

**To All Respondents:**

1. All requirements of the original RFP shall remain in full force and effect, except as set forth in this Addendum and any other previously issued Addenda.
2. All capitalized terms set forth in this Addendum shall have the same meaning as set forth in the RFP being amended hereby.
3. Page 4 has been amended to add the following: “On August 21, 2024, New York City Mayor Eric Adams signed Executive Order 43: Prioritizing Housing Production and Accelerating the Production of Housing on City Sites, compelling the City of New York (the “City”) to identify public land suitable for new housing development to address the City’s housing crisis with a “moonshot” goal of building 500,000 homes over the next decade.”
4. Page 7 has been amended to add the following: “Remediated Wetland Area is not developable. Additionally, development is restricted in the lots obligated and governed by the SMP under the NYSDEC Consent Order (as shown in Exhibit 2). Development must also comply with applicable wetlands regulations to wetlands on the Site but not part of the Remediated Wetland Area (see Environmental Conditions and Freshwater Wetlands below). In summary, development on the Site is subject to restrictions, including the following:
  - Within the Remediated Wetland Area (labeled as “Remediated Wetlands Area” on Exhibit 2), no development may occur in perpetuity, per the SMP;
  - Within lots affected by the NYSDEC Consent Order and SMP (labeled “NYSDEC Consent Order Lots” in Exhibit 2), development is restricted to commercial uses only and NYSDEC approval would be required;
  - Within a 100-foot buffer of lots affected by the NYSDEC Consent Order (labeled “NYSDEC Consent Order 100-Foot Radius” in Exhibit 2), development requires NYSDEC approval, as the area is under NYSDEC jurisdiction and subject to the SMP but is not restricted to commercial use;
  - Within a wetland or within 100 feet of a freshwater wetland, development requires a NYSDEC permit; and
  - In all other areas of the Site, development is permitted subject to all other federal, state, and local regulations.

**Respondents should review the Site File for additional information.”**

5. The Information Session date on page 29 has been amended to reflect “December 11, 2024”.
6. The amended RFP is found below, starting from page 2: Contents.

**THIS ADDENDUM MUST BE SIGNED BY THE PROPOSER AND ATTACHED TO THE TECHNICAL PROPOSAL WHEN SUBMITTED.**

NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION

By: Maryann Catalano

Title: Chief Contracting Officer, Contracts

**ACKNOWLEDGED AND AGREED:**

Name of Proposer: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

# CONTENTS

<b>EXECUTIVE SUMMARY</b>	<b>4</b>
<b>PROJECT GOALS</b>	<b>5</b>
<b>SITE DESCRIPTION &amp; CONTEXT</b>	<b>6</b>
Site Description	6
Site History	9
Neighborhood Context	9
Transportation & Access	10
Environmental Conditions and Freshwater Wetlands	11
Land Use & Zoning	12
<b>DEVELOPMENT PROGRAM</b>	<b>14</b>
Residential	14
Retail	14
Office/Industrial	14
Community Facility	14
Recreational Facility	14
Parking	14
Landscaping	15
<b>FINANCING</b>	<b>16</b>
Public Funding	16
Real Property Taxes	16
<b>APPROVAL PROCESS</b>	<b>17</b>
City Environmental Quality Review	17
Uniform Land Use Review Procedure	17
Federal and New York State Wetland Permitting	18
Business Terms Approval: New York City Charter Section 384(b)(4)	18
Public Design Commission	18
NYCEDC and NYCLDC Board Approval	18
Public Authorities Accountability Act	18
<b>PROPOSAL REQUIREMENTS</b>	<b>19</b>
Project Description	19
Site Plan Architectural Design	19
Sustainable Development	19
Zoning Calculation	20

Environmental Permitting	20
Financial and Schedule Information	20
Respondent Description	22
M/WBE and Workforce Program	22
Background Investigation Questionnaire	23
Local Law 34	23
Statement of Agreement	24
<b>SELECTION CRITERIA</b>	<b>25</b>
<b>DISPOSITION PROCESS</b>	<b>26</b>
Site Conditions	27
<b>DUE DILIGENCE</b>	<b>28</b>
Site File	28
Inquiries Submission	28
Information Session	28
Site Tour	28
Response Submission Date	29
RFP Addenda	29
RFP Timeline	29
<b>APPENDIX A: SITE FILE DOCUMENTS</b>	<b>30</b>
<b>APPENDIX B: PROPOSAL CONTENTS</b>	<b>31</b>
<b>APPENDIX C-1: M/WBE OVERVIEW</b>	<b>32</b>
<b>APPENDIX C-2: M/WBE PLAN</b>	<b>34</b>
<b>APPENDIX D: EMERGING DEVELOPERS</b>	<b>35</b>
<b>APPENDIX E: BACKGROUND INVESTIGATION QUESTIONNAIRE</b>	<b>36</b>
<b>APPENDIX F: DOING BUSINESS DATA FORM</b>	<b>37</b>
<b>APPENDIX G: NYCEDC STATEMENT OF AGREEMENT</b>	<b>38</b>
<b>APPENDIX H: COMMUNITY HIRING</b>	<b>39</b>
<b>APPENDIX I: CONDITIONS, TERMS AND LIMITATIONS</b>	<b>40</b>
<b>APPENDIX J: BLOCK AND LOT DISPOSITION AREA</b>	<b>44</b>



Whitestone and Throgs Neck Bridge with Bronx and Queens

# EXECUTIVE SUMMARY

**This RFP offers Respondents a rare opportunity for development on one of the largest contiguously undeveloped sites in New York City.**

On August 21, 2024, New York City Mayor Eric Adams signed Executive Order 43: Prioritizing Housing Production and Accelerating the Production of Housing on City Sites, compelling the City of New York (the “City”) to identify public land suitable for new housing development to address the City’s housing crisis with a “moonshot” goal of building 500,000 homes over the next decade. As part of this effort, the New York City Economic Development Corporation (“NYCEDC”), acting on behalf of the City, is issuing this Request for Proposal (“RFP”) seeking proposals (“Proposals, each a “Proposal”) from qualified parties (“Respondents”, each a “Respondent”)<sup>1</sup> for the long-term ground lease (“Lease”) or purchase (“Sale”) (collectively Lease and Sale to be referred to as “Disposition”) and development of all or a portion of an approximately 80-acre site located along 20<sup>th</sup> Avenue in Queens (the “Site”).

This RFP offers Respondents a rare opportunity for development on one of the largest contiguously undeveloped sites in New York City, providing ample space for large scale development in one of New York City’s fastest growing boroughs. Its location benefits from proximity to LaGuardia Airport, public transportation via buses and Long Island Railroad, and convenient access to major highways and bridges. The Site also boasts frontage along 20<sup>th</sup> Avenue, a busy commercial corridor featuring Target, Shoprite, Petco, and other large retailers.

The Site is a multi-acre undeveloped parcel with vegetation and freshwater wetlands, regulated by federal and state law. The Site is zoned M2-1, within the Special College Point District and Coastal Zone Boundary. Under M2-1 zoning, there is an as-of-right industrial and manufacturing use allowance of 2.0 FAR, but Respondents may propose to rezone the Site.

NYCEDC will consider proposals for Disposition of all or a portion of the Site to one or more Respondents. Respondents are strongly encouraged to submit Proposals that consider the involvement of emerging developers when forming their teams. Proposals are due on March 20, 2025 (the “Submission Date”) at 11:59PM. Following the Submission Date, NYCEDC may designate one or more Respondents that, in its sole judgment, best align with the Project Goals (as defined below) and provide the greatest benefit to the community and to the City.

<sup>1</sup> Any Respondent that is ultimately selected to sublease, develop, and/or operate the Site will be referred to as a “Developer”. If more than one Developer is designated, any references to “Developer” in the singular in this RFP shall be interpreted to include all designated Developers unless the context requires otherwise.

## Project Goals

The most competitive Proposal(s) to this RFP should accomplish the following goals (the “Project Goals”):

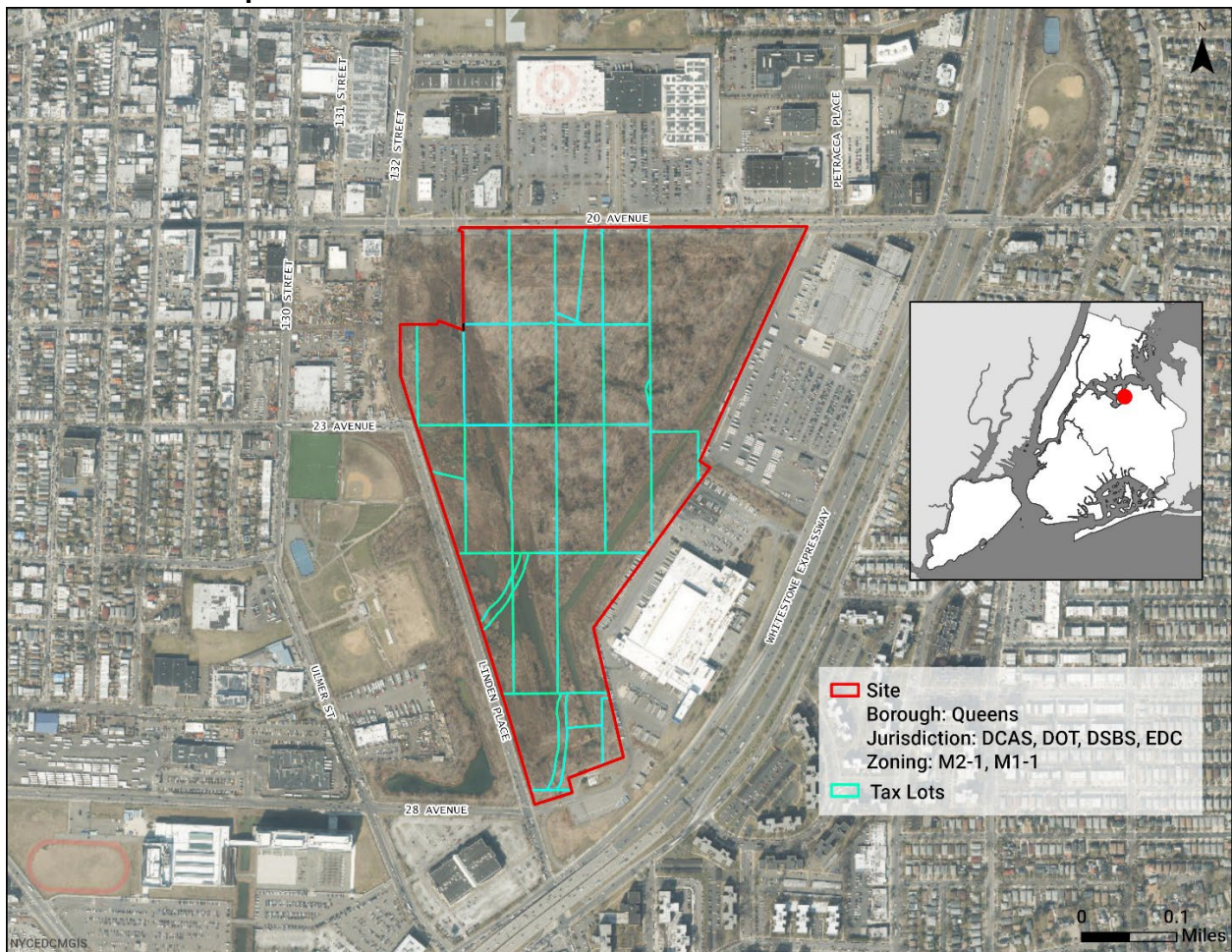
1. Creates a feasible project that develops the local economy and enhances the quality of life and open space in the neighborhood;
2. Incorporates design excellence in the site plan and building designs as well as encourages successful integration of the project into the local context;
3. Advances the City’s housing, economic development, and environmental and sustainability goals;
4. Delivers a comprehensive hiring and wage program that supports communities and creates good-paying job opportunities; and
5. Generates returns to the City while minimizing the use of public subsidies.

# SITE DESCRIPTION & CONTEXT

## Site Description

The Site, part of the former Flushing Airport, consists of approximately 80 acres of vacant, unimproved land located in the College Point neighborhood of Queens. Triangular in shape, the Site is bordered in the north by 20<sup>th</sup> Avenue, to the east by Mill Creek, and to the west by Linden Place. NYCEDC is currently constructing a new road to connect Linden Place and 132<sup>nd</sup> Street. The approximate boundaries of the Site are shown in **Exhibit 1**.

**Exhibit 1: Site Map<sup>2</sup>**



NYCEDC is not aware of any remaining structures on the Site from its prior use as an airport, nor any operating infrastructure or utilities serving the Site.

<sup>2</sup> Boundaries are approximate.

Mill Creek, a federally designated stream, is located on the eastern edge of the Site and extends through the Site from north to south. On the southwestern side of the Site along Linden Place, NYCEDC recently completed a 12-acre freshwater wetland project (“Remediated Wetland Area”) to create and restore an open water habitat to enhance water quality, improve flood storage, increase wetland habitat values, improve the overall aesthetic value of the Site, and serve as a neighborhood amenity. In addition, the restoration serves as mitigation for the construction of Linden Place and 132<sup>nd</sup> Street Extension Roadway.

Because the wetland restoration and site remediation was undertaken pursuant to the New York State Department of Environmental Conservation (“NYSDEC”) Consent Order, the Remediated Wetland Area must be protected and monitored according to the NYSDEC approved Site Management Plan (“SMP”) contained in the Site File and all wetlands regulations. The Remediated Wetland Area is not developable. Additionally, development is restricted in the lots obligated and governed by the SMP under the NYSDEC Consent Order (as shown in Exhibit 2). Development must also comply with applicable wetlands regulations to wetlands on the Site but not part of the Remediated Wetland Area (see Environmental Conditions and Freshwater Wetlands below).

In summary, development on the Site is subject to restrictions, including the following:

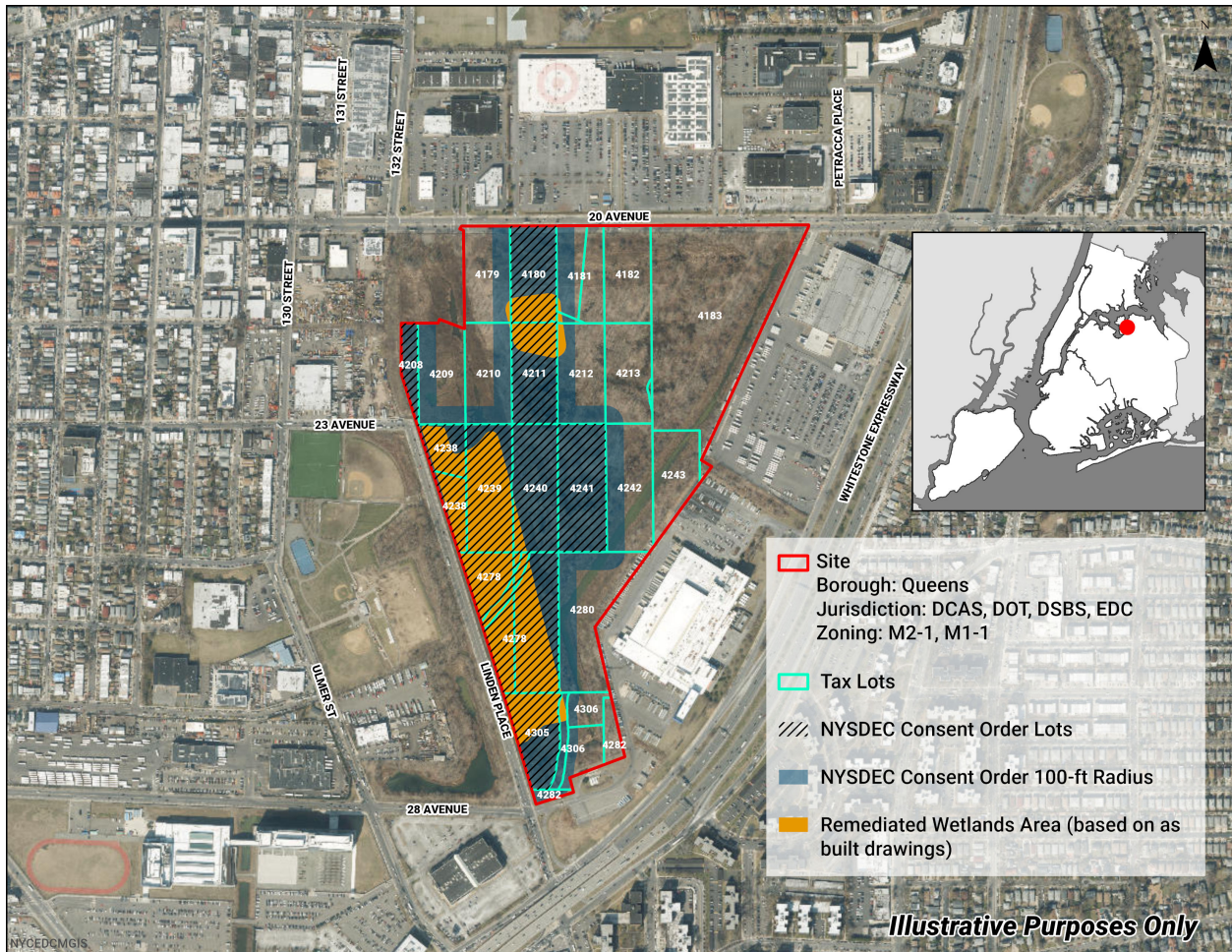
- Within the Remediated Wetland Area (labeled as “Remediated Wetlands Area” on Exhibit 2), no development may occur in perpetuity, per the SMP;
- Within lots affected by the NYSDEC Consent Order and SMP (labeled “NYSDEC Consent Order Lots” in Exhibit 2), development is restricted to commercial uses only and NYSDEC approval would be required;
- Within a 100-foot buffer of lots affected by the NYSDEC Consent Order (labeled “NYSDEC Consent Order 100-Foot Radius” in Exhibit 2), development requires NYSDEC approval, as the area is under NYSDEC jurisdiction and subject to the SMP but is not restricted to commercial use;
- Within a wetland or within 100 feet of a freshwater wetland, development requires a NYSDEC permit; and
- In all other areas of the Site, development is permitted subject to all other federal, state, and local regulations.

Respondents should review the Site File for additional information.

Any Proposal would have to demonstrate ongoing compliance with regulatory requirements and propose any permits or approvals required for compliance with the SMP or a change in the allowable uses or controls under the SMP. All lots on the Site including the lots that fall under the NYSDEC Consent Order are listed in Appendix J.



## Exhibit 2: NYSDEC Consent Order Lots<sup>3</sup>



For more information, please refer to the various reports found in the project site file (the “[Site File](#)”). This information is meant to be informative in the planning and development of any Proposals. Respondents should perform their own due diligence and seek advice from their advisors to confirm the requirements of building on the Site<sup>4</sup>.

<sup>3</sup> The information contained in this map is intended for illustrative purposes only and should not be relied on or construed as an official determination. Respondents should consult the Site File for more information.

<sup>4</sup> More information regarding the Site’s environmental conditions may be found later in this RFP in the “Environmental Conditions and Freshwater Wetlands” section.

## Site History

Flushing Airport was constructed between 1927 and 1929. Originally called, “Speed’s Airport”, the airport became one of the busiest in New York City, before the larger LaGuardia Airport and Idlewild Airport (later renamed John F. Kennedy International Airport) opened in 1939 and 1948, respectively. With the addition of these larger neighboring airports and constraints on Flushing Airport’s ability to expand, Flushing Airport experienced a decline in use and officially closed in 1984. Since 1984, the Site has remained vacant.

## Neighborhood Context

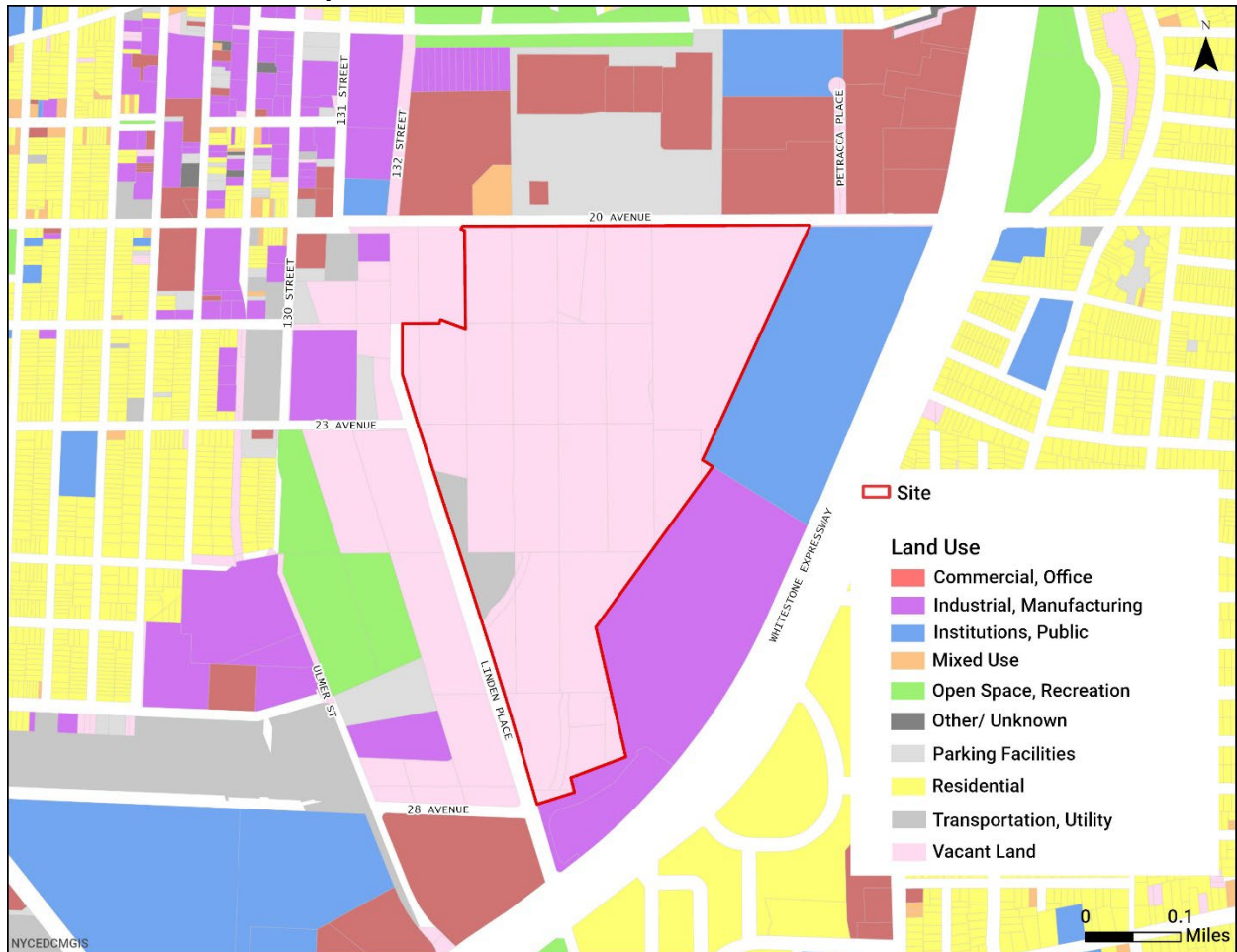
The area surrounding the Site includes a rich variety of uses that are conveniently accessible to one another. The residential neighborhoods of College Point to the west and Whitestone to the east largely consist of single-family homes along tree-lined streets.

Primarily north of the Site, College Point’s retail district is anchored by numerous regional and national chain stores including ShopRite, TJ Maxx, BJ’s Wholesale, and Old Navy and numerous local retailers. To the Site’s south and immediate east prior to the Whitestone Expressway, industrial businesses and large institutional uses employ many people and provide critical services. Farther south of College Point is Downtown Flushing, which offers a unique shopping and dining scene with a wide variety of Asian and international cuisine.

Also south of the Site is the Willet’s Point, a transformational neighborhood redevelopment, and Flushing Meadows Corona Park, the Borough’s most iconic park. The area regularly attracts thousands of visitors to events held at Citi Field, the US Open’s USTA Billie Jean King National Tennis Center, and a new soccer stadium that will be home to the New York City Football Club.

Other nearby parks, including College Point Fields, MacNiel Park, Frank Golden Park, and Powell’s Cove Park, provide desirable green space for relaxation and recreation.

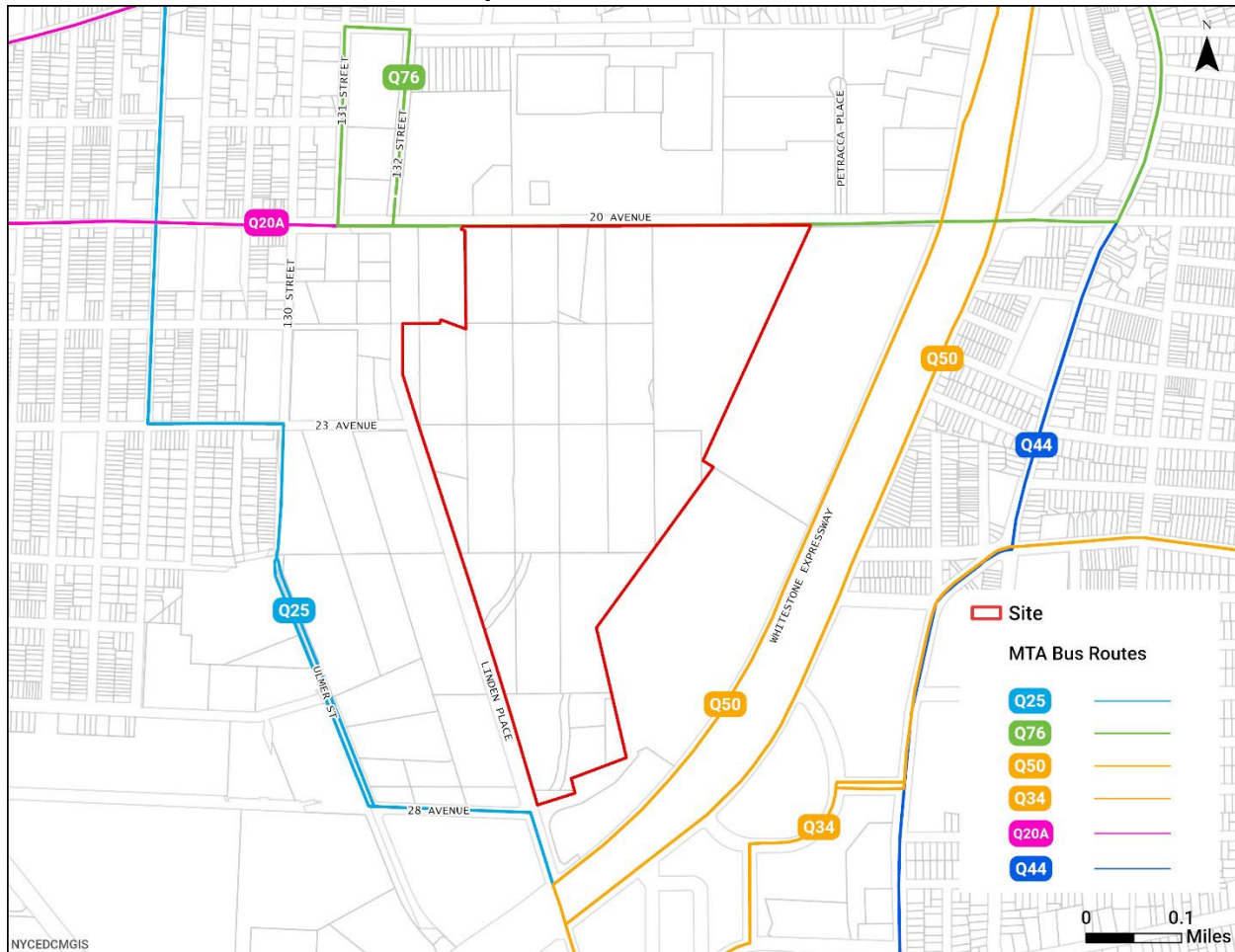
### Exhibit 3: Land Use Map



### Transportation & Access

The Site is conveniently located near major highways such as the Whitestone Expressway, Van Wyck Expressway, and the Grand Central Parkway, offering quick travel to the surrounding region. Furthermore, the Site's proximity to LaGuardia Airport makes it an attractive location for distribution companies, frequent travelers, airline employees, and tourists. Additionally, the neighborhood's bus routes connect riders to the Long Island Rail Road and subway, providing access to other neighborhoods within Queens, Manhattan and the other boroughs, and Long Island.

## Exhibit 4: Selected Local Transit Options

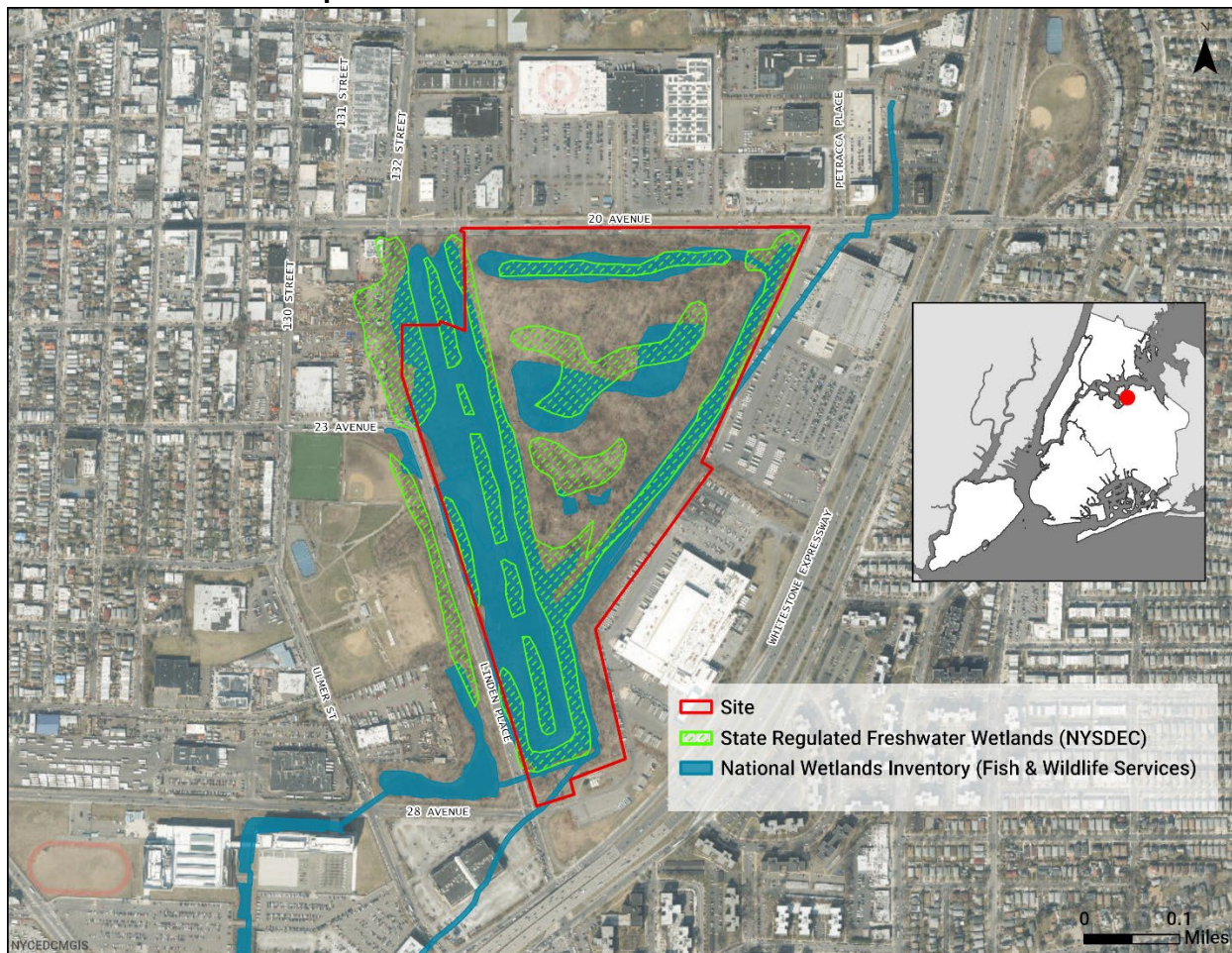


## Environmental Conditions and Freshwater Wetlands

Successful development of the Site will need to address challenging subsurface conditions, freshwater wetlands, as shown on Exhibit 5, high water table, and remnants of the prior airport operations including old fill. The Site sits within the Effective Flood Insurance Rates Maps (FIRM 2007 and FIRM 2015).

Prior to submitting a Proposal, Respondents are encouraged to review publicly available sources of information as well as the Site File to better understand the Site conditions. For illustrative purposes only, Exhibit 5 displays the location of potential wetlands, though Respondents should not rely upon or construe it as the limit of NYSDEC's regulatory jurisdiction over wetlands on the Site. For more information about regulations over wetlands, please visit federal and state authorities' websites, located at the following addresses: [US Army Corp of Engineers](#) and [New York State Department of Environmental Conservation](#). Proposals must explain how they will handle the unique Site conditions to achieve a feasible project that can be constructed.

## Exhibit 5: Wetlands Map<sup>5</sup>



## Land Use & Zoning

The Site is in the Special College Point District, which requires properties to comply with M2-1 zoning, conform to M-1 performance standards, and not exceed a floor area ratio (“FAR”) of 2.0. Unlike in most manufacturing districts, parks and other recreational uses are allowed as-of-right.

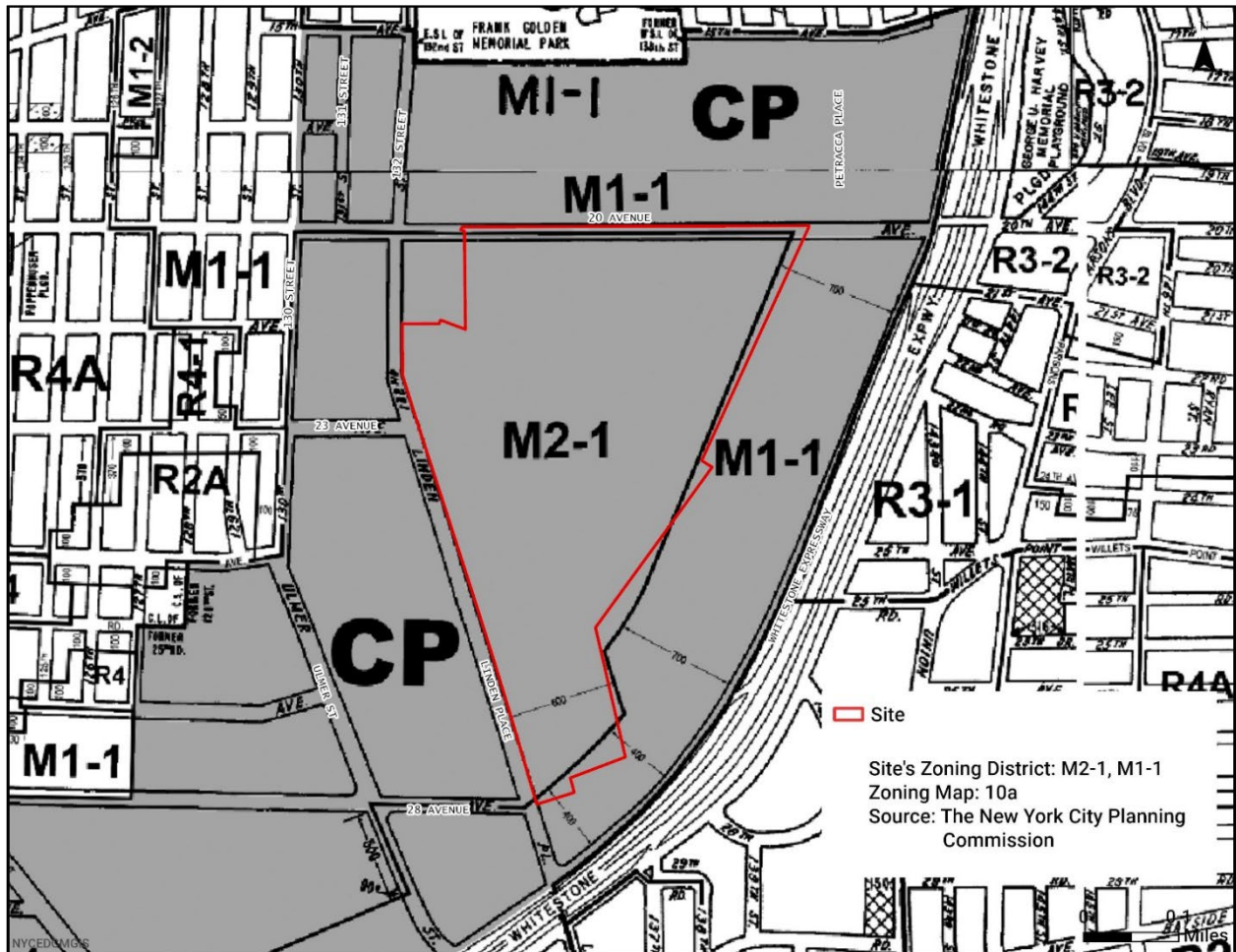
NYCEDC welcomes as-of-right Proposals as well as those that require land use actions. All Proposals should include a zoning summary table to indicate the allowable and proposed floor area. If Respondents propose to rezone or seek relief from use/bulk regulations, Proposals should identify the specific land use actions, including any City Planning Commission (“CPC”) Special Permits or Authorizations, that are necessary to facilitate the project. Respondents should remain mindful of the surrounding zoning and land use context. Each Proposal should provide a full zoning analysis and rationale for any proposed changes.

<sup>5</sup> The information contained in this map is intended for illustrative purposes only and should not be relied on or construed as an official “Wetlands Map.” For more information on wetlands and regulatory procedures, please visit the websites of the US Army Corps of Engineers ([New York District Regulatory Branch – Wetlands Identification \(army.mil\)](#)) and the New York State Department of Environmental Conservation ([Wetlands - NYSDEC](#)).

The relevant zoning information contained herein is intended for informational purposes only and should not be relied on or construed as official zoning data or analysis. In the planning and development of any Proposals for the Site, Respondents should consult the use regulation text set forth in the Zoning Resolution and are strongly encouraged to seek their own professional technical, legal, and financial advice in developing a responsive Proposal.

For more information, please visit the New York City Department of City Planning's website at: <https://www.nyc.gov/site/planning/zoning/districts-tools/special-purpose-districts-queens.page>

### Exhibit 6: Land Use & Zoning Map



# DEVELOPMENT PROGRAM

Respondents may propose a program that includes any one or any combination of the following uses in their Proposals. Respondents may also propose uses that do not appear in this section.

## Residential

If Respondents include a residential component in their Proposals, Respondents should include an attractive housing program. NYCEDC expects that any affordable units would be governed by a regulatory agreement with the New York City Housing Preservation and Development (“HPD”).

## Retail

Respondents may incorporate retail components that are thoughtfully curated to provide essential amenities, enhance the vibrancy of the neighborhood, and cater to the diverse needs of the residents and visitors alike.

## Office / Industrial

Respondents may include office and/or industrial uses in their Proposals. Preference will be given to uses that create quality jobs for local residents as well as those located in innovation sectors, such as life sciences, tech, the green economy, advanced manufacturing, and film and television.

## Community Facility

Respondents may propose community facility uses, especially those designed to significantly enhance the quality of life for residents within the surrounding neighborhood.

## Recreational Facility

Proposals may include any recreational facilities, whether enclosed or open-air, as well as open space for active or passive use.

## Parking

Proposals should include sufficient ancillary parking to support successful leasing and operation of the proposed program. The design and layout should minimize the impact on the pedestrian experience. Respondents are strongly encouraged to propose a meaningful component of electric vehicle charging for onsite parking. While NYCEDC understands that the electric vehicle market is in development, it expects Respondents to recognize this market is advancing quickly and future leasing may require accommodating electric vehicles and the corresponding charging infrastructure. Zoning allows electric vehicle charging as an accessory use at any parking space

developed in connection with parking facilities. City of Yes for Carbon Neutrality acknowledges electric vehicle charging as important to achieving climate goals and includes zoning text amendments to remove impediments related to implementing electric vehicle charging uses. Proposals that commit to providing some level of electric vehicle charging infrastructure will be viewed favorably.

## **Landscaping**

Effective landscaping of the Site will be vital to establish a distinct sense of place, attract tenants and guests, connect to surrounding neighborhoods and nature, and build green infrastructure to improve storm resiliency. The Site, benefiting from its size, offers the Developer an opportunity to create an oasis of green outdoor space that complements surrounding public investments.

Respondents could develop an attractive landscaping plan for the Site, including areas with active and passive uses. Native plantings tend to require less maintenance, support local wildlife, and help create a unique sense of place. Each Respondent's financial model must account for maintenance of any landscaping features.



# FINANCING

It is the responsibility of the Developer to obtain construction and permanent financing sufficient to complete the project and meet all contractual obligations of the Parties.

## Public Funding

There is currently no City Capital funding allocated to this project. Respondents may propose public subsidy in their Proposals, but they should strive to minimize the amount of any public subsidy proposed. See the Proposal Requirements section for further details.

## Real Property Taxes

If the Site is disposed of through a Sale, the Site will be subject to New York City Real Property Taxes.

If the Site is disposed of through a Lease, the Site will be subject to a payment in lieu of tax (“PILOT”) in an amount equal to New York City Real Property Taxes and charges. As applicable, Respondents should indicate in their Proposal the tax exemption and/or abatement program(s), if any, they would seek to utilize to the extent required to facilitate the project. Respondents should minimize any tax exemptions or abatements.

Ultimately, it will be the responsibility of the Developer to show that they meet the requirements of the specific tax benefit program(s). The City and NYCEDC make no representations or warranties as to the continued availability of these benefits, the project’s eligibility to receive these benefits, or as to any PILOT schedule that might ultimately be used.

# APPROVAL PROCESS

The Disposition of the Site is subject to, and may require, certain approvals and processes including, but not limited to, those described below.

## City Environmental Quality Review

The Site will require environmental review under the City Environmental Quality Review (“CEQR”). It is the Developer’s responsibility to conduct environmental due diligence and prepare any necessary documents. NYCEDC currently anticipates that a NYCEDC planner will be available to assist the Developer and its consultants in complying with applicable environmental review procedures. The Developer will be responsible for paying all fees and all costs associated with the CEQR process.

The Office of the Deputy Mayor for Housing and Economic Development assumed lead agency status for the Flushing Airport Wetland Project (CEQR No. 05DME018Q) and issued a Negative Declaration on March 15, 2005.

A technical memorandum examines whether changes in the project, newly discovered information, or changes in circumstances have the potential to result in any new, previously undisclosed impacts. It is the Developer’s responsibility to prepare any necessary documents to update the CEQR record (either a Technical Memorandum, EAS, or EIS, depending on the proposal), including cost or fees for preparation of materials.

For CEQR records, please visit:

<https://a002-ceqraccess.nyc.gov/ceqr/Details?data=MDVETUUwMThR0&signature=a585c7cb4374d444ea78c3bf500df9486a8fc4d4>

For a schedule of fees, please visit the New York City Department of City Planning’s website at: <https://www.nyc.gov/site/planning/applicants/applicant-portal/step4-paying-fees.page>.

## Uniform Land Use Review Procedure

The Site will require Uniform Land Use Review Procedure (“ULURP”) for the Disposition, regardless of whether it is a Lease or Sale, or should the Developer propose any other actions such as rezoning. The Developer will be responsible for the preparation of, and all costs associated with, the ULURP application and with obtaining all applicable ULURP approvals.

## **Federal and New York State Wetland Permitting**

Given the presence of designated freshwater wetlands on and near the Site, any adjacent development would need to comply with appropriate Federal and New York State wetland regulations. The Developer should be prepared to comply with relevant wetland regulatory conditions and will be responsible for applying for, and all costs associated with, the applicable permits and obtaining approvals.

## **Business Terms Approval: New York City Charter Section 384(b)(4)**

Business terms approval shall be subject to review pursuant to 384(b)(4) of the New York City Charter, as described in the Disposition Process section. The Developer will be responsible for the preparation of, and all costs associated with, the application and with obtaining all applicable approvals, as well as attending and representing the project during all public hearings, as requested by NYCEDC. NYCEDC reserves the right to pursue alternative means and venues for business term approval.

## **Public Design Commission**

If the project proceeds as a Lease, the Developer must obtain approval by the New York City Public Design Commission (“PDC”). NYCEDC currently anticipates that a member of NYCEDC staff will be available to assist the Developer and its consultants in complying with applicable PDC procedures. The Developer bears all responsibility for PDC review as well as costs associated.

## **NYCEDC and NYCLDC Board Approval**

This transaction will be subject to review and approval by the NYCEDC Real Estate Committee and the NYCEDC and New York City Land Development Corporation (“NYCLDC”) Board of Directors, as applicable.

## **Public Authorities Accountability Act**

Compliance with the applicable requirements of the New York Public Authorities Accountability Act is also required.

Notwithstanding the foregoing or anything to the contrary herein, (i) the Site remains subject to any and all other applicable approval procedures required by the City and NYCEDC, and (ii) the City may, in its sole determination, decide that an approval mechanism other than as outlined above is more appropriate for the Site’s Disposition.

# PROPOSAL REQUIREMENTS

NYCEDC has established a streamlined set of submission requirements. In addition to the below, please also refer to **Appendix B** for a list of tabs each Proposal must contain.

## Project Description

Respondents must include a detailed narrative of the project, including:

- A development plan, including a breakdown and distribution of proposed uses;
- An explanation of how the project advances the RFP goals;
- Employment generation projections (direct and indirect, construction); and
- A list of potential and committed partners and/or subtenants, as applicable.

## Site Plan and Architectural Design

Respondents must provide:

- Architectural plans and renderings, including:
  - Site plan showing all components of the project, including means of ingress to and egress from the buildings;
  - Diagram showing the blocks and lots included in the Proposal;
  - Building plans showing proposed uses for each floor;
  - Section drawings showing building height;
  - Zoning compliance summary; and
  - Massing diagrams.
- A narrative description outlining the Respondent's approach and rationale, including:
  - The proposed development square footage (zoning floor area, gross, and rentable, including basement) broken down by use;
  - A description and location of all components and their interaction with the surrounding context.

## Sustainable Development

NYCEDC supports the City's agenda for environmentally sustainable and energy efficient development and building design.<sup>6</sup> As part of this effort, NYCEDC supports the construction industry's expanded use of mass timber, a range of building materials composed of engineered wood products that reduce embodied carbon in new construction. Respondents must provide a narrative describing the broader sustainability, energy, and carbon neutrality strategy for the

---

<sup>6</sup> Mayor Adams' PlaNYC "Getting Sustainability Done" Report 2023 (<https://climate.cityofnewyork.us/wp-content/uploads/2023/06/PlaNYC-2023-Full-Report.pdf>)

project, including the proposed types and gradations of certifications that best support that strategy (e.g., LEED Platinum, etc.).<sup>7</sup>

## Zoning Calculation

Respondents must submit a preliminary zoning analysis showing all calculations, including:

- Zoning compliance summary;
- Proposed use groups;
- Required and proposed parking; and
- All required discretionary approvals, permits and authorizations to be sought.

## Environmental Permitting

Respondents are expected to provide a narrative to their approach to show compliance and secure approvals with the NYSDEC and USACE under the existing permitting regime.

## Financial and Schedule Information

### Financial Model

Respondents must submit a financial model in Excel encompassing every use within the Proposal and including:

- A pro forma with discounted cash flows for a minimum of ten (10) years including construction and operation periods;
- All assumptions on which pro forma is based, including minimum returns and fees sought;
- All necessary capital improvements over time, capital and operating reserves, and debt service payments;
- Calculations used to derive the proposed ground lease rent and PILOT;
- A detailed sources and uses table; and
- Market comparables for similar projects including detailed rental listings and construction costs and operating expenses.

Note: all Excel files must be in original formatting, contain all original formulas (*i.e.* no hard coding) and have no hidden or locked sheets.

### Project Financing

Respondents must submit a narrative description that clearly explains:

- The proposed funding and financing structure of the project, including
  - Demonstration of a fully funded project; and

---

<sup>7</sup> Proposals that contemplate the highest certification levels will be considered by NYCEDC to be more competitive than Proposals that contemplate other lower certification(s) or no certification. At a minimum, Proposals must comply with all applicable federal, state, or local environmental law requirements, including, without limitation, Local Laws 92, 94, 95, and 97, and other provisions. See more information here: <https://www.nyc.gov/site/buildings/codes/local-laws.page>

- Explicit identification of proposed financing sources and terms for each source, distinguishing between construction and permanent financing.
- For Proposals seeking any tax or PILOT benefits, a list of the relevant programs, corresponding figures, and a description of how the Proposal qualifies; and
- For Proposals including private financing, anticipated term and, where feasible, letter(s) of interest from private lender(s) that indicate a willingness to provide construction and/or permanent financing consistent with the terms in the Proposal.

### **Consideration and Disposition**

Respondents must include proposed terms for either Lease or Sale of the Site, including:

- If Sale,
  - Purchase price expressed in a fixed, non-contingent dollar amount; and
  - Administrative fee to be paid to NYCEDC at execution of Contract of Sale.
- If Lease,
  - The ground lease term, which cannot exceed 99 years;
  - Competitive ground lease payments, consisting of:
    - Annual base rent, including escalations;
    - Participation rent terms as appropriate, including projected amounts;
    - Tax and/or PILOT payments, reflecting any proposed tax exemption and/or abatement programs;
    - Annual lease administration fee, including escalations; and
    - Other payments as applicable; and
  - A security deposit.

**Note:** These terms must be included in the financial model

Respondents should be aware that:

- The Site will be disposed of in as-is condition;
- If Disposition through a Lease, the Lease will be triple net<sup>8</sup>;
- The Developer will be responsible for all taxes payable with respect to the project, including transfer and mortgage recording taxes;
- NYCEDC requires final negotiated terms to be based on an independent appraisal, commissioned by NYCEDC and paid for by the Developer; and
- Any Proposals that exclude a summary of proposed terms for the Disposition will not be considered.

---

<sup>8</sup> As such, the Lease will require the Developer to be responsible for all costs associated with the Site, including, but not limited to, insurance, utilities, ongoing maintenance, security, capital repairs, and real property taxes/payments in lieu of taxes.

## **Schedule**

Respondents must provide a schedule for the entire project that:

- Covers from execution of a contract of sale or predevelopment agreement through stabilization, including all tasks and milestones associated with obtaining all required approvals, construction, leasing, and occupancy;
- Discusses how they will be held accountable for such dates; and
- Notes any contingencies in the schedule.

## **Respondent Description**

Respondents must demonstrate professional ability and sufficient financial resources commensurate with their Proposals. Each Proposal must provide a description of Respondent, including the following:

- An organizational overview and operating history, and organizational structure;
- For any proposed partnership or joint venture:
  - A clear explanation and organizational chart/diagram, showing the partnership or joint venture structure and percentages of ownership and investment;
  - A summary of the key terms of the partnership or joint venture agreement;
- A summary of previous experience developing and operating successful projects of a similar size, scope, and type;
- Contact details for an individual authorized to act as Respondent's primary contact; and
- Any additional documentation that will support the Proposal.

Respondents are also encouraged to consider the involvement of emerging development firms ("Emerging Developers"), including Black, Indigenous and People of Color ("BIPOC") Emerging Developers, when developing their Proposals. NYCEDC's objective in encouraging this is to eliminate the barriers to entry into the real estate developer community for Emerging Developers and to develop a pipeline of developers. Guidelines to help assess whether a development firm might be considered an Emerging Developer are in **Appendix D**.

## **M/WBE and Workforce Programs**

NYCEDC is committed to a program of economic development that supports communities, helps create job opportunities, and strengthens employment opportunities for low-income persons, enabling them to participate in New York City's economic growth. In furtherance of these goals, NYCEDC requires Respondents to submit a Proposal that contemplates compliance with and participation in the following programs.

### **Minority and Women-Owned Business Enterprises ("M/WBE") Program**

In keeping with its goal of furthering participation by MBEs and WBEs in NYCEDC-related projects, NYCEDC has set a target goal of **30%** for participation by M/WBEs in the design and construction components of the project. Respondents must submit a plan to address such M/WBE participation that disaggregates the M/WBEs that are expected to make up the overall total into

the following categories: MBEs, WBEs, and WBEs that are also MBEs. Please see **Appendix C-1** and **C-2** for further details.

### **Community Hiring**

The community hiring laws and regulations described in **Appendix H – Community Hiring** help guarantee that the City’s and NYCEDC’s development efforts encourage the creation of jobs that provide economic opportunity and benefit for all New Yorkers, while serving as models to employers across the City. The Developer will be subject to the Community Hiring Law (as defined herein), as applicable.

In addition, NYCEDC is committed to ensuring its projects create employment opportunities for low-income individuals and those residing in economically disadvantaged communities, regardless of applicability of the Community Hiring Law. NYCEDC will give preference to Proposals in which Respondents demonstrate commitment to such efforts.

NYCEDC has been working with the Office of Community Hiring and Workforce Development to help ensure that tenants and contractors are connected with a pipeline of talent and creating employment opportunities for low-income individuals and those residing in economically disadvantaged communities.

Respondents should review and understand all requirements of the Community Hiring Law to understand how these requirements will affect the project. Additional details are provided in **Appendix H – Community Hiring**. Contractual provisions implementing the requirements of the Community Hiring Law will be incorporated into the legal documents, as applicable.

### **Background Investigation Questionnaire**

Respondents must complete and submit an original NYCEDC Background Investigation Questionnaire (found in **Appendix E**, or online at <https://edc.nyc/vendor-resources>, and receive clearance from the investigation).

### **Local Law 34**

All entities 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, as amended, of the NYC Administrative Code. To avoid the actual link or appearance of a link between governmental decisions and large campaign contributions, lower municipal campaign contribution limits apply to any person listed in the Doing Business Database. Respondents must complete and submit a Real Property Transactions Doing Business Data Form, found in **Appendix F** or online at: <https://edc.nyc/vendor-resources>.



## Statement of Agreement

Each Respondent must submit a notarized statement in the format in **Appendix G** and signed by an authorized principal or officer of the Respondent who is authorized to bind the Respondent, stating that such principal or officer has read this RFP and its appendices fully, and that the Respondent fully agrees to the terms and conditions set forth herein.

# SELECTION CRITERIA

**NYCEDC will evaluate each Proposal and any supplemental information made available according to the selection criteria outlined below (not in order of priority).**

## **Program and Design**

- Overall quality of the Proposal; and
- Responsiveness of the Proposal to the Project Goals

## **Financial and Schedule Feasibility**

- Quality and feasibility of Respondent's business plan, financial model, and financing structure, including:
  - Respondent's ability to support its assumptions;
  - Feasibility of the proposed treatment of site conditions;
  - Feasibility of the proposed funding sources; and
  - Proposed consideration.
- Feasibility of proposed project schedule given the environmental conditions, including Respondent's capacity to undertake and fully execute the proposed project.

## **Respondent Qualifications and Experience**

- Respondent's financial condition, including its financial wherewithal;
- Respondent's experience, including:
  - The number, size, type, complexity, and scale of its recent, successful development projects;
  - Its success in securing the proposed funding sources for other similar projects;
  - Its ability to secure and retail similar tenants;
  - Its ability to operate similar projects; and
- Respondent's overall team.

## **Economic Impact**

- Magnitude of the project's economic impact;
- Proposed plans for engaging and utilizing minority and women-owned business enterprises;
- Quality of Proposal with respect to hiring and workforce programs; and
- Number and quality of new jobs created related to construction and operations.

# DISPOSITION PROCESS

NYCEDC anticipates negotiating transaction agreements with multiple Respondents, and NYCEDC reserves the right to terminate negotiations with any Respondent with or without cause at any time. It is anticipated that the Respondent(s) with whom NYCEDC executes the predevelopment agreement or contract of sale (the "Pre-Disposition Agreement(s)"), as applicable, will become the Developer(s).

The project's (or projects') legal agreements may also include regulatory agreements with HPD (if proposing an Affordable Housing program) and other agreements the City or NYCEDC deem to be applicable.

During the term of the Pre-Disposition Agreements, NYCEDC and the Developer will be required to diligently pursue certain conditions precedent to the Disposition (such as design development and financing) and, when all such conditions, including conditions to be met by NYCEDC and the City, are met, the Disposition of the Site can occur. It is anticipated that the Pre-Disposition Agreement(s) will provide, among other provisions, that the Disposition of the Site will be subject to the following:

- Completion of Environmental Review;
- Uniform Land Use Review Procedure;
- Authorization of the Disposition of the Site pursuant to 384(b)(4) or an alternate process, as determined by the City in its sole discretion;
- Approval by the NYCEDC Real Estate Committee and Board of Directors;
- Approval by the NYCLDC Board of Directors;
- Simultaneous closing of a bona fide construction loan and/or commitment of equity, as required to finance and commence the full development;
- Payment of initial installment of rent, or completed purchase price, as applicable;
- Payment of any closing fees;
- If the project includes affordable housing, execution of a regulatory agreement, or any other instrument HPD deems necessary, which will govern tenant eligibility, rent requirements, minimum household size and tenant selection procedure;
- Disposition of the Site from the City to NYCEDC or NYCLDC, as applicable, for further disposition to Developer subject to development obligations as well as restrictions on use and transfer;
- Developer's assumptions of the obligations of NYCEDC or NYCLDC, as applicable, under the instrument disposing of the Site from the City to NYCEDC or NYCLDC, as applicable; and
- Execution of other disposition documents as necessary.

NYCEDC may, in its sole discretion, waive certain conditions for closing. Notwithstanding any other provisions herein that may be to the contrary, NYCEDC, will not be under any obligation to dispose of the Site to the Developer unless, and until, a predevelopment agreement or contract of sale, as applicable, is executed between NYCEDC and such Developer, the project has

received all requisite public approvals and all conditions to closing pursuant to the predevelopment agreement or contract of sale, as applicable, have been met.

## **Additional Disposition Terms**

At predevelopment agreement or contract of sale execution, the Developer will be required to post a security deposit, which may be credited towards the initial security deposit under the lease or deed, as applicable, at closing, provided that relevant conditions have been met.

The Developer will also be expected to reimburse NYCEDC for the following costs and fees, which will be nonrefundable and cannot be used to offset the agreement's required security deposit, or otherwise credited against the ground rent payments:

- Administrative Fee in an amount to be determined by NYCEDC;
- Reimbursement for the cost of at least one independent appraisal;
- Any relevant fees associated with CEQR;
- Any relevant fees associated with PDC approval, as applicable; and,
- Any other fees outlined in the predevelopment agreement or contract of sale, lease or deed, and other agreements.

During the predevelopment period, the Developer will be expected to complete its due diligence. These due diligence items must be performed at the sole cost and expense of the Developer. All work products shall become property of NYCEDC upon submission. These expenses are non-refundable and cannot be used to offset the security deposit, ground rent, or purchase price as applicable.

The Developer may be required to pay all applicable taxes payable with respect to the project including transfer taxes, notwithstanding any exemption on account of the City's, NYCLDC's, or NYCEDC's involvement in the transaction.

## **Site Conditions**

NYCEDC and the City make no representations regarding the presence or absence of hazardous materials or any other environmental conditions that may impact the value of the Site, or any future development thereon.

Closing contingencies related to environmental conditions will not be permitted. NYCEDC requires that the Developer take the Site "as-is" and assume the obligation to remediate any environmental contamination, indemnify NYCEDC, NYCLDC, and the City for any claims that may be made against them in the future, and release NYCEDC, NYCLC, and the City from any claims that Developer may have arising out of the condition of the Site.

# DUE DILIGENCE

## Site File

Prior to submitting a Proposal, Respondents are encouraged to review publicly available sources of information regarding the Site as well as the Site File<sup>9</sup>. The Site File contains, among other items, preliminary soil investigations. A full list of the items in the Site File can be found in **Appendix A**. To obtain the Site File, Respondents should email a request to [FlushingAirportRFP@edc.nyc](mailto:FlushingAirportRFP@edc.nyc).

## Inquiries Submission

Respondents may submit questions to and/or request clarifications from NYCEDC no later than 5:00PM ET on February 7, 2025. Questions regarding the subject matter of this RFP should be directed to [FlushingAirportRFP@edc.nyc](mailto:FlushingAirportRFP@edc.nyc). Answers to all questions will be posted by February 21, 2025 to <https://edc.nyc/rfps>. Questions regarding the subject matter of this RFP will not be accepted after 5:00PM ET on February 7, 2025.

Technical questions pertaining to downloading and submitting proposals to this RFP may be directed to [RFPrequest@edc.nyc](mailto:RFPrequest@edc.nyc) on or before March 19, 2025 by 11:59PM ET.

## Information Session

An optional informational session will be held virtually on December 11, 2024 at 10:00AM ET via Microsoft Teams. Additional meeting details can be obtained on the project website at <https://edc.nyc/rfps>. NYCEDC strongly recommends that interested Respondents attend the information session, as this will be the only opportunity to ask questions and receive answers in-real time. Those who wish to attend should RSVP with attendee(s) name, email, and organization by email to [FlushingAirportRFP@edc.nyc](mailto:FlushingAirportRFP@edc.nyc) by 5:00PM ET on December 9, 2024.

## Site Tour

In rain or shine, NYCEDC will lead a tour of the Site starting at 10:00AM on January 8, 2025. Interested parties are strongly encouraged to attend this event. For those who are not able to attend, the questions asked and answered on the Site tour will be posted on the RFP website.

Those who wish to attend must complete the following by 5:00PM ET on January 3, 2025:

- Send a RSVP with first name, last name, and company name to [FlushingAirportRFP@edc.nyc](mailto:FlushingAirportRFP@edc.nyc),

<sup>9</sup> Information provided in this RFP and the Site File is for general informational purposes only. NYCEDC makes no representations or warranties as to the completeness or accuracy of the information in this RFP or the Site File. Respondents are responsible for conducting due diligence on the Site.

- Submit a completed waiver form, which will be available at [www.edc.nyc/rfps](http://www.edc.nyc/rfps)

A confirmation email will be sent to all confirmed recipients one day prior to the Site visit. Should any changes to the schedule occur, NYCEDC will contact confirmed attendees.

### Response Submission Date

PROPOSALS ARE DUE NO LATER THAN 11:59PM ET ON MARCH 20, 2025.

Late submissions will not be accepted. All submissions must be made electronically through the NYCEDC RFP website at [www.edc.nyc/rfps](http://www.edc.nyc/rfps) and include the following:

- One PDF file for the Proposal: “Former Flushing Airport RFP”
- One PDF file for the Real Property Doing Business Data Form: “Doing Business Data Form for Former Flushing Airport RFP”
- Number of sets of Proposals to be submitted: One (1) electronic copy of all Proposal documents, as stated above, in a zip file labeled with Respondent’s name.

NYCEDC reserves the right, in its sole discretion, to reject any Proposal as being non-responsive or if it is in the best interest of the City or NYCEDC to do so (see **Appendix I** for more conditions, terms, and limitations). Proposals that are incomplete or not in conformance with the requirements of this RFP may be eliminated from further consideration. Respondents should carefully note the Proposal content requirements detailed in this RFP.

### RFP Addenda

NYCEDC reserves the right, in its sole discretion, to withdraw or modify this RFP at any time. To be considered, Proposals must conform to any addenda that may be issued to this RFP. NYCEDC will advise all Respondents who have requested a copy of this RFP, by email, of any clarifications or revisions. If, in NYCEDC’s judgment, additional time is required for Respondents to prepare their Proposals, NYCEDC reserves the right to grant a submission deadline extension.

### RFP Timeline

The following schedule has been established for this RFP:

Release of RFP .....	November 13, 2024
Information Session .....	December 11, 2024
Site Visit .....	January 8, 2025
Deadline for Questions.....	February 7, 2025
Final Question & Answer Posting.....	February 21, 2025
Submission Date.....	March 20, 2025

# APPENDIX A: SITE FILE DOCUMENTS

#	Category	Description	Date
1	Comprehensive	College Point Industrial Park Architecture & Engineering Report	1962
2	Comprehensive	Wetland Mitigation Design Report & Permit Applications - Louis Berger Group	2008
3	Environmental	Order on Consent - DEC v NYCEDC	2002
4	Environmental	CEQR Environmental Assessment Statement for Wetlands Development Project (05DME018Q)	2006
5	Environmental	Wetland Mitigation Site Management Plan for DEC – NV5	2023
6	Environmental	Hot Spot Soil Investigation Summary Report	2017
7	Geotechnical	Foundation Investigation	1969
8	Geotechnical	Soils Engineering Report - College Point Recreational Park	1970
9	Geotechnical	Soils Investigation and Subsurface Conditions Report - Musser Rutledge Wentworth & Johnston	1977
10	Geotechnical	Geotechnical and Foundation Study for New Warehouse	2003
11	Geotechnical	Preliminary Geotechnical Evaluation Report – Linden Place Extension	2010
12	Permit	DEC Natural Resource Permit for 132 <sup>nd</sup> Street Extension / Wetland Mitigation	2014
13	Permit	Department of the Army Permit – 132 <sup>nd</sup> Street Extension / Wetland Mitigation	2018
14	Permit	DEC Notice of Natural Resource Permit Renewal for 132 <sup>nd</sup> Street Extension / Wetland Mitigation	2019
15	Permit	U.S. Army Corps of Engineers Modification of Department of the Army Permit - Wetland Mitigation	2021
16	Plans	Grading, Profiles, Planting, and Detail Plans - Wetland Mitigation Plan	2013
17	Plans	132 <sup>nd</sup> St Extension & Wetland Mitigation Lots Map	2024
18	Plans	132 <sup>nd</sup> St Extension & Wetland Mitigation Full As-Built Set	2024
19	Survey	Topographic & Subsurface Survey	1994
20	Transportation	Traffic Study - Linden Place Reconstruction & 132 <sup>nd</sup> St Construction	2005
21	Transportation	College Point Corporate Park Transportation Study	2017

# APPENDIX B: PROPOSAL CONTENTS

Each Proposal must contain the forms and supporting documentation indicated below. Each copy of the Proposal must be tabbed as indicated.

## **RFP Checklist:**

Tab 1: Cover Letter/Project Description – Development Program

Tab 2: Respondent Description – Qualifications and Experience

Tab 3: Respondent Description – Information and Organizational Structure

Tab 4: Project Financial Information – Capital Development and Operating Pro Forma

Tab 5: Site Plan & Architectural Design

Tab 6: Sustainable Development & Active Design

Tab 7: Zoning Calculation

Tab 8: Project Development Schedule

Tab 9: Economic Development and Employment Generation

Tab 10: M/WBE and Workforce Programs

1. M/WBE Participation Proposal (form included in **Appendix C-2**)
2. Community Hiring
3. Proposed Wages and Supplemental Benefits to be provided to employees of the Respondent to be employed at Project Site

Tab 11: Certifications and Representations

1. NYCEDC Background Investigation Questionnaire
2. Standard Doing Business Data Form (Local Law 34)
3. Statement of Acknowledgement and Agreement



# APPENDIX C-1: M/WBE OVERVIEW

## M/WBE Participation Goal

Participation Goal: The target Participation Goal for this disposition is **30%** (the “Participation Goal”). This range reflects the minimum to the optimal Participation Goal for the design and construction components of work related to the development of the Site and for any development associated with Relocation Space (the “Work”).

The target Participation Goal range represents a percentage of the hard costs and soft costs associated with the Work (the “Eligible Costs”) that will be paid to contractors, subcontractors and supplier firms certified with the New York City Department of Small Business Services (“DSBS”) as MBEs or WBEs. Respondents shall identify their Participation Goal in their M/WBE Participation Proposal. The Participation Goal may be calculated as follows:

1. Contractors: The total dollar amount that Respondent pays to contractors certified with DSBS as MBEs or WBEs for Eligible Costs shall be credited toward fulfillment of the Participation Goal, provided that the value of such a contractor’s participation shall be determined by subtracting from this total dollar amount any amounts that the contractor is obligated to pay to direct subcontractors or suppliers upon completion of such subcontractors or suppliers work or services.
2. Direct Subcontractors: The total dollar amount that a contractor pays to subcontractors certified with DSBS as MBEs or WBEs for Eligible Costs shall be credited toward fulfillment of the Participation Goal, provided that the value of such a direct subcontractor’s participation shall be determined by subtracting from this total dollar value any amounts that the direct subcontractor is obligated to pay to indirect subcontractors or suppliers upon completion of such indirect subcontractors or suppliers work or services.
3. Indirect Subcontractors: The total dollar amount that a subcontractor pays to its subcontractors certified with DSBS as MBEs or WBEs for Eligible Costs shall be credited toward fulfillment of the Participation Goal.
4. Suppliers: 60% of the dollar amount spent on materials or supplies for the design and construction components of the Proposal purchased by Respondent, contractors or direct subcontractors from suppliers certified with DSBS as MBEs or WBEs shall be credited toward fulfillment of the Participation Goal.
5. Joint Ventures: A contractor, direct subcontractor or indirect subcontractor that is a qualified joint venture, as defined in Section 6-129(c)(24) of the Administrative Code of the City of New York, shall be permitted to count a percentage of its own participation toward fulfillment of the Participation Goal. The value of such a contractor, direct subcontractor or indirect subcontractor’s participation shall be determined by subtracting from this total dollar amount any amounts that the contractor, direct subcontractor or indirect subcontractor pays to subcontractors or suppliers, and then multiplying the remainder by the percentage to be applied to total profit to determine the amount to which an M/WBE partner is entitled pursuant to the joint venture agreement. If a contractor, direct

subcontractor or indirect subcontractor claims credit for participation as a qualified joint venture, then upon EDC's request, Respondent must promptly provide a copy of the joint venture agreement for review and confirmation of the M/WBE partner's profit share as used in calculating credit toward fulfillment of the Participation Goal.

### **Minority- and Women-Owned Business Enterprises**

M/WBE firms must be certified by DSBS to credit such firms' participation toward attainment of the Participation Goal. Such certification must occur prior to the firms' commencement of work. A list of M/WBE firms may be obtained from the DSBS website at [www.nyc.gov/buycertified](http://www.nyc.gov/buycertified), by emailing DSBS at [buyer@sbs.nyc.gov](mailto:buyer@sbs.nyc.gov), by calling (212) 513-6356, or by visiting or writing DSBS at One Liberty Plaza, New York, New York, 10006, 16<sup>th</sup> Floor. Eligible firms that have not yet been certified may contact DSBS in order to seek certification by visiting [www.nyc.gov/getcertified](http://www.nyc.gov/getcertified), emailing [MWBE@sbs.nyc.gov](mailto:MWBE@sbs.nyc.gov), or calling the DSBS certification helpline at (212) 513-6311. No credit shall be given for participation by a graduate M/WBE, as defined in Section 6-129(c)(20) of the Administrative Code of the City of New York.

### **M/WBE Proposal Submission Forms – M/WBE Narrative Form**

The Respondent must complete and submit as part of its Proposal an M/WBE Narrative Form setting forth (please see **Appendix C-2** M/WBE Narrative Form):

- The proposed Participation Goal, and
- A narrative related to Respondent's implementation of the proposed Participation Goal, including, but not limited to:
  - Strategies and methods that will facilitate participation by M/WBE firms as contractors, subcontractors or suppliers consistent with Section I above, such as carve-outs and/or unbundling bid packages;
  - Methods for identification of M/WBE firms seeking design or construction work in connection with such development; and
  - Statement Respondent will make good faith efforts to meet the Participation Goal.

Respondent's M/WBE Narrative Form will be ranked against that of other Respondents and will be evaluated as an important part of the selection process, with focus on the (i) Respondent's Participation Goal in relation to the target Participation Goal range set forth in this RFP, and (ii) development and quality of the M/WBE Participation Proposal narrative.

If the Respondent's Proposal is accepted, then the M/WBE Narrative Form, as approved by NYCEDC, shall be annexed to and made part of the sublease or contract of sale, as applicable. Respondent shall also submit a more comprehensive M/WBE Participation Plan. The M/WBE Narrative Form will include the Respondent's Participation Goal and include information on the percentage of work to be awarded to contractors, subcontractors and suppliers, and the identity of all proposed M/WBE contractors, subcontractors and suppliers, as well as a description of the type and dollar value of work designated for participation by M/WBE firms.

# APPENDIX C-2: M/WBE PLAN

Electronic copies of forms may be obtained and downloaded at [\[https://edc.nyc/rfps\]](https://edc.nyc/rfps)

# APPENDIX D: EMERGING DEVELOPERS

NYCEDC has formulated the following guidelines to help assess whether a development firm might be considered an Emerging Developer. NYCEDC reserves the right to change the following guidelines at its sole discretion.

- a) Total development cost of each of the development firm's past individual projects is less than \$30 million;
- b) Residential unit count of any individual past project is less than 150, and total square footage of each of the development firm's past projects does not exceed 100,000 SF;
- c) The development firm has completed construction of fewer than 10 projects within the past 10 years; and
- d) The development firm has experience completing projects in New York City or other urban areas.

# APPENDIX E: BACKGROUND INVESTIGATION QUESTIONNAIRE

Electronic copies of forms may be obtained and downloaded at [\[https://edc.nyc/rfps\]](https://edc.nyc/rfps)

# APPENDIX F: DOING BUSINESS DATA FORM

Electronic copies of forms may be obtained and downloaded at [\[https://edc.nyc/rfps\]](https://edc.nyc/rfps)

# APPENDIX G: NYCEDC STATEMENT OF AGREEMENT

(On company letterhead)

Date:

New York City Economic Development Corporation  
One Liberty Plaza, 12th Floor  
New York, NY 10006  
Attn: Contracts Department; Maryann Catalano, Chief Contracting Officer

RE: Former Flushing Airport Site Request for Proposals released by NYCEDC on November 13, 2024.

Dear Ms. Catalano:

As required under the above-referenced Request for Proposals (the “RFP”), with this letter, I \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_ (“Respondent”), hereby certify to the New York City Economic Development Corporation that I am a duly authorized representative of the Respondent and have authority to legally bind the Respondent, that I personally have fully read this RFP, the Appendices, and any amendment or addenda thereto, and the Respondent fully agrees to the terms and conditions set forth in the RFP and Appendices.

Sincerely,

Name:  
Title:  
For Respondent

# APPENDIX H: COMMUNITY HIRING

2023 N.Y. Laws Ch. 669, 11/17/2023, eff. 5/15/2024 added Community Hiring and Workforce Development as a new Chapter 79 (Sections 3501 and 3502) to the New York City charter, among other amendments to applicable laws (collectively, the “Community Hiring Law”). The Community Hiring Law established an Office of Community Hiring and Workforce Development for the purpose of implementing community hiring programs that would set goals for contractors performing building service work or construction work to hire candidates from “economically disadvantaged regions” and for contractors performing other work to hire “economically disadvantaged candidates”.

An “economically disadvantaged region” means an area, defined by its five-digit ZIP code, in which at least fifteen percent of residents have household incomes below the federal poverty level. The list of such regions will be updated annually based on federal data and made available by the Office of Community Hiring and Workforce Development. By April 2024, the Office of Community Hiring and Workforce Development is expected to finalize the income threshold below which an individual would qualify as an “economically disadvantaged candidate”.

A copy of the Community Hiring Law is available for download at:

<https://www.nysenate.gov/legislation/bills/2023/S7387>



# APPENDIX I: CONDITIONS, TERMS AND LIMITATIONS

This RFP and any transaction resulting from this RFP are subject to the following:

1. If there is a Disposition of the Site, it is to be disposed of in “as is” condition and is to be conveyed subject to all applicable title matters.
2. The City and NYCEDC, and their respective officials, directors, 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 Site File, the physical condition of the Site and any neighboring properties, the status of title thereto, the suitability of the Site or any neighboring properties for any specific use, the absence of hazardous waste or materials, or any other matter. All due diligence is the responsibility of the Respondent and Respondents are urged to satisfy themselves with respect to the condition of the Site and any neighboring properties, the information contained herein, and in the Site File and all limitations or other arrangements affecting the Site. Respondents are strongly encouraged to seek their own professional technical, legal, and financial advice in developing a responsive Proposal and undertaking such due diligence. NYCEDC and the City will not be responsible for any injury or damage arising out of or occurring during any visit to the Site and/or any visit to any neighboring properties.
3. The project and all related documentation shall conform to, and be subject to all applicable laws, regulations, executive orders and ordinances of all Federal, State and City authorities and the provisions of the New York City Zoning Resolution, as well as 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, if applicable, the City’s Uniform Land Use Review Procedure (“ULURP”), completion of the CEQR, approval by the applicable Community Board, and approval by NYCEDC’s Board of Directors and any other corporate approvals. CEQR compliance shall be solely at the expense of the Respondent. NYCEDC will reasonably cooperate with the Respondent in obtaining necessary approvals at Respondent’s sole expense.
4. A Respondent submitting a Proposal in response to this RFP may be rejected if it or, if the Respondent is a business entity, any of its shareholders, officers, directors, partners or members (“Principals”) is determined, in the City’s or NYCEDC’s sole discretion, to be within a category of persons or entities with whom or which the City or NYCEDC will not generally do business, including, without limitation, if such Respondent (or any of its affiliates, principal shareholders, principals, partners, members, consultants, subcontractors, agents, officers, directors or employees) (i) is in default or in breach, beyond any applicable grace period, of its obligations under any written agreement with NYCEDC or the City, unless such default or breach has been waived in writing by NYCEDC or the City, as the case may be; (ii) has been convicted of a misdemeanor and/or found in violation of any administrative, statutory, or regulatory provision in the past five (5) years; (iii) has been convicted of a felony, and/or any crime related to truthfulness and/or business conduct in the past ten (10) years; (iv) has any felony, misdemeanor and/or administrative charges currently pending; (v) has received written notice of default in the payment to the City of any taxes, sewer rents, or water charges, unless such default is then being contested with due diligence in proceedings in a court or other appropriate

forum; or (vi) has owned at any time in the preceding three (3) years any property which, while in the ownership of such party, was acquired by the City by in rem tax foreclosure, other than a property in which the City has released or is in the process of releasing its interest to such party pursuant to the Administrative Code of the City. Respondent and all officers and Principals thereof must complete a background questionnaire and shall be subject to investigation by NYCEDC and the City's Department of Investigation. Any designation may be revoked in the City's or NYCEDC's sole discretion in the event any derogatory information is revealed by such investigation.

5. NYCEDC and the City are not obligated to pay and shall not pay any costs incurred by any Respondent at any time (including, without limitation, the cost of responding to the RFP or negotiating legal agreements in connection with this RFP or the Disposition of the Site), unless NYCEDC or the City has expressly agreed to do so in a signed writing.
6. All references in this RFP to federal, state, and local funds are for informational purposes only, are subject to change, and shall not be considered a promise or commitment by the City, NYCEDC or any other entity or governmental body as to the availability of such funds for any project in connection with this RFP.
7. NYCEDC invites the participation of real estate brokers acting on behalf of and with the authorization of identified Principals, provided that the broker arranges for the payment of its commission or other compensation exclusively by the Respondent. The submission of a Proposal will constitute the Respondent undertaking to pay any commission or other compensation due to any broker in connection with the development of the Site, or portion thereof, and to indemnify and hold harmless NYCEDC and the City, and their respective officials, directors, officers, employees and agents from any obligation, commission, compensation or claim asserted or brought by any broker by reason of the Proposal, the project or the development of the Site, or portion thereof, and any liability, cost and/or expense incurred by NYCEDC and/or the City as a result of any claim of commission or compensation brought by any broker by reason of the project or the development of the Site.
8. 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.
9. This is a Request for Proposals **not** a Request for Bids. NYCEDC shall be the sole judges of each Proposal's conformance with the requirements of this RFP and of the merits of the individual Proposals. Notwithstanding anything to the contrary contained herein, NYCEDC reserves the right to, at any time, waive, modify or amend any terms, conditions or provisions of this RFP, to issue an addendum to the RFP soliciting a new round of Proposals, or withdraw or terminate this RFP, with or without notice, to negotiate simultaneously with one or more of the Respondents with respect to the Site or any portion of the Site, to negotiate and dispose of the Site on terms other than those set forth herein (including to parties other than those responding to this RFP), to require supplemental statements and information from any Respondents, to establish additional terms and conditions, to require a Respondent to modify and cure its Proposal if it is non-responsive to the RFP or if it does not otherwise comply with one or more requirements of the RFP, to request a Respondent make changes to a Proposal, to entertain modifications or additions to selected Proposals, to withdraw the Site or portions of the Site from or add individual parcels to this RFP, to encourage Respondents to work together, or to reject any or all Proposals, if in NYCEDC's 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 conferring with other agencies, authorities and organizations, shall be the sole judge of the acceptability of the Proposals. NYCEDC will enforce the submission deadline stated in the RFP at its sole discretion. The timing of the selection may differ depending upon the degree to which further information on individual Proposals must be obtained or due to other factors that NYCEDC may consider pertinent. All Proposals shall become the property of NYCEDC upon submission.

10. 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.
11. Except as specifically provided herein, the Respondent will be expected to pay all taxes payable with respect to the project, including transfer and mortgage recording taxes. Respondent will be required to pay the applicable New York City Real Property Transfer Tax and New York State Real Estate Transfer Tax, notwithstanding any exemption on account of the City's or NYCEDC's involvement in the transaction.
12. This transaction will be structured as a "net" deal to NYCEDC, with the Respondent 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.
13. 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.
14. In furtherance of NYCEDC's mission of economic development, NYCEDC-led dispositions will be subject to NYCEDC's standard provisions for similar transactions. It is expected that the deed, sublease, or other instrument or contract conveying the Site, or portion thereof, to the Respondent and the funding agreement and related documents 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 terminate the sublease (and/or to re-enter and re-acquire the Site, or portion thereof, for no consideration, as the case may be).
15. The Respondent will be required to deliver evidence to NYCEDC of the creation of employment opportunities at the Site for up to the first eight (8) years after the closing of the project. The Respondent will also be expected to agree in good faith to consider any proposals made by the City or City-related entities with regard to jobs the Respondent will seek to fill and to provide the City with the opportunity to make job referrals and create a training program for City residents. Respondent will be required to cause commercial tenants to agree to these provisions at the time it enters into leases with such tenants.
16. Upon review of the Site File, Respondents, and their representatives and agents and consultants, shall treat their Proposals and all information obtained from the Site File or otherwise obtained from NYCEDC or the City in connection with this RFP (the "Confidential Information") confidentially, and shall not discuss, publish, divulge, disclose or allow to be disclosed the Confidential Information to the press or other media, without NYCEDC's prior written approval. In addition, upon submission of a Proposal to this RFP, Respondents, and their representatives and agents and consultants shall not discuss, publish, divulge, disclose or allow to be disclosed the Confidential Information to any other Respondents or any other person, firm or entity, including press or other media, without NYCEDC's prior written approval. If either provision is breached by a Respondent,

NYCEDC may disqualify that Respondent from the RFP as non-compliant and seek any other remedy available at law or in equity, including but not limited to injunctive relief and/or damages.

17. All determinations as to the completeness or compliance of any Proposals, or as to the eligibility or qualification of any Respondent, will be within the sole discretion of NYCEDC and the City.
18. NYCEDC is dedicated to furthering the participation of minority and women-owned businesses. All Respondents are urged to include in their Proposals methods for facilitating the participation in the project of businesses that have been certified by the New York City Department of Small Business Services ("DSBS") as being women-owned or minority-owned. Businesses that have been certified as being women- or minority-owned by the Port Authority of New York and New Jersey may be eligible to receive expedited certification from DSBS after completing the DSBS "Expedited Certification Affidavit", which may be obtained by calling DSBS at (212) 513-6311.
19. The Respondent may be required to seek design approval from the City's Public Design Commission ("PDC") for projects developed pursuant to lease and/or other project transactions. In the event that PDC approval is required, preliminary approval from PDC, at a minimum, will be required prior to closing.
20. The Respondent(s) may choose to apply to or seek the cooperation or involvement of other City or state programs and agencies. In the event that other information, City documentation, or state documentation, is required for the Proposal, the Respondent(s) agree to provide the City and NYCEDC with all information and documentation required by the City or the state.
21. The City and NYCEDC reserve the right, at their discretion, to contribute funds to development projects and/or to permit the Respondent to apply for discretionary tax abatements in order to further Project Goals or effectuate policy goals regardless of the requirements of Respondent's submissions.

# Appendix J: Block and Lot Disposition Area

Block	Lot	Consent Order
4179	1	
4180	1	✓
4181	1	
4181	26	
4181	33	
4182	1	
4183	1	
4207	1	✓
4208	1	✓
4209	1	
4210	1	
4211	1	✓
4212	1	
4213	1	
4238	1	✓
4238	33	✓
4239	1	✓
4240	1	✓
4241	1	✓
4242	1	
4243	1	
4278	1	✓
4278	17	✓
4278	19	✓
4278	34	✓
4278	36	✓
4278	60	✓
4280	1	
4282	1	
4282	50	
4282	75	
4305	1	✓
4306	1	
4306	19	
4306	20	

**NYC / EDC**

[edc.nyc](http://edc.nyc)