

## **Stapleton Site A RFP Addendum 1**

RFP Issue Date: December 18, 2020

Pre-submission Conference Date: January 5, 2021

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### **Contents of the Addendum**

- A. Questions and Answers** – Enclosed are answers to questions sent to the RFP email address and submitted through the pre-submission conference.
- B. Contact Information** – Contact information is provided for those individuals who attended the pre-submission conference and indicated their willingness to share their contact information.
- C. Preliminary Geotechnical Report** (uploaded to the website as separate file)
- D. Topographical Survey** (uploaded to the website as separate CAD file).

## A. Questions and Answers

### General

**Q1: Will you be releasing a list of attendees for the presubmission conference?**

A: Attached herewith is the list of attendees who consented to share their contact information.

**Q2: What role will the community play in the selection of the development team? If none, what happens if the Community Board rejects the selected Proposal even if it is consistent with the Community Visioning Report? Does the Community have final veto power over the project?**

A: The public, including the Community Board, does not play a role in the selection of the development team. However, HPD held a series of workshops to engage the North Shore community on the site's conditions, HPD's affordable housing programs, and to better understand community priorities for future development to inform the RFP, including the selection criteria used to select the development team. Once a development team is selected, HPD will work with the team to present the proposal at Community Board meeting(s) and further refine and finalize project details. The Community Board does not have veto power over a project.

**Q2: What are the specific eligibility requirements for the non-profit to fulfill the threshold requirement? If the non-profit is the sole entity in the ownership project, would it be required to be partner with an M/WBE?**

A: An eligible non-profit is defined in the RFP as 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). The Development Team 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. Therefore, if the sole ownership entity is an Eligible Non-Profit, the threshold requirement described on page 25 of the RFP would be satisfied.

**Q3: Will we be able to get physical access to enter the site? Is there any way to do a virtual tour we can do?**

A: No.

**Q4: Will the UDAAP need to be re-approved through the ULURP process to approve disposition?**

A: The City has already received ULURP approval for the Site, including for disposition of city-owned property pursuant to ULURP No. C060469 PPR. No further ULURP actions are anticipated. Designation of the area as an Urban Development Action Area and approval of the project as an Urban Development Action Area Project (UDAAP) by the City Planning Commission and the City Council pursuant to Article 16 of the General Municipal Law and approval of the disposition and its terms by the Mayor will be required.

**Q5: Are there any specific design elements or programmatic uses from the Visioning Workshop Series Report and Findings that HPD will give preference to?**

A: Respondents should review the report in-whole and consult the report's findings as they craft their proposal. Submissions that thoughtfully consider the goals and priorities from the report will be given competitive preference.

## **Finance**

### **Q6: Will HPD consider proposals that do not use city capital subsidy?**

A: Proposals that do not use city capital subsidy will be considered for competitive review provided the proposal satisfies the RFP threshold requirements.

### **Q7: Will prevailing wage requirements for construction of the project be required?**

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

### **Q8: Are there any AMI requirements for this project?**

A: Submission must comply with threshold requirements outlined in the RFP and comply with the applicable term sheet(s).

### **Q9: Can non-residential income be used to cross-subsidize residential component of the project?**

A: Yes.

### **Q10: What constitutes realistic assumptions for residential and non-residential rents?**

A: Rents and sale prices for residential units or other income sources must be deemed realistic and substantiated by market comparables per industry standards.

### **Q11: HPD's ELLA term sheet also requires 50% ELV/VLI units. Is this 50% of the total or 50% of those below 80% assuming income averaging?**

A: The HPD ELLA term sheet requires 50% of total project units to be ELI/VLI units.

### **Q12: HPD's ELLA term sheet says that the weighted average affordability should be 53% to 54% of AMI. Does this reflect only the units below 80% of AMI? If we propose a tier between 81% and 100% of AMI, is this tier included in the weighted average affordability calculation to be capped at 54% of AMI?**

A: The weighted average AMI of 53-54% should be inclusive of all units, both tax credit and non-tax credit units.

### **Q13: The HDC and HPD term sheets for the ELLA program appear to be inconsistent with regards to the affordability tiers. Which should we assume for our proposals?**

A: Respondents should comply with HPD's ELLA term sheets, including AMI term sheets.

## **Zoning**

### **Q14: Are we to assume we can use the entire "Sub-Area A Parcel" lot area to calculate the floor area available for the subject site?**

A: Yes.

### **Q15: How much floor area will the future school use? Will the school have enough available floor area under the zoning carve-out?**

A: The school is currently not in the 5-year capital plan and has not been designed. We anticipate the future school will not exceed the 100,000 zoning square feet exempt from floor area calculations per ZR116-22.

## **Site Conditions and CEQR**

### **Q16: Can respondents rely upon the information analyzed in the CEQR analysis completed or the rezoning?**

A: HPD and the City will evaluate what level of further analysis will need to be completed to fulfill the obligations outlined for Environmental Review on page 34 of the RFP. The Developer will furthermore be responsible for completing all environmental studies and implementing any remedial measures identified in connection with the Project.

### **Q17: The FEIS for Bay Street Corridor Rezoning contains a Phase II hazmat report. Is there any remediation work that has been completed by the City?**

A: Remediation work for the subject site has not been completed. 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 for the entire subject site. 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 OER. No such investigation or remediation plan development may proceed without the oversight of these City agencies.

### **Q18: Is there any information or studies on the soil conditions?**

A: Please see the Preliminary Geotechnical Report prepared by ARUP for EDC attached herewith. This report should be used for reference only for the purpose of responding to this RFP.

### **Q19: Are there any site surveys that HPD can make available? The geometry of the site is very complex.**

A: Please see the CAD file uploaded to the website in conjunction with this addendum. This CAD file, which has been modified by HPD to exclude other portions of the New Stapleton Waterfront, is part Preliminary Design drawings prepared by ARUP for the North Open Space + Infrastructure issued to EDC in December 2019. The parcel boundaries in this CAD file were used by HPD as a base for the "Sub-Area A Parcel" boundaries in Appendix A of the RFP. The CAD file is to be used for reference only for the purpose of responding to this RFP.

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