

## Arthur Kill RFP Questions

1. If the property is purchased outright do you have an estimate of what the annual taxes will be once the sale closes? **The New York City Department of Finance has already established an assessment and tax base for the property in its “as is” condition; once the Site is no longer under State control, the State’s exemption will end and the Site will be added to the tax roll at its assessed value. Any improvement or future development may increase the assessed value of the property. Specific information on the Site’s tax assessment can be found here:**  
<http://nycprop.nyc.gov/nycproperty/StatementSearch?bbl=5071870001&stmtDate=20130823&stmtType=SOA>
2. In the interim between being designated developer and the closing of the property, will there be real estate taxes and what will be the basis for calculating them? **No taxes will be assessed until after closing and title transfer.**
3. Will ESD assist the developer in establishing a tax base? **See Question 1.**
4. Would ESD consider a proposal for a lease with an option to buy, where the land is leased for 2 years, or however long it takes to straighten out taxes, and then purchased outright? **Yes, ESD may consider alternative transactional structures, including leaseholds, depending upon circumstances.**
5. Would the developer be permitted to sublease to other companies in their industry? **Yes, subject to customary restrictions including viability of sub lessee.**
6. Would multiple uses be acceptable (i.e. space for retail subleases, restaurants, etc)? **Yes, consistent with the Development Goals set forth in the RFP.**
7. Are there any building/construction restrictions that will be caused by the fact that there is a state park across the street? **The designated developer will be responsible for all environmental review required under the State Environmental Quality Review Act (SEQRA) including an assessment of all potential impacts.**
8. Is ESD’s General Project Plan subject to approval by the State? If so, will Developer be able to participate/give feedback on the GPP? **The GPP is subject to a public approval process, including ESD Director approval and approval by the Public Authority Control Board (PACB), and will be developed in conjunction with the Developer.**
9. How can we obtain a copy of the NYCEDC Report “Working West Shore 2030”? **The report can be found at the following website:**  
[http://www.nyc.gov/html/dcp/html/west\\_shore/index.shtml](http://www.nyc.gov/html/dcp/html/west_shore/index.shtml)
10. Is Public recreation and access to waterfront and surrounding areas required as part of the plan? **These are not required elements for the Proposal but their inclusion is encouraged.**
11. Is there a monthly estimate of State’s costs for operating/maintaining and securing the site? **The Site is currently decommissioned; there are no**

**utilities services hooked up and therefore there is no accurate estimate of monthly utilities. In its last year of operation (2010-11), the total monthly O&M cost for the Site was approximately \$100,000.00. Operating expenses may show a large degree of variance depending on the future use the Site is put to.**

12. Estimate of ESD's legal costs? **ESD's in-house legal fees will be billed at a standard hourly rate, to be agreed upon by the Parties.**
13. Once Designated Developer is chosen can developer access the property and to what extent? **An access agreement can be negotiated on mutually agreeable terms.**
14. If we enter an agreement will we be permitted to start showing prospective tenants the space for future work? **Yes, pursuant to a mutually agreeable access agreement.**
15. If the state decides at any point to sell the 12.5 acres of wetland can we have a right of first refusal? **If, in the State's discretion, the remaining acreage at the Site is made available for disposition, the State would be willing to discuss a right of first refusal.**