



**New York City
Economic Development
Corporation**

Request for Proposals

Rooftop Farming

Release Date: June 11, 2012

Submission Date: July 9, 2012

TABLE OF CONTENTS

INTRODUCTION/OBJECTIVE	4
SITE CONTEXT & DESCRIPTION	4
Map 1: Site Location.....	5
Existing Conditions.....	6
DEVELOPMENT CONTROLS	8
Approvals	8
Zoning	9
PROPOSAL REQUIREMENTS	12
Development Goals.....	12
Requirements	12
A. Respondent Questionnaire and Project Description	12
B. Financial Information.....	12
C. Respondent Description	12
D. Lease Rate and Term	13
E. Description of Community Benefits	13
F. Site Plan/ Architectural Design.....	13
G. Environmental Review Team	13
H. Construction Plan/Schedule	13
I. Minority Women Business Enterprise (“M/WBE”) Utilization Plan	14
J. HireNYC Plan (“HireNYC”)	14
K. Statement of Agreement	16
SELECTION CRITERIA	16
DEVELOPER DUE DILIGENCE.....	18
Site Information File	18
DISPOSITION PROCESS	18
Contract.....	18
QUESTIONS/ INFORMATIONAL MEETING	19
HOW TO SUBMIT.....	19
CONDITIONS, TERMS & LIMITATIONS.....	19
FURTHER INFORMATION	20
APPENDIX 1: Project Timeline	21
APPENDIX 2: Intentionally Omitted	22
APPENDIX 3: Development Team Information and Applicant Questionnaire	23
APPENDIX 4: Project Financing Questionnaire.....	29
APPENDIX 5: NYCEDC Background Investigation Form	30
APPENDIX 6: Local Law 34 – Doing Business Data Form	41
APPENDIX 7: HireNYC Information	45
HireNYC Program Plan	45
HireNYC Program Description.....	48
Description of Efforts to Meet Program Goals	48
Job Type Examples	49

APPENDIX 8: Green Building Information.....	50
APPENDIX 9: Statement of Agreement.....	52
APPENDIX 10: CEQR Description and Fee Schedule	53
APPENDIX 11: Conditions, Terms, and Limitations.....	54
APPENDIX 12: Economic Development Benefits.....	57
Incentives	57
Empowerment Zone Benefits	57
Industrial and Commercial Abatement Program (“ICAP”)	57
New Markets Tax Credit (“NMTC”) Program	57
Green Infrastructure Programs.....	57
New York City Green Infrastructure Grant Program	57

INTRODUCTION/OBJECTIVE

New York City Economic Development Corporation (“NYCEDC”), on behalf of the City of New York (the “City”), is seeking proposals for the development and operation of a rooftop farm at an approximately 200,000 square foot property on Bronx Block 2781, Lot 500 (the “Site”), located in the Hunts Point section of the Bronx. NYCEDC is seeking users or developers of rooftop farms to lease, develop, and operate the rooftop Site (the “Project”) into an operational year-round rooftop farm.

A successful response to this Request for Proposals (“RFP”) will accomplish the following goals:

- Enable and enhance the growth of the City’s urban agriculture industry through the development of a rooftop farm at the Site;
- Establish a financially feasible and economically viable project;
- Expand and preserve quality jobs for local residents

Each party submitting a proposal in response to this RFP is referred to herein as a “Respondent” and the Respondent that is ultimately selected for the Project through this RFP process is referred to herein as the “Selected Developer.”

NYCEDC expects to execute a contract with the Selected Developer by Summer 2012 and close by Fall 2012. An estimated project timeline is located in Appendix 1.

SITE CONTEXT & DESCRIPTION

One of the original buildings in the Hunts Point Food Distribution Center, the Site, known as 600 Food Center Drive was originally constructed in 1969 for Vita Foods, and was last used as a single tenant building by National Food (Hebrew National) until the late 1990’s. Prior to the construction of the Food Distribution Center, Con Ed operated a Coal Gasification Plant in the acres bounded by East Bay Ave/Food Center Drive on the north, the Bronx River to the east, East River to the south and Halleck Street on the west. In 2003, NYCEDC segmented the building into two warehouse units and a second floor office area. Two tenants, Sultana Distribution and Citarella, fill the first floor warehouse space. Citarella occupies 72,400 square feet of ground floor space, while Sultana occupies 105,100 square feet of ground floor space. In addition, there is a vacant mezzanine office space accessible via a separate lobby entrance with elevator access.

Map 1: Site Location



Existing Conditions



The Site is located within the Hunts Point area of the Bronx, a peninsula covering nearly 690 acres and comprising the majority of Bronx Community District 2 with convenient access to the rest of the New York City region. With approximately 800 businesses and over 13,000 employees, Hunts Point is a major business center. Approximately half of Hunts Point is occupied by the City's primary food distribution facility, the 329-acre Food Distribution Center ("FDC"), which serves over 15 million customers in the greater metropolitan region. The FDC is one of the largest such centers in the world, comprised of over 115 private wholesalers operating from the Hunts Point Terminal Produce Market, the Cooperative Meat Market, and the New Fulton Fish Market, who generate more than \$3 billion in combined sales annually. The FDC is also comprised of parcels leased to major food and beverage distribution companies like Anheuser-Busch, Baldor Specialty Foods, Citarella, Krasdale Foods, and Sultana Distribution. The remainder of Hunts Point is home to a thriving industrial neighborhood where a diverse mix of food-related businesses, manufacturing, construction, utility, municipal, and auto-related uses

coexist. To the northwest beyond the industrial area and along Hunts Point Avenue lies a commercial district, surrounded by the residential neighborhood of Hunts Point, with approximately 12,000 residents.

The Site offers proximity to a network of regional highways that connect it to the rest of the City, New Jersey, upstate New York and New England. The Site is located less than one mile from the “Hunts Point Avenue – Hunts Point Market” (Exit 50) exit of the Bruckner Expressway, which connects to I-87 (the Major Deegan Expressway and New York Thruway), I-278 (the Brooklyn-Queens Expressway), I-95 (the Cross Bronx Express and New England Thruway), and to the ports of New York and New Jersey. The Site is serviced by both the Hunts Point Avenue stop of the MTA New York City Transit (NYCT) subway 6 line, located approximately 1 mile from the Site, and by the NYCT BX-6 Hunts Point–Riverside Drive bus line, which runs within the FDC, along Food Center Drive. The bus line connects Peninsula employees with the NYCT 1, 2, 4, 6, B, D, and C subway lines, as well as numerous other bus routes.

The Site consists of an approximately 200,000 square foot warehouse building with a parcel area of approximately 9.7 acres. The building is constructed with a steel joist and truss system, with concrete slab and concrete block walls. The Site features surface parking, as well as easy access for trucks and oversized vehicles. Additionally, the Site is fenced with gated access available 24-hours/day, 7-days a week.

Accessibility to the roof is via one stairwell, and there is one elevator to the currently vacant mezzanine office space, which is entered from the lobby with separate entrance. The maximum current live load capacity is 30p/sf, though the Selected Developer will be required to undertake their own engineering assessment to confirm this information, as part of due diligence.



DEVELOPMENT CONTROLS

Proposals for the Site must accomplish the development goals described in the Introduction/Objective section and comport with the guidelines set forth below.

Approvals

The development of the Site will require certain approvals, including, but not limited to, the following:

Dispositions accomplished through NYCEDC are subject to City Environmental Quality Review (“CEQR”). A NYCEDC planner will assist the Selected Developer and its consultants in complying with applicable environmental review procedures, including preparation of an Environmental Assessment Statement (“EAS”) and, if required, an Environmental Impact Statement (“EIS”). **The Selected Developer should be prepared to hire a consulting team, including design, land use, transportation, engineering, and environmental consultants.** The Selected Developer will be responsible for all costs associated with environmental review documents, as well as any additional costs NYCEDC deems necessary.

For more information, please refer to Appendix 10, or please visit <http://www.nyc.gov/html/dcp/html/luproc/ceqrfec.shtml>

All entities that are doing or seeking to do business with the City, as well as their principal officers, owners and senior managers must follow the procedures established in Local Law 34 of 2007 (“LL 34”). In order to avoid the actuality or appearance of a link between governmental decisions and large campaign contributions, lower municipal campaign contribution limits apply to the people listed in the Doing Business Database. Transactions covered by LL 34 include most contracts, concessions, franchises and grants greater than \$5,000, economic development agreements, real property transactions, land use actions and pension investment contracts. Entities that propose for or are awarded any of these transactions, with certain exceptions, must complete an agency-supplied Doing Business Data Form before their proposals can be considered or awards made.

Zoning

The Site is located in an M3-1 zoning district. M3 districts are designated for areas with heavy industries that generate noise, traffic or pollutants. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. A rooftop farm, either open-air or enclosed (ie. greenhouse) is permitted as-of-right under M3 zoning. Zoning and Land Use maps are provided below.

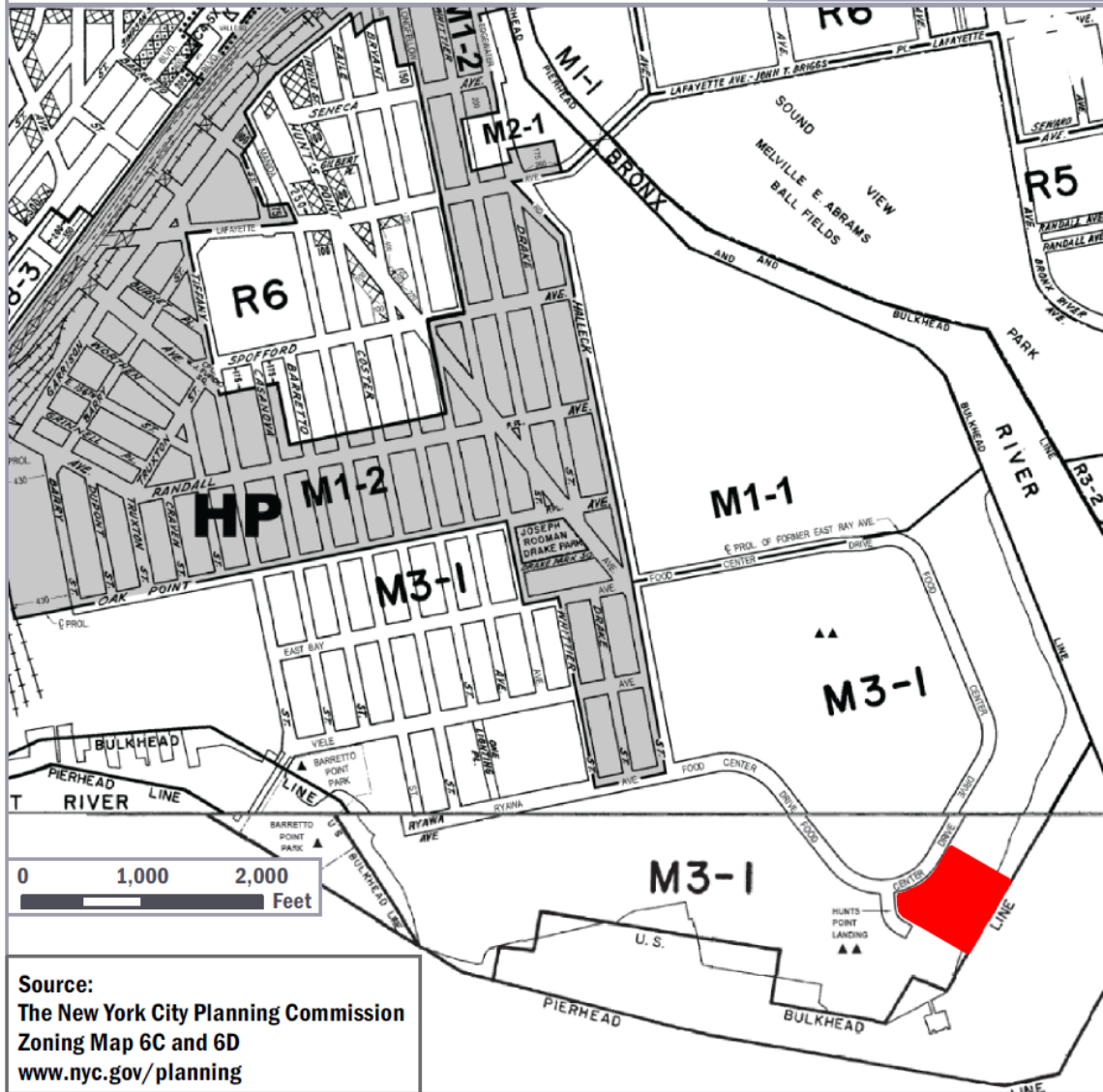
The Site is within the designated boundary of the Hunts Point Market Food Cooperative in the Bronx, and is therefore considered “Market Property” as provided in the State Agricultural and Markets Law (the “Markets Law”) The lease of “Market Property,” similar to the lease of any City-owned property, requires review through the City’s Environmental Quality Review (CEQR) process with the exception that leases for market-consistent (food-related) uses are exempt from the City’s Uniform Land Use Review Procedure (ULURP.)

Zoning

Borough: Bronx
Block: 2781 Part of Lot: 1
Zoning District: M3-1



Site













Source:
The New York City Planning Commission
Zoning Map 6C and 6D
www.nyc.gov/planning

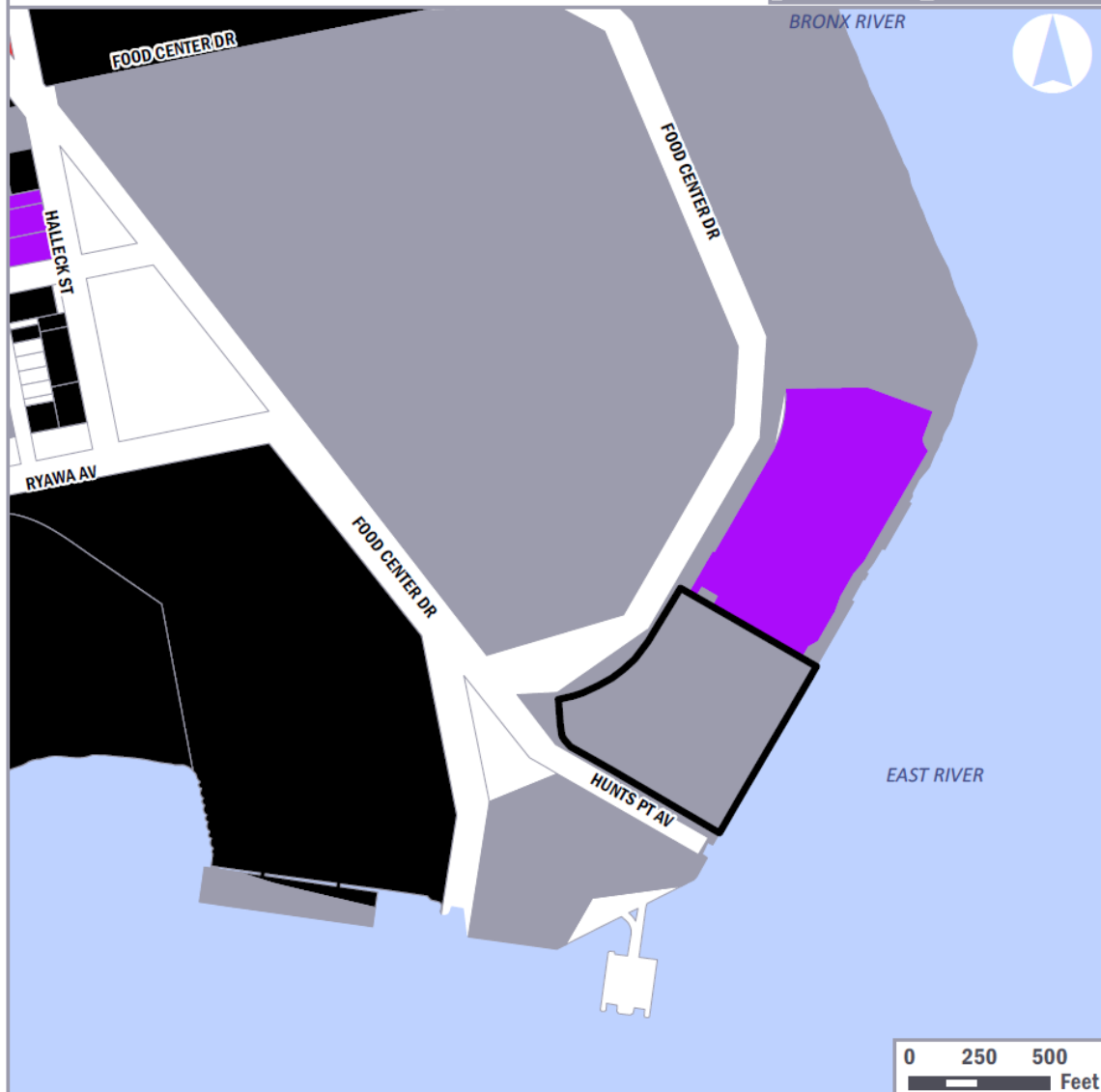


NYCEDC MGIS 04/25/12

Land Use

- | | |
|--|---|
|  Residential |  Institutions & Public |
|  Mixed Use |  Open Space & Recreation |
|  Commercial & Office |  Parking Facilities |
|  Industrial & Manufacturing |  Vacant Land |
|  Transportation & Utility |  Other/Unknown |

 Site



PROPOSAL REQUIREMENTS

Proposals for the Site must be developed according to the goals and requirements listed below.

Development Goals

- Enable and enhance the growth of the City's urban agriculture base through the development of the Site for a rooftop farm to be operated year-round;
- Establish a financially feasible and economically viable project;
- Expand and preserve quality jobs for local residents and maximize permanent employment opportunities for the City's local and disadvantaged residents through participation in HireNYC, a free program that connects the City's workforce development services to economic development projects;

Requirements

Each complete proposal must contain the following elements:

A. Respondent Questionnaire and Project Description

Please answer the Respondent Questionnaire, which can be found in Appendix 3.

B. Financial Information

Please answer the Project Financing Questionnaire, which can be found in Appendix 4. Respondents must provide the following additional financial information:

- Current operating budget and previous three years of audited financials
- Pro forma cash flows for the proposed project for ten (10) years (including construction and operations)
- Respondents must outline all assumptions on which the pro forma document is based, including minimum returns sought. The pro forma document should include all necessary capital improvements over time, reserves, and debt service payments associated with construction financing
- Evidence of ability to finance project including letters of interest and/or intent from lenders or tenants

Please provide the pro forma and financial information electronically on a computer disk in Excel format (with working formulas when appropriate, i.e. "soft-coded" only).

C. Respondent Description

Respondents must demonstrate sufficient financial resources and professional ability to develop the Site in a manner consistent with the relevant proposal.

Each proposal must include a description of the Respondent's team, including:

- Respondent's day-to-day main point of contact information;
- Current organizational structure. Any proposed partnership or joint venture must be clearly explained and a chart/diagram of the purchaser and/or development entity, showing structure and percentages of ownership and investment must be included;
- Description of any previous experience with urban agriculture projects, such as the development of a facility, as operator, manager, designer and/or builder;
- Background information on all members of the Respondent's team, including the relevant experience of all principal members thereof and their availability for commitment to the project. This information must be submitted for every participant in a joint venture;
- Any additional documentation or information evidencing the strength of the Respondent's team and their ability to complete the project in a timely manner;

Respondents must complete and submit a NYCEDC Background Investigation Form, which can be found in Appendix 5 and a Doing Business Data Form, which can be found in Appendix 6.

D. Lease Rate and Term

Section 4 of the Respondent Questionnaire, which can be found in Appendix 3, requires the respondent to propose a lease rate and term. The proposed lease rate must be expressed in a fixed, non-contingent dollar amount. Respondent should note if it is applying for discretionary benefits.

The proposed minimum term and any options should be expressed in years.

E. Description of Community Benefits

Respondents must describe and quantify the direct benefits to the community for the proposed project.

F. Site Plan/ Architectural Design

Respondents must provide conceptual drawings sufficiently detailed for a design review, including site plans, floor plans, renderings, landscaping, building elevations and sections, and a summary of the proposed building program with all square footages identified. Drawings must indicate the graphic scale.

G. Environmental Review Team

Respondents must provide the names of their proposed environmental, transportation, and land use consultants in preparation for CEQR, which will commence within one (1) week of the execution of the Contract.

H. Construction Plan/Schedule

Respondents must provide a construction schedule and staging area plan for the proposed project.

I. Minority Women Business Enterprise (“M/WBE”) Utilization Plan

Respondents must submit a plan to address M/WBE participation in the project (the “M/WBE Utilization Plan”).

NYCEDC is dedicated to furthering the participation of minority and women-owned businesses in its work. The M/WBE component of the plan must include but not be limited to:

- Establishment of numerical M/WBE contracting utilization goals or targets;
- Strategies and methods that will facilitate participation by M/WBE firms such as carve-outs and/or unbundling bid packages;
- Identification of M/WBE firms seeking construction work on the Project;
- Establishment of administrative procedures for implementation, monitoring and reporting of M/WBE participation.

J. HireNYC Plan (“HireNYC”)

Respondents must submit a plan to address participation in HireNYC.

NYCEDC recognizes the importance of creating employment opportunities for low-income persons and enabling them to participate in the City’s economic growth. To this end, NYCEDC has developed the HireNYC program. Participation in this program requires the Selected Developer to make good faith efforts to achieve the hiring and workforce development goals described below and to comply with the other programmatic requirements outlined in the Appendix 7.

The hiring and workforce development goals to be incorporated into the Program shall include, at a minimum, the following goals (collectively, the “Goals”):

Hiring Goal:	50 percent (50%) of all new permanent jobs created in connection with the Project (including jobs created by tenants but excluding jobs relocated from other sites) will be filled by members of the target population (see Appendix 7 for a definition of the target population) for a period beginning, for each employer, at commencement of business operations and continuing for eight (8) years thereafter.
--------------	--

Retention Goal:	40 percent (40%) of all employees whose hiring satisfied the Hiring Goal will be retained for at least nine (9) months from the date of hire.
-----------------	---

Advancement Goal: 30 percent (30%) of all employees whose hiring satisfied the Hiring Goal will be promoted to a higher paid position within one (1) year.

Training Goal: All tenants will cooperate with the Department of Small Business Services (“SBS”) to provide skills-training or higher education opportunities to members of the target population.

The Program must include the following elements:

1. Designation of a workforce development liaison to interact with NYCEDC and SBS during the course of the Program.
2. Commitment by the Selected Developer to do the following (and provide in each tenant lease, if any, that the tenant will do the following):
 - make good faith efforts to achieve the Goals with respect to its operations;
 - provide SBS with the approximate number and type of jobs that will become available, and for each job type, a description of the basic job qualifications, at least three (3) months before commencing hiring;
 - notify SBS six (6) weeks prior to commencing business operations;
 - during initial hiring for any new permanent jobs, consider only applicants referred by SBS for the first ten (10) business days, until the Hiring Goal is achieved or until all open positions are filled, whichever occurs first;
 - during ongoing hiring for any new permanent jobs, consider only applicants referred by SBS for the first five (5) business days, until the Hiring Goal is achieved or until all open positions are filled, whichever occurs first (unless SBS reaches a different agreement with the tenant regarding ongoing hiring practices);
 - submit to NYCEDC and SBS, for eight (8) years following the date of the commencement of business operations, an annual employment and benefits survey that will include, but not be limited to: targeted hiring statistics, wages and job retention, training and advancement data;
 - cooperate with annual site visits and satisfaction survey following the date of the commencement of business operations; and
 - Allow information collected by SBS and NYCEDC to be included in public communications, including press releases and other media events.
3. Commitment by the Selected Developer to facilitate targeted hiring by (a) arranging meetings and other events at which SBS staff can introduce potential or actual tenants to the menu of services available from SBS and (b) assisting with information sharing, providing space for hiring activities

and transmitting feedback from tenants regarding results of hiring initiatives.

NYCEDC strongly encourages Respondents to include one or more of the following elements in each such Respondent's Program:

1. Commitment by the Selected Developer of resources for training efforts, such as making financial investments in employee training and creating a website or other technology-based tools and supports to:
 - promote and track workforce development efforts;
 - notify tenants of potential grant opportunities; and
 - provide assistance to tenants to apply for grants, and share other opportunities or information as may be relevant.
2. Commitment by the Selected Developer to provide temporary space and personnel for a satellite outreach or workforce development site to provide outreach and screening of local jobseekers, including, but not limited to, distributing job applications and informing the public of available job opportunities leading up to the commencement of business operations.
3. Commitment by the Selected Developer to support connections to education and training. The workforce development liaison will work in partnership with SBS to connect individuals interested and in need of education and training to training programs and further education, either at the Workforce1 Career Center, NYC Business Solutions Center, or through relationships with other accredited training providers.

K. Statement of Agreement

The Respondent must submit a statement signed by an authorized principal or officer of the Respondent that states that the Respondent has read this RFP and the Appendices fully and agrees to the terms and conditions set forth therein. (See Appendix 9 for an example.)

SELECTION CRITERIA

In addition to evaluating Respondents on the extent to which they achieve the program goals as described in the Development Goals section, NYCEDC will evaluate each proposal according to the below criteria. NYCEDC will take into account the information provided in the proposal, references, and any other information about the Respondent's performance available to NYCEDC. Further consideration will be given to Green Building provisions (see Appendix 8), and any Economic Development Benefits proposed (see Appendix 12). Proposals that are not complete or do not conform to the requirements of this RFP will not be considered. NYCEDC reserves the right to request additional information, site visits, interviews, or presentations.

- **Lease Rate and Term** - Inclusion of a lease rate and term, as expressed in the Respondent Questionnaire, which can be found in Appendix 3, that is consistent with the proposed Project;
- **Respondent Team Qualifications** – Experience, development skills, and financial resources necessary to complete a high-quality project on time and within budget; ability to navigate the disposition process and complete the Project, given the constraints set forth in the Development Controls, in an expedited fashion;
- **Economic Impact on / Spending in New York City** – Projected expenditures, total project costs, annual operating costs; temporary (construction) and permanent on-site employment and payroll; and any applicable New York City taxes such as real property, sales, and personal income taxes, reduced by any as-of right and discretionary incentives and benefits assumed. The Project's ability to provide a reliable revenue stream will also help determine selection;
- **Financial Feasibility** – Respondent's demonstrated financial condition sufficient to complete the Project; availability of identifiable funding sources to finance the project; and sufficient revenue to support operating expenses, scheduled payments related to capital costs, reserve fund contributions and debt service;
- **Timing Feasibility** – Respondent's ability to complete the public review process in a timely manner and Respondent's ability to construct and create jobs in an expeditious timeframe as identified in the Draft Contract;
- **Relationship to Surrounding Community** – Project design and programming offered to the community must be context-sensitive, considering the project's relationship to the surrounding community and neighborhood. The project must be an asset to the area and consider the development's relationship to the surrounding community and existing neighborhood. NYCEDC will evaluate each proposal to determine the Project's positive impact on the community and responsiveness to the neighborhood context;
- **M/WBE Hiring Utilization Plan**– Degree to which the Respondent addresses the M/WBE goals outlined in the RFP;
- **HireNYC Plan** – Degree to which Respondent demonstrates a willingness to participate in and provide resources for the HireNYC Plan. Proposals should indicate the elements the Respondent intends to incorporate, how Respondent intends to achieve such goals, if appropriate, and describe any relevant experience;

- **Approvals** – The extent to which the Project achieves the development goals in a manner consistent with regulatory controls.

DEVELOPER DUE DILIGENCE

Information provided in the RFP is for general informational purposes only. It is the Respondent's responsibility to conduct due diligence on the Site.

Site Information File

NYCEDC's Site File, containing important public information regarding the Site, will be available for purchase for \$300 or can be viewed for free by appointment at the offices of NYCEDC. Respondents are encouraged to view the Site File prior to submitting a proposal. To review or purchase the Site File, please contact Tiffany Lau at 212.312.3857 or RooftopFarmRFP@nycedc.com.

The File contains:

- Photos of the Site
- Map collection, including the tax map, zoning map and transportation map
- Engineering report (Wank, Adams, Slavin, 1999)
- PHASE I ENVIRONMENTAL ASSESSMENT (HDR)
- Asbestos survey (boiler room only)

DISPOSITION PROCESS

Contract

After review of the proposals if NYCEDC, in its sole determination, elects to proceed with one of the proposals, NYCEDC will choose a Selected Developer for development of the Site and enter into a Lease Contract.

Notwithstanding any other provisions herein that may be to the contrary, NYCEDC shall not be under any obligation to lease the Site to the Selected Developer unless and until a Lease Contract of the Site is executed and delivered between NYCEDC and such Selected Developer. **Upon execution of the Contract, the Selected Developer must reimburse NYCEDC for the following fees, which are non-refundable, and cannot be credited against Base Rent or any other Rent, or any other costs incurred whatsoever by Selected Developer:**

- Administrative Fee, determined as follows:

Administrative Fee Schedule

Present Value of Lease Payments*:	Fee:
\$100,000-\$500,000	\$20,000
\$500,001-\$1,000,000	\$40,000
\$1,000,001-\$5,000,000	\$50,000
More than \$5,000,000	1% of capital contribution plus NPV of lease payments

All of the fees and costs set forth above, along with the costs of all other due diligence items shall be paid solely by the Selected Developer.

- The present value of the Lease payments will be calculated by discounting annual payments at 6.25%.

QUESTIONS

Potential respondents can submit initial questions regarding the RFP by emailing RooftopFarmRFP@nycedc.com by 4PM on Monday, **June 25, 2012**. Answers to these questions will be posted by **Friday, June 29, 2012**, to www.nycedc.com/RFP. For all questions that do not pertain to the subject matter of this RFP please contact NYCEDC's Contracts Hotline at 212.312.3969.

HOW TO SUBMIT

Six (6) copies of the submission and one (1) electronic version of the submission on disk in PDF and Excel formats identified by "Rooftop Farm Proposal" on the envelope, must be submitted to and received by NYCEDC by **4PM on Monday, July 9, 2012**. Such proposals must be delivered to the following address:

New York City Economic Development Corporation
 110 William Street, 6th Floor
 New York, NY 10038
 Attn: Maryann Catalano, Senior Vice President of Contracts

CONDITIONS, TERMS & LIMITATIONS

This RFP and any transaction resulting from such proposals are subject to the conditions, terms and limitations set forth in Appendix 11.

FURTHER INFORMATION

For further information regarding the proposal requirements or the Site, please contact:

Tiffany Lau, Senior Project Manager
New York City Economic Development Corporation
110 William Street, 6th Floor
New York, NY 10038
212.312.3857
tlau@nycedc.com

APPENDIX 1: Project Timeline

- | | |
|---|---------------|
| • RFP Release | June 11, 2012 |
| • Questions Due | June 25, 2012 |
| • NYCEDC responds to Questions | June 29, 2012 |
| • RFP Responses Due | July 9, 2012 |
| • Respondent Selection/Contract Execution | Summer 2012 |
| • Environmental Review | Summer 2012 |
| • Construction Start | Fall 2012 |

APPENDIX 2: Intentionally Omitted

APPENDIX 3: Development Team Information and Applicant Questionnaire

Please complete the following information:

1. Business Applicant Information

(if more than one business will occupy the site, please submit multiple pages)

Business Name	
Business EIN	
Business Address	
Business Phone/Fax	
Business Email/Web Site	
Secondary Business Address	
Principal's Name, Title, % Ownership	
Principal's Name, Title, % Ownership	
Principal's Name, Title, % Ownership	
Primary Business Activity	
Primary 4-Digit SIC Code	
Description of Business	
History of Business	
Primary Clients	
Location of Clients	

Year Business was Established	
Number of Years at Present Location	
Block and Lot(s) Currently Occupied by Business	
Number of Square Feet at Present Location	
Rent or Own Current Space	
Description of Expansion or Relocation Needs	
Number of Full-Time Payroll Employees	
Number of Part-Time Payroll Employees	
Number of Contract Employees	
Average Annual Employee Salary	
Describe Benefits Offered to Employees	
Average Length of Employment (in Years)	

2. Developer Information (if different from #1)

Business Name	
Business EIN	
Business Address	
Business Phone/Fax	
Business Email/Web Site	
Principal's Name, Title, % Ownership	
Principal's Name, Title, % Ownership	

Principal's Name, Title, % Ownership	
Ownership Chart	
Principal Business Activity	
Primary 4-Digit SIC Code	
Description of Business	
History of Business	
Description of Recent Development Projects (in New York City region)	
Proposed Rents (price/square foot)	
Proposed Lease Terms	

Note: If the project is developed as an industrial rental facility, a comprehensive pro forma statement covering 10 years of facility operations must be submitted with the Questionnaire.

3. Development Plan and Development Team Information

Detailed Project Description	
Development Occupant(s)	
Number and Type of Jobs to be Created (i.e. iron worker, welder, secretary, etc.)	
Average Annual Salary for Each Type of Job to be Created	
Describe Benefits Offered to New Employees	
Describe Necessary Skills for New Employees. Are you willing to train New Employees?	
Number and Type of Jobs to be Retained (Full Time Equivalents)	
Number of Construction Jobs (Full Time Equivalents)	
Reasons for Undertaking Proposed Development	

Relocation or Expansion	
Description of goods to be manufactured or distributed	
Total Square Footage of Building to be Developed	
Total Footprint of Building to be Developed	
Stories	
Height of Building	
Number of Loading Docks	
Floor Load (pounds/square foot)	
Total Number of Anticipated Roundtrip Truck Trips/Day	
Total Number of Anticipated Roundtrip Car Trips/Day (by Employees and Customers)	
Utility Load Needs	
Hazardous Material Disposal Requirements	
Are any permits required from any NYC regulatory agencies? If so, please explain.	
Days and Hours of Operation	
Security Requirements	
Number of Parking Spaces	

Proposed Construction Start Date	
Construction Period	
Contact Person for this Project (including Address, Phone Number and Email)	
Project Developer/Construction Manager	
Project Architect	
Project Attorney	
Additional Project Team Members	

4. Lease Rate and Term

<p>Lease Rate The proposed lease rate must be expressed in a fixed non-contingent dollar amount.</p> <p>Lease Term The proposed lease term and any options must be expressed in years.</p>	<p>\$ _____</p>
--	-----------------

APPENDIX 4: Project Financing Questionnaire

Please fill out the following table, providing a breakdown of the cost of the proposed development and identifying the intended financing sources:

USES	Cost per SF	Total Cost
Property Acquisition (purchase price offer from above)	\$	\$
Foundation	\$	\$
Site Work	\$	\$
Building Construction	\$	\$
Parking and Loading	\$	\$
Landscaping	\$	\$
Other	\$	\$
Other	\$	\$
Construction Contingency (10% of Hard Costs)	\$	\$
Architectural Fee	\$	\$
Engineering Fee	\$	\$
Developer or Construction Manager Fee	\$	\$
Legal and Accounting Fees	\$	\$
Financing Costs	\$	\$
Other	\$	\$
Other	\$	\$
TOTAL USES	\$	\$
SOURCES		
Bank Loan/Mortgage Reminder: Please submit letter of financing commitment with the Questionnaire.		\$ Rate: Term:
Equity		\$
Other		\$
Other		\$
TOTAL SOURCES		\$

APPENDIX 5: NYCEDC Background Investigation Form

Purpose: To satisfy VENDEX requirements for a Company or an Individual entering into a contract under \$100,000, land sale, lease, license, permit, or NYCIDA project with NYCEDC. The NYCEDC Project Manager should contact the Contracts Department VENDEX Unit to determine what forms are required.

To Be Completed By: the Company

Fill out the form. The document must be signed and notarized by the Company or Individual that NYCEDC is doing business with.

Return the ORIGINAL documents to the NYCEDC Project Manager.

The NYCEDC Project Manager must submit the documents along with the VENDEX Investigation Request Memorandum to the Contracts Department.

Contact: Regina McCrory 212.312.3594 or Daniel Cwirka 212.312.3736



Internal Background Investigation Questionnaire

THIS FORM IS FOR:

Contracts under \$100,000,
Land Sales, Leases, Licenses, Permits,
NYCIDA Projects and any Discretionary Reviews

New York City Economic Development Corporation • New York City Industrial Development Agency • Apple Industrial Development Corp.
110 William Street, New York, NY 10038

INSTRUCTIONS FOR COMPLETING NYCEDC INTERNAL BACKGROUND INVESTIGATION QUESTIONNAIRE

1. Please submit, with this Questionnaire, the organizational documents for the submitting business entity.

2. For purposes of completing this Questionnaire, the following defined terms shall have the meanings given to them below (unless provided otherwise with respect to specific questions in the Questionnaire):

“Affiliate” – A Person is “affiliated with” or an “affiliate” of another Person if the Person controls, is controlled by or is under common control with that other Person.

“Applicant” – The submitting business entity.

“Control” – A Person controls another Person if the Person (i) owns ten percent (10%) or more of the voting interest or has a ten percent (10%) or greater ownership interest in that other Person or (ii) directs or has the right to direct the management or operations of that other Person or (iii) is a member of that other Person’s Board of Directors*.

“Executive Officer” – Any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the Applicant, by whatever titles known, and all other executive officers of Applicant.

“Family Member” – With respect to a particular Person, includes spouse, children, grandchildren, parents, parents-in-law, brothers, sisters, brothers-in-law, sisters-in-law, and all family members living in the same household as such Person (except if such individuals are minors).

“Person” – Any individual, corporation, partnership, joint venture, sole proprietorship, limited liability company, trust or other entity.

“Principal” – each of the following Persons is a Principal of the Applicant and must be identified in Section B, Part I on page 2 of the Questionnaire.

- Executive Officers
- Persons that “Control” the Applicant
- For Limited Liability Companies, ALL members
- For Partnerships, ALL general partners and ALL partners performing on the contract or able to bind the Partnership

*For a not-for-profit corporation, ONLY the Chairperson of the Board of Directors and any director who is also an employee of Applicant needs to be considered for purposes of determining “Control” under this clause (iii).

SECTION A

The following questionnaire is to be completed by Persons desiring to do business with the New York City Economic Development Corporation or the New York City Industrial Development Agency or Apple Industrial Development Corp.

This form may be duplicated for additional space. PLEASE COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY.

Refer to attached instruction sheet for specific instructions and definitions of terms required to complete this Questionnaire.

BUSINESS NAME: _____ EIN/SSN: _____

BUSINESS ADDRESS: _____ City _____ State _____ Zip Code _____

BUSINESS TELEPHONE: _____ TYPE OF ENTITY: _____

BUSINESS FAX: _____ BUSINESS E-MAIL: _____

SECTION B

I. PRINCIPALS OF APPLICANT

PRINCIPAL NAME	TITLE	HOME ADDRESS	PERCENTAGE OF VOTING INTEREST	PERCENTAGE OF OWNERSHIP	DATE OF BIRTH	SOCIAL SECURITY NUMBER/EMPLOYER IDENTIFICATION NUMBER
(1)			%	%		
(2)			%	%		
(3)			%	%		
(4)			%	%		
(5)			%	%		

II. FAMILY MEMBERS OF EACH INDIVIDUAL PRINCIPAL

Note: Only the following Family Members need to be identified in this Section B. Part II:

- Spouse
- Family Members who are employed by, are officers of or have a less than 10% voting or ownership interest in the Applicant
- Family Members who are directly or indirectly providing services and/or supplies with respect to the subject project (e.g. consultants, subcontractors, suppliers or an employee thereof)

PRINCIPAL NAME	IMMEDIATE FAMILY MEMBER	RELATIONSHIP TO PRINCIPAL	HOME ADDRESS
(1)			
(2)			
(3)			
(4)			
(5)			

SECTION B (Continued)

PROVIDE A DETAILED RESPONSE TO ALL QUESTIONS CHECKED "YES" ON THE FOLLOWING PAGE

NO	YES	
<input type="checkbox"/>	<input type="checkbox"/>	1. Does the Applicant or any Principal have any Affiliates? If yes, please identify the Affiliates, with SSN/EIN and respective addresses, and describe the nature of the affiliation, on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	2. In the past 7 years, has the Applicant, any Principal, or any entity affiliated with the Applicant (each of the foregoing individually, a "Subject Person" and collectively, the "Subject Persons") been adjudicated bankrupt or placed in receivership, filed bankruptcy, or is any Subject Person currently the subject of any bankruptcy or similar proceedings? If yes, please explain on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	3. In the past 5 years, has any Subject Person been a plaintiff or defendant in any civil proceeding (including any court and federal, state and local regulatory agency proceedings) other than a domestic relations proceeding (e.g., divorce, separation, support, alimony, maintenance, adoption, custody)? If yes, please identify all adjudicated, settled and pending lawsuits on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	4. In the past 5 years, has any Subject Person or any Family Member identified in Section B, Part II (a "Subject Family Member"):
<input type="checkbox"/>	<input type="checkbox"/>	• been disqualified as a bidder, or defaulted or terminated, on a permit, license, concession, franchise, lease, or other agreement with the City of New York or any governmental agency? If yes, please explain on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	• failed to file any required tax returns or to pay any applicable federal, state, or New York City taxes or other assessed New York City charges or fines, including but not limited to water and sewer charges and administrative fees? If yes, please explain on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	5. In the past 10 years, has any Subject Person or any Subject Family Member used an EIN, SSN, name, trade name, or abbreviation other than the name or number provided in response to Section A or Section B, Part I or II of this Questionnaire or provided in response to question 1 above, as the case may be? If yes, please specify on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	6. In the past 5 years, has any Subject Person, any Subject Family Member, any Affiliate of any Subject Family Member or any managerial employee of Applicant:
<input type="checkbox"/>	<input type="checkbox"/>	• been the subject of any criminal investigation and/or civil anti-trust investigation (by any federal, state or local prosecuting or investigative agency) and/or investigation by any governmental agency (including, but not limited to federal, state and local regulatory agencies)? If yes, please explain on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	• had any judgment, injunction or sanction obtained against it in any judicial or administrative action or proceeding other than a domestic relations proceeding or motor vehicle proceeding? If yes, please explain on the following page.
<input type="checkbox"/>	<input type="checkbox"/>	7. In the past 10 years, has any Subject Person, any Subject Family Member, any Affiliate of any Subject Family Member or any managerial employee of Applicant been convicted, after trial or by plea, of any criminal offense and/or are there any felony or misdemeanor charges pending against any of them? If yes, please explain on the following page.

INDICATE
QUESTION #

BELOW PROVIDE A DETAILED EXPLANATION TO ALL QUESTIONS CHECKED "YES". IF YOU NEED MORE SPACE,
PHOTOCOPY THIS PAGE AND ATTACH IT TO THIS QUESTIONNAIRE.

[illegible]

Section C – IDENTIFICATION OF PROPERTY INTERESTS

1. Identify Project Property:

Block & Lot(s): _____

Street Address: _____

Borough of _____

2. The following, together with attachment(s) hereto, if any, is a complete list of properties in which any of the Subject Persons or any of the Subject Family Members have an ownership interest and which are located in the City of New York, together with a statement as to each such property of any current arrears in real estate taxes, sewer rents, sewer surcharges, water charges or assessments due and owing to the City of New York.

PROPERTY OWNED IN THE CITY OF NEW YORK

PROPERTY OWNER	BOROUGH	BLOCK/LOT	STREET ADDRESS	DATE OF PURCHASE	AMOUNT OF ARREARS	TYPE OF ARREARS

SECTION C (Continued)

PROVIDE A DETAILED RESPONSE TO ALL QUESTIONS CHECKED "YES" ON THE FOLLOWING PAGE

NO	YES	
<input type="checkbox"/>	<input type="checkbox"/>	3. In the past 5 years, has any Subject Person or any Subject Family Member, been a former owner of the Project Property?
<input type="checkbox"/>	<input type="checkbox"/>	4. Is any Subject Person or any Subject Family Member a tenant of the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Account Number, Monthly Rent, and Current Balance.
<input type="checkbox"/>	<input type="checkbox"/>	5. Has any Subject Person or any Subject Family Member previously purchased property from the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Sale Date, Parcel Number, and Closing Date.
<input type="checkbox"/>	<input type="checkbox"/>	6. Does any Subject Person or any Subject Family Member have a mortgage with the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Account Number, Principal Amount, Monthly Installment, and Current Balance.

INDICATE
QUESTION #

BELOW PROVIDE A DETAILED EXPLANATION TO ALL QUESTIONS CHECKED "YES". IF YOU NEED MORE SPACE,
PHOTOCOPY THIS PAGE AND ATTACH IT TO THIS QUESTIONNAIRE.

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100																																																																																																																																																																																																																																																																																	
Population (millions)	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	8.0	8.1	8.2	8.3	8.4	8.5	8.6	8.7	8.8	8.9	9.0	9.1	9.2	9.3	9.4	9.5	9.6	9.7	9.8	9.9	10.0	10.1	10.2	10.3	10.4	10.5	10.6	10.7	10.8	10.9	11.0	11.1	11.2	11.3	11.4	11.5	11.6	11.7	11.8	11.9	12.0	12.1	12.2	12.3	12.4	12.5	12.6	12.7	12.8	12.9	13.0	13.1	13.2	13.3	13.4	13.5	13.6	13.7	13.8	13.9	14.0	14.1	14.2	14.3	14.4	14.5	14.6	14.7	14.8	14.9	15.0	15.1	15.2	15.3	15.4	15.5	15.6	15.7	15.8	15.9	16.0	16.1	16.2	16.3	16.4	16.5	16.6	16.7	16.8	16.9	17.0	17.1	17.2	17.3	17.4	17.5	17.6	17.7	17.8	17.9	18.0	18.1	18.2	18.3	18.4	18.5	18.6	18.7	18.8	18.9	19.0	19.1	19.2	19.3	19.4	19.5	19.6	19.7	19.8	19.9	20.0	20.1	20.2	20.3	20.4	20.5	20.6	20.7	20.8	20.9	21.0	21.1	21.2	21.3	21.4	21.5	21.6	21.7	21.8	21.9	22.0	22.1	22.2	22.3	22.4	22.5	22.6	22.7	22.8	22.9	23.0	23.1	23.2	23.3	23.4	23.5	23.6	23.7	23.8	23.9	24.0	24.1	24.2	24.3	24.4	24.5	24.6	24.7	24.8	24.9	25.0	25.1	25.2	25.3	25.4	25.5	25.6	25.7	25.8	25.9	26.0	26.1	26.2	26.3	26.4	26.5	26.6	26.7	26.8	26.9	27.0	27.1	27.2	27.3	27.4	27.5	27.6	27.7	27.8	27.9	28.0	28.1	28.2	28.3	28.4	28.5	28.6	28.7	28.8	28.9	29.0	29.1	29.2	29.3	29.4	29.5	29.6	29.7	29.8	29.9	30.0	30.1	30.2	30.3	30.4	30.5	30.6	30.7	30.8	30.9	31.0	31.1	31.2	31.3	31.4	31.5	31.6	31.7	31.8	31.9	32.0	32.1	32.2	32.3	32.4	32.5	32.6	32.7	32.8	32.9	33.0	33.1	33.2	33.3	33.4	33.5	33.6	33.7	33.8	33.9	34.0	34.1	34.2	34.3	34.4	34.5	34.6	34.7	34.8	34.9	35.0	35.1	35.2	35.3	35.4	35.5	35.6	35.7	35.8	35.9	36.0	36.1	36.2	36.3	36.4	36.5	36.6	36.7	36.8	36.9	37.0	37.1	37.2	37.3	37.4	37.5	37.6	37.7	37.8	37.9	38.0	38.1	38.2	38.3	38.4	38.5	38.6	38.7	38.8	38.9	39.0	39.1	39.2	39.3	39.4	39.5	39.6	39.7	39.8	39.9	40.0	40.1	40.2	40.3	40.4	40.5	40.6	40.7	40.8	40.9	41.0	41.1	41.2	41.3	41.4	41.5	41.6	41.7	41.8	41.9	42.0	42.1	42.2	42.3	42.4	42.5	42.6	42.7	42.8	42.9	43.0	43.1	43.2	43.3	43.4	43.5

CERTIFICATION

A FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE OR ANY FALSE INFORMATION WILLFULLY OR FRAUDULENTLY SUBMITTED IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE APPLICANT NOT RESPONSIBLE WITH RESPECT TO THE PRESENT PROJECT OR FUTURE PROJECTS INVOLVING THE NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION, THE NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, APPLE INDUSTRIAL DEVELOPMENT CORP. AND THE CITY OF NEW YORK AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state that I have read and understand the items contained in the foregoing 8 pages of this questionnaire and _____ pages of attachments, if any, and that, having made due inquiry, I supplied full, complete, and truthful answers to each item therein to the best of my knowledge, information and belief; that I will notify the New York City Economic Development Corporation, the New York City Industrial Development Agency, or Apple Industrial Development Corp., as the case may be, in writing of any change in circumstance occurring after the submission of this Questionnaire and before (i) the execution of any contract or agreement with any of them and/or the City of New York and (ii) in the case of an agreement to purchase or enter into a ground lease for real property and/or a financing through or straight lease or retention transaction with the New York City Industrial Development Agency, the closing of the transaction; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the New York City Economic Development Corporation, the New York City Industrial Development Agency, or Apple Industrial Development Corp., as the case may be, will rely on the information supplied by me in this Questionnaire as an inducement to enter into a contract or agreement and to close a transaction with the Applicant.

Sworn to me

This _____ Day of _____ 200 _____

Name of Applicant

Notary Public

By: _____
Signature of Authorized Person

Print Name and Title of Authorized Person

Date

APPENDIX 6: Local Law 34 – Doing Business Data Form



The City of New York
Mayor's Office of Contract Services
Doing Business Accountability Project

Doing Business Data Form: Real Property Transactions

To be completed prior to distribution	
Agency: _____	Submission Date: _____
Transaction ID: _____	
Check One: <input type="checkbox"/> Competitive Solicitation (P)	<input type="checkbox"/> Application or Award (A)
Check One: <input type="checkbox"/> Acquisition	<input type="checkbox"/> Disposition
<input type="checkbox"/> Leasing to City	<input type="checkbox"/> Leasing from City

Any entity participating in a transaction for the acquisition or disposition of real property with the City of New York must complete a Doing Business Data Form (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink, and be sure to fill out the certification box on the last page. **Submission of a complete and accurate form is required for any entity to enter into a real property transaction.**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York; no other information reported on this form will be disclosed to the public. **This Data Form is not related to the City's VENDEX requirements.**

Please return the completed Data Form to the City office that supplied it. Please contact the Doing Business Accountability Project at DoingBusiness@cityhall.nyc.gov or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

Section 1: Entity Information

Entity Name: _____

Entity EIN/TIN: _____

Entity Filing Status (select one): <input type="checkbox"/> Entity has never completed a Doing Business Data Form. <i>Fill out the entire form.</i> <input type="checkbox"/> Change from previous Data Form dated _____. <i>Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the entity.</i> <input type="checkbox"/> No Change from previous Data Form dated _____. <i>Skip to the bottom of the last page.</i>
--

Entity is a Non-Profit: ☐ Yes ☐ No

Entity Type: ☐ Corporation (any type) ☐ Joint Venture ☐ LLC ☐ Partnership (any type)
☐ Sole Proprietor ☐ Other (specify): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone : _____ Fax : _____

E-mail: _____

Provide your e-mail address and/or fax number in order to receive notices regarding this form by e-mail or fax.

Section 2: Principal Officers

Please fill in the required identification information for each officer listed below. If the entity has no such officer or its equivalent, please check "This position does not exist." If the entity is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

Chief Executive Officer (CEO) or equivalent officer☐ This position does not exist

The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

☐ This person replaced former CEO: _____ on date: _____

Chief Financial Officer (CFO) or equivalent officer☐ This position does not exist

The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

☐ This person replaced former CFO: _____ on date: _____

Chief Operating Officer (COO) or equivalent officer☐ This position does not exist

The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

☐ This person replaced former COO: _____ on date: _____

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.

Section 3: Principal Owners

Please fill in the required identification information for all individuals who, through stock shares, partnership agreements or other means, **own or control 10% or more of the entity**. If no individual owners exist, please check the appropriate box to indicate why and skip to the next page. If the entity is owned by other companies, those companies do **not** need to be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list any individuals who are no longer owners at the bottom of this page. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- ☐ The entity is not-for-profit ☐ There are no individual owners ☐ No individual owner holds 10% or more shares in the entity
☐ Other (explain): _____

Principal Owners (who own or control 10% or more of the entity):

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

Remove the following previously-reported Principal Owners:

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.

Section 4: Senior Managers

Please fill in the required identification information for all senior managers who oversee any of the entity's real property transactions with the City. Senior managers include anyone who, either by title or duties, has substantial discretion and high-level oversight regarding the solicitation, letting or administration of any real property transaction with the City. **At least one senior manager must be listed, or the Data Form will be considered incomplete.** If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the entity is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

Senior Managers:

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

First Name: _____ MI: _____ Last: _____

Office Title: _____

Employer (if not employed by entity): _____

Birth Date (mm/dd/yy): _____ Home Phone #: _____

Home Address: _____

Remove the following previously-reported Senior Managers:

Name: _____ Removal Date: _____

Name: _____ Removal Date: _____

Certification

I certify that the information submitted on these four pages and _____ additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the entity being found non-responsible and therefore denied future City awards.

Name: _____

Signature: _____ Date: _____

Entity Name: _____

Title: _____ Work Phone #: _____

Return the completed Data Form to the agency that supplied it.

For information or assistance, call the Doing Business Accountability Project at 212-788-8104.



Printed on paper containing 30% post-consumer material

APPENDIX 7: HireNYC Information

NYCEDC recognizes the importance of creating employment opportunities for low-income persons and enabling them to participate in the City's economic growth. If a Respondent is proposing development of the Site, it is encouraged to make good faith efforts to achieve the hiring and workforce development goals, comply with the other programmatic requirements outlined below, and submit a plan to NYCEDC to address participation through the HireNYC Program (such plan, the "HireNYC Program Plan").

For the purposes of this RFP, the target population is defined as persons who have an income that is below two hundred percent (200%) of the poverty level as determined by the New York City Center for Economic Opportunity (a description of the income level meeting this threshold for each household size is available upon request). Program participants may be sourced through the public workforce system managed by the City and in conjunction with the community outreach strategy implemented by HireNYC staff. Program participants will be tracked by residence zip code to allow for clear reporting.

HireNYC Program Plan

The hiring and workforce development goals to be incorporated into the HireNYC Program Plan shall include the following goals (collectively, the "Goals"):

- **Hiring Goal:** 50 percent (50%) of all new permanent jobs created in connection with the Project (including jobs created by tenants but excluding jobs relocated from other sites) will be filled by members of the target population for a period beginning, for each employer, at commencement of business operations and continuing for eight (8) years thereafter.
- **Retention Goal:** 40 percent (40%) of all employees whose hiring satisfied the Hiring Goal will be retained for at least nine (9) months from the date of hire.
- **Advancement Goal:** 30 percent (30%) of all employees whose hiring satisfied the Hiring Goal will be promoted to a higher paid position within one (1) year.
- **Training Goal:** All tenants will cooperate with DSBS to provide skills-training or higher education opportunities to members of the target population.

The Program must include the following elements:

1. Designation of a workforce development liaison to interact with NYCEDC and the Designated City Agency during the course of the Program.

2. Commitment by the Selected Respondent (or its successors and assigns, as applicable) to do the following (and provide in each tenant lease, if any, that the tenant will do the following):
 - a. make good faith efforts to achieve the Goals with respect to its operations;
 - b. provide the Designated City Agency with the approximate number and type of jobs that will become available, and for each job type, a description of the basic job qualifications, at least three (3) months before commencing hiring;
 - c. notify Designated City Agency six (6) weeks prior to commencing business operations;
 - d. during initial hiring for any new permanent jobs, consider only applicants referred by the Designated City Agency for the first ten (10) business days, until the Hiring Goal is achieved or until all open positions are filled, whichever occurs first;
 - e. during ongoing hiring for any new permanent jobs, consider only applicants referred by the Designated City Agency for the first five (5) business days, until the Hiring Goal is achieved or until all open positions are filled, whichever occurs first (unless the Designated City Agency reaches a different agreement with the tenant regarding ongoing hiring practices);
 - f. submit to NYCEDC and the Designated City Agency, for eight (8) years following the date of the commencement of business operations, an annual employment and benefits survey that will include, but not be limited to: targeted hiring statistics, wages and job retention, training and advancement data;
 - g. cooperate with annual site visits and satisfaction survey following the date of the commencement of business operations; and
 - h. allow information collected by the Designated City Agency and NYCEDC to be included in public communications, including press releases and other media events.
3. Commitment by the Selected Respondent (or its successors and assigns, as applicable) to facilitate targeted hiring by (a) arranging meetings and other events at which HireNYC and the Designated City Agency staff can introduce potential

or actual tenants to the menu of services available from the Designated City Agency and (b) assisting with information sharing, providing space for hiring activities and transmitting feedback from tenants regarding results of hiring initiatives.

NYCEDC strongly encourages Respondents to include one or more of the following elements in each such Respondent's Program:

1. Commitment by the Selected Respondent (or its successors and assigns, as applicable) of resources for training efforts, such as making financial investments in employee training and creating a website or other technology-based tools and supports to:
 - a. promote and track workforce development efforts;
 - b. notify tenants of potential grant opportunities; and
 - c. provide assistance to tenants to apply for grants, and share other opportunities or information as may be relevant.
2. Commitment by the Selected Respondent (or its successors and assigns, as applicable) to provide temporary space and personnel for a satellite outreach or workforce development site to provide outreach and screening of local jobseekers, including, but not limited to, distributing job applications and informing the public of available job opportunities leading up to the commencement of business operations.
3. Commitment by the Selected Respondent (or its successors and assigns, as applicable) to support connections to education and training. The workforce development liaison will work in partnership with HireNYC staff to connect individuals interested and in need of education and training to training programs and further education, at Designated City Agency service provider locations, or through relationships with other accredited training providers.

NYCEDC may impose liquidated damages in the event that the Selected Respondent fails to make good faith efforts to achieve the Goals and/or fails to comply with the other programmatic requirements described herein or in the HireNYC Program.

HireNYC is a free program that connects the City's workforce development services to economic development projects. For more information about HireNYC contact:

Dalsie Andrade
Senior Project Manager, Workforce Development
Phone: 212-312-3876
Email: dandrade@nycedc.com

Program website:

<http://www.nycedc.com/BusinessInNYC/WorkforceDevelopment/Pages/HireNYC.aspx>

HireNYC Program Description

Project Name: _____

Respondent Name: _____

Date: _____

Please explicitly explain how you will address the HireNYC goals stated above. In your response, describe what in-house resources are available to meet the program goals or how you will utilize the services available through the City's Department of Small Business Services (SBS) or other workforce development agencies.

1. New Jobs and Skill Level:
 - a. Number of new hires
 - b. Number and type of skilled/semi-skilled jobs
 - c. Number and type of unskilled jobs
2. Training and Certifications:
 - a. Training required for skilled-semi-skilled jobs
3. Workforce Development Liaison:
 - a. Contact information for liaison (include company title)

Description of Efforts to Meet Program Goals

1. Discuss how you will facilitate targeted hiring, such as:
 - a. arranging meetings and other events at which NYCEDC, through its HireNYC staff, can introduce potential or actual tenants to the menu of services available from the City's workforce development agencies; and
 - b. assisting with information sharing, providing space for hiring activities, and transmitting feedback from tenants regarding results of hiring initiatives.
2. Discuss how you will support connections to education and training either in partnership with SBS or through relationships with other accredited training providers (in your response please reference resources available for training

efforts, such as financial investments in employee training and creating a website or other technology-based tools and supports).

3. Discuss how the workforce development liaison will promote and track workforce development efforts.
4. Discuss options for providing temporary space and personnel for a satellite outreach or workforce development site to provide outreach and screening of local jobseekers.
5. Discuss career advancement opportunities, which may include opportunities to be promoted, to obtain a wage increase, etc.
6. Discuss experience with the implementation of workforce development programs and/or history of collaboration with the City's workforce development agencies (if applicable).

Job Type Examples

Including but not limited to:

Skilled/Semi-skilled: All jobs requiring a Commercial Drivers License (CDL), Courtesy Bus Drivers, Cargo Screeners, Mechanics, Managers, Second-level Assemblers, Machine Operators, Fork Lift Operators, Commercial Vehicle Operators, Bookkeepers, Accountants, and Supervisors;

Unskilled: Warehouse Clerks, Office Clerks, Ramp Agents, Laborers, Packers, Assemblers, Cashiers, and Customer Service Representatives.

APPENDIX 8: Green Building Information

NYCEDC supports projects that use fewer raw materials and decrease the total impact on the natural, human and built environment. Two important strategies include using sustainable design principles, as defined by the United States Green Building Council (“USGBC”) through Leadership in Energy and Environmental Design (“LEED”) and promoting physical activity and health, as defined by the City’s departments of Design and Construction, Health and Mental Hygiene, Transportation, City Planning, and Office of Management and Budget, through Active Design Guidelines (the “Guidelines”).

More information regarding LEED can be found at <http://www.usgbc.org> and the Guidelines can be found at www.nyc.gov/adg. Please refer to the following list of green building resources, incentive and technical assistance programs and contact information to facilitate your high performance/green building research.

Green Building Resources

American Council for an Energy-Efficient Economy	http://www.aceee.org
US DOE Energy Efficiency and Renewable Energy (EERE)	http://www.eere.energy.gov/
Energy Star Program (U.S. EPA)	http://www.energystar.gov
Environmental Building News	http://www.ebuild.com
Environmental Defense Fund	http://www.edf.org
National Resources Defense Council	http://www.nrdc.org
New York State Energy and Research Development Authority	http://www.nyserda.org
Rocky Mountain Institute	http://www.rmi.org
Southface Energy Institute	http://www.southface.org
US Department of Energy	http://www.doe.gov
US Environmental Protection Agency	http://www.epa.gov
US Green Building Council	http://www.usgbc.org

New York State Department of Taxation and Finance

Business Tax Hotline:

1.800.972.1233

General Tax Information Hotline:

1.800.225.5829

New York State Energy Research and Development Authority (“NYSERDA”)

NYSERDA provides computer modeling, design charrette coordination, assistance in obtaining LEED certification, Executive Order 111 assistance, New York State Green Buildings Tax Credit assistance, green materials recommendations, commissioning and life cycle costing analysis to building design teams to help make new and rehabilitated commercial, industrial, and institutional buildings green. Green Building services are offered under the New Construction program PON 1155. Energy efficiency services to new building construction and renovations are offered under the New Construction Program on a first come first served basis.

Craig Kneeland, Project Manager

518.862.1090 ext. 3311

e-mail: cek@nyserda.org

New York State Department of Environmental Conservation

James Austin, Assistant Commissioner

Phone: 518.485.8437

e-mail: jdaustin@gw.dec.state.ny.us

website: <http://www.dec.state.ny.us>

United States Department of Energy

For more information about USDOE building programs, contact:

Dru Crawley

Phone: 202.586.2344

Fax: 202.586.1628

e-mail: drury.crawley@ee.doe.gov

website: <http://www.doe.gov>

APPENDIX 9: Statement of Agreement

SAMPLE

(On company letterhead)

Date:

New York City Economic Development Corporation
110 William Street, 6th Floor
New York, NY 10038
Attn: Maryann Catalano, Agency Chief Contracting Officer

Dear Ms. Catalano:

This letter hereby certifies that [Respondent] has read this RFP and the Appendices fully and agrees to the terms and conditions set forth in this RFP and Appendices.

Sincerely,

Respondent

Respondent Title [*must be authorized principle or officer of the respondent*]

APPENDIX 10: CEQR Description and Fee Schedule

Please refer to Subchapter A of Chapter 3 of Title 62 of the Rules of the City of New York

For more information, please visit

<http://www.nyc.gov/html/dcp/html/luproc/ceqrfree.shtml> and
<http://www.nyc.gov/html/dcp/html/luproc/ulurpfee.shtml>.

APPENDIX 11: Conditions, Terms, and Limitations

In addition to those stated elsewhere, this RFP and any transaction resulting from this RFP are subject to the conditions, terms and limitations stated below:

- A. The Site is to be disposed of in “as is” condition and is to be conveyed subject to all applicable title matters.
- B. The City and NYCEDC, and their respective officers, employees, and agents, make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this RFP, the physical condition of the Site, the status of title thereto, its suitability for any specific use, the absence of hazardous waste, or any other matter. All due diligence is the responsibility of the Respondent and Respondents are urged to satisfy themselves with respect to the physical condition of the Site, the information contained herein, and all limitations or other arrangements affecting the Site. As stated in the RFP, NYCEDC will make available for review, to any Respondent so requesting, the File. Neither NYCEDC nor the City will be responsible for any injury or damage arising out of or occurring during any visit to the Site.
- C. The proposed development shall conform to, and be subject to, the provisions of the New York City Zoning Resolution, all other applicable laws, regulations, and ordinances of all Federal, State and City authorities having jurisdiction, and any applicable Urban Renewal Plan, design guidelines or similar development limitations, as all of the foregoing may be amended from time to time. Without limiting the foregoing, closing on a proposed transaction shall be subject to successful completion of the City Environmental Quality Review (“CEQR”), approval by the applicable Community Board, compliance with Section 384(b)(4) of the New York City Charter, and approval by NYCEDC’s Board of Directors. CEQR compliance shall be solely at the expense of the Selected Developer. NYCEDC will cooperate with the Selected Developer in obtaining necessary approvals.
- D. **The 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.**

No transaction will be consummated if any Principal of any Selected Developer is in arrears, or in default upon any debt, lease, contract, or obligation to the City 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.

- E. Neither NYCEDC nor the City is obligated to pay and shall not pay any costs incurred by any Respondent at any time unless NYCEDC or the City has expressly agreed to do so in writing.
- G. Only proposals from principals will be considered responsive. Individuals in representative, agency or consultant status may submit proposals only under the direction of identified principals, where the principals are solely responsible for paying for such services.
- H. This is a Request for Proposals **not** a Request for Bids. NYCEDC shall be the sole judge of each response's conformance with the requirements of this RFP and of the merits of the individual proposals. NYCEDC reserves the right to waive any conditions or modify any provision of this letter with respect to one or more applicants, to negotiate with one or more of the applicants with respect to all or any portion of the Site, to require supplemental statements and information from any Respondents, to establish additional terms and conditions, to encourage applicants to work together, or to reject any or all responses, if in its judgment it is in the best interest of NYCEDC and the City to do so. If all proposals are rejected, this RFP may be withdrawn and the Site may be retained, and re-offered under the same or different terms and conditions, or disposed of by another method, such as auction or negotiated disposition. In all cases, NYCEDC shall be the sole judge of the acceptability of the proposals. NYCEDC will enforce the submission deadline stated in the RFP. All proposals become the property of NYCEDC.
- I. All terms in this RFP related to the permitted use and bulk of the Site shall be as defined in the New York City Zoning Resolution and any applicable Urban Renewal Plan, design guidelines, or similar development limitations and controls. Where any conflict arises in such terms, the most restrictive shall prevail.
- J. Except as specifically provided herein, the Selected Developer will pay all applicable taxes payable with respect to the Project, including transfer and mortgage recording taxes. Selected Developer will be required to pay the New York City Real Property Transfer Tax and New York State Real Estate Transfer Tax, notwithstanding any exemption from sale on account of the City's or NYCEDC's involvement in the transaction.
- K. This transaction will be structured as a "net" deal to NYCEDC, with the Selected Developer being responsible for all fees relating to the Project and all costs incurred by NYCEDC including, but not limited to, costs for outside legal counsel, if any, studies, and outside consultants.
- L. All proposals and other materials submitted to NYCEDC in response to this RFP may be disclosed in accordance with the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law ("FOIL"). The entity submitting a proposal may provide in writing, at the time of submission a detailed description of the specific information contained in its submission, which it has determined is a trade secret and which, if disclosed, would substantially harm such entity's competitive position. This characterization shall not be

determinative, but will be considered by NYCEDC when evaluating the applicability of any exemptions in response to a FOIL request.

- M. In furtherance of NYCEDC's mission of economic development, the disposition of the Site will be subject to NYCEDC's standard provisions for similar transactions. The deed conveying the Site to the Selected Developer shall contain redevelopment obligations as well as restrictions on use and transfer of the Site. Failure to comply with these restrictions will result in a right by NYCEDC or the City to re-enter and re-acquire the Site for no consideration.
- N. The Selected Developer will be required to deliver evidence to NYCEDC of the creation of employment opportunities at the Site for the first eight (8) years after the closing of the Project. The Selected Developer must also agree in good faith to consider any proposals made by the City or City-related entities with regard to jobs the Selected Developer is seeking to fill and to provide the City with the opportunity to make job referrals, and create a training program for City residents. The Selected Developer will be required to cause commercial tenants to agree to these provisions at the time it enters into leases with such tenants.

APPENDIX 12: Economic Development Benefits

The following are select economic development benefits that may be available to the Selected Respondent if it meets eligibility requirements, including but not limited to, factors such as site use and location. The descriptions are for general informational purposes only. The potential benefits described herein are subject to approval by the appropriate governmental agencies. Accordingly, neither the Respondents nor any third party should view the contents of this section as a final offer from, or commitment by, the State, City, NYCEDC or any other affiliated or unaffiliated agency or public authority. The below information is subject to change.

Incentives

Empowerment Zone Benefits

The Site is located within the South Bronx Empowerment Zone. Businesses located at the Site may be eligible for a package of tax credits including accelerated depreciation, wage tax credit, and various financing and work opportunity programs.

More information on the Empowerment Zone Benefits is located on the Bronx Overall Economic Development Corporation website at <http://www.boedc.com/tax/>.

Industrial and Commercial Abatement Program (“ICAP”)

ICAP reduces a portion of the increase in real property taxes due to new construction, modernization or rehabilitation of commercial buildings by providing 25-year tax abatements for qualified projects. Certain commercial properties in eligible locations receive additional inflation protection on their assessment base.

More information on ICAP is located on the Department of Finance website at http://www.nyc.gov/html/dof/property/property_tax-Reduc_incentive.shtml.

New Markets Tax Credit (“NMTC”) Program

The Site is also within a NMTC-eligible census tract. Enacted by Congress in 2000, and administered by the U.S. Department of Treasury Community Development Financial Institutions (“CDFI”) Fund, the NMTC Program is a federal program that facilitates private sector financing for acquisition, construction, and major rehabilitation of commercial, industrial, community facility, and mixed-use residential developments in low-income communities

More information on the New Markets Tax Credits program is located on the NYCEDC website at <http://www.nycedc.com/program/new-markets-tax-credits-program>.

Green Infrastructure Programs

New York City Green Infrastructure Grant Program

The New York City Department of Environmental Protection has announced the 2012 Green Infrastructure Grant Program. Up to \$4 million was available for green

infrastructure projects such as rain gardens, blue roofs, green roofs and porous pavement on private property.

The application deadline for the 2012 GI Grant Program has passed. DEP is no longer accepting submissions.

For information on future grant programs please email sustainability@dep.nyc.gov.

More information about the 2012 Green Infrastructure Grant Program can be found at:

http://www.nyc.gov/html/dep/html/stormwater/nyc_green_infrastructure_grant_program.shtml