

**Request for Proposals to Purchase and Redevelop a Portion of the
Kingsboro Psychiatric Center Campus**

Addendum #6

Release Date: October 5, 2020

- 1) **Homeless Shelter Replacement Section Update:** The 2nd paragraph of the “Homeless Shelter Replacement” section on page 9 has been deleted and replaced with the following:

“Proposals must include replacement of the Site’s 364 existing shelter beds within two newly-built shelters. The new shelters must each serve single-adult men and provide at least 164 beds (though neither may exceed a bed count of 200). Across both shelters, a minimum of 143 beds must serve single-adult men with mental health needs. The two new shelters must be physically separated and compliant with the New York State [Office of Temporary and Disability Assistance \(“OTDA”\) and the Social Services Law Part 491 requirements](#) for single-adult shelter facilities. The shelters may be stand-alone buildings or part of mixed-use buildings. They must also comply with the DHS Draft Term Sheet in **Appendix F**, the DHS Accessibility Requirements (**Appendix G**), and the DHS Signage Package (**Appendix H**). Proposals must include construction start of at least one shelter in the first phase of any new development. Furthermore, Respondents must include the construction start of the second shelter immediately following the completion of the first shelter, prioritizing it ahead of any other new development. Additionally, the Project’s phasing must ensure that each existing shelter building operates without interruption until a replacement shelter is ready to open. Furthermore, the Designated Developer should seek to minimize impacts to aggregate shelter capacity on the Site as replacements occur. HCR and ESD will enforce the foregoing requirements through documents executed with the Designated Developer at conveyance and recorded against the Site.”

- 2) **Offerer Disclosure of Prior Non-Responsibility Determinations, and the Offerer’s Affirmation of Understanding and Agreement:** The link to the forms required pursuant to State Finance Law Sections 139-j and 139-k were broken in the RFP. The forms have been appended to this addendum.
- 3) **Details on Building 10:** There are a few outstanding questions with respect to Building 10 and its demolition that we hope to answer in the coming days. Thank you for your patience.

Kingsboro Psychiatric Center RFP Responses to Questions

| No. | Question | Answer |
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| 1 | We just became aware of the Kingsboro Psychiatric Center RFP, I noticed that the site tours took place these past couple of days. Is ESD considering adding another day for Site Tours? | After our initial round of tours, which took place from August 31 to September 2, we announced an additional round of tours in Addendum 4 . These took place on the 25th of September. There are no plans for additional tours at this time. |
| 2 | NYS OTDA permits up to a 400-bed shelter with a waiver. Can two of the three buildings on the shelter side be combined into one with such a waiver and to provide adequate space partition for different populations? This would leave one shelter site completely available for other structures with a foundation in place just requiring renovation. | See response to Question #5 . |
| 3 | Will City fully fund capital construction of the shelters or will it permit ownership by a landlord thereby eliminating capital requirements, but permitting rental payments? | Please see Appendix F of the RFP: Requirements & Terms for Long-Term Contract with Nonprofit Ownership. The document explains how the shelter contract will help secure financing along with providing specific requirements on ownership. |
| 4 | On page 13 there is an indication that 35% of the units must be Supportive units of which the OMH portion must be 100. The balance can be found in the AD43 priorities list. While the types of Supportive units can be a matter of discussion, the percentage of Supportive units (35%) is clear. The tour guide indicated there would be approximately 700-900 units suggesting about 280 units of Supportive housing. Is there any discussion elsewhere in the RFP that notes the total number of development units and Supportive units? | There is no discussion in the RFP text of expected unit yield in the project. The 700-900 unit estimate is based on a massing study from 2019. We expect that Respondents will include unit production numbers in their Proposals based on their chosen programming and the guidelines in the Zoning and Allowable Land Use section found on p.11 of the RFP. |
| 5 | Is the 200 bed cap a per building cap? Or is it a cap on the facility - meaning that it could all be managed under one roof as two separate facilities? | 200 Beds is the maximum bed count per contract and by shelter facility. Proposals must provide for two (2) physically separated homeless shelter facilities. |
| 6 | Could you provide an updated cost letter that specifically references the Kingsboro redevelopment? | RFP Appendix I is deleted and replaced with the new cost agreement included in Addendum #7 . |

| No. | Question | Answer |
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| 7 | Is the 35% supportive the maximum, or can developers exceed that percentage? | See answer to Question #12 below |
| 8 | Would you be able to provide plans (drawings) of the four existing buildings on the site? | Floor plans are attached at the end of this addendum. |
| 9 | Is there anywhere I can download a bidders list from the site visit? We are an MBE very interested in subcontracting. | <p>Respondents can find the list of attendees to the initial round of site visits (held from 8/31-9/2) in Addendum #3 accessible here: https://esd.ny.gov/sites/default/files/rfp/KPC-RFP-Addendum-3.pdf</p> <p>The list of attendees to the second round of site visits held on 9/25 was issued in Addendum #5.</p> |
| 10 | Do the Olmstead requirements apply to the project as a whole, or each building individually? | <p>Olmstead requires that people with disabilities are able to live in the restrictive setting and are not segregated. The Olmstead requirements would apply to the project and each building. For example: 1) the people with disabilities should not be placed in one building or on one floor, unless a reason requires such; 2) all people with mobility impairments that need adaptable units cannot be relegated to one building or floor in a building. However, certain needs of the population being served may require proximity to certain programs and less scattering of the units.</p> <p>HCR and ESD are ok with Proposals including supportive in some rental buildings but not in others as long as the supportive housing allocation in any particular building does not exceed 60% for people with disabilities.</p> |
| 11 | Is the proposed Daycare facility for the express benefit of 1199SEIU, or will it be open to the public? | HCR and ESD are amenable to either scenario. Respondents should work with 1199SEIU to come up with a proposal. |
| 12 | Can Teams propose more than the 35% supportive housing guidance set forth in the RFP? Is there a supportive housing ceiling (eg. 50% of Affordable Units)? | <p>We are not encouraging supportive set-asides that differ from what is described in the Development Program Section on RFP p.13.</p> <p>Respondents should consider 35% of rental units to be the target supportive housing allocation for the overall residential rental program. However,</p> |

| No. | Question | Answer |
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| | | we don't necessarily expect 35% of rental units in any particular building to be supportive. |
| 13 | Should respondents apply for service and operating funds for all of the supportive units in their proposals in the 2020 ESSHI RFP? | Respondent Teams should decide whether it makes sense to have their service providers apply for ESSHI now. It may be advisable to apply now in the event that future ESSHI funding is threatened. |
| 14 | Can I expect to be notified of future Addendums? | We do not plan on notifying individual Respondents when future Addenda are posted. The best way to keep up with RFP updates is to monitor the RFP website accessible here: https://esd.ny.gov/doing-business-ny/requests-proposals/kingsboro-psychiatric-center-east-flatbush-brooklyn-ny-%E2%80%93 |
| 15 | Relative to the request to minimize shadow impacts on the Kingsboro Psychiatric Center's outdoor recreation spaces and clinical buildings described on page 11- is there a date and time range during which shadow impacts to of building 29 and the outdoor areas should be avoided? | <p>We cannot provide specifics at this time.</p> <p>Although the impacts of shadows on outdoor recreation spaces obviously would be most pronounced during the spring, summer and fall seasons when such facilities are most actively used, Respondents should use their own professional resources and judgment in evaluating and proposing ways to minimize such shadow impacts.</p> <p>It should be further states that any shadow impacts on the Kingsboro Psychiatric Center would be further examined as part of the environmental review process after conditional designation.</p> |
| 16 | Is there a requirement for new shelters constructed to accommodate the full capacity of one of the shelters before it can be shut down or is there flexibility in each phase provided the total is ultimately met? For example would it be feasible to build a 180 bed shelter in phase 1 to replace the Kingsboro Star shelter to be | Proposals must provide a new 200-Bed facility in Phase 1 if the 221-Bed Kingsboro Star replacement shelter is proposed to be built in Phase 1. Proposals must provide at least a 164-Bed facility in Phase 1 (but no greater than 200-Beds) if the 142-Bed Kingsboro Mica replacement shelter is proposed to be built in Phase 1. |

| No. | Question | Answer |
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| | demolished in phase 2 even if this would not accommodate the full capacity until and build another 184 bed shelter is completed at the end of phase 2? | |
| 17 | May zoning incentives such as the Fresh Program(which allows increases from the Base FAR of 3.0) be used, or should 3.0 be taken as a cap on Zoning Floor Area? | 3.0 FAR should be considered the cap for the entire site. |
| 18 | Please explain any applicable SHPO requirements and reviews for the site. | As part of the environmental review process, SHPO consultation will be conducted in accordance with Section 14.09 of the New York State Historic Preservation Act to ensure that effects or impacts on eligible or listed properties are considered and avoided or mitigated to the maximum extent practicable. |
| 19 | Will consultation with SHPO be required? Has ESD had any preliminary consultations with SHPO regarding demolition or redevelopment? | For the first question, the answer is yes. For the second, no. ESD has not had any preliminary consultations with SHPO. |
| 20 | Are there any agreements with SHPO in place that deal with historic district eligibility or redevelopment? | ESD does not have any such agreements. |
| 21 | Have any buildings been determined to be contributing or non-contributing for historic eligibility? | This information will be obtained from SHPO when the Section 14.09 review described above is initiated. |
| 22 | Please describe the historic review process for a site disposition. | Please see answer to Question #18 above |
| 23 | Do Buildings 6 and 8 have direct (either to each Building or both buildings combined), independent electric, water and sewer service from the street, or are these utilities drawn from the campus infrastructure, as indicated is the case with steam heating? | Buildings 6-8 are currently dependent upon OMH infrastructure for steam only. There are two water valve isolation points on the OMH water loop that when open would provide water service to Bldgs. 6-8, however these buildings currently have their own water service from Albany Avenue and do not require use of the OMH loop. The existing valves would be decommissioned upon closing. A map of the water loop and isolation valve locations is attached for reference. |
| 24 | Please confirm that, upon conveyance, Salvation Army and DHS will remain operators of the two existing homeless shelter facilities under a | That is correct. |

| No. | Question | Answer |
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| | license agreement until the two new homeless shelters are placed in service. | |
| 25 | What will be the agency review process in terms of zoning compliance? | <p>HCR and ESD will evaluate Proposals based on the zoning guidance provided in the "Zoning and Allowable Land Use" section on RFP p. 11.</p> <p>After designation, ESD will effectuate a zoning override on the Site pursuant to a General Project Plan and any associated design guidelines. After a public hearing and a public comment period, the General Project Plan must be authorized by ESD's board and subsequently approved by the Public Authorities Control Board.</p> <p>ESD's zoning override is a SEQRA-triggering action. As a result, it is anticipated that the Project will undergo environmental review and require the completion of an Environmental Impact Statement (EIS). ESD's board would need to take action both to certify the Draft EIS and the Final EIS. As part of the process, public hearings would be held following the preparation of a draft scope of work and a draft EIS.</p> <p>As a final step, plan approval from the NYC Department of Buildings for any of the Project's buildings would be contingent upon compliance with the design guidelines approved with the GPP (or thereafter modified).</p> |
| 26 | The RFP notes to make best efforts to replace the Site's existing old-growth trees, particularly in the Open Space, but these old-growth trees are not shown on the Survey. Can an updated survey showing the type, size and location of these trees be provided? | A tree survey for the Site is not available. |
| 27 | Can any information be provided regarding the demolition procedure/scope of the former Building 10? Information that would be helpful would speak to the depth of removal of foundations and slabs, removal of hazardous materials, whether demolition debris was used | Building 10 information will be forthcoming at a later time. |

| No. | Question | Answer |
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| | to backfill cellars, and the depth of planting soil used to cap the site? | |
| 28 | To meet the RFP supportive housing requirements do homeless set aside units that may be required by other housing programs count toward the 35%? Do the set aside units with a services contract attached to those units count toward the 35%? | Homeless set aside units required by either New York City or New York State housing programs may count towards the 35%. A formal supportive contract is not necessary. For example, homeless units provided under the City's Our Space Initiative and the related Housing Retention and Stability Services programming would be sufficient. |
| 29 | Will the current shelter operators continue as operators until the replacement shelters are constructed and ready? | Yes. The current operators (DHS and the Salvation Army) will continue as operators until replacement shelters are constructed and ready for occupancy. |
| 30 | What annual real estate taxes—in price per square foot—should the development team assume on both the market rate and affordable housing homeownership units assuming no real estate tax abatement? | Respondents should review Section J on p.12. We encourage Respondents to propose whichever as-of-right or discretionary tax relief programs are appropriate for the Project. |
| 31 | Are there other abatement programs, other than Affordable New York, the developer can assume for the homeownership development? Affordable New York limits the tax abatement benefits to projects with no more than 35 residential dwelling units. | Please see the answer to Question #30 above. |
| 32 | Can you provide parameters for Homeownership Associations (HOA) that are ESD/HCR permits in the underwriting? Are their assumptions for security, insurance, site maintenance, snow removal, shared infrastructure that should be included in the underwriting? | Respondents should include HOA fees that are based on realistic operating assumptions and provide appropriate affordability for the income-levels being served. |
| 33 | Please confirm the minimum and maximum amount of design renderings for this submission. | Respondents should follow the guidelines found in Sections III F. (p. 11) and V.C. (pp. 19-20) of the RFP. Beyond that, please provide any visual representation and accompanying narrative necessary to describe the Proposal's design and to convey the intentions behind design decisions. |

| No. | Question | Answer |
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| 34 | Can you provide parameters of the minimum and maximum amount of units for each construction loan closings? | We will not provide parameters at this time. Sequencing/sizing of construction closings should be a part of each Respondent Team's Proposal, which will be scored based on its resource ask and the thoughtfulness of the phasing approach. |
| 35 | Can the two shelters that need to be replaced at the commencement be smaller shelters? As an example, would DHS permit two 100 bed shelters instead of one 200 bed shelter? | See response to Question #5 , stating that Proposals must provide for two (2) homeless shelter facilities. |
| 36 | In order to achieve maximum amount of points for WMBE participation what is the minimum amount of ownership that WMBE needs in the project ownership? | The MWBE participation must be meaningful and practicable. |
| 37 | Please confirm that there are other WMBE categories besides ownership – i.e. general contracting—that the development team can have on the team in order to achieve WMBE points. | RFP Section XI. H. (pp.33-38) describes the Project's MWBE and SDVOB participation requirements, which may include use of MWBEs and SDVOBs in contracting. The awarding of any competitive RFP points for MWBE or SDVOB will be based solely on the ownership structure of the project. |
| 38 | Can the \$40 PSF on ZFA acquisition be transferred over different developments, or, must each asset assume \$40 PSF on ZFA for acquisition? | For the purposes of RFP evaluation, the Project components (unless stated otherwise elsewhere) generate an acquisition price of \$40 PSF, but the Site's acquisition price would be payable in full at conveyance as explained in our response to Question #99 . The acquisition price on any particular asset should not be considered transferrable. |
| 39 | Please confirm the 1 acre park should not assume an acquisition fee. | The Open Space should not be assigned an acquisition fee. |
| 40 | In order to assume the 1 acre park can be basis eligible, can we assume to build it all in the first LIHTC transaction? | You may propose this, as long as it is compliant with the applicable tax credit program rules and the other applicable restrictions of your chosen financing programs. Overall, Proposals will be scored based on the efficiency and practicability of their financing approaches. |
| 41 | What is the role of the Vital Brooklyn Community Advisory Council moving forward toward implementation? | The 43rd Assembly Districts Community Advisory Council will be consulted on the Project's program and design during the RFP evaluation process and after designation. |

| No. | Question | Answer |
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| 42 | Who is on the Vital Brooklyn Council focused on the Kingsboro site? Did the Council complete any studies or memos that helped inform this RFP? | <p>There is not a single "Vital Brooklyn Council" but rather a collection of community advisory councils organized by Assembly District. The 43rd AD's CAC focused on both on the Kingsboro site as well as Site L, which was awarded in a previous RFP.</p> <p>The 43rd AD's CAC prepared a study that can be found here: https://www.assembly.state.ny.us/member_files/043/inline_home/pdfs/VitalBrooklynFrontandBack.pdf</p> <p>Respondents may also reference the Northwell Study referenced on page 4 of the RFP, which was foundational in the development of the Vital Brooklyn initiative. Figure 7 in the study references several of the precursor studies that focus on health needs in this section of Brooklyn.</p> |
| 43 | Were there any reports/background studies/historical information on this site that are relevant? | Page 8 of the RFP includes most of the pertinent details. If need arises, we will publish addenda with more of the site's historical information. |
| 44 | Does the State envision creating an advisory council specifically for this project? If so, have any members been identified? | We do not. The 43rd Assembly District CAC will continue its role of providing input into the Project program and design. |
| 45 | Each member of our development team would like to submit current operating budget and previous 3 years of audited financials directly to ESD, due to the confidential nature of these documents. Where should they be sent and to whose attention? | <p>Materials should be sent to:</p> <p>Empire State Development 633 Third Avenue, 35th Floor New York, NY 10017 Attn: Ralph Volcy Re: Kingsboro Psychiatric Center RFP</p> |
| 46 | Is the steam tunnel servicing Kingsborough Star Men's Shelter and Salvation Army Men's Shelter used for both domestic hot water and heat, or just heat? | Just heat. |
| 47 | Can you confirm that aside from steam, no other utilities for Kingsborough Star Men's Shelter and Salvation Army Men's Shelter are dependent on Kingsborough Psychiatric Center to the east? | Confirmed. |

| No. | Question | Answer |
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| 48 | The link to download the following forms is broken. Can ESD send the PDF forms? Offerer Disclosure of Prior Non-Responsibility Determinations, and the Offerer’s Affirmation of Understanding and Agreement pursuant to State Finance Law. | Thank you for flagging this for us. We have appended the required forms to this Addendum. |
| 49 | The RFP notes "All potential Respondents are solely responsible for full compliance with Procurement Requirements. All members of a Respondent Team, including consultants, must complete the forms required above." Can you clarify which forms need to be completed by the design/consultant team? Is it just the forms associated with State Finance Law Section 139-j and 139-k or all forms provided in Section XI? | Respondent Team members, including consultants must complete the forms associated with State Finance Law Section 139-j and 139-k. Only entities that are part of a Respondent Team's ownership structure need to complete the other forms provided in Section XI . |
| 50 | Upon conveyance, Designated Developer is required to enter into license agreement with DHS similar to its current Permit with DASNY. Can you confirm if the existing shelters will continue to be operated by DHS and Salvation Army until the developer has completed construction of the replacement shelter beds? | See answer to Question #24 . |
| 51 | Can ESD share floor plans and gross square footage of the existing buildings on the site? 6,7, 8, 12, 32? | <p>Floor Plans are included at the end of this addendum. Please note that they may not reflect current conditions. Square footages are as follows:</p> <ul style="list-style-type: none"> ○ Building 6: 40,649 sq ft ○ Building 7: 14,402 sq ft ○ Building 8: 28,280 sq ft ○ Building 12: 3,805 sq ft ○ Building 32: 3,369 sq ft |
| 52 | Under the current Permit between the City (DHS) and DASNY, how much is DHS paying in annual occupancy fee? | \$150,000 per annum is due to DASNY under the current permit. After conveyance to the Designated Developer, we do not intend to require occupancy payments under the to-be-executed license agreement that will govern Building 6 and 8 shelter operations. |
| 53 | How much is DHS currently paying to OMH for utility payments? | Approximately \$210,000/yr. |

| No. | Question | Answer |
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| 54 | For the requested \$40/buildable SF purchase price is the square footage of the replacement shelters included? | Yes. Please note that any acquisition costs on the shelter would be evaluated outside of the Per Diem Allowance provided in Appendix F and subject to DHS and NYC Office of Management and Budget review and approval. |
| 55 | Is there a geotech or environmental report available for the site? | Environmental reports for former Building 10 are attached at the end of this addendum. |
| 56 | It says in the RFP (page 9), the larger existing shelter is an open plan layout. The layout of the smaller shelter is not specified. Does ESD, HCR and DHS have a preference for the replacement shelter beds to be open plan, discrete rooms or a combination? | Shelter facilities must comply with the requirements described in Appendix F of the RFP: Requirements & Terms for Long-Term Contract with Nonprofit Ownership. |
| 57 | The existing site is one block and lot which extends past the existing eastern fence to Troy Avenue, which is a mapped street within the Psychiatric Center to the east. Is the plan to create separate tax and zoning lots for the development or can it remain one zoning lot? | Yes, the intention is to create a separate tax and zoning lot for the Site. |
| 58 | Does ESD contemplate that after conveyance and prior to the construction of the new shelters, the designated developer's not-for-profit shelter provider will operate the existing shelters? Or under the license agreement can the existing shelters continue to be operated by the current operators until they are replaced? | See answer to Question #29. |
| 59 | I wanted to inquire about whether NYS HCR and NYS ESDC would consider extending the deadline for the RFP given the vast size of the site and the resulting complexity of the proposals which will result. Of course, assembling a nuanced and complex response (appropriate to a size of this site) is made all the more complicated due to teams having to work remotely and in a socially distant fashion. | At this time, there is no plan for HCR or ESD to extend the deadline for the RFP. |
| 60 | Can the fence on east property line be replaced with wall and new fence meeting all security requirements of OMH? | Potentially. OMH would be open to reviewing a proposal. |

| No. | Question | Answer |
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| 61 | What is the expected size of the childcare center and workforce training facility to be run by the 1199SEIU United Healthcare Workers East? We have not received any response from the email provided on the Addendum. | Please see answer to Question #11 . |
| 62 | Is a gym open to public required or every building proposed on the site can have their individual gyms for the residents? | Respondents may decide to incorporate a gym facility that is open to the public at their discretion. The RFP does not require one. |
| 63 | Will ESD share any environmental related information, either in regards to the existing building (testing reports for items like asbestos, lead paint, PCB, etc.), the underground storage tunnels (testing reports) and/ or the site itself (items like UST removals, soil/ groundwater testing), etc.? Understood that it may not be relied upon, but as background information to understand known and potential issues. | All relevant reports that are available have been attached. |
| 64 | Does the area of former building 10 still have a foundation/ basement in place? Was it filled with demolition debris? | Building 10 information will be forthcoming at a later time. |
| 65 | Can ESD identify the clinical buildings on the Psychiatric campus to the east which we should avoid shadows? | Shadow concerns relate to outdoor recreation areas as identified on the provided campus map, as well as Buildings 29, 20, 19, 2, 1. |
| 66 | Can ESD clarify the 'jog' in the parcel boundary at the northeast corner of the site? | The jog in the parcel boundary of the Site's northeast corner is necessary to preserve a portion of the Kingsboro Psychiatric Center's active campus over the long term. |
| 67 | Will the area east of the RFP site, beyond the fence, remain in operation as Kingsboro Psychiatric Center or are there any plans for additional redevelopment of the facility? | The area east of the Site will remain in operation as the Kingsboro Psychiatric Center. There are currently no plans for redevelopment beyond the Site's eastern boundary. |
| 68 | Section III.B. of the RFP requests that the Site's 364 existing shelter beds be replaced within 2 newly-built shelters. Is that a specific request of 2 buildings, or could the replacement beds be provided in smaller groupings across multiple buildings? | See response to Question #5 , stating that Proposals must provide for two (2) homeless shelter facilities. |
| 69 | Is there any information on the depth of the steam line tunnel below grade and if there are any access points throughout the site? | There isn't information on the depth of the steam tunnel at this time. We will provide updates if additional information is forthcoming. |

| No. | Question | Answer |
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| | | <p>Access points may be found at the following locations:</p> <ul style="list-style-type: none"> - Mechanical room in Building 20 - Basement of Building 7 - Three overhead latch doors that lead to aboveground street-level. |
| 70 | Is the 1 acre of open space/park that the RFP states a preference for on Clarkson Avenue a requisite location and contiguous area, or is ESD open to seeing alternative open space designs and layouts that total 1 acre of open space? | The Open Space must be a contiguous area of at least one acre in size. |
| 71 | Please provide clarification on what constitutes as two “physically separated” homeless shelters. Does a fire wall separation constitute a physical separation? | Proposals must provide for physically separated homeless shelters. A fire wall does not constitute a physical separation. |
| 72 | Is there more information available on the steam tunnel elevation height(s) connecting the east and west campus? | See response to Question #69 above. |
| 73 | Respondents should make best efforts to replace the Site’s existing old-growth trees, particularly in the Open Space. Does the word replace in this context mean “preserve” existing old-growth trees? | We are encouraging the preservation of old growth trees if possible--particularly within the Open Space. The EIS will evaluate the extent to which the removal of old trees would cause significant impacts and the extent to which reasonable and practicable measures can be employed to mitigate such impacts, including preservation and/or meaningful tree replacement strategies. |
| 74 | Is there a suggested page limit to RFP proposal? | We leave that at the Respondent's discretion. |
| 75 | Can the existing homeless population be placed in an interim facility(ies) prior to relocation to (2) new homeless shelters? | Proposals must assure that the current shelters continue to operate without disruption until replacement shelters are rebuilt on site. |
| 76 | Is it possible to get existing photographs of the interior of the existing shelters so we can get a sense of the spatial quality, existing a, and condition? | See answer to Question #87 below. |
| 77 | Can the homeless shelter have any shared program? For example, shared back of house, kitchen etc.? | Each shelter facility must comply with the requirements described in Appendix F of the RFP: Requirements & Terms for Long-Term Contract with Nonprofit Ownership |

| No. | Question | Answer |
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| 78 | The site area is smaller in size than the overall zoning lot. Should we treat the site as a traditional lot line (leaving room for a yard) or should we assume that this will remain a single zoning lot? | With regard to the edge conditions, we are open to various approaches (including non-traditional ones). Proposals should make note of any zoning overrides needed to achieve their intended design. See the answer to Question #57 , which address the zoning lot aspect of this question. |
| 79 | Does the state anticipate that any streets will be mapped or will they remain private streets? | We are open to either approach. |
| 80 | Does the signature open space need to be located on a single portion of the site or can it be dispersed throughout the site? | See answer to Question #70 . |
| 81 | What security parameters should be considered given the proximity to the Kingsboro Psychiatric Hospital? | A secure perimeter fence will need to be maintained, and OMH would prefer privacy screening/landscaping to create a visual separation. |
| 82 | Are the steam tunnels serving the two existing shelters in-use? | Yes. |
| 83 | Are as-built records of the steam tunnels available? Are there any other site civil or below-grade utility conditions we should take into consideration? | We don't currently have as-built records for the tunnels available. With regard to the second question, resolution may need to wait until there's an opportunity for field verification. |
| 84 | Are there any site remediation concerns we should consider? | None that 1) are not mentioned elsewhere in this addendum or 2) would require field verification. |
| 85 | Other than the 100 OMH units required by the RFP are there preferences in terms of what other supportive housing populations are to be served on the site? Are different populations allowed to be mixed within a single building? | Respondents should refer to RFP Appendix E for a list of other priority supportive housing populations. Respondents may propose different populations to be mixed within a single building. |
| 86 | Are lead and asbestos reports available for the existing shelters? If so, can these be provided for review? | OMH has no responsive records for Buildings 6-8. |
| 87 | For the existing buildings, can the following be provided: <ul style="list-style-type: none"> · conditions assessment of the buildings · floor plans · photographs of the interiors | OMH does not have condition assessment information, or photographs of the interiors. HCR and ESD are not able to provide photographs of the building interiors at this time. Please see the response to Question #51 for information on floor plans. |

| No. | Question | Answer |
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| 88 | Can the site survey be provided in editable format (Autocad, Rhino, or something similar)? | CAD file of surplus property is included as part of Addendum 8 . This is not surveyed. |
| 89 | Is there an existing tree survey for the site? | Please see answer to Question #26 above. |
| 90 | Could you please clarify who must fill out which forms in Section XI? Is there a specific percentage of ownership for Respondent entities/partners that triggers/requires filling out procurement forms? | See response to Question #49 . |
| 91 | On page 31, Section XI.C, the RFP states “All members of a Respondent Team, including consultants, must complete the forms required above.” Please confirm that you want consultants to fill out the State Finance 139-j and 139-k forms referenced in Section XI.C directly above the statement. The link to forms 139-j and 139-k does not work. Also, please confirm that consultants are not required to fill out the forms or address the requirements in Sections XI.A and XI.B. | See responses to Questions #48 and #49 . |
| 92 | Given the potentially high page count for the various Section XI forms, is it possible to submit the forms just electronically on the flash drive? | Yes. We will accept electronic submissions for the Section XI forms. All forms must be submitted by the RFP submission deadline. |
| 93 | Form OCSD-4 requests information about the Name of MWBE or SDVOB firms as well as a “Detailed Description of the Work” and “Dollar Value of Contract”. The RFP states failure to submit a form can result in disqualification. How should we respond if this information will not be available at the RFP stage? | Respondents should complete this form as thoroughly as possible given the information currently available to them. For RFP evaluation purposes, placeholders are permissible for the firm name and dollar value columns. |
| 94 | Are there any documents of Building 10 which would show the limits of foundations and/or basement elevations? | Building 10 information will be forthcoming at a later time. |
| 95 | Are there any demolition drawings of Building 10? | Building 10 information will be forthcoming at a later time. |
| 96 | Are there any environmental studies associated with Building 10, excluding hazmat surveys? | See response to Question #55 . |
| 97 | Is it possible to incorporate a light and air easement at the eastern side (e.g., in between the possible E 43 rd Street & Troy Avenue street grid extensions) of the property line for the Vital Brooklyn Kingsboro parcel? | OMH will not consider an easement that would preclude future redevelopment of its active campus. |

| No. | Question | Answer |
|-----|---|--|
| 98 | In filling in the Homeownership Sources & Uses underwriting spreadsheet, and reviewing the homeownership term sheet, please advise on if there are any particular federal, state, or city funding sources that may not be used for the KPC RFP homeownership underwriting? Additionally, are there any KPC preferred sources that are required to be incorporated? | HCR subsidy does not preclude any other subsidy sources. |
| 99 | Is the acquisition price due in full at the time of the first construction financing closing for Phase I of the project? | Yes. |
| 100 | For included social services groups that potentially share overlapping responsibility with 1199, is a partnership or linkage with 1199 Training leadership required for the proposal submission? | No, this is not required. |
| 101 | Regarding the comprehensive team RFP responses, are local community partnership agreements required to be fully established for the proposal submissions? If these partnerships agreements are required, could the KPC ESD team describe the type of formal linkage agreement or letters of support required? Please advise on if there are any further specifics surrounding the local community partnership agreements that the teams should be aware of. | Fully established partnership agreements are not required for this RFP. Letters of support are sufficient. |
| 102 | Could the KPC ESD Team please describe the detailed process and timeline for extinguishing the reverted right to the property upon simultaneous conveyance to the Designated Developer? | The City and the State of New York intend to execute an agreement extinguishing the reverter right prior to or simultaneous with conveyance to the Designated Developer. A document will be recorded against the Site to memorialize the City's action. |
| 103 | What are typical ESD and HCR benchmarks for designating when Open Space areas have reached substantial completion (e.g., any that have been used on prior projects)? | Completion benchmarks include but are not limited to fulfillment of MWBE and SDVOB requirements, completion of scope of work to be agreed upon by HCR, ESD and the Designated Developer, and completion of ongoing maintenance plan and operations budget approved by ESD and HCR. Upon selection, ESD and HCR will finalize all benchmarks that are |



| No. | Question | Answer |
|-----|---|---|
| | | required for the Open Space to be considered substantially complete. |
| 104 | Have KPC RFP Interview dates been determined, and will these potential dates and times be released prior to the November 6 th , 2020 close of the RFP submission deadline? | We have not determined interview dates and do not anticipate releasing them before November 6, 2020. |
| 105 | Can ESD identify the clinical buildings on the Psychiatric campus to the east which we should avoid shadows? | Shadow concerns relate to outdoor recreation areas as identified on the provided campus map, as well as Buildings 29, 20, 19, 2, 1. |
| 106 | Can ESD clarify the 'jog' in the parcel boundary at the northeast corner of the site? | See answer to Question #66 . |
| 107 | Page 9 paragraph 2 of the RFP states that the shelters must be built as part of the first 2 buildings built on the site. Is it acceptable for the shelters to be built as part of the first 2 phases if there are multiple buildings built in each phase? | The relevant language has been updated in an earlier section of this addendum. |

Each of the foregoing is added to and made part of the RFP. Any questions regarding this addendum may be submitted to the designated contact account for this solicitation at KPCRFP@esd.ny.gov.

[REMAINDER OF PAGE INTENTINALLY LEFT BLANK]

Model Language to Obtain the Offerer Disclosure of Prior Non-Responsibility Determinations

Background:

Under New York State Finance Law § 139-k(2), covered governmental entities are obligated to obtain specific information regarding prior non-responsibility determinations. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law § 163(9). In accordance with State Finance Law § 139-k, an Offerer must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by an Governmental Entity due to: (a) a violation of State Finance Law § 139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms "Offerer" and "Governmental Entity" are defined in State Finance Law § 139-k(1). State Finance Law § 139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law § 139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such Contact does not fall within one of the exemptions).

As part of its responsibility determination, a covered governmental entity must consider whether an Offerer fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offerer that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer is necessary to protect public property or public health safety, and that the Offerer is the only source capable of supplying the required Article of Procurement within the necessary timeframe.

Instructions:

A Governmental Entity must include a disclosure request regarding prior non-responsibility determinations in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract.

6. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law § 139-k is complete, true and accurate.

By: _____ Date: _____
Signature

Name: _____

Title: _____

Model Language to Obtain Offerer's Affirmation of Understanding of and Agreement pursuant to State Finance Law § 139-j (3) and § 139-j (6) (b)

Background:

State Finance Law § 139j(6)(b) provides that:

Every Governmental Entity shall seek written affirmations from all Offerers as to the Offerer's understanding of and agreement to comply with the Governmental Entity's procedures relating to permissible contacts during a Governmental Procurement pursuant to subdivision three al this section.

Instructions:

A Governmental Entity must obtain the required affirmation of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible Contacts in the restricted period for a procurement contract in accordance with State Finance Law § § 139-j and 139-k. It is recommended that this affirmation be obtained as early as possible in the procurement process, such as when the Offerer submits its proposal or bid. The following language can be used to obtain the affirmation.

Offerer affirms that it understands and agrees to comply with the procedures of the Government Entity relative to permissible Contacts as required by State Finance Law § 139-j (3) and § 139-j (6) (b).

Signed: _____ Date: _____

Name: _____

Title: _____

Contractor Name: _____

Contractor Address: _____

NEW YORK STATE OFFICE OF GENERAL SERVICES DESIGN AND CONSTRUCTION GROUP

OMH

PHYSICAL COMPLETION REPORT

| | | |
|--|-------------|---|
| PROJECT NUMBER 37929 A | REPORT DATE | CONTRACT COMPLETION DATE 3/7/94 |
| PROJECT DESCRIPTION Asbestos Abatement #10 | | MODIFIED COMPLETION DATE 6/30/94 |
| | | FINAL INSPECTION DATE 10/29/94 |
| | | PHYSICAL COMPLETION DATE 10/30/94 |
| FACILITY AND LOCATION Kingsboro P.C. 681 Clarkson Ave Brooklyn N.Y. 11203 | | ORIGINAL CONTRACT AMOUNT \$699,000.00 |
| CONTRACTOR'S NAME AND ADDRESS Pore Service 550 Varick Street Brooklyn N.Y. 11222 | | ONE YEAR GUARANTEE DATE 10/30/95 |
| | | EXTENDED GUARANTEES: ITEM DATE |
| | | N/A |

CERTIFICATION

The Engineer-in-Charge certifies, and the Facility Representative concurs, that all deficiencies on the Final Inspection have been corrected and all work has been completed in accordance with contract documents, including Orders on Contract. The following defects in workmanship and/or material are noted. The contractor agrees to complete the items by the date indicated. (If no items noted, indicate "None.")

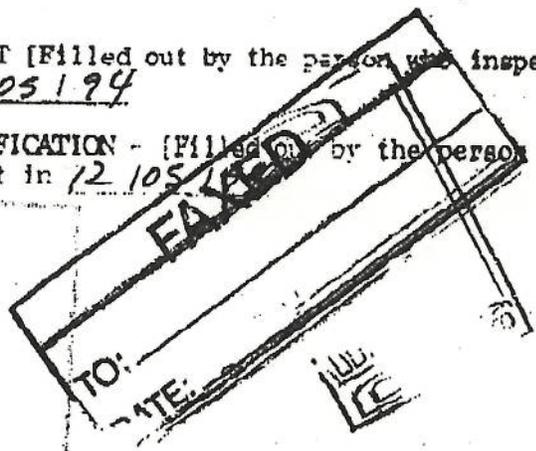
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| ITEM | TO BE COMPLETED BY |
|------|--------------------|

... must fill in all dates... without dates of execution.
If N/A, mark as such and explicit under remarks.

- DESIGN CERTIFICATION - [If Designed in The Field Emergency] - Date sent in 1/1
- CONSTRUCTION INSPECTION REPORT [Filled out by the person who inspected the job] - Date sent in 12/05/94
- CONSTRUCTION COMPLIANCE CERTIFICATION - [Filled out by the person who certifies the job] - Date sent in 12/05/94
- SpCC: 1/1

REMARKS: OMH CAPITAL OPERATIONS APPROVAL OF FINAL PAYMENT

DATE: **23 Dec 94**
SIGNED: *Carl Bear*



| | |
|---|--|
| FOR DESIGN AND CONSTRUCTION <i>James C. ...</i> Engineer-in-Charge Date: 12/05/94 | FACILITY REPRESENTATIVE <i>James ...</i> Signature Date: 12/6/94 |
| CONTRACTOR <i>[Signature]</i> Signature Date: 12/05/94 | APPROVED BY DIRECTOR'S REPRESENTATIVE <i>[Signature]</i> Signature Date: 12/6/94 |

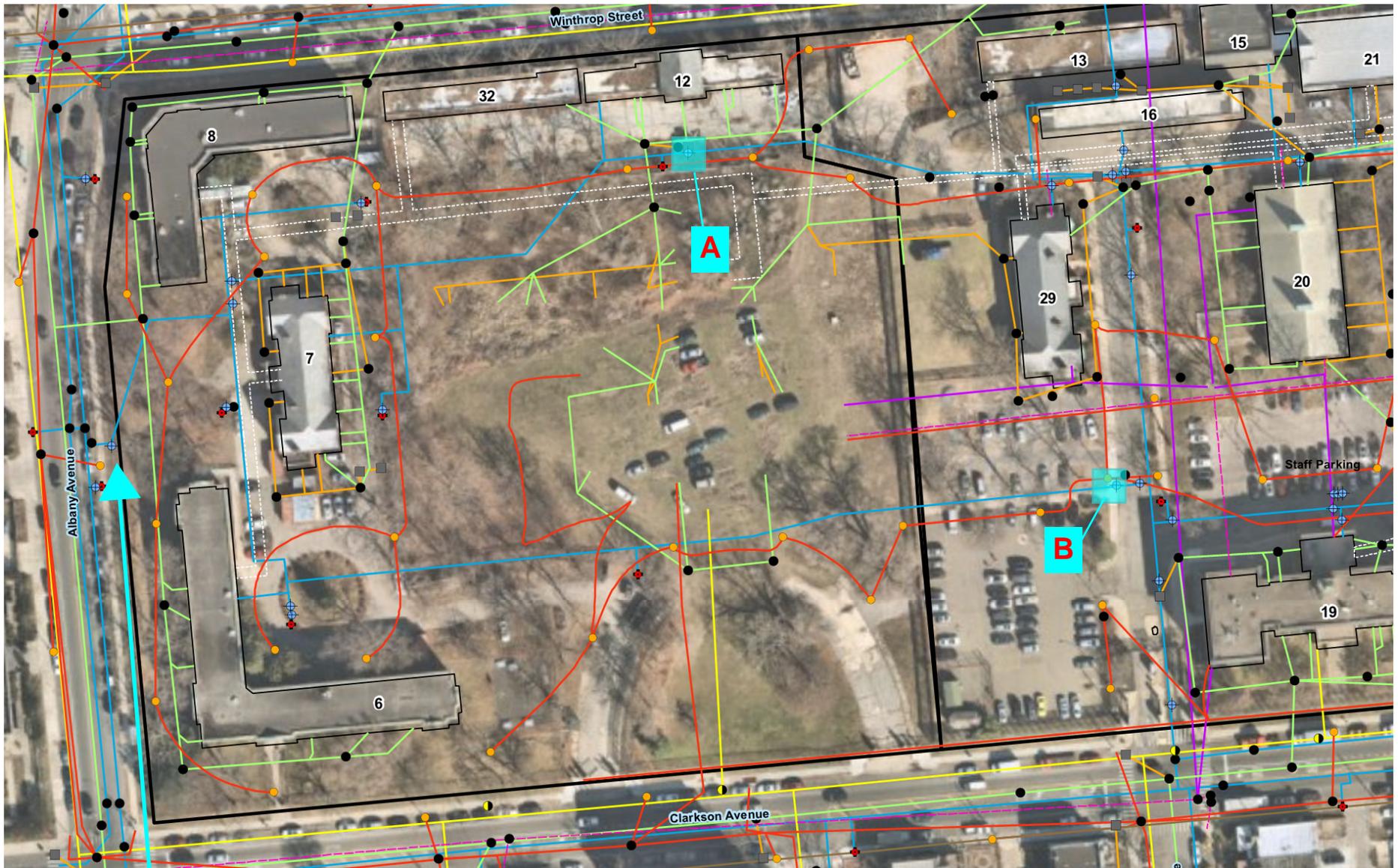
JO
12/15/94

[Handwritten mark]

Kingsboro PC - Water valve isolation points for Buildings 6, 7 and 8

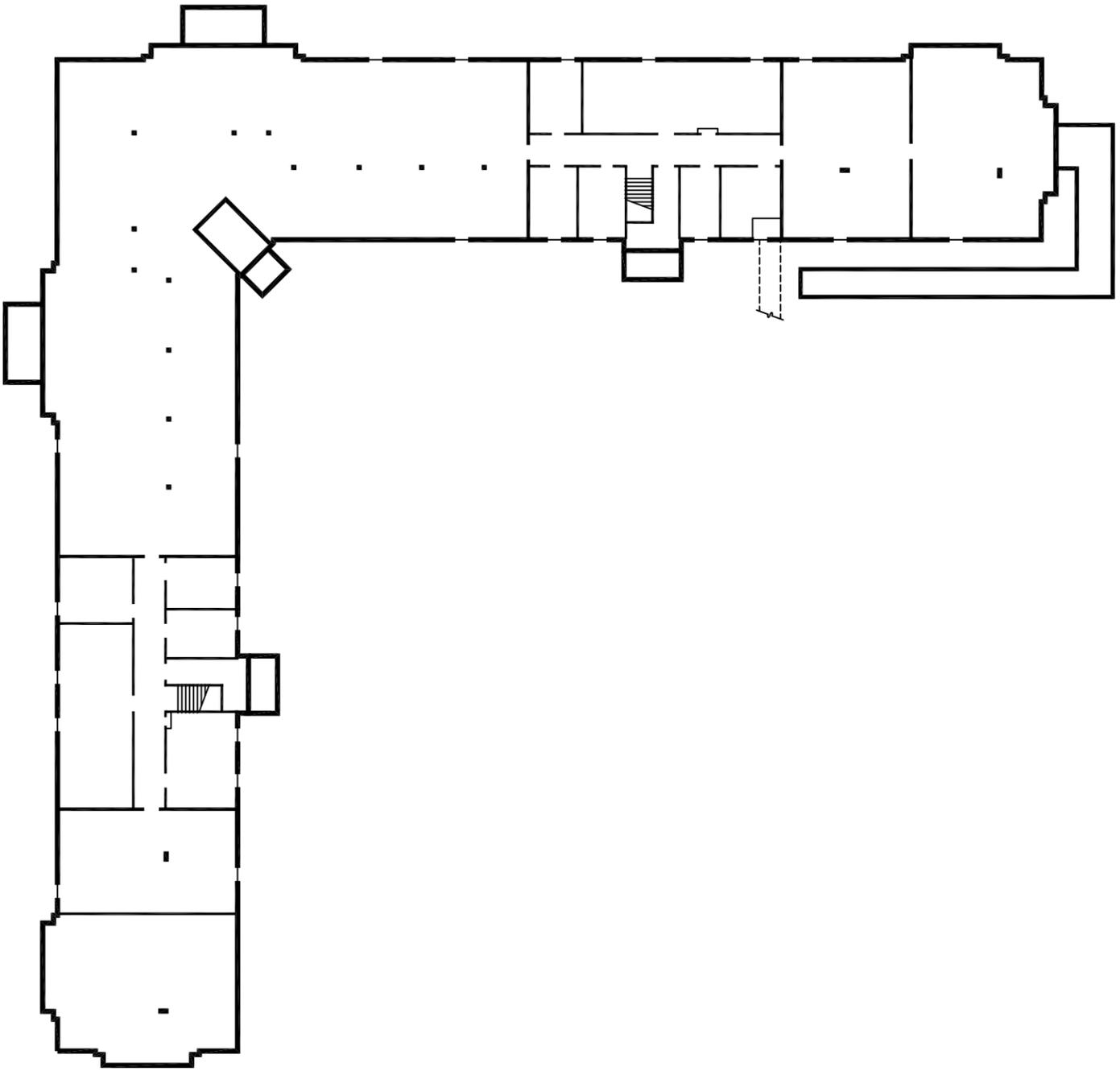
Isolating Locations: A) Valve box in front of Building 12

B) Left-most valve supplying west-branch at Troy Avenue campus entrance



Incoming utility water service to Buildings 6, 7, 8 via Albany Avenue

006_B 1
 1" = 30'
BASEMENT FLOOR PLAN



SQ. FT. = 3464



195.02.10
 drawn by DW
 date: 5MAY '95
 SHEET NO.
006_B
 1 OF 5

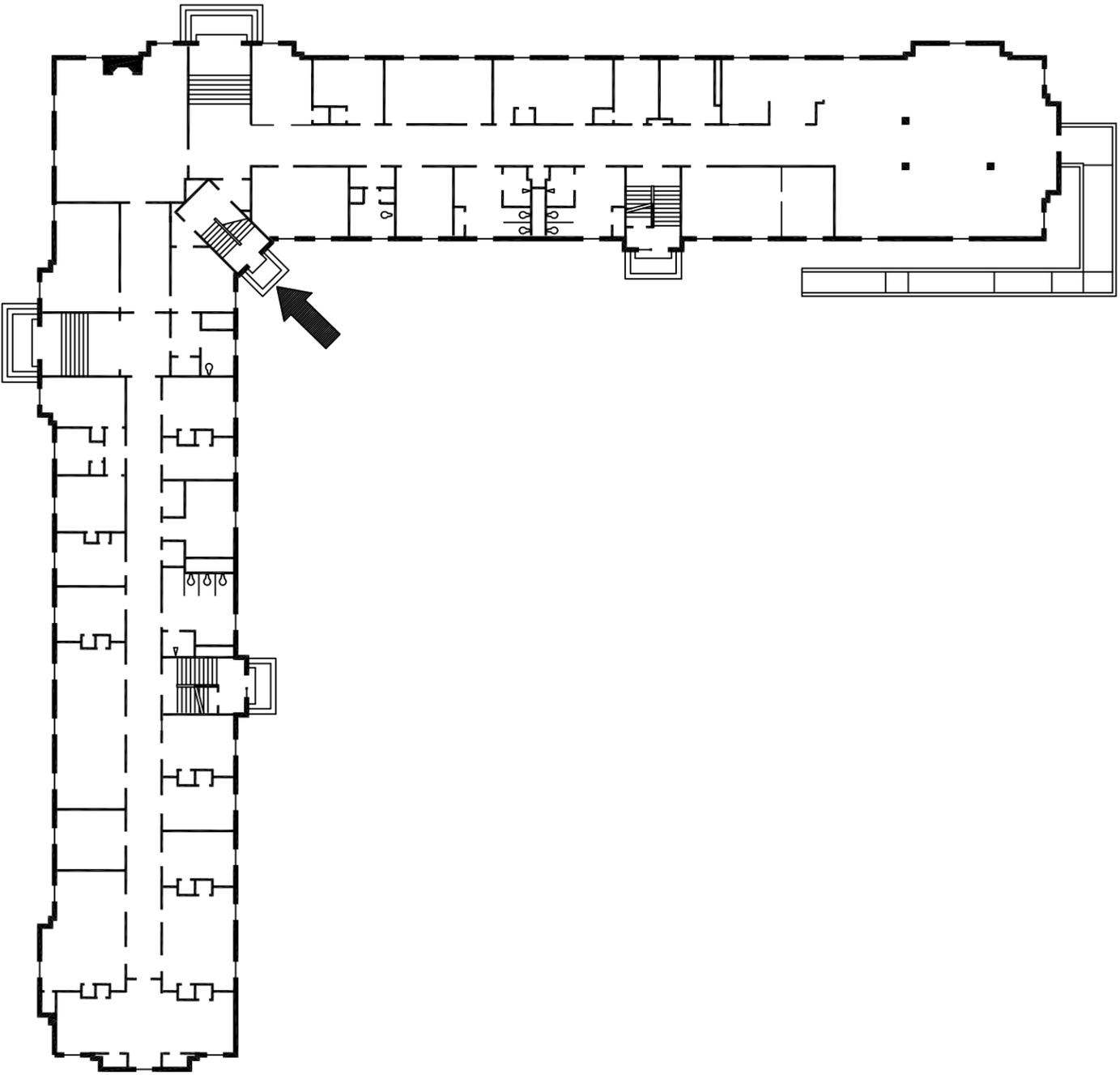
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|---|
| NEW YORK STATE OFFICE OF MENTAL HEALTH |
| KINGSBORO PSYCHIATRIC CENTER BROOKLYN, NEW YORK |
| BUILDING 6 |

TRUDEAU/ARCHITECTS
 219 Forts Ferry Road,
 Latham, NY 12110-1208
 Phone (518) 785-5851

FACILITIES DEVELOPMENT CORPORATION
 44 Holland Avenue,
 Albany, New York 12208
FDC PROJECT NO. 57682

Sheet Title: BASEMENT FLOOR PLAN

006_X1
FIRST FLOOR PLAN

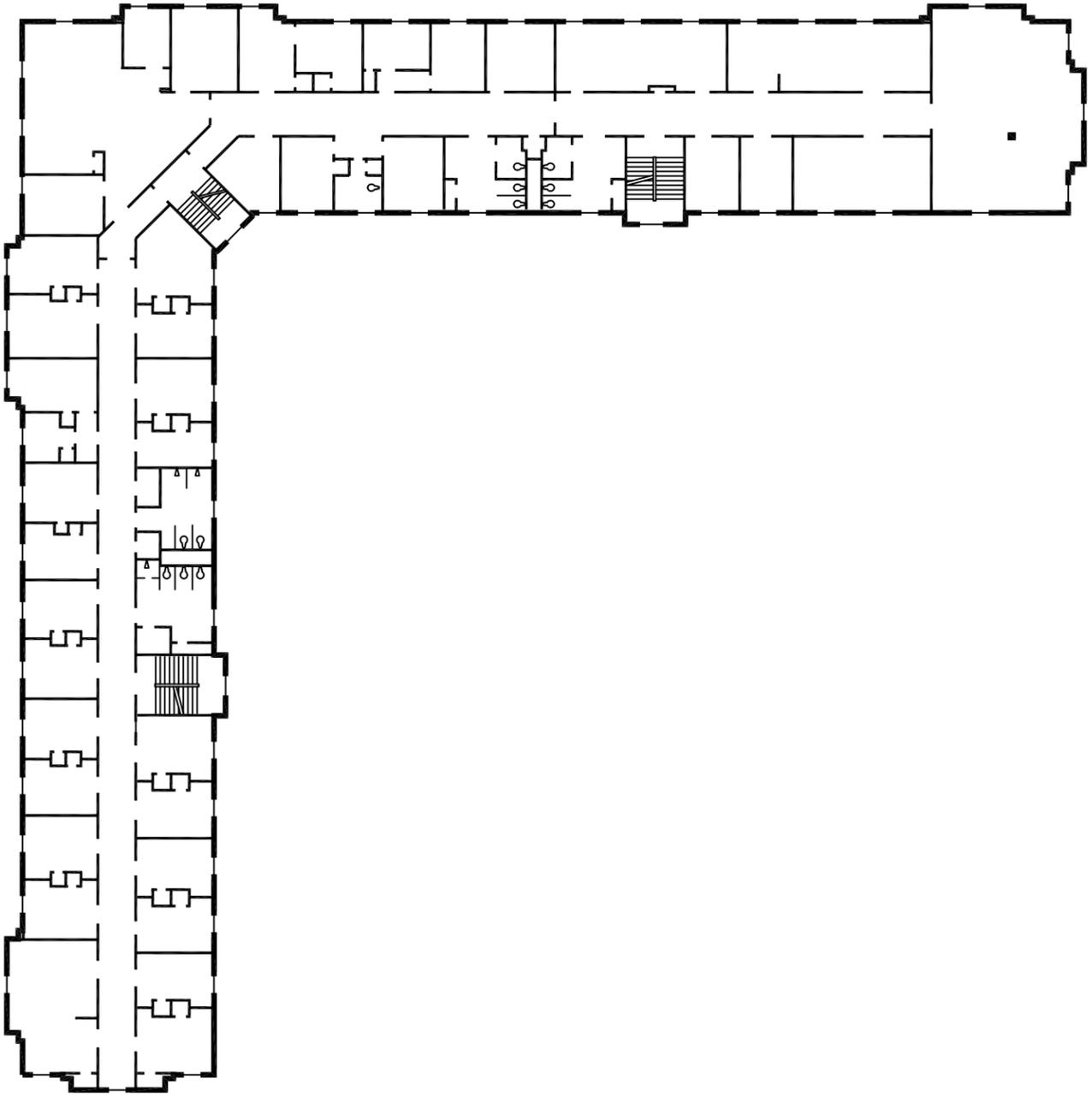


SQ. FT. = 12395



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| | KINGSBORO PSYCHIATRIC CENTER BROOKLYN , NEW YORK | | | |
| | BUILDING 6 | | Sheet Title: FIRST FLOOR PLAN | |

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006_02
SECOND FLOOR PLAN
1" = 30'



SQ. FT. = 12395



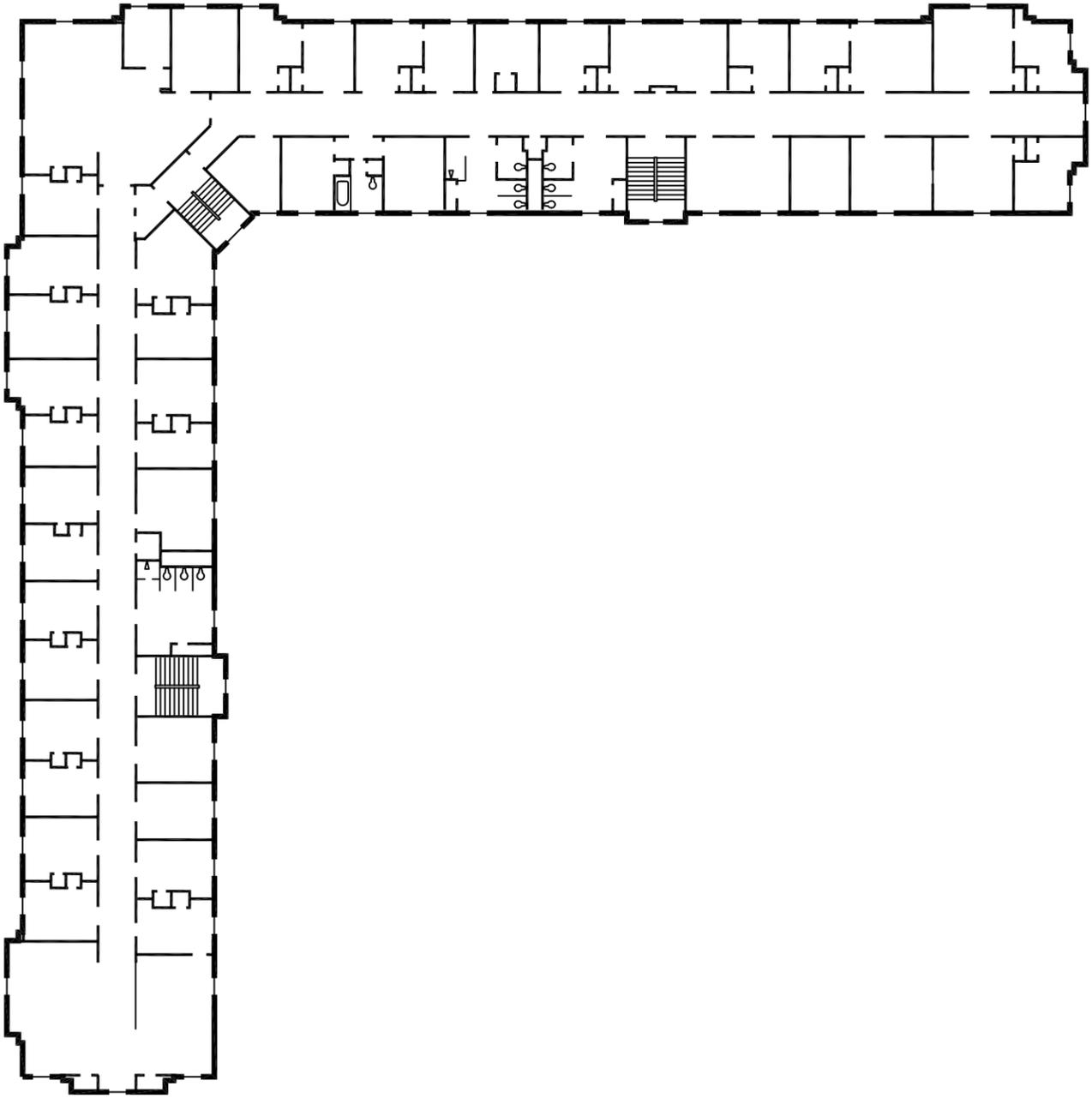
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3 OF 5

NEW YORK STATE OFFICE OF MENTAL HEALTH
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BROOKLYN , NEW YORK
BUILDING 6

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Phone (518) 785-5851

FACILITIES DEVELOPMENT CORPORATION
44 Holland Avenue,
Albany, New York 12208
FDC PROJECT NO. 57682

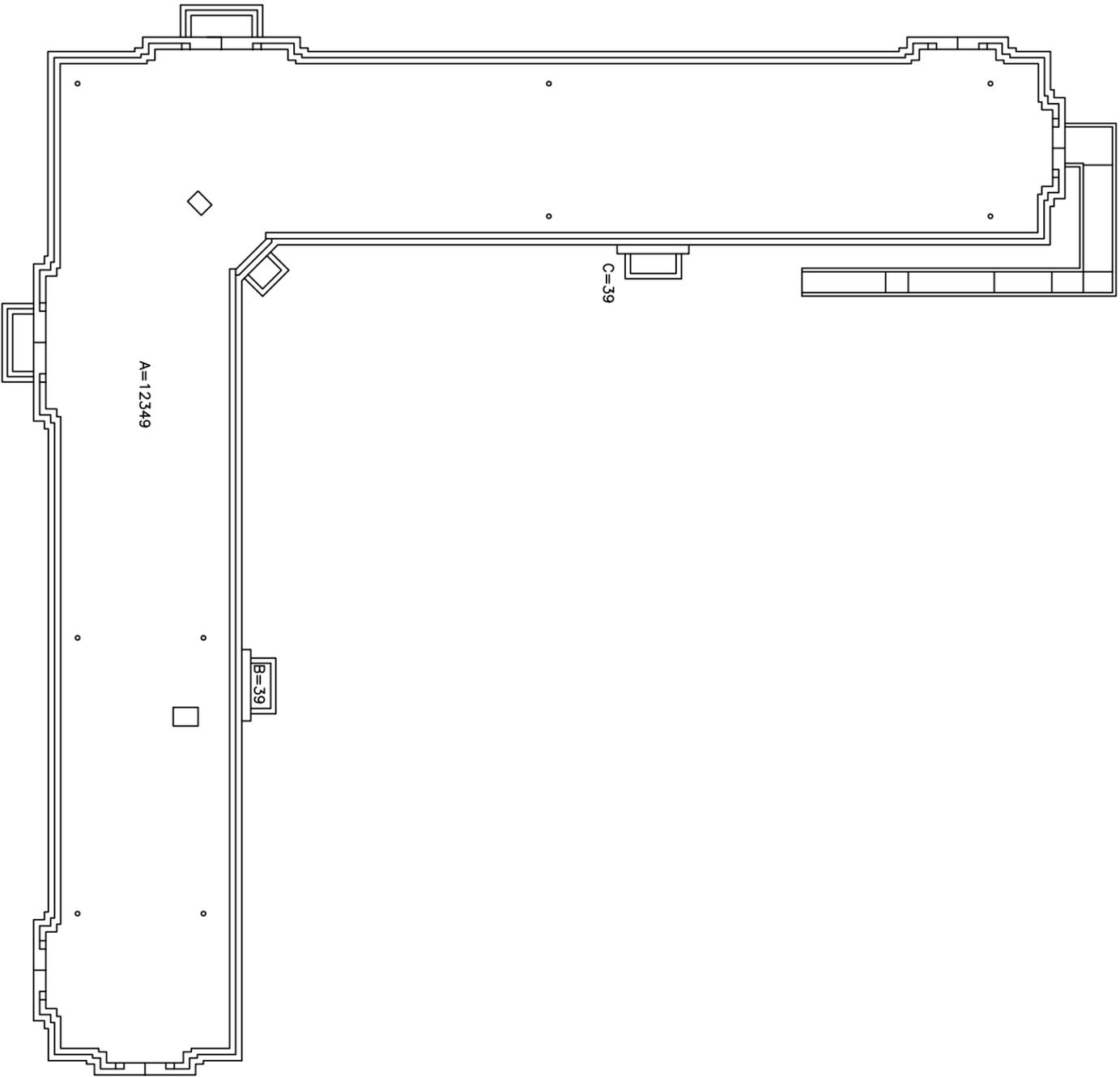
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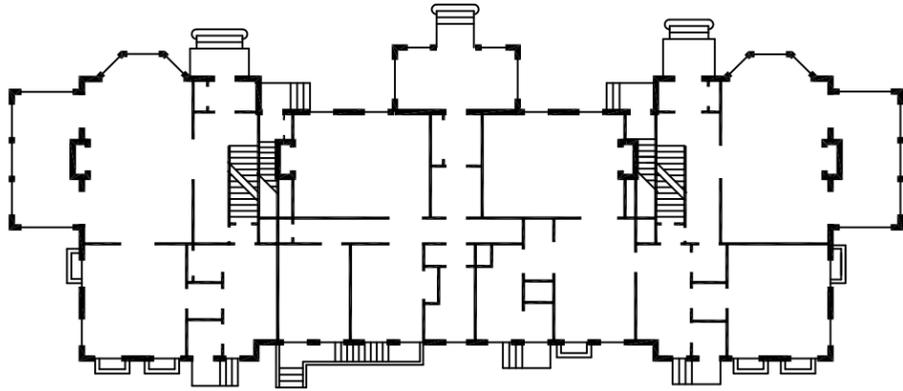
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| | KINGSBORO PSYCHIATRIC CENTER BROOKLYN , NEW YORK | | Sheet Title: THIRD FLOOR PLAN |
| | BUILDING 6 | | |



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007_X1
FIRST FLOOR PLAN
1" = 30'

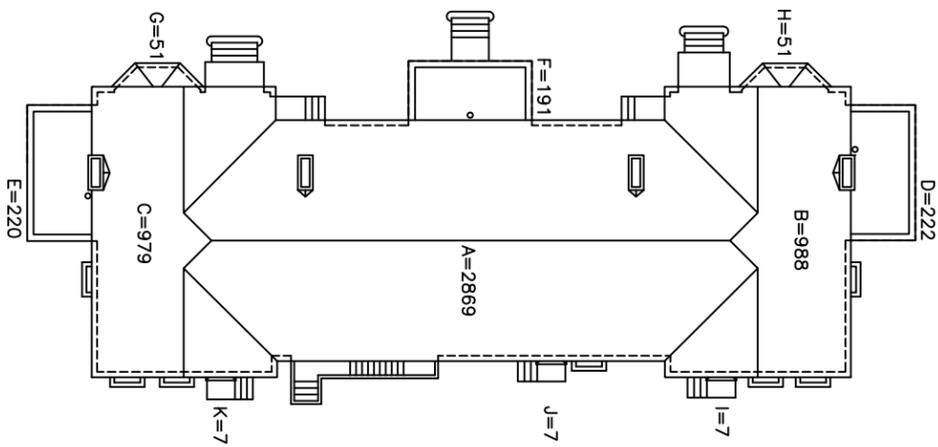


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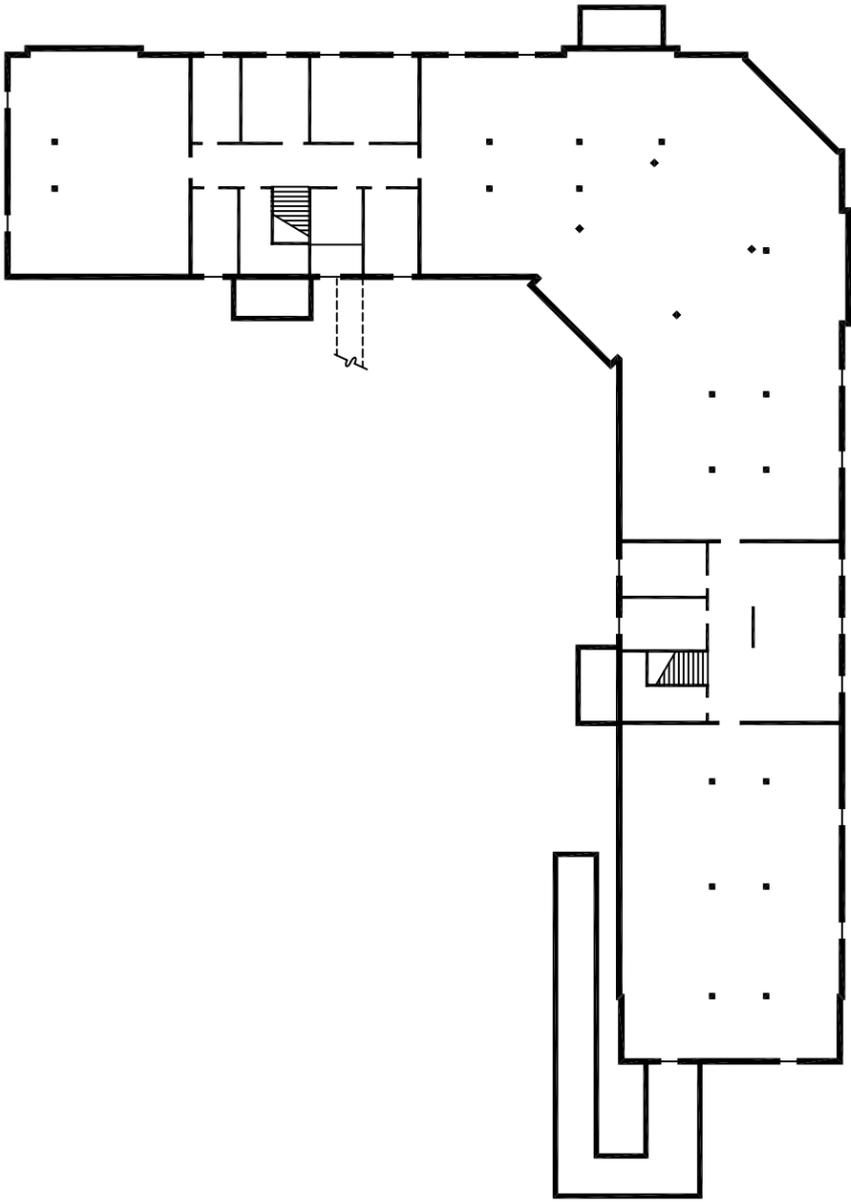


Revised 3/11/96

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| 195.02.10 drawn by STF date:5MAY '95 SHEET NO. 007_X1 1 OF 2 | NEW YORK STATE OFFICE OF MENTAL HEALTH KINGSBORO PSYCHIATRIC CENTER BROOKLYN , NEW YORK BUILDING 7 | TRUDEAU/ARCHITECTS 219 Forts Ferry Road, Latham, NY 12110-1208 Phone (518) 785-5851 | FACILITIES DEVELOPMENT CORPORATION 44 Holland Avenue, Albany, New York 12208 FDC PROJECT NO. 57682 Sheet Title: FIRST FLOOR PLAN |
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008_B
1" = 30'
BASEMENT FLOOR PLAN

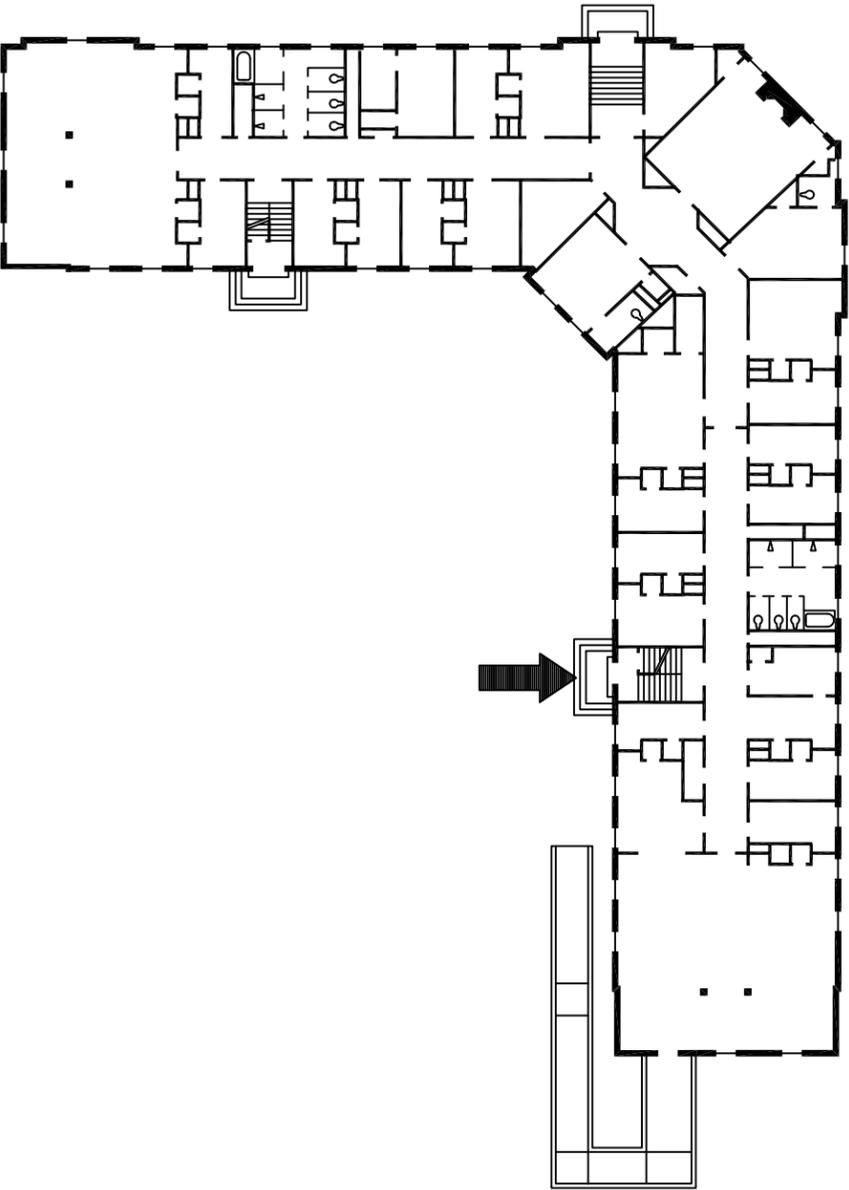


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| 195.02.10 | NEW YORK STATE OFFICE OF MENTAL HEALTH | TRUDEAU/ARCHITECTS 219 Forts Ferry Road, Latham, NY 12110-1208 Phone (518) 785-5851 | FACILITIES DEVELOPMENT CORPORATION 44 Holland Avenue, Albany, New York 12208 FDC PROJECT NO. 57682 |
| drawn by DW | KINGSBORO PSYCHIATRIC CENTER BROOKLYN, NEW YORK | | Sheet Title: BASEMENT FLOOR PLAN |
| date:5MAY '95 | BUILDING 8 | | |

008_X1
FIRST FLOOR PLAN
 1" = 30'



SQ. FT. = 8665



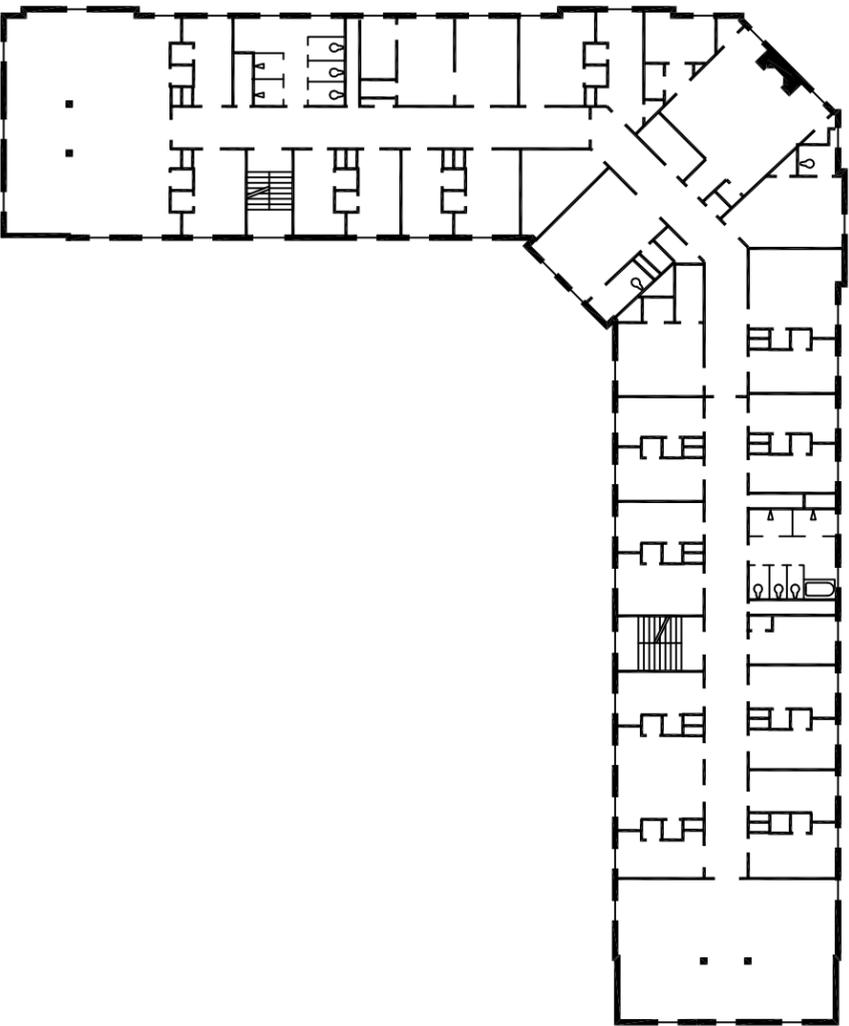
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| NEW YORK STATE OFFICE OF MENTAL HEALTH | |
| KINGSBORO PSYCHIATRIC CENTER BROOKLYN, NEW YORK | |
| BUILDING 8 | |

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FACILITIES DEVELOPMENT CORPORATION
 44 Holland Avenue,
 Albany, New York 12208
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 Sheet Title: FIRST FLOOR PLAN

195.02.10
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 date:SMAY '95
 SHEET NO.
008_X1
 2 OF 5

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008_02
1" = 30'
SECOND FLOOR PLAN



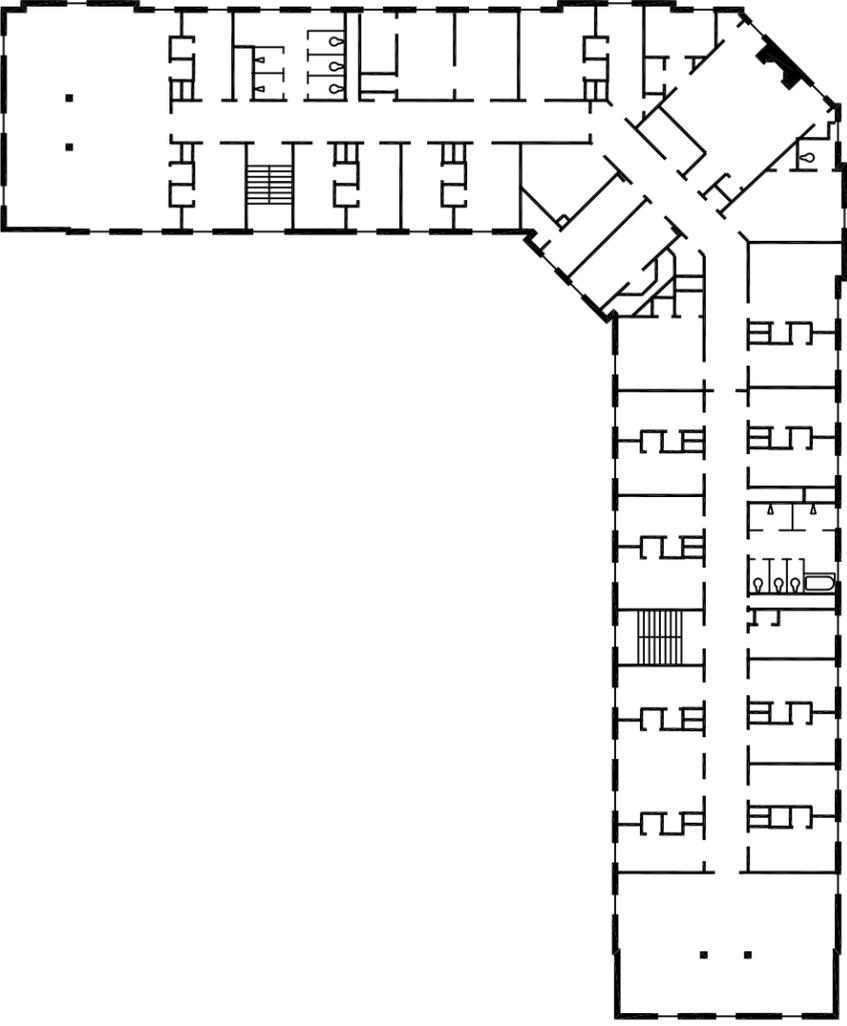
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| | KINGSBORO PSYCHIATRIC CENTER BROOKLYN , NEW YORK | | Sheet Title: SECOND FLOOR PLAN |
| | BUILDING 8 | | |

008_03

THIRD FLOOR PLAN



SQ. FT. = 8665

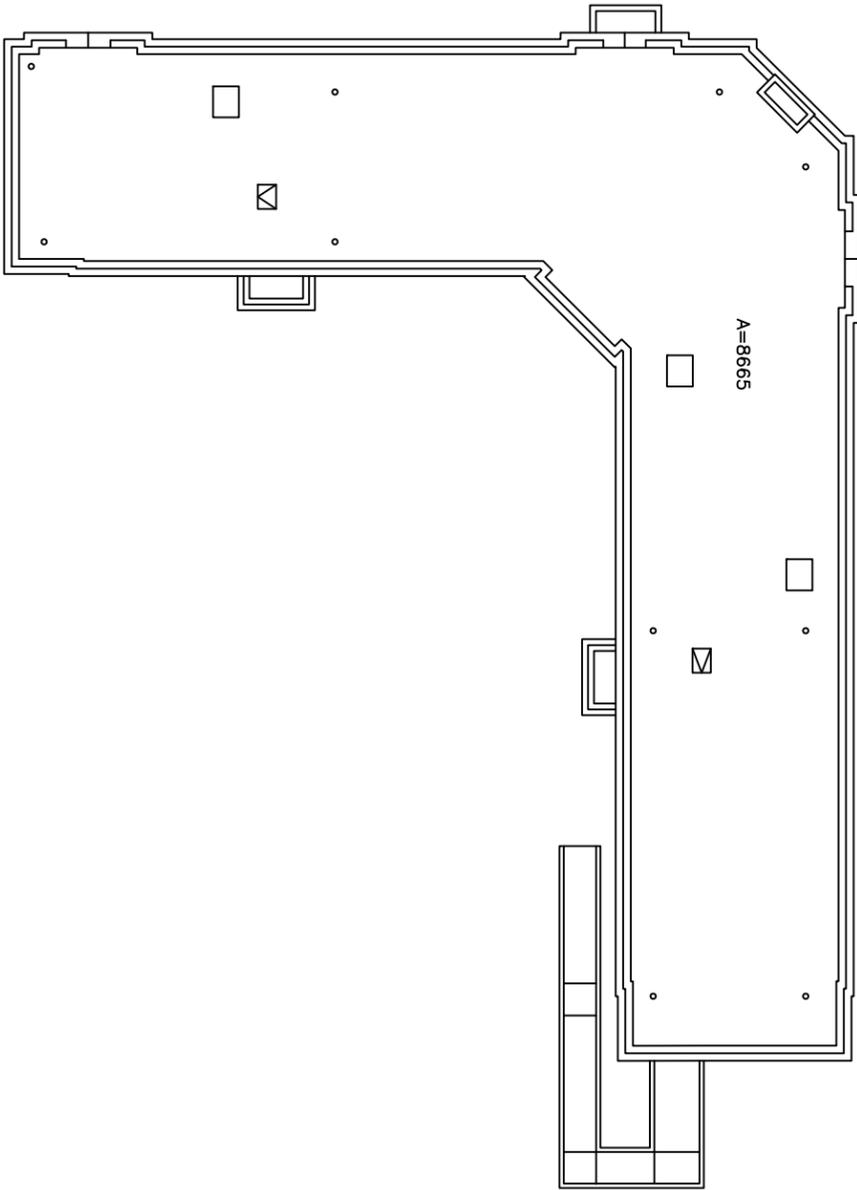


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| NEW YORK STATE OFFICE OF MENTAL HEALTH |
| KINGSBORO PSYCHIATRIC CENTER BROOKLYN , NEW YORK |
| BUILDING 8 |

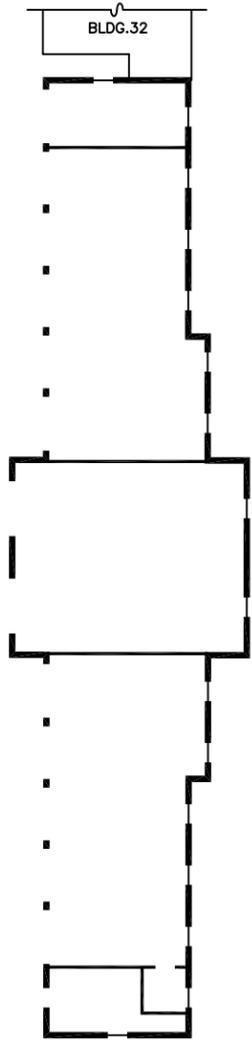
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44 Holland Avenue,
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Sheet Title: THIRD FLOOR PLAN

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4 OF 5



PLAN N

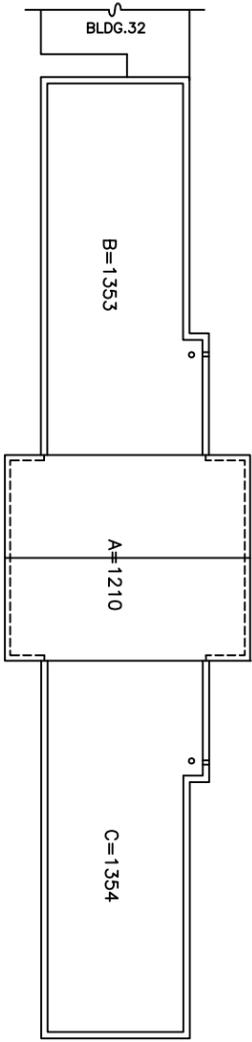


012_X1
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FIRST FLOOR PLAN

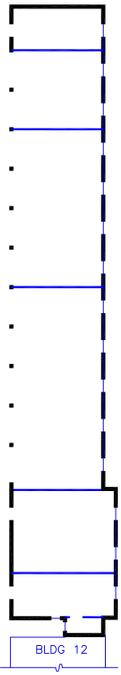
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| 195.02.10 drawn by BAB date:SMAY '95 SHEET NO. 012_X1 1 OF 2 | NEW YORK STATE OFFICE OF MENTAL HEALTH | TRUDEAU/ARCHITECTS 219 Forts Ferry Road, Latham, NY 12110-1208 Phone (518) 785-5851 | FACILITIES DEVELOPMENT CORPORATION 44 Holland Avenue, Albany, New York 12208 FDC PROJECT NO. 57682 |
| | KINGSBORO PSYCHIATRIC CENTER BROOKLYN , NEW YORK | | Sheet Title: FIRST FLOOR PLAN |
| | BUILDING 12 | | |



FIRST FLOOR PLAN



SQ. FT. = 3369

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| NEW YORK STATE OFFICE OF MENTAL HEALTH |
| KINGSBORO PSYCHIATRIC CENTER BROOKLYN, NEW YORK |
| BUILDING 32 |

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| TRUDEAU/ARCHITECTS 219 Forts Ferry Road, Latham, NY 12110-1208 Phone (518) 785-5851 |
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| FACILITIES DEVELOPMENT CORPORATION 44 Holland Avenue, Albany, New York 12208 FDC PROJECT NO. 57682 |
| Sheet Title: FIRST FLOOR PLAN |

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| date:5MAY '95 |
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