



**ADDENDUM NO.1
November 11, 2008**

**The City University Construction Fund
Solicitation for the Acquisition of a New Facility for the
CUNY School of Law in Queens County, New York**

Project No. RE004-08

This Addendum is issued for the purpose of conveying the attached Questions and Answers which include responses to the questions that were emailed to the CUNY Contracts Department. Consistent with Section 2 of the Solicitation (General Conditions), all information provided herein is made in good faith for information purposes only and does not in and of itself change the Solicitation. Changes to the Solicitation may only be made by formal amendment if and when required.

Contact: Michael Feeney, DDCM.ContractsDept@mail.cuny.edu

By signing in the space provided below, the Responder acknowledges receipt of this Addendum. This Addendum must be signed by the Responder and submitted with the Response.

Name of Responder

Name of Authorized Responder
Representative

Title

Signature

Date

CUNY School of Law Solicitation
Project No. RE004-08
Questions and Answers November 11, 2008

These Questions and Answers include responses to the questions that were emailed to the CUNY Contracts Department. Consistent with Section 2 of the Solicitation (General Conditions), all information provided herein is made in good faith for information purposes only and does not in and of itself change the Solicitation. Changes to the Solicitation may only be made by formal amendment if and when required.

QUESTIONS	ANSWERS
1) What is the desired date of occupancy for the new 225,000 gross square foot facility? As soon as construction allows.	
2) Does CUCF have a preference to own or rent the facilities? If a lease what is the length of the term?	CUCF's preference is to own, however we will consider a long-term lease structure.
3) Will any student or faculty housing be required or desired as part of the CUNY Law School development plan?	No.
4) Has any consideration for future expansion been given beyond the 225,000 gross square foot program?	Not at this time.
5) Is there a space program summary for the 225,000 gross square foot area? Spatial adjacencies required?	A preliminary space program will be shared with the short list of Responders based on the highest scoring Responses' scores.
6) Is there a required minimum floor plate size or minimum floor to floor height required for the CUNY programs?	CUNY prefers larger floor plates where possible to the extent they minimize vertical transportation costs.
7) Is there a specific level of technology required to support the CUNY Law School requirements?	A minimum level of technology has not yet been defined.
8) Can a Responder present several potential locations in one response?	Yes.
9) Is CUNY interested in retaining a development advisor who will identify and evaluate multiple sites rather than simply advocate for one location ?	No, CUCF is not seeking an advisor through this Solicitation.
10) Page 4 refers to Wicks law requirements. Under what circumstances might Wick's law adherence be required?	CUCF will define these obligations based on individual responses.
11) Regarding financing options, does CUNY contemplate a specific or preferred financing mechanism for acquisition and development?	CUCF projects are traditionally funded through DASNY bonds.
12) Does CUNY have any objections to being part of a larger mixed use development project?	No, however the larger project should not affect the developer's ability to move forward expeditiously on the CUNY School of Law project.
13) Will there be a Pre-proposal conference for the CUNY School of Law Solicitation?	No.
14) Is it CUNY's intention to engage their own architectural firm for the Law School building, or will this be the responsibility of the developer?	The developer and CUCF will jointly engage an architectural firm.
15) Is there any specific way in which a proposal for ground-up development would be per se disadvantaged in comparison to an existing building that would be converted for your purposes?	No.

QUESTIONS	ANSWERS
<p>Are there any extraordinary provisions in a Lease that would be vital, for example, would CUCF require the option to purchase the improved Leasehold Premises upon delivery (subject to a reversion at the end of the term of the Ground Lease)?</p> <p>16)</p>	<p>CUCF will consider all proposed structures for this project</p>
<p>Will CUCF be actively involved "as co-developer" (as opposed to being simply an agent for CUNY, the "Tenant" and "User") in the design of the building and management of the pre-development and development process? If so, in what specific way(s)?</p> <p>17)</p>	<p>Yes, CUCF will be involved in all aspects of design, pre-development and development. CUCF's role will be further delineated with the short list of Responders based on the highest scoring Responses' scores.</p>
<p>Regarding the lease rate ("Rent"), does CUNY have a preference with regard to whether the developer's proposal offers it at a stipulated Rent, with costs to deliver the Premises entirely left to the Developer/ Lessor, or alternatively offers it as a factor of developer project cost (subject to a cap or some other control mechanism, such as an approved cost per documents describing the Facility)?</p> <p>18)</p>	<p>CUCF requires a fee developer for the new CUNY School of Law. CUCF projects are traditionally funded through DASNY bonds and CUCF will be obligated to review all proposed costs.</p>
<p>We assume that we should submit our response in the name of the prospective JV entity?</p> <p>19)</p>	<p>Yes. Principals should be identified and per Appendix B of the Solicitation, principals should be identified on the State Vendor Responsibility Questionnaire.</p>
<p>Will we be eligible for your consideration under M1-5 zoning?</p> <p>20)</p>	<p>If your site requires a variance or rezoning in order to accommodate the CUNY School of Law please include this information in your response.</p>