



REAL ESTATE DEVELOPMENT
REINVEST - RESTORE - REBUILD

NYCHA Real Estate Development **PACT Partner Request for Qualifications**

EVENT	DATE	TIME
RFQ Published	October 7, 2025	
Pre-Submission Conference	October 15, 2025	10AM
Questions Due	October 17, 2025	5PM
Response Due	Rolling	

Questions should be submitted by the deadlines
listed above, via email to

prequalify@nycha.nyc.gov

Jamie Rubin
NYCHA Board Chair

Lisa Bova-Hiatt
NYCHA CEO



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Through the PACT program, NYCHA has converted **over 28,000 apartments** to the Project-Based Section 8 program. Our collaboration with resident and private partners has facilitated **over \$8 billion in capital repairs** across New York City.



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1. INTRODUCTION

The Real Estate Development Department (“REDD”) of the New York City Housing Authority (“NYCHA or the “Authority”) is excited to announce this Request for Qualifications to identify qualified Developers, Property Managers, and General Contractors (collectively, “Pre-Qualified Partners” as further defined in Section 10 herein) to participate in delivering critical repairs to New York City’s (the “City”) public housing through the Permanent Affordability Commitment Together (“PACT”) program.

This RFQ will maintain the existing list and expand the current Pre-Qualified Partner List (as such term is defined in Section 10 below) for the above noted categories only.

NYCHA’s Real Estate Development Department (REDD) is charged with reinvesting in, restoring, and rebuilding publicly controlled affordable housing. We deliver on our mission by securing capital sources and operational expertise through innovative partnerships, centered on robust resident engagement and collaboration. REDD’s work is critical to achieving NYCHA’s overall agency mission. Our partnerships support NYCHA with transformative real estate initiatives such as the Permanent Affordability Commitment Together (PACT) program, the Public Housing Preservation Trust (Trust) program, the transfer of development and air rights, including the redevelopment of NYCHA campuses.

REDD has made significant progress toward preserving thousands of apartments with over 28,000 units converted to Project-Based Section 8, leveraging capital investments of over \$8 billion for residents through PACT.

A. About PACT

PACT leverages programs of the U.S. Department of Housing and Urban Development (“HUD”) to preserve existing public housing stock. Under PACT, NYCHA will enter into public-private partnerships to undertake the major improvements or planned redevelopment of public housing developments while preserving long-term affordability and maintaining strong resident rights in line with public housing protections. NYCHA has an established goal to provide comprehensive repairs to at least 62,000 NYCHA apartments through the PACT program. To date, NYCHA has closed on financing over \$8 billion for capital repairs across the city. Over 28,000 apartments have converted to Project-Based Section 8 and over 11,000 units are in the planning and engagement phase of the program. NYCHA has made significant progress towards our goal of 62,000 units in the past several years.

PACT enables NYCHA to convert subsidy of its developments from public housing to Project-Based Section 8 in order to raise capital for repairs through a combination of the following HUD programs: (i) HUD’s Rental Assistance Demonstration program (“RAD”, as further defined below and in Section 10), and (ii) disposition under Section 18 of the Act (“Section 18”, as further defined in Section 10 herein).

Through PACT, the New York City Housing Development Corporation (“HDC”), the City’s municipal Housing Finance Agency, coordinates or provides senior, and in some cases, subordinate, construction and/or permanent loan financing funded by, but not limited to, taxable or (non-volume cap) tax-exempt bonds issued through HDC’s Multi-Family Housing Bond Resolution (the “Open Resolution”) or the newly created Housing Impact Bond Resolution (the “Impact Resolution”), a bond resolution created solely to facilitate NYCHA transactions. Below is more detailed information about the conversion methods contemplated for the PACT program.

Rental Assistance Demonstration (“RAD”)

RAD is an innovative HUD tool to preserve public housing and address capital needs. Under RAD, public housing authorities like NYCHA convert the funding source that supports a development from public housing subsidy (under Section 9 of the Act) to project-based Section 8 subsidy, enabling NYCHA and its PACT partners to leverage private debt and equity to complete repairs.

Section 18 and Tenant Protection Vouchers (TPVs)

NYCHA uses a RAD/Section 18 blend which will allow NYCHA for those residential units that have converted to Section 8 under Section 18 to apply for Tenant Protection Vouchers (“TPVs”). This disposition method allows housing authorities to receive higher levels of federal subsidy from HUD than conversions purely under RAD. Doing so enables NYCHA and its development partners to leverage more private debt and equity, which better funds repairs in many of NYCHA’s highest-need developments (i.e., those that meet the federal cost obsolescence criteria). Please see Section 18 and Section 18 Notice as defined in Section 10 for further information.

2. REQUEST FOR QUALIFICATIONS

To address NYCHA's current challenges, we must create strong and successful partnerships. As such, NYCHA is committed to partnering with as many qualified entities as possible to deliver on our mission.

NYCHA will keep our existing list of Pre-Qualified Partners, as established in 2024 through RFQ# 502073, and is seeking applications ("Applications") to add to the existing list of "Pre-Qualified Partners" as defined below for the PACT program. The RFQ is open to developers, property management companies, and general contractors. All applicants who qualify under this RFQ will become "Pre-Qualified Partners" that will be eligible to form "Project Teams" and submit proposals ("Proposals") to compete for forthcoming PACT conversion Projects (as the term "Project" is defined in Section 10). The process of becoming a Pre-Qualified Partner is anticipated to remain open year-round to allow new applicants to submit applications ahead of Proposal due dates. All applicants who wish to be considered for the upcoming solicitations are encouraged to submit their application as soon as possible, at least four weeks before the deadline for any solicitations.

Project Teams will be selected for Projects based on their ability to undertake the required capital upgrades, construction, and operations at each specific NYCHA public housing development, property, or set of public housing developments (each development a "Property," and collectively, the "Properties"). NYCHA is issuing this RFQ to expand the group of Pre-Qualified Partners.

A. Threshold Criteria

Prospective partners who successfully meet the threshold and submission requirements outlined in this RFQ will be classified as a Pre-Qualified Partner in one or more categories based on the following threshold requirements ("Pre-Qualification Categories"). As part of the Application, New Applicants must clearly indicate on the **Applicant Information Webform** (submitted via webform at <https://forms.office.com/g/FAibWWwSze>) which specific Pre-Qualification Category for which they are applying to obtain pre-qualification status. If an Applicant does not meet these specific criteria, relevant "Additional Reporting Detail" must be provided, and NYCHA will assess if the qualifications are sufficient to participate as a Pre-Qualified Partner in that Pre-Qualification Category. Please note that NYCHA will also consider the experience Principals (as defined in Section 10) bring from previous positions as a component of the relevant experience under consideration. Threshold Criteria is discussed further in Section 4.

Developer Thresholds	
Pre-Qualified PACT Partner	Additional Reporting Detail if Threshold is not met
Completed at least one (1) residential rehabilitation/preservation project with a total development cost ("TDC") of at least \$10 million within the past 5 years. Provide in Form 4 and highlight the completed Project(s) that meet the threshold requirement.	Please provide detail on the most relevant project(s) the Applicant has developed, including (1) total cost, (2) the number of units, and (3) whether this was a tenant-in-place rehabilitation or new construction project. The experience provided should demonstrate the Applicant's capacity for being successful in completing a tenant-in-place rehabilitation or preservation project.
General Contractor Thresholds	
Pre-Qualified PACT Partner	Additional Reporting Detail if Threshold is not met
Completed at least one (1) tenant-in-place rehab/preservation construction project of at least \$5 million in hard costs within the past 5 years. Experience with prevailing wage and labor monitoring. Provide in Form 4 and highlight the completed Project(s) that meet the threshold requirement.	Please provide detail on the largest project(s) the Applicant has acted in the general contracting capacity, including (1) total hard costs, (2) total units and (3) whether or not this was a tenant-in-place rehabilitation or new construction project. The experience provided should demonstrate the Applicant's capacity for being successful in completing a tenant-in-place rehabilitation or preservation project.
Property Manager Thresholds	
Pre-Qualified PACT Partner	Additional Reporting Detail if Threshold is not met
Managed at least 100 units of affordable Section 8 or otherwise regulated housing in the past 5 years. Provide in Form 5A and 5B.	Please provide detail on the most relevant project(s) the Applicant has managed, including (1) total units, (2) if the management experience was for rehabilitated or newly-constructed properties, and (3) if the project was affordable Section 8 or otherwise regulated housing.

Pre-Qualified Partners List

In January 2024, NYCHA released RFQ #502073 for Developers, General Contractors, and Property Managers (the “2024 Pre-Qualification RFQ”) to identify Developer, Property Manager, and General Contractor entities (as such terms are used in the 2025 Pre-Qualification RFQ) to partner with NYCHA in transferring and rehabbing NYCHA public housing units through the PACT program. This followed prior RFQ releases in April 2019, January 2020, February 2021, January 2022, and December 2023.

NYCHA published a list of Pre-Qualified Partners (“2024 Pre-Qualified Partner List”) based on entities’ responses to the 2024 Pre-Qualification RFQ. Pre-Qualified Partners from the 2024 Pre-Qualified Partner List are eligible to form Project Teams comprised of other Pre-Qualified Partners and submit Proposals to PACT Requests for Expressions of Interest (“RFEIs”) released since the 2024 Pre-Qualified List was established and going forward.

NYCHA maintains a list of Pre-Qualified Partners from prior years. To remain on the Pre-Qualified Partners list, all existing applicants will be required to update their credentials every 3 years from the date on which they were Pre-Qualified. Pre-Qualified Partners will be notified every 3 years of the need to update their documents. The link to the published 2024 Pre-Qualified Partner List can be found on NYCHA’s PACT website. This list will be updated on a rolling basis: <https://www1.nyc.gov/site/nycha/about/pact/procurement.page>.

New interested entities can become pre-qualified on a rolling basis.

To address NYCHA’s high and unique capital needs at its public housing campuses, NYCHA reserves the right to change any part of a Project as deemed appropriate. Therefore, NYCHA can cancel solicitations, remove members of a Project Team, and add new members to a Project Team from a Pre-Qualified List or add new members that are not Pre-Qualified Partners. In addition, NYCHA may add a member to a Project Team who is not actively on a Pre-Qualified List but is determined by NYCHA to be qualified at the time of negotiations.

3. OVERVIEW OF THE PRE-QUALIFICATION AND SOLICITATION PROCESS

Existing Pre-Qualified Partners

To remain on the Pre-Qualified Partners list, all existing applicants will be required to update their credentials every 3 years. Existing Pre-Qualified Partners will not need to respond to this RFQ as outlined in Section 5, *Submission Requirements*. Existing Pre-Qualified Partners will need to provide all materials as outlined in Section 5, *Submission Requirements* only on a three-year basis, as requested by NYCHA.

New Applicants and Updates to the Pre-Qualified Partners List

NYCHA will update the existing Pre-Qualified Partner List based on responses from “New Applicants” (Applicants who are not Existing Pre-Qualified Partners). All New Applicants must adhere to the requirements of this RFQ. New Applicants are responsible for providing all required materials for submission as detailed in Section 5, *Submission Requirements*. NYCHA will review each new Application based on the “Qualification Criteria” detailed in Section 4, *Qualification Criteria*. Those New Applicants whose Applications meet the Qualification Criteria will be designated a Pre-Qualified Partner under the appropriate Pre-Qualification Category or Categories they applied for and will be eligible to form Project Teams and respond to solicitations for future Projects. The list of Pre-Qualified Partners will be updated on a rolling basis to facilitate the creation of Project Teams. Only Pre-Qualified Partners identified on that list will be eligible to form Project Teams unless otherwise considered by NYCHA.

Release of Requests for Expression of Interest (RFEI) Projects

All entities interested in submitting a Proposal for upcoming RFEIs will be required to submit all required forms to become Pre-Qualified at least four weeks prior to the RFEI due date and are encouraged to submit forms as soon as possible. Qualified entities will be added to the Pre-Qualified List and will be invited to form Project Teams with other entities on the Pre-Qualified List and compete for Projects. NYCHA will continue to release solicitations as new PACT Projects are identified and announced. NYCHA may release PACT Projects to the full list of Pre-Qualified Partners or may elect to release to a targeted subset of Pre-Qualified Partners.

NYCHA may disapprove the inclusion of any member of a Project Team and/or require a “Selected Partner” as defined in Section 10 to substitute other individuals or firms on the Project Team.

4. QUALIFICATION CRITERIA

Review Process

NYCHA will evaluate each Application submitted to this RFQ according to the “Completeness of Application and Conformance with the RFQ” and the “Threshold Requirements” as stated below considering the information provided in the Application, references, and any other information about the Applicant’s performance available to NYCHA. Based on a review of the materials provided, NYCHA will determine whether an Applicant is qualified to be considered a Pre-Qualified Partner and for which Pre-Qualification Categories they are eligible.

Completeness of Application and Conformance with the RFQ

The Application must contain all documentation required under Section 5, *Submission Requirements*. All required forms must be fully completed, signed by a Principal, and all other Application requirements met at the time of Application submission deadline. NYCHA, at its discretion, may notify an Applicant that additional information or clarification is necessary and ask the Applicant to submit such information in a timely manner as determined by NYCHA. If an Applicant currently does not meet the applicable threshold requirement for the specific Pre-Qualification Category for which the Applicant is applying, the Applicant is required to submit Additional Reporting Detail as described below or to re-apply to the RFQ when able to meet the applicable threshold requirement.

Threshold Requirements

Prospective partners who successfully meet the threshold and submission requirements outlined in this RFQ will be classified as a Pre-Qualified Partner in one or more Pre-Qualification Categories based on the following threshold requirements. Applicants may apply to one (1) or more Pre-Qualification Categories for consideration under the same Application, and eligibility determinations for each Pre-Qualification Category will be made by evaluating the materials submitted for consideration.

If the Applicant does not meet these specific criteria, please provide the relevant ‘Additional Reporting Detail’ and NYCHA will assess whether the qualifications to participate as a Pre-Qualified Partner are satisfactory. Please note that NYCHA will also consider the experience Principals bring from previous positions as a component of the relevant experience under consideration.

A. For PACT Developer Applicants:

At least one Principal of the Applicant must have prior comparable development experience, defined as the successful completion – as Principal – of at least one (1) residential rehabilitation project with a total development cost of at least \$10 million within the past five (5) years from the RFQ submission deadline.

Please provide detail on the most relevant project(s) the Applicant has developed, commenting on (1) total cost, (2) the number of units, and (3) whether or not this was a tenant-in-place rehabilitation. In addition to any written and graphic materials, the details of the qualifying experience must be detailed by filling out the appropriate information in **Form 4: Development and General Contractor Experience**.

B. For PACT General Contractor Applicants:

The Applicant must have prior comparable tenant-in-place rehabilitation construction experience, defined as the successful completion of at least one (1) residential rehabilitation project with a total hard cost of \$5 million within the past five (5) years. General Contractor Applicants must also demonstrate experience with prevailing wage jobs and labor monitoring by indicating which projects were subject to these requirements in Form 4.

Please provide detail on the most relevant project(s) the Applicant has acted in the general contracting capacity, commenting on (1) total hard costs, (2) total units and (3) whether or not this was a tenant-in-place rehabilitation.

In addition to any written and graphic materials, the details of the qualifying experience must be detailed by filling out the appropriate information in **Form 4: Development and General Contractor Experience**.

C. For PACT Property Manager Applicants:

The Applicant must have prior comparable rental management experience, defined as the successful management of at least 100 units of affordable Section 8 or otherwise rent regulated housing within the past five (5) years.

Please provide detail on the most relevant project(s) the Applicant have managed, commenting on (1) total units, (2) if the management experience was for rehabilitated or newly-constructed properties, and (3) if the project was Section 8 or otherwise government-regulated/affordable housing.

In addition to any written and graphic materials, the details of the qualifying experience must be detailed by filling out the appropriate information in **Form 5A: Residential Management Experience and Form 5B: Residential Management Experience Questionnaire**.



5. SUBMISSION REQUIREMENTS

All Applications from New Applicants (as set forth in Section 5A below) and Application updates from Existing Pre-Qualified Partners (as set forth in Section 5B below) will be accepted on a rolling basis and must be submitted at least four weeks before an upcoming RFEI deadline for which an applicant intends to submit. NYCHA, in its sole and absolute discretion, reserves the right to reject any and all of the Applications received under this RFQ.

Applicants must submit all forms and supporting documentation as described below for their Applications to be considered by NYCHA. Only Applications from “Principals,” as defined in Section 10, *Definitions*, will be considered. All submissions become the property of NYCHA.

Existing Pre-Qualified Partners are subject to different submission requirements, which are outlined below in Section 5B. Existing Pre-Qualified Partners only need to submit forms every three years.

A. Submission Process & Requirements for New Applicants:

1) Applicant Information Webform

New Applicants must fill out the Applicant Information Webform at the following link: <https://forms.office.com/g/FAibWWwSze>. When completing the Applicant Information Webform, New Applicants should check each Pre-Qualification Category (Developer, General Contractor, and/or Property Manager) that is applicable.

Once the Applicant Information Webform is completed, New Applicants will be sent a SharePoint link for secure document upload. New Applicants can contact NYCHA at prequalify@nycha.nyc.gov if they do not receive a SharePoint link within five (5) business days of completing the Applicant Information Webform.

2) Pre-Qualification Submission

New Applicants must upload the following documents to the secure SharePoint link provided by NYCHA. The documents should be uploaded as a single PDF file, with the exception of Forms 4 and 5A, which may be uploaded as a separate Excel file.

- **Basic Applicant Information**
 - Provide a cover sheet indicating which Pre-Qualification Category (Developer, General Contractor, and/or Property Manager) is applicable
 - Provide resumes of key members of the team and/or brochures describing the Applicant
 - Applicants may provide descriptions of key project history and may include descriptions of projects that the Applicant has developed, or clarification of information provided in the forms included in the Application
 - Applicants must list all projects in which they are currently involved and include estimated completion dates for each project.
- **Form 1: Applicant's Letter**
 - Submit in PDF format signed by a Principal of your organization

- If the Applicant is a joint venture, the Principals of each entity that comprises the joint venture must be identified, and the Principal of each entity must sign Form 1.
- Required for all New Applicants
- **Form 3: Assets Statement**
 - Submit in PDF format signed by a Principal of your organization
 - Required for all New Applicants
- **Audited Financial Statements**
 - Applicants must provide audited financial statements from the three (3) most recent fiscal or calendar years for the Applicant, the Applicant's parent company, or a relevant related entity in the event the Applicant entity is newly formed.
 - Required for all New Applicants.
- **Form 4: Development and General Contractor Experience Spreadsheet**
 - Required if applying to become a Pre-Qualified Developer or General Contractor
- **Form 5A: Residential Management Experience Spreadsheet**
 - Required if applying to become a Pre-Qualified Property Manager
- **Form 5B: Residential Management Experience Questionnaire**
 - Submit in PDF format
 - Required if applying to become a Pre-Qualified Property Manager
- **Form 6: Applicant Description and Supplemental Questionnaire**
 - Submit in PDF format signed by a Principal of your organization
 - Required for all New Applicants

Applicants must use only one submission if applying for multiple Pre-Qualification Categories so long as each category they are applying for is clearly stated and each Threshold Requirement is met.

Applicants may also submit any additional information related to the Application that the Applicant wishes to include but that has not been specifically requested in this RFQ. This section of the Application may include articles and other material not specifically prepared for the Application in response to this RFQ, but that the Applicant believes will help NYCHA evaluate the Applicant's qualifications. Applicants must also disclose all previous participation in NYCHA and City-assisted projects.

3) Application Deficiencies and Opportunities to Cure

All required forms must be fully completed, and application requirements met at the time of submission. Upon review, however, NYCHA, at its discretion, may notify an Applicant that additional information or clarification is necessary and ask the Applicant to submit such information in a timely manner as determined by NYCHA.

If an Applicant is given an opportunity to cure a deficiency in providing any of the above-required documents or in meeting one or more of the Threshold Requirements but does not respond to NYCHA's request for such cure, or if the Applicant's response does not sufficiently address the deficiency(ies), the Applicant's submission will not be further evaluated for admission to NYCHA's Pre-Qualified Partner List.

4) Additional Information for Forms 4 and 5

a. Development and General Contractor Experience (Form 4) – Developer and General Contractor Applicants only

Complete the form by providing the relevant development and general contractor experience your company has successfully completed (as applicable to the Pre-Qualification Categories you are applying for). If demonstrating that the threshold criteria is satisfied by a Principal from their previous experience at a different company or organization, please clearly state which Principal has the experience and explain their role in that Project in both the Form 4 submission as well as in the Tab A narrative. **Applicants must delineate which development experience(s) pass threshold by highlighting the appropriate rows in the spreadsheet.** Applicants must pay particular attention to correctly labeling the type of development or general contractor experience (rehabilitation, new construction, affordable, etc.) to clearly demonstrate how this experience is related to eligibility for consideration as a PACT Developer and/or PACT General Contractor.

b. Residential Management Experience (Forms 5A and 5B) – Property Manager Applicants Only

Complete the form by providing the relevant portfolio of properties your company or organization currently or previously managed. If demonstrating that the threshold criteria is satisfied by a Principal from their previous experience at a different company or organization, please clearly state which Principal has the experience and explain their role in managing those properties in both the Form 5A and 5B submissions as well as in the Tab A narrative. **Applicants must delineate which management experience(s) pass threshold by highlighting the appropriate rows in the spreadsheet.** Applicants must pay particular attention to correctly labeling the type of management experience (rehabilitation, new construction, affordable, etc.) to clearly demonstrate how this experience is related to eligibility for consideration as a PACT Property Manager. Additionally, please answer the questions detailed in **Form 5B: Residential Management Experience Questionnaire** on a separate page(s).

B. Existing Pre-Qualified Partner Submission Requirements:

Existing Pre-Qualified Partners will provide necessary updates to NYCHA Real Estate Development via email as described below. **Existing Pre-Qualified Partners will only need to submit forms every three years.**

Material updates to Forms 1, 2, 3, 4, 5A, and 5B: If there are any updates to these forms since the Applicant's last approved submission, they should email prequalify@nycha.nyc.gov. They will be sent a SharePoint link for secure document upload. These forms should only be updated every three years if there have been material changes to them since the Applicant's last approved submission.

Form 6: All Existing Pre-Qualified Partners must re-submit Form 6 every three years through emailing the completed document to prequalify@nycha.nyc.gov to remain a Pre-Qualified Partner. If an updated Form 6 is not received by NYCHA, the entity will be removed from the Pre-Qualified Partner List after three years.

E-mail submission requirements: Any forms sent via email must be sent to [NYCHA PACT Partner RFQ 13](#)

prequalify@nycha.nyc.gov and received before the submission deadline to be considered. The email subject line should be "PACT RFQ Updates – [ENTITY NAME]."

C. Additional Submission Information

Questions

Submit any questions related to the RFQ here: <https://forms.office.com/g/wAY096G3hw>. Please do not email questions.

Pre-Submission Conference

NYCHA will host one virtual Pre-Submission Conference on Wednesday, October 15, 2025, at 10am. To RSVP for the Pre-Submission Conference and register for the Zoom meeting, please register here: https://us02web.zoom.us/webinar/register/WN_VdQWBbhySWaVSxdUi1mY3Q.
<https://forms.office.com/g/FAibWWwSze>

Applicant Interest Form

Interested new applicants to the Pre-Qualified List should submit a form here: <https://forms.office.com/g/FAibWWwSze>. This form will be used to communicate with potential applicants, including sending a link for submission upload, so any potential applicants are required to submit this form.

Electronic Submission

For all New Applicants or any Existing Pre-Qualified Partner that needs to submit sensitive information, only electronic submissions submitted will be accepted and considered. Applicants will be sent a Sharepoint link for file upload. The Applicant must electronically upload a single PDF file containing all components of the package, which may not exceed 4G. In addition to a combined PDF of the full application, New Applicants are requested to also upload Excel copies of Form 4 and Form 5A (as applicable).

If a joint venture is submitting an Application, the Application must be signed by each member of the joint venture, and a detailed description of the form of the joint venture must be included. NYCHA shall have the right to request any documents or instruments including, but not limited to, corporate resolutions, incumbency certificates, or other forms of verification for purposes of confirming that the signatory thereon is duly authorized to execute such Application on behalf of the Applicant, and the Applicant shall promptly furnish such documents or instruments to NYCHA if so requested.

6. CONDITIONS, TERMS, AND LIMITATIONS

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

1. Applications submitted shall be deemed to incorporate all the terms and conditions contained in this RFQ. Applicants will be deemed to have consented to such terms by submitting an Application in response to this RFQ.
2. The commencement of negotiations with an Applicant will depend on satisfaction of the documentation and review requirements described in this RFQ and will be subject to review by NYCHA. The continuation of negotiations with an Applicant may depend on the Applicant's provision of additional documentation as required by NYCHA.
3. An Applicant submitting an Application in response to this RFQ may be rejected if it or, if the Applicant is a business entity, any of its shareholders, officers, directors, partners, or members or Principals are determined, in NYCHA's sole discretion, to be within a category of persons or entities with whom or which the City, HDC, or NYCHA will not generally do business. The Applicant and all officers and Principals thereof will be required to complete a background questionnaire and shall be subject to investigation by NYCHA, HDC, and the New York City Department of Investigation. Any designation may be revoked in NYCHA's sole discretion in the event any derogatory information is revealed by such investigation.
4. No commission for brokerage or any other fee or compensation shall be due or payable by NYCHA, and the submission of an Application will constitute the Applicant's undertaking to indemnify and hold NYCHA harmless from and against any such claim for any such fee or compensation based upon, arising out of, or in connection with any action taken by the Applicant, the selection of the Applicant's submission and invitation to the Applicant to respond to this RFQ, or the conditional selection of an Applicant pursuant to this RFQ.
5. The Applicant will not engage in any scheme or practice that seeks to solicit, pay, or receive as payment, or to deliver to anyone, any sum or thing of value (including, without limitation, the performance of any service) that may constitute or be construed as a bribe, kick-back, or other inducement that in any manner may prejudice NYCHA's interests or compromise the duty owed by anyone to NYCHA.
6. NYCHA is not obligated to pay, nor shall NYCHA in fact pay, any costs or losses incurred by any Applicant at any time, including any costs incurred by the Applicant in connection with the Applicant's response to this RFQ.
7. The Selected Partner, and in the event that the Selected Partner is a joint venture, each member of that joint venture, jointly and severally, shall forever defend, indemnify, and hold harmless NYCHA and its directors, members, principals, servants, officers, agents, representatives, affiliates, and employees from and against any and all obligations, liabilities, claims, demands, penalties, fines, settlements, damages, costs, expenses, and judgments of whatever kind or nature, known or unknown, contingent or otherwise arising from the Project, including, without limitation, personal or bodily injury (including

death) of or to any person or persons, including, without limitation, from or related to the presence, release, storage, transportation, or disposal of hazardous materials, or any damage to property of any nature.

8. No member or employee of the Congress of the United States or the New York State or City government, shall be permitted by the Applicant to share in any part of the Project or in any benefit that may arise from the Project.
9. NYCHA, HUD or any other federal, state or local agency providing funds to NYCHA, the New York City Comptroller, the New York City Department of Investigation, and the Comptroller General of the United States shall have the right to perform an audit of the Selected Partner's finances and an audit of the books and records related to its performance under the Project, including, without limitation, the financial arrangement with anyone that the Selected Partner may delegate to discharge any part of its obligations with respect to the Project.
10. NYCHA is under no legal obligation to lease the Properties. NYCHA may use the Applications submitted pursuant to this RFQ as a basis for negotiations with Applicants as NYCHA deems appropriate. NYCHA may reject at any time any or all Applications; may amend, modify or withdraw this RFQ in whole or in part; may negotiate with one or more Applicants; and/or may negotiate and lease the Properties on terms other than those set forth herein (including to parties other than those responding to this RFQ). NYCHA may also, at any time, waive compliance with, or change any other terms and conditions of, this RFQ; entertain modifications or additions to selected Applications; or withdraw or add individual sites or parcels from or to this RFQ if in NYCHA's judgment it is in the best interests of NYCHA to do so.
11. Selection of an Applicant's Application under this RFQ for the Pre-Qualified Partner List will not create any rights on the Applicant's part, including, without limitation, rights of enforcement, equity, or reimbursement or any right to be selected for any particular Project.
12. In the event of any variance between the terms of this RFQ and the terms of NYCHA documents for any particular Project (the "NYCHA Documents"), the terms of such NYCHA Documents will govern.

All determinations as to the completeness or compliance of any Applications, or as to the eligibility or qualifications of any Applicant, will be within the sole discretion of NYCHA.

7. CONFLICTS OF INTEREST

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

Persons in the employ of the City considering submission of an Application are advised that opinions regarding the propriety of their participating in the Project may be requested from the New York City Conflict of Interests 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 consideration. It is not necessary, however, that such an opinion be obtained prior to responding to this RFQ.

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

Applicants must not have any organizational conflict of interest, which is defined as a situation in which the nature of the obligations under the NYCHA Documents or with respect to a Project, and the Applicant's organizational, financial, contractual or other interests are such that execution of the NYCHA Documents may result in an unfair competitive advantage; or, the Applicant's objectivity in performing its obligations under the NYCHA Documents or with respect to a Project may be impaired. If after an award with respect to a Project, the Applicant discovers an organizational conflict of interest with respect to the NYCHA Documents or such Project, the Applicant shall make an immediate and full disclosure in writing to NYCHA, which shall include a description of the action which the Applicant has taken or intends to take to eliminate or neutralize the conflict. NYCHA may terminate the Projects and the NYCHA Documents if it would be in the best interest of NYCHA to do so.

8. CONFIDENTIALITY

Certain information that NYCHA may furnish in connection with this RFQ may be labeled as confidential and must be treated as proprietary information of NYCHA by each recipient of this RFQ. By the Applicant's receipt of this RFQ, the Applicant agrees not to (a) disclose any part or all of such confidential information furnished to the Applicant pursuant to this RFQ to any party, including, without limitation, any law firm or any corporate or government office, except to the extent essential to the preparation of the Applications or Proposals, and to secure from any party to whom a disclosure is made under this provision a confidentiality agreement, executed prior to any such disclosure, in which the recipient agrees to keep confidential and to not disclose any such confidential information to any other party (a "Confidentiality Agreement"), and (b) use such information for any purpose other than to prepare a response to this RFQ. Such Confidentiality Agreement must name NYCHA as an intended third-party beneficiary with the right to enforce all remedies in an event of any such breach or unauthorized disclosures.

An Applicant must clearly designate in its Application those portions of the Application, if any, that the Applicant believes are trade secrets or are maintained for the regulation of commercial enterprise that, if disclosed, would cause substantial injury to the competitive position of the Applicant. To the extent the law permits (i.e., Section 89 of the New York State Public Officers Law), NYCHA will use reasonable efforts to hold the designated portions of the Applications and future responses to project solicitations in confidence. All Applications and other materials submitted to NYCHA in response to this RFQ may be disclosed in accordance with the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law ("FOIL"). The Applicant submitting an Application must designate those portions of the Application that it believes are exempt from FOIL. This characterization shall not be determinative but will be considered by NYCHA when evaluating the applicability of any exemptions in response to a FOIL request.

9. NYCHA DISCLAIMER

NYCHA does not make and specifically negates and disclaims any representations, warranties, promises, covenants, contracts or guarantees of any kind or character whatsoever, whether express or implied, oral or written, past, present or future, of, as to, concerning or with respect to the Properties including, without limitation, the following: (a) the value of the Properties; (b) the income to be derived from the Properties; (c) the nature, quality or condition of the Properties, including, without limitation, the manner, quality, state of repair or lack of repair of the Properties and the water, soil and geology thereof and any drainage from or onto the Properties; (d) the conformity of the Properties to any plans or specifications therefore; (e) the compliance of or by the Properties or their operation with any legal requirements including, without limitation, the Americans with Disabilities Act; any zoning rules, regulations, plans or resolutions; any applicable federal, state or local landmark designations; any loft board control, rent control, rent stabilization and/or any other rent regulation or requirements; any rules and regulations promulgated under or in connection with any of the foregoing; and the state of the land title whether or not same is reflected in recorded or unrecorded documents (f) the habitability, merchantability or fitness for a particular purpose of the Properties; (g) the current or future real estate tax liability, assessment or valuation of the Properties; (h) the availability or unavailability or withdrawal or revocation of any benefits or incentives conferred by any federal, state or municipal authorities; (i) the fact that all or a portion of the Properties may be located on or near a flood plain or an earthquake fault line; (j) any other matter with respect to the Properties; or (k) the accuracy of any exhibit or information provided relating to the Properties.

10. DEFINITIONS

All terms, unless defined otherwise in this RFQ, are as defined in Notice H 2019-09 PIH 2019-23 (HA) Rev 4 (September 5, 2019), as amended by HUD Notice H-2023-08 PIH-2023-19 (HA) (July 27, 2023), as amended by HUD Notice H 2025-01 PIH 2025-03 (HA) (January 16, 2025), as may further be amended by HUD (the “RAD Notice”). Terms not defined elsewhere are as follows:

Act

The United States Housing Act of 1937, as amended.

Pre-Qualified Partner List

The published list of Pre-Qualified Partners selected under this RFQ and eligible to submit Proposals for Projects. A link to the published Pre-Qualified Partner List can be found on NYCHA’s PACT website <https://www1.nyc.gov/site/nycha/about/pact/procurement.page>.

Principal

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

Project(s)

Projects include PACT or other real estate activities which may include the creation of new affordable housing and other infill development.

Rental Assistance Demonstration (RAD)

The HUD Rental Assistance Demonstration program authorized by and administered pursuant to P.L. 112-55 as amended, the RAD Notice, and such other notices and guidance issued by HUD in relation thereto, all as may be amended or superseded from time to time.

Section 18

Section 18 of the Housing Act of 1937, as amended, allows for the demolition and disposition of public housing property. HUD has promulgated regulations in 24 C.F.R. Part 970 detailing the administrative steps required for its approval of any demolition or disposition activity affecting covered public housing properties. The Section 18 regulations may be found at: [eCFR :: 24 CFR Part 970 -- Public Housing Program—Demolition or Disposition of Public Housing Projects](#).

Section 18 Notice

HUD Notice PIH 2024-40 (HA), Demolition and/or disposition of public housing property, eligibility for tenant-protection vouchers, and associated requirements, found at: [Demolition and Disposition of PIH Property and Eligibility Final \(40\)](#) (issued December 26, 2024).

Selected Partner

A Project Team comprised of Pre-Qualified Partners that are selected to undertake a Project.

11. APPLICANT FORMS

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