

**BUILD NYC RESOURCE CORPORATION
PROJECT COST/BENEFIT ANALYSIS
September 17, 2020**

APPLICANT

Friends of Academic Leadership CS, LLC
677 East 141st Street
Bronx NY 10454

PROJECT LOCATION

356-62 East 139th Street
Bronx NY 10454

Project Description:

Friends of Academic Leadership CS, LLC, a New York limited liability company (“Friends LLC”), that is a disregarded entity for federal tax purposes, having as its sole member Academic Leadership Charter School (“School” and together with Friends LLC, the “Borrower”), a New York education corporation exempt from federal taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, as borrower, that currently operates a charter school in Bronx, New York, are seeking approximately \$30,000,000 in tax-exempt revenue bonds (the “Bonds”). Proceeds from the Bonds, together with funds of the School, will be used to (i) finance the construction, equipping, and/or furnishing of an approximately 60,000 square foot middle school facility that will house classrooms, cafeteria, gymnasium, science lab, library, music room and art studio and an approximately 12,000 square foot below-grade parking garage facility located on a 12,500 square foot parcel of land located at 356-62 East 139th Street Bronx New York 10454 (the “Facility”), (ii) fund capitalized interest on the Bonds, if necessary, (iii) fund a debt service reserve fund for the Bonds, and (iv) pay for certain costs related to the issuance of the Bonds. Friends LLC will own the Facility and lease it to the School. The School will operate the Facility as a charter school providing education services for Grades K-8.

B. Costs to City (New York City taxes to be exempted):

Mortgage Recording Tax Benefit:	\$	487,500
Estimated NYC Forgone Income Tax on Bond Interest (estimated NPV 25 years @ 6.25%)*:		252,224
Total Cost to NYC	\$	739,724

*The exact amount of personal income tax revenue that will be lost as a result of this transaction depends on factors including (but not limited to) the percentage of bond bought by entities subject to New York City personal income taxes, the interest income generated from the bonds and the tax rate applied to bond purchasers.

C. Benefit to City (Estimated NYC direct and indirect taxes to be generated by Company) (estimated NPV 30 years @ 6.25%):	\$	6,653,893
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D. Benefit to City from Jobs to be Created (Estimated NYC direct and indirect taxes to be generated by Company) (estimated NPV 30 years @ 6.25%):		\$3,091,114
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Build NYC CORE APPLICATION

Submit your electronically completed Core Application via email to your assigned Project Manager as a Word Document file or a Word Document saved as a PDF.

A. APPLICANT OVERVIEW

Applicant Name (the "Applicant"): Academic Leadership Charter School	Name of operating company (if different from Applicant):
Operating company address: 677 East 141st street Bronx NY 10454	Website address: www.alcsbronx.org
EIN #: [REDACTED]	NAICS Code: 8211
State and date of incorporation or formation: February 4, 2009	Qualified to conduct business in NY? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Applicant is (check one of the following, as applicable): <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> Other:	
Is the Applicant affiliated with a publicly traded company? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name the affiliated company:	

B. APPLICANT CONTACT INFORMATION

	Name/Title	Company	Address	Email	Phone	Primary ¹
Applicant Contact Person	Norma Hurwitz/Executive Director	Academic Leadership Charter School	677 East 141st Street Bronx NY 10454	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>
	Leena Varghese/Principal			[REDACTED]	[REDACTED]	
Attorney	Andrew D. Komaromi	Harris Beach PLLC Attorneys At Law	333 Earle Ovington Blvd Suite 901 Uniondale, NY 11553	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>
Accountant	Paul Augello	Boost Ed.	135 W. 41st Street, 5th Floor New York, NY 10036	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>
Consultant/Other						<input type="checkbox"/>

C. APPLICABLE FINANCIAL ASSISTANCE

Provide the estimated value of each of the following types of Project Financial Assistance being requested. Discuss the estimation of the Requested Financial Assistance with your assigned Project Manager, if needed.

Requested Financial Assistance	Estimated Value of Requested Financial Assistance
Mortgage Recording Tax Benefit	\$784,000
Build NYC Bond Financing	Not-to-Exceed \$28,000,000

¹ Select the individual to whom questions should be directed and who may speak on behalf of the Applicant.

D. APPLICANT BACKGROUND

Provide a brief description of Applicant's history and the nature of its business. Feel free to include information from the Applicant's website or other official documentation describing the Applicant. Include information such as when the Applicant was founded, who founded the Applicant, a brief history of the Applicant, the Applicant's primary services and market, and the number of the Applicant's employees in NYC and elsewhere. **Limit the description to 250 words.**

Academic Leadership Charter School is a public charter school located in the South Bronx. ALCS was founded in 2009 and its charter is authorized by State University of New York (SUNY). ALCS's mission is to instill character and ethics in students' development and to help parents bring up responsible citizens who are able to make sound decisions, leading to a productive life, enabling them to compete with college students from more affluent communities. ALCS is located in one of the lowest performing school districts in NYC, in an area of academically low-performing students with few educational options, high poverty, and a high number of immigrants and "English as a second language" learners. 94% of ALCS students qualify for free and/or reduced lunch. ALCS currently co-located in two public school buildings with a waitlist of over 2,300 students. The elementary school grades are co-located at 677 East 141st Street, Bronx, NY and middle school grades are co-located at 470 Jackson Avenue, Bronx, NY.

Norma and Ted Hurwitz co-founded ALCS. Norma served as a NYC elementary school teacher and then a NYC public school principal for 32 years. Ted was a college professor for 18 years and Director of the City University of New York (CUNY) Athletic Conference for 12 years. He holds a degree in Mathematics from CCNY and was responsible for the development of the school's five year budget and compliance laws. Norma focused on the school's instructional/operational components. . ALCS has 37 teachers and 6 administrative employees.

Additional information regarding ALCS can be found on our website: <https://alcsbronx.org/> or in the latest charter renewal report at http://www.newyorkcharters.org/wp-content/uploads/IVA1_Academic-Leadership_2018RenewalRecommendationReport.pdf.

E. PROPOSED PROJECT ACTIVITIES

Describe the proposed Project, including its purpose and Project Location, in the text box below. Refer to the example below.

ALCS, a New York not-for-profit corporation exempt from federal taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, is a public charter school that currently serves 525 students in South Bronx in grades K-8. ALCS is seeking approximately \$28 million in tax-exempt revenue bonds (the "Bonds"). Proceeds of the Bonds together with School's available cash, will be used to:

- i. Finance the construction, equipping, and/or furnishing of an approximately 60,000 square foot facility and an approximately 12,000 sq. foot parking facility (the "Facility") located at 356-62 East 139th Street Bronx NY 10454;
- ii. Fund capitalized interest, if necessary
- iii. Fund a Debt Service Reserve Fund; and
- iv. Pay for certain costs related to the issuance of the Bonds (the Project)

The anticipated closing date is August, 2019. The Project is anticipated to be completed in not less than 2 years].

The land was acquired in March 2016 with ALCS available cash for a purchase price of \$3.3 million.

Our goal is to construct a facility that can meet all of our programmatic needs in a warm and welcoming environment which enables us to establish a culture that is inviting, harmonious and develops a collegiate environment for social and academic growth. In order to do this, we need a building for our students which has:

- A cafeteria which we can access as needed
- A gymnasium which we can access as needed
- A science lab
- A library
- Electives- A music room and an art studio which will allow us to have specials classes to meet the goals of our program.

In designing a new building, ALCS seeks to create an educationally viable middle school and offer our educational program to greater number of students in the community. ALCS expects to increase enrollment from the current 525 students to 875 students by FY2028. Expanded enrollment will offer more families the opportunity to have a choice for their children and benefit from our academic instruction. ALCS intends to continue to offer its programs at its current co-located facilities mentioned in Section D above and to offer additional programming at the new facility.

Example: [Applicant Name] ("Applicant"), a New York not-for-profit corporation exempt from federal taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, is a [school, domestic violence shelter, hospital, community center, etc.] that serves [profile of stakeholders served]. Applicant is seeking approximately \$[] in tax-exempt revenue bonds (the "Bonds"). Proceeds of the Bonds [together with other funds available to Applicant], will be used to [modify below as needed]:

- i. refinance [describe debt];
- ii. finance the [acquisition, construction, renovation, equipping, and/or furnishing] of a [] square foot facility (the "Facility") on a [] square foot parcel of land located at [address]; and/or
- iii. pay for certain costs related to the issuance of the Bonds (i, ii, and iii, collectively, the "Project").

The anticipated closing date is []. The project is anticipated to be completed in ___ [months or years].

The Project will allow Applicant to [brief description of financial or other benefits to Applicant of the Project].

F. PROJECT LOCATION DETAIL

Complete this table for *each* Project Location with a distinct Block/Lot. For Projects with more than one Block/Lot, copy the Project Location table below and paste it directly underneath to complete it.

Project Location Information			
Project Address: 356-62 East 139 th Street Bronx NY 10454		Location # 1 of 1	
Borough/Block/Lot: Bronx / 2301 / 12, 13, 14, 15	Community Board #: Bronx CB1	Neighborhood: Mott Haven	
Square footage of land: 12,500 Sq. Ft.	Square footage of existing building: N/A	Number of Floors: N/A	
How is the anticipated Project Location currently used and what percentage is currently occupied? Open Lot			
In the case of relocation, what will happen with Applicant's current facility? Space retained by ALCS <input checked="" type="checkbox"/> N/A			
Does the Project Location have access to rail and/or maritime infrastructure? No			
Is there any space at the Project Location that is currently being/will be occupied and/or used by any entity other than the Applicant or operating company, whether Affiliates or otherwise? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach a separate page and provide details about tenants such as (1) name of tenant business(es) (whether Affiliates or otherwise), (2) square footage of tenant operations, (3) tenant occupancy commencement and termination dates, and (4) copies of leases, licenses, or other documents evidencing a right to possession or occupancy. For the purposes of this question, any license or other right of possession or occupancy granted by the Applicant or operating company with respect to the Project Location shall be deemed a tenancy.			
Construction Information			
Facility Operations Start Date (as defined in the Policies and Instructions):			
Does the Project involve the construction of a new building or an expansion/renovation of an existing building? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete the following questions and attach a separate page and provide drawings, plans, or a description of the proposed work. Does the Project involve subsurface disturbance or excavation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Anticipated square footage of Facility after construction and/or renovation: 72,000 sq. ft. (includes building and parking facility) Anticipated square footage of <i>non-building improvements</i> after construction and/or renovation (e.g. parking lot construction): 0 Square feet of wet lab space created: N/A Square feet of wet lab space preserved: N/A Percentage of total building size dedicated to wet lab space: N/A Are energy efficiency improvements or the installation of a renewable energy system anticipated as part of the Project? ²			
Which of the below statements best reflects your current stage in the contractor procurement process? <input type="checkbox"/> A contractor has been selected and the procurement process is complete. <input type="checkbox"/> The procurement process has begun but a contractor has not been selected. Selection is anticipated by: <input checked="" type="checkbox"/> The procurement process has not begun. Procurement is anticipated to begin by: July 2019 with the assistance of a construction manager <input type="checkbox"/> Other: <input type="checkbox"/> Not applicable			
Zoning Information			
Current zoning of Project Location: R-6 Is a zoning variance or special permit required for the Project to proceed at Project Location? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a separate page and describe the zoning variance or special permit required, which agencies are involved, and the anticipated schedule for zoning approval. Please see the attaching zoning approval resolution under Attachment A. Is the Project subject to any other city, state or federal approvals? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a separate page and describe the approval required, and if applicable, list any other environmental review that may be required. Is the Project Location a designated historic landmark or located in a designated historic district? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Is the Project Location within the NYC Coastal Zone Boundary? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Intended use(s) of site (check all that apply): <input type="checkbox"/> Retail % <input type="checkbox"/> Manufacturing/Industrial % <input type="checkbox"/> Commercial Office % <input type="checkbox"/> Residential % If Residential, what percentage of units will be affordable? %			

² More information on free energy efficiency advisory services can be found: [here](#)

G. ANTICIPATED OWNERSHIP

1. Check the accurate description of the Project Location's anticipated ownership.

<input type="checkbox"/> Applicant or an Affiliate is/expects to be the Project Location's fee simple owner.	(Projected) Acquisition date:
<input type="checkbox"/> Applicant or an Affiliate leases/expects to lease the Project Location. <input type="checkbox"/> Lease is for an entire building and property. <input type="checkbox"/> Lease is for a portion of the building and/or property.	(Projected) Lease signing date:
<input checked="" type="checkbox"/> Neither of the above categories fully describes Applicant's interest or intended interest in the Project Location. Describe the anticipated ownership of the Project Location premises: Applicant will form or cause the formation of a not-for-profit entity exempt from federal taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (Friends of AECS). Applicant will convey the site to the Friends of AECS. Friends of AECS will be the owner of the proposed Facility. Friends of AECS will be the borrower or co-borrower of the proceeds of the Bonds. Friends of AECS will lease the Facility to the Applicant.	

2. Does/will an Affiliate own/control the Project Location? Yes No
 If yes, complete the table below:

Name of Affiliate: Friends of the Academic Leadership Charter School (or similar name as Affiliate has not yet been formed)	Address of Affiliate: : 677 East 141 st street Bronx NY 10454
Affiliate is a:	
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Limited Partnership
<input type="checkbox"/> S Corporation	<input type="checkbox"/> Limited Liability Company
	<input type="checkbox"/> C Corporation
	<input type="checkbox"/> Other: NFP Corp.
	<input type="checkbox"/> Natural Person

H. PROJECT FINANCING

1. **Sources of Financing.** Provide amounts as aggregates for all Project Locations. Add table rows, if needed.

Sources	Total Amount	Percent of Total Financing
Equity	\$15,000,000	34%
Commercial Loan (Bank Name:)	\$	%
Capital Campaign	\$	%
New York City Public Funds	\$	%
Source:	\$	%
Source:	\$	%
New York State Public Funds	\$	%
Other: Bond Proceeds (includes premium)	\$29,145,000	66%
Total	\$44,145,000	100%

2. Mortgage amount on which tax is levied (exclude SBA 504 financing¹):

3. Anticipated closing date between the Issuer and the Applicant August 1, 2019

4. **Uses of Financing.** Provide amounts as aggregates for all Project Locations.

Uses	Total Amount	Percent of Total Financing
Land and Building Acquisition	\$	%
Construction Hard Costs (i.e. site excavation, building materials, labor, landscaping, construction materials, etc.)	\$34,500,000	78%
Construction Soft Costs (i.e. pre-planning, legal, financing, design, etc.)	\$6,900,000	16%
Furnishings, Fixtures, & Equipment (FF&E) and Machinery & Equipment (M&E) (i.e. generators, desks, chairs, electronic equipment, specialized manufacturing equipment, assembly equipment, etc.)	\$	%
FF&E purchased in NYC	\$	
M&E purchased in NYC	\$	
Closing Fees (costs associated the execution of deal, i.e debt service reserve fund, financing fees, loan origination fees, attorney fees, pre-payment penalties, etc.)	\$945,000	2%

¹ The SBA 504 Loan Program, administered by the Small Business Administration, is designed to provide small businesses with long-term financing to acquire and improve major fixed assets, such as owner-occupied commercial real estate and heavy machinery.

Other (describe): Debt Service Reserve Fund	\$1,800,000	4%
Total	\$44,145,000	100%

4a. Indicate anticipated budgeting of Hard Costs: Electrical: % Carpentry: % Painting: % Plumbing: %
 Excavation or Demolition: % Other: %

4b. Indicate anticipated budgeting of Soft Costs: Architecture: % Engineering: % Design: % Other: %

I. EMPLOYMENT INFORMATION

The following information will be used as part of the Issuer's calculation of the Project's benefit to the City, and as a basis for comparison with the employment information that the Applicant will be required to report on an annual basis for the term of the Project Agreement (as defined in the Policies and Instructions).

1. Job Creation Schedule

For all responses in the table below, part-time ("PT") employees are defined as those working between 17.5 and 35 hours per week on average, and full-time ("FT") employees are defined as those working 35 hours or more per week. Hourly wages in Columns E & F should represent the pay rate and are exclusive of overtime. For salaried employees, divide the annual salary by 1,820 working hours per year to calculate an hourly wage.

Information included in Column C below will be used to determine eligibility for participation in the Hire NYC Program. For program information, see Additional Obligations document. If eligible for the Hire NYC Program participation, NYCEDC will provide additional details.

A Job Category	B # of NYC jobs retained by Project	C # of jobs to be added in each year at Project Location in first 3 years of operation to be employed by Applicant			D Total # of Jobs at Project Location in first 3 years of operation (Sum of all Columns B and C)	E Average hourly wage for Year 1	F Lowest hourly wage for Year 1	G Average Fringe Benefit for retained jobs	H Average Fringe Benefit for created jobs
		Year 1: 2020	Year 2: 2021	Year 3: 2022					
FT Executive level	1			0	1	\$142		25%	25%
FT Manager level	2			1	3	\$77		25%	25%
FT Staff level	44	7	7	18	76	\$36		25%	25%
Total FT Employees	47	7	7	19	80	\$37	\$18	25%	25%
Total PT Employees						\$	\$	\$	\$

- Of the Total Jobs at Project Location in Column D, how many employees are/will be NYC residents? [Estimated at 50%](#)
- How many employees at the Project Location will be paid below living wage² at Project Start Date (as defined in the Policies and Instructions)? **0**
- Does the Project currently have, or anticipate having, contract or vendor employees³ at the Project Location? Yes No
- Generally describe all other forms of compensation and benefits that permanent employees will receive (i.e. healthcare, employer contributions for retirement plans, on-the-job training, reimbursement for educational expenses, etc.). [Healthcare, retirement, training, vacation and sick pay.](#)
- Will Applicant or any of its Affiliates be required to provide health coverage to its employees pursuant to the federal Patient Protection and Affordable Care Act (the "Act")? Yes No
 If yes, provide an overview of the applicable requirements under the Act and an explanation of how Applicant plans to comply with such requirements. If no, explain why and provide a FT employee count using the Act "[FTE Employee Calculator](#)".
- Is Applicant currently providing paid sick time to employees in accordance with the Earned Sick Time Act (Chapter 8 of Title 20 of the NYC Administrative Code) and otherwise in compliance with such law? Yes No
 If yes, provide an explanation of your company's paid and unpaid sick time policy. If No, explain why and provide a table which outlines the number of anticipated employees and hours worked per calendar year.⁴ [Please see the attached employee manual.](#)

² For information regarding living wage, see Additional Obligations document.

³ Contract or vendor employees are independent contractors (i.e. persons who are not "employees") or are employed by an independent contractor, who provide services at a Project Location.

8. Will the Project use an apprenticeship program approved by the New York State Department of Labor? Yes No

J. LABOR

Applicant and its Affiliates hereinafter will be referred to collectively as the "Companies" or individually as a "Company." If none of the following questions applies to any of these Companies, answer *No*. For any question that does apply, be sure to specify to which of the Companies the answer is relevant.

1. Has any of the Companies during the current calendar year or any of the five preceding calendar years experienced labor unrest situations, including actual or threatened labor strikes, hand billing, consumer boycotts, mass demonstrations or other similar incidents?
 Yes No If Yes, explain on an attached sheet.
2. Has any of the Companies received any federal and/or state unfair labor practices complaints asserted during the current calendar year or any the five calendar years preceding the current calendar year?
 Yes No If Yes, descr be and explain current status of complaints on an attached sheet.
3. Do any of the Companies have pending or threatened requests for arbitration, grievance proceedings or other labor disputes during the current calendar year or any of the five calendar years preceding the current calendar year?
 Yes No If Yes, explain on an attached sheet.
4. Are any of the Companies' employees *not* permitted to work in the United States?
 Yes No If Yes, provide details on an attached sheet.
5. Is there any period for which the Companies did not complete and retain or do not anticipate completing and retaining all required documentation related to this inquiry, such as Employment Eligibility Verification (I-9) forms?
 Yes No If "Yes," explain on an attached sheet.
6. Has the United States Department of Labor, the New York State Department of Labor, the New York City Office of the Comptroller or any other local, state or federal department, agency or commission having regulatory or oversight responsibility with respect to workers and/or their working conditions and/or their wages, inspected the premises of any Company or audited the payroll records of any Company during the current or preceding three year calendar years?
 Yes No If "Yes," use an attached sheet to briefly describe the nature and date of the inspection and the inspecting governmental entity. Briefly descr be the outcome of the inspection, including any reports that may have been issued and any fines or remedial or other requirements imposed upon any of the Companies as a consequence.
7. Has any of the Companies incurred, or potentially incurred, any liability (including withdrawal liability) with respect to an employee benefit plan, including a pension plan?
 Yes No If "Yes," use an attached sheet to quantify the liability and briefly descr be its nature. Refer to any governmental entities that have had regulatory contact with the Company in connection with the liability.
8. Are the practices of any of the Companies now, or have they been at any time during the current or preceding five calendar years, the subject of any complaints, claims, proceedings or litigation arising from alleged discrimination in the hiring, firing, promoting, compensating or general treatment of employees?
 Yes No If "Yes," provide details on an attached sheet. Note "discrimination" includes sexual harassment.

K. FINANCIALS

1. Has Applicant, Affiliate(s), Principal(s), or any close relative any Principal(s), ever received, or is any such person or entity currently receiving, financial assistance or any other kind of non-discretionary benefit from any Public Entities?
 Yes No If Yes, provide details on an attached sheet.
2. Has Applicant, or any Affiliate or Principal, or any existing or proposed occupant at the Project Location(s), obtained, or is any such person or entity in the process of obtaining, or contemplating obtaining, other assistance from the NYCIDA/Build NYC and/or other Public Entities?
 Yes No If Yes, provide details on an attached sheet.
3. Has Applicant, or any Affiliate or Principal, ever defaulted on a loan or other obligation to a Public Entity?
 Yes No If Yes, provide details on an attached sheet.
4. Has real property in which Applicant, or Affiliate or Principal, holds or has ever held an ownership interest and/or controlling interest of 25 percent or more, now or ever been (i) the subject of foreclosure (including a deed in lieu of foreclosure), or (ii) in arrears with respect to any type of tax, assessment or other imposition?

⁴Information on the Paid Sick Leave Law can be found [here](#).

Yes No If Yes, provide details on an attached sheet.

5. Does Applicant, or any Affiliate or Principal, have any contingent liabilities not already covered above (e.g., judgment liens, lis pendens, other liens, etc.)? Include mortgage loans and other loans taken in the ordinary course of business only if in default.

Yes No If Yes, provide details on an attached sheet.

6. Has Applicant, or any Affiliate or Principal, failed to file any required tax returns as and when required with appropriate governmental authorities?

Yes No If Yes, provide details on an attached sheet.

7. In the table below, provide contact information for Applicant's references. If the space provided below is insufficient, provide complete information on an attached sheet. List any "Major Suppliers" (those that compose more than 10% of goods, services, and materials).

Reference Type	Company Name	Address	Contact Person	Phone	Fax	Email	% of Revenue s
Major Suppliers	Vanguard Direct	519 8th Avenue 23rd Floor New York, NY 10018	Amy Carroll	[REDACTED]	[REDACTED]	[REDACTED]	N/A
Unions							
Banks	Signature Bank	565 Fifth Avenue, FL 12 New York, NY 10017	Ross Brenner	[REDACTED]		[REDACTED]	

L. ANTI-RAIDING N/A

1. Will the completion of the Project result in the relocation of any plant or facility located within New York State, but outside of New York City, to New York City? Yes No

If "Yes," provide the names of the owners and addresses of the to-be-removed plant(s) or facility(ies):

2. Will the completion of the Project result in the abandonment of any plants or facilities located in an area of New York State other than New York City? Yes No

If "Yes," provide the names of the owners/operators and the addresses of the to-be-abandoned plant(s) or facility(ies):

If the answer to question 1 or 2 is "Yes," answer questions 3 and 4.

3. Is the Project reasonably necessary to preserve the competitive position of this Applicant, or of any proposed occupants of the Project, in its industry? Yes No However, having the project would enable ALCS to expand our educational programs to greater number of students.

4. Is the Project reasonably necessary to discourage Applicant, or any proposed occupant of the Project, from removing such plant or facility to a location outside New York State?

Yes No

If the answer to question 3 or 4 is "Yes," provide a detailed explanation on a separate sheet of paper.

M. COMPLIANCE WITH LAW

1. The Applicant and any owner or occupant of the proposed project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations. Yes No

2. The proposed project, as of the date of this application, is in compliance with all provisions of Article 18-A of the General Municipal Law, including, but not limited to the provisions of Section 859-a and Section 862(1) thereof. Yes No (N/A)

N. PRIVATE SCHOOL QUESTIONS (IF APPLICABLE – NOT APPLICABLE TO ALCS)

Review Build NYC's Private School Policy prior to completing the Application.

1. Are at least 50 percent of enrolled students are New York City residents?

Yes No

2. If Applicant provides education to any of grades 9 through 12, is it registered with the New York State Department of Education as an eligible education institution?
 - Yes No
3. If Applicant was formed under the Education Law of the State of New York, is it chartered by the New York Board of Regents?
 - Yes No
4. If Applicant provides education to any of grades K through 8, it (a) is registered with the New York State Department of Education, or (b) will be evaluated by an independent professional (acceptable to Build NYC's staff in their sole discretion) as providing an education equivalent to that provided by public schools in the State of New York?
 - Yes No
5. Provide a written plan that demonstrates any existing or planned commitment to aid the City's public school system, nonprofit organizations and/or community groups through the sharing of Applicant's facilities. Project Manager will identify appropriate and quantifiable metrics in respect of this requirement. Applicant will be required to provide annual written reports to Build NYC demonstrating its performance, as measured by such metrics. The Board of Trustees or the Chief Executive Officer of Applicant will designate a full-time staff member to coordinate the community service activities and aid to be provided by Applicant pursuant to paragraph 5 above.
6. What is Applicant's maximum tuition for the current academic year?
7. Indicate whether Applicant meets the following criteria:
 - a. Financial aid equal to at least 12 percent of Applicant's gross tuition revenues is made available to, and used by, students who are City residents.
 - Yes No
 - b. At least 20 percent of students who are both City residents and recipients of financial aid receive financial aid equal to or greater than 50 percent of tuition.
 - Yes No

O. ADDITIONAL QUESTIONS

1. What are the primary sources of revenue supporting Applicant's operations? [Primary source of revenues for ALCS is Education Aid payments provided by the State to charter schools.](#)
2. If the Applicant's Statement of Activities categorizes any revenues as "Other operating revenues," describe what revenues are captured in that category: N/A
3. If the Applicant's Statement of Activities categorizes any revenues as "Other general and administrative," describe what revenues are captured in that category: [Other income includes interest income.](#) N/A
4. Share employee salaries and wages paid in the last three fiscal years:

Salaries and Wages	Year 1: 2018	Year 2: 2017	Year 3: 2016
	\$2.9 million	\$2.9 Million	\$2.8 Million

5. If Applicant is a charter school:
 - a. What share of the total student body receives free or reduced lunch? 91% N/A
 - b. Does the Applicant currently co-locate a facility/anticipate co-locating a facility with the Department of Education? Yes No
6. Is the Applicant funded through existing City or state contracts? Yes No

If "Yes," complete the following table:

Agency	Contract Amount	Year of Contract Execution	Year of Contract Termination	Renewal Mechanism

7. What is the anticipated operating expense savings as a result of this Build NYC transaction? \$ N/A [The transaction would not be undertaken without BNYC assistance.](#)
8. If the Applicant is refinancing existing debt, complete the following table. N/A

Existing Debt Series	Year of Maturity	Current Interest Rate	Estimated Savings	Anticipated Use of Savings

9. Where does the Applicant intend to allocate the savings provided through Build NYC? [Interest savings provided by the ability to issue tax-exempt bonds through Build NYC would be used to enhance school's academic programming.](#)

CERTIFICATION

I, the undersigned officer/member/partner of Applicant, on behalf of Applicant and its Affiliates, hereby request, represent, certify, understand, acknowledge and agree as follows:

I request that this Application, together with all materials and data submitted in support of this Application (collectively, these "Application Materials"), be submitted for review to the Issuer's Board of Directors (the "Board"), in order to obtain from the Board an expression of intent to provide the benefits requested herein for the Project.

I certify that I have the authority to sign these Application Materials on behalf of, and to bind, Applicant and its Affiliates.

I certify under penalty of perjury to the best of my knowledge and belief, after due investigation, that the information contained in these Application Materials is accurate, true and complete and does not contain a misstatement of a material fact or omit to state a material fact necessary to make the statements contained herein not misleading. I understand that an intentional misstatement of fact, or, whether intentional or not, a material misstatement of fact, or the providing of materially misleading information, or the omission of a material fact, may cause the Board to reject the request made in the Application Materials. I understand that the Issuer will rely on the information contained within these Application Materials in producing and publishing a public notice and convening a public hearing. If any information in these Application Materials is found to be incorrect, Applicant may have to provide new information and a new public notice and public hearing may be required. If a new public notice and public hearing is required, they will be at Applicant's expense.

I acknowledge that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Issuer involvement in the project.

I understand the following: that Applicant and Principals will be subject to a background check and actual or proposed subtenants may be subject to a background check, and if such background check performed by the Issuer with respect to Applicant or any Affiliates reveals negative information, Applicant consents to any actions that the Issuer or NYCEDC may take to investigate and verify such information; that the Issuer may be required under SEQRA to make a determination as to the Project's environmental impact and that in the event the Issuer determines that the Project will have an environmental impact, Applicant will be required to prepare, at its own expense, an environmental impact statement; that the decision of the Board to approve or to reject the request made in the Application Materials is a discretionary decision; that no Bonds may be issued (if Bonds are being requested) unless such Bonds are approved by the Mayor of the City; that under the New York State Freedom of Information Law ("FOIL"), the Issuer may be required to disclose the Application Materials and the information contained therein (see the Disclosure Policy section of the Policies and Instructions document provided to Applicant and signed by Applicant on or about the date hereof (the "Policies and Instructions")); and that Applicant shall be entirely responsible and liable for the fees referred to in these Application Materials.

I further understand and agree as follows:

That notwithstanding submission of this Application, the Issuer shall be under no obligation to present Applicant's proposed Project to the Board for approval. If the Issuer presents Applicant's proposed Project to the Board for approval, the Issuer does not guaranty that such approval will be obtained. If upon presenting Applicant's proposed Project to the Board for approval the Issuer obtains such approval, such approval shall not constitute a guaranty from the Issuer to Applicant that the Project transaction will close.

That preparation of this Application and any other actions taken in connection with the proposed Project shall be entirely at Applicant's sole cost and expense. Under all circumstances, the Application Fee is non-refundable, including but not limited to the circumstance where the Issuer decides, in its sole discretion, to not present Applicant's proposed project to the Board for Approval.

That each of Applicant and each of its Affiliates (collectively, the "Indemnitors") hereby releases Build NYC and NYCEDC and their respective directors, officers, employees and agents (collectively, the "Indemnitees") from and against any and all claims that any Indemnitor has or could assert and which arise out of, or are related to, any Application Materials, any actions taken in connection therewith or any other actions taken in connection with the proposed Project (collectively, the "Actions"). Each Indemnitor hereby indemnifies and holds harmless each of the Indemnitees from and against any and all claims and damages brought or asserted by third parties, including reasonable attorneys' fees, arising from or in connection with the Actions. As referred to herein, "third parties" shall include, but shall not be limited to, Affiliates.

That in the event the Issuer discloses the Application Materials in response to a request made pursuant to FOIL, Applicant hereby authorizes the Issuer to make such disclosure and hereby releases the Issuer from any claim or action that Applicant may have or might bring against the Issuer, their directors, officers, agents, employees and attorneys, by reason of such disclosure; and that Applicant agrees to defend, indemnify and hold the Issuer and the NYCEDC and their respective directors, officers, agents, employees and attorneys harmless (including without limitation for the cost of reasonable attorneys' fees) against claims arising out of such disclosure as such claims may be made by any party including Applicant, Affiliate, Owner or Principal, or by the officers, directors, employees and agents thereof.

That capitalized terms used but not defined in this Application have the respective meanings specified in the Policies and Instructions.

I acknowledge and agree that the Issuer reserves its right in its sole and absolute discretion to request additional information, waive any requirements set forth herein, and/or amend the form of this Application, to the full extent permitted by applicable law.

Requested, Represented, Certified, Acknowledged, Understood and Agreed by Applicant,

I certify that, using due care, I know of no misstatement of material fact in the Application Materials, and know of no material fact required to be stated in the Application Materials to make the statements made therein not misleading. **Certified by Preparer,**

This day of , 20 . _____

This day of , 20 . _____

Name of Applicant: _____

Name of Preparer: _____

Signatory: _____

Signatory: _____

Title of Signatory: _____

Title of Signatory: _____

Signature: _____

Signature: _____

BUILD NYC APPLICATION: ATTACHMENTS CHECKLIST

Submit the following attachments to your Core Application by the Application Deadline associated with your targeted Board Meeting date.

- A. **Full Environmental Assessment Form or Short Environmental Assessment Form** (SEAF, provided by Build NYC).
- B. Completed **Environmental Audit Report (Phase I)** certified to the Issuer. Based upon the Issuer's review, a Phase II may be requested.
- C. **Internal Background Investigation Questionnaire** (provided by Build NYC). Complete the form for Applicant and any Affiliate. Mail the final page (notarized) with the original signature to:
Strategic Investments Group
NYCEDC
110 William Street
New York, NY 10038
- D. **Doing Business Data Form** (Provided by Build NYC)
- E. Past three years of **financial statements** for Applicant, Affiliates, and/or guarantors (as applicable). For any year that Applicant does not have a financial statement, provide an **operating pro forma** or other financial analysis demonstrating how the Issuer's assistance is needed in order to make the Project feasible. If your financials have line items noted as "Other," provide a short description explaining what the line item entails.
- F. Past four calendar quarters of **NYS-45 MN or ATT filings** for Applicant and its Affiliates. Redact employee names and Social Security numbers or provide NYS-45 MN summary page.
- G. Copy of Acord Certificate of Liability Insurance.
- H. Signed **Inducement Letter** on company letterhead. Letter should include a brief description of Applicant, the Project, a determination that the Project would not be completed without receiving the Issuer's benefits, and the immediate impact of the Project (500 word limit).
- I. **Short Bios** for CEO CFO, and chairperson that include employment history and education.
- J. **Contract of Sale/Lease Agreement**. *Not applicable. As indicated previously, the School purchased the site in 2016. The anticipated lease agreement between "Friends" and ALCS will be provided once the "Friends" organization is formulated and a lease agreement is drafted.*
- K. Executed **Commitment Letter or Term Sheet** from financial institution(s) providing financing that clearly indicates portion(s) in connection with which assistance is being sought.
- L. **Organizational Chart** of Applicant and Affiliates.
- M. **Non-refundable \$5,000 application fee** payable to the Issuer, mailed to
Strategic Investments Group
NYCEDC
110 William Street
New York, NY 10038
- N. Policies and Instructions document **signature page** (provided by the Issuer)
- O. Additional Obligations document **signature page** (provided by the Issuer)
- P. **Letter of community support**, if applicable: *Not Applicable*
- Q. **A written plan describing shared use of facility:** *Not Applicable*
- R. **Documents required by Bond Counsel:**
 - Internal Revenue Service letter determining organization's 501(c)(3) status
 - Bylaws
 - Charter
 - List of Board of Directors and affiliations: *(To come)*
 - Documents regarding affiliated organizations *Not Applicable*
 - Board Resolution relating to undertaking of the proposed project *(To come)*
 - Capital Campaign literature (if any) *Not Applicable*

Elementary School: 677 East
141st Street Bronx, NY 10454
Phone: [REDACTED]
Fax: [REDACTED]
Middle School: 470 Jackson Ave
Bronx NY 10455
Phone: [REDACTED] **Fax:** [REDACTED]
Website: www.alcsbronx.org



**ACADEMIC
LEADERSHIP**
CHARTER SCHOOL



Norma Figueroa-Hurwitz, Founder/Executive Director

August 8, 2020

Dear Mac Thayer,

This letter confirms that there have been no changes to the application package/forms submitted to Build NYC and approved by the Board of Trustees on July 16, 2019.

Sincerely,

Norma Hurwitz

Founder/Executive Director

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Academic Leadership Charter School			
Project Location (describe, and attach a location map): 356-362 East 139th Street, Bronx, NY 10454			
Brief Description of Proposed Action: The applicant, the Academic Leadership Charter School, is seeking funding from Build NYC to facilitate the development of a new seven-story (88-foot-tall) 67,780 gross-square-foot (gsf) charter school at 356-362 East 139th Street (Block 2301, Lots 12-15) in the Mott Haven neighborhood of Bronx Community District 1. It is anticipated that the proposed school would serve up to 600 elementary and intermediate level students, with a school staff of 60. Outdoor play areas are proposed on the third level, as well as on the building's roof. The proposed building would also have two levels of below-grade parking with 281 accessory parking spaces.			
Name of Applicant or Sponsor: Academic Leadership Charter School		Telephone: [REDACTED]	
		E-Mail:	
677 East 141st Street			
City/PO: Bronx		State: NY	Zip Code: 10454
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYC BSA variance pursuant to ZR Section 72-21 to modify lot coverage requirements (ZR Section 24-11), rear yard requirements (ZR Section 24-36), & street wall & initial setback requirements (ZR Section 24-522). Approval granted 4/22/19.		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.287 acres	
b. Total acreage to be physically disturbed?		_____ 0.287 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0.287 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: As the proposed action requires a building permit, it will meet the State Energy Code requirements but should not be exceeded.	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES It is anticipated that storm water discharge will be directed to the existing 18" sewer located on East 139th Street adjacent to the project site. _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ See attached supplemental response.	NO	YES
_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Norma Hurwitz</u>	Date: <u>5/11/19</u>	
Signature: <u>Norma Hurwitz</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

Supplemental Responses**Part 1**

- **Question 12a:** The project site is partially located within the boundaries of the State and National Register-listed (S/NR-listed) Mott Haven Historic District. However, as the proposed action is a site-specific action, it would not result in the alteration or demolition of any designated or eligible historic resources in the 400-foot study area surrounding the project site. While the proposed project would be partially visible in the background of select views of the Mott Haven Historic District, the proposed project would not block or obstruct any significant elements of these contributing resources of the historic district; all significant elements of the study area historic resources would remain visible in view corridors on public streets. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the proposed action to any historic resource's setting under With-Action conditions. Lastly, as there are seven contributing resources of the S/NR-listed Mott Haven Historic District located within 90 feet of the project site, they would be subject to DOB's TPPN #10/88 during the building's construction, and no construction-related impacts on historic resources are anticipated.
- **Question 12b:** In consultation with the New York City Landmarks Preservation Commission (LPC), it was determined that there are no archaeological resources associated with the project site.
- **Question 15:** Peregrine Falcon
- **Question 20:** A Phase I Environmental Site Assessment (ESA) was prepared for the project site by PVE Sheffler, LLC on January 21, 2016. Based on the findings of the Phase I ESA, PVE Sheffler, LLC recommended that a vapor intrusion evaluation be prepared to determine the impacts of the vapor encroachment condition that exists on the project site due to its proximity to nearby dry cleaning and automotive repair facilities. As such, a Phase II Environmental Site Investigation (ESI) – Vapor Intrusion Evaluation was prepared by PVE Sheffler, LLC on February 29, 2016. Upon the New York City Department of Environmental Protection's (DEP) review of the Phase I ESA and the Phase II ESI – Vapor Intrusion Evaluation, DEP stated that a Supplemental Phase II ESI is necessary to adequately identify/characterize the surface and subsurface soils of the project site. DEP also stated that a Phase II Work Plan and Health and Safety Plan (HASP) should be submitted and approved prior to the start of any fieldwork.

The Phase II Work Plan and HASP were prepared by PVE, LLC and submitted to DEP in January 2018. A notice to proceed with the Phase II ESI was provided by DEP on February 16, 2018. Subsequently, a Phase II ESI was conducted by PVE, LLC. Based on the findings, PVE, LLC recommended that a Remedial Action Work Plan (RAWP) be prepared to outline the appropriate remedial actions, including proper excavation handling and off-site disposal of excavated materials, as well as the design and installation of an appropriate vapor mitigation system, including sub-slab ventilation system and vapor barrier. The report also recommended that soil excavated during site development be segregated and stockpiled in accordance with industry standards and that waste characterization samples be collected and analyzed in accordance with the selected disposal facility. The report further recommended preparation of a Site Management Plan (SMP) to describe the operation and maintenance of the vapor mitigation system, in addition to periodic inspection and reporting of the site-wide cover system, if contaminated soils remain on site. Lastly, PVE, LLC recommended that, based on the findings of the Phase II ESI, a Construction Health and Safety

Plan (CHASP) should be prepared to outline steps to protect on-site workers from hazards that may be encountered during redevelopment.

In August 2018, the Applicant's consultant submitted a RAWP and CHASP for DEP's review. In letters dated September 18, 2018 and October 19, 2018, DEP stated that it reviewed the Revised August 2018 RAWP and Revised August 2018 CHASP and found those documents acceptable on the conditions that, at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report indicating that all remedial requirements have been properly implemented be submitted to DEP for review and approval for the proposed project.