Yes for Housing Opportunity zoning text amendment, the MIH Floor Area Ratio (“FAR”) for the R9X district is 10.8, the maximum base height is 155 ft, and the maximum building height is 215 ft.</p>
Site Climate Hazards	The Site is located in a high-heat risk area.
Type of Development	<p>Mixed-use development with 100% affordable housing.</p> <p>The Project must include a turnkey replacement of the existing library with an approximately 17,000 gross square foot Library Unit (including fit-out) on the first and second floors of the new development, to be established as a separate condominium unit and to be conveyed to and occupied by NYPL.</p> <p>Optionally, Proposals may include temporary relocation of limited core library services during construction to a nearby retail site within walking distance (approximately 0.25 miles) of the existing branch.</p>
Disposition	If the selected Project includes rental housing, the City will convey the Site subject to an extended affordability reverter, so that title to the Site (except for the Library Unit) will revert to the City upon the expiration of the regulatory period unless the parties mutually agree to an additional term of affordability.

	<p>These terms will be set forth in a Land Disposition Agreement ("LDA"), deed, and regulatory agreement.</p> <p>The LDA will also require that the Developer establish a condominium unit that includes a Library Unit condominium and that, upon substantial completion of the Library Unit and HPD and/or NYPL issuance of a certificate of completion for the Library Unit, the Developer must convey the Library Unit to NYPL free and clear of all mortgages, encumbrances and regulatory agreements, to be operated as a public library. The LDA will also provide that the aforesaid is a condition of HPD's issuance of a certificate of completion for the residential unit.</p> <p>A separate Library Development Agreement between the Developer and NYPL will be required for the construction of the Library Unit portion of the Project.</p>
Acquisition Price	Nominal
Project Funding	<p>Financial proposals can assume subsidy available through HPD-HDC (NYC "Housing Development Corporation") Term Sheets.</p> <p>Additionally, financial proposals should assume that an NYPL source will fund the design and construction of the Library Unit (both core and shell and fit-out). Financial proposals should not assume any operating income from the Library Unit towards the residential project.</p> <p>If a temporary relocation of library services is proposed, financial proposals should show the costs of the relocation in the budget, including but not limited to moving costs, fit-out, and rent. Applicants should show how this temporary relocation would be funded, including showing a proposed subsidy source if applicable.</p> <p>Financial proposals should also include the removal, conservation, and reinstallation of the Lorrie Goulet sculpture referenced in the "Preservation of Public Artwork" section below. HPD subsidy would fund this work.</p>
Government Approvals: ULURP and UDAAP	<p>The selected Project will require ULURP and City Council and Mayoral approvals. Anticipated land use actions requiring approval for development of the Site include a zoning map amendment, a zoning text amendment to map an MIH area, and disposition of City-owned property. In addition, the City Council must designate the Site as an Urban Development Action Area ("UDAA") and approve the Project as an Urban Development Action Area Project ("UDAAP") pursuant to Article XVI of the General Municipal Law.</p>
Preservation of Public Artwork	<p>The Lorrie Goulet sculpture on the façade of the existing Grand Concourse Library is part of the City's permanent art collection.</p> <p>The Development Team will be responsible for the removal of the sculpture from the façade of the existing library, conservation of the sculpture during construction, and reinstallation as part of the new building with input and review from HPD and NYPL, and</p>

	in adherence to the Public Design Commission's Artwork Relocation or Conservation review process.
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B. PROJECT GOALS

Development Team Experience and Capacity

- Procure a Development Team that brings the resources, understanding, and local knowledge and experience to implement the proposed Project, which includes the redevelopment of a turnkey public library.
- Procure a Development Team that has a track record of engaging communities and making investments in community and economic development, including in development projects for libraries and/or other civic uses.

Financing Proposal

- Ensure that 100% of the residential units are affordable to a mix of household incomes to comply with the HPD-HDC Term Sheet most appropriate to meet the needs outlined in the Community Visioning Report (Appendix B).
- Establish a sound capital and operating budget that addresses the various elements of the development program.
 - Successfully incorporate the temporary relocation of library services (if applicable), core/shell, and fit out of the Library Unit into the Project budget.
- Efficiently utilize public financing resources.
- Maximize long-term affordability.

Development Program and Community Development

- Create a residential development program with 100% affordable housing.
- Redevelop the existing NYPL Grand Concourse Library with a new approximately 17,000 GSF Library Unit on the first and second floors of the new building.
 - Design and programming should meet the requirements of NYPL as further described in Tabs J and M of this RFP.
- Implement a development program that responds to the goals and priorities identified in the Community Visioning Report (Appendix B).

Design and Performance

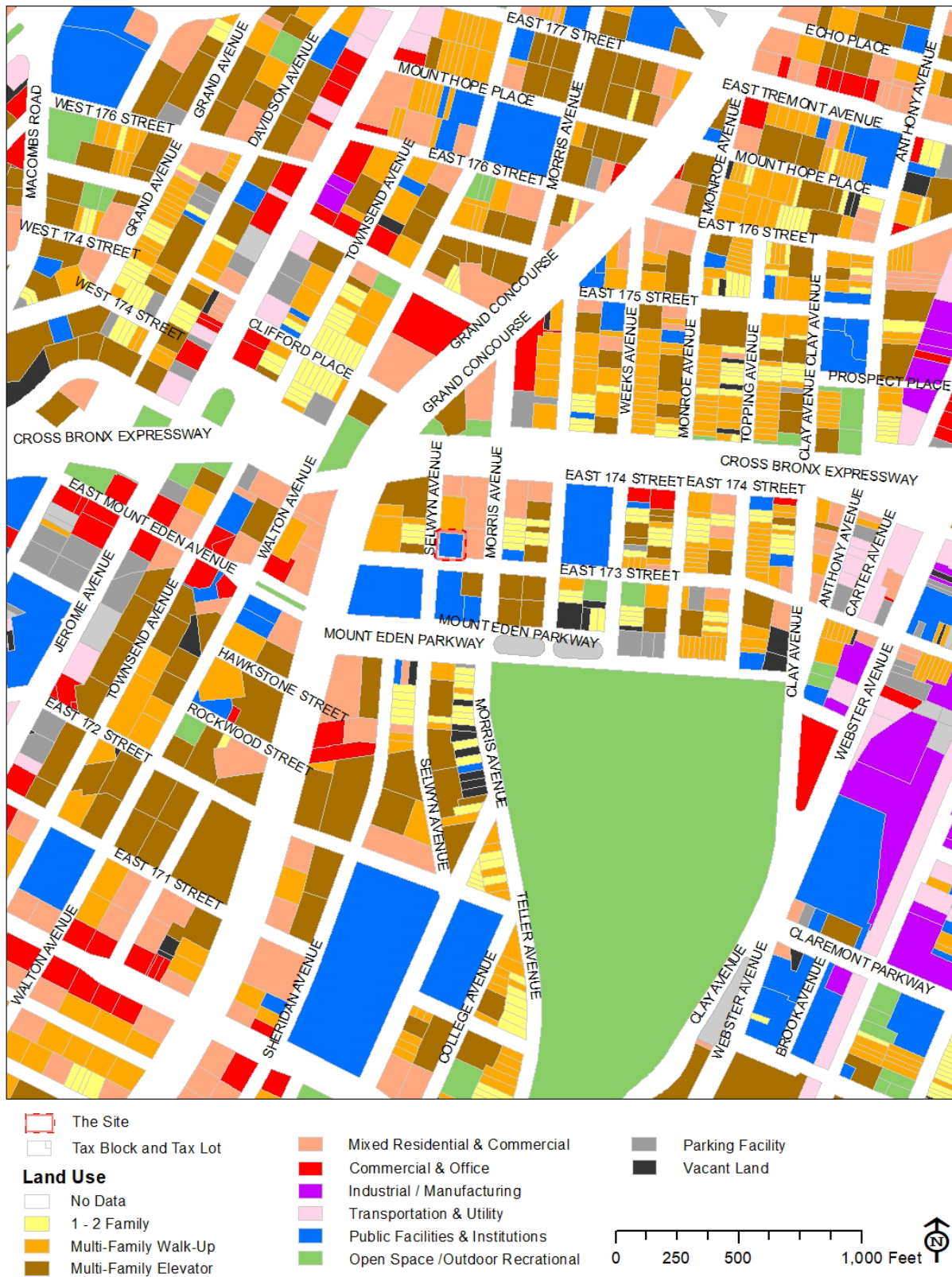
- Design and develop a high-quality affordable building that is financially feasible.
- Design and develop a new library that meets the requirements of NYPL as described and shown in Tab M - Architectural and Urban Design Plans and the Library Program Brief (Appendix E), and addresses community needs and priorities outlined in the Community Visioning Report (Appendix B).
- Design and develop a Project that considers community goals and priorities outlined in the Community Visioning Report (Appendix B) and the Design Guidelines (Appendix A).
- Design and develop a building that uses NYC's CRDG to respond to the site-specific climate stressors of heat and other site-specific opportunities.

C. NEIGHBORHOOD CONTEXT

Neighborhood Land Uses

The Site is located between the Grand Concourse, the Cross Bronx Expressway, and Claremont Park in Bronx Community District 4. It is surrounded by medium- and high-density residential uses as well as a number of institutional uses, including the BronxCare Campus, P.S. 70, and P.S. 402.

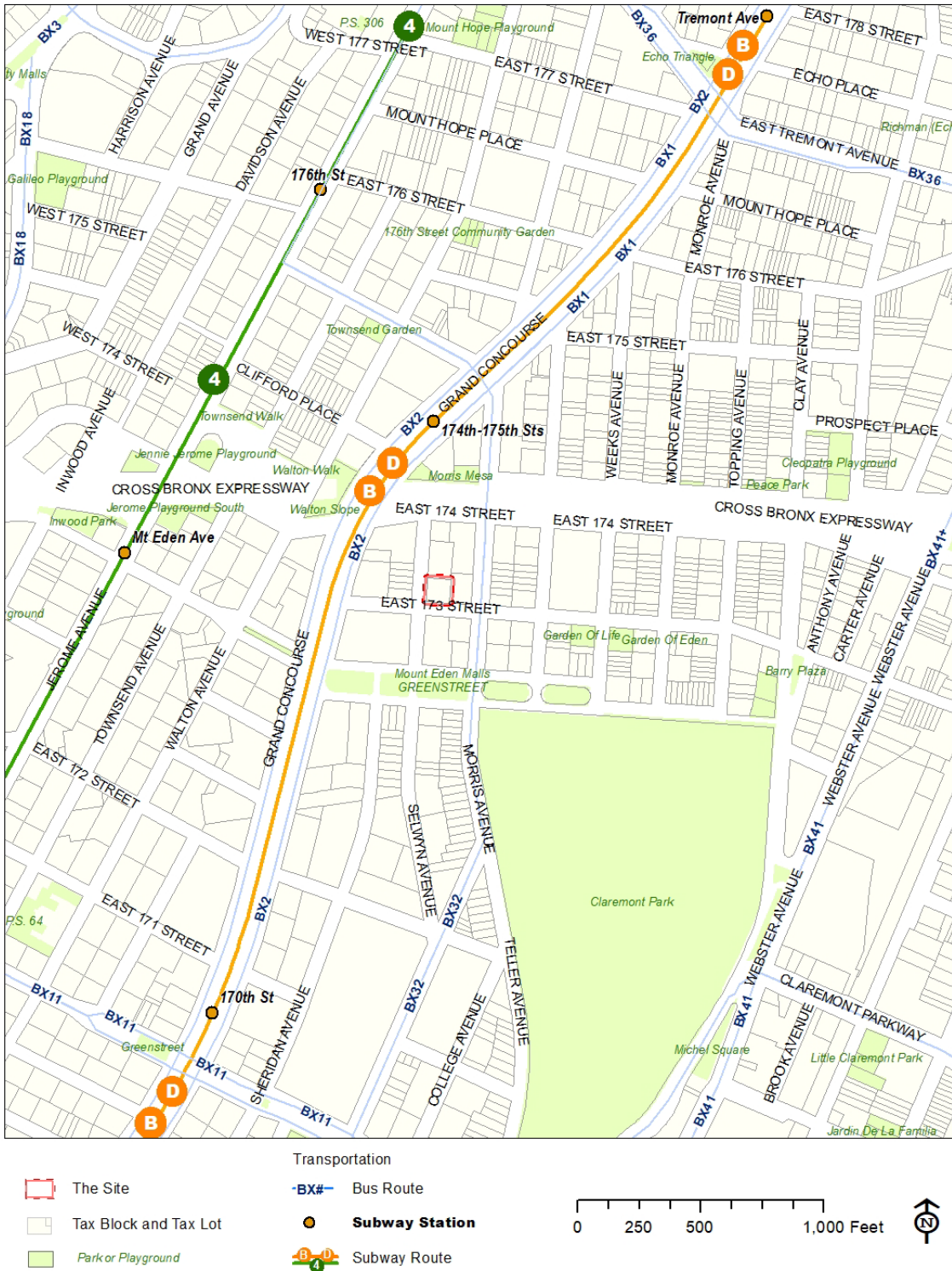
Land Use Map



Neighborhood Access

The Site is one block east of the Grand Concourse with access to several MTA bus lines and the B and D trains at 174-175 Street. It is one block south of the Cross Bronx Expressway. The Site is also close to the 4 train at Mt. Eden Ave.

Transit Map

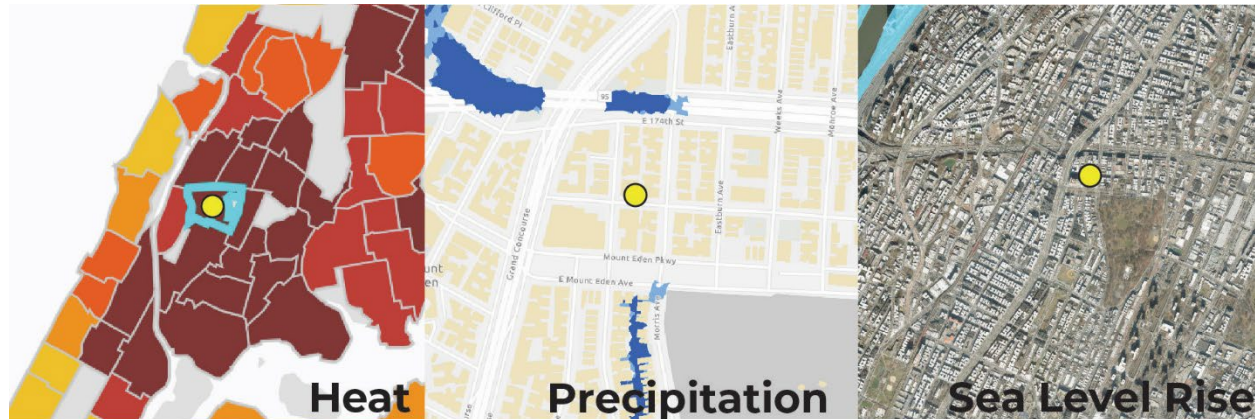


Neighborhood Climate Risk

The Site is located in the Mount Eden-Clairemont (West) Neighborhood Tabulation Area (“NTA”), which has a Heat Vulnerability Index (“HVI”) score of 5 and will experience an increased number of annual heat waves over time.

The Site is not located immediately adjacent to or along a primary access road or primary road frontage at risk of flooding during an extreme stormwater flood with 2080s Sea Level Rise according to the New York City Department of Environmental Protection (“DEP”) [Stormwater Flood Maps](#).

This Site is not exposed to risk of coastal or tidal flooding as a result of sea level rise.

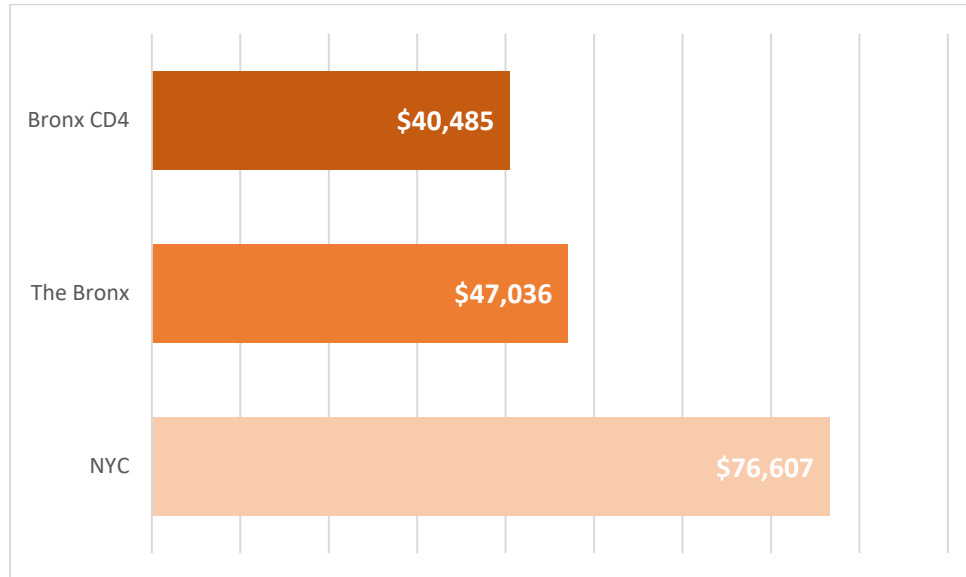


The Heat map above uses NYC Department of Health and Mental Hygiene (“DOHMH”) Heat Vulnerability by NTA dataset accessed using [Interactive Heat Vulnerability Index](#). Precipitation Map uses the Extreme Stormwater Flood with 2080s Sea Level Rise scenario on DEP’s [Stormwater Flood Maps](#). The Sea Level Rise map uses Future Floodplain 2080s map and High Tide 2080s map accessed using [NYC Flood Hazard Mapper](#). Legend and key map data are available on these online mapping tools.

Neighborhood Demographics

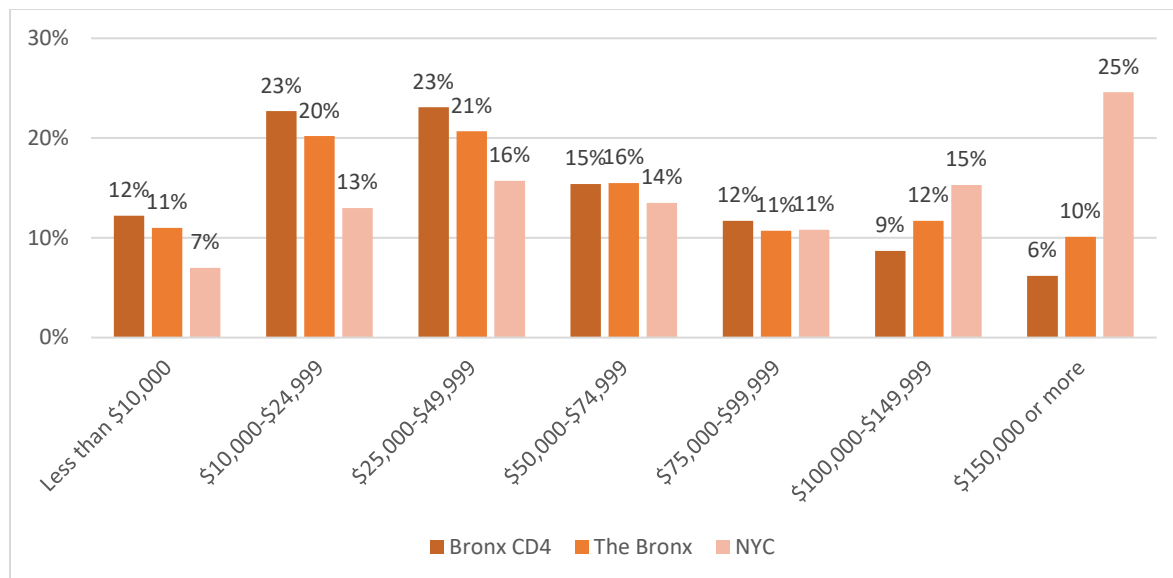
The information below highlights demographic, economic, social, and housing characteristics of the Community District Tabulation Area (“CDTA”) in which the Site is located. More detailed data can be found through the [DOHMH](#) and NYC Department of City Planning (“[DCP](#)”) websites, and the Equitable Development Data Explorer (“EDDE”).

a. Median Household Income



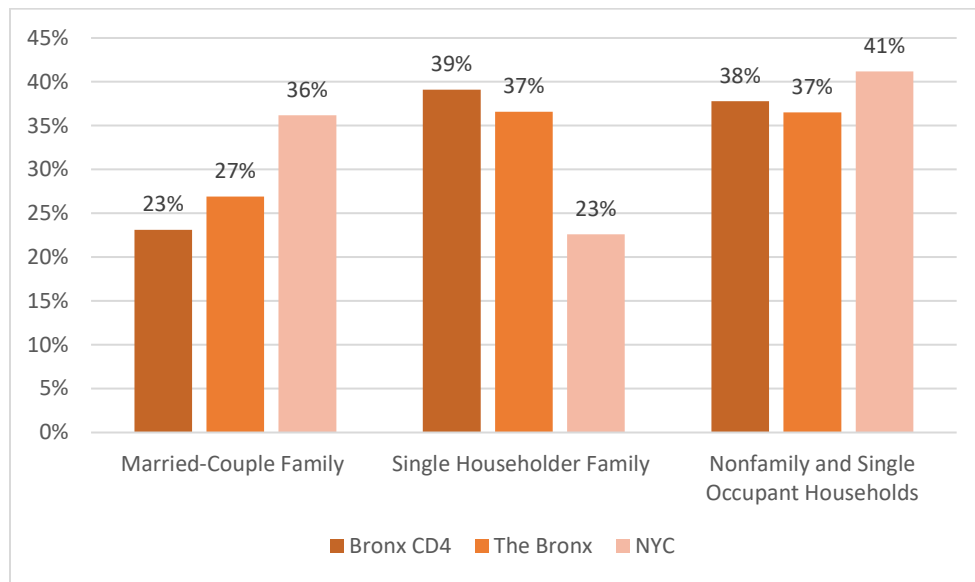
Data Source: New York City Department of Planning. (2024). American Community Survey Profile, 2018-2022: BX04 Highbridge-Concourse (CD 4 Approximation), Income and Benefits. Retrieved from [popfactfinder.planning.nyc.gov](#).

b. Distribution of Households by Income Ranges



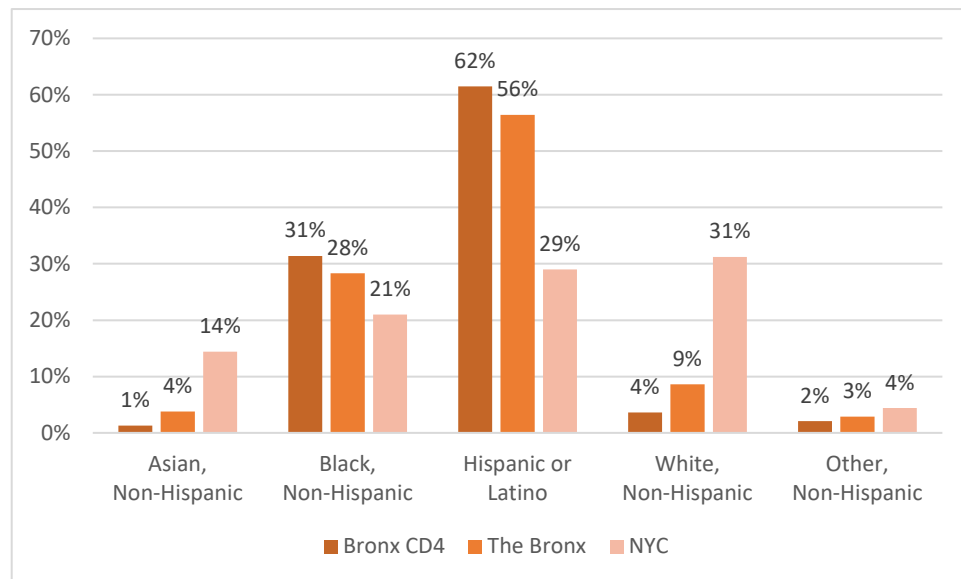
Data Source: New York City Department of Planning. (2024). American Community Survey Profile, 2018-2022: BX04 Highbridge-Concourse (CD 4 Approximation), Income and Benefits. Retrieved from [popfactfinder.planning.nyc.gov](#).

c. **Household Types**



Data Source: New York City Department of Planning. (2024). American Community Survey Profile, 2018-2022: BX04 Highbridge-Concourse (CD 4 Approximation), Household Type. Retrieved from popfactfinder.planning.nyc.gov.

d. **Racial/Ethnic Composition**



Data Source: New York City Department of Planning. (2024). American Community Survey Profile, 2018-2022: BX04 Highbridge-Concourse (CD 4 Approximation), Mutually Exclusive Race / Hispanic Origin. Retrieved from popfactfinder.planning.nyc.gov.

IV. SELECTION PROCESS

A. SUBMISSION INSTRUCTIONS

All Submissions must include the contents in *Section VI. Submission Content and Completeness* to fully describe the Respondent's proposed Project.

RFP Title

Grand Concourse Library and Affordable Housing

Package

Respondents must submit one (1) PDF file with the entire Submission and individual PDF files for each tab and individual files in the forms requested per *Section VI. Submission Content and Completeness*. All PDFs must be searchable.

The following information must be clearly printed on the front page of each Submission:

- Project Title
- Respondent Name
- Project Site
- Submission Date

Submission

Submissions must be submitted online. Submission instructions will be provided in an addendum that will be issued prior to the Submission due date.

Due Date

May 2, 2025

4:00 p.m. (Late Submissions will not be accepted)

Pre-Submission Conference

Date: **February 18, 2025**

Time: 2:00 p.m.

Location: Virtual

HPD and NYPL strongly recommend that interested Respondents attend this virtual pre-submission conference, as this will be the only opportunity to ask questions and receive answers in real time. To ensure attendance at the pre-submission conference, RSVP [here](#) by February 17, 2025 at 4:00 p.m. HPD will send a link to the online conference the day of the event.

Responses to all inquiries will be collectively provided at the pre-submission conference and in an addendum, posted on HPD's website and sent to all prospective Respondents. Any updates and/or additional communications regarding this RFP will also be posted here.

Conference Access for People with Disabilities. Please send requests for accommodation to:

GrandConcourseLibrary@hpd.nyc.gov

Communications

All communications and inquiries regarding this RFP are to be directed in writing to HPD and NYPL, and specifically to Ben Palevsky, Deputy Director of Planning and Predevelopment at: GrandConcourseLibrary@hpd.nyc.gov. All written questions must be submitted by April 4, 2025, to be included in the RFP addendum.

Lobbying and Advocacy

In order to preserve and maintain the integrity of the selection process, HPD and NYPL will not consider or accept any advocacy or letters of support from any person or organization, including elected officials, attempting to influence the selection process.

Addenda and Extensions

HPD and NYPL may amend or withdraw this Request at any time. In order to be considered, Submissions must conform to any amendments that may be issued to this Request. Amendments may include, without limitation, any requirements and terms or conditions contained in this Request. HPD and NYPL will advise each Respondent of any clarifications or revisions.

If, in HPD and NYPL's judgment, additional time is required for Respondents to prepare their Submissions, HPD and NYPL may grant an extension of the deadline for submission, and such extension will then be granted to all Respondents.

Submission Modifications

Modifications received after the submission deadline will not be considered. If HPD and NYPL determine, upon review of a Submission, that any items are missing and/or incomplete, HPD and NYPL, by written notification given to the Respondent, may permit the Respondent to provide or clarify such items. Failure to provide complete information in a timely fashion could result in rejection of the Submission.

References and Requests for Further Clarification

A Submission constitutes permission from the Respondent for HPD and NYPL to make such inquiries concerning the Respondent as HPD and NYPL deem necessary. HPD and NYPL may communicate with any of the Respondents but are not obligated to do so. HPD and NYPL may discuss the Submissions of any Respondent concurrently or sequentially, as HPD and NYPL may determine. No Respondent has any rights against HPD or NYPL arising from any such invitation to a discussion, or from any negotiations that may arise pursuant to the discussions.

Respondents must comply with all requests for further clarification and, if requested by HPD and NYPL, appear for presentations or discussions. If any Respondent fails to do so within the time period given (or within any time extension that HPD and NYPL may grant), HPD and NYPL may deem this as a failure and act of non-compliance with the Request, which will permit HPD and NYPL to select another Respondent or to solicit new Submissions. In furtherance and not in limitation of the foregoing, before a final selection is made, a Respondent may be required to produce more detailed information concerning the professional background of those persons who own and manage such Respondent, a report on the financial background of such Respondent, 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 Respondent or any of its partners, directors, officers, employees, shareholders, subsidiaries, or affiliates, as the case may be.

B. REVIEW CRITERIA

The Development Team will be selected through an open, competitive, and transparent juried selection process consisting of two stages: 1) Threshold Review and 2) a phased Competitive Review.

Threshold Review

HPD and NYPL will review each Submission according to the threshold requirements ("Threshold Requirements"), listed in *Section V. Submission Requirements and Competitive Preferences*. **The Submission must contain each tab with all requested forms and supporting documents.** Submissions that are not complete or do not conform to the requirements of this Request will be eliminated from further consideration, unless HPD and NYPL permit the Respondent to correct the omission or provide further information through a request for clarification.

Competitive Review

Submissions that meet all Threshold Requirements will be comprehensively evaluated and rated according to the competitive selection criteria (“Competitive Criteria”) provided in *Section V. Submission Requirements and Competitive Preferences* in a **phased review**. In addition to these Competitive Criteria there are preferences. A Proposal will be scored on how strongly it meets the Competitive Criteria but will also receive extra points for meeting preferences.

The first phase of Competitive Review will include consideration of the Competitive Criteria in the “Development Team Experience and Capacity,” “Development Program and Community Development,” and “Design and Performance” categories. A subset of highly rated Submissions will advance to Phase II of Competitive Review, which will incorporate Competitive Criteria in the “Financing Proposal” category. Submissions that do not advance to the second phase of Competitive Review will not be competitively evaluated on Financing Proposal.

Competitive Review Phase I

Competitive Criteria	Weight
Development Team Experience and Capacity	30%
Development Program and Community Development	35%
Design and Performance	35%

Competitive Review Phase II

Competitive Criteria	Weight
Development Team Experience and Capacity	20%
Financing Proposal	20%
Development Program and Community Development	30%
Design and Performance	30%

HPD and NYPL may request additional information, interviews, presentations, or site visits. The selected Respondent(s) will be chosen from among the highest rated Submissions. HPD may disapprove the inclusion of any member of a Respondent’s Development Team and/or require the selected Respondent to substitute other individuals or firms.

C. SELECTION

Selection of one or more Developers under this Request means only that HPD will commence negotiations with such Respondent(s) regarding the Submission for the Site.

Negotiation Letter

Upon such selection, HPD will send written notification (“Negotiation Letter” or “Letter”) to the Developer regarding the commencement of negotiations. This Negotiation Letter will set forth certain information regarding the Project and procedures that will form the basis for such negotiation. Form A-2 is a Respondent’s Letter that describes this process. Each Submission must include this letter signed on behalf of the Respondent by a Principal. HPD may terminate negotiations with or without cause after the issuance of such Negotiation Letter.

Among other conditions, the Negotiation Letter will require the Developer to enter into a Library Development Agreement with NYPL and satisfactory to HPD prior to or simultaneous with the disposition of the Site.

Terms of the Library Development Agreement shall include, but will not be limited to, the scope of work, Developer's responsibilities, schedule and timing of Project deliverables, consents and approvals, payment procedures, maintenance of accounts, and indemnification and insurance requirements. More specifically, but without limitation, the Library Development Agreement shall (i) provide that Developer shall at its sole cost and expense create the condominium and convey the Library Unit condominium to NYPL upon substantial completion of the Library Unit upon the satisfaction of other requirements therein and in the LDA and free and clear of any mortgages, regulatory agreements or other encumbrances (it being agreed that a negotiated draft of the condominium declaration and bylaws shall be attached to the Library Development Agreement); (ii) include a final budget for design and construction of the Library Unit that (a) includes a reasonable line-item for contingencies and cost over-runs, (b) shows that the projected cost to complete the Library Unit does not exceed all committed financing and other funding sources allocable to the Library Unit, and (c) confirms that there is no obligation of NYPL to provide additional funds for completion of the Library Unit (other than for certain NYPL-initiated change orders); (iii) require that the Developer achieve certain construction milestones and provide for liquidated damages for the failure of Developer to timely complete and convey the Library Unit; and (iv) require NYPL approval of the guaranteed price contract for the construction of the Library Unit within the scope of the Library Unit budget and consistent with the final plans and specifications therefor.

Disclosure

Each Developer who receives a Negotiation Letter from HPD must thereafter disclose all previous participation with City-assisted projects. Such Developer(s) and each of its Principals, and officers and related entities will be required to submit completed Disclosure Statements. HPD will provide copies of these forms upon request to any Respondent.

No Obligation

This Request does not represent any obligation or agreement whatsoever on the part of HPD or NYPL. Any obligation or agreement on the part of HPD or NYPL may only be incurred after HPD and NYPL and the Developer enter into a written agreement(s) approved as to form by the Corporation Counsel. HPD and NYPL may use the Submissions pursuant to this Request as a basis for negotiation with Respondents as it deems appropriate. HPD and NYPL may reject at any time any or all Submissions, amend or withdraw this Request in whole or in part, negotiate with one or more Respondents, and/or negotiate and dispose of the Site on terms other than those set forth herein (including to parties other than those responding to this Request). HPD may also, at any time, waive compliance with, or change any of the terms and conditions of this Request, entertain modifications or additions to selected Submissions, or withdraw or add property from or to this Request.

V. SUBMISSION REQUIREMENTS AND COMPETITIVE PREFERENCES

Submissions will be evaluated and scored based on a) responsiveness to all Threshold Requirements, b) the competitive quality, soundness, and strength of project characteristics that address all the requirements, and c) whether the Submission exceeds requirements by demonstrating a capacity to deliver on stated preferences that achieve broader public policy and community development objectives.

A. DEVELOPMENT TEAM EXPERIENCE AND CAPACITY

Threshold Requirements		TAB
No Adverse Findings	Submission may be rejected at any time during or after the evaluation process if there are any adverse findings in HPD's sole discretion, regarding the Respondent, any entity or individual associated with the Respondent, or any property owned and/or managed by them. (HPD may ask for a request for clarification.)	D
Comparable Development Experience	Respondent must include at least one Principal who has successfully completed new construction or substantial rehabilitation of at least one development of at least seventy-five (75) residential units within the past seven (7) years.	E
Comparable Management Experience	Respondent must include at least one Principal (of Respondent or the Respondent's Property Manager) who has experience managing a development of at least seventy-five (75) 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.	E
Development Team	Submissions must include: architect, construction manager, real estate and land-use attorney, environmental planner, and engineer(s). If Respondent proposes a building with on-site social services, Submissions must include a social service provider.	D, E
Participation of M/WBE or Eligible Non-Profit	Respondents must include an M/WBE or Eligible Non-Profit that in either case will hold at least 25% of the managing ownership interest in the Project. The M/WBE or Eligible Non-Profit must receive a commensurate interest in the totality of the economic benefits of the Project (net of Low-Income Housing Tax Credit ("LIHTC") limited partner interests, if any), including, but not limited to, all available cash flows, paid and deferred developer fees, and sale and refinancing proceeds. A fee-only arrangement for the M/WBE or Eligible Non-Profit will not satisfy this requirement.	D
Development Schedule/ Phasing Plan	Submissions must include a detailed schedule including any necessary public approvals with construction commencing at least 24-48 months from the issuance of the Negotiation Letter ¹ , and other Project specific key benchmarks.	F
Competitive Criteria		TAB
Developer	Respondents will be evaluated on their: <i>Successful Experience</i>	E

¹ In light of the volume of HPD projects awaiting construction closing, the Developer should expect that construction will likely start after the date specified in its Development Schedule, which must be at least 24-48 months from HPD's issuance of a Negotiation Letter to the Developer.

	<ul style="list-style-type: none"> Developing multi-family urban projects using public and private financing sources. Developing mixed-use urban projects with community facility space. Developing public libraries, educational spaces, and/or other comparable civic projects. <p><i>Strong Capacity</i></p> <ul style="list-style-type: none"> Current capacity to undertake, effectively project manage, and complete all necessary activities and obligations associated with the proposed Project within the proposed schedule. Capacity will be determined by analysis of Respondent's current public and private development workload, other pending development obligations and financial guarantees. Strength of organizational, project management and governance structure for the Project. 	
Social Service Provider	<p><i>Applicable if proposing rental housing.</i></p> <p>Respondents will be evaluated on their social service provider's:</p> <ul style="list-style-type: none"> Experience operating low-income senior, formerly homeless, and/or supportive housing. Experience providing tenant social services and securing social service funding. 	E
Property Manager	<p>Respondents will be evaluated on their Property Manager's:</p> <ul style="list-style-type: none"> Experience managing multi-family projects in urban areas. Experience managing mixed-use residential buildings with community facility uses in comparable markets. 	E
Consultant Team	<p>Respondents will be evaluated on the following qualifications of their Development Team's:</p> <p><i>Design Consultant</i></p> <ul style="list-style-type: none"> Experience designing high quality library space at the forefront of contemporary library practice. Experience designing and providing construction oversight on multi-family and mixed-use, high-performance, residential projects that were successfully completed within budget and on schedule. Experience incorporating of information technology, security, and building systems into the design of public libraries, educational spaces, and/or other comparable civic projects. <p><i>Planning and Zoning Consultant</i></p> <ul style="list-style-type: none"> Experience in NYC zoning and environmental review and approval processes on comparable development projects. <p><i>Sustainability Consultant (if applicable)</i></p> <ul style="list-style-type: none"> Experience in sustainable design and construction. Experience in high-performance buildings and energy efficiency. <p><i>Environmental Consultant</i></p> <ul style="list-style-type: none"> Experience in environmental engineering. Experience with environmental review processes in New York City. <p><i>Construction Management</i></p>	E

	<ul style="list-style-type: none"> Experience in construction and construction management of multi-family and mixed-use developments with a community facility that were successfully completed within budget and on schedule. Experience complying with labor and safety requirements for similar projects in New York City. <p><i>Marketing, Leasing/Sales</i></p> <ul style="list-style-type: none"> Experience developing and implementing affirmative fair housing marketing plans. Experience in leasing and/or sales with a comparable development program and market. <p><i>Legal Consultant</i></p> <ul style="list-style-type: none"> Experience in affordable housing development and public/private development. Experience in NYC land use and zoning. 	
Preferences		TAB
Community Development	Respondents will be evaluated based on their successful track record of tangible investments in community and economic development.	B, E
Minorities and Women in Development Team	Respondents with certified M/WBEs as part of the Development Team including entities that bring the necessary expertise and experience to develop and manage the Project, such as experts in affordable housing development and finance, marketing and property management (residential and commercial, if applicable), design and construction, and community development.	E

B. FINANCING PROPOSAL

Threshold Requirements		TAB
Affordability	100% of the units must be affordable.	G
Financing Proposal	Submissions must comply with the selected HPD-HDC Term Sheet, including requirements described in the Project Snapshot, and should follow the underwriting assumptions included in the Financial Assumptions (Appendix D).	G
Financing Capacity	Submissions must include asset statements and letters of interest that demonstrate capacity to secure pre-development, construction and permanent financing, for the proposed Project.	H, I
Competitive Criteria		TAB

Financing Proposal	<p>Submissions shall include a financial scenario with sources and uses that support the proposed Project and affordability levels, including construction of the core and shell and fit-out of the turnkey Library Unit for NYPL. The financial scenario shall be in accordance with current industry underwriting standards. Proposed total development costs and operating budgets must be within current industry parameters and in line with Appendix D.</p> <p>Financial proposals can assume subsidy available through HPD-HDC Term Sheets, including for the demolition of the existing library and the removal, conservation, and reinstallation of the Lorrie Goulet sculpture on the façade of the existing library.</p> <p>Additionally, financial proposals should assume that NYPL will fund the temporary relocation of library services (if applicable), and the core and shell and fit out of the Library Unit. Financial proposals should not assume any operating income from the library towards the residential project.</p> <p>Financial proposals must include the fit-out cost of the library based on the suggested parameters referenced in Appendix E in order to create a turnkey Library Unit.</p> <p>Respondents that propose and/or provide temporary relocation of library services during demolition and construction should show the costs of the relocation in the budget, including but not limited to moving costs, fit-out, and rent. Applicants should show how this temporary relocation would be funded, including showing a proposed subsidy source if applicable.</p> <p>The financial scenario will be evaluated based on the feasibility of the underwriting, including, but not limited to, the reasonableness of estimated development and operating costs, proposed rents and other income, the feasibility and terms of the financing sources, efficiency of public resources, and the ability to support operating expenses, capital costs, and debt service to complete and operate the housing portion of the proposed Project.</p> <p>Rents for residential units or other income sources must be deemed realistic and substantiated by market comparables.</p>	G
Financing Capacity	Financing capacity will be evaluated based on the strength of the Respondent's assets, bank, investor, or other lender references, and current and historical commitments that demonstrate the Respondent's ability to secure financing, meet lender's equity and other lending requirements, provide necessary guarantees, absorb cost overruns, and commence and complete construction of the proposed Project according to the proposed Development Schedule.	H, I

C. DEVELOPMENT PROGRAM AND COMMUNITY ECONOMIC DEVELOPMENT

Threshold Requirements	TAB
------------------------	-----

Development Program	<p>Residential Programming Submissions must propose a 100% affordable development in adherence to the Project Snapshot and Project Goals.</p> <p>Submissions must have a distribution of unit types and sizes that complies with HPD-HDC term sheets and guidelines.</p> <p>Non-Residential Programming The Library Unit should be approximately 17,000 gross square feet, and should include the required programmatic elements from the Library Program Brief (Appendix E).</p>	B, J
Plan for Internet Access	Submissions must include a plan outlining how Respondent will ensure that all common areas and individual dwelling units are provided with access to the internet via open access infrastructure that is available to any interested internet service provider (ISP). Additionally, Respondents shall ensure fiber cable internet technology is installed to provide better internet access to individual units and common areas, regardless of whether the building can access a fiber network at the time of construction.	B, J
Jobs Outreach Plan	Submissions must include a plan outlining the number and type of positions to be filled, the outreach strategy and recruitment approach, and information on workforce development strategic partners, if proposed. Please refer to Appendix C for full guidance.	K
Competitive Criteria		TAB
Development Program	<p>Residential Programming Submissions will be evaluated on their ability to provide affordable housing for a variety of qualifying households targeted under the proposed financing programs and their responsiveness to the needs and preferences expressed in the Community Visioning Report (Appendix B). Additionally, proposed residential services, building amenities and non-residential uses should complement livability for prospective tenants and strengthen community amongst building residents.</p>	B, J
	<p>Non-Residential Programming Submissions will be evaluated on how the proposed library design incorporates programmatic goals such as access to upgraded technology, flexible community program space, and dedicated children, teen and adult education spaces, consistent with the Library Program Brief (Appendix E). The Community Visioning report (Appendix B) should be used as a reference, including in regards to the importance of certain technology, programmatic uses and flexible spaces for the multiple uses and users that exist today, as well as how the branch may serve Grand Concourse patrons in the future.</p>	B, J
Jobs Outreach Plan	Submissions will be evaluated on the quality of the Job Outreach Plan, including but not limited to Respondent's track record in hiring, strategic partnerships, range of outreach activities, and timeline and plan for implementation.	K
Community Engagement	Submissions that have a community engagement plan that provides outreach strategies during applicable public approval processes and	K

	opportunities for meaningful community engagement in certain elements of the Project, including design and/or programming elements.	
Preferences		TAB
Community Development	Submissions that include a plan for neighborhood investments and/or community programs or services that are responsive to documented community needs.	J, K
Plan for Internet Access	Submissions that actively lower barriers to internet access for the building's residents. Respondents should refer to the NYC Principles for Internet Service and Infrastructure outlined in the City's Internet Master Plan (see figure 4, page 3).	B, J
Temporary Library Services	<p>Proposals may include temporary relocation of library services during the demolition and construction phase.</p> <p>If proposed, Respondents should identify a nearby retail site for temporary relocation of limited core services, including distribution of holds, limited browsing collection, computer stations and programmable space. The proposed retail site should be within walking distance (approximately 0.25 miles) of the existing branch, ADA accessible, and have an entrance located at street level that is not shared with other users.</p>	B, J

D. DESIGN AND PERFORMANCE

Threshold Requirements		TAB
Zoning Compliance and Plans	The Project must conform and comply with requirements of an R9X zoning district and assume MIH. As part of their Submission, Respondents should not assume any waivers or special permits.	L
Resiliency & Sustainability	<p>Proposals should include a completed Resilient & Sustainable RFP: Checklist & Narrative (Form L) which outlines how this Project supports HPD's goals for low-carbon, climate resilient, healthy and equitable housing.</p> <p><i>Resiliency</i></p> <ul style="list-style-type: none"> Submissions must satisfy all baseline resiliency requirements within HPD's Design Guidelines for New Construction, including ensuring all flood-prone properties meet 2080s future projected climate risk design standards. <p><i>Sustainability</i></p> <ul style="list-style-type: none"> Submissions must satisfy all baseline requirements within the HPD Design Guidelines for New Construction, including certification with Enterprise Green Communities or LEED Gold or above, and propose an all-electric building. 	L
Preservation of Public Artwork	Submissions must include the proposed reinstallation of the Lorrie Goulet sculpture as part of the Library Unit.	
Competitive Criteria		TAB

Building Design	<p>Submissions will be evaluated based on the following factors described further in Zoning, Site Plan, and Building Design Guidelines, (Appendix A).</p> <ul style="list-style-type: none"> • Site Capacity and Program Evaluation: how well the Submission integrates the development program, building parameters, and how well the proposed plan overcomes the challenges posed by site conditions. • Building Design: <ul style="list-style-type: none"> ○ Building Envelope/Exterior: how well the Submission contributes to the built environment and serves the pedestrian experience. ○ Building Systems: how well the system provides environmental comfort, ease of management and operations, and high level of durability. • Design and Construction: building design is consistent with the Submission's proposed construction budget, schedule, and development program. • Design Value: exemplary design and construction methods that reduce or contain costs, create high-quality site and building designs, and achieve high development performance standards. • Design Excellence: designs that propose exceptional formal or programmatic elements, especially in response to architectural/urban context. 	L, M
Library Design	<p>Submissions will be evaluated based on the following factors:</p> <ul style="list-style-type: none"> • How well the library design reflects the forefront of contemporary library practice yet remains flexible enough to adapt to evolving trends. • The integration of flexible design solutions that make spaces usable throughout the day by a variety of patrons. • How the design creates light filled and welcoming spaces while addressing the safety considerations of operating a library in a dense, urban area. • The durability of materials and the larger building's and library's reflection of its civic purpose. <p>Respondents that propose temporary relocation of library services during demolition and construction may include a design narrative and design drawing(s) for the fit out of the temporary space in the design submission.</p>	L, M
Site Planning and Urban Design	<p>Submissions will be evaluated based on designs, site planning, massings, building configuration, parking configuration, open space configuration, streetscape treatment, and relationship to surroundings.</p>	L, M
Sustainability	<p>While all Projects must, at minimum, comply with the baseline requirements of HPD's Design Guidelines for New Construction and certify with Enterprise Green Communities or LEED Gold, Competitive Criteria will consider how well designs respond to the "reach" criteria outlined in HPD's Design Guidelines for New Construction and other long term NYC climate goals.</p> <p>Attention will be paid to how Proposals maximize low-cost passive design strategies that address both sustainability and resiliency goals. Proposals should specify building systems that reduce</p>	L

	<p>energy consumption and operating costs for the building and directly for residents, use renewable and low carbon sources of energy, and maximize use of low embodied carbon materials and design strategies. In addition, Respondents are encouraged to address the health, wellness and social resiliency of residents through best practices in material and system specification, planning and design. Innovative strategies to address these goals are encouraged.</p> <p>Respondents are further encouraged to explore ways that the benefits of such measures can be captured in the development underwriting process to reduce subsidy ask and be of benefit to residents by lowering their utility costs. Respondents will be asked to address operational costs and to demonstrate that all available incentives will be pursued for this Project.</p> <p>Projects that demonstrate a cost-effective design that will achieve significantly reduced operational and embodied carbon emissions while improving occupant health, safety, and resiliency will be prioritized.</p>	
Resiliency	<p>Competitive Criteria will consider how well Submissions mitigate risks associated with climate hazards during the Project's useful life while minimizing climate impact. This includes how well a Proposal responds to sea level rise, (and/or) precipitation, (and/or) heat as required in HPD's Design Guidelines for New Construction, the Climate Resiliency Design Guidelines, and informed by other climate adaptation best practices.</p> <p>Proposals that fully address the Site's current and future climate hazards, while maximizing the efficacy and efficiency of resiliency investment will be rated higher. Successful Projects respond to site conditions and resident populations with an appropriate integration of both design interventions and operational resiliency strategies over the planned useful life of the proposed building and systems, while aligning with sustainability goals of energy efficiency and reduction in greenhouse gas emissions.</p>	L

VI. SUBMISSION CONTENT AND COMPLETENESS

Each Respondent must submit the forms and supporting documentation described below. Respondents must submit a PDF file with the entire Submission and individual PDF files for each tab as named below. Submissions that are incomplete or not in conformance with the requirements of this Request will be eliminated from further consideration.

Submission Content and Completeness Outline

TAB	CONTENTS	FORMS
Development Introduction		
A	Completeness Checklist and Respondent's Letter	A-1, A-2
B	Executive Summary	B
C	Trade Secrets (optional)	
Development Team Experience and Capacity		
D	Developer Respondent Description	D-1, D-2
E	Development Team Experience and Capacity	E-1, E-2, E-3
F	Development Schedule/ Phasing Plan	
Financing Proposal		
G	Financing Submission	G-1 or G-2
H	Financing Letters of Interest and Historical Financing Letters of Interest/Award Letters for competitive sources	
I	Assets Statements	I
Development Program and Community Development		
J	Development Program	
K	Community and Economic Development	
Design and Performance		
L	Design Narrative	L
M	Architectural and Urban Design Plans	

- PDF files must be in the order specified above.
- PDF files should be submitted as single-page layouts rather than spreads.
- Ensure that PDFs are properly oriented.
- Each tab should include a table of contents and when applicable, narratives should be appropriately titled.
- Forms are available for download from the [HPD project website](#).
- Forms E-1, E-2, E-3, G-1, and G-2 must also be submitted as individual files; additionally, Forms E-1, E-2, G-1, and G-2 must be in Excel format.
- All forms must comply with the format associated with said form.
- All architectural plans must be formatted no larger than 11" x 17," and must be legible. Plans and documents must be in formats and paper size that are simple to copy/reproduce.

Development Introduction

TAB A – Completeness Checklist and Respondent's Letter

- ☐ **Form A-1: Completeness Checklist**

- **Form A-2: Respondent's Letter**, printed on Respondent's letterhead and signed by an authorized representative.

TAB B – Executive Summary

- **The Executive Summary** must introduce and provide a concise overview of all aspects of the Submission, and can include elements that distinguish the proposed Project, the qualifications of the Respondent and the Development Team.
- **Form B: The Project Summary** must be fully completed.

Tab C – Trade Secrets

If Respondent does not have trade secrets to disclose, include a document saying, "Not Applicable."

Submissions and other materials submitted to HPD in response to this Request may be disclosed in accordance with the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law (FOIL). The entity submitting a Submission may provide in writing, at the time of submission, a detailed description of the specific information contained in its Submission which it has determined is a trade secret and which, if disclosed, would substantially harm such entity's competitive position. This characterization shall not be determinative but will be considered by HPD when evaluating the applicability of any exemptions in response to a FOIL request.

Development Team Experience and Capacity

TAB D – Developer Respondent Description

- **A brief narrative that describes:**
 - The roles of each entity of the Development Team throughout all phases of the Project. Any Submissions from a CLT must provide an organizational model that meets the requirements of the RFP.
 - Capacity to manage complex development projects within a public/private partnership.
- **Form D-1: Development Team Information and Respondent Questionnaire**, signed by Principal (if joint venture, Principal of each entity must sign).
- **Form D-2: Not-for-Profit Corporation Form** (Applicable only to Non-profit corporations with ownership interest).
- **Organizational Structure.** Chart or diagram of structure of partnership or joint venture, including percentages of ownership and investment, with a brief description of the type of entity or joint-venture and the roles and responsibilities of each party.
 - Non-Profit or M/WBE Ownership Interest – Respondents must submit a certificate from a Principal or other authorized officer of the Non-Profit or M/WBE that is to participate in the ownership of the Project. This certificate must confirm that the Non-Profit or M/WBE will hold at least 25% of the managing ownership interest in the Project and will be entitled to receive a commensurate interest in the totality of the economic benefits of the Project (net of LIHTC limited partner interests, if any), including, but not limited to, all available cash flows, paid and deferred developer fees, and sale and refinancing proceeds. The certificate must also include a detailed explanation of the proposed ownership interest of the participating Non-Profit or M/WBE in the Project, including, but not limited to, its commensurate interest in the economic benefits of the Project.

- Minority and/or Women-Owned Business Enterprise certificate issued by a governmental or quasi-governmental entity acceptable to HPD as defined in Definitions.

Optional:

- **Project Staffing and Governance Plan**, with a brief narrative of any project management methods or tools that will be used to ensure an effective and collaborative public/private partnership.
- **Organizational charts, schedules, and project budgets** demonstrating project management approach and capacity to manage complex development projects within a public/private partnership.

TAB E – Development Team Experience and Capacity

- **A brief narrative that describes the Respondent's:**
 - Experience developing and managing high-quality mixed-use projects in urban areas.
 - Experience managing commercial and/or community facility spaces in mixed-use projects in urban areas.
 - Experience with community economic development, such as investments in community programs or services.
- **Form E-1: Residential Development Experience and Current Workload** (include as individual Excel file per entity in Respondent Team)
- **Form E-2: Residential Management Experience and Current Workload** (include as individual Excel file)
 - A separate form must be provided for each Principal with residential management experience. Provide complete and accurate information about references.
 - A separate form must be provided for a Principal or managing agent proposed to manage the Development.
- **Form E-3: Management Questionnaire** (include as individual file with all applicable attachments)
- **Other Members of Development Team.** Provide marketing materials, narrative statements, and/or portfolio list in graphic format that clearly describes relevant experience and work on similar projects completed within the last ten (10) years. Also, provide resumes highlighting experience of key Principals and staff that will be working on the proposed Project. Submit all marketing materials as a separate PDF.
 - Design Consultant(s) (Architect, Engineer(s), and other members of the design team, if applicable, such as artist, landscape architect, urban designer, library architect, etc.)
 - Planning and Zoning Consultant
 - Sustainability Consultant (if applicable)
 - Environmental Consultant
 - Marketing and Leasing/Sales Agent
 - Construction Manager
 - Legal Consultant
 - Social Service Provider, if applicable
- **Affirmative Capacity Statement.** Submit a statement regarding the Development Team's ability to develop, finance, construct, manage, and complete the Project within the proposed Schedule, including, but not limited to, the Developer Obligations, as well as the Terms, Conditions, and Limitations and Conflicts of Interest, included in this Request.

TAB F – Development Schedule / Phasing Plan

- **Schedule** listing and scheduling industry standard activities, including, at a minimum:
 - Community engagement and outreach
 - Site due diligence and preparation
 - Concept, Schematic, Design Development, Bidding and Construction documents
 - Governmental planning approvals and construction/building permits
 - Bidding
 - Financing and financial closing/Site disposition
 - Construction commencement, completion, and close-out (Library Unit, residential, and overall Project)
 - Marketing and lease-up
 - Occupancy
 - Development Phasing Plan if applicable

Note: Schedules are to assume the following key benchmarks:

- Predevelopment commencement within 30 days of the date of HPD issuance of the Negotiation Letter.
- Schematic Design phase and HPD and NYPL approval of plans and drawings within 6 months of the Negotiation Letter.
- Construction commencement at least 24-48 months from the date of the Negotiation Letter.²

Financing Proposal

TAB G – Financing Submission

- **The Financing narrative** must clearly explain the financing structure of the Project, and explicitly identify proposed subsidy/financing programs. If proposing and/or providing temporary relocation of library services, the narrative should describe how related costs are incorporated into the financing proposal.
- **Form G-1 or G-2: Financing Scenario.** (Submit as Excel file). The Financing Scenario must adhere to underwriting standards and guidelines included in the RFP, as well as in the Financial Assumptions (Appendix D). If elements of the Project are separately financed, the Submission must provide a separate financial scenario for each portion. If Project elements are financially interrelated, a comprehensive Financing Scenario showing the financing for the whole Project, with each element delineated, may also be submitted.
- **Rents and AMIs.** Submissions must reflect the rent price affordability calculations (based on AMIs), and utility allowances described in the Form G. In addition to the affordability requirements described throughout this Submission, any subsidy programs that are utilized will determine any additional affordability requirements, as applicable.
- **Superintendent's Unit.** Specific information about the superintendent's unit(s) shall be included, as applicable. If the superintendent unit is not located onsite, a letter explaining alternative provisions for onsite janitorial services that satisfy the Housing Maintenance Code must be included.
- **Project Budgets.** Provide Hard Cost calculations (including, but not limited to estimated construction costs, overhead, profit, insurance, contingency) with cost/sf estimates for both gross and net square footage. Please identify the entity that provided hard cost estimations and provide qualifications of this entity, if not already included in other parts of this Proposal.

² In light of the volume of HPD projects awaiting construction closing, the Developer should expect that construction will likely start after the date specified in its Development Schedule, which must be at least 24-48 months from HPD's issuance of a Negotiation Letter to the Developer.

Provide Soft Cost calculations, including assumptions for all fees for professional services, financing, and other industry standard and HPD allowable costs. Provide a percentage of Total Development Cost (TDC) for each line item.

- ☐ **Tax Exemption Programs.** Submissions must indicate which tax exemption program(s) the Project plans to utilize, if any.
- ☐ **Competitive Funding Sources (if applicable).** Submissions that include competitive sources (including rental assistance for homeless, supportive, and/or senior housing components) and incentives may include these sources and incentives in their financing Scenarios. Any Proposal that includes funding or financing that is awarded on a separate competitive basis should submit historical letters of interest or award letters for similar projects financed within the past 7 years, if applicable. In addition, the financing narrative should explain the feasibility of obtaining the proposed sources and/or describe the Respondents' history of successfully applying for the proposed sources.
- ☐ **Social Services for Tenants (as applicable).** Submissions proposing social services for tenants should identify their proposed funding source, service provider and describe the services that will be offered to tenants. Service funding options include the Senior Affordable Rental Apartments ("SARA") Tenant Services RFP, the Provision of Congregate Supportive Housing RFP (also known as "NYC 15/15") administered by the NYC Human Resources Administration and other service funding opportunities for which the Project would be eligible. A social services budget should not be included in Submissions.
- ☐ **Regulatory Term.** Rental units must remain under a regulatory agreement for the duration of the Project, but in no case less than sixty (60) years.
- ☐ **Market Comparables.** Market comparables must be provided for residential rents or homeownership sales as applicable. Market comparables must also be provided for any proposed non-residential sources of income (other than in-building laundry).

TAB H – Financing Letters of Interest and Historical Financing Letters of Interest/Award Letters

- ☐ **Financing Letters of Interest**
 - **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. Applicants may use different private lenders for construction and permanent financing. 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. 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, operating income/expenses, and associated residential rent levels; and
 - The interest rate (fixed or variable), the equity requirement, applicable fees, 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, operating income/expenses, and associated residential rent levels; and
- The interest rate (fixed or variable), the equity requirement, applicable fees, and other terms under which the lender would provide permanent financing; 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.
- **LIHTC Syndication**
 - If LIHTC financing is proposed, a syndication letter of interest is required. If LIHTC financing is proposed, the experience of the Development Team with tax credits must be described in the financing narrative.
- **Public Financing**
 - If HDC bond financing is proposed, a letter of interest from HDC is NOT required.
- **Historical Financing Letters of Interest/Award Letters** (for similar projects financed within the past 7 years, if applicable)
 - **Competitive Sources**
 - Any Proposal that includes funding or financing that is awarded on a separate competitive basis should submit historical letters of interest or award letters for similar projects financed within the past 7 years, if applicable.

TAB I – Assets Statements

- **Assets Statement and References**
 - Each Principal of the Respondent must submit audited or reviewed financial statements detailing the Principal's financial status in the two most recent years preceding the Submission Due Date for this Request. 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 I may be used. Provide sufficient information necessary to evaluate the Respondent's current financial commitments and track record to meet the financial obligations of the proposed Project.
 - Provide references only of banks, investors, or other lenders that have financed previous and similar development projects.

Development Program and Community Development

TAB J – Development Program

- **The Development Program narrative** must describe a comprehensive perspective of the various components of the development program, including residential, parking (if applicable), library (including required spaces in Appendix E), open space, and other land uses for the Site. Additionally, the narrative must describe how the development program responds to the Community Visioning Report including the responses summarized around local housing issues, residential program, non-residential program (library program), and public space. If proposing and/or providing temporary relocation of library services, the narrative should describe how the site was identified and how it will serve the community during construction.
- **Plan for Internet Access.** Brief narrative describing the plan for internet infrastructure and resident connectivity in the new building. Respondents should outline upfront and/or ongoing costs associated with the proposed strategy. Please refer to the NYC Principles for Internet Service and Infrastructure outlined in the [New York City Internet Master Plan](#) (see Figure 4 on page 3) for guidance.

TAB K– Community and Economic Development

- **The Community Engagement narrative** must describe:
 - Outreach strategies during applicable public approval process and construction period
 - Meaningful opportunities for input, feedback, or participation in certain elements (design and programming) of the Project after Developer selection.
- **Job Outreach Plan.** Discuss strategy and recruitment approach and provide an outreach timeline to identify candidates for open positions prior to and during construction. If the Development Team includes a workforce development strategic partner, describe the tasks they are expected to perform. The plan should also discuss the Development Team's previous experience working with community partners on prior projects. Please refer to Appendix C for guidance.

Optional:

- Include a plan for neighborhood investments and/or community programs or services that are responsive to documented community needs.

Design and Performance

TAB L – Design Narrative

- **The Design narrative** must provide a clear and comprehensive description of the preliminary design and succinctly articulate the design approach to achieving the Project vision and goals. The narrative must cite all elements submitted in Tab M: Architectural and Urban Design Plans, as described below:
 - **Area Plan and Photos:** Discuss how the design concept was informed by neighborhood physical, cultural, historical and/or socio-economic characteristics, as well as the Site conditions.
 - **Zoning Strategy:** For all land use actions proposed, including the proposed rezoning to R9X, explain and justify why such actions are necessary to achieve the goals of the Project.
 - **Zoning Analysis and Building Code:** Discuss how the proposed Project complies with zoning or building code requirements (including proposed rezoning and City of Yes for Housing Opportunity zoning amendment).
 - **Environmental Planning:** Describe any known environmental concerns and how the Respondent intends to address them.
 - **Site Capacity and Program Evaluation:** Describe how the planning and design approach addresses the surrounding context and any significant Site features, and the capacity (opportunities and challenges) of the Site to incorporate the various components of the development program.
 - **Site Plan and Urban Design:** Describe how the site plan and urban design approach creates safe and active urban residential environments, connects the Site to the surrounding neighborhood, enhances the public and pedestrian realm, and fosters sustainable development.
 - **Building Design and Performance:** Highlight major and/or unique design approaches to the building envelope and façade, floor plans and unit layouts, building systems including proposed mechanical systems for heating, cooling, domestic hot water and ventilation (identifying systems that are shared or separate to the residential and library units), construction type, and sustainable development. Sustainability

strategies should take into account the capital and operating cost of implementing such measures versus their relative benefit both qualitatively and financially.

- **Design and Construction:** Identify proposed construction type and any cost containment concepts to achieve quality design within proposed budget and schedule parameters, and consistent with the development program.
- **Design Excellence:** Describe other design features proposed for the Project, such as Active Design, Universal Design, Low Embodied Carbon Design and/or arts to be incorporated in the Project.
- **Public Art Preservation:** Explain how, in adherence to City policy, the Development Team plans to remove the Lorrie Goulet sculpture from the façade of the existing Grand Concourse Library, conserve the sculpture during demolition and construction, and reinstall the sculpture with input and review from HPD and NYPL, and in adherence to the Public Design Commission's [Artwork Relocation or Conservation](#) review process.
- **Temporary Relocation of Library Services (if applicable):** Explain how the proposed temporary space is designed.

- **Form L: Resilient & Sustainable RFP Checklist & Narrative.** Describe features supporting HPD and NYC's low carbon, climate resiliency, healthy and equitable design goals. Responses should address climate change and climate resilience, specifically in response to current and future heat risks and identify how the Proposal integrates sustainable design.

TAB M – Architectural and Urban Design Plans

□ Area Plan and Photos

- **Photos:** Images of the Site and its relation to surrounding buildings, streets, sidewalks, and open spaces, at least 3" x 5" in size. Photos must be keyed on the area plan outlined below. The photos must be clear enough to be reproducible. Submissions must include photos of other neighborhood and community characteristics and conditions that informed the designs.
- **Neighborhood Area Plan:** A neighborhood context plan(s) indicating circulation patterns, significant land uses, transportation networks, landmarks, and other neighborhood infrastructure and community amenities.

□ Zoning Analysis and Building Code

- **Zoning Analysis** that includes a zoning map for the Site, and a detailed zoning computation with an analysis that demonstrates compliance with the existing or proposed applicable zoning regulations. The analysis must cite pertinent sections of the Zoning Resolution and must be prepared and signed by a licensed architect or engineer. The analysis must include, at a minimum, the assumed zoning and uses; and the proposed and allowable/required (1) unit density; (2) FAR and zoning floor area (ZFA) (total and by use, including Affordable Independent Residences for Seniors (AIRS) units if applicable); (3) lot coverage; (4) height and setbacks; (5) street wall requirements; (6) yard requirements; and (7) vehicle and bicycle parking, etc. If proposing any necessary zoning modifications, indicate them in the analysis.
- **Square Footage Analysis Chart(s)** with detailed breakdown of residential, library, parking, open space, and other components of the development program such as any accessory and social welfare facilities associated with senior and/or supportive housing. The chart must include gross square footage, deductions and zoning square footage (floor area) by building and floor.

□ Site Plan and Urban Design

- **Site Plan(s)** indicating the: context of the development within nearest street intersection(s); tax lots and zoning lot boundaries and restrictions; buildings with setbacks and height elevations; site access points; adjacent structures and any encroachments; street widths as well as roads and sidewalks; exterior parking;

driveways; elevation grades; basic landscaping; easements and encroachments as well as other relevant zoning and site conditions and features.

- **Circulation and Open Space Plan** with walkways, sidewalks, garage and parking areas, curb cuts, fencing and gates, building entrance/egress points, streetscape improvements, site landscaping including planting locations and hard/soft surfaces, and lighting.

□ **Building Design**

- **Floor Plans** representing all floors of the proposed development (cellar/basement, ground floor, typical floor, upper floors, as applicable, and roof plan, etc.) with clear labeling of all community and common spaces, and resiliency and sustainability strategies, including dimensions and area. Submissions must include concept plans of the Library Unit that clearly indicate distribution of all library programming and circulation patterns.
- **Typical Dwelling Unit Plans:** Typical unit floor plans that provide residential unit uses and separation of spaces, circulation and entrance/exit, key dimensions and square footage, access to light and air, and any unique features and amenities.
- **Elevation Drawings:** Elevations of all four buildings faces, inclusive of all library spaces, clearly indicating proposed fenestration and materials, ceiling heights, floor elevations, and total building height. The elevations should also illustrate the proposed reinstallation of the Lorrie Goulet sculpture.
- **Building Section Drawings:** Building section indicating building to grade relationship and floor-to-floor and floor-to-ceiling height; and key wall, floor, and roof section indicating envelope materials, fenestration, and approach to sustainable development.
- **Illustrative Drawings:** Conceptual diagram and/or sketch illustrating the intent and approach to the design and development of the Site. Simple visualization to communicate design aesthetic, scale and relationship of the Project components, and a general sense of space from the pedestrian perspective/experience. (Physical models will not be accepted. Photo-realistic renderings or other expensive drawings are not required or encouraged.)
- **Sustainability Details:** Details or sketches of any unique features that are described in the Sustainability narrative (e.g., solar shading devices).
- **Library Design:** The library design must include all architectural, electrical, mechanical, structural, plumbing, fire alarm, IT, AV and furniture needs for the branch. All library building entrances and elevators are required to be separate from the housing component of the Project. Other building systems are preferred to be separate.

□ **Temporary Relocation of Library Services (if applicable)**

- Provide a floor plan for the fit out of the temporary space.

Submission completeness requirements:

- All plans must be prepared by a Registered Architect or Professional Engineer.
- Plans and drawings are to be at a concept design level typically included as part of the preliminary Schematic Design phase for architectural services.
- Preliminary plans and drawings must provide a clear understanding and comprehensive illustration of the design approach.
- All plans must be dimensioned and with a north arrow.
- Elevation Drawings, Section Drawings, and Floor Plans must be dimensioned at the same scale.
- All plans and drawings must include the name of the Project, Respondent, Architect and/or Engineer, and date.

- All materials must be on paper size of 11" by 17", or smaller, and must be easily reproducible.

VII. DEVELOPER OBLIGATIONS

A. Development Team and Project Management

The Developer will be responsible for assembling a Development Team with the necessary expertise, experience, and capacity to develop and manage the proposed Project, such as expertise in affordable housing development and finance, marketing and property management (residential and community facility), design and construction, social service provision, and community development.

At or prior to closing, HPD will require satisfactory evidence that the appropriate organizational documents of the owners of the Project evidence the ownership interest of the M/WBE and/or Eligible Non-Profit consistent with the requirements of this RFP and the Respondent's Proposal. Such evidence will include, but not be limited to, representations by the Project's owners and an opinion of counsel or other knowledgeable professional. The HPD regulatory agreement for the Project will require the owner to maintain the required ownership interest of the M/WBE and/or Eligible Non-Profit during the term of Project financing provided by HPD, except as may be approved in writing by HPD in the case of foreclosure, misconduct, certain voluntary sales, or other circumstances.

The Developer is responsible for a professional and disciplined project management approach to the public/private partnership in connection with this Submission with the objective of ensuring transparent information, project governance, smooth negotiations and communications, as well as risk management and quality control.

The Developer is responsible for arranging timely commencement and completion of the Project and will be held accountable for the schedules outlined in the Submission and agreed upon with HPD and NYPL. The Developer will be required to submit ongoing status reports regarding Project development, financing, budget, schedule, marketing, leasing, and management. In addition, the Developer will be responsible for working with the City and NYPL to coordinate planning and construction schedule.

The Development Team is responsible for activities typically associated with development, including, but not limited to, the design, finance, construction, marketing and leasing (and/or selling), and management of the completed residential units and community facility, if applicable.

B. Community Outreach

The Developer will lead all community outreach activities in partnership with HPD and NYPL and participate in required public forums, hearings, and briefings with the Community Board, elected officials, City agencies, and other organizations, as determined necessary by HPD and NYPL, and will provide the necessary documentation and presentations for said meetings and forums.

C. Design and Construction

The Developer is responsible for obtaining all necessary governmental permits for the construction of the Project. The Developer must submit to HPD and NYPL a full set of Schematic Design documents that include any modifications to the original concept/preliminary drawings and plans included in this Submission, as agreed upon by HPD and NYPL and the selected Respondent, for HPD and NYPL review and approval, within six (6) months of selection. Prior to disposition, the Developer must submit a complete set of Design Development documents and specifications to HPD and NYPL for review and approval. The Developer is responsible for submitting final Construction Documents to HPD and NYPL, which must conform to previous review comments and approvals made by HPD and NYPL. In light of the volume of HPD projects awaiting construction closing, the Developer should expect that construction will likely start after the date specified in its Development Schedule, which must be at least 24-48 months from HPD's issuance of a Negotiation Letter to the Developer.

At a minimum, the Developer is responsible for consulting the most current applicable design and construction regulations and guidelines listed below:

- [HPD Design Guidelines for New Construction](#)
- [Climate Resiliency Design Guidelines](#)
- Zoning, Site Plan, and Building Design Guidelines (Appendix A)
- [Passive House Design](#)
- [LEED](#)
- [Enterprise Green Communities NYC Overlay](#)
- NYC Department of Design and Construction (“DDC”) Resources
- [Designing New York: Quality Affordable Housing](#)
- [Universal Design](#)
- [Active Design](#)
- [Designing for Health](#)
- [AIAANY Aging in Place Guide for Building Owners](#)
- [Principles of Good Urban Design for New York City](#)

Submissions must comply with all current regulations, codes, and ordinances, including, but not limited to:

- [Zoning Resolution](#)
- [New York City Construction Codes](#)
- [Multiple Dwelling Law](#)
- [Fair Housing Act](#)
- [Section 504 of the Rehabilitation Act of 1973 and Accessibility Requirements \(applies even if Project does not receive federal funds, and includes architectural, as well as marketing standards\)](#)
- [Americans with Disabilities Act](#) (as applicable)

D. Environmental Review

The Developer will be responsible for preparing and submitting an Environmental Assessment Statement (“EAS”) in accordance with the guidelines contained in the latest edition of City Environmental Quality Review (“CEQR”) Technical Manual, including an EAS form, graphics and technical assessments and appendices, as necessary. It is anticipated that HPD will serve as the lead agency for the CEQR review and will oversee the preparation of all CEQR documentation; however, the Developer will be responsible for retaining a reputable environmental consultant, preparing and submitting all CEQR documents, and funding the cost of the studies and analysis required for completion of CEQR. The CEQR assessment will consider the discretionary approvals described below. The Developer will be solely responsible for any mitigation measures identified as a result of the CEQR review.

In addition, the Developer will be responsible for preparing an Environmental Impact Statement (“EIS”), if necessary, and associated environmental studies which could include, but are not limited to Phase I and Phase II Environmental Site Assessment (“ESA”), Phase IA archaeological assessments and noise/acoustical studies. The Developer will be responsible for implementing any remedial measures identified in connection with the redevelopment of the Site as determined by HPD. Neither HPD nor NYPL makes any representation or warranty whatsoever regarding the condition of the property or the suitability of the property for the uses contemplated by this Request. The Developer will be solely responsible for providing engineering and institutional controls to allow for the reuse of the Site.

The Developer will be responsible for procuring a Phase I ESA for the property to be reviewed by HPD’s Environmental Planning Unit. If applicable, the Developer will be responsible for preparing and implementing a Phase II Subsurface Investigation work plan and, in the event contamination is present,

a remediation plan. The Phase II work plan, Phase II results, and any required remediation plan would be subject to review and approval by HPD's Environmental Planning Unit as well as either DEP or the Mayor's Office of Environmental Remediation ("OER"). No such investigation or remediation plan development may proceed without the oversight of these City agencies.

E. Public Land Use, Zoning and Approvals

HPD will be the applicant for the land use applications for the Site, with assistance from the Developer in preparing the supporting documentation for the application, if needed. The Project will require approvals by the City Council and Mayor. Anticipated land use actions requiring approval for development of the Site include a zoning map amendment, zoning text amendment to map an MIH area, disposition of City-owned property, and UDAAP area designation and project approval. The Developer may be required to alter the designs or program before and during the ULURP process to comply with any request for modifications.

F. Financing and Tax Exemptions

The Developer is responsible for applying to, and meeting the requirements of, any applicable tax benefit program. Neither HPD nor NYPL makes any representations or warranties as to the continued availability of these benefits or as to the Project's eligibility to receive these benefits. The Site will be subject to New York City real property taxes and charges. However, the tax exemptions described below may be available for eligible projects. Specific benefits may vary depending on characteristics of the Project. For details of each program, the Developer is responsible for researching the relevant statute and rules.

- The [Article XI tax exemption](#) provides a complete or partial tax exemption from New York City real property taxes on non-commercial space for up to 40 years for the new construction or rehabilitation of affordable housing carried out by a Housing Development Fund Company (HDFC). An HDFC is a corporation formed under Article XI of the Private Housing Finance Law to develop and operate low-income housing. The formation of each HDFC which is a sponsor of an HPD project is individually approved by HPD and this tax exemption is subject to City Council approval.
- The [420-c tax exemption](#) provides an exemption from New York City real property taxes on non-commercial space for up to sixty (60) years for housing financed or previously financed in part with Federal Low Income Housing Tax Credits. In order to be eligible for this tax exemption, at least 70% of the units must be subject to the income and occupancy requirements of Internal Revenue Code Section 42. 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 charitable organization with 501(c)(3) or (4) tax exempt status whose purposes include the provision of low-income housing, or a wholly-owned and wholly-controlled subsidiary of such a charitable organization. HPD must approve the regulatory agreement that imposes tax credit restrictions on the Project's dwelling units and may also require a payment in lieu of taxes ("PILOT").
- The [Urban Development Action Area Project \("UDAAP"\)](#) tax exemption is subject to approval by the City Council. The City Council may grant an exemption from the New York City real property taxes on the buildings/improvements for up to twenty (20) years. If the Council grants the full 20-year exemption, the improvements on the Site(s) would be fully exempt from the New York City real property taxes on the buildings/improvements for the first ten (10) years with a gradual phase-in of full taxes over the remaining ten (10) years (10% per year). The full amount of the New York City real property taxes on the land must be paid each year. Other governmental approvals are required before the City is able to use the UDAAP.

Transfer Taxes and Disposition Price

The Developer is responsible for paying all transfer taxes associated with the conveyance of the Site to the Developer, as well as any transfer taxes associated with the conveyance of the Library Unit

condominium to NYPL, and all transfer and recording taxes associated with financing of the construction and the Project, generally.

The Developer will pay, upon conveyance, a nominal disposition price, anticipated to be \$1.00 per lot at HPD's sole discretion, and will deliver an enforcement note and mortgage for the difference between the purchase price and the appraised value of the Site, which may accrue interest at the AFR and may be payable at maturity. When the Library Unit is conveyed by the Developer to NYPL, no consideration will be paid by NYPL and the Library Unit will be released from the enforcement note and the lien of the enforcement mortgage, as well as from the regulatory agreements.

HPD – HDC Term Sheets

Submissions must comply with all terms of the selected HPD term sheet.

Submissions that assume HDC bond financing (and subsidy financing, if applicable) must comply with all terms of the selected HDC Term Sheet.

Project-Based Rental Assistance

Development Teams that propose the use of project-based rental assistance in accordance with HPD-HDC term sheets will be expected to apply to [HPD's Project-Based Voucher \(PBV\) Request for Proposals](#), the [NYC 15/15 Rental Assistance Program](#), or other project-based rental assistance competitions. HPD will periodically solicit applications to this PBV RFP, and awards will be made at intervals that will be announced at a later date.

Subordinated Debt

Submissions should calculate subordinated debt at 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 Site, based on an independent appraisal acceptable to HPD; 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 homeownership sales prices and the as-built market value of the Site and improvements, if applicable.

Resale, Refinancing, and Recapture Restrictions

- The HPD enforcement mortgage is subject to repayment from refinancing and resale profits and may be non-evaporating.

Incentive Programs

The Developer is responsible for pursuing and securing other subsidies related to the Development Program that may be available:

Sustainability

- NYSERDA programs where available
- [NYSERDA's NY-Sun program](#)
- [Solar tax credits](#)
- Clean energy and Energy Efficiency Tax Credits, including but not limited to 45-L, 179-D, etc.
- [Con Ed's Clean Heat program](#) where applicable

Brownfield Redevelopment

- [New York City Office of Environmental Remediation](#) provides subsidy and technical assistance for City-supported affordable and supportive housing developments.

Commercial and Retail Incentives

- New York City Economic Development Corporation ("NYCEDC")'s [guide to financing and incentives](#)
- [Food Retail Expansion to Support Health \("FRESH"\) 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.
- [NYCEDC Capital Access Loan Guaranty Program](#): Provides up to a 40 percent guarantee on loans for qualified NYC micro (fewer than 20 employees) and small (21-100) businesses experiencing difficulty in accessing loans.

G. Disposition and Disposition Price

The Developer will be responsible for executing and complying with all Site Disposition requirements. Disposition of the Site to the Developer 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 and NYPL. These documents include, but are not limited to, an LDA and regulatory agreement, as required, a Library Development Agreement, and completion guarantees.
- The Site will be conveyed in accordance with the terms of the LDA to be entered into between the Developer and HPD and will be conveyed in "as-is" condition, 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 and the Library Unit in accordance with plans and specifications determined and approved by HPD and NYPL, and to convey the Library Unit to NYPL upon completion.
- If the selected Project includes rental housing, the City will convey the Site subject to an extended affordability reverter, so that title to the residential condominium unit (and specifically excluding the NYPL Library Unit condominium) will revert to the City upon the expiration of the regulatory period unless the parties mutually agree to an additional term of affordability.
- The simultaneous closing of a bona fide construction loan required to finance the full development of the Site.

H. Construction

The Developer is responsible for overseeing the design, bidding, and construction process generally described below:

Bidding and Contracting. The Developer is responsible for managing all phases of the design process to ensure the implementation of integrated design strategies to achieve high performing buildings and sites. The Developer is responsible for ensuring competitive construction pricing and delivery to make certain that the building is deliverable according to the Project budget and schedule, which must be consistent with HPD-HDC Term Sheets.

The Developer is responsible for procuring and managing the construction of the Project and ensuring smooth negotiations and contracting with any sub-contractors for the construction and operations of the completed Project.

Demolition and Remediation. The Developer is responsible for the demolition of all existing structures on the Site, as well as the development and implementation of a remediation plan for any contamination present on the Site. The Developer is also responsible for the removal and conservation of the Lorrie Goulet sculpture during demolition and construction and reinstallation after construction, in adherence to City policy.

Completion and Close-out. The Developer is responsible for implementing all professional industry standard practices in construction monitoring, construction completion, compiling all warranties and guarantees (and assigning applicable warranties and guarantees to NYPL), any applicable commissioning, and transferring the completed building to property management and maintenance personnel, and coordination with HPD marketing departments as units are completed and ready for leasing or sales.

I. Marketing and Leasing

The Developer is solely responsible for marketing and leasing of the residential units. In carrying out these functions, the Developer must comply with HPD and HDC's marketing requirements, which are designed to ensure that the availability of the units is disseminated as widely and fairly as possible. The Developer must ensure compliance with tenant/household preferences in HPD and HDC's marketing requirements. The rents of the units projected in the Submissions are to be determined by the Developer in accordance with HPD, as stated in applicable term sheets or otherwise. The marketing of the units will be monitored by HPD staff to ensure compliance with these requirements. The [HPD-HDC Marketing Handbook](#) will be incorporated by reference into the regulatory agreement that the Developer will execute.

The Developer is responsible for ensuring that all respondents, regardless of preference, must meet the income, employment, and other eligibility criteria set for each property for which it is applying.

J. Operating Rents – Rent Stabilization

The Developer is responsible for ensuring that initial rents will be established in accordance with the regulatory agreement consistent with any income requirements outlined in this Request and/or the subsequent Submission or other financing conditions and terms. Prior to initial occupancy, all residential apartment units must be registered with the New York State Division of Housing and Community Renewal (HCR) under rent stabilization at rents specified in the regulatory agreement. Residential apartments must remain in the system in perpetuity.

K. Property Management and Maintenance

The Developer is responsible for providing professional property management services and having all standard asset management systems in-place to qualify income levels pursuant to funding requirements, as well as to submit property management data and operating budgets to HPD. The Developer is responsible for professional maintenance services, as well as supporting or facilitating resident programming and community rules that promote health, safety, and quality of life at the Project.

L. HireNYC

The Developer, General Contractor, and certain Subcontractors will be required to participate in *HireNYC*, a workforce development program which connects the City's real estate development projects to the City's workforce development services. Development partners will be required to enroll with Workforce1 through an on-line system hosted by the Department of Small Business Services ("SBS"), to share job openings in entry-and mid-level construction positions with Workforce 1, and to interview the qualified candidates that Workforce 1 refers for those openings. Respondents will be required to regularly report on their outreach activities per HireNYC Program requirements. For more information about *HireNYC*, see [HPD](#) and [SBS](#) websites.

M. High Road Retail

The Developer is responsible for ensuring compliance with the NYC High Road Retail (Executive Order No. 19) for mixed-use projects receiving more than \$1M in "Financial Assistance" from the City that: (1) are larger than 100K square feet or, in the case of a residential project, contain more than 100

residential units and (2) contain a retail or food service establishment occupying over 15K square feet. (See Executive Order 19 for the requirements that will apply to recipients of “Financial Assistance” and “Covered Employers” as defined therein.) The requirements shall apply for the longer of the term of the “Financial Assistance” or ten years from the later of the date of the commencement of the project or the date the Project commences operations.

N. Minority and Women-Owned Business Enterprise (M/WBE) Build-Up Program

The Developer is responsible for complying with the [M/WBE Build Up Program](#), which is a component of HPD’s Building Opportunity Initiative. Currently, the program requires developers/borrowers to spend at least [a quarter of HPD-supported](#) costs on certified M/WBEs over the course of design and construction of an HPD-subsidized project. A minimum of 25% will be required for each project subject to the program. Developers may adopt a goal higher than the minimum.

O. Job Outreach Plan

The Developer will be required to submit a Job Outreach Plan. Prior to HPD’s construction loan closing, the Developer and or borrower requesting City subsidies must use HPD’s approved form to submit information on their job outreach plans related to employment opportunities generated on the proposed Project. The Job Outreach Plan should at a minimum engage and inform communities, within a three-mile radius of the Project, about job opportunities on or related to the Project. A quarterly report must be submitted identifying the number and types of positions filled, and outreach strategies employed.

P. Fair Housing Requirements

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

Q. Warranty Coverage

If the residential apartments in the Project are sold by the Developer as cooperative apartments or individual residential condominium units, Developer will be responsible for ensuring that these residential apartments are 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 must be applied to all residential apartments, 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).

R. Section 3 Clause

The Developer is responsible for complying with Section 3 of the Housing and Urban Development Act of 1968 (12 USC 1701u), and the implementing regulations at 24 CFR Part 75, which provides that (i) to the greatest extent feasible, and consistent with existing Federal, state and local laws and regulations, employment and training opportunities arising in connection with “Section 3 projects” as such term is defined in 24 CFR Part 75.3(a)(2) be given to “Section 3 worker” as such term is defined in 24 CFR Part 75.5 within the metropolitan area (or nonmetropolitan county) in which the project is located, and where feasible, priority for such opportunities and training should be given to Section 3 workers residing within the service area or the neighborhood of the project, and participants in YouthBuild programs (as such term is defined in 24 CFR Part 75.5); and (ii) to the greatest extent feasible, and consistent with existing Federal, state, and local laws and regulations, contracts for work awarded in connection with any such project are provided to business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which the project is located, and where feasible, priority for such contracting opportunities should be given to: Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the service area or the neighborhood of the project, and YouthBuild programs.

S. Davis-Bacon

The Developer must comply with Davis-Bacon and the Contract Work Hours and Safety Standards Acts, if applicable, which, currently includes Projects that contain twelve (12) or more units assisted with Federal HOME funds or Projects that contain nine (9) or more units funded with Project Based Vouchers.

T. Equal Opportunity

The Developer will be required, along with partners, or authorized representatives of the Developer, to attend a class administered by HPD outlining the requirements of Executive Order No. 50, and to submit Equal Opportunity forms provided by HPD verifying their compliance with the provisions of the Executive Order.

VIII. CONDITIONS, TERMS, AND LIMITATIONS

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

All determinations of HPD regarding this Request are at the sole discretion of HPD.

The Site is to be disposed of in its “as is” condition. The City, NYPL, and their respective officials, 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 Article XI, 420-c, UDAAP, or other tax exemption programs.

The proposed Project must conform to, and be subject to, the provisions of the 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, must be obtained by the Developer prior to commencing work.

The commencement of negotiations with a Developer will depend on satisfaction of the additional documentation and review requirements described in this Request 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, deed, and regulatory agreement, including the extended affordability reverter described in this Request. HPD will recommend to the Mayor the disposition price as stated. Where required, all documentation, including but not limited to the deed and LDA, must be in form and substance satisfactory to the Mayor and Corporation Counsel. The conveyance will be subject to satisfaction of the applicable provisions of the City Charter and Article 16 of the General Municipal Law.

No transaction will be consummated if any Principal of any selected Developer is in arrears, or in default upon any debt, lease, contract, or obligation to the City, including without limitation, real estate taxes and any other municipal liens or charges. The City may refuse to review any Submission by any such Respondent.

The Developer and any contractor it retains must pass a City background check before closing.

No commission for brokerage or any other fee or compensation will be due or payable by the City or NYPL, and the Submission to this Request will constitute the Respondent’s undertaking to indemnify and hold the City and NYPL harmless from and against any such claim for any such fee or compensation based upon, arising out of, or in connection with any action taken by the Respondent, the selection of the Respondent’s Submission and invitation to the Respondent to respond to this Request, the conditional designation of a Developer pursuant to this Request, or the sale of the Site.

Neither the City nor NYPL is obligated to pay, nor shall in fact pay, any costs or losses incurred by any Respondent at any time, including the cost of responding to the Request.

This Request and subsequent Submission do not represent any obligation or agreement whatsoever on the part of the City or NYPL. Any obligation or agreement on the part of the City or NYPL may only be incurred after the City executes a written agreement approved as to form by the Corporation Counsel or by NYPL’s general counsel, as the case may be. The City is under no legal obligation to convey the Site through a competitive process. The City may use the Submissions pursuant to this Request as a basis for negotiation with Respondents as the City deems appropriate. HPD may reject at any time any or all Submissions, amend or withdraw this Request in whole or in part, negotiate with one or more Respondents,

and/or negotiate and dispose of the Site on terms other than those set forth herein (including to parties other than those responding to this Request). HPD may also, at any time, waive compliance with or change any of the terms and conditions of this Request, entertain modifications or additions to selected Submissions, or withdraw the Site or portions of the Site from or add individual parcels to this Request.

Selection of a Respondent's Submission will not create any rights on the Respondent's part, including, without limitation, rights of enforcement, equity or reimbursement, until after the approvals of the City Council, Mayor, and Corporation Counsel, and NYPL, and until the deed, LDA, Library Development Agreement, and all related documents are fully executed and approved. After execution, the terms of the deed and LDA shall govern the relationship between the City and the Developer, and the terms of the Library Development Agreement shall govern the relationship between the NYPL and the Developer. In the event of any variance between the terms of this Request and the deed, the LDA, or the Library Development Agreement, the terms of the deed, LDA and/or the Library Development Agreement will govern.

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

This Request 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.

IX. CONFLICTS OF INTEREST

Current and former employees of the City of New York may respond to this Request only in accordance with Chapter 68 of the New York City Charter governing ethics and conflicts of interest affecting City personnel. Section 2604(c)(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 Request.

Persons in the employ of the City considering a Submission 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 Request.

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 are advised to consult the specific provisions on this issue contained in the City Charter.

X. APPENDIX

- A. Zoning, Site Plan, and Building Design Guidelines
- B. Community Visioning Report
- C. Job Outreach Plan
- D. Financial Assumptions
- E. Library Program Brief
- F. Submission Forms - Forms are available for download on the website in Word and Excel formats as part of this Submission. The lettering of Forms corresponds to the Submission Tabs. Please note that not all Tabs require a form.

Form A-1:	Completeness Checklist
Form A-2:	Respondent's Letter
Form B:	Proposal Summary
Form D-1:	Development Team Information and Respondent Questionnaire
Form D-2:	Not-for-Profit Organization Form
Form E-1:	Residential Development Experience and Current Workload
Form E-2:	Residential Management Experience and Current Workload
Form E-3:	Management Questionnaire
Form G-1:	Rental Financing Scenario Template
Form G-2:	Homeownership Financing Scenario Template
Form L:	Resilient & Sustainable RFP: Checklist & Narrative