



THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

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MIXED-USE DEVELOPMENT OPPORTUNITY



PUBLIC PLACE SITE

GOWANUS, BROOKLYN

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Pre-Submission Conference: **July 31, 2007**

Proposal Submission Deadline: **October 11, 2007**

REQUEST FOR PROPOSALS

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I. INTRODUCTION

Pursuant to this Request for Proposals (“RFP”), the City of New York (“City”), through its Department of Housing Preservation and Development (“HPD”), is inviting developers (“Applicants”) to submit proposals for the design and construction of a high-quality mixed-use development (“Project”) on a prime parcel in Gowanus, Brooklyn. The Project must include a mix of housing types (homeownership, rental, and senior housing), ground-floor neighborhood retail/commercial, community facility space, and waterfront open space. The Project should serve as an outstanding example of high-quality, sustainable design and construction that is financially feasible and responsive to the community. To further the City’s goals of incorporating the latest green building technologies into upcoming projects and promoting design excellence, proposals must meet the HPD New Construction Sustainability Guidelines to improve energy efficiency and indoor air quality for the overall Project and the residential units. Beyond these two key areas, the guidelines include additional suggestions and requirements for site and building design, resource conservation, and construction practices, among others.

This RFP is being issued in accordance with the Mayor’s New Housing Marketplace (“Plan”), which responds to the changing housing needs of New York’s communities by committing to the new construction or rehabilitation of more than 165,000 housing units by 2013. The proposed Project serves the Plan’s critical goals of creating needed housing opportunities, maximizing affordability, making City-owned land available for private residential development, and, in turn, enhancing the City’s community revitalization efforts.

The development site (“Site” or “Public Place Site”), located in the Gowanus section of Brooklyn within Community District 6, comprises approximately 243,000 square feet. The Site corresponds with Block 471, Lots 1 and 100, which is bounded by 5th Street to the north, the Gowanus Canal to the east, a privately-owned building (Block 471, Lot 200) to the south, and Smith and Hoyt Streets to the west. Until 1959, the site was used as a manufactured gas plant, leading to significant site contamination. KeySpan Corporation is the party responsible for environmental remediation and has signed a Voluntary Cleanup Agreement with the New York State Department of Environmental Conservation (DEC). KeySpan has begun designing the remedy and the selected developer (“Developer”) must coordinate the development scenario with the site remedy. Keyspan will perform the remediation of the Carroll Gardens MGP site, including the Public Place Site to the extent practicable. However, the remediation will not remove all contamination from the parcels and the developer will be responsible for providing any necessary site improvements related to the environmental condition post-remediation, including but not limited to, sub-slab depressurization systems, importation of residential quality surface soil, etc. It is also anticipated that the developer will need to enact, working in conjunction with NYSDEC and NYC DEP, a Deed Restriction for the real property to ensure the continued operations and maintenance of engineering controls at the Site. In addition, an easement will need to be afforded to Keyspan to allow access to their recovery system and apparatus for their site management and operations obligations.

The Project envisioned for this Site will include a mix of housing types, including homeownership and rental units, and senior housing units, and community facility space. In addition, the ground floor on Smith Street should be devoted to retail/commercial or another active use and a significant portion of the site should be dedicated to open space. City agencies, elected officials, and other representatives from the community and local organizations helped to formulate the development program and design guidelines for the Site. Community participation will continue throughout the Project’s development through a task force (the “Public Place Task Force” or “Task Force”) appointed by the Deputy Mayor of Economic Development (see Appendix F for a list of members).

City, State, and/or Federal subsidies may be available to enhance housing affordability. Applicants are responsible for securing all necessary construction and permanent sources of financing. A minimum of 50% of all homeownership and rental units, not including the senior housing units, must be affordable to households earning a maximum of 130% of the Area Median Income (“AMI”), as adjusted for household size; a minimum of 20% must be affordable to households earning a maximum of 80%

I. INTRODUCTION

of AMI. In addition, all senior housing units must be affordable to individuals earning no more than 60% of AMI. Development proposals ("Proposals") that provide the greatest affordability to a range of incomes using the least amount of subsidy will be given preference.

All Applicants must adhere to the requirements of this RFP. Applicants are responsible for assembling a development team that includes members with expertise in affordable housing development ("Developer" or "Development Team") and for undertaking the design, construction, marketing, and management of the residential units and retail/commercial and community facility space. HPD will select one Developer/Development Team for the entire project based on an evaluation of professional qualifications, feasibility of the Proposal, experience in development of large mixed-use projects, affordability of residential units, and quality of design and construction.

This RFP does not represent any obligation or agreement whatsoever on the part of the City. Any obligation or agreement on the part of the City may only be incurred after the City enters into a written agreement approved by the Mayor and Corporation Counsel.

A pre-submission conference will be held on July 31, 2007 at 2:00 pm at HPD, 100 Gold Street, Third Floor Law Library New York, New York 10038. Every Applicant wishing to submit a Proposal in response to this RFP is encouraged to attend. Proposals are due by hand on October 11, 2007, no later than 4:00 p.m.

II. DEFINITIONS

Applicant

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

Public Place Task Force

The community stakeholders were selected to refine and guide implementation of the Site program. Deputy Mayor Daniel L. Doctoroff announced the Public Place Task Force on May 31, 2007.

Developer

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

Development Proposal or Proposal

A proposal submitted by an Applicant in response to this RFP for the development of housing, retail/commercial space, community facility space, open space, accessory parking, and other uses envisioned for the Development Site.

Development Site or Site or Public Place Site

The property being offered for development under this RFP, shown in **Appendix A (Maps)**.

Development Team

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

Principal

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

Project

The development of housing, retail/commercial space, community facility space, open space, and accessory parking envisioned for the Development Site.

Subordinated Debt

The amount equal to the sum of:

1. the difference between the cash paid at closing and the appraised value of the Development Site; and
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 any; and
3. any additional value as reflected by the difference between the home sales price and the as-built market value of the Site and improvements.

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. BACKGROUND INFORMATION

The following section provides information intended to inform Applicants to this RFP about the Development Site, its history, and character of the surrounding neighborhood.

A. Development Site

The Development Site corresponds with Block 471, Lots 1 and 100 and is bounded by 5th Street to the north, the Gowanus Canal to the east, a privately-owned building (Block 471, Lot 200) to the south, and Smith and Hoyt Streets to the west. The site comprises approximately 243,000 square feet, or 5.8 acres. **Appendix A (Maps)** includes an area map with the general location of the Site.

A one-story brick warehouse occupies Lot 200 (approximately 165,000 square feet) which bounds the southern edge of the Development Site. The parcel was also formerly part of the manufactured gas plant site, and thus is also subject to the Voluntary Cleanup Agreement signed by KeySpan and will be remediated to the same standards as the Public Place site.

B. Neighborhood Context

Zoning

The Site, currently zoned M3-1, must be rezoned to permit the development of residential, commercial, and community facility uses. This rezoning will be done concurrently with the disposition ULURP. See **Section IV.D. (Zoning/Rezoning)** for more detailed information and approvals required.

Zoning districts adjacent to the Site include M1-1 north of 4th Avenue and R6 west of Smith Street. Please see **Appendix A (Maps)** for a zoning map of the area.

Land Use

The Public Place site is located adjacent to the Gowanus Canal near the center of Brooklyn Community District 6. The site is part of the Gowanus Canal corridor, situated between the Carroll Gardens neighborhood to the west and Park Slope to the east of the Canal. These neighborhoods are strong, stable residential communities consisting of a mix of townhouses, mid-rise apartment buildings, local retail, and community facilities. The area is experiencing a period of significant investment in housing. Rising property values and housing costs, however, have become a concern for long-term community residents, who are eager to increase the supply of affordable housing in the neighborhood.

In the 19th century, the Gowanus Canal was constructed as an industrial waterway from what was the Gowanus Creek, a natural water body. Through the first half of the 20th century, the Canal was the center of much industrial activity with barges transporting the lumber and brownstone used to construct the residential neighborhoods of Brooklyn. Other uses along the canal included fuel shipping and storage, and manufacturing and storage of construction materials. In recent years, many of these uses persist along the Canal, but have been joined by several vacant and underutilized sites. The Department of City Planning has undertaken a study of the Gowanus Canal corridor in order to establish a framework for guiding future changes in land use in the area.

Adjacent to the Site and in the surrounding area are a mix of residential, commercial and light industrial uses. To the north, along Smith Street, is a retail corridor comprising eclectic local shops and restaurants. Adjacent to the Site along 5th and 4th Streets are a mix of light industrial uses, including bakeries, artists' spaces, and a truck leasing facility. West of Smith Street are stable, intact, residential blocks of Carroll Gardens.

C. Neighborhood and Site Access

The Site, located approximately 1.5 miles from Brooklyn's Downtown Business District, is adjacent to the Gowanus Canal and the Carroll Gardens neighborhood. The area has a street system that serves the local traffic of the neighborhood. The elevated Brooklyn-Queens Expressway (BQE) and the Gowanus Expressway, south and west of the site, are part of a comprehensive highway network connecting the various bridges and tunnels to Manhattan and Queens, with the Brooklyn Battery

Tunnel nearby.

Subway access to the Site is in easy proximity. The nearest station is the Smith and 9th Street stop on the F and G lines, approximately 1/5 of a mile, or 4 blocks, from the Site. The B75 bus runs along Smith Street, connecting the area with Downtown Brooklyn. The Downtown area is served by ten Subway lines, providing linkages to the entire city. See **Appendix A (Maps)** for a map of neighborhood access/public transportation.

D. Community Visioning Sessions

In the spring of 2007, HPD, in conjunction with Community Board 6, hosted a series of community visioning sessions in order to identify community priorities for the redevelopment of the Public Place Site. The sessions were very successful, capitalizing on the talents and energies of stakeholders to create and support a feasible redevelopment plan. Community residents, local business and community-based organization leaders, elected officials, and staff from HPD and other City agencies participated.



Community visioning session for the redevelopment of the Public Place Site, May 2007

The sessions resulted in a set of planning principles, including a mix of land uses and urban design goals, for the Site. The development program called for affordable and market-rate housing, senior housing, local retail/commercial space, community facility space, open space, and accessory parking.

Following are the planning principles that emerged from the visioning sessions:

- The site should contain a variety of uses including housing, open space, retail/commercial space, and some form of community facility such as a boathouse, youth center, or community space.
- Uses and building bulk should be sited in a way that is responsive and sensitive to existing adjacent uses and site topography. There should be a mix of building heights and maximum building height cannot exceed 12 stories.
- Housing should include homeownership, rental, and senior housing.
- The design should incorporate a significant amount of open space adjacent to the Canal, allowing public access to the waterfront.
- The existing street grid should be extended into the site.
- The streetscape should be enhanced through landscaping, better lighting, and an architecturally interesting ground floor.
- To avoid the creation of an “island,” the design should complement its surroundings, and amenities should serve the whole community.
- Parking should not be exposed.

In summary, the site plan should address the community’s need for housing, public spaces, and commercial spaces that are reflective of adjacent uses, while integrating the site with the surrounding neighborhood and enlivening the streets around it.

E. Public Place Task Force

The refinement and implementation of the mix of uses and urban design goals recommended by workshop participants will continue to be informed by the Public Place Task Force announced by Deputy Mayor Daniel L. Doctoroff on May 31, 2007. The Task Force includes elected officials, representatives from local civic associations, community-based leaders, and community residents, with guidance from HPD and other City agencies. Task Force members participated in the visioning sessions and represent various community interests.

Many of the program and design guidelines in **Section IV (Program Description, Requirements, and Guidelines)** were formulated from the recommendations of the community planning process. The Task Force members will continue to inform the development of the Site by providing feedback on the top three Proposals selected by HPD.

F. Green and Sustainable Design

Applicants are required to incorporate high performance building concepts and technologies in order to enhance overall design and construction, while simultaneously making the building environmentally responsible.

As such, Proposals must meet the HPD New Construction Sustainability Guidelines to improve energy efficiency and indoor air quality for the overall Project and the residential units. Beyond these two key areas, the guidelines include additional suggestions and requirements for site and building design, resource conservation, and construction practices, among others. Because of the waterfront nature of the Site, special attention should be paid to the sustainability guidelines that pertain to reducing storm water run-off. The **HPD New Construction Sustainability Guidelines** are included in **Appendix I**.

IV. PROGRAM DESCRIPTION, REQUIREMENTS, AND GUIDELINES

Proposal submissions must conform to the following requirements and guidelines:

A. Property Use

In accordance with the recommendations that emerged from the community planning process, the Site must be developed as a mixed-use Project including residential, retail/commercial, community facility, and waterfront open space.

B. Development Program

Residential Component

Proposals that provide the greatest percentage of affordable units to a range of incomes using the least amount of subsidy will be given preference. Affordable units must comply with the terms of any subsidy programs that are utilized, however preference will be given to Proposals that extend the term of affordability beyond the minimum requirement.

1. Homeownership and Rental

The homeownership and rental components must include units that provide opportunities for affordable and market-rate homeownership and tenancy. A minimum of 50% of all homeownership and rental units, not including the senior housing units, must be sold or rented to and affordable to households earning a maximum of 130% of Area Median Income (AMI), as adjusted for household size; a minimum of 20% must be sold or rented to and affordable to households earning a maximum of 80% of AMI. Additional units should be affordable to a mix of income levels at multiple tiers.

Building types should include multi-family condominium and/or cooperative apartments in addition to multi-family rental. Various unit types should be provided in order to accommodate various household sizes, with the majority of units including two (2) or more bedrooms. In a mixed-income building, affordable units must be dispersed with market-rate units without differentiation in size and location. **Because of environmental constraints on the Site, single, two, and three- family homes are not permitted. However, townhouse-style buildings that contain multi-family residences can be included in the design.**

2. Senior Housing

The senior housing component should include approximately 100 units. Units must be rented and affordable to households with a maximum of 60% of AMI for all units.

Open Space

The development must incorporate a significant amount of landscaped open space. Open space should be adjacent to the Gowanus Canal and be designed to allow for and encourage public use. The Developer is responsible for funding the construction and maintenance of the open space, including a waterfront esplanade. Preference will be given to designs that maximize open space.

Retail/Commercial Component

Neighborhood retail/commercial space or another active use must be provided and located on the ground floor along Smith Street. Additional active ground-floor uses may be located elsewhere within the development. Possible uses suggested by the Task Force during the planning process include a grocery store, local retail, and/or food and beverage establishments.

Community Facility Component

The Project must include a community facility component that will add to and enhance the current inventory of community and cultural uses and spaces available in the neighborhood. Preference will be given to Projects that include any of the following uses, as recommended by the Task Force: a boathouse,

youth/teen center, community space, or artist studios and/or galleries.

The Developer must finish the community facility space to a level approved by HPD, which will be specified in negotiations between HPD and the Developer ("Negotiation Letter"). The capital cost, as well as the costs of utilities, maintenance, and programming, are expected to be provided by the Development Team and/or recovered from the Project. Ownership of the space may be transferred to the operator(s) of the community facility upon completion of the Project. Alternatively, if the Developer or other entity retains ownership of the community facility and leases it, the use of the space as community facility must be guaranteed in perpetuity, and the rents charged to the operator(s) of the community facility must be "break even."

Parking

Parking for all uses must comply with the New York City Zoning Resolution requirements. The existing slope of the Site should be utilized to enable below-grade parking.

Infrastructure

The Developer is responsible for funding the construction of new roads and placement of utilities within the Site.

C. Design Guidelines

Proposals must conform to the design guidelines outlined in Appendix B (HPD Design Guidelines for New Construction), as well as the current New York City Zoning Resolution and Building Code, and all other applicable laws and regulations.

Applicants should take into consideration the recommendations that emerged from the community planning process, but have flexibility in proposing a unique Project that complements the surrounding neighborhood context, appropriately locates each use, and attempts to incorporate design elements reminiscent of the surrounding communities. Applicants should also take into consideration the goals and principles identified during the Department of City Planning's outreach process for the Gowanus Canal Corridor Framework.

There should be a mix of building heights, and maximum building height cannot exceed 12 stories. The Development Plan should take into consideration the topography of the Site and heights of nearby structures, including the elevated subway viaduct (100') and nearby buildings, in locating buildings and considering various heights. The street wall must be maintained along Smith Street, populated with active uses.

The Development Plan should reincorporate the street grid into the Site, maximizing connectivity with existing streets, providing vehicular, pedestrian, and visual access to and through the Development, and to the open space. Special consideration should be given to providing access from the north and west of the Site. Off-street parking should be located in a way that minimizes adverse effects on the pedestrian environment.

The treatment along street frontages should be responsive to the adjacent uses and uses on the opposite side of the streets. Development along Smith Street should provide for continuity of the retail uses further north on the street. The 5th Street frontage should be designed in a way that is sensitive to the existing active industrial uses on its north side.

The site plan should include publicly-accessible open space along the edge of the canal. This space should take advantage of the Site's location and views, and be clearly accessible from the streets and sidewalks extending into the Site. Preference will be given to designs that maximize open space.

D. Zoning/Rezoning

Proposals for the Site must comply with the New York City Zoning Resolution. The Site is currently zoned M3-1; therefore, a zoning change is required for the development of a mixed-

use Project. The zoning change requires approval under ULURP, which will be done concurrently with the ULURP approval for disposition. HPD will be the applicant for this approval, with assistance from the Developer in preparing supporting documentation. In proposing a zoning envelope, Applicants should bear in mind the 12-story height restriction.

E. Land Use and Environmental Issues and Approvals

Uniform Land Use Review Procedure

Land use actions requiring approval under ULURP for development of the Site include disposition of City-owned property, a Zoning Map change, and a City Map change to remove the "Public Place" designation. If the Developer elects to apply to the City Planning Commission for a Special Permit to do Large-Scale Development, this will require an additional ULURP action. HPD will be the applicant for this approval, with assistance from the Developer in preparing supporting documentation. This Project will also require City Council and Mayoral approval.

Applicants should be advised that their development timelines should take into account the period required for the ULURP application to be certified and approved. HPD design approval and ULURP (including certification) may take at least one (1) year from commencement. In addition, the Developer may be required to alter the design Proposal before and during the ULURP process to comply with any request for modifications.

Environmental

1. Environmental Site Conditions

The Site is part of the former Citizen's Gas Works Manufactured Gas Plant (MGP) site. KeySpan Corporation, under a Voluntary Clean-up Agreement with the New York State Department of Environmental Conservation (NYS DEC), has performed a Site Characterization and provided a Remedial Alternatives Analysis (RAA). KeySpan is currently proceeding with the Remedial Design Investigation, which is anticipated to be complete in the Spring of 2008. The City of New York, through the Mayor's Office of Environmental Coordination, has been working with the NYS DEC and KeySpan Corporation on the remediation effort. Remediation of the Site is anticipated to commence in the Summer of 2008 and take approximately 2 years to complete. Applicants are directed to KeySpan Corporation's March 23, 2007 Remedial Alternatives Analysis, attached to this RFP as Appendix C. The Development Site is referred to as Parcels I and II of the RAA. Disposition of the Site to the Developer cannot occur until remediation is complete.

2. Groundwater

Information regarding depth to groundwater at the Site is available in the RAA, which has been attached for reference and use (See Appendix C). Based on the contaminant conditions, dewatering operations may be either cost prohibitive or restricted; the Applicant's engineer(s) shall determine the feasibility and appropriateness of constructing basements and/or underground parking on the Site.

3. Coastal Zone Management Area

The Site is located within the boundaries of a Coastal Zone Management Area. Therefore, the Developer will have to comply with all necessary requirements resulting from this designation, including, but not limited to Waterfront Revitalization Program Consistency Review.

4. FEMA Flood Plain

The Site is located within the boundaries of the Federal Emergency Management Agencies (FEMA) flood plain, Zone X and Zone AE, preliminary Flood Insurance Rate Map (FIRM) panel 0211_6000_B. The Developer will have to comply with all necessary requirements resulting from this designation, including, but not limited to, compliance with the NYC Building Code requirements for development within a flood plain.

5. Additional Environmental Reviews and Remediation

The Developer will be responsible for preparing an Environmental Assessment, and if warranted, and Environmental Impact Statement pursuant to the City Environmental Quality Review (CEQR) requirements. HPD, as lead agency, will oversee the preparation and review of these assessments, however, the Developer will be responsible for providing all information and paying the entire cost of the studies and analyses required for completion of these assessments. Completion of environmental studies is required prior to the disposition of the Site to the Developer. The Developer will be solely responsible for any additional environmental remediation on the Site, if required.

HPD does not make any representation or warranty whatsoever regarding the condition of the property or the suitability of the property for the uses contemplated by this RFP. The Developer will be solely responsible for providing engineering and institutional controls to allow for the re-use of the Site. The controls are anticipated to include appropriate cap including clean "residential quality" soil, pavements, and foundation(s). The foundation elements are expected to include an active sub slab depressurization system and appropriate vapor barrier sealed at penetrations. This work shall be certified by a Professional Engineer and be documented in a Site Management and Engineering Plan, as appropriate. The Developer will be responsible for negotiating the development and financing of these plans with KeySpan Corporation to ensure they reflect the needs of both entities.

F. Obligations of the Selected Developer

The Developer will be required to perform the following:

1. Assemble a Development Team including a lead architect, contractor, marketing agent, and other relevant partners. The Development Team will design, construct, and sell and/or lease the completed units.
2. Coordinate with KeySpan and DEC to ensure that the Development Proposal corresponds with the remediation plan being developed in accordance with the Voluntary Cleanup Agreement, or a Brownfield Cleanup Program Agreement, if applicable.
3. Prepare a complete set of schematic site plans, floor plans, elevations, and cost estimates that include any modifications to the original plans included in the Proposal in response to this RFP, as agreed upon by HPD and the Developer, and submit them to HPD for review and approval within two (2) months of issuance of the Negotiation Letter.
4. Prepare a complete set of final site plans, floor plans, elevations, samples of exterior building materials, and detailed specifications, and submit them to HPD for review and approval prior to disposition.
5. Assist HPD in the preparation of the ULURP application, obtain all necessary approvals under ULURP, and participate in all required public forums, hearings, and briefings with the Community Board, elected officials, City agencies, and other organizations.
6. Provide an equity contribution and any guarantees as required by the construction lender, secure construction financing, and meet any other terms and conditions required by HPD and construction lenders.
7. Pay all transfer taxes associated with the conveyance of the Site to the Developer, and all transfer and recording taxes associated with the project financing.
8. Subdivide the Site for the residential, retail/commercial, and community facility spaces, if applicable.
9. Take affirmative steps to include local-, minority- and woman-owned business enterprises when issuing solicitations from subcontractors. The Developer must, in all solicitations or advertisements for bids for subcontractors placed by or on behalf of the developer, state that all qualified applicants will receive consideration for subcontracts without regard to race, color, religion, sex, national origin, disability, age, handicap, marital status, or military service.

10. Arrange for timely commencement and completion of the Project. Developers will be held accountable for the schedules outlined in their Proposals and agreed upon with HPD.
11. Market the residential units in accordance with City requirements and policy as stated in Appendix D (HPD Marketing Guidelines).
12. Submit ongoing status reports to HPD regarding Project development, financing, marketing, leasing, and management.

G. Disposition and Disposition Price

Disposition of the Development Site to the Developer will be subject to the following:

1. The 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 City Council and Mayor.
2. Following City Council approval of the Project and Mayoral approval of the disposition, the selected Developer must execute, acknowledge, and deliver the documents necessary to complete the disposition process within a time period specified by HPD. These documents include, but are not limited to, a Land Disposition Agreement ("LDA"), as required.
3. 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 in accordance with plans and specifications determined and approved by HPD.
4. The simultaneous closing of a bona fide construction loan required to finance the full development of such Site.
5. Proposals that include a competitive purchase price will be given preference.

H. Financing

It is the responsibility of the Developer to obtain construction and permanent financing from lenders in amounts consistent with the Proposal. Developers may use different lenders for construction and permanent financing. The amount of the Developer's equity will be determined by the lender(s). The Developer will be required to submit a term sheet and letter of intent from a lender for construction financing of the Project within six (6) months of selection.

Financing for the development may be available through the New York State Brownfield Cleanup Program (BCP). BCP offers three tax credits available for taxpayers who remediate a site under the Brownfield Cleanup Program: The Brownfield Redevelopment Credit, Remediated Brownfield Credit for Real Property Taxes, and the Environmental Remediation Insurance Credit. The current Brownfield Redevelopment Credit is at least a 10% refundable credit on qualified costs that include site preparation, tangible property, and on-site groundwater costs. The Remediated Brownfield Credit for Real Property Taxes is a credit on "eligible real property taxes" (see section 22(b)(4) of the Tax Law) based on the number of persons employed by the taxpayer on a qualified site. The Environmental Remediation Insurance Credit is a credit for premiums paid for Environmental Remediation Insurance up to the lesser of \$30,000 or 50% of the cost of the premiums. For further information on the Brownfield Cleanup Program, please contact the New York State Department of Environmental Conservation and the New York State Department of Taxation and Finance. Respondents should include any assumed BCP tax credits in their financing proposals, as well as a fallback scenario in case BCP tax credits are unavailable. It is the responsibility of the Developer to apply for and meet the requirements of the specific tax benefit program(s). HPD makes no representations or warranties as to the continued availability of these benefits or as to the Development's eligibility to receive these benefits.

If feasible and if the Project meets applicable programmatic guidelines, the following funds from City, State, and Federal sources may be available to subsidize construction and enhance overall project

affordability for the affordable senior citizen housing, homeownership, rental, retail/ commercial, and community facility components:

- HPD New Construction Participation Loan Program (PLP) and Mixed Income Rental Program (MIRP)
- New York City Housing Development Corporation (HDC) New Housing Opportunities (New HOP), Low-Income Affordable Market-Place Program (LAMP), Mixed-Income, and Cooperative Programs
- New York State Affordable Housing Corporation (AHC)
- Department of Housing and Urban Development Section 202 Program/ Supportive Housing for the Elderly Program

Total cash subsidy from HPD or HDC, if any, must comply with the parameters and caps of any program utilized. Developers may apply for HPD or DHCR Low Income Housing Tax Credits or other DHCR funding programs. Developers may propose additional subsidy sources. While subsidy may be used, Proposals will be evaluated based on the efficiency of proposed financing plans. Proposals that maximize affordability while minimizing subsidy will be given preference. Proposals that include competitive financing sources should include "as-of-right" fallback scenarios.

I. Real Property Taxes and Charges

The Site is subject to New York City Real Property Taxes and charges. However, the tax exemptions described below may be available. Applicants should indicate which tax exemption program(s), if any, they plan to utilize. It is the responsibility of the Developer to apply for and meet the requirements of the specific tax benefit program(s). HPD makes no representations or warranties as to the continued availability of these benefits or as to the Development's eligibility to receive these benefits.

The Residential Component of the Project may be eligible for an Urban Development Action Area Program ("UDAAP") tax exemption, a 421-a partial tax exemption, or 420-c tax exemption. For details of each program, it is necessary to consult the relevant statute and rules. Respondents should indicate which tax exemption program(s), if any, they plan to utilize. It is the responsibility of the Developer to apply for and meet the requirements of the specific tax benefit program(s). HPD makes no representations or warranties as to the continued availability of these benefits or as to the Development's eligibility to receive these benefits.

The 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 Tax on the buildings/improvements for up to twenty (20) years. If the Council grants the full 20-year exemption, the Project would be fully exempt from the New York City Real Property Tax 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 Tax on the land must be paid each year.

The 421-a partial tax exemption for new multi-family buildings provides an exemption from the New York City Real Property Tax on the increase in assessed valuation resulting from the improvement to the property. The 421-a partial tax exemption allows up to 3 years of construction period exemption, and up to twenty-five (25) years of post-construction exemption, including a gradual phase-in of full taxes over the last four (4) years of the exemption. Projects may include the concurrent conversion, alteration or improvement of a pre-existing building provided that no more than 49% of the floor area of the completed multiple dwelling consists of the pre-existing building. This Project will fall into the new Geographic Exclusion Area ("GEA"). Projects in the new GEA effective July 1, 2007 must receive substantial governmental assistance pursuant to a program for the development of affordable housing, or must be certified by HPD as having at least 20% of their units affordable to low- and moderate-income households, or must have purchased negotiable certificates for projects which had entered into a written agreement with HPD prior to July 1, 2007 to provide units offsite affordable to low- and moderate-income households. The full amount of New York City Real Property Tax on the assessed valuation of the property in the tax year preceding the tax year in which construction commences must be paid each year. In addition, New York City Real Property Tax must also be paid for the portion of any commercial, community facility, or accessory uses that in total exceed 12% of the aggregate floor area of the Project. The State Legislature is currently renewing and amending the 421-a legislation and respondents are encouraged to examine the final legislation.

The 420-c tax exemption provides an exemption from New York City Real Property Tax for up to sixty (60) years for housing financed in part with Federal Low Income Housing Tax Credits. Projects must be owned or leased for at least thirty (30) years by a corporation, partnership, or limited liability company, of which at least fifty percent (50%) of the controlling interest is held by a charitable organization with 501(c)(3) or (4) tax exempt status whose purposes include low income housing, or a wholly-owned and wholly-controlled subsidiary of such a charitable organization. HPD must approve a regulatory agreement that requires use as low-income housing and that may require a payment in lieu of taxes.

Community Facility

The 420-a tax exemption program provides a full exemption from New York City Real Property Taxes for certain property owned by eligible not-for-profit institutions. If the community facility is the only portion of the Project that will receive a 420-a tax exemption, it must be in a separately assessed tax lot from the rest of the Project.

J. Marketing, Sales, and Leasing

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

The sales and rent prices of the units projected in the Proposal are to be determined by the Developer in accordance with HPD and the requirements outlined in **Section IV.B. (Development Program)**. Please refer to **Section VII.C. Tab H (Financing Proposal)** for the procedure to calculate affordability of proposed sales and rent prices.

K. Rent Stabilization

Initial rents for the affordable rental units must reflect the Rent and Affordability Calculations described in **Exhibit H (Financing Proposal)**. All affordable rental units and market rental units (if dictated by financing source or tax exemption), including the senior housing units, must be entered into the New York State Rent Stabilization system upon initial occupancy following completion of the Project.

L. Fair Housing Requirements

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

M. Warranty Coverage

Units must be sold with warranty coverage as required by HPD and that complies with Section 777 of the New York State General Business Law.

N. Resale, Refinancing, and Recapture Restriction

Homeownership Component

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

The Subordinated City Debt will be converted into an obligation on purchasers who acquire the units. The Subordinated City Debt is apportioned pro rata to each unit and may be unsecured at the time of sale based on the unit's post-construction appraised value. In most cases, units sold at full market

value will not have any Subordinated Debt attributable to them. Purchasers repay the Subordinated Debt attributable to their units by delivering a note and mortgage and/or conditional grant agreement to the City. The sum evidenced by the note and secured by the mortgage remains constant for the first five (5) years of a fifteen (15) year period and declines by one tenth (1/10) in years six (6) through fifteen (15), but will be forgiven after the fifteenth (15th) year of owner occupancy.

Upon resale or refinancing, initial purchasers and subsequent owners are required to make payments to the City out of resale profits and refinancing proceeds, where applicable. During years one (1) to five (5), 100% of the resale or refinancing profits from the sale of the unit must be paid up to the amount of outstanding Subordinated City Debt. During years six (6) through fifteen (15), 50% of the resale or refinancing profits, with a decline of one tenth (1/10) per year, must be paid up to the amount of the outstanding Subordinated Debt, but will be forgiven after the fifteenth (15th) year of owner occupancy. The use and recapture of any State and Federal funds will be guided by the specific guidelines for such funding source.

Rental, Retail/Commercial, and Community Facility Components

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

O. Equal Opportunity

Agreements resulting from this RFP will be subject to the provisions of Executive Order 50 and its implementing regulations, as stated in **Appendix E (Equal Opportunity)**. A representative from the Development Team will be required to attend a class administered by HPD outlining the requirements of Executive Order 50 and to submit EO forms provided by HPD verifying compliance with its provisions.

V. REQUEST FOR PROPOSALS PROCESS

The RFP process includes the following stages:

A. Submission

On or before the submission deadline, the Applicant must submit a Development Proposal in accordance with the instructions and attachments contained in this RFP, as well as any addenda to the RFP that may be issued.

Submission of a Proposal shall be deemed permission by the Applicant for HPD to make inquiries concerning the Applicant. Proposals that are not complete or do not conform with the requirements of this RFP will be eliminated from further consideration. Applicants should follow the submission requirements listed in **Section VII (Submission Requirements)**.

After submission, HPD will not accept additions or changes to the Proposals. Upon review, however, HPD, at its discretion, may notify an Applicant that additional information or clarification is necessary. Applicants must comply with all requests for information and, if requested by HPD, appear for discussion.

HPD, in its sole discretion, may amend or withdraw this RFP at any time. In order to be considered, Proposals must conform to any amendments issued to this RFP.

B. Selection

Proposals and Applicants will be evaluated according to the criteria detailed in **Section VI (Developer Selection Process)**. Proposals that meet all threshold requirements, based on HPD's sole judgment and discretion, will be comprehensively evaluated, rated, and ranked according to the **Competitive Selection Criteria** in **Section VI.B**. HPD may request additional information, site visits, interviews, or other presentations by the Applicants. HPD may disapprove the inclusion of any member of the Applicant's Development Team and/or require the selected Applicant to substitute other individuals or firms.

Selection of a Developer for the Site under this RFP will mean only that HPD will commence negotiations with such Developer regarding the development of the Site. Upon such selection, HPD will send a letter to the Developer regarding the commencement of such negotiations ("Negotiation Letter"). This letter will set forth certain information regarding the Project, development program, and procedures that will form the basis of such negotiation. **Exhibit A** contains an **Applicant's Letter** that describes this process. Each Proposal must include this letter signed by an authorized representative of the Applicant. HPD reserves the right to terminate negotiations with or without cause after the issuance of such Negotiation Letter.

The Negotiation Letter will include a development schedule setting out the major actions and timeframes necessary to accomplish the Development. Failure of the Developer to follow the development schedule may result in the termination of negotiations and the selection of another Developer.

The Developer who receives a Negotiation Letter from HPD must thereafter disclose all previous participation with City-assisted projects. Such entity and all Principals thereof will each be required to submit the appropriate disclosure forms. Upon request at any time, HPD will provide a copy of the disclosure forms to any Applicant.

VI. DEVELOPER SELECTION PROCESS

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

Proposals that meet all Threshold Requirements will be comprehensively evaluated, rated, and ranked according to the competitive selection criteria (“Competitive Selection Criteria”) below. Proposals of the top three Development Teams will be presented to the Public Place Task Force. Finalists will be provided with further information regarding this process if necessary. HPD may request additional information, site visits, interviews, or presentations. The selected Applicant will be chosen from among the highest rated and ranked Proposals.

A. Threshold Requirements

1. Completeness of Proposal

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

2. Comparable Development Experience

At least one Principal of the Applicant must have had prior development experience, as Principal, by successfully completing new construction of at least one (1) project of comparable size and scope to the one proposed in this RFP. “Development Experience” is defined as the successful completion of the construction of at least one (1) mixed-use project within the past ten (10) years. HPD will only consider similar projects completed in a location comparable to the Development Site.

3. Comparable Management Experience

At least one Principal of the Applicant or the proposed managing agent must have comparable rental management experience. “Comparable Management Experience” is defined as the successful management of at least one hundred (100) residential units in New York City within the past ten (10) years. The Principal must have been the owner and manager, or the owner acting through a management entity, to fulfill this qualification. No changes in managing agent may be made without HPD prior approval. Previous work with HPD and contracts with other agencies will be considered.

4. Green and Sustainable Design

Proposals must meet all required elements included in the **HPD New Construction Sustainability Guidelines (Exhibit I)**.

5. Development Capacity and Current Workload

Applicants must be capable of beginning construction no later than eighteen (18) months from the date of the Negotiation Letter. An Applicant’s current workload and other pending project obligations will be considered in assessing capacity for undertaking the Development Project proposed by the Applicant within HPD’s proposed timeframe prescribed for the Project.

6. Development Compliance

Proposed Development Projects must meet all minimum requirements outlined in **Section IV (Program Description, Requirements, and Guidelines)**.

7. Ability to Finance

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

8. Affordability

A minimum of 50% of all homeownership and rental units, not including the senior housing units, must be affordable to and rented to households earning a maximum of 130% of AMI, as adjusted for household size; a minimum of 20% must be affordable to households earning a maximum of 80% of AMI. Additional units should be affordable to a mix of income levels at multiple tiers.

In addition, all senior units must have rents affordable to households with a maximum of 60% of AMI.

9. Feasibility of Development Proposal

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

10. No Adverse Findings

An Applicant's Proposal will be rejected at any time during the evaluation process and thereafter if there are any adverse findings that would prevent the City from conveying the Site to the Applicant or any person or entity associated with the Applicant. Such adverse findings include, but are not limited to: 1) arson conviction or pending case; 2) harassment conviction or pending case; 3) City, State, Federal, or private mortgage foreclosure proceedings or arrears; 4) in rem foreclosure or substantial tax arrears; 5) defaults under any City-sponsored program; 6) de-designation as developer of any government sponsored or publicly assisted project; 7) a record of substantial Building Code violations or litigation against properties owned by the Applicant or by any entity or individual that comprises the Applicant; or 8) conviction for fraud, bribery, or grand larceny.

B. Competitive Selection Criteria

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

1. Affordability and Least Subsidy

Weight: 30%

Proposals that maximize the percentage of affordable units with the least amount of subsidy will be given preference. In addition, greater consideration will be given to Proposals that provide a greater mix of income levels at multiple tiers separated by at least 10%.

2. Quality of Design Proposal

Weight: 25%

Overall quality of design and construction will be given significant consideration. HPD will evaluate each architectural proposal to determine the Project's positive impact on the community and responsiveness to the neighborhood context. Site planning, building arrangement and planning, street wall elevations, massing, interior layouts, building materials, amenities, streetscape treatment, and sustainability will be considered. Structures should complement and elevate the level of urban design in the neighborhood, and include architectural features that evoke appealing New York City

residential environments. Special care should be taken to employ texture, materiality, fenestration, and other architectural tools to create a variety of scales within the overall massing of the Project, providing both horizontal and vertical relief, and an appropriate relationship to the surrounding buildings. Street trees, lighting, and other streetscape features should be provided around the Development Site. Applicants are encouraged to use new materials and techniques, diversity of architectural styles, and innovative site planning.

While **Section IV.C. (Design Guidelines) and Appendix B (HPD Design Guidelines for New Construction)** represent minimum design guidelines and construction requirements, Applicants are strongly encouraged to exceed those minimum standards to provide the best quality Project possible. All Proposals will be judged on adherence to applicable codes, and the requirements and guidelines in the above-mentioned sections.

3. Development Experience, Management, and Capacity **Weight: 20%**

Previous development experience will be evaluated as it reflects the Applicant's demonstrated ability to successfully carry out a quality project of this type, size, and complexity in a timely manner. Among the factors that will be considered are: 1) quality of construction and design in projects completed or currently being built by the Applicant and/or its Principals; 2) extent of the Applicant's experience, in terms of number, size, type, and scale of projects completed within the last seven (7) years; 3) history of delivering quality projects on time and within budget; and 4) the absence of purchaser and/or tenant complaints. The Applicant's current workload and other pending project obligations will be considered in assessing capacity for undertaking the Project proposed by the Applicant within the timeframe prescribed for development.

The Applicant's previous experience in managing rental housing, either directly or through a managing agent, and the experience of any managing agent proposing to manage the rental component of the Project, will be evaluated as an indicator of the Applicant's ability to operate and maintain the property to the satisfaction of the tenants, in a financially sustainable manner, and in compliance with all applicable laws. Among the factors that will be considered are: 1) the number of buildings and units currently managed by the Applicant, and those managed by the Applicant over the past ten (10) years; 2) the quality of maintenance provided by the Applicant; 3) the effectiveness of tenant relations, measured in part by the number and types of tenant complaints made in regard to property managed by the Applicant; and 4) experience in rent-up and management of rental housing for low-income persons, including track record of compliance with eligibility, record-keeping, and reporting requirements of subsidy programs for such tenants.

4. Competitive Purchase Price **Weight: 10%**

Proposals that include a competitive purchase price will be given preference.

5. Design Experience **Weight: 10%**

Applicants must provide a portfolio of projects, as described in **Section VII.C. TAB M (Additional Evidence of Experience and Qualifications)**. Previous experience, including experience related to sustainable and energy efficient design, as evidenced by this portfolio, will be used in ranking under this criterion. The submitted projects will be evaluated for design quality, extent to which they demonstrate creativity and insight in their solution to the design problem, relationship to the site and surrounding environment, constructability, innovative use of materials and construction technology, and potential long-term viability within reasonable cost parameters.

Consideration will be given to overall client satisfaction; clear lines of communication, especially in regard to client input and community concerns; and technical approach and methodology.

6. Green and Sustainable Design **Weight: 5%**

Proposals that include optional elements that go beyond the requirements included in the **HPD New Construction Sustainability Guidelines (Exhibit I)** will be given additional consideration.

VII. SUBMISSION REQUIREMENTS

A. Pre-Submission Information and Inquiries

All communications regarding this RFP should be directed to:

Gabriella Amabile
NYC Department of Housing Preservation and Development
Office of Development
Division of Planning and Pipeline Development
100 Gold Street, Room 9I-3
New York, NY 10038

Telephone: (212) 863-6577
Fax: (212) 863-5052
E-mail: amabileg@hpd.nyc.gov

A pre-submission conference will be held on July 31, 2007 at 2:00 pm at HPD, 100 Gold Street, Third Floor Law Library, New York, NY 10038. The date, time, and location of this pre-submission conference will also be posted on HPD's website: www.nyc.gov/hpd. HPD strongly recommends that interested Applicants attend this pre-submission conference, as this will be the only opportunity to ask questions and receive answers in person regarding the RFP.

People with disabilities requiring special accommodations to pick up the RFP or to attend and/or participate in the pre-submission conference should contact Gabriella Amabile at 212-863-6577.

B. General Requirements

Proposals must be submitted by hand no later than 4:00 pm on October 11, 2007 to HPD at the address below. Proposals received after the due date and time will not be considered, regardless of the reason for late submission.

HPD must receive one (1) original and ten (10) bound copies of each Proposal containing all required supporting documentation. All Proposals must be bound in three-ring binders. An authorized representative of the Applicant must sign the original Proposal. Each original and copy of the Proposal must contain a cover page that provides identification as a Proposal in response to this RFP; date of submission; and the name, address, telephone and fax numbers, and e-mail address of an authorized representative of the Applicant who may be contacted during the period of Proposal evaluation. Each copy must be clearly labeled as described below and tabbed as indicated in **Section VII.C. (Contents of Proposal and Tabbing)**. Applicants must inform any commercial delivery service, if used, of all delivery requirements and ensure that the required information appears on the outer envelope or box. The original and all copies must be submitted in sealed envelopes or a sealed box and labeled as follows:

FROM: Applicant's name and address
TO: NYC Department of Housing Preservation and Development
Office of Development
Division of Planning and Pipeline Development
100 Gold Street, Room 9I-3
New York, NY 10038
Attn: Gabriella Amabile
RE: Proposal in Response to Public Place Site RFP

All Proposals will become the property of HPD. Submission of a Proposal is deemed permission for HPD to make inquiries concerning the Proposal and Applicant. If HPD determines, upon review of a Proposal, that any items are missing and/or incomplete, HPD, in its sole discretion, may notify the Applicant to provide such items. Failure to provide complete information in a timely fashion could result in rejection of the Proposal. Proposal modifications will not be considered unless requested by HPD.

HPD reserves the right to postpone or cancel this RFP and to reject all Proposals.

C. Contents of Proposal and Tabbing

Each Proposal must contain the forms and supporting documentation described below. Each copy of the Proposal must be tabbed as indicated below. The tabs should run down the right hand side of the bound Proposal document. All **Proposal Forms** can be found in **Exhibits**. Additional pages should be submitted if needed or to clarify information provided in the Proposal forms.

TAB A – Completeness Checklist and Applicant’s Letter

Each Applicant must submit a **Completeness Checklist** and **Applicant’s Letter**. The formats of this checklist and letter are contained in **Exhibit A**. The letter must be printed on the Applicant’s letterhead and signed by an authorized representative of the Applicant.

TAB B – Proposal Summary

Each Applicant must include a narrative summary that describes the Proposal. The summary must include, at a minimum, a brief description of the approach to design and significant design elements; residential gross and saleable or rentable square feet; the proposed type, number (units and rooms), and average size of ownership and rental units; income levels and average sales or rent prices contemplated; amount of retail/commercial and community facility space (gross and rentable) and proposed uses; average annual rent per square foot for retail/commercial and community facility space; proposed fee structure and gross income from retail/commercial and community facility space; sources and amounts of financing; and a brief description of the most relevant development experience of the Development Team.

TAB C – Development Team Information and Applicant Questionnaire

Each Applicant must submit completed **Development Team Information** and **Applicant Questionnaire forms**. The formats of these forms are contained in **Exhibit C**. Applicants must provide clear definitions of key roles and duties. Applicants that include a not-for-profit organization as a Principal of the Applicant or a member of the Development Team must also complete **Forms C3 – C6** in **Exhibit C**. If the Applicant is a joint venture, the Principals of each entity that comprises the joint venture must be identified, a separate questionnaire must be submitted for each entity, and a Principal of each entity must sign the appropriate forms. Any additional pages that are part of the response to a questionnaire should also be included under this tab.

TAB D – Development Experience and Current Workload

Each Principal that comprises the Applicant must submit a list of **Development Experience and Current Workload**. This listing should contain all of the information requested in the format of **Exhibit D**. Care should be taken to provide accurate information about references, and to state the roles played in each development by using the codes listed on the bottom of the form. Any individual with no experience should mark the appropriate form with “None.”

1. Development Experience and Current Workload

Each entity that comprises the Applicant must list all construction projects that have been completed within the ten (10) years preceding the deadline for submission of Proposals in response to this RFP. On a separate form, each entity that comprises the Applicant must list all projects that are in construction, pre-development, or otherwise committed.

2. Management Experience

Each entity that comprises the Applicant, including the managing agent included in the Development Team, if other than the Applicant, as well as any managing agent proposed to manage the Development, must list all projects that have been managed within the ten (10) years preceding the deadline for submission of Proposals in response to this RFP.

3. Marketing Experience

Each entity that comprises the Applicant and the marketing agent included in the Development Team, if other than the Applicant, must list all projects that have been marketed within the ten (10) years preceding the deadline for submission of Proposals in response to this RFP.

TAB E – Individual’s Property Listing

Each Principal of the Applicant must list all New York City properties currently owned or managed, or previously owned or managed during the five (5) years preceding the deadline for submission of Proposals in response to this RFP. Include properties owned and managed either directly by the Principal or by any organization in which the Principal is or was a corporate officer, general partner, or holds/held more than a 10% interest. Any individual who does not own property in New York City should mark the appropriate form with “None.” This list should include the block(s), lot(s), number of units, periods of ownership and management, and type of ownership (e.g., general partner, corporate officer, or shareholder).

TAB F – Ability to Finance

1. Assets Statement

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

Please note that the total unencumbered assets of the Principal(s) must be at least equal to the amount of equity required by the construction lender.

2. Lender and Tax Credit Syndicator Letter(s)

Each Proposal must include a letter or letters of interest from a lender or lenders indicating a willingness to lend for the Project and specifying the amount such lender or lenders will consider financing. Each letter must be on the lender’s letterhead, signed by a representative of the lender, and include the amount and terms of the financing. Alternatively, an Applicant who is not planning to use a bank must show adequate assets to complete the Project. If the Project will be financed using tax-exempt bonds, provide a letter of interest from a tax credit syndicator indicating the tax credit raise anticipated for the Project. Applicants may use different lenders for construction and permanent financing.

TAB G – Project/Design Narrative

Applicants must provide a detailed narrative description outlining the proposed concept and methodology of the Project and, among other things, include the Applicant’s approach to the Project and urban design. This description should provide all Project information outlined in **Exhibit G (Project/Design Narrative)**.

TAB H – Financing Proposal

Applicants must submit completed **Financing Proposal** forms in **Exhibit H** in both hard copy and Excel format. Electronic copies of the forms can be downloaded from the HPD website. If portions of the Project are separately financed, the Applicant should provide additional forms for each portion. A narrative description that clearly explains the financing structure of the Project should accompany the exhibit. The narrative must explicitly identify proposed subsidy/financing programs. The narrative must also include an alternative financing scenario for proposals that incorporate the use of competitively allocated funds, such as 9% Low Income Housing Tax Credits and NYS Housing Trust Fund subsidies.

All Proposals must reflect the purchase and rent price affordability calculations described in **Exhibit H**

(Financing Proposal). In addition to the minimum affordability requirements described throughout this RFP, any subsidy programs that are utilized will determine additional, if any, required affordability levels.

TAB I – HPD New Construction Sustainability Guidelines

Applicants must submit completed **HPD New Construction Sustainability Guidelines** forms in **Exhibit I**.

TAB J – Design/Architectural Documents

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

1. Land use site plan/street level floor plan, at a minimum scale of 1" = 20'-0", that indicates all components of the Project, means of egress, and any other uses
2. Building height/bulk site plan at a minimum scale of 1" = 20'-0"
3. Vehicular and pedestrian circulation site plan including walks, sidewalks, parking, driveways, easement, and building access points
4. Open space site plan including streetscape treatment, tree locations, fences, gates, lighting, play areas with equipment, private open space, and public open space, if applicable
5. Phasing plan, if applicable
6. Typical and atypical floor plans, at a scale of 1/8" or 1/4", and any other plans necessary to explain the development concept
7. Color renderings/elevations, at the same scale as the site plans, indicating building materials to be used (especially details at street level); how blank street walls are avoided; treatment of any loading docks, service areas, curb cuts, parking access, and landscaping; and relation to surrounding buildings, streets, and open space
8. Any other architectural drawings, such as axonometric, perspective or sectional drawings, color renderings, photographic, and/or computer-generated modeling if they can provide a better understanding of the development concept
9. Complete zoning analysis and calculations to demonstrate compliance with the New York City Zoning Resolution (including citations of all relevant sections), New York City Building Code information indicating occupancy group and construction classification, and residential unit count and distribution
10. Proposals that include optional elements that go beyond the requirements included in the **HPD New Construction Sustainability Guidelines (Exhibit I)** will be give additional consideration.

For additional requirements and guidelines, please refer to **Appendix B HPD Design Guidelines for New Construction**.

TAB K – Marketing Plan

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

TAB L – Development Schedule

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

TAB M – Additional Evidence of Experience and Qualifications

Applicants are encouraged to provide resumes and/or brochures describing the Applicant and any similar projects in which the Applicant has been involved. Provide resumes and/or brochures describing key members of the Development Team. Provide a staffing plan indicating which Principals and staff members would have primary responsibilities for implementing the Project and their roles in day-to-day management of the Project.

VIII. CONDITIONS, TERMS, AND LIMITATIONS

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

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

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

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

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

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

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

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

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

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

The selection of an Applicant will mean only that HPD may commence negotiations with that Applicant regarding the development of the Development Site. HPD will send written notification ("Negotiation Letter") to the selected Applicant. The selected Applicant must begin pre-development work within thirty (30) days of the date of the Negotiation Letter. The selected Applicant will be expected to start construction on the date specified in their Development Schedule; however, the Applicant must expect to commence construction no later than eighteen (18) months from the date of the Negotiation Letter.

This RFP does not represent any obligation or agreement whatsoever on the part of the City. Any obligation or agreement on the part of the City may only be incurred after the City enters into a written agreement approved by the Mayor and Corporation Counsel. The City is under no legal obligation to convey the Development Site offered through this RFP through a competitive process. The City reserves the right to use the Proposals submitted pursuant to this RFP as a basis for negotiation with Applicants as the City deems appropriate. HPD may reject at any time any or all Proposals, amend or withdraw this RFP in whole or in part, negotiate with one or more Applicants, and/or negotiate and dispose of the Development Site on terms other than those set forth herein (including to parties other than those responding to this RFP). HPD may also, at any time, waive compliance with or change any of the terms and conditions of this RFP, entertain modifications or additions to selected Proposals, or withdraw the Site or portions of the Site from or add individual parcels to this RFP.

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

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

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

IX. CONFLICTS OF INTEREST

Employees of the City of New York may respond to this RFP only in accordance with Chapter 68 of the New York City Charter governing ethics and conflicts of interest affecting City personnel. Section 2604(b)(7) of the City Charter contains specific prohibitions that exclude enumerated groups of employees from participating in the sales process.

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

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

- A. Maps**
- B. HPD Design Guidelines for New Construction**
- C. KeySpan Corporation Remedial Alternatives Analysis**
- D. HPD Marketing Guidelines**
- E. Equal Opportunity**
- F. Public Place Task Force Membership**



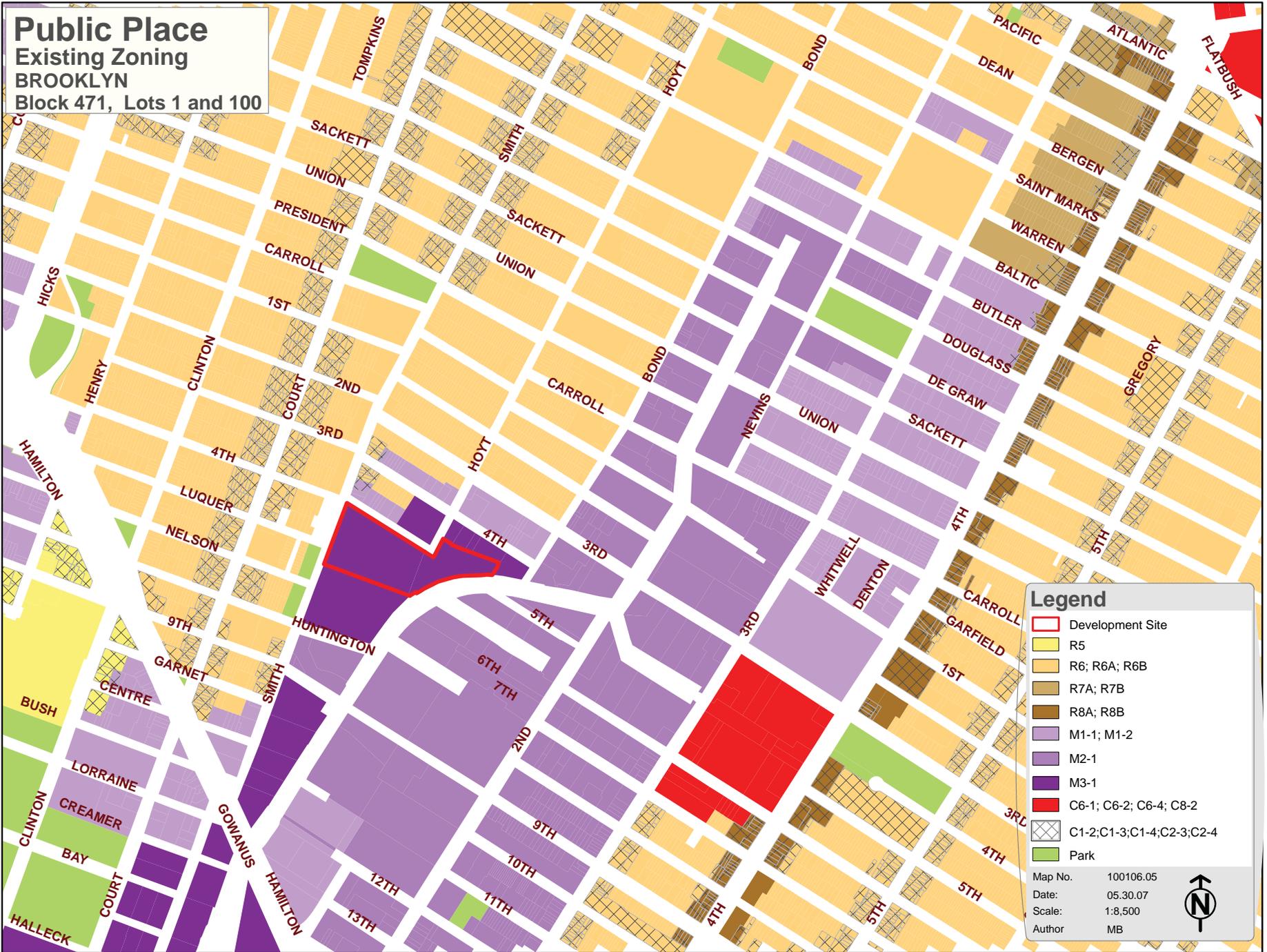
Public Place
Development Site
BROOKLYN
Block 471, Lots 1 and 100

Public Place
Development Site
BROOKLYN
Block 471, Lots 1 and 100



Data Source: City of New York. DCP COGIS r.04c, LION r.04d; DoITT NYCMAP (MrSID) 2002; HPD Development - Planning 100106.01 05.25.07 MB 1:1,500 City of New York. Department of Housing Preservation and Development. Development - Planning.

Public Place
Existing Zoning
BROOKLYN
Block 471, Lots 1 and 100



Legend

- Development Site
- R5
- R6; R6A; R6B
- R7A; R7B
- R8A; R8B
- M1-1; M1-2
- M2-1
- M3-1
- C6-1; C6-2; C6-4; C8-2
- C1-2; C1-3; C1-4; C2-3; C2-4
- Park

Map No. 100106.05
 Date: 05.30.07
 Scale: 1:8,500
 Author: MB



Public Place
Public Transportation
BROOKLYN
 Block 471, Lots 1 and 100



Legend

- Development Site
- Bus Route**
- B37
- B71
- B75
- B77
- B103
- BM1, BM2, BM3, BM4, X1, X2, X3, X4, X5, X6, X7, X8, X9, X10, X11, X12, X13, X14, X15, X16, X17, X18, X19, X20, X27, X28, X29, X37, X38, X42

Map No.	100106.03
Date:	05.30.07
Scale:	1:6,000
Author	MB

Data Source: City of New York. DCP COGIS r.04c, LION r.04d; DoITT NYCMAP (MrSID) 2002 & MTA Planimetrics; HPD Development - Planning

City of New York. Department of Housing Preservation and Development. Development - Planning.

APPENDIX B: HPD Design Guidelines for New Construction

HPD has outlined a set of design principles and guidelines to foster quality and encourage creative approaches throughout the entire design development process. The design guidelines apply to all new construction housing projects subject to HPD review and approval. In addition to these guidelines, Proposals should comply with all criteria detailed in Section IV.B. (Development Program) and Section IV.C. (Design Guidelines).

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

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

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

A. Site Planning

Relationship to Neighborhood

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

Outdoor Space

1. A variety of outdoor spaces should be programmed and landscaped for specific uses according to the project’s intended population, e.g.:
 - Appropriately landscaped front yards, if provided
 - Toddler play area with matting and safe equipment
 - Infrastructure for tenant gardens
 - Seating and game tables in the shade
2. Outdoor spaces must be buffered from vehicular service areas.
3. Wherever possible, windows should be located to insure surveillance of public and private outdoor spaces.
4. A secure barrier, such as the building or a steel picket fence (chain link fence is not acceptable along the street), should protect the perimeter of the Site. The number of entry points into a building or project Site should be minimized.
5. Street trees must be provided along the street frontage as per the New York City Department of Parks and Recreation and the New York City Department of Transportation standards.

Street Facade/Building Elevation

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

Parking

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

B. Building Planning

Lobby

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

Interior Circulation

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

3. Natural light should be maximized in circulation spaces.

Residential Communal Spaces

1. A variety of residential community spaces should be programmed for specific uses and sized accordingly with appropriate finishes and furnishings, e.g.:
 - Children's indoor play room with safe and durable play equipment and playful finishes
 - Party room or adult lounge with comfortable furniture, television, bar/kitchenette, in close proximity to laundry room
 - Exercise room with ventilation and natural light
 - Common laundry room conveniently located and directly accessible from the public circulation and in 1- to 3-family houses, laundry hook-up must be provided for the homeowner
2. All residential communal spaces should receive natural light and have direct physical and visual access to the outdoor recreation space.
3. Appropriate relationships between residential communal spaces should be fostered.

Please note: These guidelines refer to communal space in the residential component of the Project. Proposals must also incorporate the community's desired program elements in the community facility component, detailed in **Section IV.B. ("Community Facility Component")**.

Building Services

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

C. Apartment Planning

Unit Arrangement

1. There must be no circulation through bedrooms to other bedrooms or to primary bathrooms. Bathrooms should be near the bedrooms. Bathrooms must not open into the Living Room, Dining Room, or Kitchen. Circulation through the Living Room should be avoided.

2. All door placements and wall lengths should accommodate furniture placement.
3. Direct access to private outdoor space should be provided from a living space within the unit, not a bedroom.

Minimum Room Sizes

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

Abbreviations:

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

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

Kitchen/Kitchenette

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

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

6. Base cabinets and countertops must be 2'-0" deep. Shelving must be 11 1/2" deep.
7. Pantries are desirable, encouraged, and qualify as required shelving.

Dining Area

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

Bathrooms

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

Storage

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

D. Handicapped/Elderly Requirements

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

Lobby Seating

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

2 Person 0-BR Units

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

Outdoor Space

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



KeySpan Corporation
Environmental Asset Management
One MetroTech Center
Brooklyn, NY 11201

March 22, 2007

Mr. Amen M. Omorogbe, P.E., Project Manager
New York State Department of Environmental Conservation
Division of Environmental Remediation
Bureau of Western Remedial Action, 11th Floor
625 Broadway
Albany, New York 12233-7010

Re: Remedial Alternative Analysis
Carroll Gardens/Public Place
(Citizens Gas Works Former MGP Site)
AOC Index No. A2-0460-0502
Site No. V00360-2

Dear Mr. Omorogbe:

This letter presents Remedial Alternative Analysis (RAA) for the Carroll Gardens/Public Place Former Citizens Gas Works MGP Site (the Site), located in Brooklyn, New York (**Figure 1**). KeySpan submitted a conceptual remedy letter on September 22, 2006 that outlined a remedial strategy based on the June 22, 2006 coordination meeting between representatives of the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), KeySpan Corporation (KeySpan), GEI Consultants, Inc. (GEI), and the New York City Office of Environmental Coordination (NYC OEC) that took place in the NYSDEC offices in Albany, New York. That conceptual remedy included the NYSDEC's minimum requirements for an acceptable remedy at this site in accordance with the requirements set forth in 6 NYCRR 375-1.1(c), *New York State Department of Environmental Conservation (NYSDEC) Technical and Administrative Guidance Memorandum (TAGM) #4030, Selection of Remedial Actions at Inactive Hazardous Waste Sites*, the NYSDEC Draft DER-10 *Technical Guidance For Site Investigation and Remediation* [DER-10], and Administrative Order on Consent (AOC) Index No. A2-0460-0502.

Following the submission of that letter, the NYC OEC has indicated that an agreement may be reached with the owner of Parcel III (warehouse parcel) of the Carroll Gardens/Public Place site and/or a potential developer to allow the Parcel III property to be part of the redevelopment process. If this agreement occurs, the inclusion of Parcel III and subsequent demolition of the existing warehouse would allow for a NYC combined redevelopment plan of Parcels I, II, and III. In addition, the New York State Legislature amended the General Remedial Program Requirements under Subpart 375, Title 6 of the Rules and Regulations of the State of New York (6 NYCRR 375) effective December 14, 2006. In keeping with the agreed upon redevelopment strategy and the amended remedial program requirements, this Remedial Alternative Analysis Scoping letter develops the framework for the remediation of the Parcels I, II, and III in light of the planned redevelopment of the property.

This document outlines the remedial alternatives for the land portion of the site based on the investigations conducted to date. In addition, it provides the outline of a Supplemental Remedial Investigation (SRI) on Parcel III to determine the extent of subsurface impacts once the warehouse is demolished. Finally, this document presents a scope of work for a constructability analysis of various barrier wall types and configurations to ensure that the final remedial wall approach is constructible and will accomplish the remedial goals for the site.

This RAA incorporates the requirements of a Feasibility Study and applicable requirements of a Remedial Action Work Plan (RAWP) under Sections 4.3 and 5.3 of DER-10 and includes the following components.

- Summary of Remedial Investigation and Exposure Assessment
- Future Site Use and Conceptual Remedial Approach
- Remedial Goals and Remedial Action Objectives
- General Response Actions
- Identification and Initial Screening of Technologies
- Proposed Remedial Alternatives for Development and Analysis
- Supplemental Remedial Investigations
- Groundwater Model Development
- Constructability Analysis and Geotechnical Field Data Collection
- Schedule

1.0 Introduction

The Site is divided into four parcels based on ownership and current land usage as depicted on **Figure 2**. Parcels I and II are New York City-owned property. Parcel I is currently a vacant lot and Parcel II is an active concrete plant. Parcels III and IV are privately held. Parcel III is an active clothing distribution warehouse; Parcel IV is an active truck maintenance facility. The area surrounding the Site includes a variety of land uses including residential, commercial, industrial, and recreational.

As of the date of this letter, final decisions on the ultimate land uses of Parcels I, II, and III have not been made. Therefore, the remedial action objectives (RAOs) will be flexible enough to allow for a wide range of future land uses including commercial, mixed commercial/residential, and green space. In addition, depending on the timing of changes in land uses, the remedy may need to be implemented in phases as parcels become accessible.

2.0 Summary of Remedial Investigation and Exposure Assessment

A Remedial Investigation (RI) Report was submitted by KeySpan to NYSDEC in May 2005. The following summary of findings is adapted from the RI Report:

- The chemical constituents detected in soil and groundwater are consistent with those expected for a former MGP site.
- The RI identified the presence of DNAPL tar-saturated soils at depths below the bottom of the Gowanus Canal (elevation -11 ft NAVD). Tar appears to have originated from two areas of the former MGP, which based on process knowledge, were where tar was most intensively handled; in and around Holder Nos. 2 and 3 and the tar separator and tar scrubber on Parcel I and the former tar processing area (tar separators, distillers, dryers, etc.) on Parcel III.
- In the unsaturated soils (elevation 30 ft to -2 ft NAVD), tar is limited to the area adjacent to Holder No. 2 on Parcel I.
- In the shallow zone soils (elevation 16 ft to -24 ft NAVD), tar-saturated conditions are limited to three areas: at Holder No. 3 on Parcel I, and at the northwest and northeast corners of Parcel II.
- The lateral extent of residual tar (blebs, lenses, grain coatings) in the shallow zone covers much of Parcel I, the western half of Parcel II, and the eastern half of Parcel III. Potentially mobile tar was not observed at locations adjacent to the Gowanus Canal at depths above the floor of the canal.
- In the intermediate zone soils (elevation -11 ft to -90 ft NAVD), tar-saturated conditions and inter-bedded zones of tar-saturated soil are present throughout the northeastern portion of Parcel I (near Holder Nos. 2, 3 and the former generator house), throughout nearly all of Parcel II, in the southeastern portion of Parcel III, and on Lots 50 and 138 across the Gowanus Canal.
- The only tar impacts observed in the deep soil zone (elevation -90 ft to -135 ft NAVD) were a layer of tar saturated soil and a zone of inter-bedded tar saturated soil located at the eastern property line of Parcel I near the former boiler and generator houses.
- Based on the distribution of tar and the groundwater flow directions, dissolved phase BTEX and light-end PAHs (e.g., naphthalene) are being transported by groundwater flow into and possibly beneath the Gowanus Canal. Dissolved phase contaminants that enter the canal will likely be mitigated by processes of biodegradation, volatilization, and dilution. Dissolved phase BTEX and light-end PAHs may also migrate to the west and north of the site in the shallow groundwater zone. Dissolved phase contaminants in the intermediate zone likely migrate to the southwest of the site, while deep groundwater impacts are anticipated to be minimal.
- A Qualitative Human Health Exposure Assessment (QHHEA) performed to evaluate contaminants of concern (COCs) in all media (soil, groundwater, soil vapor) at the site determined that current users of each parcel have a very low potential to come into contact with COCs in excess of the screening values. Only NYC employees and possible trespassers at Parcel I may contact COCs in surface soils during routine and intermittent activities on that parcel. Potential future utility and construction workers may come into contact with COCs in subsurface soils and/or shallow groundwater in the course of performing potential utility repairs or potential future construction projects at

all parcels. A summary of each exposure pathway is provided in Appendix A. The complete QHHEA is presented in the May 2005 RI Report.

- A Step I Fish and Wildlife Impact Resource Analysis (FWIRA) indicated that the habitat observed on site provides limited value to mammalian and avian wildlife species, and additional habitat occurring in the surrounding area provides substantially greater habitat availability. Most of the wildlife species utilizing the site are transient, highly mobile populations, and a significant negative impact is not expected. Fisheries resources occurring within the Gowanus Canal are species tolerant of pollution and high levels of nutrients.
- A Step II-B FWIRA was performed for the aquatic resources in the Gowanus Canal. Fish survivability was chosen as the most relevant assessment endpoint in determining potential ecological impact. The results indicate that the site has a de minimis contribution to the anoxic conditions (dissolved oxygen was determined to be the most relevant measurement endpoint) in the canal and so site-related COCs do not impact fish survivability.

3.0 Future Land Use and Conceptual Remedial Approach

As of the date of this letter, the final decision on the ultimate land uses of Parcels I, II, and III has not been made. Therefore, the remedial action objectives (RAOs) will be flexible enough to allow for a wide range of future land uses including commercial, mixed commercial/residential, and green space.

As discussed above, the NYC OEC has indicated that New York City (NYC) will facilitate an agreement with the owner of the Parcel III property (Warehouse parcel) of the Carroll Gardens/Public Place site. Acquisition of Parcel III and demolition of the existing warehouse would allow for a NYC combined redevelopment plan of Parcels I, II, and III. However, depending on the timing of the purchase and the termination of the lease for the concrete plant, the remedy may need to be implemented in phases as parcels become accessible. As discussed below, the remedy will be selected to meet the remedial goals, remedial action objectives, and to be compatible with a potential wide range of future land uses.

4.0 Remedial Goals & Remedial Action Objectives

Remedial Goals

The NYSDEC's Draft DER-10 Technical Guidance for Site Investigation and Remediation – Section 4.1(b) puts forth the following remedial goals for the voluntary cleanup program:

- A remedy shall be protective of public health and the environment, given the intended use of the site.
- Where an identifiable source of contamination exists at a site, it should be removed or mitigated, to the extent feasible, regardless of presumed risk or intended use of the site.

These two goals are the Remedial Goals that will be applied to the site as the site-specific Standards, Criteria and Guidance (SCGs), in accordance with DER-10 Section 4.1 Paragraph e2, 6 NYCRR § 375-1.8(f)(2), and TAGM 4030, for determining success of the final remedy.

Remedial Action Objectives

Remedial Action Objectives (RAOs) are medium-specific or operable-unit specific objectives for the protection of human health and the environment. RAOs are developed based on contaminant-specific Standards, Criteria and Guidelines (SCGs) to the extent practicable in a cost-effective manner. The RAOs are presented below:

GROUNDWATER

- Prevent, to the extent practicable, contact with, or ingestion of contaminated groundwater associated with the site.
- Prevent, to the extent practicable, the migration of contaminated groundwater from the site.
- Remove, to the extent practicable, the source of groundwater contamination.

SOIL

- Prevent, to the extent practicable, ingestion/direct contact with contaminated soil.
- Recover, to the extent practicable, DNAPL tar at the site.

INDOOR AIR

- Prevent, to the extent practicable, inhalation of contaminants volatilizing from soil or groundwater into closed structures.

5.0 General Response Actions

The following general response actions are being considered as means of achieving the RAOs. The media for which each response action is applicable are indicated along with a brief definition and example technologies.

Excavation (soil, groundwater, source): The removal and subsequent treatment or disposal of contaminated soils. This response action includes shallow excavations to remove structures, break exposure pathways, and allow for redevelopment as well as more aggressive excavations to the semi-confining peat/silt/clay unit across the area of DNAPL tar saturation or deeper excavations to the vertical extent of DNAPL saturation.

Removal (groundwater, source): The removal and subsequent treatment or disposal of DNAPL from the subsurface via active or passive recovery wells.

Treatment (soil, groundwater, source): Alteration of the physical and/or chemical nature of the subsurface to cause a change in contaminant mass, mobility, or toxicity (examples: chemical oxidation, stabilization, dynamic underground stripping, thermal treatment, soil flushing).

Containment (groundwater, source): Isolation of contaminant source areas by constructing and maintaining physical barriers that prevent continued migration of contamination into groundwater (examples: caps, sheet pile wall, soil-bentonite cutoff wall, active hydraulic control).

Engineering controls (soil, source): Construction and maintenance of physical barriers to prevent potential exposures to contamination (examples: caps, fencing).

Institutional controls (soil, groundwater, indoor air): Controlling the type and nature of potential exposures through legal or administrative procedures or programs (examples: deed notice, well restrictions, protocols for managing future excavations, Health & Safety Plan for on-site work).

Monitoring (soil, groundwater, source, indoor air, sediment, surface water, biota): Ongoing measurement of contaminant levels as a means of ensuring that potential, but currently incomplete, exposure pathways are not completed (examples: groundwater monitoring, indoor air sampling, sediment sampling, monitored natural attenuation). Monitoring can also be used to confirm that natural attenuation of soil and groundwater constituents is occurring.

The following matrix shows, for each RAO, the general response actions being considered. The response actions are media-specific and the matrix does not explicitly show positive effects on secondary media.

Remedial Action Objectives	General Response Actions						
	Excavation	Removal	Treatment	Containment	Eng Controls	Inst Controls	Monitoring
Carroll Gardens/Public Place Former Citizens Gas Works MGP site							
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, contact with, or ingestion of contaminated groundwater associated with the site. 	X	X	X	X	X	X	X
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, the migration of contaminated groundwater from the site. 	X	X	X	X			X
<ul style="list-style-type: none"> ▪ Remove, to the extent practicable, the source of groundwater contamination.. 	X	X	X	X			X
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, ingestion/direct contact with contaminated soil. 	X	X	X	X	X	X	
<ul style="list-style-type: none"> ▪ Recover, to the extent practicable, DNAPL tar at the site. 	X	X	X	X			X
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, inhalation of contaminants volatilizing from soil or groundwater into closed structures. 	X	X	X	X	X	X	X

6.0 Identification and Initial Screening of Technologies

The following components, alone or in combination, are currently being considered for the various parcels of the Carroll Gardens/Public Place site:

- Active or Passive DNAPL Recovery Wells.
- Excavation and treatment/disposal of all source areas to a maximum depth of contamination in the saturated zone to restore site to pre-release conditions.
- Shallow excavation, MGP-era structure removal, and treatment/disposal of DNAPL tar source above the elevation for the former Gowanus Creek clay/peat deposits.
- Shallow excavation, MGP structure removal, and treatment/disposal of DNAPL tar source in the unsaturated zone to a nominal depth of -8 feet below the final property grade based on adjacent side street elevations.
- Deep containment of DNAPL tar source to the maximum depth of observed DNAPL tar in the saturated zone.
- Shallow containment of DNAPL tar source above the elevation for the former Gowanus Creek clay/peat deposit.
- In-situ stabilization of DNAPL tar source in the saturated zone.
- In-situ surfactant flushing of DNAPL tar source in the saturated zone.
- In-situ thermal stripping of DNAPL tar source in the saturated zone.

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- Deed Restrictions/Environmental Easements for future uses of the site.
- Establishing institutional controls to manage future ground-intrusive work.

Table 1 (below) presents a summary of the remedial technology screening conducted for each response action being considered. The response actions are judged against likely effectiveness at achieving the RAO's, implementability, and relative cost. Based on the ability of a response action to meet these criteria, the summary table concludes whether the response action was retained for further remedial alternatives development.

Table 1
Summary of Remedial Technology Screening
Carroll Gardens/Public Place (Former Citizens Gas Works MGP Site)
Brooklyn, New York

Response Action	Technology	Effectiveness	Implementability	Cost	Status for Alternative Development
Excavation	Excavation and treatment/disposal of all source areas to a maximum depth of contamination in the saturated zone to restore site to pre-release conditions.	Effective in elimination of exposure pathway and providing long-term protection of human health. Involves removal to an elevation of approximately -120 feet in areas of source material below and downgradient of the former gas holders. While impacts have been identified as deep as elevation -120 feet, impacts to groundwater drop off significantly past elevation -60 feet outside of the DNAPL source areas. RAOs can be met with natural attenuation monitoring for residual groundwater contamination outside the source areas and institutional controls to restrict groundwater use in the immediate area.	Technology proven and readily implemented at shallow depths. Excavation below 40 feet may pose significant technical challenges. Further, hydraulic control necessary to carry out such deep excavation in a tidally influenced aquifer may be insurmountable and quite possibly infeasible.	High relative to other excavation options.	Not Retained.
	Shallow excavation, MGP-era structure removal, and treatment/disposal of DNAPL tar source above the elevation of the former Gowanus Creek clay/peat deposits.	Effective in elimination of exposure pathway via direct contact and providing long-term protection of human health. Involves excavation to the depth of the former Gowanus Creek clay/peat deposits on Parcels I, II, and III. Localized deeper excavations will be required to remove MGP-era structures. Residual contaminants may pose future threat to construction workers depending on site redevelopment plans/usage. Combined with institutional controls to prevent groundwater contact and a site management plan to address potential future deeper excavation for redevelopment, RAOs can be met.	Technology proven and readily implemented. Large scale removal necessary and will require dust, emissions and odor controls as well as significant dewatering in a tidally influenced aquifer.	Medium relative to other excavation options.	Retained for alternative development.

Table 1
Summary of Remedial Technology Screening
Carroll Gardens/Public Place (Former Citizens Gas Works MGP Site)
Brooklyn, New York

Response Action	Technology	Effectiveness	Implementability	Cost	Status for Alternative Development
	Shallow excavation, MGP structure removal, and treatment/disposal of DNAPL tar source in the unsaturated zone to a nominal depth of - 8 feet below the final property grade based on adjacent side street elevations.	Effective in elimination of exposure pathway via direct contact and providing long-term protection of human health. Involves excavation of unsaturated soils to accommodate redevelopment. Localized deeper excavations will be required to remove MGP-era structures. Residual contaminants may pose future threat to construction workers depending on site redevelopment plans/usage. Combined with institutional controls to prevent groundwater contact and a site management plan to address potential future deeper excavation for redevelopment, RAOs can be met. Technology is equally effective at meeting the RAOs as deeper excavation technologies and reduces the amount of dewatering, on-site groundwater treatment, transport of contaminated material through neighborhoods, and reduces the time of disturbance to the neighborhood.	Technology proven and readily implemented. Large scale removal necessary and will require dust, emissions and odor controls as well as dewatering/hydraulic control for removal of MGP era structures.	Low relative to other excavation options.	Retained for alternative development.
Removal	DNAPL Tar Recovery.	Effective at meeting RAO for removal of subsurface DNAPL. DNAPL thickness and recovery observed during the RI indicate that active or passive recovery will be effective in removing large volumes of DNAPL from the subsurface. Active systems may require large scale on-site collection facilities. Combined with other technologies and an OM&M program to remove, transport, and treat, and dispose of recovered DNAPL tar, RAOs can be met.	Technology proven and readily implemented. May require extensive on-site treatment or storage of DNAPL volumes anticipated.	Low installation costs, medium operation and maintenance costs relative to other technologies.	Retained for alternative development.

Table 1
Summary of Remedial Technology Screening
Carroll Gardens/Public Place (Former Citizens Gas Works MGP Site)
Brooklyn, New York

Response Action	Technology	Effectiveness	Implementability	Cost	Status for Alternative Development
Containment	Deep containment of DNAPL tar source to the maximum depth of observed DNAPL tar in the saturated zone	Effective at meeting RAO for preventing shallow to deeper migration and terminating exposure to potential human and ecological receptors. Constructability analysis and geotechnical investigation required to identify barrier installation technology, type of barrier material, and configuration. Modeling required to determine barrier effects on groundwater/DNAPL migration. Continuity of the wall may be limited based on existing natural gas tunnel. Barrier material compatibility testing required based on high styrene content of DNAPL and its impact on grout mixtures. Depth of impacts and lack of deep confining layer may limit effectiveness at depth.	Technology proven and readily implemented. Site constraints and current usage may require extensive disturbance of soils adjacent to Gowanus Canal or barrier installation within the Canal.	Medium to High relative to other containment technologies.	Retained for alternative development.
	Shallow containment of DNAPL tar source above the elevation for the former Gowanus Creek clay/peat deposit.	Effective at meeting RAO for preventing shallow migration and terminating exposure to potential human and ecological receptors. Constructability analysis and geotechnical investigation required to identify barrier installation technology, type of barrier material, and configuration. Modeling required to determine barrier effects on shallow groundwater/DNAPL migration. Continuity of the wall may be limited based on existing natural gas tunnel. Barrier material compatibility testing required based on high styrene content of DNAPL and its impact on grout mixtures. Impacts below shallow confining layer may continue to migrate.	Technology proven and readily implemented. Site constraints and current usage may require extensive disturbance of soils adjacent to Gowanus Canal or barrier installation within the Canal.	Medium relative to other containment technologies.	Retained for alternative development.

Table 1
Summary of Remedial Technology Screening
Carroll Gardens/Public Place (Former Citizens Gas Works MGP Site)
Brooklyn, New York

Response Action	Technology	Effectiveness	Implementability	Cost	Status for Alternative Development
	In-situ stabilization of DNAPL tar source in the saturated zone.	Effective at meeting RAO for preventing migration and terminating exposure. Surface conditions (concrete debris, MGP-era structures, concrete plant subgrade) will restrict shallow implementation and require extensive pre-excavation. Extensive long term monitoring may be required to demonstrate the permanence of the remedy.	Technology proven and readily implemented. Stabilization will limit/restrict redevelopment options	Medium relative to other containment technologies.	Not Retained
In-Situ Treatment	In-situ surfactant flushing of DNAPL tar source in the saturated zone.	Effective in enhancing DNAPL solubility and mobility. Is not effective in soils with low permeability including the peat/clay layer. When combined with other recovery technologies may achieve RAOs. Tidal action and discharging aquifer conditions will make delivery, contact and recovery difficult.	Technology proven in controlled settings. Tidal action will be difficult to control the process.	High capital costs when compared to other alternatives.	Not Retained.
	In-situ thermal stripping of DNAPL tar source in the saturated zone.	Effective on small areas. Injecting steam in the subsurface will have a small radius of influence due to tidal fluctuations and high hydraulic conductivity and thickness of impacted zone >100 feet.	Readily implemented. However, groundwater table and low permeability layers may result in insufficient freeboard to collect vapors or incomplete capture of vapors.	Capital costs may be medium. Operation and maintenance costs may be high when compared to other in situ technologies.	Not Retained.
Engineering Control	Engineered cap/cover system.	Effective at controlling the pathways for future worker and trespasser exposure. Will need to be flexible to include redevelopment plans for the site. May include a visual excavation barrier and clean surface/utility corridor.	Technology proven and readily implemented.	Medium compared to other technologies.	Retained for alternative development.

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Table 1
Summary of Remedial Technology Screening
Carroll Gardens/Public Place (Former Citizens Gas Works MGP Site)
Brooklyn, New York

Response Action	Technology	Effectiveness	Implementability	Cost	Status for Alternative Development
Institutional Controls	Access Controls Deed Restrictions Health & Safety Plans Long-Term Monitoring Notifications.	Effective in preventing risks to future construction or utility workers. Not effective in limiting migration.	Readily implemented.	Low. Monitoring to be performed semi-annually.	Retained for alternative development.

7.0 Proposed Remedial Alternatives for Development and Analysis

Remedial Alternative 1

- Excavation and treatment/disposal of all source areas to a maximum depth of contamination in the saturated zone to restore site to pre-release conditions.

Remedial Alternative 2

- Shallow excavation, MGP-era structure removal, and treatment/disposal of DNAPL tar source above the elevation for the former Gowanus Creek clay/peat deposits
- DNAPL Tar Recovery
- Containment Barrier
- Engineered cap/cover system
- Access Controls
- Environmental Land Use Restriction/Deed Restrictions
- Health & Safety Plans
- Long-Term Monitoring
- Notifications

Remedial Alternative 3

- Shallow excavation, MGP structure removal, and treatment/disposal of DNAPL tar source in the unsaturated zone to a nominal depth of -8 feet below the final property grade based on adjacent side street elevations, creation of a clean utility corridor to facilitate potential future development.
- DNAPL Tar Recovery
- Containment Barrier
- Engineered cap/cover system
- Access Controls
- Environmental Land Use Restriction/Deed Restrictions
- Health & Safety Plans
- Long-Term Monitoring
- Notifications

A preliminary analysis of each remedial alternative was conducted. **Figures 2 and 3** depict the locations of the excavation limits and the containment barrier evaluation/location for Parcels I, II and III. Although these figures focus on Remedial Alternative 3, the locations of various excavation and containment scenarios are the same. Each alternative was compared to the eight of the nine Remedy Selection Criteria in 6 NYCRR 375-1.8(f). A cost comparison analysis is

included in Appendix B. In addition, community acceptance will be determined following the public comment period.

1. Overall Protectiveness of the Public Health and the Environment.

- **Remedial Alternative 1:** This alternative will be protective of Public Health and the Environment. All source material will be removed, treated and disposed of off-site.
- **Remedial Alternative 2:** This alternative will be protective of Public Health and the Environment. The potential exposure pathways to impacted soil and groundwater will be broken through excavation, visual excavation barrier, and a containment barrier.
- **Remedial Alternative 3:** This alternative will be protective of Public Health and the Environment. The potential exposure pathways to impacted soil and groundwater will be broken through excavation, visual excavation barrier, and a containment barrier.

2. Standards, criteria and guidance.

- **Remedial Alternative 1:** This alternative will comply with the site specific SCGs as described in Section 4.0 above. The alternative is protective of human health and the environment and will excavate all source material from the site.
- **Remedial Alternative 2:** This alternative will comply with the site specific SCGs as described in Section 4.0 above. The alternative is protective of human health and the environment and will excavate shallow source material, contain deeper source material, and recover DNAPL source material from the site.
- **Remedial Alternative 3:** This alternative will comply with the site specific SCGs as described in Section 4.0 above. The alternative is protective of human health and the environment and will excavate shallow source material, contain deeper source material, and recover DNAPL source material from the site.

3. Long-term effectiveness and permanence.

- **Remedial Alternative 1:** This alternative will achieve long term effectiveness through excavation of all source material.
- **Remedial Alternative 2:** This alternative will achieve a measure of long term effectiveness through shallow soil excavation and long term operations of the DNAPL recovery program.
- **Remedial Alternative 3:** This alternative will achieve a measure of long term effectiveness through shallow soil excavation and long term operations of the DNAPL recovery program.

4. Reduction in toxicity, mobility, or volume of contamination through treatment.

- **Remedial Alternative 1:** Excavated soils and DNAPL will be destroyed off-site.
- **Remedial Alternative 2:** Excavated soils and recovered DNAPL will be destroyed off-site. DNAPL recovery program will enhance on-site control of DNAPL migration. The barrier wall will provide isolation of the impacted materials.
- **Remedial Alternative 3:** Excavated soils and recovered DNAPL will be destroyed off-site. DNAPL recovery program will enhance on-site control of DNAPL migration. The barrier wall will provide isolation of the impacted materials.

5. Short-term impacts and effectiveness.

- **Remedial Alternative 1:** Short term impacts for the excavation will be excessive to the surrounding community. The total excavation of all source material to the maximum depth of observed source material would include the excavation and transport of approximately 1.5 million cubic yards of soil. At an average rate of twenty 20-yard trucks per day, it would take approximately 14.5 years to complete the remediation. Community impacts would be mitigated through a CAMP and site controls.
- **Remedial Alternative 2:** Short term impacts for the excavation and DNAPL recovery program would be no greater than a standard urban construction project. Community impacts would be mitigated through a CAMP and site controls. The remedy would be effective in breaking exposure pathways in the short term. The barrier wall effectiveness and short term impacts will be further evaluated once the final configuration is determined.
- **Remedial Alternative 3:** Short term impacts for the excavation and DNAPL recovery program would be no greater than a standard urban construction project. Community impacts would be mitigated through a CAMP and site controls. The remedy would be effective in breaking exposure pathways in the short term. The barrier wall effectiveness and short term impacts will be further evaluated once the final configuration is determined.

6. Implementability.

- **Remedial Alternative 1:** Implementability of an excavation to a nominal depth of 90 feet below ground surface at the site is unlikely. Extensive earth support structures would have to be installed to support the surrounding infrastructure. The deteriorating condition of the elevated subway line adjacent to the site would require repair and protection prior to beginning an excavation of this size. Construction dewatering for the excavation could require an on-site treatment facility capable of treating hundreds and thousands of gallons of water per day. Assuming an average porosity of 30%, the storativity of the aquifer within the proposed bounds of the excavation is over 91 million

gallons of groundwater that would require treatment and disposal. Based on the size and depth of the excavation, the impacts on the local infrastructure, and the scale of dewatering, this alternative is likely technically impracticable.

- **Remedial Alternative 2:** The excavation and DNAPL recovery portions of the remedy are readily implementable with standard construction equipment. Construction dewatering would be required to achieve the target depths. Implementability of the barrier wall will be dependant on the final configuration, site usage, and site access.
- **Remedial Alternative 3:** The excavation and DNAPL recovery portions of the remedy are readily implementable with standard construction equipment. Construction dewatering will be limited to areas where the groundwater table intersects the excavation limits. Specifically in the areas of localized deeper excavations to remove the former MGP-era structures. Implementability of the barrier wall will be dependant on the final configuration, site usage, and site access.

7. Cost-effectiveness, including capital costs and annual site maintenance plan costs.

- An estimate of remedial costs is include in Appendix B.

8. Community acceptance.

- Community acceptance will be addressed following NYSDEC approval of the RAWP and a public meeting.

9. Land use, provided the Department determines that there is reasonable certainty associated with such use.

- The redevelopment for this property will be based on NYC plans. Once finalized, then the certainty of the land use will be addressed.

8.0 Conceptual Remedy Selection

A conceptual remedy was developed and presented to the NYSDEC in the September 22, 2006 conceptual remedy letter. This conceptual remedy has been further developed based on the analysis presented below, potential changes in Parcel ownership, and discussions with the NYSDEC.

KeySpan intends the remedy to be compatible with future redevelopment plans for Parcels I, II, and III and with current use or potential future redevelopment at Parcel IV. Although it is likely that Parcels I, II, and III will be available for remediation and redevelopment, the current uses of Parcels II and III may continue for an unspecified time, therefore implementation of the conceptual remedy for these parcels may be performed in a phased approach as the properties

become available for redevelopment. However, components of the remedy at these parcels (such as DNAPL recovery) may be possible to implement under current conditions combined with institutional controls. The selected conceptual remedy is discussed below by parcel. In general, the remedy includes shallow excavation (nominal 8 feet below the redevelopment grade) coupled with a containment barrier, DNAPL recovery, and engineering and institutional controls. The selected 8-ft nominal depth excavation is equally as effective at meeting the RAOs as deeper excavation technologies when combined with the other components of the remedy and will result in reduced dewatering and on-site groundwater treatment, reduced transport of contaminated material through neighborhoods, and a reduced time of disturbance to the neighborhood.

Parcel I

Following NYC removal of the surface debris and concrete wash located on the parcel, the conceptual remedy for Parcel I will include the excavation of unsaturated soils on Parcel I to a maximum depth of 8 feet below the final proposed grade. Where accessible, subsurface MGP-era structures and their contents will be removed. This will include the removal of the three gas holders, purifier houses, and gas house foundations observed during the Remedial Investigation. The localized deeper excavation at the location of the former holders will be used to create a clean utility corridor to support site redevelopment. The clean utility corridor will extend from Smith Street to the center of the parcel. A visual excavation barrier will be installed to demarcate the limits of the excavation performed during the remediation and to prevent inadvertent future disturbance of deeper impacted soils. MGP-impacted excavated soils will be transported off-site for treatment by thermal desorption. The excavated soils will be replaced by clean backfill. A DNAPL recovery system will be designed and installed so that it is compatible with the redevelopment plans for the site.

The final grade of the site will be determined based on the NYC redevelopment plan but will at a minimum match the grade of the adjacent streets and properties. An environmental easement will be placed on the parcel to limit site usage. The easement will include restriction on 1st floor residential property, subsurface parking structures, and groundwater use at the site. A soil management plan will be implemented and require notification of any potential future soil excavation on the parcel, which if extending beneath the visual excavation barrier would have to be conducted by OSHA HAZWOPER trained personnel. An operations, maintenance, and monitoring plan will be implemented to monitor groundwater quality at the site, operate, maintain and monitor the DNAPL recovery system, and ensure maintenance of the visual excavation barrier.

Parcels II and III

The conceptual remedy for Parcels II and III will include a barrier wall and DNAPL recovery. The location, depth, and orientation of the proposed barrier wall will be dependant on the

barrier's potential effects on groundwater flow conditions. The existing groundwater flow conditions at the site will be modeled so that an evaluation of the barrier wall can be conducted. The groundwater model will be based on hydraulic conductivity, hydraulic head, and tidal study data collected during the Remedial Investigation. The Gowanus Canal is a tidally influenced water body and the shallow groundwater at the site flows toward and discharges to the canal. Installation of a barrier wall would alter this flow pattern and could exacerbate the natural mounding that occurs in the shallow zone between Parcels I and II. In the deep and intermediate zones, groundwater flow is parallel to the canal. This may necessitate the installation of wing walls and DNAPL recovery trenches/wells at the edges of the wall to prevent migration of DNAPL parallel to the canal. Modeling of the groundwater flow will be used to determine the most efficient orientation of the barrier wall. The results of the model and final barrier wall configuration will be presented in the RAWP and will be based on a configuration that will effectively mitigate impacted groundwater and DNAPL migration off-site. The evaluation will include an assessment of groundwater mounding behind the barrier wall, DNAPL transport, and the potential mitigation measures, including in-situ/ex-situ groundwater treatment (if necessary), or active DNAPL recovery. Given that the objective of the barrier wall is to mitigate potential on-going migration of DNAPL tar, the final design of the wall will include DNAPL collection systems and/or wing walls sufficient to prevent potential migration around the barrier wall system. If the modeling suggests that contaminated groundwater may migrate toward the canal, then the final design will also account for treatment of groundwater.

Current site usage will have to be considered in developing the plans for constructing the barrier wall if the wall installation were to occur prior to removal of the concrete plant on Parcel II and the warehouse on Parcel III. The wall construction means and methods will have to address these physical structures as well as other subsurface obstructions if the areas cannot be cleared and accessed prior to wall construction. Based on these restrictions, it is preferable that construction of the barrier wall occur after the current usage of these parcels changes.

The specific mode of DNAPL recovery will be dependant on the site usage as well as the type and configuration of the barrier wall installed as described above. DNAPL recovery may include vertical or horizontal collection wells, passive recovery/active pumping, and a collection system. All components of the system will be designed and constructed to be chemically compatible with the DNAPL observed at the Site (including high styrene concentrations, low flashpoint). It is anticipated that all components in contact with DNAPL from the site will be stainless steel; all electrical systems will be explosive proof; and the collection system will be housed in a permanent structure with appropriate heating, ventilation, and air conditioning controls to maintain temperatures well below the 90 degree Fahrenheit flashpoint of the DNAPL. A pilot study of DNAPL collection technologies will be conducted prior to completion of the RAWP. The results of the pilot study will be used to develop the final design of the DNAPL recovery and collection system.

Following a change in site usage of either Parcel, further remedial efforts will commence. On Parcel III, additional subsurface investigation will be conducted. This investigation will focus on identifying any additional remnant structures from the former MGP operations and determining the vertical and horizontal extent of MGP related impacts below the footprint of the existing warehouse. The results of this investigation will be used to further evaluate the configuration of the barrier wall on Parcel III.

In addition to the subsurface investigation on Parcel III, following a change in site usage the remedy will include the excavation of unsaturated soils on Parcels II and III to a maximum depth of 8 feet below the final proposed grade. Where accessible, subsurface MGP-era structures and their contents will be removed. Localized deeper excavations may be used as a clean utility corridor to support site redevelopment and will likely extend from the intersection of Fifth and Bond Streets to the center of Parcel II and from Smith Street to the center of the Parcel III. A visual excavation barrier will be installed to demarcate the limits of the remedial excavation and to prevent future inadvertent contact with deeper soils. MGP-impacted excavated soils will be transported off-site for thermal desorption. The excavated soils will be replaced by clean backfill. The final grade of the site will be determined based on the NYC redevelopment plan but will at a minimum match the grade of the adjacent streets and properties. An environmental easement will be placed on the parcel to limit site usage. The easement will include restriction on 1st floor residential property, subsurface parking structures, and groundwater use at the site. A soil management plan will be implemented and require notification of any potential future soil excavation on the parcel, which if extending beneath the visual exaction barrier would have to be conducted by OSHA HAZWOPER trained personnel. An operations, maintenance, and monitoring plan will be implemented to address the DNAPL recovery system, monitor groundwater quality at the site, and ensure maintenance of the visual excavation barrier.

Parcel IV

The conceptual remedy for Parcel IV will include excavation of shallow impacted soils at the southeast corner of Parcel IV. The excavated soils will be transported off-site for thermal desorption. The excavated soils will be replaced by clean backfill and the asphalt surface will be replaced to pre-excavation conditions. As there will be no other shallow MGP-impacted material remaining on the parcel, this will represent the extent of the remedy for Parcel IV. There is no current negotiated access to the site for the purposes of remediation. Therefore, access to the property may affect the timing and scope of the remedy.

9.0 Conceptual Remedy Evaluation of Regulatory Compliance

An evaluation of the conceptual remedy was conducted to ensure that the planned remedial action meets the standards for remedial action selection required in DER-10 and 6 NYCRR 375-

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1.8. Table 2 (below) presents a summary of the conceptual remedy components compliance with the RAOs.

Table 2
Remedy Compliance with Remedial Action Objectives
Carroll Gardens/Public Place
Former Citizens Gas Works MGP Site

Remedial Action Objectives	Common Remedial Components by Parcel		
	Parcels I, II, & III	Parcel II & III	Parcel IV
	Unsaturated Soil Excavation to 8 feet, MGP-Structure Removal, Visual Excavation Barrier, Environmental Easement; DNAPL Recovery	Barrier Wall and DNAPL Recovery	Shallow Soil Excavation
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, contact with, or ingestion of contaminated groundwater associated with the site. 	Clean surface cover and Easement will prevent direct contact with groundwater	NA	NA
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, the migration of contaminated groundwater from the site. 	NA	Barrier will prevent/limit groundwater discharge to the Gowanus Canal	NA
<ul style="list-style-type: none"> ▪ Remove, to the extent practicable, the source of ground water contamination. 	Structure removal and DNAPL recovery will remove source material	DNAPL recovery will remove source material	NA
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, ingestion/direct contact with contaminated soil. 	Clean Soil Cover and Easement will prevent direct contact with soils	NA	Removal of all impacted soil
<ul style="list-style-type: none"> ▪ Recover, to the extent practicable, DNAPL tar at the site. 	DNAPL Recovery Program will remove DNAPL	DNAPL Recovery Program will remove DNAPL	NA
<ul style="list-style-type: none"> ▪ Prevent, to the extent practicable, inhalation of contaminants volatilizing from soil or groundwater into closed structures. 	Clean surface cover will reduce exposure to impacted soils, Easement will limit exposure by restricting site usage	NA	NA

10.0 Supplemental Remedial Investigation

The RI did not determine the vertical extent of MGP-related impacts below the current warehouse property. Borings within the warehouse were limited to 20 feet below the floor to determine potential points of exposure. DNAPL observed in borings and monitoring wells installed in Huntington Avenue indicate that the extent of MGP-related impacts extends under the existing warehouse; however, the vertical limit and exact horizontal limit of that extent has not been established.

Assuming that the warehouse on Parcel III is demolished, a supplemental investigation work plan will be submitted to the NYSDEC to investigate and bound the vertical and horizontal limits of the MGP-related impacts.

11.0 Containment Barrier Constructability Analysis

Prior to finalizing the conceptual remedy, a constructability analysis of the containment barrier must be completed. This analysis will include the collection of field data and geotechnical parameters required to design and construct the barrier wall. In addition, a groundwater model will be created using data collected during the tidal study performed during the remedial investigation. This model will be utilized to determine the optimum wall configuration to reduce surface mounding of groundwater behind the wall and prevent discharge of impacted groundwater around the barrier.

The following field investigations will be conducted to determine the constructability of the barrier along the existing boundary of Parcels II and III with the Gowanus Canal.

- Geotechnical Borings along the axis of the barrier. These will be installed to collect grain size distribution, blow counts, and soil strength of the discrete soil layers where the barrier will be installed. Monitoring wells may be installed in several borings with discrete screen intervals installed to determine the hydraulic conductivity of the various soil layers.
- Test Pits and Ground Penetrating Radar Survey along axis of the barrier. There are significant obstructions along the Gowanus Canal that were observed or documented during the RI. These include but are not limited to: former MGP structures; two active high pressure natural gas mains; a combined sewer line; tiebacks, deadmen, and bracing from the original construction of the Gowanus Canal; and concrete wash pits as deep as eighteen feet which are present on the active concrete plant. Where observed, these wash pits can contain up to 18 feet of solidified concrete wash. The locations and extent of these obstructions will impact the type of wall that can be installed in this area, or force the installation of a barrier from the canal along side the existing bulkhead.

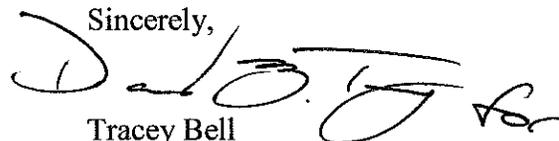
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- **Material Compatibility Testing.** The DNAPL observed during the RI has a low flashpoint (90 degrees Fahrenheit) and high styrene content. The high styrene content contributed to the DNAPL dissolving the PVC monitoring wells that were installed at the site. The compromised wells were abandoned to avoid downward migration of shallow DNAPL within the monitoring wells. The shallow DNAPL entered these wells in areas where the PVC well casing was encased in a Portland cement/bentonite grout mixture. It is not know whether the grout failed from the styrene or the DNAPL migrated along cracks or fractures in the grout to contact the PVC wells. Therefore, material compatibility testing is required to determine if the DNAPL at the site could cause a failure of a barrier based on chemical incompatibility.
- **Pilot Testing.** It is recommended that pilot testing of the various technologies be implemented at the site prior to the final determination of the barrier materials. This is to confirm that the barrier material type can be installed at the site.

Summary

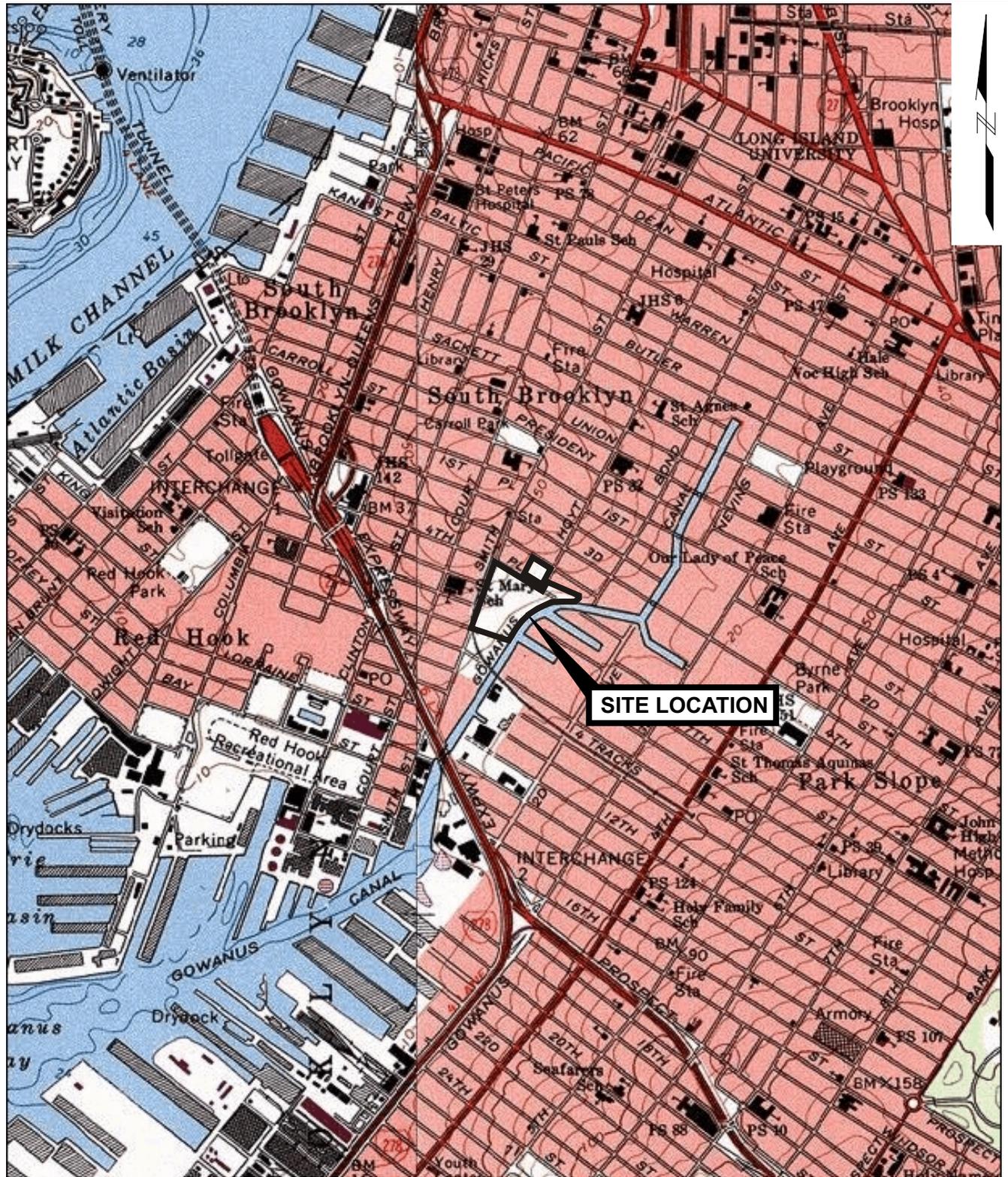
In accordance with Section 5.3 of DER-10 this letter presents the conceptual remedy and remedial alternatives analysis (RAA). KeySpan is prepared to begin groundwater modeling and the constructability analysis for the Site in accordance with the NYC OES conceptual redevelopment plans. KeySpan requests regulatory approval of this conceptual remedy so that work may commence. Also, a draft schedule of remedial action components, milestones, and submittals will be prepared and submitted once regulatory approval of this conceptual remedy is issued.

If you have any questions, feel free to contact me at (718) 403-3053

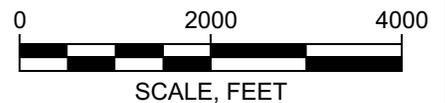
Sincerely,

Tracey Bell
Project Manager

cc: L. Liebs, KeySpan
L. Eckhaus, NYSDEC
L. Oliva, NYSDEC
G. Litwin, NYSDOH
R. Kulikowski, NYCOEC
G. Lacetti, NYSDOH
C. Doroski, NYSDOH

Figures



SITE LOCATION



SOURCE: Map created with TOPO! © 2001 National Geographic
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**CARROLL GARDENS/PUBLIC PLACE
BOROUGH OF BROOKLYN, NEW YORK**

KEYSPAN CORPORATION



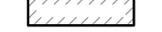
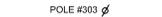
Project 061140-2-1103

SITE LOCATION MAP

March 2007

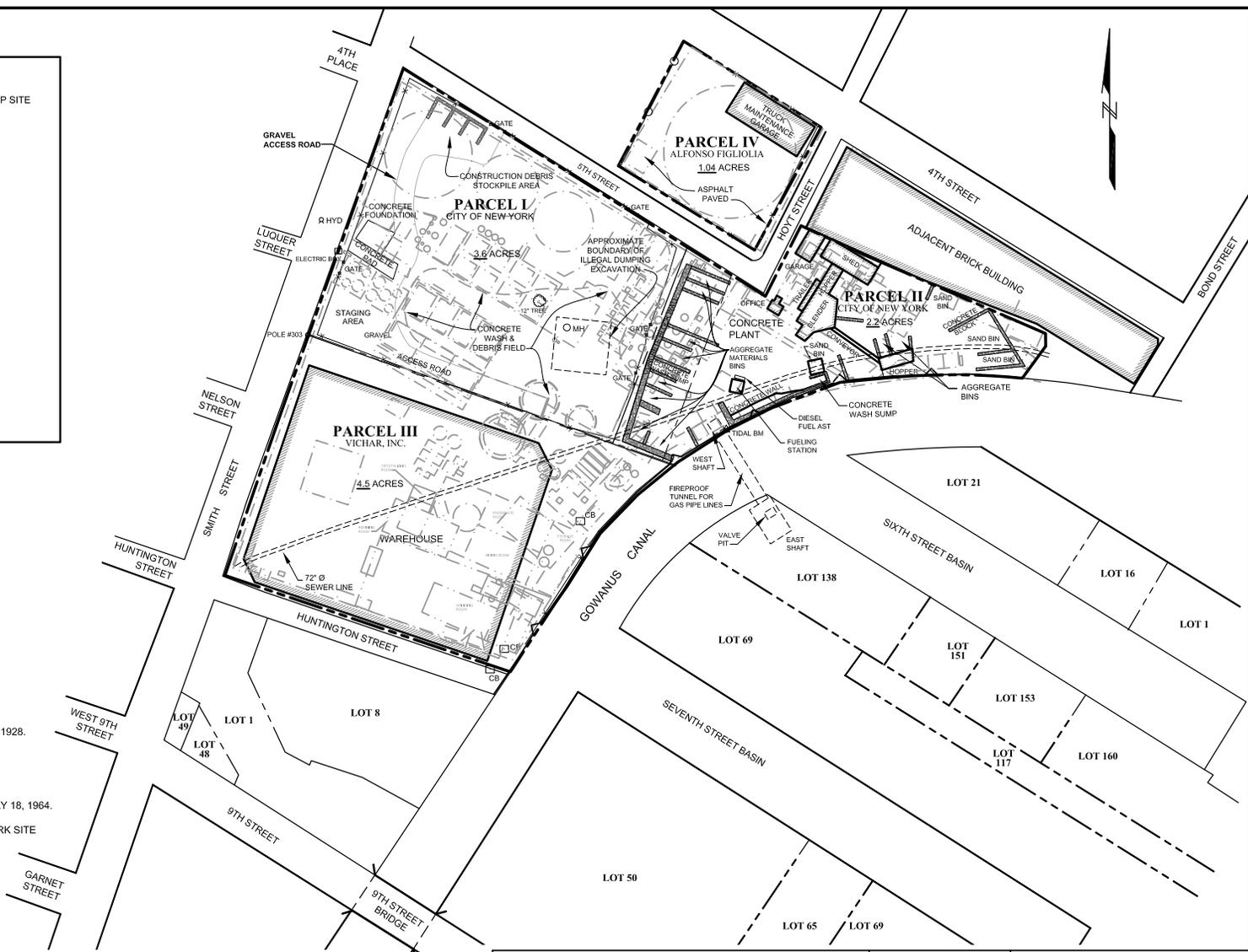
Figure 1

LEGEND

-  APPROXIMATE BOUNDARY OF FORMER MGP SITE
-  SEA WALL
-  CURRENT STRUCTURE
-  HISTORICAL STRUCTURE
-  EXISTING CHAIN LINK FENCE
-  EXISTING WOOD FENCE
-  EXISTING CATCH BASIN
-  EXISTING MANHOLE
-  EXISTING UTILITY POLE
-  EXISTING HYDRANT
-  TAX ASSESSOR'S BOUNDARIES
-  PARCEL BOUNDARIES

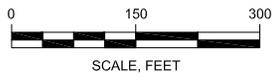
PARCEL I
CITY OF NEW YORK

KEYSPAN PARCEL NUMBER
OWNER



- SOURCES:**
1. CITIZENS WORKS SURVEY, JOHNSON AND HIGGINS, N.Y., FEBRUARY 4, 1928.
 2. SANBORN MAPS (1886 THROUGH 1996)
 3. TECHNICAL SCOPE OF WORK, DVIRKA AND BARTILUCCI, 2000.
 4. CITIZENS WORKS PROPERTY PLAN, OCTOBER 1937, CORRECTED TO MAY 18, 1964.
 5. CARROLL GARDENS/PUBLIC PLACE, BOROUGH OF BROOKLYN, NEW YORK SITE PLAN, METCALF & EDDY, DECEMBER 2004.
 6. SURVEY OF SITE BOUNDARIES, EXISTING CONDITIONS, AND SAMPLE LOCATIONS CONDUCTED BY GEI CONSULTANTS, INC. ON 12/3-4/02, 3/4/03, 6/4-6/03, 7/10/03, 2/08/05, AND 4/04/05. SURVEYED BY NEW YORK STATE LICENSED LAND SURVEYOR NO. 050146. HORIZONTAL DATUM: NEW YORK STATE PLANE COORDINATE SYSTEM (EAST ZONE, NORTH AMERICAN DATUM (NAD) 83). VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM (NAVD) 88.
 7. NEW YORK CITY OPEN ACCESSIBLE SPACE INFORMATION SYSTEM <http://www.oasisnyc.net>, ACCESSED AUGUST 2004.

NOTE:
PARCELS I-IV OCCUPY APPROXIMATELY 11.5 ACRES..

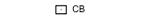
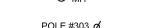
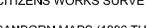


CARROLL GARDENS/PUBLIC PLACE BOROUGH OF BROOKLYN, NEW YORK		SITE MAP AND PARCEL BOUNDARIES
KEYSKAN CORPORATION	Project 061140-2-1103	March 2007

EXCAVATION NOTES:

1. EXCAVATE TO 8' BELOW ADJACENT STREET ELEVATIONS.
2. REMOVE MGP-ERA STRUCTURES TO MAXIMUM EXTENT OF STRUCTURES.
3. INSTALL VISUAL EXCAVATION BARRIER.
4. BACKFILL AND GRADE EVEN WITH ADJACENT STREET ELEVATIONS.
5. DNAPL RECOVERY.

LEGEND

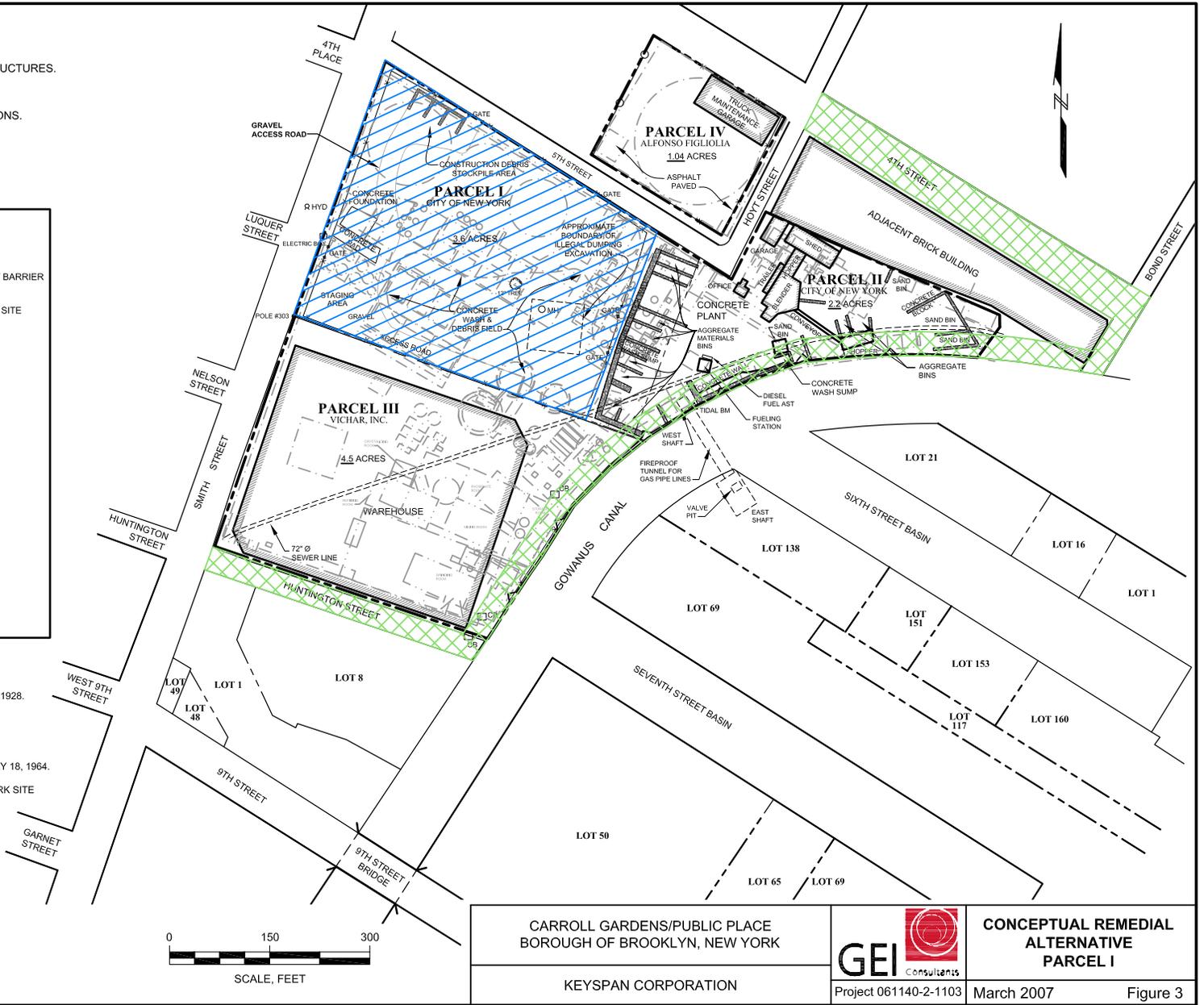
	AREA TO BE EXCAVATED
	AREA TO BE EVALUATED FOR CONTAINMENT BARRIER AND ACTIVE DNAPL RECOVERY COLLECTION
	APPROXIMATE BOUNDARY OF FORMER MGP SITE
	SEA WALL
	CURRENT STRUCTURE
	HISTORICAL STRUCTURE
	EXISTING CHAIN LINK FENCE
	EXISTING WOOD FENCE
	EXISTING CATCH BASIN
	EXISTING MANHOLE
	EXISTING UTILITY POLE
	EXISTING HYDRANT
	TAX ASSESSOR'S BOUNDARIES
	PARCEL BOUNDARIES
PARCEL I	KEYSPAN PARCEL NUMBER
CITY OF NEW YORK	OWNER

SOURCES:

1. CITIZENS WORKS SURVEY, JOHNSON AND HIGGINS, N.Y., FEBRUARY 4, 1928.
2. SANBORN MAPS (1886 THROUGH 1996)
3. TECHNICAL SCOPE OF WORK, DVIRKA AND BARTILUCCI, 2000.
4. CITIZENS WORKS PROPERTY PLAN, OCTOBER 1937, CORRECTED TO MAY 18, 1964.
5. CARROLL GARDENS/PUBLIC PLACE, BOROUGH OF BROOKLYN, NEW YORK SITE PLAN, METCALF & EDDY, DECEMBER 2004.
6. SURVEY OF SITE BOUNDARIES, EXISTING CONDITIONS, AND SAMPLE LOCATIONS CONDUCTED BY GEI CONSULTANTS, INC. ON 12/3-4/02, 3/4/03, 6/4-8/03, 7/10/03, 2/08/05, AND 4/04/05. SURVEYED BY NEW YORK STATE LICENSED LAND SURVEYOR NO. 050146. HORIZONTAL DATUM: NEW YORK STATE PLANE COORDINATE SYSTEM (EAST ZONE, NORTH AMERICAN DATUM (NAD) 83). VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM (NAVD) 88.
7. NEW YORK CITY OPEN ACCESSIBLE SPACE INFORMATION SYSTEM <http://www.oasisnyc.net>, ACCESSED AUGUST 2004.

NOTE:

PARCELS I-IV OCCUPY APPROXIMATELY 11.5 ACRES..



CARROLL GARDENS/PUBLIC PLACE BOROUGH OF BROOKLYN, NEW YORK		CONCEPTUAL REMEDIAL ALTERNATIVE PARCEL I	
			Keyspan Corporation

EXCAVATION NOTES:

1. DEMOLITION OF EXISTING STRUCTURES.
2. REMEDIAL INVESTIGATION BELOW STRUCTURES TO BOUND IMPACTS.
3. EXCAVATE TO 8' BELOW ADJACENT STREET ELEVATIONS.
4. REMOVE MGP-ERA STRUCTURES TO MAXIMUM EXTENT OF STRUCTURES.
5. INSTALL VISUAL EXCAVATION BARRIER.
6. BACKFILL AND GRADE EVEN WITH ADJACENT STREET ELEVATIONS.
7. DNAPL RECOVERY.

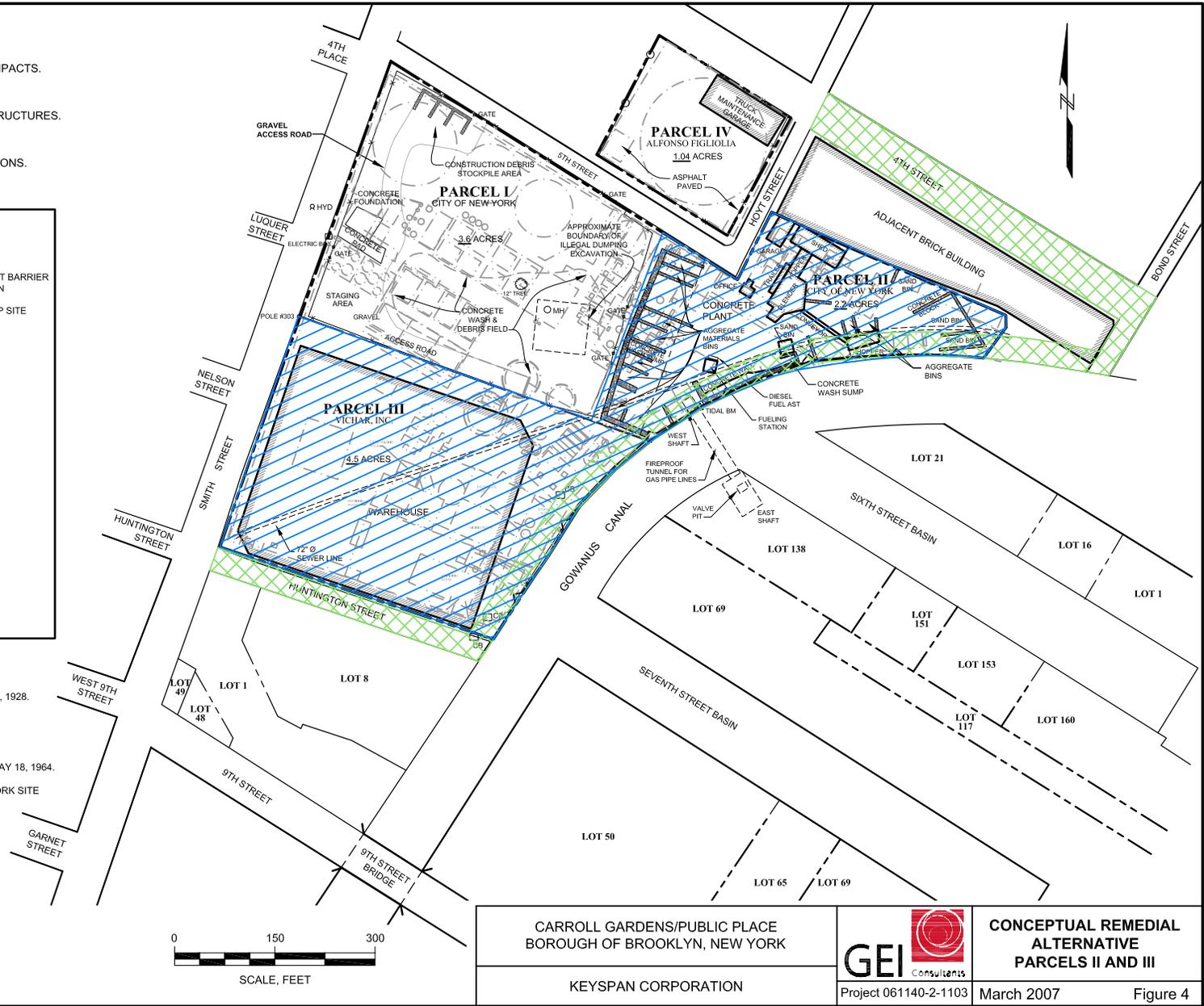
LEGEND	
	AREA TO BE EXCAVATED
	AREA TO BE EVALUATED FOR CONTAINMENT BARRIER AND ACTIVE DNAPL RECOVERY COLLECTION
	APPROXIMATE BOUNDARY OF FORMER MGP SITE
	SEA WALL
	CURRENT STRUCTURE
	HISTORICAL STRUCTURE
	EXISTING CHAIN LINK FENCE
	EXISTING WOOD FENCE
	EXISTING CATCH BASIN
	EXISTING MANHOLE
	EXISTING UTILITY POLE
	EXISTING HYDRANT
	TAX ASSESSOR'S BOUNDARIES
	PARCEL BOUNDARIES
PARCEL I	KEYSPAN PARCEL NUMBER
CITY OF NEW YORK	OWNER

SOURCES:

1. CITIZENS WORKS SURVEY, JOHNSON AND HIGGINS, N.Y., FEBRUARY 4, 1928.
2. SANBORN MAPS (1886 THROUGH 1996)
3. TECHNICAL SCOPE OF WORK, DVIRKA AND BARTILUCCI, 2000.
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NOTE:

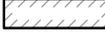
PARCELS I-IV OCCUPY APPROXIMATELY 11.5 ACRES.



CARROLL GARDENS/PUBLIC PLACE BOROUGH OF BROOKLYN, NEW YORK KEYSPAN CORPORATION		CONCEPTUAL REMEDIAL ALTERNATIVE PARCELS II AND III
		Project 061140-2-1103 March 2007 Figure 4

EXCAVATION NOTES:

1. EXCAVATE TO 8' BELOW ADJACENT STREET ELEVATIONS.
2. INSTALL VISUAL EXCAVATION BARRIER.
3. BACKFILL AND GRADE EVEN WITH EXISTING ELEVATIONS.

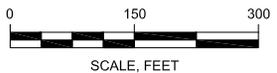
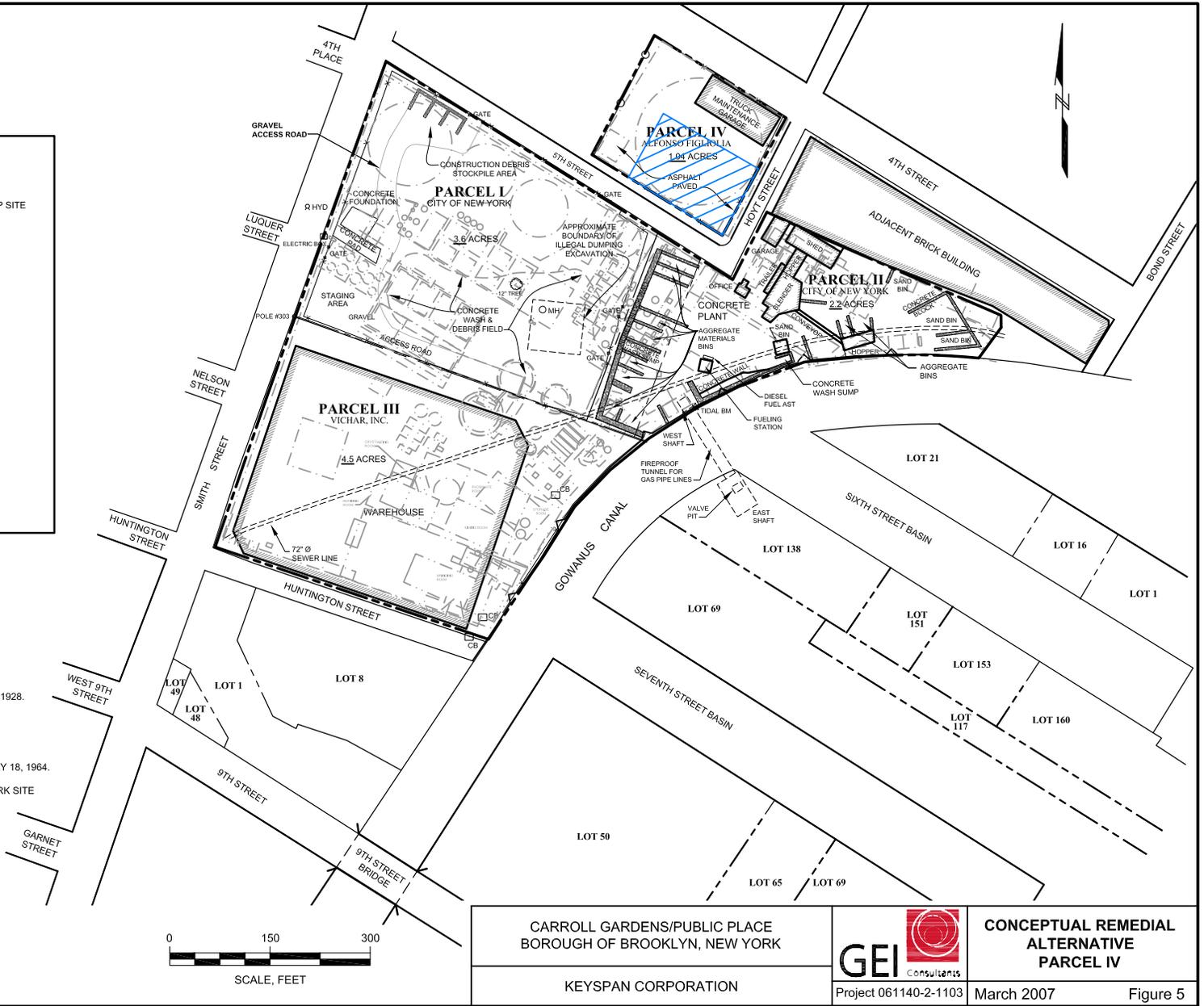
LEGEND	
	AREA TO BE EXCAVATED
	APPROXIMATE BOUNDARY OF FORMER MGP SITE
	SEA WALL
	CURRENT STRUCTURE
	HISTORICAL STRUCTURE
	EXISTING CHAIN LINK FENCE
	EXISTING WOOD FENCE
	EXISTING CATCH BASIN
	EXISTING MANHOLE
	EXISTING UTILITY POLE
	EXISTING HYDRANT
	TAX ASSESSOR'S BOUNDARIES
	PARCEL BOUNDARIES
PARCEL I	KEYSPAN PARCEL NUMBER
CITY OF NEW YORK	OWNER

SOURCES:

1. CITIZENS WORKS SURVEY, JOHNSON AND HIGGINS, N.Y., FEBRUARY 4, 1928.
2. SANBORN MAPS (1886 THROUGH 1996)
3. TECHNICAL SCOPE OF WORK, DVIRKA AND BARTILUCCI, 2000.
4. CITIZENS WORKS PROPERTY PLAN, OCTOBER 1937, CORRECTED TO MAY 18, 1964.
5. CARROLL GARDENS/PUBLIC PLACE, BOROUGH OF BROOKLYN, NEW YORK SITE PLAN, METCALF & EDDY, DECEMBER 2004.
6. SURVEY OF SITE BOUNDARIES, EXISTING CONDITIONS, AND SAMPLE LOCATIONS CONDUCTED BY GEI CONSULTANTS, INC. ON 12/3-4/02, 3/4/03, 6/4-8/03, 7/10/03, 2/08/05, AND 4/04/05. SURVEYED BY NEW YORK STATE LICENSED LAND SURVEYOR NO. 050146. HORIZONTAL DATUM: NEW YORK STATE PLANE COORDINATE SYSTEM (EAST ZONE, NORTH AMERICAN DATUM (NAD) 83). VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM (NAVD) 88.
7. NEW YORK CITY OPEN ACCESSIBLE SPACE INFORMATION SYSTEM <http://www.oasisnyc.net>, ACCESSED AUGUST 2004.

NOTE:

PARCELS I-IV OCCUPY APPROXIMATELY 11.5 ACRES..



CARROLL GARDENS/PUBLIC PLACE BOROUGH OF BROOKLYN, NEW YORK		CONCEPTUAL REMEDIAL ALTERNATIVE PARCEL IV	
		KEYSPAN CORPORATION	Project 061140-2-1103

Appendix A:
Qualitative Human Health Exposure Assessment
Summary

Appendix A

Qualitative Human Exposure Assessment Summary

Qualitative Human Exposure Assessment - Human Exposure Pathway Overview

A qualitative human exposure assessment is included in the December 2005 RI Report for the Carroll Garden/Public Place site. Based on the assessment, the following existing or potential exposure pathways are significant and require remedial action for their elimination or mitigation:

- A complete exposure pathway to PAHs and lead contained in surface soils at Parcel I exists for NYC DCAS and Department of Sanitation workers, utility workers, trespassers, and potential future construction workers. The majority of the parcel is debris or grass covered, thereby limiting the potential for inhalation of fugitive dust by the potential receptors. NYC DCAS and Department of Sanitation workers have been informed that the site is a former MGP site and that they are to wear appropriate personal protective equipment (PPE) if soils must be disturbed on the site. The use of such precautions will mitigate potential exposure to surface soils and should continue until a final remedy for the site is in place.
- A complete exposure pathway to BTEX, PAHs, cadmium, lead, and mercury in subsurface soils exists on Parcel I for the NYC DCAS and Department of Sanitation workers, utility workers, and potential future construction workers. Exposure to subsurface soils (up to 16 feet bgs) is only possible if the soils are disturbed. A potential exposure pathway to subsurface soils exists for the NYC DCAS and Department of Sanitation workers because these individuals may be responsible for removal of debris and concrete wash on the site, thereby disturbing subsurface soils. Exposure through inhalation, dermal contact, and incidental ingestion for these receptors would only be possible if excavation activities occurred on the parcel.
- A complete exposure pathway to BTEX, non-carcinogenic PAHs, and arsenic in groundwater exists on Parcel I for the NYC DCAS and Department of Sanitation workers, utility workers, and potential future construction workers. Exposure to groundwater through inhalation, dermal contact, and incidental ingestion is only possible if excavation to or below 16 feet bgs and below the water table occurs (approximately 36 feet bgs in the northwest corner of the Site and approximately 4 feet bgs along the eastern boundary of the Site). A complete exposure pathway for groundwater exists for the NYC DCAS and Department of Sanitation workers because these individuals may be responsible for removal of debris and concrete wash on the site; such activities could bring these workers into contact with shallow groundwater.
- A potentially complete exposure pathway for toluene exists on Parcel I for the NYC DCAS and Department of Sanitation workers, utility workers, and potential future construction workers. Toluene, the only COC identified in soil gas, would likely be present in ambient air at far lower concentrations within the breathing zone due to dilution, but is included as a potentially complete exposure pathway as a measure of conservatism. Receptors at excavation depths (utility workers and potential future construction workers) would be more likely to have a complete exposure pathway to toluene, given the intrusive nature of their work in areas where soil gas was measured.

Appendix A

Qualitative Human Exposure Assessment Summary

- A complete exposure pathway to BTEX, PAHs, cadmium, and selenium in subsurface soils exists on Parcel II for utility workers and potential future construction workers. Any future construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to BTEX-, PAH-, cadmium-, and selenium-containing soils. The use of such precautions will mitigate potential exposure to the impacted soils and should continue until a final remedy for the site is in place.
- A complete exposure pathway to BTEX and non-carcinogenic PAH compounds in groundwater exists on Parcel II for utility workers and potential future construction workers. Exposure to groundwater through inhalation, dermal contact, and incidental ingestion is only possible if excavation to or below the water table occurs (approximately 10 feet bgs along the bulkhead and 6 feet bgs in the vicinity of the concrete plant's control house). Any future construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to BTEX- and PAH-containing groundwater. The use of such precautions will mitigate potential exposure to impacted groundwater and should continue until a final remedy for the site is in place.
- A potentially complete exposure pathway to PAHs and lead contained in surface soils underlying the asphalt parking lot at Parcel III exists for utility workers and potential future construction workers. A majority of the parcel is covered by the footprint of the existing warehouse, and the remainder of the site is paved with asphalt. Any future utility workers or construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to PAH- and lead-containing surface soils. The use of such precautions will mitigate potential exposure to the PAH- and lead-containing surface soils and should continue until a final remedy for the site is in place.
- A complete exposure pathway to BTEX, PAHs, and metals (arsenic, cadmium, lead, mercury, and selenium) in subsurface soils exists on Parcel III for utility and construction workers. The shallowest observed evidence of tar impacts on Parcel III was directly below the asphalt pavement. Exposure through inhalation, dermal contact, and incidental ingestion for these receptors is possible if excavation activities are conducted on the parcel. Any future utility workers or potential construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to BTEX-, PAH-, and metal-containing soils. The use of such precautions will mitigate potential exposure to impacted soils and should continue until a final remedy for the site is in place.
- A complete exposure pathway to BTEX, non-carcinogenic PAHs, and cyanide in groundwater exists on Parcel III for the utility workers and potential future construction workers. Soil gas data obtained from samples collected beneath the warehouse building show that benzene concentrations exceeded occupational thresholds for workers. The depth to the sewer line on this parcel is unknown; therefore a potentially complete pathway to BTEX, PAHs, and cyanide in groundwater exists for utility workers who may

Appendix A

Qualitative Human Exposure Assessment Summary

perform repairs on the sewer line. Similarly, a complete pathway for groundwater would exist for a future construction worker conducting tasks below the water table. Therefore, any utility workers and future construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to BTEX-, PAH-, and cyanide-containing groundwater. The use of such precautions will mitigate potential exposure to impacted groundwater and should continue until a final remedy for the site is in place.

- A complete exposure pathway for benzene may exist for warehouse workers on Parcel III. Benzene was the only compound detected above the OSHA PEL of 1,000 parts per billion per unit volume (ppbv) at 2,000 ppbv (CGSV-06). While concentrations of benzene within the warehouse originating from soil gas are unlikely to be above the OSHA PEL due to dilution in indoor air and a low infiltration rate, exposure to minor concentrations of benzene are possible for indoor workers. Utility workers and future construction workers that breach the foundation of the building may also come into contact with benzene concentrations in soil gas migrating to ambient air.
- A potentially complete exposure pathway to PAHs, cadmium, and lead contained in surface soils at Parcel IV exists for utility workers and potential future construction workers. The parcel is paved with asphalt with the exception of the footprint of the truck maintenance facility. Any future utility workers or potential construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to PAH-, cadmium-, and lead-containing surface soils. The use of such precautions will mitigate potential exposure to the PAH- and lead-containing surface soils and should continue until a final remedy for the site is in place.
- A complete exposure pathway to BTEX, PAHs, and lead in subsurface soils exists for utility and construction workers on Parcel IV. The shallowest observed evidence of tar impacts on the parcel was at 11 feet bgs. Exposure through inhalation, dermal contact, and incidental ingestion for these receptors is only possible if the soils are excavated to 11 feet bgs or deeper. Any future utility workers or potential construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to BTEX-, PAH-, or lead-containing surface soils. The use of such precautions will mitigate potential exposure to impacted soils and should continue until a final remedy for the site is in place.
- A complete exposure pathway to some PAHs and selenium in subsurface soils exists for utility and construction workers. The shallowest observed impacts on the adjacent parcels was at 7.5 feet bgs (CGSB-49 at Lot 65). Exposure through inhalation, dermal contact, and incidental ingestion for these receptors is only possible if the soils are excavated to 7.5 feet bgs or deeper. Any future utility workers or potential construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to PAH-, or selenium-containing surface soils.

Appendix A
Qualitative Human Exposure Assessment Summary

- A complete exposure pathway to BTEX and naphthalene in shallow groundwater exists for the utility workers and potential future construction workers on adjacent properties. Any utility workers and future construction workers would have to wear PPE and monitoring of their work zone would have to be conducted to ensure that they are not exposed to groundwater.

Refer to the exposure assessment in the RI Report for a more detailed discussion of the potentially exposed populations.

Appendix B:
Remedial Alternative Cost Analysis

Table B-1
Opinion of Cost for Remedial Alternative 1
Carroll Gardens/Public Place (Citizens Gas Works Former MGP Site)
Brooklyn, New York

GEI Consultants, Inc. (GEI) has prepared this opinion of probable cost to perform the scope of work described in the Remedial Alternatives Analysis for the Carroll Gardens/Public Place Site (Citizens Gas Works Former MGP Site) prepared by GEI. GEI's opinion is based on published RS Means Cost Data and on GEI's project experience. In order to prepare this Opinion of Cost, GEI made assumptions on the constructability of the barrier wall based on relevant project experience and the data presented in the Remedial Investigation Report. GEI made basic assumptions as to actual site conditions that should be encountered; specific decisions and costs by other design professionals to be engaged by the contractor; the means, materials, methods of construction, and schedule the contractor will use/determine; and various other factors (see Attached Assumptions). An actual contractor's bid price to perform this work may vary from this opinion of cost based on variances in the above-mentioned assumptions.

Remedial Component	Unit	Unit Price	Remedial Alternative 1	
			Quantity	Total Cost
COMMON COST COMPONENTS				
<i>Preconstruction</i>				
1 Engineering Design, Plans, Specs, Bid	Lump Sum	\$ 473,000	1	\$ 473,000
2 Permitting and Regulatory submittals	Lump Sum	\$ 245,000	1	\$ 245,000
3 Constructability Investigation	Lump Sum	\$ 300,000	1	\$ 300,000
			Subtotal	\$ 1,018,000
			% Total Costs	0%
<i>Construction Management</i>				
1 Construction Oversight	Day	\$ 1,044	2800	\$ 2,923,200
2 Air Monitoring during construction	Day	\$ 780	2800	\$ 2,184,000
3 Air Monitoring System	Month	\$ 30,000	136	\$ 4,080,000
4 Site Survey (Preconstruction and Post-Remediation)	Acre	\$ 5,000	11.2	\$ 56,000
			Subtotal	\$ 9,243,200
			% Total Costs	1%
<i>General Conditions</i>				
1 Mobilization/Demobilization	Lump Sum	\$ 200,000	1	\$ 200,000
2 Site Preparation (fence and shrub removal)	Lump Sum	\$ 25,000	1	\$ 25,000
3 Temporary Offices for construction period +3 months	Month	\$ 3,000	139	\$ 417,000
4 Temporary Utilities	Lump Sum	\$ 25,000	1	\$ 25,000
			Subtotal	\$ 667,000
			% Total Costs	0%
REMEDIAL COMPONENTS				
<i>Parcel I</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	692,000	\$ 14,359,000
2 Import and Place Backfill	Tons	\$ 16	1,038,000	\$ 16,089,000
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	1,012,050	\$ 90,730,283
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	15	\$ 7,875
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	51,900	\$ 5,784,255
6 Hazardous Waste Disposal	Tons	\$ 209	25,950	\$ 5,423,550
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	3,990,000	\$ 89,775,000
8 Excavation Support System	SF	\$ 50	220,000	\$ 11,000,000
<i>Parcels II & III</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	994,000	\$ 20,625,500
2 Import and Place Backfill	Tons	\$ 16	1,491,000	\$ 23,110,500
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	1,453,725	\$ 130,326,446
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	15	\$ 7,875
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	74,550	\$ 8,308,598
6 Hazardous Waste Disposal	Tons	\$ 209	37,275	\$ 7,790,475
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	4,290,090	\$ 96,527,025
8 Excavation Support System	SF	\$ 50	389,000	\$ 19,450,000
<i>Parcel IV</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	35,000	\$ 726,250
2 Import and Place Backfill	Tons	\$ 16	52,500	\$ 813,750
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	51,188	\$ 4,588,959
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	15	\$ 7,875
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	2,625	\$ 292,556
6 Hazardous Waste Disposal	Tons	\$ 209	1,313	\$ 274,313
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	8,552	\$ 192,420
8 Excavation Support System	SF	\$ 50	26,000	\$ 1,300,000
			Subtotal	\$ 547,511,504
			% Total Costs	78%
<i>Long term monitoring and maintenance</i>				
1 Periodic Monitoring, Reporting, Disposal and Maintenance assume I=5%	Year	\$ 66,000	30	\$ 1,014,582
			Subtotal	\$ 1,014,582
			% Total Costs	0%
REMEDIAL COST SUMMARY				
Total Capital costs without contingency				\$ 558,439,704
Total O & M costs				\$ 1,014,582
Total Capital and O&M costs without contingency				\$ 559,454,286
Contingency (25%)			25%	\$ 139,863,572
			% TOTAL COSTS	20%
			TOTAL COST	\$ 699,317,858

**Remedial Alternative 1 Summary and Cost Estimate Assumptions
Carroll Gardens/Public Place (Citizens Gas Works Former MGP Site)
Brooklyn, New York**

Alternative 1 Summary:

Remedial Alternative 1 includes excavation and treatment/disposal of all source areas to a maximum depth of contamination in the saturated zone to restore site to pre-release conditions.

- Excavation of soil and debris to depths ranging from 40' to 120' will produce over 1.7 million cubic yards of material for offsite treatment and disposal.
- Excavation support cells will be created with approximately 640,000 square feet of steel sheeting.
- Dewatering of excavation volumes will generate of roughly 62 billion gallons of wastewater that will be treated onsite and discharged into the Gowanus Canal.
- Long term periodic monitoring, reporting, and maintenance are included in this remedial alternative.
- It is expected this remedial alternative can be completed over 11.5 years.

Cost Estimate Assumptions:

Unit Rates for Labor

- GEI unit rates from the 9/8/05 RFB submittal were used as typical costs for report preparation and oversight costs. These rates are intended to reflect industry rates and not those of a specific consultant.

Constructability Investigation

Boring and Test Pits:

- Sonic Rotary Drilling Rig will be used to core through obstructions within the top 20 feet of overburden.
- A total of ten sonic borings at a rate of two borings completed per day. Boring depth of approximately 20 feet per boring. Plan on 5 days of sonic drilling plus 2 days contingency for a total of 7 days.
- Mud rotary borings to be advanced 125 feet below surface elevation.
- Assume a mud rotary drilling rate of 50 feet per day, approximately 3 days per boring. Plan on 30 days of mud rotary drilling plus 5 days contingency for a total of 35 days.
- After a depth of 20 feet, the remainder of the boring is to be completed using mud rotary drilling.
- Assume 1 hour of equipment decontamination and fluid handling per day.
- Assume 1 hour of overtime per day
- Assume sequence of 10 days of sonic drilling (Day 0 through Day 10)
- Assume mud rotary drilling overlaps by 6 days (Day 4 through Day 34)
- Assume test pit investigations begin after completion of sonic drilling (Day 11 through Day 31)

Analytical Laboratory Sampling/Analysis:

- Assume two chemical samples per location. 10 borings x 2 samples/boring = 20 samples.
- Assume four geotechnical samples per location. 10 borings x 4 samples/boring = 40 samples.
- Assume 0.5 hours per analysis per sample for data validation.
- Assume 20 chemical samples at 5 analyses per sample for a total of 100 analyses for validation.
- Data validation estimated to take approximately 50 hours.

Construction Management:

- One construction oversight person on site during all construction activities. (12hrs/day)
- One air monitoring oversight person on site during all remedial activities. (10hrs/day)

Remedial Components

- Assume an average depth to groundwater of 10 feet below surface.
- Assume 35 trucks per day at 18 cubic yards per truck. Total of 630 cubic yards/day.
- Costs based on similar MGP remediation project in Bronx, NY from 2006-2007.
- Assume 5% of the excavation consists of bulk solid waste and construction debris.
- Assume a total of 45 drums of Non-Hazardous aqueous waste generated.
- Assume 2.5% of material to be disposed of as Hazardous waste.
- Excavation support system consists of sheet piles driven to a depth of 20 feet beyond maximum excavation depth.
- Excavation support systems for each parcel will be independent of one another.
- Excavation support is not limited to the outer boundaries of the parcel. Parcel sectioning may be necessary to manage the excavations.
- Assume sheet piles driven at a rate of 360 square feet/day (approximately 3 piles).
- For dewatering calculations, assume 30% soil porosity for storativity and 5% leakage per day.

Long Term Monitoring Costs

- Rates based on GEI MSA with STL of Connecticut
- Assume a total of 12 monitoring wells consisting of 4 sampling rounds per year.
- For data validation, assume 0.5 hours per analysis per sample.
- Assuming 12 sample locations and 4 analyses per location, therefore 48 samples at 4 samples per analysis totals 192 analyses.
- The data validation is estimated to take approximately 96 hours per year.

Table B-2
Opinion of Cost for Remedial Alternative 2
Carroll Gardens/Public Place (Citizens Gas Works Former MGP Site)
Brooklyn, New York

GEI Consultants, Inc. (GEI) has prepared this opinion of probable cost to perform the scope of work described in the Remedial Alternatives Analysis for the Carroll Gardens/Public Place Site (Citizens Gas Works Former MGP Site) prepared by GEI. GEI's opinion is based on published RS Means Cost Data and on GEI's project experience. In order to prepare this Opinion of Cost, GEI made assumptions on the constructability of the barrier wall based on relevant project experience and the data presented in the Remedial Investigation Report. GEI made basic assumptions as to actual site conditions that should be encountered; specific decisions and costs by other design professionals to be engaged by the contractor; the means, materials, methods of construction, and schedule the contractor will use/determine; and various other factors (see Attached Assumptions). An actual contractor's bid price to perform this work may vary from this opinion of cost based on variances in the above-mentioned assumptions.

Remedial Component	Unit	Unit Price	Remedial Alternative 2	
			Quantity	Total Cost
COMMON COST COMPONENTS				
<i>Preconstruction</i>				
1 Engineering Design, Plans, Specs, Bid	Lump Sum	\$ 473,000	1	\$ 473,000
2 Permitting and Regulatory submittals	Lump Sum	\$ 245,000	1	\$ 245,000
3 Constructability Investigation	Lump Sum	\$ 300,000	1	\$ 300,000
			Subtotal	\$ 1,018,000
			% Total Costs	1%
<i>Construction Management</i>				
1 Construction Oversight	Day	\$ 1,044	600	\$ 626,400
2 Air Monitoring during construction	Day	\$ 780	600	\$ 468,000
3 Air Monitoring System	Month	\$ 30,000	27	\$ 810,000
4 Site Survey (Preconstruction and Post-Remediation)	Acre	\$ 5,000	11.2	\$ 56,000
			Subtotal	\$ 1,960,400
			% Total Costs	2%
<i>General Conditions</i>				
1 Mobilization/Demobilization	Lump Sum	\$ 200,000	1	\$ 200,000
2 Site Preparation (fence and shrub removal)	Lump Sum	\$ 25,000	1	\$ 25,000
3 Temporary Offices for construction period +3 months	Month	\$ 3,000	30	\$ 90,000
4 Temporary Utilities	Lump Sum	\$ 25,000	1	\$ 25,000
			Subtotal	\$ 340,000
			% Total Costs	0%
REMEDIAL COMPONENTS				
<i>Parcel I</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	116,000	\$ 2,407,000
2 Import and Place Backfill	Tons	\$ 16	174,000	\$ 2,697,000
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	169,650	\$ 15,209,123
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	10	\$ 5,250
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	8,700	\$ 969,615
6 Hazardous Waste Disposal	Tons	\$ 209	4,350	\$ 909,150
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	37,180	\$ 836,550
8 Excavation Support System	SF	\$ 50	63,000	\$ 3,150,000
<i>Parcels II & III</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	207,000	\$ 4,295,250
2 Import and Place Backfill	Tons	\$ 16	310,500	\$ 4,812,750
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	302,738	\$ 27,140,417
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	10	\$ 5,250
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	15,525	\$ 1,730,261
6 Hazardous Waste Disposal	Tons	\$ 209	7,763	\$ 1,622,363
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	63,555	\$ 1,429,988
8 Excavation Support System	SF	\$ 50	85,000	\$ 4,250,000
9 Barrier Wall & DNAPL Collection System (Unknown Configuration)	Lump Sum	\$ 4,100,000	1	\$ 4,100,000
<i>Parcel IV</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	18,000	\$ 373,500
2 Import and Place Backfill	Tons	\$ 16	27,000	\$ 418,500
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	26,325	\$ 2,360,036
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	10	\$ 5,250
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	1,350	\$ 150,458
6 Hazardous Waste Disposal	Tons	\$ 209	675	\$ 141,075
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	1,413	\$ 31,793
8 Excavation Support System	SF	\$ 50	17,000	\$ 850,000
			Subtotal	\$ 79,050,577
			% Total Costs	75%
<i>Long term monitoring and maintenance</i>				
1 Periodic Operations, Maintenance, Monitoring, Reporting, and Disposal assume I=5%	Year	\$ 150,000	30	\$ 2,305,868
			Subtotal	\$ 2,305,868
			% Total Costs	2%
REMEDIAL COST SUMMARY				
Total Capital costs without contingency				\$ 82,368,977
Total O & M costs				\$ 2,305,868
Total Capital and O&M costs without contingency				\$ 84,674,845
Contingency (25%)			25%	\$ 21,168,711
			% TOTAL COSTS	20%
			TOTAL COST	\$ 105,843,556

**Remedial Alternative 2 Summary and Cost Estimate Assumptions
Carroll Gardens/Public Place (Citizens Gas Works Former MGP Site)
Brooklyn, New York**

Remedial Alternative 2

Remedial Alternative 2 includes shallow excavation, MGP-era structure removal, and treatment/disposal of DNAPL tar source above the elevation for the former Gowanus Creek clay/peat deposits, installation and operation of a DNAPL recovery system, construction of a containment barrier, and implementation of an engineered cap/cover system.

- Approximately 1,000' of containment barrier wall will be constructed with materials to be determined by constructability analysis.
- Excavation of soil and debris to depths of roughly 20' will produce nearly 340,000 cubic yards of material for offsite treatment and disposal.
- Excavation support cells will be created with approximately 170,000 square feet of steel sheeting.
- Dewatering of excavation volumes will generate of roughly 76 million gallons of wastewater that will be treated onsite and discharged into the Gowanus Canal.
- Access controls and Environmental Land Use Restriction and/or Deed Restrictions will be implemented.
- Long term periodic monitoring, reporting, and maintenance are included in this remedial alternative.

It is expected this remedial alternative can be completed over 2.5 years.

Cost Estimate Assumptions:

Unit Rates for Labor

- GEI unit rates from the 9/8/05 RFB submittal were used as typical costs for report preparation and oversight costs. These rates are intended to reflect industry rates and not those of a specific consultant.

Constructability Investigation

Boring and Test Pits:

- Sonic Rotary Drilling Rig will be used to core through obstructions within the top 20 feet of overburden.
- A total of ten sonic borings at a rate of two borings completed per day. Boring depth of approximately 20 feet per boring. Plan on 5 days of sonic drilling plus 2 days contingency for a total of 7 days.
- Mud rotary borings to be advanced 125 feet below surface elevation.
- Assume a mud rotary drilling rate of 50 feet per day, approximately 3 days per boring. Plan on 30 days of mud rotary drilling plus 5 days contingency for a total of 35 days.

- After a depth of 20 feet, the remainder of the boring is to be completed using mud rotary drilling.
- Assume 1 hour of equipment decontamination and fluid handling per day.
- Assume 1 hour of overtime per day
- Assume sequence of 10 days of sonic drilling (Day 0 through Day 10)
- Assume mud rotary drilling overlaps by 6 days (Day 4 through Day 34)
- Assume test pit investigations begin after completion of sonic drilling (Day 11 through Day 31)

Analytical Laboratory Sampling/Analysis:

- Assume two chemical samples per location. 10 borings x 2 samples/boring = 20 samples.
- Assume four geotechnical samples per location. 10 borings x 4 samples/boring = 40 samples.
- Assume 0.5 hours per analysis per sample for data validation.
- Assume 20 chemical samples at 5 analyses per sample for a total of 100 analyses for validation.
- Data validation estimated to take approximately 50 hours.

Construction Management:

- One construction oversight person on site during all construction activities. (12hrs/day)
- One air monitoring oversight person on site during all remedial activities. (10hrs/day)

Remedial Components

- Assume an average depth to groundwater of 10 feet below surface.
- Assume 35 trucks per day at 18 cubic yards per truck. Total of 630 cubic yards/day.
- Costs based on similar MGP remediation project in Bronx, NY from 2006-2007.
- Assume 5% of the excavation consists of bulk solid waste and construction debris.
- Assume a total of 30 drums of Non-Hazardous aqueous waste generated.
- Assume 2.5% of material to be disposed of as Hazardous waste.
- Excavation support system consists of sheet piles driven to a depth of 20 feet beyond maximum excavation depth.
- Excavation support systems for each parcel will be independent of one another.
- Excavation support not anticipated for parcel limits adjacent to barrier wall to be installed along the Gowanus Canal.
- Excavation support is not limited to the outer boundaries of the parcel. Parcel sectioning may be necessary to manage the excavations.
- Assume sheet piles driven at a rate of 360 square feet/day (approximately 3 piles).
- For dewatering calculations, assume 30% soil porosity for storativity and 5% leakage per day.

Long Term Monitoring Costs

- Rates based on GEI MSA with STL of Connecticut
- Assume a total of 12 monitoring wells consisting of 4 sampling rounds.
- For data validation, assume 0.5 hours per analysis per sample.
- Assuming 12 sample locations and 4 analyses per location, therefore 48 samples at 4 samples per analysis totals 192 analyses.
- The data validation is estimated to take approximately 96 hours.

Table B-3
Opinion of Cost for Remedial Alternative 3
Carroll Gardens/Public Place (Citizens Gas Works Former MGP Site)
Brooklyn, New York

GEI Consultants, Inc. (GEI) has prepared this opinion of probable cost to perform the scope of work described in the Remedial Alternatives Analysis for the Carroll Gardens/Public Place Site (Citizens Gas Works Former MGP Site) prepared by GEI. GEI's opinion is based on published RS Means Cost Data and on GEI's project experience. In order to prepare this Opinion of Cost, GEI made assumptions on the constructability of the barrier wall based on relevant project experience and the data presented in the Remedial Investigation Report. GEI made basic assumptions as to actual site conditions that should be encountered; specific decisions and costs by other design professionals to be engaged by the contractor; the means, materials, methods of construction, and schedule the contractor will use/determine; and various other factors (see Attached Assumptions). An actual contractor's bid price to perform this work may vary from this opinion of cost based on variances in the above-mentioned assumptions.

Remedial Component	Unit	Unit Price	Remedial Alternative 3	
			Quantity	Total Cost
COMMON COST COMPONENTS				
<i>Preconstruction</i>				
1 Engineering Design, Plans, Specs, Bid	Lump Sum	\$ 473,000	1	\$ 473,000
2 Permitting and Regulatory submittals	Lump Sum	\$ 193,000	1	\$ 193,000
3 Constructability Investigation	Lump Sum	\$ 300,000	1	\$ 300,000
			Subtotal	\$ 966,000
			% Total Costs	2%
<i>Construction Management</i>				
1 Construction Oversight	Day	\$ 1,044	400	\$ 417,600
2 Air Monitoring during construction	Day	\$ 780	400	\$ 312,000
3 Air Monitoring System	Month	\$ 30,000	15	\$ 450,000
4 Site Survey (Preconstruction and Post-Remediation)	Acre	\$ 5,000	11.2	\$ 56,000
			Subtotal	\$ 1,235,600
			% Total Costs	2%
<i>General Conditions</i>				
1 Mobilization/Demobilization	Lump Sum	\$ 200,000	1	\$ 200,000
2 Site Preparation (fence and shrub removal)	Lump Sum	\$ 25,000	1	\$ 25,000
3 Temporary Offices for construction period +3 months	Month	\$ 3,000	18	\$ 54,000
4 Temporary Utilities	Lump Sum	\$ 25,000	11.2	\$ 280,000
			Subtotal	\$ 559,000
			% Total Costs	1%
REMEDIAL COMPONENTS				
<i>Parcel I</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	104,000	\$ 2,158,000
2 Import and Place Backfill	Tons	\$ 16	156,000	\$ 2,418,000
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	152,100	\$ 13,635,765
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	10	\$ 5,250
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	7,800	\$ 869,310
6 Hazardous Waste Disposal	Tons	\$ 209	3,900	\$ 815,100
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	0	\$ -
8 Excavation Support System	SF	\$ 50	28,000	\$ 1,400,000
<i>Parcels II & III</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	82,000	\$ 1,701,500
2 Import and Place Backfill	Tons	\$ 16	123,000	\$ 1,906,500
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	119,925	\$ 10,751,276
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	10	\$ 5,250
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	6,150	\$ 685,418
6 Hazardous Waste Disposal	Tons	\$ 209	3,075	\$ 642,675
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	0	\$ -
8 Excavation Support System (Excludes Canal Boundary)	SF	\$ 50	38,000	\$ 1,900,000
9 Barrier Wall & DNAPL Collection System (Unknown Configuration)	Lump Sum	\$ 4,100,000	1	\$ 4,100,000
<i>Parcel IV</i>				
1 Soil Excavation Handling and Stockpiling Soil	In Place CY	\$ 21	9,400	\$ 195,050
2 Import and Place Backfill	Tons	\$ 16	14,100	\$ 218,550
3 Non-Hazardous Waste (Landfill or Thermal treatment)	Tons	\$ 90	13,748	\$ 1,232,463
4 Non-Hazardous Aqueous Waste	55 Gal Drum	\$ 525	10	\$ 5,250
5 Bulk Solid Waste and Construction Debris	Tons	\$ 111	705	\$ 78,572
6 Hazardous Waste Disposal	Tons	\$ 209	353	\$ 73,673
7 Dewatering System Operation and Maintenance	100 CF	\$ 23	0	\$ -
8 Excavation Support System	SF	\$ 50	9,000	\$ 450,000
			Subtotal	\$ 44,797,602
			% Total Costs	72%
<i>Long term monitoring and maintenance</i>				
1 Periodic Operations, Maintenance, Monitoring, Reporting, and Disposal assume I=5%	Year	\$ 150,000	30	\$ 2,305,868
			Subtotal	\$ 2,305,868
			% Total Costs	4%
REMEDIAL COST SUMMARY				
Total Capital costs without contingency				\$ 47,558,202
Total O & M costs				\$ 2,305,868
Total Capital and O&M costs without contingency				\$ 49,864,070
Contingency (25%)			25%	\$ 12,466,017
			% TOTAL COSTS	20%
			TOTAL COST	\$ 62,330,087

**Remedial Alternative 3 Summary and Cost Estimate Assumptions
Carroll Gardens/Public Place (Citizens Gas Works Former MGP Site)
Brooklyn, New York**

Remedial Alternative 3

Remedial Alternative 3 includes shallow excavation, MGP structure removal, and treatment/disposal of DNAPL tar source in the unsaturated zone to a nominal depth of 8 feet below the final property grade based on adjacent side street elevations, creation of a clean utility corridor to facilitate potential future development, installation and operation of a DNAPL recovery system, construction of a containment barrier, and implementation of an engineered cap/cover system.

- Approximately 1,000' of containment barrier wall will be constructed with materials to be determined by constructability analysis.
- Excavation to 8' below grade surface in Parcels I, II, and III and 11' below grade surface in the southeast portion of Parcel IV will produce nearly 200,000 cubic yards of material for offsite treatment and disposal.
- Excavation support cells will be created with approximately 75,000 square feet of steel sheeting.
- Access controls and Environmental Land Use Restriction and/or Deed Restrictions will be implemented.
- Environmental Land Use Restriction/Deed Restrictions
- Long term periodic monitoring, reporting, and maintenance are included in this remedial alternative.

It is expected this remedial alternative can be completed over 1.5 years.

Cost Estimate Assumptions:

Unit Rates for Labor

- GEI unit rates from the 9/8/05 RFB submittal were used as typical costs for report preparation and oversight costs. These rates are intended to reflect industry rates and not those of a specific consultant.

Constructability Investigation

Boring and Test Pits:

- Sonic Rotary Drilling Rig will be used to core through obstructions within the top 20 feet of overburden.
- A total of ten sonic borings at a rate of two borings completed per day. Boring depth of approximately 20 feet per boring. Plan on 5 days of sonic drilling plus 2 days contingency for a total of 7 days.
- Mud rotary borings to be advanced 125 feet below surface elevation.

- Assume a mud rotary drilling rate of 50 feet per day, approximately 3 days per boring. Plan on 30 days of mud rotary drilling plus 5 days contingency for a total of 35 days.
- After a depth of 20 feet, the remainder of the boring is to be completed using mud rotary drilling.
- Assume 1 hour of equipment decontamination and fluid handling per day.
- Assume 1 hour of overtime per day
- Assume sequence of 10 days of sonic drilling (Day 0 through Day 10)
- Assume mud rotary drilling overlaps by 6 days (Day 4 through Day 34)
- Assume test pit investigations begin after completion of sonic drilling (Day 11 through Day 31)

Analytical Laboratory Sampling/Analysis:

- Assume two chemical samples per location. 10 borings x 2 samples/boring = 20 samples.
- Assume four geotechnical samples per location. 10 borings x 4 samples/boring = 40 samples.
- Assume 0.5 hours per analysis per sample for data validation.
- Assume 20 chemical samples at 5 analyses per sample for a total of 100 analyses for validation.
- Data validation estimated to take approximately 50 hours.

Construction Management:

- One construction oversight person on site during all construction activities. (12hrs/day)
- One air monitoring oversight person on site during all remedial activities. (10hrs/day)

Remedial Components

- Assume an average depth to groundwater of 10 feet below surface.
- Assume 35 trucks per day at 18 cubic yards per truck. Total of 630 cubic yards/day.
- Costs based on similar MGP remediation project in Bronx, NY from 2006-2007.
- Assume 5% of the excavation consists of bulk solid waste and construction debris.
- Assume a total of 30 drums of Non-Hazardous aqueous waste generated.
- Assume 2.5% of material to be disposed of as Hazardous waste.
- Excavation support system consists of sheet piles driven to a depth of 10 feet beyond maximum excavation depth.
- Excavation support systems for each parcel will be independent of one another.
- Excavation support not anticipated for parcel limits adjacent to barrier wall to be installed along the Gowanus Canal.
- Excavation support is not limited to the outer boundaries of the parcel. Parcel sectioning may be necessary to manage the excavations.
- Assume sheet piles driven at a rate of 360 square feet/day (approximately 3 piles).

Long Term Monitoring Costs

- Rates based on GEI MSA with STL of Connecticut
- Assume a total of 12 monitoring wells consisting of 4 sampling rounds.
- For data validation, assume 0.5 hours per analysis per sample.
- Assuming 12 sample locations and 4 analyses per location, therefore 48 samples at 4 samples per analysis totals 192 analyses.
- The data validation is estimated to take approximately 96 hours.

APPENDIX D: HPD Marketing Guidelines

All units in HPD development projects are sold or leased through a lottery system monitored by HPD's Marketing Unit. Market-rate units may be subject to the HPD lottery. Permanent supportive housing units will not be subject to the HPD lottery, but will be subject to the requirements detailed in Appendix B (Permanent Supportive Housing Information and Guidelines).

A. Citywide Advertising

The units must be advertised in citywide, local, and other relevant newspapers that will indicate the location of the homes, the price or rent of the units, estimated minimum income requirements, and the process for obtaining an application. All applications must be returned to a post office box.

The ad format must be approved by HPD's Marketing Unit and the ads must run a minimum of three days, including a weekend. The ads must appear at least 60 days prior to the application deadline. Any applications postmarked after the application deadline will be set aside for possible consideration only after all applications postmarked by the deadline have been exhausted.

B. Local Outreach

Local presentations to local community organizations, churches, civic groups, block and tenant associations, and institutions are encouraged.

C. Contents of Application and Cover Letter

The application must be accompanied by a cover letter. The format of the application and the cover letter must be approved by HPD's Marketing Unit. The letter must state the due date by which the application must be postmarked and highlight the post office box to which the application must be mailed.

The application must request information regarding income, assets, liabilities, current address, and permission to do credit checks. The application information requested may also include certain information which may be required from the bank. The application must state that the confidentiality of the information will be preserved except where disclosure is required by applicable law.

Applications will be available at the office of the marketing agent or may be requested by mail or phone to the marketing agent.

D. Picking Up Applications

Applications will be picked up from the post office box by the marketing agent one week after the stipulated deadline. Applications must be picked up in the presence of HPD Marketing staff.

If the post office requires that the box be emptied on a regular basis due to the large volume of mail, the marketing agent must notify HPD's Marketing Unit prior to picking up the mail and place all envelopes, unopened, in one secure location.

E. Opening Applications and Creating a Log

The log format will be provided by HPD's Marketing Unit.

All applications will be randomly selected by the marketing agent and entered, in ink, in a log book ("Master Log") in the order in which they were randomly chosen. HPD Marketing staff will be present when the applications are opened and the log created.

The marketing agent must submit copies of the log to HPD's Marketing Unit for review and approval prior to notifying applicants of their selection status (offering units to those who are eligible) and after sales or leasing are completed.

The marketing agent will review all applications received by the closing date of the marketing period

in the order in which they are ranked in the log. The review will determine each applicant's eligibility. Ineligible applicants will be notified in writing and will have 10 days to appeal. Applicants deemed initially eligible based upon the information given on their application will be interviewed by the marketing agent. After demonstrating the ability to meet bank underwriting criteria, applicants will be given an opportunity to submit bank application and any other necessary documentation.

F. Marketing Preferences

Eligible applicants who are residents of the Community District in which the Site is located will receive preferential consideration for 50% of the units.

Eligible mobility-impaired applicants will receive preferential consideration for 5% of the units.

Eligible visually and hearing impaired applicants will receive preferential consideration for 2% of the units.

Eligible active New York City Police Officers will receive preferential consideration for 5% of the homeownership units.

Eligible Municipal employees will receive preferential consideration for 5% of the units.

G. Residency Preference

Preference for all the units will be given to purchasers or renters who are New York City residents at the time the application to purchase or rent the unit is submitted to the marketing agent. If any units remain available after all New York City residents have been considered, non-residents will be offered units in log order.

H. Other Requirements

The marketing agent must comply with all applicable Federal, State and City equal opportunity and nondiscrimination laws. Ranking and determination of eligibility must be non-discriminating.

HPD Marketing staff will monitor to insure that applicants are being notified in log order. An "Applicant's Log" will be created to track the date and time of paper work submission, telephone contact, outstanding documentation, and issues. Tracking sheets will be kept in the individual applicant files and updated on the Master Log on a weekly basis. The Master Log will indicate where each applicant is in the process at a given time.

No employee of the marketing agent, relative of any employee, or person residing with any employee of the marketing agent may purchase or rent a unit.

I. Execution of Contracts

The marketing agents will send letters inviting all those who appear mortgage eligible, and pass the credit check to submit a bank application and any other documentation deemed necessary for submission to the bank providing the end loan. Offers will go out first to those who meet the marketing preference requirements, and these applications will be processed first to ensure that these requirements are met.

J. Waiting List

If, after contracts are executed for all units, there remain eligible applicants who are still interested in purchasing or renting a unit, the marketing agent must place their names on a waiting list.

The marketing agent must offer any unit that an applicant fails to close or lease to eligible applicants on the waiting list, if any.



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

EXECUTIVE ORDER NO. 50

APRIL 25, 1980

BUREAU OF LABOR SERVICES

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

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

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

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

(a) Bureau means the Bureau of Labor Services;

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

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

*amended
E.O. 94*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 5. Contract Provisions.

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

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

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

§ 6. Employment Reports.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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


EDWARD I. KOCH
M A Y O R

EQUAL EMPLOYMENT OPPORTUNITY

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

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

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

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

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

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

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

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

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

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

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



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

Executive Order No. 108
December 29, 1986

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

BUREAU OF LABOR SERVICES

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

Section 1. Prior Order Amended.

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

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

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

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

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

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

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

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



Edward I. Koch
M A Y O R



JUN 25 1986

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

Executive Order No. 94
June 20, 1986

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

BUREAU OF LABOR SERVICES

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

Section 1. Prior Order Amended.

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

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

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

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

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

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

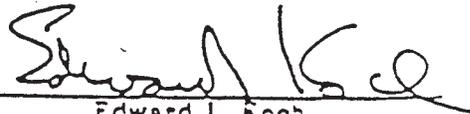
contract to which it becomes a party such provisions requiring the contractor to ensure equal employment opportunity as the Bureau may direct, consistent with this Order."

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

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

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

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



Edward I. Koch
M A Y O R

APPENDIX F: Public Place Task Force Membership

Public Place Task Force Membership

Title	First Name	Last Name	Group
Councilmember	Bill	DiBlasio	New York City Council
Congresswoman	Nydia	Velazquez	U.S. House of Representatives
Assemblywoman	Joan	Millman	New York State Assembly
Borough President	Marty	Markowitz	Brooklyn Borough President
Senator	Martin	Connor	New York State Senate
Ms.	Bettie	Stoltz	South Brooklyn Local Development Corporation
Mr.	David	Briggs	Gowanus Dredgers
Reverend	Christopher	Cashman	St. Mary Star of the Sea Church
Ms.	Maria	Pagano	Carrol Gardens Neighborhood Association
Mr.	Brad	Lander	Pratt Center
Mr.	Al	Nembhard	Community Board 6
Mr.	Michael	Ingui	Land Use Committee member
Mr.	Jerry	Armer	Past Chair, Community Board 6
Ms.	Marilyn	Oliva	Past Chair, Parks Committee

- A. Completeness Checklist and Applicant's Letter**
- B. Proposal Summary**
- C. Development Team Information and Applicant Questionnaire**
- D. Development Experience and Current Workload**
- E. Individual's Property Listing**
- F. Ability to Finance**
- G. Project/Design Narrative**
- H. Financing Proposal**
- I. Environmental Proposal**
- J. Design/Architectural Elements**
- K. Marketing Plan**
- L. Development Schedule**
- M. Additional Evidence of Experience and Qualifications**

EXHIBIT A: Completeness Checklist and Applicant's Letter

Form A1 – Completeness Checklist (Tab A)

Before completing the following forms, please see instructions in **Section VI (Submission Requirements)**.

Tab	Form	✓
A	Completeness Checklist and Applicant's Letter (Exhibit A)	
	1. Completeness Checklist	
	2. Applicant's Letter	
B	Proposal Summary (<i>to be provided by Applicant</i>)	
C	Development Team Information and Applicant Questionnaire (Exhibit C)	
	1. Development Team Information	
	2. Principal Questionnaire	
	3. Not-For-Profit Organization: Applicant Description	
	4. Not-For-Profit Organization: Directors, Officers, and Key Staff	
	5. Not-For-Profit Organization: Major Sources of Funding	
	6. Not-For-Profit Organization: Social Service Contracts	
D	Development Experience and Current Workload (Exhibit D)	
E	Individual's Property Listing (<i>to be provided by Applicant</i>)	
F	Ability to Finance (Exhibit F)	
	1. Assets Statement: Personal Information (or alternative statements)	
	2. Assets Statement: Statement of Financial Conditions (including Schedules A1, A2, B, and C) (or alternative statements)	
	3. Lender and Tax Credit Syndicator Letter(s) (<i>to be provided by Applicant</i>)	
G	Project/Design Narrative (description in Exhibit G, <i>to be provided by Applicant</i>)	
H	Financing Proposal (Exhibit H)	
	1. Townhouse Project Income and Affordability	
	2. Condo/Co-op Project Income and Affordability	
	3. Rental Project Income and Affordability	
	4. Purchase Price and Affordability Calculations	
	5. Rent and Affordability Calculations	
	6. Construction Period Uses of Funds	
	7. Construction Financing Sources	
	8. Permanent Financing Sources	
	9. Condo/Co-op Pro Forma Income and Expense Schedule	
	10. Rental Pro Forma Income and Expense Schedule	
	11. Permanent Supportive Housing Pro Forma Income and Expense Schedule	
I	Environmental Proposal (<i>to be provided by Applicant, if applicable</i>)	
J	Design/Architectural Documents (<i>to be provided by Applicant</i>)	
K	Marketing Plan (<i>to be provided by Applicant</i>)	
L	Development Schedule (<i>to be provided by Applicant</i>)	
M	Additional Evidence of Experience and Qualifications (including Design Team Portfolio, <i>to be provided by Applicant</i>)	

Form A2 – Applicant’s Letter (Tab A)

NYC Department of Housing Preservation and Development
Office of Development
Division of Planning and Pipeline Development
100 Gold Street, Room 9I-3
New York, NY 10038
Attention: Gabriella Amabile

Re: Proposal in Response to RFP for Public Place Site

Dear Ms. Amabile

This letter is being submitted in connection with my proposal (“Proposal”) submitted in response to the Request for Proposals (“RFP”) issued by the Department of Housing Preservation and Development (“HPD”) of the City of New York (“City”) for mixed-use development on Block 471 lots 1 and 100 (“Development Site”) in Brooklyn.

I have received, read, and understand the provisions of the RFP. I understand that selection of an Applicant (“Applicant”) under the RFP for disposition of the Development Site and the development of the Project described in the RFP (“Project”) will mean only that HPD will commence negotiations with such Developer regarding the development of the Development Site.

I recognize that any negotiations with HPD will be subject to the following terms and conditions:

1. The commencement of negotiations will not represent any obligation or agreement on the part of the City, which may only be incurred or entered into by a written agreement which has been (i) approved as to form by the City’s Law Department, (ii) approved by the Mayor after a hearing on due notice; and (iii) duly executed by the Applicant and the City. The Negotiation Letter will only indicate HPD’s intention to commence negotiations, which may ultimately lead to the execution of such an agreement.
2. The Applicant will not have permission to enter upon the Development Site, which permission will only be granted, if at all, in the form of a license agreement duly executed by the Applicant and the City. The execution of any such license agreement, if it occurs, will only indicate that the City has granted permission for the Applicant to enter onto the Development Site for the limited purposes stated in the scope of work set forth therein, and will not indicate that the City reached any other agreement with the Applicant regarding the Development Site or the Project.
3. The following requirements will have to be satisfied prior to the disposition of the Development Site:

The disposition of the Development Site and tax exemptions to be granted, if any, must be reviewed and approved in accordance with all applicable HPD and City policies, which include, but are not limited to, the following:

- a. The Applicant, any other potential grantee of the Development Site, and their respective Principals must successfully undergo a background check concerning their suitability to do business with the City.
- b. The Development Site will not be sold to any person or entity which, or to any entity with a Principal who: (i) has not fulfilled development responsibilities undertaken in connection with the City or other governmental entities, (ii) is in default on any obligations to the City, (iii) is a former owner of the Development Site, or (iv) has lost real property to the City in tax or lien enforcement proceedings.
- c. The price and other terms for the disposition of the Development Site and the tax exemption(s) to be provided, if any, will be consistent with applicable City policies.

- d. The grantee must execute legal documents in form and substance acceptable to HPD and in form approved by the City's Law Department.
- 4. During negotiations, the Applicant must diligently, competently, and expeditiously comply with all requirements communicated to the Applicant by HPD.
- 5. The design of the Project must comply with any applicable HPD development requirements and guidelines.
- 6. Either HPD or the Applicant may terminate negotiations at any time with or without cause. Negotiations will be terminated if Applicant does not commence construction within eighteen (18) months from the date of the Negotiation Letter.
- 7. If negotiations are terminated by either HPD or the Applicant, whether with or without cause, or if negotiations terminate automatically, then neither the City nor the Applicant will have any rights against or liabilities to the other.
- 8. The City is not obligated to pay, nor will it in fact pay, any costs or losses incurred by the Applicant at any time, including, but not limited to, the cost of: (i) any prior actions by the Applicant in order to respond to any selection process, or (ii) any future actions by the Applicant in connection with the negotiations, including, but not limited to, actions to comply with requirements of HPD, the City, or any applicable laws.

Very truly yours,

Signature

Title

Applicant

To be provided by Applicant

EXHIBIT C: Development Team Information and Applicant Questionnaire

Form C1 – Development Team Information (Tab C)

If the Applicant is a joint venture, a separate Applicant Questionnaire must be provided for each entity that comprises the joint venture, as identified below. If additional space is needed, please submit separate sheet(s), stating the question(s) being answered on each sheet. All responses must be typed.

1. Applicant Information

Name of Applicant: _____

Address: _____

Name of Contact for Applicant Entity: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____

2. Composition of Applicant Entity

Is the Applicant a joint venture? Yes [] No []

If yes, list below each Principal (individual and/or organization) that comprises the joint venture. Include the names, addresses, telephone and fax numbers, e-mail addresses, and percentages of ownership of the proposed development.

Name/Organization	Address	Telephone/Fax/E-mail	% Ownership

3. Development Team Consultants

List below each consultant (individual and/or organization) that comprises the Development Team. Include the names, addresses, telephone and fax numbers, and e-mail addresses. The Development Team may include other Team Roles that are not listed below; please include all known Team Roles. If unknown, enter "N/A".

Team Role	Name/Organization	Address	Telephone/Fax/E-mail
General Contractor			
Architect			
Landscape Architect			
Engineer			
Managing Agent (Residential and/or Retail/Commercial)			
Marketing Agent (Residential and/or Retail/Commercial)			
Legal Counsel			
Other			
Other			
Other			

Form C2 – Principal Questionnaire (Tab C)

If a joint venture, a separate Principal Questionnaire must be provided for each individual and/or organization that comprises the Applicant Entity.

1. Principal Information

Name of Principal: _____

2. Individual/Organization Information

Provide the following information about all individuals that make up the Principal completing this questionnaire. State the role that each would play in the development of the Site, using the categories specified below. For corporations, provide the names of the officers and any shareholders owning 10% or more. For partnerships, provide the names of all general partners.

Name/Position/Title	Home Address	Role*	% Owned	Social Security #

*Role categories:

- GP = General/Managing Partner
- GC = General Contractor
- F = Provides Financing, Inactive
- A = Architect
- L = Legal Services
- MR = Marketing Agent, Residential
- MC = Marketing Agent, Retail/Commercial
- O = Other (specify)

3. References

For each of the following categories, provide the name, address, and telephone and fax numbers of at least three business references that we may contact regarding your experience. For each reference, identify the property or properties with which the individual is familiar.

- New Construction Experience
- Marketing Experience – Residential
- Leasing Experience – Retail/Commercial, Community/Institutional
- Management Experience
- Financial Capacity

4. Other

Has any individual identified in Section 2 of this questionnaire, or any organization in which the Individual is or was a general partner, corporate officer, or owned more than 10% of the shares of the corporation, been the subject of any of the following:

1. Arson conviction or pending case? Yes [] No []
2. Harassment complaint by the New York State Division of Rent Control or the New York State Division of Housing and Community Renewal? Yes [] No []
3. Had an ownership or management interest in a property that was taken in rem by the City or assigned by a judge of Landlord and Tenant Court to a 7A administrator or receiver? Yes [] No []
4. City mortgage foreclosure or currently more than 90 days in arrears on any City loan? Yes [] No []
5. Default on any contract obligation or agreement of any kind or nature entered into with the City or one of its agencies? Yes [] No []
6. In the past 10 years, failed to qualify as a responsible bidder, or refused to enter into a contract after an award has been made, privately or with any government agency? Yes [] No []
7. In the last 7 years, filed a bankruptcy petition or been the subject of involuntary bankruptcy proceedings? Yes [] No []
8. In the last 10 years, failed to file any required tax returns, or failed to pay any applicable Federal, State of New York, or City taxes or other charges? Yes [] No []
9. Been convicted of fraud, bribery, or grand larceny? Yes [] No []

If the answer to any question is yes, provide the following information about each instance: name(s) of individual(s), name(s) of organization(s) or corporation(s), individual's title(s) or role(s) in the organization (e.g. officer), date of the action(s), and current status and disposition.

Name of Principal: _____

Signature of Individual: _____

Print name and Title of Individual: _____

5. Certification

This certification must be signed by one of the individuals listed above. If the Applicant Entity is a joint venture, an individual representing each Principal of the joint venture must sign it.

I certify that the information set forth in this application and all attachments and supporting documentation is true and correct. I understand that the City of New York will rely on the information in or attached to this document and that this document is submitted to induce the City of New York to select this Proposal for development of the Site.

I understand that this statement is part of a continuing application and that until such time that the subject Project is finally and unconditionally approved by the City of New York, I will report any changes in or additions to the information herein, and will furnish such further documentation or information as may be requested by the City of New York or any agency thereof.

I understand that if I receive preliminary designation to develop this site, I must submit all additional disclosure forms required.

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

Name of Principal: _____

Signature of Individual: _____

Print Name and Title of Individual: _____

EXHIBIT D: Development Experience and Current Workload

Form D – Development Experience and Current Workload (Tab D)

The most recent projects should be listed first. Additional pages may be attached as necessary.

Name of Principal or individual whose experience is described below: _____

	Project 1	Project 2
Project Name and Address		
Role (a)		
Type (b)		
Category (c)		
# of Buildings in Project		
# of Stories		
Total # of Units		
Retail Space (sq. ft.)		
Office Space (sq. ft.)		
Total Development Cost		
Start Date (month/year)		
Completion Date (month/year)		
Status (d)		
Government Program (e)		
Construction Lender (f)		
Permanent Lender (f)		
Marketing Method (g)		
Marketing Period (h)		
Initial Occupancy & 90% Leased (i)		
Management (j)		

- (a) **ROLE:** Indicate the role or roles you played in the development of each property listed. If developed as part of a joint venture, indicate such by adding JV to the respective role (e.g., D/JV).
D=Developer; B=Builder; GC= General Contractor; CM=Construction Manager; F=Provided Financing; O=Other (specify)
- (b) **TYPE:** Project Type: RH=Rental Housing; CH=Coop/Condo Housing; SF=Single Family Housing; O=Office; R=Retail; M=Mixed Use
- (c) **CATEGORY:** NC=New Construction; SR=Substantial Rehab; MR=Moderate Rehab
- (d) **STATUS:** Indicate if project is Pre=Pre-development; UC=Under Construction; Com=Completed
- (e) **GOVERNMENT PROGRAM:** Provide the name of the program, contact name, and telephone number.
- (f) **CONSTRUCTION/PERMANENT LENDER:** Provide the name of the institution.
- (g) **MARKETING METHOD:** Indicate if you marketed the project directly or used a marketing agent. Provide the name of the marketing agent used, if any.
- (h) **MARKETING PERIOD:** Provide the month/year for the start and completion of marketing.
- (i) **INITIAL OCCUPANCY & 90% LEASED:** Provide the month/year for the date of initial occupancy and the date that 90% of the project was under contract or leased.
- (j) **MANAGEMENT:** Indicate if you manage the project directly or use a property manager. Provide the name of the property manager used, if any. Indicate N/A if you no longer own the project.

To be provided by Applicant

EXHIBIT F: Ability to Finance

Form F1 – Personal Information (Tab F)

The Assets Statement must describe financial status within the last 12 months. The Assets Statement must be signed and dated.

Name of Principal or individual whose assets are described below: _____

Name: _____

Business Name: _____

Business Phone: _____

Marital Status: _____

Residence Address: _____

Business Address: _____

Position (Title) _____ Years of Service: _____

Salary: _____ Bonus/Commission: _____

Other Income: _____ Source: _____

Gross Life Insurance: _____

Beneficiaries: _____

Are you a defendant in any lawsuits or legal actions? If so, please describe:

Do you have any contingent liabilities? If so, please describe:

Schedule A2: Income From Properties

Property No. (Refer to Schedule A1)	1	2	3	4	5	6
Present Annual Gross Income <i>Not Including Vacancies and Concessions</i>						
Less Total Operating Expenses and Property Taxes						
Net Income						
Less Amortization and Income Payments						
Net Profit						
Net Rental Value of Present Vacancies						
Annual Rental Value of Space on which Lease Expires During Next Six Months						
Net Profit Last Year						
Amount & Classes of Insurance Carried						

List other encumbrances, debts, taxes, mortgage installments or interest past due:

List (circumstances of) any litigation or judgment(s) pending in connection with the above listed properties.

If additional room is needed, attach Supplemental Schedule A.

Schedule B: Mortgages Owned

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

Mortgages Owned	Dollars (Omit Cents)	Collateral?

If additional room is needed, attach Supplemental Schedule B.

Schedule C: Marketable Securities

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

Marketable Securities	Dollars (omit cents)	Collateral?

If additional room is needed, attach Supplemental Schedule C.

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

Name of Principal: _____

Signature of Individual: _____ Date: _____

Print Name and Title of Individual: _____

EXHIBIT G: Project/Design Narrative

Applicants must provide a detailed narrative description outlining the proposed concept and methodology of the Project and include, among other things, the Applicant's approach to the Project, critical Project issues and problem solving techniques, primary design objectives of the Project intended to meet the standard of design and construction excellence described throughout this RFP (including approach to streetscape and minimizing the impact of off-street parking accommodations), level of engagement anticipated by the Applicant, and specific high performance and sustainable design opportunities appropriate for this Project. This description should identify:

- A rationale for the design concept chosen for the new development that includes circulation (private and public), new building configuration and lot coverages, heights, orientation and relationship to surroundings, primary building materials, major architectural features, and sustainable design elements
- Type, location, and total Project square footage (gross and saleable or rentable, including basement(s), if applicable), as well as total square footage breakdown for each use, of residential units, permanent supportive housing, retail/commercial space, community facilities, open space, and parking
- Type, number, and characteristics of the residential units, including unit distribution, number of bedrooms, approximate square footages, amenities, and pricing structures
- Cable/Internet and any other voice/data communications wiring and any design features incorporated into the residential units to facilitate live/work arrangements
- Number of units and characteristics of the permanent supportive housing component and Sponsor, including population to be served, proposed on-site services, service provider, description of Sponsor activities including past development and supportive housing projects, list of Sponsor's previous HPD projects and contracts from other City agencies, proposed community outreach, social services and other operating funding, other projected sources of development funding, Sponsor's program for facility operations, and outline cost estimate
- Detailed description of the relevant aspects of the retail/commercial and community facility components of the project, including size, expected uses (proposed commercial uses must be supported with tangible evidence of market demand), type and number of tenants, rental rate by size, and a list of potential and committed tenants for the proposed Project along with letters of interest and/or intent from tenants and lease terms
- Detailed description of construction methods, foundation type(s), and building systems for all new buildings
- Description and location of all mandatory infrastructure and other public improvements, including public and private open spaces, landscaping, and parking
- If applicable, a general discussion of the rationale for the proposed phasing of residential, retail/commercial, and community facility development and how this phasing plan is impacted by the requirements for providing infrastructure and other public improvements
- Description of how development complies with all zoning and other legal requirements
- Brief description and experience of Development Team Principals involved in the Project, including the role and experience of the not-for-profit partner
- Description of ownership structure (current and future) and financial agreements
- Employment generation analyses (construction and permanent jobs); affirmative steps to include local-, minority-, and women-owned business enterprises when issuing solicitations from subcontractors; and proposed wages (i.e., living or prevailing) for construction workers

This description should also address the following questions:

- How did you choose this design concept? Why is it appropriate?
- Where are there similar developments? How successful have they been?
- How will this plan effectively position the Development Site as a desirable location to live/work/shop/visit?
- How will the new residents of the Site:
 - Get the goods and services they need?
 - Get to and from their place of employment?
 - Interact with each other?
 - Access public and open space and amenities?
- What type of jobs will be provided at the Site? How will this positively impact the surrounding community?

Applicants should provide any additional pertinent information that is not addressed above.

EXHIBIT H: Financing Proposal

Form H1 – Condo/Co-op Project Income and Affordability (Tab H)

Financing outlined below must reflect the guidelines outlined in **Section VI (Submission Requirements)**.

Ownership Type: [] Co-op

Residential

Residential Gross Square Feet: _____

Residential Saleable Square Feet: _____

Unit Size	# of Units	# of Rooms	Avg. sq. ft. per Unit	Affordability (% of AMI)	Avg. Sales Price	A	B	C	Total Monthly Housing Cost (sum of columns A, B, and C)	Total Annual Revenue to Co-op/Condo***
						Owner Monthly Mortgage Payment*	Monthly Utilities (Gas and Electric)	Maintenance to Condo/Co-op**		
Studio										
1 BR										
2 BR										
3 BR										
Other Type										
Other Type										
Super										
Total										

* On a separate page, briefly describe how the monthly mortgage payment, other housing expenses, and rental income were calculated. Use assumptions from **Section VI.C. (Contents of Proposal and Tabbing)** and include additional assumptions regarding the end loan interest rates, down payment requirements, mortgage terms, taxes, insurance, and housing expense ratios.

** Maintenance payments to the Condo/Co-op should include debt service on any underlying mortgage, and taxes for co-ops.

*** # of units x Maintenance x 12

Retail/Commercial and Community

	Retail/Commercial	Community	Total
Gross Square Feet			
Rentable Square Feet			
Average Annual Rent per Square Foot			
Gross Annual Rent			
Less 10% Vacancy			
Total Annual Rent			

Parking

	Retail/Commercial	Community	Residential	Total
Number of Spaces				
Purchase or Average Annual Rent Price per Space				
Gross Annual Rent (if applicable)				
Less 10% Vacancy (if applicable)				
Total Annual Rent (if applicable)				

Form H2 – Rental Project Income and Affordability (Tab H)

Financing outlined below must reflect the guidelines outlined in **Section VI (Submission Requirements)**.

Residential Gross Square Feet:						
Residential Rentable Square Feet:						
Unit Size	# of Units	# of Rooms	Avg. sq. ft. per Unit	Affordability (% of AMI)	Avg. Monthly Net	Annual Rent
Studio						
1 BR						
2 BR						
3 BR						
Other Type						
Other Type						
Super						
Total						
					Less 5% Vacancy	
					Total Annual Rent	

Retail/Commercial and Community

	Retail/Commercial	Community	Total
Gross Square Feet			
Rentable Square Feet			
Average Annual Rent per sq. ft.			
Gross Annual Rent			
		Less 10% Vacancy	
		Total Annual Rent	

Parking

	Retail/Commercial	Community	Residential	Total
Number of Spaces				
Avg. Annual Rent per Space				
Gross Annual Rent				
			Less 10% Vacancy	
			Total Annual Rent	

Financing outlined below must reflect the guidelines outlined in **Section VI (Submission Requirements)**. Purchase price and affordability levels must be calculated using the assumptions included in the tables below. Percent AMI affordability for given purchase prices must be calculated using the formulas in the tables below.

Provide calculations on separate worksheets for each unit model type, including unit count, room counts, and net square footages of living space.

Unit Count: _____ Room Count: _____ Net SF Living Space: _____

		Assumptions	Calculation
A	Unit Price		
B	Down Payment	10%	A x .1
C	Mortgage Finance Basis		A – B
D	Annual Fixed Interest Rate	7%	
E	Length of Mortgage Term in Years	30	
F	Monthly Payment Principal and Interest		PMT Calculation
G	Monthly Maintenance Charges	Include monthly taxes for co-ops only, including assumptions for any proposed tax exemptions.	
H	Monthly Taxes (condos only) and Insurance	Include assumptions for any proposed tax exemptions.	
I	Total Monthly Gross Payment (PITI)		F + G + H
J	Total Annual Gross Payment		I x 12
K	Percent of Income to Housing Deemed Affordable	33%	J / .33
L	Area Median Income for Purposes of Purchase Calculations	\$70,900 (NYC AMI for a family of four)	K / 70,900
M	Household Factor	See table below for appropriate household size	
N	% AMI Affordability		L / M

Apartment Size	Household Size	Household Factor
0-BR	1	0.7
1-BR	1.5	0.75
2-BR	3	0.9
3-BR	4.5	1.04
4-BR	6	1.16
5-BR	7.5	1.28

Form H4 – Rent and Affordability Calculations (Tab H)

Financing outlined below must reflect the guidelines outlined in Section VI (Submission Requirements). All rents by apartment size and affordability levels must be calculated using the assumptions and formulas included in the tables below. Reference the table below for household factors and utility allowances.

Provide calculations on separate worksheets for each unit model type, including unit count, room counts, and net square footages of living space.

Unit Count: _____ Room Count: _____ Net SF Living Space: _____

		Assumptions	Calculation
A	Household Factor	See table below for appropriate household size	
B	Area Median Income for Purposes of Rent Calculations	\$70,900 (NYC AMI for a family of four)	A x 70,900
C	% AMI Affordability		B x % AMI
D	Percent of Income to Housing Deemed Affordable	30%	C x .3
E	Total Monthly Gross Rent		D / 12
F	Utility Allowances	See table below for appropriate electricity and gas allowances by household size	
G	Total Monthly Net Rent to Development		E – F

Apartment Size	Household Size	Household Factor	Electricity Allowance	Gas Allowance
0-BR	1	0.7	\$44	\$16
1-BR	1.5	0.75	\$48	\$18
2-BR	3	0.9	\$54	\$20
3-BR	4.5	1.04	\$62	\$20
4-BR	6	1.16	\$69	\$20
5-BR	7.5	1.28	\$69	\$20

Complete separate forms for total development and each component that will be separately financed. Attach a detailed explanation of all assumptions, used in calculations, including a breakdown of all costs related to infrastructure, environmental, community facility, open space components and additional RFP components.

	Amount	Amount/GSF	Amount/DU
I. PROPOSED CASH PURCHASE PRICE	\$1		
II. HARD COSTS			
Contractor's Price for Residential Component			
Contractor's Price for Community Component			
Contractor's Price for Retail/Commercial Component			
Contractor's Price for Parking Component			
Hard Cost Contingency @ ____%			
TOTAL HARD COSTS			
III. SOFT COSTS			
A. Financing Costs			
Construction Interest			
Bank Commitment Fee			
Bank Letter of Credit Fee			
Bank Mortgage Insurance Premium			
Bond Issuance			
Negative Arbitrage			
Partnership Publication Fee (if utilizing LIHTC)			
Partnership Management Fee (if utilizing LIHTC)			
Cost Certification (if utilizing LIHTC)			
Other:			
Other:			
B. Pre-Construction Costs			
Appraisal			
Surveys			
Borings			
Title and Recording			
Mortgage Recording Tax			
Mortgage Insurance Premium			
Real Estate Taxes			
Water & Sewer, Utilities			
Permits & Fees (including tax exemption filing fee)			
Insurance			
Bonding/Letter of Credit			
Other:			
C. Professional Fees			
Architect & Engineer			
Landscape Architect/Urban Designer			
Lender Engineering Fee			
Environmental Services (CEQRA)			
Borrower Legal			
Lender Legal			
Syndication Legal (if utilizing LIHTC)			
Accounting			
Other:			
D. Sales/Lease-Up Costs			
Marketing/Sales			
Transfer Taxes (City and State)			
Other:			
Operative Reserve (if utilizing LIHTC)			
TOTAL SOFT COSTS			
IV. DEVELOPER FEE			
V. TOTAL DEVELOPMENT COST			

	Amount			
Equity		Description of Equity Source		
Cash Equity				
Other Equity Source				
Other Equity Source				
Total Equity				
Loans		Lender	Rate	Term
Bank Construction Loan				
2 nd Construction Loan				
3 rd Construction Loan				
Total Loans				
Total Sources of Funds*				

*This amount should be equal to the Total Development Cost.

Form H7 – Permanent Financing Sources (Tab H)

If the residential development is financed separately from the retail/commercial/community development, please estimate the community Total Development Cost, and complete Permanent Sources of Financing for the retail/commercial/residential component and Permanent Sources of Community Financing for the community component.

If the residential and retail/commercial/community components are financed together, only complete Permanent Sources of Financing.

Attach a detailed explanation of all assumptions used for City/State/Federal subsidy sources, including subsidy program, and subsidy/DU amount. Assumptions must comply with existing subsidy requirements.

Permanent Sources of Financing

		Amount		
Sales Proceeds				
Equity		Description of Equity Source		
	Cash Equity			
	Other Equity Source			
	Other Equity Source			
Total Equity				
Loans		Lender	Rate	Term
	Bank 1 st Mortgage			
	2 nd Mortgage			
	Other			
Total Loans				
Total Sources of Funds*				

*This amount should be equal to the Total Development Cost.

Permanent Sources of Retail/Commercial/Community Financing

		Amount		
Estimated Community Total Development Cost				
Equity		Description of Equity Source		
	Cash Equity			
	Other Equity Source			
	Other Equity Source			
Total Equity				
Loans		Lender	Rate	Term
	Bank Permanent Loan			
	2 nd Permanent Loan			
	3 rd Permanent Loan			
Total Loans				
Total Sources of Funds*				

*This amount should be equal to the Estimated Community Total Development Cost.

Form H8 – Condo/Co-op Pro Forma Income and Expense Schedule (Tab H)

Attach a detailed explanation of all assumptions used in calculations.

	Amount	Per DU	Per Room
I. REVENUES			
Gross Residential Income (This amount must correspond to estimates for Total Annual Revenue in Financing Proposal Form H1.)			
Less Vacancy @ _____ %			
Net Residential Income			
Gross Community Income (This amount must correspond to estimates for Gross Income in Financing Proposal Form H2.)			
Less Vacancy @ _____ %			
Net Community Income			
Laundry Income			
Parking Income			
Other Income:			
EFFECTIVE GROSS INCOME			
II. EXPENSES			
Janitorial/Cleaning Supplies			
Repairs & Replacements			
Painting			
Grounds Maintenance			
Heating			
Cooking Gas & Electric			
Office Supplies & Equipment			
Elevator Maintenance & Repairs			
Superintendent & Maintenance Staff Salaries			
Security @ _____ hours/day			
Management Fee			
Legal & Accounting/Auditing			
Fire/Liability Insurance			
Real Estate Taxes			
Water & Sewer Charges			
Capital Replacement Reserve			
Other (identify)			
TOTAL EXPENSES			
NET OPERATING INCOME			
III. DEBT SERVICE			
First Mortgage @ _____ DCR			
TOTAL DEBT SERVICE @ _____ DCR			
IV. TOTAL EXPENSES + TOTAL DEBT SERVICE			
V. NET CASH FLOW (NOI less TOTAL DEBT SERVICE)			

Form H9 – Rental Pro Forma Income and Expense Schedule (Tab H)

Attach a detailed explanation of all assumptions used in calculations.

	Amount	Per DU	Per Room
I. REVENUES			
Gross Residential Income			
(This amount must correspond to estimates for Total Annual Revenue in Financing Proposal Form H2.)			
Less Vacancy @ ____%			
Net Residential Income			
Gross Community Income			
(This amount must correspond to estimates for Gross Income in Financing Proposal Form H2.)			
Less Vacancy @ ____%			
Net Community Income			
Laundry Income			
Parking Income			
Other Income:			
EFFECTIVE GROSS INCOME			
II. EXPENSES			
Janitorial/Cleaning Supplies			
Repairs & Replacements			
Painting			
Grounds Maintenance			
Heating			
Cooking Gas & Electric			
Office Supplies & Equipment			
Elevator Maintenance & Repairs			
Superintendent & Maintenance Staff Salaries			
Security @ ____ hours/day			
Management Fee			
Legal & Accounting/Auditing			
Fire/Liability Insurance			
Real Estate Taxes			
Water & Sewer Charges			
Capital Replacement Reserve			
Other (identify)			
TOTAL EXPENSES			
NET OPERATING INCOME			
III. DEBT SERVICE			
First Mortgage @ ____ DCR			
Second Mortgage			
Third Mortgage			
TOTAL DEBT SERVICE @ ____ DCR			
IV. TOTAL EXPENSES + TOTAL DEBT SERVICE			
V. NET CASH FLOW (NOI less TOTAL DEBT SERVICE)			

Form H10: Rental Project Supportable Mortgage & Debt Service (Tab H)

Financing outlined below must reflect guidelines outlined in Submission Requirements

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

REVENUES

Residential Income		
Gross Residential Income	_____	\$ _____
Vacancy Rate	_____ %	\$ _____
Net Residential Income	_____	\$ _____
Parking Income		
Gross Parking Income	_____	\$ _____
Vacancy Rate	_____ %	\$ _____
Net Parking Income	_____	\$ _____
Ancillary/Laundry		
Commercial/Retail Income		
Gross Commercial/Retail Income	_____	\$ _____
Vacancy Rate	_____ %	\$ _____
Net Commercial/Retail Income	_____	\$ _____
Community Facility Income		
Gross Community Facility Income	_____	\$ _____
Vacancy Rate	_____ %	\$ _____
Net Community Facility Income	_____	\$ _____
Other (explain)	_____	_____
EFFECTIVE GROSS INCOME	_____	_____

Amount based on debt service ratio

Loan amortization years:

Total Supportable Mortgage (with full taxes)

1st Mortgage	_____
Interest Rate	_____
2nd Mortgage	_____
Interest Rate	_____
3rd Mortgage	_____
Interest Rate	_____
4th Mortgage	_____
Interest Rate	_____
Total Combined Debt:	_____
Total Interest Rate (Bonds):	_____
Swap Rate	_____
Letter of Credit Fee	_____
Re-marketing Fee	_____
Trustee and Rating Fees	_____
HDC Servicing Fee	_____
Contingency for increases	_____

EXPENSES

M&O (no taxes or reserves)	_____	per unit	_____
RE Taxes	_____	per unit	_____
Capital Replacement Reserves	_____	per unit	_____
Other (explain)	_____	per unit	_____
TOTAL EXPENSES	_____		_____
NET OPERATING INCOME	_____		_____
Net Available for Debt Service @	DCR		_____
Net Available for Debt Service @	DCR		_____
Net Available for Debt Service @	DCR		_____

	1st Loan	2nd Loan	3rd Loan	4th Loan	Total
--	----------	----------	----------	----------	-------

Loan Source	Term
YRS 1 - 30	Amount Amortized Balance Debt Service
	Constant

Form H11: Rental Project Cash Flow (Tab H)

Financing outlined below must reflect guidelines outlined in Submission Requirements

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

EFFECTIVE INCOMES

	Escalation*	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14
Net Residential Income	%														
Net Parking Income	%														
Net Commercial/Retail Income	%														
Net Community Facility Income	%														
Net Laundry Income	%														
Other Net Income (specify)	%														

Total Net Income

M&O Expenses	%														
Building Reserve	%														
Real Estate Taxes	%														

Total Expenses

NOI

Debt Service

Net Cash Flow

Net Cash Flow in 12 years

*No escalations in first year on residential income or expenses. Community service facility escalation is every other year.

Form H11: Rental Project Cash Flow (Tab H)

Financing outlined below must reflect guidelines outlined in Submission Requirements

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

EFFECTIVE INCOMES

Net Residential Income
 Net Parking Income
 Net Commercial/Retail Income
 Net Community Facility Income
 Net Laundry Income
 Other Net Income (specify)

Year 15	Year 16	Year 17	Year 18	Year 19	Year 20	Year 21	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30

Total Net Income

M&O Expenses
 Building Reserve
 Real Estate Taxes

Total Expenses

NOI

Debt Service

Net Cash Flow

Net Cash Flow in 12 years

*No escalations in first year on residential income or expenses. Community service facility escalation is every other year.

Form 12: Rental Project Tax Credit Calculation (Tab H)

Financing outlined below must reflect guidelines outlined in Submission Requirements

RFP Site Number: _____

Block / Lots for financing outlined below: _____

Address for financing outlined below: _____

Assumptions	
Number of Buildings	
Number of Units	
Number of Rooms	
Acquisition	
Construction Cost/unit	
Rent/Rm/Mo	
Number zoning rooms	
M&O per rm/year	
Commercial/Retail SF	
Community Facility SF	
Operating Reserve/du	
Permanent interest rate	
Years of Cash Flow	

Total Development & Syndication Costs		Total Costs	Eligible Basis
<u>ACQUISITION/CONSTRUCTION</u>			
Acquisition (Land)	per unit		
Acquisition (Building)	per unit		
Contractor Price	per buildable square foot		
Contingency	%		
Other (specify)			
Subtotal			
<u>SOFT COSTS</u>			
Architect			
Owner's/Borrower's Legal Costs			
Development Consultant			
J-51/421-a/421-b Filing Fee			
Construction Interest			
Real Estate Taxes			
Water & Sewer			
Title Insurance			
Fire & Liability Insurance			
License Agreement Insurance			
Leasing/Marketing Expenses			
Operating Expense during Lease-up			
Survey & Environmental Reports			
Loan Commitment Fees			
Tax Credit Allocation Fee			
Bond Fees/Cost of Issuance			
Relocation			
NPHDFC Administration Fee			
Letter of Credit Fees			
Interest Rate Cap			
Soft Cost Contingency			
Bank Engineering Fee			
NYS Transfer Tax			
Mortgage Recording Tax			
Other (specify)			
Subtotal			

Developer Fee			
Development Financing or Equity			
Deferred Portions (from cash flow)			
Subtotal			
Syndication, Partnership, & Bridge Loan Costs			
Syndicator's Fee & Overhead*			
Limited Partner (Upper Tier) Reserves*			
Tax Credit Consultant			
Tax Opinion			
Accounting/Cost Certification			
Partnership Management Fee			
Partnership Publication			
Bridge Loan Fees and Interest*			
Other (specify)			
Subtotal			
Reserves			
Operating Reserve			
Social Service Reserve			
Other (specify)			
Total Costs/Eligible Costs			

Calculation of Credit			
Item	Acquisition	Rehab/Construction	Total
a. Total Eligible Costs			
b. Less Allocable Grant Financing			
c. Less Allocable Federal Financing			
d. Less Historic Tax Credit			
e. Other Deductions (specify)			
f. Eligible Basis			
g. Applicable Fraction			
h. Basis Boost			
i. Qualified Basis			
j. Credit Rate			
k. Maximum Annual Credit Amount			
l. Requested Annual Credit Amount			

<<<<Proposal Name>>>>

HPD New Construction Sustainability Guidelines

Description	Possible Points	Points Achieved	Please provide a short description of how the proposal meets the qualification	(For RFP Review Use ONLY)
SMART DESIGN & SITE PRACTICES		5		
Prerequisite 1	Dedicate interior or covered exterior recycling area near trash receptacles, collecting at minimum paper, corrugated cardboard, glass, plastic, and metals	Req.	0	
Prerequisite 2	Maximize use of natural light and, if possible, provide a view of exterior landscaped or natural spaces	Req.	0	
Prerequisite 3	Provide covered bicycle storage for a minimum of 15 percent of residential occupants	Req.	0	
Prerequisite 4	Program and landscape outdoors spaces for a variety of specific uses according to project's intended population	Req.	0	
Prerequisite 5	Shield parking lot from the street and on-site open spaces using trees and other landscaping. Depending on site configuration and size, consideration may be given to providing parking below grade	Req.	0	
Prerequisite 6	Submit an environmentally aware site plan utilizing a maximum amount of permeable surfaces and sustainable or recycled materials, and showing all walks, sidewalks, building access points, driveways, parking areas, play areas with equipment, benches, other exterior furnishings, trees, plant material, and elevations/grades	Req.	0	
Prerequisite 7	Submit a zoning analysis including allowable and proposed Floor Area Ratio (F.A.R.) and minimum and proposed open space requirements	Req.	0	
Credit 1	Consider, where feasible, orienting the building and apartment layouts for maximum passive solar heating or cooling	1		
Credit 2	Where feasible, maximize use of natural light in circulation areas	1		
Credit 3	Where feasible and depending on site conditions, maximize on-site storm water catchment capacity and diversion of storm water drainage	1		
Credit 4	Where feasible, use harvested/retained water for irrigation and non-potable uses	1		
Credit 5	Increase the use of permeable surfaces and water containment features to reduce stormwater run-off, including but not limited to pervious paving materials, parking pads, planters, or cisterns	1		
		Subtotal	0	

HPD New Construction Sustainability Guidelines

Description	Possible Points	Points Achieved	Please provide a short description of how the proposal meets the qualification	(For RFP Review Use ONLY)
ENERGY EFFICIENCY				
2				
Prerequisite 1	Install a high albedo (highly reflective) roofing material or apply a high albedo roof coating	Req.	0	
Prerequisite 2	Design the exterior wall to prevent mold growth and migration and to reduce heat loss	Req.	0	
Prerequisite 3	Caulk and seal in all wall areas where heat or cold transfer is possible, and in all penetrations in exterior and demising walls	Req.	0	
Prerequisite 4	Insulate all water and heating piping in compliance with the NYS Energy Code	Req.	0	
Prerequisite 5	Use low-E, argon-filled, thermally-broken aluminum windows - fiberglass frames are optional (see below)	Req.	0	
Prerequisite 6	Provide integral window frame opening or AC sleeves to minimize sound and draft infiltration for residential units; window installed AC units are unacceptable	Req.	0	
Prerequisite 7	Install only lighting fixtures that are Energy-Star rated and feature compact fluorescent lamps (CFLs), T5 or T8 fluorescent lamps	Req.	0	
Prerequisite 8	In common areas except the lobby, install bi-level lighting with motion sensors	Req.	0	
Prerequisite 9	Use photocell control for exterior lighting	Req.	0	
Prerequisite 10	Install only Light Emitting Diode (LED) exit signs	Req.	0	
Prerequisite 11	Install only Energy Star-labeled appliances for residential units, where available	Req.	0	
Prerequisite 12	Install an 85 percent high efficiency boiler with indirect fired hot water heater featuring premium grade pumps	Req.	0	
Credit 1	Install combination high albedo/extensive green roof or full extensive green roof	1		
Credit 2	Install low-E, argon-filled, thermally-broken windows with fiberglass frames	1		
	Subtotal		0	

HPD New Construction Sustainability Guidelines

Description	Possible Points	Points Achieved	Please provide a short description of how the proposal meets the qualification	(For RFP Review Use ONLY)
INDOOR AIR QUALITY				
	1			
Prerequisite 1	1	0	Install a premium grade continuous background ventilation system for residential units to allow for exhausting and air exchange and to introduce fresh, filtered air into all units while complying with all applicable codes and regulations	
Prerequisite 2	1	0	Comply with South Coast Air Quality Management District (SCAQMD) Rule #1168 for low-VOC adhesives, sealants, and primers for all interior applications	
Prerequisite 3	1	0	Adhere to Green Seal Standard GS-11 for low-VOC paints (interior non-flat not to exceed 150 g/L and flat 50 g/L; exterior non flat not to exceed 200 g/L and flat 100 g/L)	
Credit 1	1	0	All exposed sides of urea-formaldehyde materials are to be sealed/painted with low-VOC primer complying with SCAQMD Rule #1168 or paint complying with Green Seal Standard GS-11	
	Subtotal	0		
WATER CONSERVATION				
	2			
Prerequisite 1	1	0	Install low-flow fixtures in bathroom and kitchens – 2.5 gpm or better for showerheads; 2 gpm or better for kitchen and bathroom faucets; 1.6 gpm for toilets	
Credit 1	1	0	Use only hardy species that require little irrigation for outdoor plantings; when possible, use species native to the area	
Credit 2	1	0	Install 1.6/0.8 gpm dual-flush toilets	
	Subtotal	0		
ENVIRONMENTALLY PREFERABLE PRODUCTS & RESOURCE CONSERVATION				
	1			
Prerequisite 1	1	0	Use environmentally responsible floor coverings in all rooms and spaces, such as ceramic tile, non-VCT vinyl, or natural linoleum flooring in kitchens and baths; Green Label certified carpet, FSC certified hardwood, bamboo, non-VCT vinyl, or other environmentally friendly and durable flooring in living spaces and common areas	
Prerequisite 2	1	0	Use concrete mix with 20-50 percent fly ash substitution and recycled aggregate base	
Credit 1	1	0	Use 50 percent of wood-based products certified by the Forest Stewardship Council for sub-flooring, exterior sheathing, and structural framing (or use metal); use renewable or recycled materials elsewhere as feasible	
	Subtotal	0		

HPD New Construction Sustainability Guidelines

Description	Possible Points	Points Achieved	Please provide a short description of how the proposal meets the qualification	(For RFP Review Use ONLY)
CONSTRUCTION MANAGEMENT & PRINCIPLES				
	5			
Prerequisite 1	Submit Construction Waste Management Plan demonstrating means used to recycle or salvage 25 percent of construction waste; submit to HPD bills of lading for hauling to off-site locations	Req.	0	
	Subtotal		0	
MAINTENANCE & OPERATIONS				
	5			
Prerequisite 1	Reduce set points for domestic hot water recirculation to 140 degrees	Req.	0	
Prerequisite 2	Submit a Preventive and Routine Maintenance Plan for residential systems to ensure designed efficiency; commit to HVAC inspections annually	Req.	0	
Prerequisite 3	Submit copy of HVAC maintenance contract plan for residential	Req.	0	
Prerequisite 4	Submit annually for 3 years a sample of utility bills for electric (full common area bills, and a sample of 10 percent of apartments), plus gas or fuel oil bills for residential systems	Req.	0	
Prerequisite 5	Provide to operating personnel installation, maintenance, and operating manuals for building systems. Provide at minimum three days (four hours each day) of training for operating personnel focused on start up and maintenance of systems	Req.	0	
	Subtotal		0	
	TOTAL POINTS			

To be provided by Applicant



THE CITY OF NEW YORK

DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

Michael R. Bloomberg
Mayor

Daniel L. Doctoroff
Deputy Mayor for Economic Development and Rebuilding

Shaun Donovan
Commissioner