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ENERGY MANAGEMENT CONSULTING

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November 30, 2007

Secretary Jaclyn A. Brilling
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12228

RE: Brief of Prepared by Luthin Associates on
behalf of ARE – East River Science Park, LLC
Con Edison Electric Rate Case 07-E-0523

Dear Secretary Brilling:

Attached please find a brief and supporting documents (Appendices 1-11) submitted by Luthin Associates, Inc. on behalf of ARE- East River Science Park, LLC in the Con Edison Electric Rate Case 07-E-0523.

The three Administrative Law Judges and the Active Party List members have been sent copies via email and hard copies will be sent today via overnight mail to your office, the three Administrative Law Judges and Con Edison.

Regards,

Eileen Campbell

Eileen R. Campbell
Office Manager

Cc: ALJ William Bouteiller, NYS PSC
ALJ Phillips, NYS PSC
ALJ Stegemoeller, NYS PSC
Mary Krayeske, Con Edison

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Before the New York State Public Service Commission

Case 07-E-0523-Consolidated Edison-Electric Rates

Initial Brief of ARE-East River Science Park

November 30, 2007

ARE-East River Science Park LLC ("ARE") submits this brief in support of its position that certain tariff provisions related to the applicability of BIR awards, as proposed by Consolidated Edison ("Con Edison" or "the Company") in its original filing, are unjust and unreasonable, and will cause undue harm to ARE.

Background

In November 2004, the New York City Economic Development Corporation (EDC) in conjunction with the New York City Health and Hospital Corporation (HHC) issued a RFP requesting bids for the immediate development of a, "biotechnology/life science research and development campus," on a 3.7 acre site located on the current Bellevue Hospital Campus. The RFP also included an option to develop an immediately adjacent one-acre parcel (the "Option Parcel") at a later date. The project is commonly referred to as the East River Science Park (ERSP). The Option Parcel currently holds remains of the victims of the 9/11 World Trade Center incident. This parcel will be available for development after the remains are relocated upon completion of the new World Trade Center.

As part of an inducement package to attract prospective bidders, EDC offered to provide a number of economic development incentives related to various taxes such as property, mortgage recording, sales and usage. Included in this offer of benefits was an allocation under Con Edison's Business Incentive Rate. For further details on these benefits, see Appendix 1, New York City Economic Development Corporation, Request for Proposals, East River Science Park Redevelopment Opportunity, November 12, 2004, page 8.

On August 4, 2005, EDC issued a letter (the "Conditional Designation Letter") which is attached at Appendix 2. The Conditional Designation Letter notified ARE's parent company that it had been selected as developer of the ERSP site. The Conditional Designation Letter confirmed the terms and conditions under which ARE would negotiate a ground lease. The letter also confirmed the economic benefits to be provided to ARE including a promise to provide reduced energy costs through the Business Incentive Rate (see Appendix 2, page 8, section 18).

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On October 26, 2006, EDC issued a letter to Con Edison authorizing Con Edison to provide to ARE an allocation of 9 megawatts of reduced power under Con Edison's Business Incentive Rate. This letter constituted the formal notification and approval by EDC of this energy benefit under procedures established between EDC and Con Edison. On November 15, 2007, Con Edison executed the letter from EDC thereby formally approving the allocation of 9 megawatts of electric power under the Business Incentive Rate to ARE (See Appendix 3).

Based in part on this approval of reduced electric rates, ARE executed a ground lease with HHC and was then obligated to develop and construct the several hundred million dollar project (See Appendix 4, NYC Department of Finance Office of the City Register, Memorandum of Lease). The promise of reduced electric rates was a key element in ARE's decision to move forward with this project. In fact, the BIR allocation was one of a number of key conditions in order to proceed with the ground lease. This approach of securing incentive commitments prior to lease execution was necessitated by the scope of this project which would involve hundreds of million of dollars to develop and would have multi-million dollar annual operating budgets.

During the design phase of this project, ARE's engineering representative, the firm of Jaros, Baum & Bolles (JB&B) submitted a "load letter" (Appendix 5) to Con Edison on May 23, 2006. This load letter specified the list of electrical loads that would be required by the ERSP. The letter included a design requiring electric chillers. The decision to install electric chillers rather than steam chillers was made based on JB&B's analysis that concluded that electric chillers would be more economic than steam chillers. This conclusion is accurate even without reduced electric costs from the Business Incentive Rate and with equipment subsidies from NYSERDA.

On December 1, 2006, Con Edison approved the load letter (Appendix 6) submitted by ARE. This constituted one of the approvals that ARE needed to begin the design of the facility.

On May 4, 2007, Con Edison filed a proposed change in the terms of its BIR program. This change disallows the application of the BIR discount for use in electric chillers located in buildings which are within 250 feet of a steam main. The new requirement applies to all customers who apply for service under the BIR after April 1, 2008. This change is designed to support the viability of the steam system and to avoid unnecessary investment in electric distribution facilities.

Economic Impact of the Business Incentive Rate

Based on an analysis of the electric load characteristics of the ERSP and the terms of the Business Incentive Rate, ARE has determined that the value of the Business Incentive Rate is approximately \$5.3 million to \$7.4 million over the 15 year term of the program. It is estimated that the impact of the reduced BIR proposed by Con Edison would reduce the benefit to ARE's subtenants (New York City's life science community) by about 1.8 to 2.5 megawatts which equates to about \$1.3 million to \$1.9 million in lost benefits. The analysis was prepared by ARE's engineering and energy management consultants. See Appendix 7 for a copy of this analysis.

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East River Science Park's Impact on the Biotechnology Sector

Bio-technology facilities like ERSP are energy intensive. This is compounded by the high cost of energy in New York City. A study conducted by The Boyd Company in 2005, showed that New York bio-technology facilities have the highest ratio, by a wide margin, of electric costs as a percentage of total operating costs exclusive of salaries. While Massachusetts, North Carolina and New Jersey had a ratio of 22% and California was at 34%, New York bio-medical facilities can expect to expend more than 52% of their operating budget on electric power. This ratio is between 1.5 and 2.4 times higher in New York. The Bio-Medical industry has one of the highest energy utilization rates of those industry sectors that are most important to the economic growth of New York State. A 2001 study by Energy Design Resources, a California based utility industry organization, showed that laboratories have a higher energy cost per square foot than all other sectors surveyed. The average cost per square foot was between 100% and 400% higher than large office buildings. Con Edison designs their electric services for a bio-tech facility at an energy density equal to 50% more than office buildings. (The information in this paragraph was previously submitted in my testimony in this rate proceeding on pages 7 and 8, see notes 8 through 10 for sources.)

The need to mitigate electric costs and other costs which make the bio-technology sector in New York City at risk to migrate to neighboring states is a key ingredient in New York City's economic development strategy. New York City through its economic development arm, the EDC, is marketing New York City as, "... the Next Leading Center of Commercial Bioscience." It cited the following characteristics of New York City that make it so important to this industry:

- The world's largest concentration of academic institutions—a source of significant discovery and the first adopters of new products
- An aggregation of scientific, clinical and entrepreneurial talent, investment capital and professional services focused on bioscience
- Access to the East Coast pharmaceutical corridor
- Proximity to three international airports
- Home to over 130 venture capitalists investing in healthcare companies

In addition, EDC calls the ERSP the "Flagship Location for Bioscience." According to EDC, "New York City's business community, through the New York City Investment Fund and Partnership for New York City, has committed to invest up to \$10 million in capital to ERSP. The Investment Fund and its network of corporate investors are ready to work with companies to help them grow and succeed in New York City." (The source of the above quotations can be found at the EDC website at http://www.nycbiotech.com/east_river.html .

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New York City and New York State have long supported the Biotechnology sector. New York State offers a number of employee, R&D and training tax credits for biotechnology companies operating within the State. New York City as demonstrated in the ERSP project funding provides discounted energy, tax exempt bond financing, sales tax exemptions on construction costs and mortgage tax and property tax reductions. See the following links for further details of these programs.

<http://www.nycbiotech.com/pdfs/QETC2006.pdf> and
<http://www.nycedc.com/Web/FinancingIncentives/FinancingIncentives.htm>.

Recognizing the need to incentivize projects like the ERSP, the City of New York is providing about \$13.4 million in capital funds for this project. The State of New York is providing \$27 million which will be used for infrastructure work in connection with the project. Manhattan Borough President Scott Stringer is contributing \$500,000 to the project. Additionally, the New York City Investment Fund, the economic development arm of the Partnership for New York City, will provide \$10 million in funding to be used for ERSP tenant improvements. The project will also receive about \$5.6 million in savings through the New York City Industrial Development Agency (NYCIDA). Finally, the U.S. Department of Commerce Economic Development Administration will provide \$2 million for the reconstruction of East 28th Street supporting the development of ERSP. (See Appendix 9, Press Release, October 15, 2007, Mayor Bloomberg and Speaker Silver Join State and Local Officials at Groundbreaking for Alexandria Center for Science and Technology at the East River Science Park.)

With so many public entities attempting to mitigate the costs of a project which will be such a key component of the region's economic improvement, the only program which has been promised that may not be fully received is the Business Incentive Rate. Con Edison's attempt to reduce the benefits to this project not only hurts the project but it also hurts the overall development of the east side of Manhattan, an area which if fully developed will increase overall steam revenue to Con Edison.

The BIR should not be withheld from electric chiller use. There is no record basis to withhold BIR rate reductions from the use in electric chillers. Further, withholding these benefits will not provide the alleged support of the steam system. Regardless of the rate reductions related to the BIR and funding programs from NYSERDA, steam chiller use is still uneconomic both because of the first cost of equipment, as well as installation, operational, maintenance and energy costs. Con Edison's proposal only serves to reduce the benefits to meritorious projects which the Commission previously determined to be in the public interest. How will this action achieve its goal of making the steam system competitive?

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In the alternative, the deadline for commencing service for such programs should be extended. The Con Edison proposal is particularly damaging to projects currently under construction. ARE is obligated, under the terms of its ground lease to deliver a building in 2009 before the time frame that would be required if they had to redesign their system to meet the proposed BIR change under the Con Edison proposal. Even if steam were an economic choice versus non-BIR electric service, the expense and delays related to the redesign of the HVAC systems and other building shell components; the penalties associated with the failure to accept delivery of equipment currently on order; and, the redesign of the electric and steam service for the site as currently on file with Con Edison and New York City; as well as financial penalties for failing to meet occupancy date requirements, would pose a serious financial penalty. These changes would make it impossible to meet the obligations of the lease, even if ARE had been aware of the new requirement at the time of the original filing. In addition, ARE has already committed approximately \$2 million in expenditures for the electric chiller plant.

To illustrate this point, we have prepared a chronology of events (Appendix 9) that have taken place and are scheduled to happen relative to the design, purchase and installation of the existing chillers. We also show how a decision by ARE to change their chiller choices would impact the project. These estimated time lines are based on two scenarios. In one case we are assuming ARE was advised of the proposed changes to the BIR by Con Edison at the time of the electric rate filing in June 2007. The other scenario assumes ARE makes this decision in December of 2007.

The real case shows that the electric chillers will be delivered on April 8, 2008 and will be operational in time for the 2009 target date. The alternate scenario shows that had ARE changed their chiller design to include steam in June 2007, the completion would not occur until September 2010. ARE is obligated to complete the building in 2009. This is a purely hypothetical situation because ARE was never notified about the proposed change in the BIR so they were unable to make a decision to change the chillers. Should ARE choose to change their chiller choice in December 2007, the completion date would be extended to March 2011 and ARE would be in material breach of their ground lease.

In view of the harm done to ARE and other BIR projects by this revision, it is essential that adequate notice of this change in the program be given. Con Edison agreed (see Con Edison testimony in Electric Rate Panel, p.83) that the purpose of provisions to “grandfather” certain projects is designed to prevent harm to those who have made commitments based on rules in place at the time those commitments must be made. That standard has not been met in this case. Since every BIR project is necessarily approved by Con Edison and/or New York City or the County of Westchester (COW) it would have been a simple matter to provide specific notice to each BIR awardee. Instead, Con Edison relies on a single ambiguous question at page 83, line 22 to 23 in its original filing. “The proposed change would apply only to new customers applying for service under the BIR program on and after April 1, 2008 (see Con Edison testimony in Electric Rate Panel, p.83).”

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ARE asserts it has met the standard of being a customer who has applied for service prior to April 1, 2008 by its filing an electric load letter on December 1, 2006 and a steam service application on January 25, 2006 (Appendix 10). Moreover, both Con Edison's steam and electric departments were aware of ARE's chiller choice by December 2006 and Con Edison by approving the BIR on November 15, 2006 was aware of ARE's plan to utilize the BIR. It is hard to believe that on December 1, 2006, only five months prior to issuing the rate filing, Con Edison was unaware that the rate filing would include the modification to the BIR that is being questioned. With this knowledge, Con Edison should have notified ARE of the likelihood of the proposed changes when it approved the BIR in November 2006. It was only later, in response to an interrogatory, that Con Edison determined that "applying for service..." really means "taking service" (See Appendix 11). The "notice" given by Con Edison was untimely and inadequate. That notice is limited to a single ambiguous sentence in its original filing. The Commission must not allow this change in the meaning of this revision, by ignoring the plain language of the original filing at such a late date.

Con Edison's insistence that a customer must actually be receiving electric service on April 1, 2008, ignores the realities of developing large real estate projects in New York City. It is impractical to expect that a building with the size and complexity of the ERSP could be constructed within the 11 months between the date of the filing and the April 1, 2008, deadline for BIR grandfathering. However, this is all the notice given by the Con Edison rate filing. Our chronology shows that more than two years will have transpired from the time ARE signed its ground lease to the time they would be receiving electric service. Even though ERSP will not receive electric service until some time in the near future, it has applied and received acceptance and approval from Con Edison for its plans related to electric, steam and BIR service. In the case of the ERSP, the time of filing should be the time of its request for BIR treatment, or even the date of its electric load letter and steam application. Accordingly, ARE and the ERSP project should be exempt from the new requirement as proposed by Con Edison.

Conclusion.

For all the reasons stated above, Con Edison should be directed to withdraw its proposal to limit the applicability of BIR benefits. In the alternative, the original proposal should be clarified to allow all current BIR awardees the full use of BIR power.

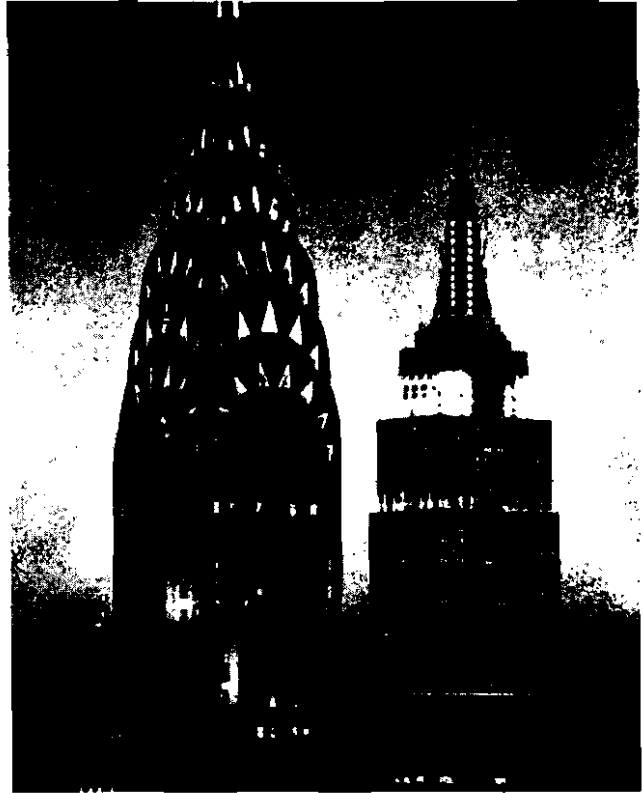
Respectfully submitted,

Catherine Luthin

Catherine M. Luthin
Luthin Associates for ARE-East River Science Park, LLC

New York City Economic Development Corporation

Request for Proposals



East River Science Park Redevelopment Opportunity

Release Date: November 12, 2004

Submission Date: January 24, 2005



New York City
Economic Development
Corporation

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I. INTRODUCTION/OBJECTIVE

New York City Economic Development Corporation ("NYCEDC"), in conjunction with the New York City Health and Hospitals Corporation ("HHC"), is seeking proposals for a development on a portion of the Bellevue Hospital Center ("Bellevue") as a biotechnology/life science research and development campus. The site, identified as Block 962, part of Lot 100 on the Borough of Manhattan tax map (the "Site") is currently referred to as the East River Science Park ("ERSP"). There is an additional parcel to the north of the Site that should be available for development ("Option Parcel") on an option basis at a later date (see Site Plan in Appendix 1). The Site and the Option Parcel (collectively, the "Campus") provide the unique advantage of having existing permits for bioscience development, as described in detail below. On the basis of the responses to this Request for Proposals ("RFP"), NYCEDC and HHC intend to designate a developer or development team (the "Developer") to develop ERSP.

II. DEVELOPMENT GOAL

Over the past 18 months, NYCEDC has undertaken several initiatives to attract life science companies to New York City (the "City"). Through its Bioscience Industry Desk, NYCEDC has intensified its domestic and international outreach efforts to pharmaceutical and biotech companies and contract research organizations. NYCEDC has met with more than 150 companies, including all of the top global pharmaceutical companies in the US, Europe, and Asia. We have also developed a marketing campaign to emphasize the City's existing bioscience cluster and to recruit biotech companies to anchor several possible City biotech labs.

As a cornerstone of our strategy, ERSP is intended to be the City's flagship location for companies in the pharmaceutical, biotechnology, bioinformatics, and medical device fields as well as for contract research organizations. Consequently, the goal for development of ERSP is the creation of an attractive, state-of-the-art scientific research and development ("R&D") park that will both draw bioscience companies to the City and provide expansion space for New York-based bioscience businesses. The ideal project will capitalize on the proximity of the Campus to numerous medical centers and its prime location on the East River. If government-sponsored financing is anticipated, NYCEDC and HHC will reasonably cooperate with the Developer to meet all related requirements.

HHC prefers to maintain ownership of the Campus and, therefore, proposes disposition through a long-term ground lease (up to 99 years). However, the City and HHC will consider proposals for sale of the Site and possibly the Option Parcel provided that substantial benefit, in terms of the quality of development and other public purposes, could be realized through such a sale. Proceeds from the disposition are expected to help support Bellevue's and HHC's operations.

III. PROPERTY DESCRIPTION

Neighborhood

The Campus is in the Kips Bay neighborhood on the northern portion of the Bellevue Hospital Center, just south of the New York University Medical Center ("NYU"). The Site is located between East 28th and East 29th Streets, east of First Avenue and west of the FDR Drive; the

Option Parcel is located just to the north, between East 29th and East 30th Streets. The Campus is well situated within Manhattan's medical/life sciences "corridor," with numerous hospitals and medical centers, including Beth Israel, Weill Cornell, Rockefeller, Mount Sinai, and Memorial Sloan Kettering nearby.

Campus Description

NYCEDC is offering the approximately 3.7-acre Site for immediate development. It includes a former laundry building (the "Laundry Building") and unimproved land to the east of the building. The Option Parcel will be offered to the Developer on an option basis for development at a future date, now anticipated to be mid-2010, to be determined by the City. The Option Parcel is approximately one acre in size and will be delivered vacant. See "Site/Campus Components" below for a detailed description of each parcel.

The Campus is zoned C6-2, a local commercial district that allows residential, retail, commercial and/or community facility uses. A special permit has been approved for the Campus to allow development of up to 872,000 square feet (sf) of R&D space, including a maximum of 5% of the total square footage for retail uses ("Biotech Special Permit"). The allowable amount of development on the Site alone is 542,000 sf; an additional 330,000 sf is allowed on the Option Parcel. A summary of allowable uses is included in Appendix 2, and the full text of the Biotech Special Permit is included in a Site Information File (the "File"), available upon request (see Section V, Developer Due Diligence).

The Campus does not include the former Bellevue Psychiatry Building, located at 492 First Avenue. It is anticipated that the Psychiatry Building will be leased to NYU, which plans to commence renovation of the building in 2006 for hospital- and medical school-related uses such as physicians' practice space.

Site/Campus Components

1. **Laundry Building.** The now-vacant Laundry Building, located along the demapped East 29th Street off of First Avenue, was built in 1932 to house Bellevue's in-house laundry service. The building has three floors and a basement and totals 56,900 gross sf in size. Bellevue removed most of the equipment used for laundry (e.g., washers, dryers, irons) many years ago. The building currently contains some storage and maintenance facilities, space for which must be included as part of the proposed development. The Laundry Building will be delivered vacant and may be demolished by the Developer. The City, HHC, or NYCEDC will not be responsible for demolishing the building.
2. **Improved Parking Area to the East of the Laundry Building.** The parcel to the east of the Laundry Building is currently being used as a parking lot, with approximately 225 spaces. This parcel was formerly the site of a 200,000-sf, nine-story Bellevue Hospital building that was demolished approximately 25 years ago. The parking on this parcel must be replaced as part of the proposed development of ERSP, as further described below in Section IV, Proposed Development.
3. **Option Parcel.** The unimproved land just to the east of the Psychiatry Building is currently being used by the Office of the City Medical Examiner ("OCME") to store the unidentified remains from the September 11 tragedy. OCME has been assured by the City that it could occupy this area until the completion of the World Trade Center

memorial, at which time it is anticipated that the remains will be interred at the memorial. For this reason, the City is unable to offer the Option Parcel for immediate disposition and development. When the Option Parcel is fully vacated by OCME, the Developer will have the option to lease it in order to annex it to the development on the Site; development of bioscience space on the Option Parcel is also specified in the Biotech Special Permit. If the Developer does not wish to lease the Option Parcel, the City will dispose of it through another RFP or other selection process.

4. **Streetbeds.** Both East 29th and 30th Streets have been demapped but continue to serve as access to both Bellevue and NYU. East 29th Street is included as part of the Site but should retain vehicular access; East 30th Street will remain demapped but be opened to public traffic, and so will not be part of the Campus.

Adjacent Institutions

Bellevue Hospital Center. Located to the south of the Campus, Bellevue is one of HHC's eleven acute-care hospitals. Opened in 1736, it is the country's oldest public hospital and is now the second largest medical center in the City's municipal system, with 870 certified beds, more than 4,500 employees, and an annual operating budget of over \$375,000,000. Through its affiliation with the New York University School of Medicine ("NYUSOM"), Bellevue is also a leading center for medical education and research. Bellevue's innovations include a microsurgery center, a regional center for brain and spinal cord injuries and comprehensive perinatal services.

Bellevue, particularly its Emergency Medicine Department, attracts patients from all parts of the City and the world and is internationally renowned as a Level I Trauma Center and re-implantation center. It is also a receiving hospital in the nationally designated categories of cardiac, neurological, toxicological, neonatal and psychiatric emergencies and serves as a designated 911 receiving center. In addition, Bellevue Hospital Center's Emergency Department is on call as the primary receiving hospital for visiting dignitaries to the City, including the President of the United States.

Bellevue is currently undergoing a large redevelopment project that consists of four components: (1) constructing a new 207,000-square foot Ambulatory Care Pavilion on First Avenue at East 28th Street (scheduled completion January 2005); (2) remodeling 56,000 sf of space in Bellevue's Main Building for critical care and step-down units (completed March 2004); (3) remodeling approximately 90,000 sf in the existing Main Building for medical/surgical units; and (4) upgrading the mechanical systems for the Main Building. When completed, the new Ambulatory Care Pavilion will house the hospital's outpatient programs, which HHC anticipates will provide for an estimated 424,000 visits per year. The last phase of the project should be completed by April 2006.

Office of the Chief Medical Examiner (OCME). The OCME is located on First Avenue just north of the former East 30th Street. With the Office of the Criminal Justice Coordinator, it has initiated construction of a new 15-story, 360,000-square foot DNA Laboratory Building on the Bellevue Hospital campus, just north of East 26th Street. Upon completion, the new DNA Lab will be capable of handling 150,000 DNA cases annually. The building will also house a replacement EMS facility, operated by the NYC Fire Department, on the first floor. Funded by the City, the new project should be completed by 2007.

Administration for Children's Services (ACS). ACS is the City agency that administers neighborhood-based child welfare services. Its 106,500-square foot facility, used for pre-placement, evaluation, and training, is located to the southwest of the Campus (on First Avenue south of 29th Street) in Bellevue's former Research & Science Building. The City renovated this six-story structure, originally designed by McKim, Mead and White, specifically for use by ACS.

NYU Medical Center. Located to the north of the Campus, the NYU Medical Center comprises the NYU Hospital Center and NYUSOM. Founded in 1841 and now one of the largest medical schools in the nation, it includes the 616-bed Tisch Hospital, the 152-bed Rusk Institute of Rehabilitative Medicine, the Skirball Institute of Biomolecular Medicine, the Kaplan Comprehensive Cancer Center, the Center for AIDS Research, the Silberstein Aging and Dementia Research Center, the Comprehensive Epilepsy Center, and the Nelson Institute of Environmental Medicine. NYU is currently building the Smilow Research Center on its campus, just north of the demapped section of East 30th Street at the FDR Drive. The 15-story Smilow building, scheduled for completion in late 2005, will be an interdisciplinary facility, housing numerous research programs including medicine, neuroscience, and genomics. Additionally, NYU recently broke ground on its \$100-million state-of-the-art Clinical Cancer Center just west of First Avenue.

Other NYC Assets. New York City and the surrounding region are already home to an enormous number of academic medical research and health care assets:

- 15 top academic medical research institutions and medical centers
- #2 city in US for NIH funding annually
- Top US city for post-graduate life-sciences degrees awarded annually
- Award-winning research talent
- 128 Nobel laureates with roots in New York City institutions
- Up to 30 companies spun out of local research institutions per year
- Prolific patenting and licensing activity
- 51 biotech companies and two biotech incubators
- 40,000 licensed physicians
- Largest and most diverse clinical trial population in US
- 50% of all US cancer trials

The following are two websites that provide an overview of our resources:

- New York Bioscience Metro Inventory (<http://www.nycbiotech.com/inventory>) is a broad inventory of medical research, health care and other related resources in the New York metro area.
- AMDeC BioResource Network (<http://www.amdec.org/nybioconnect.htm>) includes a more in-depth analysis of specific areas of research at certain leading New York academic research institutions.

Location/Transportation

The Campus offers excellent access to transportation. The Lexington Avenue (#6) subway line has local stops at 23rd, 28th, and 33rd Streets at Park Avenue South. The downtown M15 bus stops at Second Avenue and East 28th Street, and the uptown M15 bus stops at First Avenue and

East 29th Street, directly in front of the entrance to Bellevue. Other buses that serve the Campus are the M16, M21, and M34 lines. The Campus is highly visible from the FDR Drive, which has entrance and exit ramps at 23rd and 34th Streets, offering quick access to the Queens-Midtown Tunnel and the 34th Street Heliport. The New York Water Taxi takes passengers from East 34th Street to numerous locations on Manhattan and in Queens, Brooklyn, and Jersey City. Penn Station and the Port Authority bus terminal are a short distance across town, and Grand Central Station is one mile from the Campus. LaGuardia and JFK airports are nine and 15 miles away, respectively.

Surrounding Community

The Campus is located in the Kips Bay neighborhood in Manhattan Community District #6, which covers the east side of Manhattan from 14th to 59th Streets, from the East River to Lexington Avenue and farther west to include Gramercy Park and Murray Hill. Other neighborhoods within the district's boundaries are Sutton Place, Beekman Place, Turtle Bay, Tudor City, Stuyvesant Square, Peter Cooper Village, and Stuyvesant Town.

Community District #6 covers an area of 1.4± square miles, or 875.2± acres. Of this relatively small area, approximately 16% is improved with public facilities and institutions, 25% is multi-family residential, 29% is mixed-use residential/commercial, and 15% is commercial. Residential uses primarily consist of multi-family condominiums and co-ops. There are several public schools in the district, including Washington Irving High School and the High School of Art and Design. Post-secondary schools include Baruch College, NYU schools of dentistry and medicine, and the School of Visual Arts. These and other institutions, along with the large number of high-rise apartment buildings east of Second Avenue, result in a density that is above average for Manhattan.

Although historically there had been a mix of economic and social groups in the area, today the predominant economic groups living in Community District #6 are higher- and upper-middle income. Retail and service establishments closer to Park Avenue tend to cater to these upscale economic groups. There is an active shopping and entertainment district centered at East 59th Street and Lexington Avenue, anchored by Bloomingdale's. Retail uses are generally located along the avenues on the ground floor, as well as on 23rd and 34th Streets.

IV. PROPOSED DEVELOPMENT

Zoning/Special Permits

The Campus is zoned C6-2, a local commercial service district that allows residential, retail, commercial and/or community facility uses; the permitted commercial floor area ratio (FAR) is 6.0. As mentioned above, the Biotech Special Permit allows 872,000 sf of scientific research and development space on the Campus; up to 5% of the total new floor area may be retail. A second special permit, for the development of two parking garages (the "Parking Special Permit,") was also approved for the Campus. *Proposals for development that conform to the terms of the resolutions that were obtained when the Campus went through the City's Uniform Land Use Review Procedure (ULURP) in 2001 are preferred.* See Appendix 2 for a summary of allowable development under the ULURP resolutions; the complete resolutions are included in the Site Information File.

Project Proposal Components

The development proposal for a mixed-use bioscience campus must include plans for:

1. **Multi-tenant bioscience space.** ERSP is intended to be the City's flagship location for companies in the pharmaceutical, biotechnology, bioinformatics, and medical device fields as well as for contract research organizations. Research lab and related office space that can accommodate multiple tenants of varying sizes must be the primary use at ERSP, following the specifications in the approved Biotech Special Permit. Ideally, the Campus would provide space for major pharmaceutical companies and/or contract research organizations. Lab and office space for bioscience companies in the start-up and post-incubator (or second-stage) phases would be considered a plus.
2. **Open space.** The full Campus, when completely built out, must include a minimum of 46,600 sf of open space as required in the Biotech Special Permit; the amount of open space required on the Site alone is 35,000 sf. This open space must be accessible to the public and should take advantage of the Campus's proximity to the East River waterfront.
3. **Parking.** The parking facility should provide for: (a) a minimum of 400 parking spaces for exclusive use by Bellevue Hospital staff and visitors (preferably at below-market rates), and (b) project-related needs as determined by the proposed development. The Parking Special Permit approved for the Campus allows the construction of two parking garages containing a total of 720 spaces. Respondents are requested to propose financial and management arrangements with HHC and Bellevue for their use of these parking spaces.
4. **Utility lines and maintenance areas.** Redevelopment of the Site and the Option Parcel must include plans for any required rerouting of existing utility lines and either relocating or providing space for facility maintenance and service areas that currently serve Bellevue. Bellevue will provide the specific requirements for these lines and areas. Legal arrangements for ensuring access and use by HHC and Bellevue of these lines and areas should be included in the proposal.

In addition, plans for the campus would ideally include:

1. **Shared-use space:** Conference and meeting spaces for use by ERSP tenants as well as for possible use by outside healthcare, bioscience, and community organizations. In addition, the development should encourage multi-institutional collaboration by providing facilities for specialized high-cost equipment to potentially be shared by academic medical centers and campus tenants.
2. **Related retail space:** Compatible retail space (up to 5% of the total allowable floor area or 43,600 sf) that would serve and complement the campus, as well as the surrounding residential community. Possible uses could include a physical fitness center, bank, restaurant(s) and café(s), dry cleaner, stationery/sundry store, or grocery store.

V. DEVELOPER DUE DILIGENCE

It is the respondent's responsibility to conduct due diligence on the Campus. A Site Information File containing important public information regarding the Campus will be available to prospective respondents. Respondents are encouraged to review the File prior to submitting a proposal. The File may be purchased for \$300 or reviewed in NYCEDC's offices at no charge. To purchase or review the File contact Delkis Torres at (212) 312-3871 or dtorres@nycedc.com.

VI. AVAILABLE INCENTIVES

The City recognizes the importance and magnitude of the ERSF project, and that incentives may be necessary. NYCEDC will work with the Developer to obtain a package of available incentives. These incentives will include, but may not be limited to, the following:

Payment in Lieu of Taxes ("PILOT")

The Developer will be responsible for payments in lieu of real property taxes. PILOT amounts will equal ordinary real estate taxes, subject to reduction due to any as-of-right exemption or abatement that would be applicable if the Developer were fee owner of the Campus; provided that (without duplication) the Project buildings would be treated as eligible for the Industrial and Commercial Incentive Program ("ICIP") as new commercial buildings located in a Commercial Special Area. Such treatment will provide an exemption on that portion of the property's assessed valuation solely attributable to improvements made to the commercial property (the exemption base).

Commercial projects in special areas may also receive protection against future increases on the improvements in the exempt base due to inflation or general appreciation in market value. Base taxes, as assessed prior to renovation or construction and land valuation taxes are not exempt. Commercial projects in special areas receive 16 years of full real-estate tax exemption on the exemption base. In years 17 through 25, the exemption declines by 10% per year, with full taxes due in the 26th year.

The Developer should include any additional PILOT benefits that may be required in its proposal.

Other taxes

NYCEDC will work with the Developer to secure exemptions from mortgage recording taxes on any construction and permanent financing issued in connection with the development of the project (for any principal amount up to the total development cost) and sales and use taxes on all purchases of construction materials. In particular, NYCEDC will cooperate in making available such exemptions through the New York City Industrial Development Agency.

Energy

NYCEDC will work with the developer to secure an allocation of discounted energy that may be made available to qualifying tenants through Con Edison's Business Incentive Rate Program. For further information contact either:

Mr. Peter Meloro
Manager, Economic Development
Consolidated Edison of New York, Inc.
4 Irving Place - Room 809-S
New York, NY 10003-3598
(212) 460-6545; melorop@coned.com

or Jerry McLoughlin
Assistant Vice President, Energy
NYCEDC
110 William Street
New York, New York 10038
(212) 312-3672; gmcloughlin@nycedc.com

Other Investment Capital

NYCEDC will work with the Developer to secure available funding from private or public sources. The New York City Investment Fund (NYCIF) a private fund with a civic mission and an affiliate of the Partnership for New York City (www.pfnyc.com), the City's premier business organization, is offering one such grant. NYCIF is prepared to invest up to \$10 million, in conjunction with the Developer, as part of the construction-financing package for the development of ERSP. NYCIF's investment can be flexibly structured in order to attract a top developer for the Campus, as well as to attract quality bioscience companies as tenants once the project is completed.

For further information regarding NYCIF, contact:

Maria G. Gotsch, Senior Vice President
New York City Investment Fund
One Battery Park Plaza
New York, NY 10004-1479
(212) 493-7537; mgotsch@nycif.org
www.nycif.com or www.nycif.org

Other Incentives

A list of other possible incentives, including those available to potential tenants, is included in Appendix 10.

VII. DISPOSITION PROCESS

Public Review Process/Environmental Review

Disposition of City-owned land is typically subject to sections 197-c and 197-d of the City Charter's Uniform Land Use Review Procedure ("ULURP"). A key advantage to the ERSP site is that *ULURP has already been approved for scientific research and development as well as for Campus disposition*, saving the Developer significant time, effort, and expense. The text of the ULURP resolutions is included in the File, and a summary of allowable development in accordance with these resolutions is attached in Appendix 2. It should be noted that every proposal will be reviewed in the context of the resolutions, and proposals that conform to the approved uses are preferred.

In addition, land dispositions are typically subject to the City Environmental Quality Review ("CEQR") procedure and require an environmental assessment statement and an environmental impact statement ("EIS"); again, however, *these reviews have been completed* for the uses specified in the ULURP resolutions. A copy of the final EIS ("FEIS") is included in the File. The FEIS states that Phase II environmental testing will be necessary; such testing will be the responsibility of the Developer. It should be noted that any proposal will be reviewed in the context of the FEIS, and material variances from the approved uses may be subject to new environmental review.

Dispositions accomplished through NYCEDC are also subject to City Charter Section 384(b)4, which requires public review of business terms including the lease(s) for the Site and Option

Parcel. Finally, compliance with public hearing requirements under Public Health Law: Section 7387(4) as it relates to HHC may also be necessary.

Because the ULURP resolutions dictate allowable development on the Campus, it is anticipated that the proposed project would not require zoning changes to accommodate proposed uses.

Conditional Designation Period

After review of the proposals, NYCEDC and HHC intend to select the Developer and enter into a Conditional Designation, the terms of which will be documented in a Conditional Designation Letter (“CDL”).

During a period of time specified in the CDL (the “Designation Period”), the Developer will be expected to complete its due diligence, including ordering a title report from a reputable title insurance or abstract company; completing surveys and metes-and-bounds descriptions of the Site and Option Parcel; and, if applicable, conducting Phase I and Phase II environmental surveys. If additional environmental review is found to be required because of material variance from the approved uses, the Developer will also be responsible for preparation of a draft environmental assessment statement (EAS) and other CEQR documents, as well as their submission to NYCEDC for review.

Under the terms of the CDL, the Developer shall be responsible for payment to NYCEDC of:

1. A conditional designation fee of \$150,000, due at execution of the CDL. The payment of this fee may be in the form of an irrevocable, unconditional letter of credit; certified check; or cash. This fee will be credited against the initial lease payment due at execution of a lease.
2. An NYCEDC administration fee of \$250,000, of which fifty percent is due at execution of the CDL. The remainder is due upon the earlier of execution of a lease.
3. A fee for an independent appraisal, estimated at approximately \$20,000 - \$25,000, is due ten (10) days after NYCEDC has notified Developer that an appraiser has been selected.
4. If applicable, CEQR or other environmental review fees are due upon execution of the lease.

By the end of the Designation Period, the Developer will be expected to have executed a lease (or a contract of sale) with HHC.

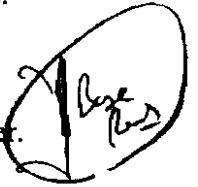
Fees related to Conditional Designation (and CEQR if applicable), and along with the costs of the title report, Campus survey, and environmental surveys shall be paid for solely by Developer. Fee schedules are outlined in Appendix 3. All fees and expenses are non-refundable and, except for the Conditional Designation fee, cannot be used to offset required lease payments. All work products become the property of NYCEDC upon submission.

VIII. PROPOSAL REQUIREMENTS

Each completed proposal must contain the following elements:

Lease Payments

The proposed annual ground lease payments for the Site as well for the Option Parcel must be stated in fixed, non-contingent dollar amounts; the term should also be indicated. NYCEDC and HHC may consider (and give preference to) offers submitted for the entire Campus as a whole. Final negotiation of a ground lease rental rate for the Site (and for the Option Parcel, at a later date) will be subject to an appraisal, and will be the higher of the Developer's offer or a rental rate indicated by the appraised value. The appraised value of each part of the Campus will be determined by NYCEDC and HHC through an independent appraisal paid for by the Developer. Respondents' offers for the Campus should assume that it would be disposed of in as-is condition.



Project Description

1. **Project Narrative.** A detailed description of the fundamental aspects of the proposed project including: the size of the buildings; proposed uses and their respective square footages; phasing if any; leasing plans, and plans for traffic circulation, access, security, etc., for each use. Features that promote compatibility with Bellevue's operations and the surrounding community should be noted. Significant consideration will be given to proposals that have anchor tenants secured for the project.
2. **Concept Plan and Design.** Schematic plans and drawings that show all the components of the proposed development. This includes general exterior design, interior floor plans, and cross sections indicating proposed uses by floor. The conceptual site plan should indicate building footprints, sidewalks, roads, driveways, landscaping, open space, and other amenities. The drawings must be at a scale sufficient to clearly illustrate each component and should include a graphic scale.
3. **Management Plan.** A description of how and what entity or entities will manage the various components of the project.
4. **Project Schedule.** A timetable expressed in months for: receipt of CEQR and other City and community approvals, as applicable; commencement and completion of construction; and occupancy and operation of the buildings. A plan and schedule for lease-up of space should be provided. The leasing program for tenant units should include a plan for recruiting potential tenants, including a list of potential bioscience and medical tenants. Submission of plans for retail tenants for the proposed retail component is encouraged as well.
5. **Job Creation.** Estimated number and types of new temporary and permanent jobs (construction, bioscience, medical, retail, building operations, maintenance, etc) resulting from the project. See Appendix 4 for job creation table.

Financial Information

The proposal should include comprehensive financial data and pro forma statements for development, lease-up, and project operation, including: a statement of assumptions backing the calculations made; sources and uses of funds; construction budget defining specific hard and soft costs and contingencies; and detailed description of proposed equity investment and construction and permanent financing.

The operating pro forma must cover a ten-year forecast of project income, operating expenses (including payments in lieu of taxes), capital improvements reserves, and debt service payments. Assumptions must show the number of proposed tenant spaces by type, size, and rents per square

foot. In order to complete our analysis in a timely manner, the pro forma should be submitted on a computer disk or CD-ROM in Excel in the format of the spreadsheet attached as Appendix 8.

NYCEDC and HHC will reasonably work with the selected Developer to meet all conditions of any government-sponsored incentive programs used for the proposed project. While not a requirement of this RFP, executed commitments from lenders or investors and letters of qualification for government-sponsored financing will be prerequisites to eventual disposition of the Site and the Option Parcel.

Proposer Description

Each entity submitting a proposal must demonstrate sufficient financial resources, professional experience (especially in bioscience development), and the ability to develop the Campus in manner consistent with its proposal and the selection criteria described in Section IX. Each proposal must include a description of the Developer and any major tenants, including:

1. **Organizational chart.** The form, structure and ownership of any proposed partnership, limited liability company or joint venture must be clearly defined, and a diagram of the Developer must be included.
2. **Contact information.** Name, address, telephone number, and qualifications of the Developer, including all persons or entities intended to design, construct, manage, operate, or lease major amounts of space in the building, as well as attorneys and other professionals, as appropriate, who will be involved in the project. Background information on all members of the Developer should include relevant experience of all principal members thereof and their availability for commitment to the project. This information must be submitted for every participant in a joint venture.
3. **Financials.** Financial statements for the last three years for the Developer and any relevant business entities. If the Developer is a privately held company, we also require submission of its certified net worth statements or tax returns for the last three years and the latest credit report for each principal and any relevant business entities including all participants in a partnership or joint venture.
4. **Additional.** Any additional documentation or information evidencing the strength of the Developer's team and its ability to complete and operate the project.

In addition, each entity submitting a proposal must complete and submit an Internal Background Investigation Questionnaire. A copy of NYCEDC's Internal Background Investigation Questionnaire for privately held entities that are not wholly owned by publicly held entities is attached as Appendix 9.

Respondents that are publicly held entities or that are wholly owned by publicly held entities may complete the Questionnaire attached as Appendix 9. Alternatively, these respondents may complete NYCEDC's Internal Background Investigation Questionnaire for Publicly Held Entities. If respondents that are not publicly held but that are wholly owned by publicly held entities elect to use this alternate form, their publicly held owners must also complete NYCEDC's Internal Background Investigation Questionnaire for Publicly Held Beneficial Owners. These two Questionnaires can be obtained on request from Paul Tamboia, Agency Chief Contracting Officer, 110 William Street, 6th Floor, New York, NY 10038; (212) 619-5000.

Zoning Calculation

A preliminary zoning analysis showing that all components of the proposed project meet the requirements and allowances in the approved ULURP resolutions.

Statement of Agreement

A statement signed by an authorized principal or officer of the lessee and the Developer, that they have read this RFP and Appendices and fully and agree to the terms and conditions set forth therein. A sample statement is attached in Appendix 5.

IX. SELECTION CRITERIA

In addition to the development goals outlined in Section II, the following criteria will be used by NYCEDC and HHC to review submissions and select a proposal:

Economic Impact on/Spending in New York City

Preference will be given to the proposal(s) that provides the greatest economic benefit to the City. Significant consideration will be given to proposals that have anchor tenants secured for the project. Economic benefit will be deemed to include:

1. **Economic impacts of uses** that address the demand for bioscience space and thereby advance the economic growth of the City. Preference will also be given to the proposal(s) that, within allowable development parameters, maximizes development potential of the Campus and new construction on the unimproved parcels as described herein.
2. **Fiscal benefits from taxes.** Sales, business and personal income taxes derived from project expenditures in New York City, including construction costs, annual operating costs, on-site employment (both temporary/construction and permanent) payroll;
3. **Payments in lieu of taxes (PILOT)** calculated as if the Campus were eligible only for those real estate tax exemption benefits that would otherwise be available to a fee owner as-of-right.
4. **Additional payments.** NYCEDC and the City reserve the right to request participation in annual net cash flow and net proceeds of capital transactions (e.g., sales, refinancings, ground leases), in amounts to be negotiated and agreed upon by NYCEDC and Developer; proposals that include such participation will be given preference.

Benefit to Bellevue, HHC, and local community

Preference will be given to the proposal(s) that demonstrates the greatest benefit to both Bellevue and HHC, as demonstrated by:

1. **Direct financial return to Bellevue and HHC**, as reflected through rental payments;
2. **Provision for Bellevue's needs**, e.g., parking, utility line rerouting, maintenance areas, storage, and open space as described in Section IV, Proposed Development.
3. **Provision for community needs**, e.g., public access to open space, also as described in Section IV.

Development Team Qualifications

Preference will be given to the development team with the best qualifications based on a demonstration of relevant experience, development skills, and financial resources necessary to complete a high-quality bioscience development project within a reasonable timeframe. Ideally, the development team will have (1) extensive experience in developing both commercial R&D and mixed-use bioscience facilities as described herein, and (2) a history of attracting and retaining high-quality bioscience tenants at varying stages of development to its facilities.

Financial Feasibility

NYCEDC defines financial feasibility to mean that:

1. the Developer and project team have demonstrated financial ability to undertake and complete the project;
2. development costs are realistic and can be financed from identifiable funding sources, and project revenue supports operating expenses, capital costs, and debt service; and
3. there is a strong likelihood that the proposed tenants will be financially capable of leasing space and operating in the proposed project.

Project Design and Compatibility with Bellevue

As part of the original ULURP process and at the request of Manhattan's Community Board 6, in 2001 NYU completed a schematic site plan for ERSP that included design principles to enhance pedestrian circulation and waterfront views; these plans are included in the Site Information File. Respondents are encouraged to consider these principles when submitting their proposal for ERSP. Specifically, the proposed development for ERSP should:

1. provide a cohesive master plan for the Campus and its principal components that is compatible with the adjacent institutional uses and nearby residential community;
2. include superior architectural and sitc design that enhances the existing architectural features and functions of Bellevue;
3. blend within general height and massing characteristics of the surrounding buildings and maximize development potential in a manner consistent with requirements in this RFP, the approved ULURP resolutions, applicable zoning, building massing, and other environmental and development regulatory controls;
4. address pedestrian access, vehicular access and parking, requirements for publicly accessible open space, and visual connection from First Avenue to the waterfront;
5. be sensitive to the location of the Campus on the grounds of Bellevue, the historic nature of the Psychiatric Building, and the close proximity of the ACS, OCME, and NYU facilities.

X. INFORMATIONAL MEETING, SITE VISIT

A Campus visit and informational session to discuss the RFP will be held at the Campus. Attendees will assemble for the Campus visit/walk-through at the northeast corner of First Avenue and East 29th Street in Manhattan at 1:00 p.m. on Monday, December 6, 2004. The walk-through will be followed by an informational session at Bellevue Hospital.

Vehicular access to the Campus will be at East 29th Street (parking: street or parking lot at East 29th Street and FDR Drive).

Please RSVP by 12 noon on Wednesday, December 1 by calling Delkis Torres at (212) 312-3871 or faxing the attached site visit confirmation form (see Appendix 6) to (212) 312-3916.

XI. CONDITIONS, TERMS, AND LIMITATIONS

NYCEDC and HHC will review all responses for quality, feasibility, economic vitality, and fulfillment of the development goals as described herein, after which NYCEDC and HHC may pursue negotiations with one or more respondents. NYCEDC and HHC may pursue either entire submissions or portions of submissions for designation. This RFP and any transaction resulting from such proposals are subject to the conditions, terms, and limitations set forth in Appendix 7. At their sole discretion, NYCEDC and HHC may conduct a new competitive offering, pursue a sole-source designation, or elect to take no action toward selection.

XII. SUSTAINABILITY/GREEN BUILDING

Respondents are encouraged to submit a High Performance Plan (the “HP Plan”) in conjunction with the development proposal for the Campus. Objectives of the HP Plan are to maximize the performance of the Campus’s building envelope and systems, while minimizing the long-term environmental impacts. This can be achieved by integrating high-performance features into design and construction practices that sustain the life of the building in five main areas:

- energy efficiency and lighting
- indoor air quality
- water management and conservation
- recycling
- conservation or re-use of on-site materials and resources.

The HP Plan must also demonstrate that the buildings on the Campus will meet the new Energy Conservation Construction Code of New York State, issued by the New York State Department of State in May 2002. In addition to the HP Plan, respondents shall provide a quantitative analysis of the costs incurred and potential benefits achieved by integrating high performance features into the project. These costs and benefits should be reflected clearly in the pro forma and operating budget of the project. For background information about guidelines, resources, incentives and grants, refer to LEED and the New York State Green Building Tax Credit guidelines in Appendix 11, Green Building Information.

XIII. SUBMISSIONS

Ten (10) copies of the proposal, identified by “East River Science Park RFP” on the envelope, must be submitted to and received by NYCEDC by Monday, January 24, 2005 at 4:00 p.m. The proposal should be delivered to the following address:

New York City Economic Development Corporation
110 William Street, 4th Floor
New York, New York 10038

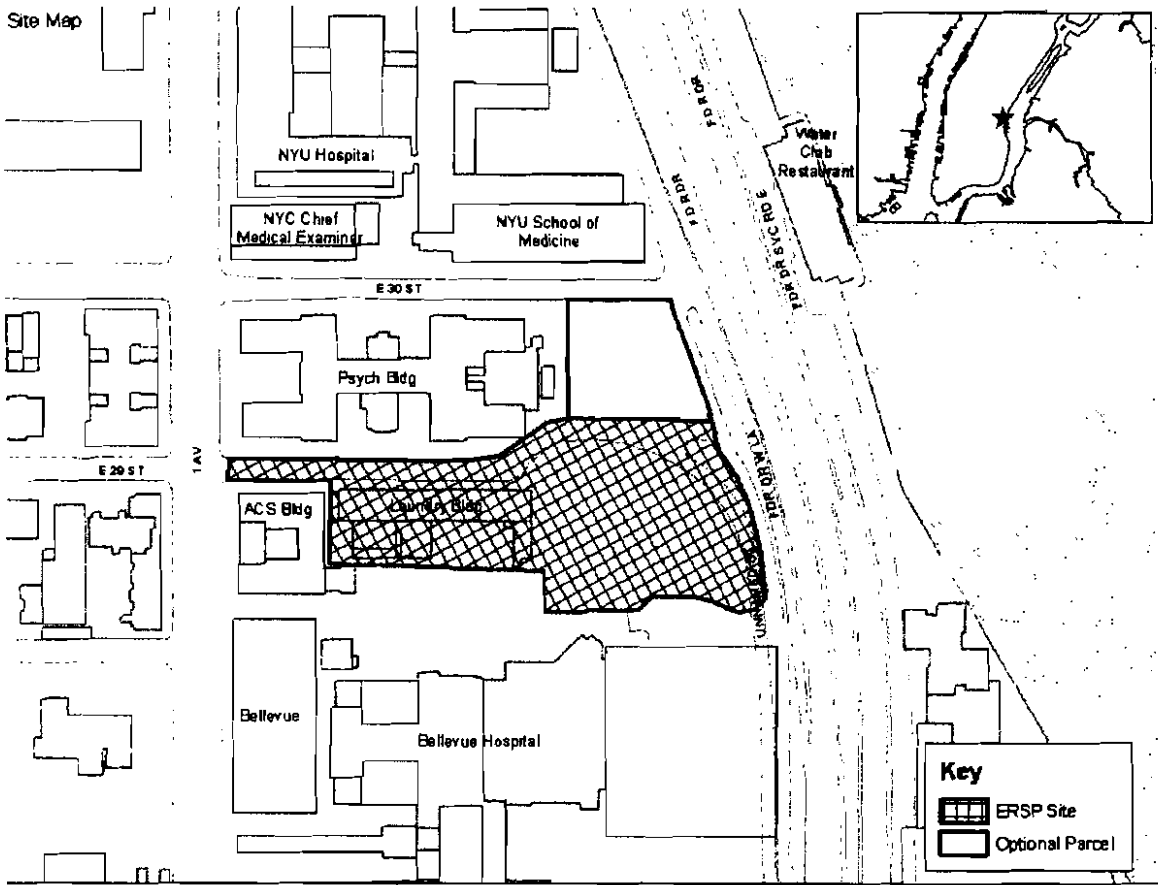
Attention: Paul Tamboia, Agency Chief Contracting Officer

XIV. FURTHER INFORMATION

For further information regarding the proposal requirements, please contact:

Yasmeen Ahmed Pattie, Senior Project Manager
NYC Economic Development Corporation
110 William Street, 5th Floor
New York, NY 10038
Telephone: (212) 312-4210
ypattie@nycedc.com

APPENDIX 1: SITE PLAN



APPENDIX 2: SUMMARY OF ALLOWABLE DEVELOPMENT ON PROJECT SITE

Uses allowed under restricted disposition

Disposition through NYCEDC with the following restrictions:

1. Use Groups 3 and 4, **university- and hospital-related uses**: Uses should relate to medical, biotech, chemical, or genetic research (for our purposes, "Life Science Uses"). All new development **must be built assuming tenancy by Life Science Uses**, with appropriate floor loads, slab heights, mechanical and plumbing, electrical, etc.
2. Use Groups 6A and 6C, convenience and art-related **retail**: **limited to no more than 5%** of the total new development floor area developed on the property
3. Use Group 6B, office: in Phase I (i.e. Laundry Building area) only, and only for a reasonable maximum period of time, provided that a determination is made that building cannot be fully occupied by a scientific research and development facility. Good faith efforts to tenant with these uses must be demonstrated.
4. Wet labs, vivaria, etc. (needing heavy HVAC, separate systems, odor control, acoustic isolation, security) only allowed as part of R&D facility as spelled out in special permit or if accessory to university, hospital, or community facility uses.

Uses allowed under special permit

Special permit is applicable to all parcels except Psych bldg.

1. Uses shall include a scientific R&D facility, **approximately 872,000 square feet** of floor area, in connection with the overall R&D facility proposed on the subject site.
2. The following Use Groups are **limited to no more than 45% of total new floor area** in Phase I (Laundry Building area), as well as in Phases I, II, and III combined (Campus):
 - a. 6B (**office**) in the field of **Life Science Uses**, and any office accessory to Life Science Use labs;
 - b. 9A - **medical labs** for research or testing;
 - c. 11A - custom **manufacturing of medical instruments** and appliances;
 - d. 11B - wholesale establishments related to Life Science Uses;
3. Use Groups 3 (**university** facilities and related uses) and 4 (non-profit **hospital-related** facilities) are **not limited**.
4. **No market residential uses** to be located anywhere on a zoning lot containing R&D facility. If market residential were built, site would have to be reparceled and the special permit would have to be amended.

APPENDIX 3: FEE SCHEDULES

Except as specifically provided in this section, every application for a map change, landfill permit, special permit, zoning authorization or certification, revocable consent for sidewalk cafe, or cable television franchise or for a modification or renewal thereof, made on or after November 7, 2002, shall include a non-returnable fee which shall be paid by check or money order made out to the New York City Department of City Planning. The fee of an initial application, or for a modification thereof, shall be as prescribed in the following Schedule of Charges, provided that if an applicant simultaneously submits applications for several actions relating to the same project, the maximum fee imposed shall be two hundred percent of the single highest fee. The fee for a modification, which is subject to § 197-c of the New York City Charter, shall be the same as the fee for an initial application. The fee for renewal shall be one-half of the amount prescribed in the schedule for an initial application.

No fee shall be charged for an application to eliminate a paper street from the property of an owner-occupied, one- or two-family residence. Agencies of the federal, state or city governments shall not be required to pay fees nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of the earnings which inures to the benefit of any private shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes.

In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portions thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding to such Director's jurisdiction, certifies that the property affected, or such portions, thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionally reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee. Fees shall be paid when the application is filed, and the Department shall process no application until the fee has been paid.

DESCRIPTION AND SCHEDULE OF FEES FOR CEQR APPLICATIONS

(Official Compilation of the Rules of the City of New York, Title 62, Chapter 3. Subchapter A, §§ 3-01, 3-02)

Subchapter A

City Environmental Quality Review (CEQR) (Department of City Planning and Department of Environmental Protection)

§3-01 Fee for CEQR Applications.

Except as specifically provided in this section, every application made pursuant to Executive Order 91 (August 24, 1977) and Chapter 5 of these rules, on or after August 1, 1995, shall include a non-refundable fee which shall be submitted to the lead agency for the action or to an agency that could be the lead agency pursuant to §5-03 of the rules of the Commission, and shall be in the form of a check or money order made out to the "City of New York."

The fee for an application shall be as prescribed in the following Schedule of Charges, §3-02 of these rules. The fee for modification for an action, which modification is not subject to §197-c of the New York City Charter, shall be twenty percent of the amount prescribed in the Schedule of Charges for an initial application. The fee for any modification for an action, which modification is subject to § 197-c of the New York City Charter, shall be the amount set forth in the Schedule of Charges (§3-02) as if the Modification were an initial application for the action. Where the fee for an application is set pursuant to §3-02(a) and the square footage of the proposed modification is different from the square footage of the original action, the fee for an application for the modification shall be based upon the square footage of the modified action or as set forth in §3-02(b), as determined by the lead agency.

Agencies of the federal, state or city governments shall not be required to pay fees, nor shall any fees be charged if the owner of the building or property affected is a corporation or association organized and operated exclusively for religious, charitable, or educational purposes, or for one or more such purposes, no part of the earnings of which inures to the benefit of any private shareholder or individual, and provided that the property affected is to be used exclusively by such corporation or association for one or more of such purposes. In addition, for applications made on or after July 1, 1987, no fees shall be charged for the project, or such portion thereof, if the Director of the Mayor's Office of Housing Coordination, or any individual succeeding such director's jurisdiction, certifies that the property affected, or such portion thereof, is to be used for the construction of housing affordable to low, moderate or middle income households. A fee abatement for a portion of such project shall be calculated upon the percentage of the square footage allocated to the affordable housing and shall proportionately reduce the standard fee attributable to the square footage of the entire project, including such affordable housing portion. In no event shall the portion allocated to the affordable housing part of a project be used to decrease the total project square footage so as to place the project into a lower fee category.

Fees shall be paid when the application is filed, and these fees may not be combined in one check or money order with fees required pursuant to other land use applications submitted to the Department of City Planning or the City Planning Commission. No application shall be processed by the lead agency until the fee has been paid and twenty-five copies of the application have been filed with the lead agency.

§3-02 Schedule of Charges**Effective Date 11/7/02****I. Projects measurable in square feet (square footage of total project).**

| <u>Square Footage of Total Project</u> | <u>Fee</u> |
|--|------------|
| Less than 10,000 sq. ft..... | \$370 |
| 10,000 -19,999 sq. ft | \$1,090 |
| 20,000 -39,999 sq. ft..... | \$2,365 |
| 40,000 -59,999 sq. ft..... | \$4,400 |
| 60,000 -79,999 sq. ft..... | \$6,600 |
| 80,000 -99,999 sq. ft..... | \$11,000 |
| 100,000 -149,999 sq. ft..... | \$22,000 |
| 150,000 -199,000 sq. ft..... | \$38,500 |
| 200,000 -299,000 sq. ft..... | \$57,500 |
| 300,000 -499,000 sq. ft..... | \$103,000 |
| 500,000 -1,000,000 sq. ft..... | \$155,250 |
| Over 1,000,000 sq. ft..... | \$253,000 |

II. Projects not measurable in square feet.

| | |
|--|---------|
| Ex: Bus Franchises, Renewals of Special Permits..... | \$1,515 |
| Type II Actions..... | \$75 |

III. Modifications

The fee for modification for an action, which modification is not subject to Section 197-c of the New York City Charter, shall be 20% of the amount prescribed in the Schedule of Charges for an initial application. The fee for any modification for an action, which modification is subject to Section 197-c of the New York City Charter, shall be set forth in the Schedule of Charges as if the modification were an initial application for the action. Where the fee for an application is set pursuant to the Schedule of Charges for projects measurable by square footage, and the square footage of the proposed modification is different from the square footage of the original action, the fee for the application for the modification shall be based upon the square footage of the modified action, or the schedule of charges for projects not measurable by square footage, as determined by the lead agency.

Source: NYC Planning Department

NYCEDC ADMINISTRATIVE FEES

| Purchase Price/ PV of Lease Payments | Fee amount |
|---|---|
| Less than \$200,000..... | \$ 5,000 |
| \$200,001-\$500,000..... | \$20,000 |
| \$500,001-\$1,000,000..... | \$40,000 |
| \$1,000,001-\$5,000,000 | \$50,000 |
| More than \$5,000,000 | 1% of Purchase Price/PV of Lease Payments |

The NYCEDC administrative fee is payable as follows: 50% at conditional designation and 50% at execution of a lease.

APPENDIX 4: JOB CREATION TABLE

| | Bioscience | Medical | Retail | Building operations | Maintenance | Construction Jobs (Full Time Equivalents) |
|--|------------|---------|--------|---------------------|-------------|---|
| Number and Type of Jobs* to be Created (e.g., bioscience, medical, retail, building operations, maintenance, etc.) | | | | | | |
| Average Annual Salary for Each Type of Job to be Created | | | | | | |
| Number and Type of Jobs to be Retained (Full Time Equivalents) | | | | | | |
| Proposed Construction Start Date | | | | | | |
| Construction Period | | | | | | |

*Job types listed above are only examples.

APPENDIX 5: STATEMENT OF AGREEMENT *SAMPLE*

(on company letterhead)

Date:

NYCEDC

Attn: Paul Tamboia, Agency Chief Contracting Officer

110 William Street, 6th Floor

New York, NY 10038

Dear Mr. Tamboia:

This letter hereby certifies that [respondent's name] has read this RFP and the Appendices fully and agrees to the terms and conditions set forth in this RFP and in the Appendices.

Sincerely,

Respondent name

Respondent title *[must be authorized principal or officer of the respondent]*

APPENDIX 7: CONDITIONS, TERMS, AND LIMITATIONS

In addition to those stated elsewhere, this letter requesting proposals and any transaction resulting from such proposals are subject to the conditions, terms and limitations stated below:

- A. The Site and Option Parcel are to be disposed of in “as is” condition and is to be conveyed subject to all applicable title matters.
- B. The City and NYCEDC, and their respective officers, employees, and agents, make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this letter, the physical condition of the Campus, the status of title thereto, its suitability for any specific use, the absence of hazardous waste, or any other matter. All due diligence is the responsibility of the respondent and respondents are urged to satisfy themselves with respect to the physical condition of the Campus, the information contained herein, and all limitations or other arrangements affecting the Campus. NYCEDC will make available for review, to any respondent so requesting, public information in NYCEDC’s files relevant to the disposition of the Campus including, for example, applicable Urban Renewal Plans, environmental reports and existing public approvals. To arrange for the review of such information at NYCEDC’s offices, please contact the person identified in the attached letter requesting proposals. Neither NYCEDC nor the City will be responsible for any injury or damage arising out of or occurring during any visit to the Campus.
- C. The proposed development shall conform to, and be subject to, the provisions of the New York City Zoning Resolution, all other applicable laws, regulations, and ordinances of all Federal, State and City authorities having jurisdiction, and 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 not already completed), successful completion of the City Environmental Quality Review (“CEQR”), approval by the applicable Community Board, compliance with Section 384(b)(4) of the New York City Charter, and approval by NYCEDC’s Board of Directors. ULURP and CEQR compliance shall be solely at the expense of the developer. NYCEDC will cooperate with the designated developer in obtaining necessary approvals.
- D. A proposer submitting a proposal in response to this RFP may be rejected if it or, if the proposer is a business entity, any of its principal shareholders, principals, partners or members, or if any of the members of the proposer’s development team, is determined, in 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 or otherwise to be a “prohibited person” as defined by the City. Proposer 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 NYCEDC’s sole discretion in the event any derogatory information is revealed by such investigation.

- E. Neither NYCEDC nor the City is obligated to pay and shall not pay any costs incurred by any respondent at any time unless NYCEDC or the City has expressly agreed to do so in writing.
- F. 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 proposed developer of the premises. It shall be a condition to the designation of a developer of the Project that the developer agrees to pay any commission or other compensation due to any broker in connection with the development of the premises, and to indemnify and hold harmless NYCEDC and the City from any obligation, 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 premises. NYCEDC warrants and represents that it has not retained any broker in connection with the proposed development of the Campus.
- G. *Only responses from principals, with proven track records in the successful development of bioscience projects, will be considered;* Section IX in the RFP lists selection criteria and developer qualification requirements. Individuals in representative, agency, or consultant status may submit proposals only at the direction of identified principals, where the principals are solely responsible for paying for such services.
- H. This is a letter requesting proposals, not a Request for Bids. NYCEDC shall be the sole judge of each response's conformance with the requirements of this RFP and of the merits of the individual proposals. NYCEDC reserves the right to waive any conditions or modify any provision of this RFP with respect to one or more applicants, to require supplemental statements and information from any respondents, to establish additional terms and conditions, to encourage applicants to work together, or to reject any or all responses, if in its 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 and/or the Option Parcel 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 shall be the sole judge of the acceptability of the proposals. NYCEDC will enforce the submission deadline stated in the RFP. The timing of the conditional selection may differ depending upon the degree to which further information or individual proposals must be obtained or due to other factors that NYCEDC may consider pertinent. All proposals become the property of NYCEDC.
- I. All terms in this RFP related to the permitted use and bulk of the Campus shall be as defined in the Special Permits, 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.
- J. Except as specifically provided herein, the developer will pay all applicable taxes payable with respect to the project, including transfer and mortgage recording taxes. Developer will be required to pay the New York City Real Property Transfer Tax, notwithstanding

any exemption from sale on account of the City's or NYCEDC's involvement in the transaction.

- K. This transaction will be structured as a "net" deal to NYCEDC, with the developer 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.
- L. NYCEDC is dedicated to furthering the participation of minority and women-owned businesses in its work. 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.
- M. 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.
- N. In furtherance of NYCEDC's mission of economic development, the disposition of the Campus will be subject to NYCEDC's standard provisions for similar transactions. The lease conveying the Campus to the selected developer shall contain redevelopment obligations as well as restrictions on the use and transfer of the Campus. Failure to comply with these obligations and restrictions will result in a right by NYCEDC to re-enter and re-acquire the Campus for no consideration.
- O. The developer will be required to deliver evidence to NYCEDC of the creation of employment opportunities at the Site and at the Option Parcel for up to eight (8) years after each respective parcel's lease commencement. The developer must also agree in good faith to consider any proposals made by the City or City-related entities with regard to jobs developer is seeking to fill and provide the City with the opportunity to make job referrals and create a training program for City residents. Developer will be required to cause commercial tenants to agree to these provisions at the time it enters into leases with such tenants.

APPENDIX 8: FINANCIAL SUMMARY SPREADSHEET

Please fill out the following table, providing a breakdown of the cost of the proposed development and identifying the intended financing sources:

| USES | Cost per SF | % of Total Cost | Total Cost |
|---|-------------|-----------------|----------------------|
| Property Acquisition (purchase price offer from above) | \$ | | \$ |
| Foundation | \$ | | \$ |
| Site Work | \$ | | \$ |
| Building Construction | \$ | | \$ |
| Parking and Loading | \$ | | \$ |
| Landscaping | \$ | | \$ |
| Other | \$ | | \$ |
| Other | \$ | | \$ |
| Construction Contingency (10%+ of Hard Costs) | \$ | | \$ |
| Architectural Fee | \$ | | \$ |
| Engineering Fee | \$ | | \$ |
| Developer or Construction Manager Fee | \$ | | \$ |
| Legal and Accounting Fees | \$ | | \$ |
| Financing Costs | \$ | | \$ |
| Other | \$ | | \$ |
| Other | \$ | | \$ |
| TOTAL USES | \$ | | \$ |
| SOURCES | | | |
| Bank Loan/Mortgage <i>Reminder: Please submit letter of financing commitment with the Questionnaire.</i> | | | \$ Rate: Term: |
| Equity | | | \$ |
| Other | | | \$ |
| Other | | | \$ |
| TOTAL SOURCES | | | \$ |

APPENDIX 9: INTERNAL BACKGROUND QUESTIONNAIRE FORM



Internal Background Investigation Questionnaire

THIS FORM IS FOR:

Contracts under \$100,000,
Land Sales, Leases, Licenses, Permits,
NYCIDA Projects and any Discretionary Reviews

New York City Economic Development Corporation • New York City Industrial Development Agency • Apple Industrial Development Corp.
110 William Street, New York, NY 10038

70211099

INSTRUCTIONS FOR COMPLETING NYCEDC INTERNAL BACKGROUND INVESTIGATION QUESTIONNAIRE

1. Please submit, with this Questionnaire, the organizational documents for the submitting business entity.
2. For purposes of completing this Questionnaire, the following defined terms shall have the meanings given to them below (unless provided otherwise with respect to specific questions in the Questionnaire):

"Affiliate" – A Person is "affiliated with" or an "affiliate" of another Person if the Person controls, is controlled by or is under common control with that other Person.

"Applicant" – The submitting business entity.

"Control" – A Person controls another Person if the Person (i) owns ten percent (10%) or more of the voting interest or has a ten percent (10%) or greater ownership interest in that other Person or (ii) directs or has the right to direct the management or operations of that other Person or (iii) is a member of that other Person's Board of Directors".

"Executive Officer" – Any individual who serves as chief executive officer, chief financial officer, or chief operating officer of the Applicant, by whatever titles known, and all other executive officers of Applicant.

"Family Member" – With respect to a particular Person, includes spouse, children, grandchildren, parents, parents-in-law, brothers, sisters, brothers-in-law, sisters-in-law, and all family members living in the same household as such Person (except if such Individuals are minors).

"Person" – Any individual, corporation, partnership, joint venture, sole proprietorship, limited liability company, trust or other entity.

"Principal" – each of the following Persons is a Principal of the Applicant and must be identified in Section B, Part I on page 2 of the Questionnaire.

- **Executive Officers**
- **Persons that "Control" the Applicant**
- **For Limited Liability Companies, ALL members**
- **For Partnerships, ALL general partners and ALL partners performing on the contract or able to bind the Partnership**

***For a not-for-profit corporation, ONLY the Chairperson of the Board of Directors and any director who is also an employee of Applicant needs to be considered for purposes of determining "Control" under this clause (iii).**

The following questionnaire is to be completed by Persons desiring to do business with the New York City Economic Development Corporation or the New York City Industrial Development Agency or Apple Industrial Development Corp.

This form may be duplicated for additional space. PLEASE COMPLETE THIS QUESTIONNAIRE CAREFULLY AND COMPLETELY.

Refer to attached instruction sheet for specific instructions and definitions of terms required to complete this Questionnaire.

BUSINESS NAME: _____ EIN/SSN: _____

BUSINESS ADDRESS: _____ City _____ State _____ Zip Code _____

BUSINESS TELEPHONE: _____ TYPE OF ENTITY: _____

BUSINESS FAX: _____ BUSINESS E-MAIL: _____

SECTION B

I. PRINCIPALS OF APPLICANT

| PRINCIPAL NAME | TITLE | HOME ADDRESS | PERCENTAGE OF VOTING INTEREST | PERCENTAGE OF OWNERSHIP | DATE OF BIRTH | SOCIAL SECURITY NUMBER/EMPLOYER IDENTIFICATION NUMBER |
|----------------|-------|--------------|-------------------------------------|-------------------------------|------------------|---|
| (1) | | | % | % | | |
| (2) | | | % | % | | |
| (3) | | | % | % | | |
| (4) | | | % | % | | |
| (5) | | | % | % | | |

II. FAMILY MEMBERS OF EACH INDIVIDUAL PRINCIPAL

Note: Only the following Family Members need to be identified in this Section B. Part II:

- **Spouse**
- **Family Members who are employed by, are officers of or have a less than 10% voting or ownership interest in the Applicant**
- **Family Members who are directly or indirectly providing services and/or supplies with respect to the subject project (e.g. consultants, subcontractors, suppliers or an employee thereof)**

| PRINCIPAL NAME | IMMEDIATE FAMILY MEMBER | RELATIONSHIP TO PRINCIPAL | HOME ADDRESS |
|----------------|-------------------------|---------------------------|--------------|
| (1) | | | |
| (2) | | | |
| (3) | | | |
| (4) | | | |
| (5) | | | |

SECTION B (Continued)

PROVIDE A DETAILED RESPONSE TO ALL QUESTIONS CHECKED "YES" ON THE FOLLOWING PAGE

NO YES

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Does the Applicant or any Principal have any Affiliates? If yes, please identify the Affiliates, with SSN/EIN and respective addresses, and describe the nature of the affiliation, on the following page. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. In the past 7 years, has the Applicant, any Principal, or any entity affiliated with the Applicant (each of the foregoing individually, a "Subject Person" and collectively, the "Subject Persons") been adjudicated bankrupt or placed in receivership, filed bankruptcy, or is any Subject Person currently the subject of any bankruptcy or similar proceedings? If yes, please explain on the following page. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. In the past 5 years, has any Subject Person been a plaintiff or defendant in any civil proceeding (including any court and federal, state and local regulatory agency proceedings) other than a domestic relations proceeding (e.g., divorce, separation, support, alimony, maintenance, adoption, custody)? If yes, please identify all adjudicated, settled and pending lawsuits on the following page. |
| | | 4. In the past 5 years, has any Subject Person or any Family Member identified in Section B. Part II (a "Subject Family Member"): |
| <input type="checkbox"/> | <input type="checkbox"/> | • been disqualified as a bidder, or defaulted or terminated, on a permit, license, concession, franchise, lease, or other agreement with the City of New York or any governmental agency? If yes, please explain on the following page. |
| <input type="checkbox"/> | <input type="checkbox"/> | • failed to file any required tax returns or to pay any applicable federal, state, or New York City taxes or other assessed New York City charges or fines, including but not limited to water and sewer charges and administrative fees? If yes, please explain on the following page. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. In the past 10 years, has any Subject Person or any Subject Family Member used an EIN, SSN, name, trade name, or abbreviation other than the name or number provided in response to Section A or Section B, Part I or II of this Questionnaire or provided in response to question 1 above, as the case may be? If yes, please specify on the following page. |
| | | 6. In the past 5 years, has any Subject Person, any Subject Family Member, any Affiliate of any Subject Family Member or any managerial employee of Applicant: |
| <input type="checkbox"/> | <input type="checkbox"/> | • been the subject of any criminal investigation and/or civil anti-trust investigation (by any federal, state or local prosecuting or investigative agency) and/or investigation by any governmental agency (including, but not limited to federal, state and local regulatory agencies)? If yes, please explain on the following page. |
| <input type="checkbox"/> | <input type="checkbox"/> | • had any judgment, injunction or sanction obtained against it in any judicial or administrative action or proceeding other than a domestic relations proceeding or motor vehicle proceeding? If yes, please explain on the following page. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. In the past 10 years, has any Subject Person, any Subject Family Member, any Affiliate of any Subject Family Member or any managerial employee of Applicant been convicted, after trial or by plea, of any criminal offense and/or are there any felony or misdemeanor charges pending against any of them? If yes, please explain on the following page. |

**INDICATE
QUESTION #**

[illegible]

Section C – IDENTIFICATION OF PROPERTY INTERESTS**1. Identify Project Property:**

Block & Lot(s): _____

Street Address: _____

Borough of _____

- 2. The following, together with attachment(s) hereto, if any, is a complete list of properties in which any of the Subject Persons or any of the Subject Family Members have an ownership interest and which are located in the City of New York, together with a statement as to each such property of any current arrears in real estate taxes, sewer rents, sewer surcharges, water charges or assessments due and owing to the City of New York.**

PROPERTY OWNED IN THE CITY OF NEW YORK

| PROPERTY OWNER | BOROUGH | BLOCK/LOT | STREET ADDRESS | DATE OF PURCHASE | AMOUNT OF ARREARS | TYPE OF ARREARS |
|----------------|---------|-----------|----------------|------------------|-------------------|-----------------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

SECTION C (Continued)

PROVIDE A DETAILED RESPONSE TO ALL QUESTIONS CHECKED "YES" ON THE FOLLOWING PAGE

NO YES

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 3. In the past 5 years, has any Subject Person or any Subject Family Member, been a former owner of the Project Property? |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Is any Subject Person or any Subject Family Member a tenant of the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Account Number, Monthly Rent, and Current Balance. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Has any Subject Person or any Subject Family Member previously purchased property from the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Sale Date, Parcel Number, and Closing Date. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Does any Subject Person or any Subject Family Member have a mortgage with the City of New York? If yes, please list below; Agency, Borough, Block, Lot, Account Number, Principal Amount, Monthly Installment, and Current Balance. |

Section C (Continued)

**INDICATE
QUESTION #**

**BELOW PROVIDE A DETAILED EXPLANATION TO ALL QUESTIONS CHECKED "YES". IF YOU NEED MORE SPACE,
PHOTOCOPY THIS PAGE AND ATTACH IT TO THIS QUESTIONNAIRE.**

CERTIFICATION

A FALSE STATEMENT WILLFULLY OR FRAUDULENTLY MADE OR ANY FALSE INFORMATION WILLFULLY OR FRAUDULENTLY SUBMITTED IN CONNECTION WITH THIS QUESTIONNAIRE MAY RESULT IN RENDERING THE APPLICANT NOT RESPONSIBLE WITH RESPECT TO THE PRESENT PROJECT OR FUTURE PROJECTS INVOLVING THE NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION, THE NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, APPLE INDUSTRIAL DEVELOPMENT CORP. AND THE CITY OF NEW YORK AND, IN ADDITION, MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state that I have read and understand the items contained in the foregoing 8 pages of this questionnaire and ___ pages of attachments, if any, and that, having made due inquiry, I supplied full, complete, and truthful answers to each item therein to the best of my knowledge, information and belief; that I will notify the New York City Economic Development Corporation, the New York City Industrial Development Agency, or Apple Industrial Development Corp., as the case may be, in writing of any change in circumstance occurring after the submission of this Questionnaire and before (i) the execution of any contract or agreement with any of them and/or the City of New York and (ii) in the case of an agreement to purchase or enter into a ground lease for real property and/or a financing through or straight lease or retention transaction with the New York City Industrial Development Agency, the closing of the transaction; and that all information supplied by me is true to the best of my knowledge, information and belief. I understand that the New York City Economic Development Corporation, the New York City Industrial Development Agency, or Apple Industrial Development Corp., as the case may be, will rely on the information supplied by me in this Questionnaire as an inducement to enter into a contract or agreement and to close a transaction with the Applicant.

Sworn to me

This _____ Day of _____ 200_____

Name of Applicant

Notary Public

By: _____
Signature of Authorized Person

Print Name and Title of Authorized Person

Date

APPENDIX 10: ECONOMIC DEVELOPMENT BENEFITS

NYS Qualified Emerging Technology Company Employment Credit

- Must involve business in “emerging technology” as defined in section 3102-e of the Public Authorities Law
- Company must have R&D activities in New York State and ratio of all R&D costs to net sales above the average for companies surveyed by the National Science Foundation (NSF)
- Must involve business with annual sales under \$10 million that is certified by NYS
- Credit equals up to \$1,000 per new full-time equivalent employee (FTE) per year for three years
 - NOTE: Credit may be taken in a year only if number of FTEs in New York State for that year is greater than the base number of FTEs (average number of FTEs in NYS in the 3-year period prior to the year the benefit is first taken).
- Carryforward of unused credit amounts is generally unlimited, and the credit is refundable to certain qualified businesses

For More Information:

NYS Department of Taxation and Finance
Business Tax Information Center
W A Harriman Campus
Albany, NY 12227
Phone: (800) 972-1233
Website: http://www.tax.state.ny.us/pit/income_tax_2003/credits/qetc_tax_cr.htm

NYS Qualified Emerging Technology Company Capital Tax Credit

- Must involve equity investment in a business in “emerging technology” as defined in section 3102-e of the Public Authorities Law
- Company must have R&D activities in New York State and ratio of all R&D costs to net sales above the average for companies surveyed by the National Science Foundation (NSF)
- Must involve equity investment business with annual sales under \$10 million that is certified by NYS
- Tax credit against NYS business franchise and personal income taxes equal to 10% of the aggregate value of all such equity investments made in each year provided that taxpayer certifies that such investments will be held for 4+ years (20% if taxpayer certifies that investment will be held for 9+ years)
 - NOTE: No credit may be taken with respect to any qualified business in which an investor, together with its affiliates, held a 10%+ stake prior to the investment for which credit is being sought
- Maximum credits equal \$150,000/taxpayer in respect of all qualified investments over life of QETC program (\$300,000/taxpayer if taxpayer certifies that investment will be held for 9 years)
- Non-refundable, but unlimited carry-forward
- Repayment of the credit is required when an investor disposes of his/her investment within certain time periods

For More Information:

NYS Department of Taxation and Finance
Business Tax Information Center
W A Harriman Campus
Albany, NY 12227
Phone: (800) 972-1233
Website: http://www.tax.state.ny.us/pit/income_tax_2003/credits/qetc_tax_cr.htm

NYS R&D Investment Tax Credit

- Tax credit against NYS business franchise and personal income taxes for acquisitions of tangible property sited in NYC (including buildings and structural components and other tangible property with a useful life of 4+ years) that is principally used as R&D property
- One-time credit equal to 9% of tax basis in investments (or 7% of tax basis in investments for individuals, estates and trusts) in year 1
- Additional credit may be taken in years 2 through 4 after the investment (equal to 1 ½% of tax basis/yr. if employment in NYS is 1% higher in such years, 2%/yr. if employment is 2% higher in such years, and 2 ½%/yr. if employment is 3% higher in such years)
- Up to 100% of unused year 1 credit (and, in the case of an S corporation, year 2 through 4 credits) refundable if business is new to NYS
- 10 year carry-forward of unused credits for S corporations, 15 year carry-forward for C corporations

For More Information:

Empire State Development Corporation

George LaPointe

Phone: (518) 292-5300 or 1-800-STATE-NY (1-800 782-8369)

Email: glapointe@empire.state.ny.us

Website: http://www.nylovesbiz.com/Tax_and_Financial_Incentives/Taxes_and_Incentives/default.asp

NYS Department of Taxation and Finance

Business Tax Information Center

W A Harriman Campus

Albany, NY 12227

Phone: (800) 972-1233

NYS Small Business Technology Investment Fund

- Available throughout NYC (concentration on areas of NYC typically underserved by venture capital)
- Must involve start-up business with well-protected intellectual property in high technology (including software, biotechnology, electronics, optics, telecommunications and material sciences)
- Discretionary venture capital funds typically invested as preferred or common stock (or, occasionally, convertible debt)
- Investment requires payment of 1% commitment fee and 1% closing fee
- Investment profile:
 - Must be matched 3:1 with private sector VC funds, other private funds, federal funds or other non-NYS public funds
 - Usually will not represent over 10% stake in business
 - Usually ranges from \$50,000 to \$500,000

For More Information:

Empire State Development Corporation

Small Business Technology Investment Fund

(800) STATE-NY (or 782-8369)

E-mail: sbtif@empire.state.ny.us

Website: http://www.nylovesbiz.com/High_Tech_Rcsearch_and_Development/investment_fund.asp

APPENDIX 11: GREEN BUILDING INFORMATION

Background Information for High Performance Plan

Please refer to the following list of Internet resource sites to facilitate with high performance/green building research. In addition, please refer to Leadership in Energy and Environmental Design (LEED) and the New York State Green Building Tax Credit guidelines.

Associations and Guidelines

- US Green Building Council www.usgbc.org
- American Institute of Architects Committee on the Environment (COTE)
<http://www.aia.org/pia/cote/topten/>
- Brooklyn Center for the Urban Environment www.bcue.org

Government Initiatives & Guidelines

To receive a copy of the High Performance Building Guidelines, prepared by the New York City Department of Design and Construction, visit: www.ci.nyc.ny.us/html/ddc/html/highperf.html

US EPA Energy Star Buildings Program www.energystar.gov

US Department of Energy – Energy Efficiency and Renewable Energy Network (EREN)
<http://www.sustainable.doe.gov>

Incentives and Funding Programs

New York State Energy Research and Development Authority (NYSERDA). Visit www.nyserda.org or contact Craig Kneeland (518) 862-1090, ext. 3311

NYSERDA:

- Assists with Financial Packaging
- Provides engineering feasibility reports with the FlexTech Program
- Offers Energy Efficiency Workshops

NYS Green Building Tax Incentive Program. Visit www.dec.state.ny.us or call 518-402-9469 for more information.

Application packages are available from the address below:

New York State Department of Environmental Conservation
625 Broadway, 12th floor
Albany, New York 12233-8010
Attention: Green Building Tax Credit Application



New York City
Economic Development
Corporation

110 William Street
New York, NY 10038
Tel: 212.312.3600
Fax: 212.312.3931
info@nycedc.com
www.nycedc.com

August 4, 2005

Joel S. Marcus, CEO
Alexandria Real Estate Equities, Inc.
385 East Colorado Boulevard, Suite 299
Pasadena, CA 91101

Re: Conditional Designation Letter regarding the Request for Proposals issued by New York City Economic Development Corporation and New York City Health and Hospitals Corporation on November 12, 2004 and the responses to such Request for Proposals by East Side Lucky, LLC and clarification correspondence issued with respect to the foregoing (collectively, the "RFP") for the proposed East River Science Park project (the "Project") located on an approximately 3.7-acre portion of Block 962, part of Lot 100 in the Borough of Manhattan, New York (the "Property") and an approximately one-acre portion of Block 962, part of Lot 100 in the Borough of Manhattan, New York north of the Property (the "Option Parcel") (collectively, the "Campus")

Dear Mr. Marcus:

New York City Economic Development Corporation ("NYCEDC"), on behalf of itself and the New York City Health and Hospitals Corporation ("HHC"), is pleased to advise Alexandria Real Estate Equities, Inc. ("ARE") that, subject to the conditions set forth below, ARE or an affiliate (either to be hereafter referred to as "Developer") is hereby conditionally designated until the Expiration Date (as hereinafter defined) to negotiate with NYCEDC and HHC a lease for the development and use of the Property (the "Lease") reflecting the terms and conditions described in the RFP and this letter.

Developer's proposed development of the Project includes two laboratory and related use buildings totaling 542,000 zoning square feet (the two buildings to be known as "Biotech III" and "Biotech I"), together with 520 parking spaces and 43,000 square feet of open space. All square footage and parking space numbers herein are deemed to be approximate.

The conditional designation granted pursuant to this letter (the "Conditional Designation" or "CDL") shall be for a term (the "Designation Term") commencing on the date hereof (the "Effective Date") and ending on a date (the "Expiration Date") which is the earliest of (i) one hundred eighty (180) days after the Effective Date, (ii) the date the Lease is fully executed by all parties, and (iii) such earlier date on which NYCEDC, HHC, or Developer elects to terminate this Conditional Designation in accordance with the terms hereof. NYCEDC and HHC agree that during the Designation Term they will negotiate the Lease exclusively with the Developer.

The parties will also negotiate a lease regarding the Option Parcel on an option basis, at a later date when the Option Parcel becomes available, for development of a 330,000-zoning square foot laboratory and related office building ("Biotech II"), no less than 3,600 square feet of publicly accessible open space, and an additional 200 parking spaces.

This Conditional Designation is made subject to Developer's acceptance of and agreement to the following terms and conditions:

1. The Developer shall be responsible for payment for the following fees and costs, *inter alia*, in connection with the Project. Such payments shall be non-refundable and shall not be credited against any amounts due under the Lease or any other amounts payable by Developer in connection with the Project:
 - a. Appraisal Fee (estimated at approximately \$20,000 - \$25,000 per the RFP plus any additional associated fees), due within ten (10) days after NYCEDC requests such payment from Developer
 - b. Any and all fees and costs associated with any review or approvals that may be required after the Effective Date under the (i) City's Uniform Land Use Review Procedure ("ULURP") (including any modifications to the existing ULURP approvals) and (ii) City Environmental Quality Review ("CEQR") or other environmental review (regardless of whether the Project is exempt from such fees or costs by reason of the City's, NYCEDC's, or HHC's involvement in this transaction) if applicable. Such fees and costs shall be due within ten (10) days after NYCEDC requests such payment from Developer; the CEQR fee is subject to change in the event the fee schedule set by the City Planning Commission of the City of New York is adjusted
 - c. Phase I Site Investigation fees and costs totaling \$3,800 due upon execution of this CDL
 - d. Administrative fee of \$250,000, of which 50% is due upon execution of this CDL and 50% is due at Lease execution.
2. Developer shall pay a conditional designation fee (the "CD Fee") in the amount of \$150,000 (payable in the form of wire transfer or certified check). Said CD Fee shall

be payable upon Developer's execution of this CDL and will be credited against the initial lease payments due following Lease execution. The CD Fee shall be refunded to Developer if this CDL terminates (whether by expiration of the Designation Term or if any of the parties elects to terminate this CDL in accordance with the terms hereof) without the parties having executed the Lease, so long as Developer has fulfilled the monetary responsibilities described in Paragraph 1 herein.

3. Within one hundred twenty (120) days after the Effective Date, the Developer shall provide NYCEDC with an updated detailed description of Project costs; scope of work; design of Project; and all sources, terms, and conditions of financing (to the extent available), including debt and equity. Any material changes in the Project (including but not limited to Developer's construction of Biotech III and Biotech I with fixed construction start dates and not subject to financing or leasing contingencies) shall be subject to the reasonable approval of NYCEDC and HHC.
4. Within thirty (30) days after the Effective Date, Developer, at its sole cost and expense, shall retain the services of an environmental consultant(s) to conduct a Phase II environmental analysis (the "Phase II") of the Property. The Phase II shall be conducted according to the recommendations set forth in the final environmental impact statement prepared by Allee King Rosen and Fleming dated November 2001 and the Phase I environmental site assessment prepared by Metcalf & Eddy, Inc. dated October 2004; both of which were included in the Site Information File (as defined in the RFP). Prior to entering into a contract with an environmental consultant(s), Developer shall submit to NYCEDC the name of the consultant(s), its qualifications, and the proposed scope of services for the Phase II analysis, which consultant(s) and scope shall be subject to NYCEDC's and HHC's reasonable approval. NYCEDC shall assist Developer in coordinating with HHC to obtain the necessary license(s) to enter upon the Property and any necessary permit(s) to conduct said tests provided that Developer notify NYCEDC of its intent to conduct such tests within thirty (30) days after the Effective Date. Developer shall complete all such tests and provide NYCEDC with copies of all results within ninety (90) days after the Effective Date. In the event the nature of the investigation demonstrates the need for further analysis or investigation, Developer will notify NYCEDC of the need for said further analysis or investigation prior to continuing, and in any event, within thirty (30) days of the completion of the initial investigation.
5. During the Designation Term, Developer will be expected to complete its due diligence, including ordering a title report and survey from a reputable title insurance or abstract company and a survey engineering firm respectively, including a metes and bounds description pursuant to all applicable laws, rules and regulations. These due diligence items must be prepared at the sole cost and expense of the Developer. Copies of all work products shall be delivered to NYCEDC and HHC within ninety (90) days after the Effective Date; such copies shall become property of NYCEDC and HHC upon submission.

6. During the Designation Term, Developer shall diligently pursue all approvals and determinations necessary to proceed with the Project under ULURP and CEQR and any other agency/governmental approvals that may be required, including but not limited to HHC's and/or NYCEDC's disposition process and any modifications to the Project's existing ULURP approvals.
7. If Developer desires to create a new entity to lease the Property and develop the Project subject to Paragraph 15 below, Developer shall promptly take such action as is required to form such affiliated entity, and at least four (4) weeks prior to execution of the Lease shall deliver to NYCEDC such newly created entity's organizational documents evidencing its formation including, but not limited to, a copy of an executed partnership agreement, if such new entity is a partnership, or an executed operating agreement, if such new entity is a limited liability company, setting forth each of the partners' or members' rights, responsibilities and obligations within such entity and which entity shall thereafter be deemed to be Developer hereunder.
8. NYCEDC will work in good faith with Developer to create structure that will allow parking and open space components of the Project to use tax-exempt financing. NYCEDC and HHC acknowledge that Developer has agreed to pay two million dollars (\$2,000,000) to HHC for the temporary replacement of parking spaces currently on the Property and will work with Developer to locate temporary replacements for these parking spaces. Developer agrees to finance construction of these components through conventional sources should tax-exempt financing not be available, without delay in construction of the Project and without delay in or reduction of ground lease payments to NYCEDC.
9. During the designation, Developer will designate a primary liaison to work with NYCEDC to attract subtenants to the Project. This liaison will work with NYCEDC on subtenant leads to provide a coordinated effort to tenant the Project. Developer will also make members of its management team available for meetings, panels, and presentations as appropriate to prospective subtenants and subtenant groups.
10. Subject to all required approvals, it is anticipated that the Lease will provide, among other terms and conditions, that the Project must follow the specifications in the approved Biotech Special Permit as defined in the RFP as well as the following provisions:
 - a. Rent, Other Payments: During each of (i) the year in which Developer breaks ground and begins excavation on the first building (which should occur within ninety (90) days after Lease execution) and (ii) the following year, Developer will pay \$667,000 to cover parking relocation costs and \$98,000 per building to cover parking project costs (these cost items to be further detailed in the Lease) for each year. During the year of initial tenant occupancy of the first building completed (which should occur within 30 months of groundbreaking per (i) above), Developer will pay \$667,000 to cover parking relocation, \$250,000 to cover the gateway competition, partial ground rent (equal to

\$2.70 per occupied rsf of building pro rata upon the earlier of initial occupancy or the scheduled completion date, to be determined) and PILOT (in the amount of actual land taxes but in any event no less than two dollars (\$2) per occupied rsf pro rata upon the earlier of initial occupancy or the scheduled completion date, to be determined) for the first building completed (subject to the provisions of Section 11 herein), and \$98,000 to cover parking project costs for the second building, but in no event shall the payment be less than \$1,281,000 for that year; provided, however, that the CD Fee shall be credited against the partial ground rent as set forth in Paragraph 2.

- b. **Project Stabilization Rent Date:** Subject to the provisions of Section 11 herein, upon the earlier of stabilization of the first building or the date which is twelve (12) months from the date of initial occupancy of the first building, Developer will pay full ground rent of no less than \$2.70 per rsf per year, PILOT in the amount of actual land taxes (in any event no less than two dollars (\$2) per rsf per year), a parking subsidy (no less than \$1,669,000 for the year), and partial ground rent (no less than \$520,000 for the year) and PILOT (no less than \$385,000 for the year) for the second building. Upon the earlier of stabilization of the second building or the date which is twelve (12) months from the date when full ground rent for the first building has commenced, Developer will pay for each building full ground rent of no less than \$2.70 per rsf per year and PILOT in the amount of actual land taxes (in any event no less than two dollars (\$2) per rsf per year), and an aggregate parking subsidy of no less than \$1,469,000 for the year. Escalations and other payment adjustments will be detailed in the Lease.
- c. **Subtenanting Limitations:** For all of the zoning square footage of the Project plus the Biotech II building (totaling 872,000 zoning square feet, the "Constructed Area"), the following shall apply:
 - i. A minimum of 55% of the Constructed Area must be occupied by for-profit, commercial bioscience companies. Companies that would not qualify as commercial bioscience companies include, but are not limited to venture capital firms, multi-institutional research organizations, conference centers, retail stores, or cafes.
 - ii. A maximum of 45% of the Constructed Area may be used by bioscience-related multi-institutional collaborations, independent research institutes, venture capital firms, conference centers, retail stores, and cafes. Within this 45% limit, a maximum of 10% of the Constructed Area in the aggregate may be occupied by single-institution academic tenants.
 - iii. Exemptions from the restrictions described in Paragraphs 10(a)(i) and 10(a)(ii) above may be granted on a case-by-case basis at the sole discretion of NYCEDC.
 - iv. Inpatient or outpatient clinical services may not be located within ERSF, with the possible exception of space for clinical trials; such exceptions will be may be granted on a case-by-case basis at the sole discretion of NYCEDC.

- d. Retail Component: Developer may provide a maximum of 43,600 zoning square feet of retail space on the Campus that is compatible with the subtenants of the Project and/or residents of the neighborhood, and must provide no less than 3,200 rentable square feet of street-level retail on East 29th Street east of First Avenue. Such retail tenants may include a physical fitness center, bank, restaurant(s) and café(s), dry cleaner, stationery/sundry store, and/or grocery store. Developer will submit a retail marketing plan to NYCEDC for approval not to be unreasonably withheld along with the Project updates per Paragraph 3 herein.
- e. Subtenant Liaison: During the construction and lease-up periods for each building, Developer will designate a primary liaison to work with NYCEDC to attract subtenants to the Project per the requirements in Paragraph 9 herein.
- f. Parking: When the Project is complete, Developer will provide (i) a minimum of 400 parking spaces for exclusive use by Bellevue Hospital Center ("Bellevue") staff and visitors at a per-space monthly rate acceptable to Bellevue but no more than \$220 in the first year, with an escalation to be detailed in the Lease; and (ii) Project-related needs as determined by the proposed development, to a total maximum of 720 spaces for the Campus per the Parking Special Permit as defined in the RFP. Developer agrees to negotiate financial and management arrangements with Bellevue for their use of these parking spaces.
- g. Community Outreach and Communication: During the construction period, Developer will employ a community liaison officer who will set up a program for communicating with local residents. During development and operations, Developer will periodically be available to answer questions that the local community may have (submitted through Community Board #6).
- h. Open Space Component: At the completion of Biotech III of the Project, the Developer will have created a minimum of 4,300 square feet of open space as required in the ULURP approvals. At the completion of Biotech I, the Developer will have created a minimum of 35,000 square feet of open space (including the open space related to Building 1) as required in the RFP. When the Campus is completely built out, Developer will have created a minimum of 46,600 square feet of open space as required in both the RFP and the ULURP approvals. All open space must be accessible to the public and should take advantage of the Property's proximity to the East River waterfront.
- i. LEED Certification: Developer, in recognition of the environmental sensitivity of the Property, shall utilize low impact development techniques and green building technologies when feasible as well as the highest standards of site design and construction. Developer's development on the Property must aim to achieve a LEED (Leadership in Energy and Environmental Design) Certification rating from the United States Green Building Council (USGBC).

- j. Bellevue Emergency Room Access: Developer will work with NYCEDC, HHC, Bellevue, and other appropriate entities on maintaining or improving vehicular access to Bellevue's emergency room. Within ten (10) days of request from NYCEDC, Developer will also fund a feasibility study, estimated to cost approximately \$75,000, conducted by a consultant retained by NYCEDC, to determine the feasibility and costs to reconstruct emergency vehicle access at former East 28th Street.
 - k. Utility lines and maintenance areas: Developer, at its own cost, must provide for any required rerouting of existing utility lines for the Campus and either relocating or providing space for facility maintenance and service areas on the Campus that currently serve Bellevue. Developer will work with Bellevue to understand and comply with the specific requirements for these lines and areas.
11. During the Designation Term, the parties will negotiate the Lease, which shall set forth the terms and conditions for the lease, development, and use of the Property. It is anticipated that the parties will have executed a term sheet within one hundred twenty (120) days after the Effective Date. The Lease will also include the terms and conditions under which Developer will have the option to negotiate a lease for the Option Parcel. The Lease term will not exceed 99 years.
12. Developer's offering base rent, as stated in Section 10(b) above, must be confirmed by appraisal, and the final base rent will be the higher of the offering rent and the rent indicated by the appraisal. The appraisal value will be determined by NYCEDC and HHC through an independent appraisal paid for by the Developer and shall be based on the updated Project proposal provided under Paragraph 3 herein. The appraisal scope shall be submitted to the appraiser no later than thirty (30) days following the submission by Developer of the updated Project proposal provided under Paragraph 3 herein.
13. Developer represents to the City, NYCEDC, and HHC that it has not dealt with any broker in connection with the lease of the Property. Developer shall forever defend, indemnify and hold harmless the City, NYCEDC, HHC, and their respective officials, officers, directors, members, principals, agents, representatives and employees, from and against any and all liabilities, claims, demands, penalties, fines, settlements, damages, costs, expenses and judgments arising from any claims for a commission or other similar compensation brought by any broker or brokerage firm or other firm or individual relating to the proposed or actual lease of the Property to Developer, arising in whole or in part from the actions or omissions of Developer or of any entity that is an affiliate of Developer or of the employees, officers, owners, directors, members, principals, representatives or agents of Developer or any entity that is an affiliate of Developer.
14. It is expressly agreed that this Conditional Designation does not create or give rise to any contractual or other legally enforceable rights, obligations or liabilities of any kind on the part of any party, other than for Developer, NYCEDC, and HHC to carry

out their express obligations set forth herein. This letter designates Developer as the exclusive party with whom NYCEDC and HHC will negotiate a potential lease of the Property during the Designation Term. Anything to the contrary herein notwithstanding, this letter does not in any manner obligate nor shall it be construed to obligate NYCEDC, HHC, or Developer to enter into any lease of the Property. Therefore, it is further agreed that this Conditional Designation may be terminated for any reason at any time by Developer, NYCEDC, or HHC upon written notice to the others at (x) the address of Developer set forth above or (y) the addresses of NYCEDC and HHC listed below:

Mr. Andrew Alper, President
New York City Economic Development Corporation
110 William Street
New York, NY 10038

Ms. LaRay Brown, Senior Vice President
New York City Health and Hospitals Corporation
125 Worth Street, Room 513
New York, NY 10013

15. Developer shall not assign this Conditional Designation to any person or entity without the prior written consent of NYCEDC and HHC, which consent may be granted or withheld by NYCEDC and HHC in their joint discretion.
16. This Conditional Designation or any Lease shall terminate upon notice from NYCEDC or HHC that Developer or any principal of Developer has been determined, in NYCEDC's or HHC's sole and absolute discretion, to be within a category of persons or entities with whom or which the City, NYCEDC, or HHC will not generally do business or otherwise to be a "prohibited person" as defined by the City. Developer 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.
17. Unless required by law, nothing in this CDL or any information related to this CDL or the Project shall be disclosed except by a public announcement, to be made jointly by Developer, the City, NYCEDC, and HHC on a mutually satisfactory date and in a mutually satisfactory form. Officials of the City, NYCEDC, and HHC shall have the right to participate in any press conferences or ceremonies that relate to the Project.
18. NYCEDC will reasonably work with Developer to pursue all governmental programs and incentives that may be available to any portion or aspect of the Project, including the Industrial and Commercial Incentive Program ("ICIP"), exemptions from mortgage recording and certain sales taxes, and discounted energy from Con Edison's Business Incentive Rate Program.

This CDL will terminate on the Expiration Date if the parties have failed to successfully negotiate and execute the Lease by such date; provided, however, that NYCEDC and HHC, in their joint and absolute discretion, may extend the Designation Term by one or more periods of a duration to be determined by NYCEDC and HHC in their joint and absolute discretion, provided that any such extension must be in writing.

Please sign below and return an executed original copy of this letter to Yasmeen Ahmed Pattle of NYCEDC, together with a check(s) for payment of the amounts required under Paragraphs 1 and 2 herein, within five (5) business days of the date hereof. By signing below, Developer agrees to accept this Conditional Designation and agrees to all the terms and provisions herein contained. If NYCEDC does not receive a fully executed copy of this CDL within five (5) business days of the date hereof, this Conditional Designation shall be null and void.

Very truly yours,

NEW YORK CITY ECONOMIC
DEVELOPMENT CORPORATION

By: Brian P. Murphy
Name: _____
Title: _____

ACCEPTED AND AGREED:

ALEXANDRIA REAL ESTATE EQUITIES, INC.

By: Joel S. Marcus
Name: Joel S. Marcus
Title: Chief Executive Officer and Founder



New York City
Economic Development
Corporation

110 William Street
New York, NY 10038
212.619.5000

www.nycedc.com

October 26, 2006

Deborah Patterson
Con Edison, Economic Development
4 Irving Place
New York, NY 10003

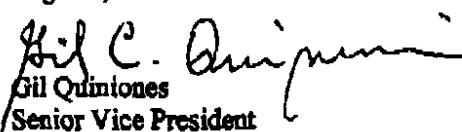
Dear Deb,

This letter confirms that the East River Science Park is a project under development with a comprehensive package of benefits from the New York City Economic Development Corporation (NYCEDC). The benefit package includes a PILOT schedule with an approximate value of \$251 million (NPV). The projected load for the project is 9 megawatts.

Please hold the 9 MW for this project from NYCEDC's Business Incentive Rate allocation. The application materials, energy survey, and confirmation of benefit package will be forwarded to Con Edison when tenant occupancy is expected in January of 2010.

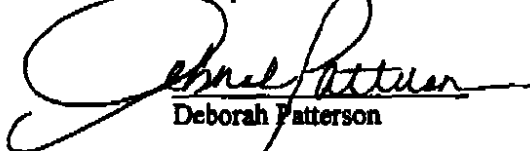
Please confirm your receipt of this letter and Con Edison's agreement by returning one signed copy to NYCEDC.

Regards,


Gil Quinones
Senior Vice President

AK: GQ

Accepted and Confirmed:


Deborah Patterson

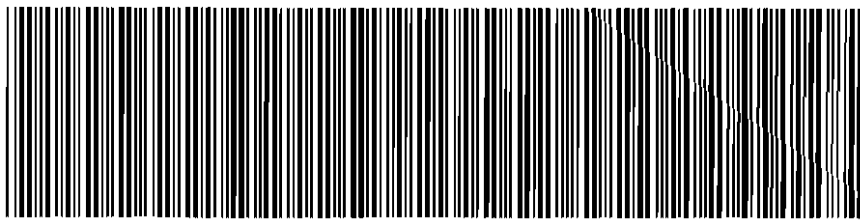
Date:

11/15/06

Cc: Peter Meloro (Con Edison)
Melissa Smith Konur (EDC)
Yasmeen Pattie (EDC)
Ross Moskowitz
Natale DiDonato

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



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RECORDING AND ENDORSEMENT COVER PAGE

PAGE 1 OF 16

Document ID: 2007011100101003

Document Date: 12-29-2006

Preparation Date: 01-11-2007

Document Type: MEMORANDUM OF LEASE

Document Page Count: 15

PRESENTER:

COMMONWEALTH/LAWYERS TITLE
2 GRAND CENTRAL TOWER
140 EAST 45TH STREET, 22ND FLOOR
NEW YORK, NY 10017
212-949-0100
NY051570M

RETURN TO:

STROOCK & STROOCK & LAVAN LLP
180 MAIDEN LANE
NEW YORK, NY 10038
ATTN: ROSS F. MOSKOWITZ, ESQ.

PROPERTY DATA

| Borough | Block | Lot | Unit | Address |
|--|-------|-----|------------|----------------------|
| MANHATTAN | 962 | 99 | Entire Lot | 400 EAST 30TH STREET |
| Property Type: COMMERCIAL REAL ESTATE | | | | |

CROSS REFERENCE DATA

CRFN _____ or Document ID _____ or _____ Year _____ Reel _____ Page _____ or File Number _____

PARTIES

LESSOR:

NEW YORK CITY HEALTH AND HOSPITALS
CORPORATION
125 WORTH STREET
NEW YORK, NY 10013

LESSEE:

ARE-EAST RIVER SCIENCE PARK, LLC
385 EAST COLORADO BOULEVARD, SUITE 299
PASADENA, CA 91101

FEES AND TAXES

Mortgage

Mortgage Amount: \$ 0.00

Taxable Mortgage Amount: \$ 0.00

Exemption:

TAXES: County (Basic): \$ 0.00

City (Additional): \$ 0.00

Spec (Additional): \$ 0.00

TASF: \$ 0.00

MTA: \$ 0.00

NYCTA: \$ 0.00

Additional MRT: \$ 0.00

TOTAL: \$ 0.00

Recording Fee: \$ EXEMPT

Affidavit Fee: \$ 0.00

Filing Fee:

\$ 50.00

NYC Real Property Transfer Tax:

\$ 0.00

NYS Real Estate Transfer Tax:

\$ 112,000.00



**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE
CITY OF NEW YORK**

Recorded/Filed 01-24-2007 11:29

City Register File No.(CRFN):

2007000043832

Quetta McMill

City Register Official Signature

MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE, made as of the 29th day of December, 2006, between NEW YORK CITY HEALTH AND HOSPITALS CORPORATION ("Lessor"), a New York not-for-profit corporation, having an address at 125 Worth Street, New York, New York 10013, as landlord, and ARE-EAST RIVER SCIENCE PARK, LLC, ("Lessee"), a Delaware limited liability company, having an address at c/o Alexandria Real Estate Equities, Inc., 385 East Colorado Boulevard, Suite 299, Pasadena, California, 91101, as tenant.

WITNESSETH:

1. Lessor and Lessee entered into an Agreement of Lease, dated as of December 29, 2006 (the "Lease"), made by and between Lessor and Lessee.
2. The Lease sets forth the above names and addresses of said parties thereto.
3. The Lease encumbers the Land described on Exhibit A attached hereto.
4. The term of the Lease commenced on December 29, 2006, and ends on the last day of December, 2055, unless extended or sooner terminated as provided in the Lease.
5. The Lessee has two options to extend the term of the Lease for a period of twenty five (25) years each.
6. The Lessee has an option, upon certain terms and conditions more particularly described in the Lease, to lease the land described on Exhibit B attached hereto.
7. Lessee has a right of first offer to purchase the demised premises upon certain terms and conditions more particularly set forth in the Lease.
8. This instrument is intended to be a memorandum of the Agreement of Lease dated as of the 29th day of December, 2006, has been executed solely for the purpose of recordation in accordance with Section 291-c of the Real Property law and is not intended to be in construction of or to affect in any way the rights and obligations of Lessor and Lessee under the Lease. The provisions hereof are subject in all respects to the rentals, terms, covenants, provisions and conditions contained in the Lease, to which reference must be made in connection with any matter affecting the Lease.

IN WITNESS WHEREOF the Lessor and Lessee have duly executed this Memorandum of Lease the day and year first above written.

NEW YORK CITY HEALTH AND
HOSPITALS CORPORATION

By: 

Name: Alan D. Ariles

Title: President

ARE-EAST RIVER SCIENCE PARK,
LLC, a Delaware limited liability company

By: Alexandria Real Estate Equities,
L.P., a Delaware limited partnership,
its managing member

By: ARE-QRS Corp., a Maryland
corporation

By: _____

Name:

Title:

IN WITNESS WHEREOF the Lessor and Lessee have duly executed this Memorandum of Lease the day and year first above written.

NEW YORK CITY HEALTH AND
HOSPITALS CORPORATION

By: _____

Name: _____

Title: _____

ARE-EAST RIVER SCIENCE PARK,
LLC, a Delaware limited liability company

By: Alexandria Real Estate Equities,
L.P., a Delaware limited partnership,
its managing member

By: ARE-QRS Corp., a Maryland
corporation

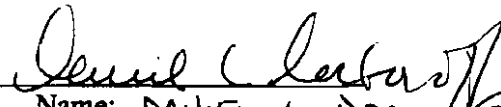
By:  _____

Name: Joel Marcus


Title: Chief Executive Officer

The CITY OF NEW YORK is executing this Memorandum of Lease for the purpose of consenting to the demise by Lessor of the Premises to Lessee:

The CITY OF NEW YORK

By: 
Name: DANIEL L. DOCTOROFF
Title: DEPUTY MAYOR

Approved as to Form:

By: 
Name: LEONARD WASSERMAN
Title: ACTING CORPORATION COUNSEL

COUNTY OF New York) SS.:

On November 29, 2006 before me, the undersigned, a notary public in and for said state, personally appeared Joel Marcus, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Alexandra Richard

Notary Public

[Notary Seal]

My commission expires:

STATE OF NEW YORK)
)
) SS.:
COUNTY OF)

ALEXANDRA PICKARDS
NOTARY PUBLIC, State of New York
No. 01R6153999
 Qualified in New York County
 Commission Expires Oct. 23, 2010

On November __, 2006 before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

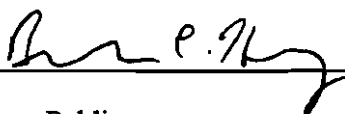
[Notary Seal]

My commission expires:

STATE OF NEW YORK)
 Richmond: SS.:
COUNTY OF ~~New York~~)

On November 21, 2006 before me, the undersigned, a notary public in and for said state, personally appeared Daniel L. Doerff, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

BRENDAN C. HEALEY
Notary Public, State of New York
No. 01HE5079803
Qualified in Richmond County 6/06/2007
Commission Expires _____



Notary Public

[Notary Seal]

My commission expires: 6/06/2007

STATE OF NEW YORK)
 : SS.:
COUNTY OF)

On November __, 2006 before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

[Notary Seal]

My commission expires:

STATE OF NEW YORK)

: SS.:

COUNTY OF New York)

On November 21, 2006 before me, the undersigned, a notary public in and for said state, personally appeared Alan D. Aviles, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, and that by his/her/their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Sam R

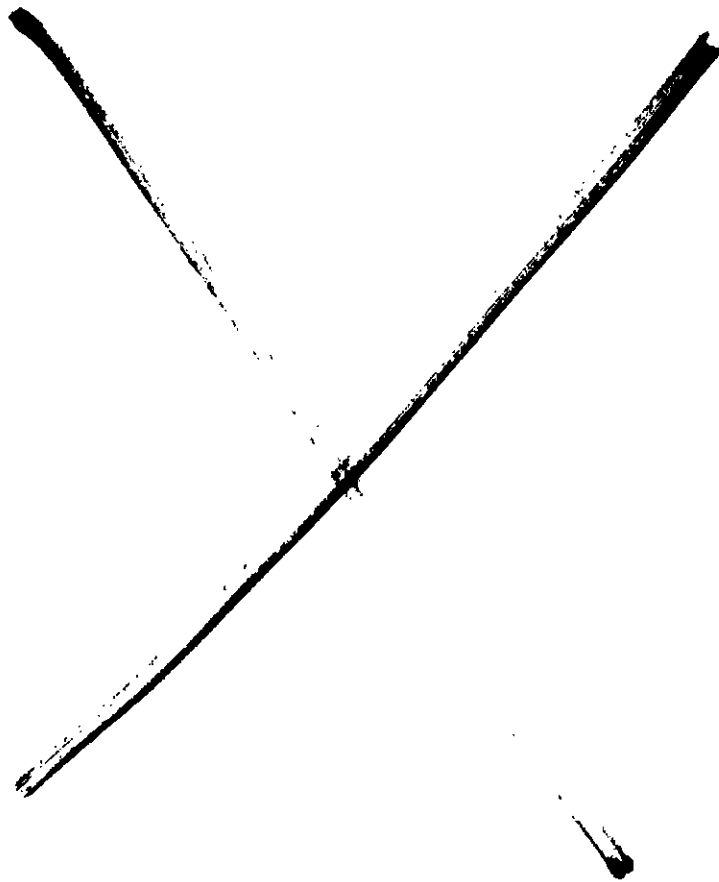
Notary Public

Karen Rosen
Notary Public, State of New York
No. 31-4969656
Qualified in New York County
Commission Expires February 2, 2017

[Notary Seal]

My commission expires:

Exhibit A



**PARCEL OF LAND
BEING NEW TAX LOT 99 IN TAX BLOCK 962
IN THE BOROUGH OF MANHATTAN
CITY OF NEW YORK
NEW YORK COUNTY, NEW YORK**

All that certain plot, piece or parcel of land situate, lying and being in the Borough of Manhattan, City, County, and State of New York, being more particularly bounded and described as follows:

LOT 99 (PARCEL 3)

BEGINNING at a point on the southerly side of former East 30th Street (60 feet wide); said point being 416.74 feet distant easterly from the corner formed by the intersection of the easterly side of First Avenue (100 feet wide) with the southerly side of former East 30th Street, discontinued and closed;

Running thence easterly along southerly side of former East 30th Street, discontinued and closed, a distance of 44.48 feet to a point;

Running thence southerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 154.73 feet to a point; said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence easterly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 206.30 feet to a point of curvature; said line forming an interior angle of 90 degrees 00 minutes 39 seconds with the last-mentioned course;

Running thence southeasterly through lands now or formerly Bellevue Hospital (tax Lot 100) on a curve bearing to the left with a radius of 156.00 feet and a central angle of 00 degrees 49 minutes 52 seconds, an arc distance of 2.26 feet to a point of tangential reverse curve; the northerly side of the radial line of said curve forming an angle of 160 degrees 06 minutes 40 seconds with the northerly side of the last mentioned course;

Running thence southeasterly through lands now or formerly Bellevue Hospital (tax Lot 100) on a curve bearing to the right with a radius of 1823.85 feet and a central angle of 04 degrees 28 minutes 04 seconds, an arc distance of 142.22 feet to a point of compound curve;

Running thence southeasterly through lands now or formerly Bellevue Hospital (tax Lot 100) on a curve bearing to the right with a radius of 921.43 feet and a central angle of 03 degrees 09 minutes 25 seconds, an arc distance of 50.77 feet to a point of reverse curve;

Running thence southeasterly through lands now or formerly Bellevue Hospital (tax Lot 100), on a curve bearing to the left with a radius of 264.50 feet and a central angle of

02 degrees 27 minutes 42 seconds, an arc distance of 11.36 feet to a point;

Running thence southeasterly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 29.81 feet to a point; said line forming an exterior angle of 90 degrees 00 minutes 00 seconds with a radial line of the last-mentioned course;

Running thence southwesterly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 22.98 feet to a point; said line forming an interior angle of 89 degrees 09 minutes 05 seconds with the last-mentioned course;

Running thence southerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 12.82 feet to a point; said line forming an interior angle of 255 degrees 18 minutes 20 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 12.33 feet to a point; said line forming an interior angle of 90 degrees 01 minutes 36 seconds with the last-mentioned course;

Running thence southerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 7.95 feet to a point; said line forming an interior angle of 269 degrees 58 minutes 12 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 174.41 feet to a point; said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence northerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 53.17 feet to a point; said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 100.91 feet to a point; said line forming an interior angle of 270 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 141.75 feet to a point; said line forming an interior angle of 179 degrees 52 minutes 00 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 49.25 feet to a point; said line forming an interior angle of 180 degrees 08 minutes 00 seconds with the last-mentioned course;

Running thence southerly through land now or formerly of Bellevue Hospital (tax Lot 100), a distance of 0.50 feet to a point; said line forming an interior angle of 270 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 83.53 feet to a point; said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence northerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 102.83 feet to a point; said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 152.62 feet to a point on the easterly side of First Avenue; said line forming an interior angle of 270 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence northerly along the easterly side of First Avenue, a distance of 53.87 feet to a point; said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence easterly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 398.90 feet to a point of curvature, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence northeasterly through lands now or formerly Bellevue Hospital (tax Lot 100) on a curve bearing to the left with a radius of 107.00 feet and a central angle of 02 degrees 56 minutes 57 seconds, an arc distance of 5.51 feet to a point, the radial line of said curve forming an exterior angle of 56 degrees 29 minutes 28 seconds with the last-mentioned course;

Running thence northeasterly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 16.45 feet to a point, said line forming an exterior angle of 90 degrees 00 minutes 00 seconds with the radial line of the last-mentioned course;

Running thence northerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 48.42 feet to a point, said line forming an interior angle of 233 degrees 32 minutes 31 seconds with the last-mentioned course;

Running thence easterly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 3.08 feet to a point, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course;

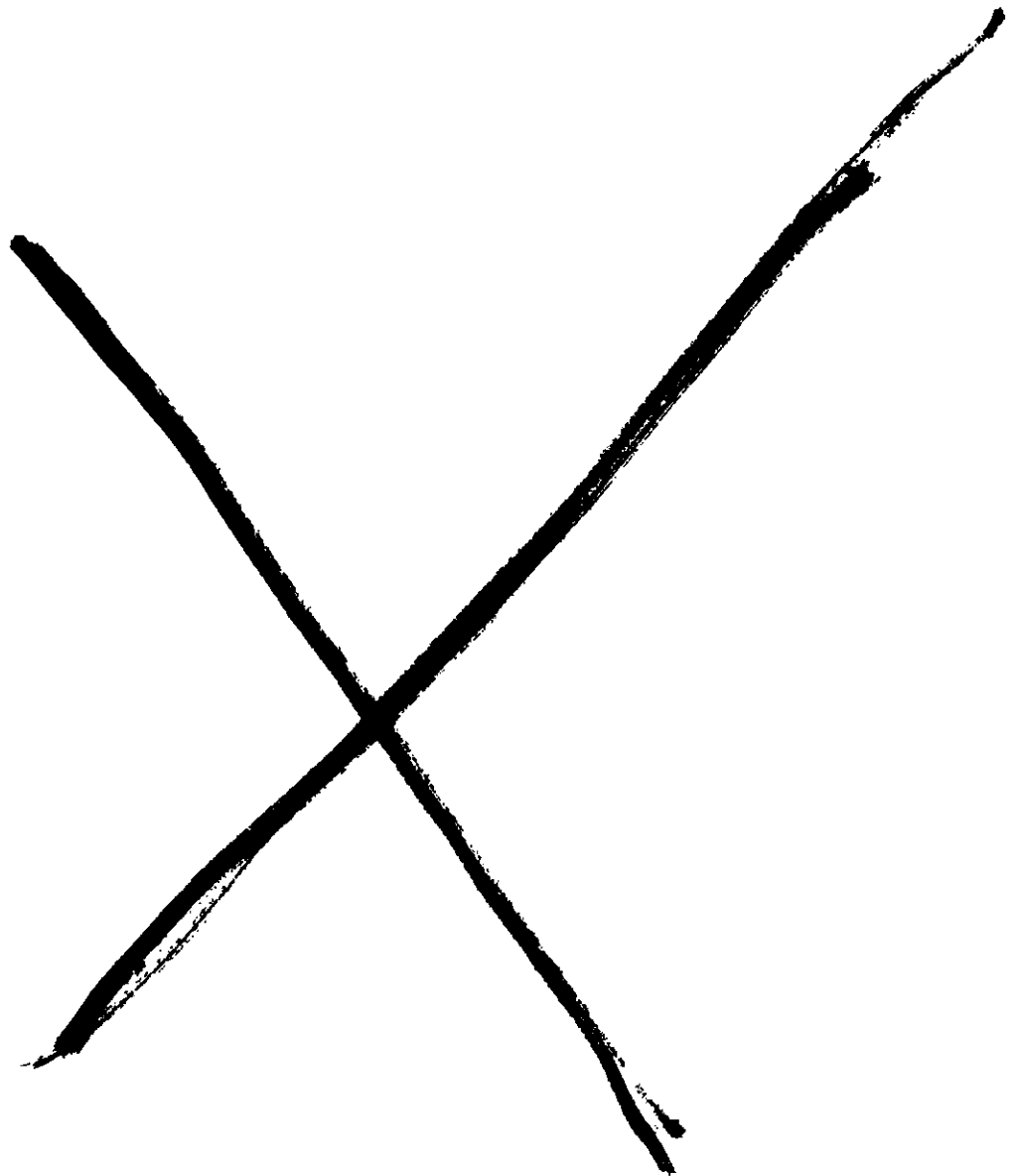
Running thence northerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 75.00 feet to a point, said line forming an interior angle of 270 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 2.98 feet to a point, said line forming an interior angle of 270 degrees 00 minutes 00 seconds with the last-mentioned course;

Running thence northerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 61.14 feet, said line forming an interior angle of 90 degrees 00 minutes 00 seconds with the last-mentioned course to the place and point of beginning;

Together with the benefit of the easements set forth in that certain Temporary and Permanent Easement Agreement made between The City of New York, New York City Health and Hospitals Corporation and ARE-East River Science Park, LLC, dated December 29, 2006 to be recorded in the Office of the City Register, New York County, simultaneously herewith.

Exhibit B



**A LEASE PARCEL OF LAND
BEING NEW TAX LOT 98 IN TAX BLOCK 962
IN THE BOROUGH OF MANHATTAN
CITY OF NEW YORK
NEW YORK COUNTY, NEW YORK**

All that certain plot, piece or parcel of land situate, lying in tax Block 962 as laid out on the Borough President of Manhattan Borough Survey Maps Nos. 34 and 39 and laid out on the Borough President of Manhattan Final Sectional Maps Nos. 44 and 45 and being a portion of tax Lot 100, Borough of Manhattan, City, County, and State of New York, being more particularly bounded and described as follows:

LOT 98 (PARCEL 2)

BEGINNING at a point on the southerly side of former East 30th Street (60 feet wide), discontinued and closed); said point being 461.22 feet distant from the corner formed by the intersection of the easterly side of First Avenue with the southerly side of former East 30th Street (60 feet wide), discontinued and closed;

Running thence easterly along said southerly side of former East 30th Street, discontinued and closed, a distance of 156.64 feet to a point on the westerly side of Franklin D. Roosevelt Drive (width varies);

Running thence southerly along the westerly side of Franklin D. Roosevelt Drive, a distance of 0.02 feet to a point; said line forming an interior angle of 99 degrees 26 minutes 57 seconds with the last-mentioned course;

Running thence easterly along the westerly side of Franklin D. Roosevelt Drive, a distance of 10.10 feet to a point; said line forming an interior angle of 260 degrees 33 minutes 03 seconds with the last-mentioned course;

Running thence southeasterly through lands now or formerly Bellevue Hospital (tax Lot 100) on a curve bearing to the right with a radius of 24.00 feet and a central angle of 19 degrees 03 minutes 15 seconds, an arc distance of 7.98 feet to a point of tangent, the northerly side of the radial line of said curve forming an angle of 40 degrees 56 minutes 00 seconds with the southerly side of the last-mentioned course;

Running thence southeasterly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 42.30 feet to a point of curvature;

Running thence southerly on a curve bearing to the right with a radius of 144.00 feet and a central angle of 22 degrees 15 minutes 45 seconds, an arc distance of 55.95 feet to a point of reverse curve;

Running thence southerly through lands now or formerly Bellevue Hospital (tax Lot 100) on a curve bearing to the left with a radius of 156.00 feet and a central angle of 20

degrees 15 minutes 42 seconds, an arc distance of 55.17 feet to a point;

Running thence westerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 206.30 feet to a point; said line forming an angle of 160 degrees 06 minutes 40 seconds on its northerly side with the northerly side of the radial line of the last-mentioned course;

Running thence northerly through lands now or formerly Bellevue Hospital (tax Lot 100), a distance of 154.73 feet to the place and point of Beginning; said line forming an interior angle of 90 degrees 00 minutes 39 seconds with the last-mentioned course,

Containing 29,560.05 square feet or 0.6786 acre.

Together with a Construction and Permanent Easement Agreement and Exhibits.

Subject to existing Terms, Covenants Restrictions and easements as described in Schedule B.

**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**



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SUPPORTING DOCUMENT COVER PAGE

PAGE 1 OF 1

Document ID: 2007011100101003

Document Date: 12-29-2006

Preparation Date: 01-11-2007

Document Type: MEMORANDUM OF LEASE

SUPPORTING DOCUMENTS SUBMITTED:

Page Count

RECORDING FEE EXEMPTION DOCUMENTATION

1

X
:
In the Matter
:
of
:
Taxation of the New York City
:
Industrial Development Agency
:

X

STATE OF NEW YORK)
 SS.:
COUNTY OF NEW YORK)

RICHARD E. MARSHALL, ESQ. being duly sworn, deposes and says:

1. That I am an attorney-at-law duly licensed in the State of New York and am the Vice President for Legal Affairs of the New York City Industrial Development Agency (the "Agency").

2. That the Agency, a corporate governmental agency constituting a body corporate and politic and a public benefit corporation of the State of New York, was established by Chapter 1030 of the 1969 Laws of the State of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, and Chapter 1082 of the 1974 Laws of the State of New York, as amended (collectively the "Act").

3. That on or about December 29, 2006, the Agency will enter into a "straight-lease transaction" within the meaning of the Act, in which the Agency will acquire leasehold title to the Project (as defined below) from ARE-East River Science Park, LLC, a Delaware limited liability company, as lessee (the "Lessee"), pursuant to an IDA Lease Agreement, dated as of December 1, 2006 (the "IDA Lease"), and the Agency will further sublease its interest therein to the Lessee to provide financial assistance to the Project for the development of the East River Science Park, a commercial bioscience park, on an approximately 2.8 acre site located between East 28th and East 30th Streets and First Avenue and the FDR Drive in the Borough of Manhattan (collectively, the "Land"), and the construction and equipping of two lab/office towers on the Land (the "Facility"), totaling approximately 542,000 square feet, which buildings will primarily provide lab and related office space for commercial bioscience companies, and will also include a café, a conference center, street-level retail, and office space for bioscience venture capital firms, and over an acre of publicly accessible open space (the "Project").

4. That simultaneously therewith, the Agency will enter into a Lease Agreement, dated as of December 1, 2006 (the "Lease Agreement"), with the Lessee, pursuant to which the Agency will sublease the Facility to the Lessee.

5. That pursuant to Section 874 of the Act, the Agency is regarded as performing a governmental function and is required to pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction or control or supervision or upon its activities.

6. That pursuant to the provisions of Section 8017 of the Civil Practice Law and Rules of the State of New York, no clerk of any county within The City of New York shall charge or collect a fee for filing, recording or indexing any paper, documents, map or proceeding filed, recorded or indexed for the county, or an agency or officer thereof acting in an official capacity.

7. That pursuant to the provisions of Section 8019(d) of the Civil Practice Law and Rules of the State of New York, no clerk of any county within The City of New York shall charge or receive any fee from The City of New York or the State of New York, or from any agency or officer thereof acting in an official capacity.

9. I hereby submit that no mortgage recording tax or other tax or fee for filing, recording or indexing should be imposed in connection with the filing and recording of the IDA Lease and the Lease Agreement as hereinbefore described.



Richard E. Marshall, Esq.

Sworn to before me this
29th day of November, 2006



Notary Public

DAVID SHELLEY
Notary Public - State of New York
No. 01SH6122387
Qualified in King County
My Commission Expires February 7, 2009

5

JB&B

Jaros, Baum & Bolles
Consulting Engineers

John M. Bracciodieta
Associate
212.530.9367

East River Science Park
New York, New York
Project No. 13446.0.001

May 23, 2006

Ms. Emilia Fienga
Consolidated Edison Company of New York
4 Irving Place
New York, New York 10003

Dear Ms. Fienga:

Our office has been commissioned to provide engineering service for a new laboratory complex to be located on the East side of Manhattan between 30th Street and 28th Street adjacent to the FDR Drive. The project straddles 29th Street and will be called the East River Science Park. The project will consist of two (2) new tower laboratory/office buildings and a future tower laboratory/office building. The three (3) towers will be connected below grade by a service floor. There will also be a Winter Garden Building located on the Plaza Level above the Service Level between the towers. The total square footage will be approximately 1,282,876 sq.ft. Two (2) Towers (No. 1 and No. 2) and the Service Level, totaling 831,876 sq.ft., will be constructed now. A future third tower (Tower No. 3) will be constructed at some future date and will comprise an estimated additional 450,000 sq.ft.

The complex will be fully air conditioned utilizing electrical driven chillers and air handling units. The electric chillers will be located in a chiller plant serving the entire complex on the 7th Floor of the East Tower (Tower No. 2). The complex will be heated with Con Ed steam. The building lighting system will utilize fluorescent fixtures with incandescent fixtures in selected areas. Emergency power will be provided using a diesel generator set in each tower connected to the building electrical system through automatic transfer switches which will be break-before-make and not allow paralleling with the utility service.

The estimated electrical connected loads are as follows:

East Tower (Tower No. 2)

| | | |
|-------------------------|-------------|--------------|
| Lighting | 1,196.20 kW | 1,259.20 kVA |
| Utility | 470.65 kW | 495.42 kVA |
| Laboratory Power | 1,925.94 kW | 2,027.31 kVA |
| Stair and Exit Lighting | 9.40 kW | 9.90 kVA |
| Fire Alarm System | 45.00 kW | 45.00 kVA |
| Security System | 4.00 kW | 4.00 kVA |

JB&B

Jaros, Baum & Bolles
Consulting Engineers

-2-

| | | |
|--|---------------------|----------------------|
| Mechanical Equipment Loads (see enclosed breakdown) | 4,585.35 kW | 5,737.80 kVA |
| Elevators (see enclosed breakdown) | 324.60 kW | 405.60 kVA |
| Parking Garage Lifts (86 @ 10.8 kVA each) | 743.04 kW | 928.80 kVA |
| Subtotal East Tower No. 2 | 9,304.18 kW | 10,913.03 kVA |
| <u>West Tower</u> (Tower No. 1) | | |
| Lighting | 1,429.55 kW | 1,504.79 kVA |
| Utility | 591.14 kW | 622.25 kVA |
| Laboratory Power | 2,171.28 kW | 2,285.57 kVA |
| Stair and Exit Lighting | 9.40 kW | 9.90 kVA |
| Fire Alarm system | 45.00 kW | 45.00 kVA |
| Security System | 4.00 kW | 4.00 kVA |
| Mechanical Equipment Loads (see enclosed breakdown) | 1,845.80 kW | 2,306.20 kVA |
| Elevators (see enclosed breakdown) | 330.90 kW | 413.60 kVA |
| Plumbing Equipment | 171.90 kW | 214.60 kVA |
| Parking Garage Lifts (57 @ 10.8 kVA each) | 492.48 kW | 615.60 kVA |
| Subtotal West Tower No. 1 | 7,091.45 kW | 8,021.51 kVA |
| <u>Future Tower</u> (Tower No. 3) | | |
| Lighting | 1,751.00 kW | 1,849.47 kVA |
| Utility | 487.20 kW | 512.84 kVA |
| Laboratory Power | 2,923.20 kW | 3,077.10 kVA |
| Stair and Exit Lighting | 9.40 kW | 9.90 kVA |
| Fire Alarm System | 45.00 kW | 45.00 kVA |
| Security System | 4.00 kW | 4.00 kVA |
| Mechanical Equipment Loads (see enclosed breakdown) | 1,660.70 kW | 2,705.00 kVA |
| Elevators (see enclosed breakdown) | 330.90 kW | 413.60 kVA |
| Subtotal Future Tower No. 3 | 7,211.40 kW | 8,616.91 kVA |
| Grand Total | 23,607.03 kW | 27,551.45 kVA |

The largest motors will be the 750 kW chillers and the 75 hp supply air fans. All locked rotor amperages, horsepower, etc., are provided on the mechanical equipment breakdowns enclosed per building. The mechanical loads for the future tower are based on the present design loads for the West Tower No. 2, which will be approximately the same size building.

JB&B

Jaros, Baum & Bolles
Consulting Engineers

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The non-mechanical loads have been calculated based on the following:

| | |
|-----------------------------|------------|
| Office/Laboratory Lighting | 3.5 W/ft. |
| Retail Space Lighting/Power | 15.0 W/ft. |
| Office Utility Power | 3.0 W/ft. |
| Laboratory Power | 12.0 W/ft. |

It is the intent to provide electric service to the complex from a Con Edison 265/460 volt, 3 phase, 4 wire service standard design transformer vault and network compartment configuration utilizing six (6) transformer vaults and associated network compartments and six (6) service take-offs to be built by the Owner. The transformer vaults will be located on the Southeast side of the complex at the East Tower No. 2, on the 28th Street side of the complex.

We are requesting six (6) Con Edison primary high voltage feeders connected on First Avenue and 29th Street. The Owner will extend the feeders Eastward on 29th Street into the complex and underground to the vaults. Please refer to the enclosed plans. All conduits, cables, splice boxes, etc., shall be constructed as per Con Edison standards.

Please review the enclosed loads and advise our office as to the service availability and design intent. If you have any questions or wish to discuss any of the above, please contact our office.

Very truly yours,

JAROS, BAUM & BOLLES

John M. Bracciodieta

JMB:crc

cc: (1) Mr. E. Holenberg
(1) Ms. C. Hildesley
(1) Mr. M. Lippi
(1) Mr. J. Bogad, Jr.
(1) Mr. M. W. Simpler
(1) Mr. J. M. Bracciodieta
(1) Mr. M. T. Roberts
(1) Mr. C. R. Horch
(1) File

Enc. (All Listed)

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APPENDIX A
East River Science Park Elevator Loads

| Tower 1 (West Tower) | | | | | | | |
|--------------------------------------|--------------------|------------|-----------|-------------|----------------|------------|-----------|
| Location | | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Passenger Elev. P1 | P1 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P2 | P2 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P3 | P3 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P4 | P4 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P5 | P5 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Service Elev. S7 | S7 | 75.0 | 96.00 | 543.00 | 60.00 | 48.00 |
| Service Level | Passenger Elev P6 | P6 | 40.0 | 52.00 | 290.00 | 41.60 | 33.30 |
| | Service Elev. S8 | S8 | 50.0 | 65.00 | 363 | 52.00 | 41.6 |
| | | | 390.0 | 538.00 | | 413.60 | 330.90 |
| Tower 2 (East River Building) | | | | | | | |
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Passenger Elev. P1 | P1 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P2 | P2 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P3 | P3 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P4 | P4 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P6 | P5 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Service Elev. S6 | S6 | 75.0 | 96.00 | 543.00 | 60.00 | 48.00 |
| Service Level | Passenger Elev. P5 | P5 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Escalator 1 | E1 | 20 | 21.00 | 145.00 | 16.80 | 13.5 |
| | Escalator 2 | E2 | 20 | 21.00 | 145.00 | 16.80 | 13.5 |
| | | | 385.0 | 528.00 | | 405.60 | 324.60 |
| Tower 3 (Future Tower) | | | | | | | |
| Location | | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Passenger Elev. P1 | P1 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P2 | P2 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P3 | P3 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P4 | P4 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Passenger Elev. P5 | P5 | 45.0 | 65 | 363 | 52.00 | 41.6 |
| | Service Elev. S7 | S7 | 75.0 | 96.00 | 543.00 | 60.00 | 48.00 |
| Service Level | Passenger Elev P6 | P6 | 40.0 | 52.00 | 290.00 | 41.60 | 33.30 |
| | Service Elev. S8 | S8 | 50.0 | 65.00 | 363 | 52.00 | 41.6 |
| | | | 390.0 | 538.00 | | 413.60 | 330.90 |

APPENDIX B
East River Science Park Load Studies

| Tower 1 (West Tower) | | | | | | | | | | | |
|----------------------|-----------------|-------------|----------|-------------|-------------|-----------------|-------------------|----------|---------|-------|-------|
| floor | gross area sqft | office area | lab area | misc area | ltg density | Utility density | Lab power density | Lighting | Utility | Lab | |
| | Sq Ft | Sq. Ft. | Sq. Ft. | Sq. Ft. | watts/sqft | watts/sqft | watts/sqft | Kw | Kw | Kw | |
| Serv. Level | 43,120 | 0 | | 0 pkg/mec. | 2 | | | 0 | 86.24 | 43.12 | 0 |
| 1 | 25,147 | 9108 * | | | 3.5 | 2.5 | | 0 | 31.88 | 22.77 | 0 |
| | | | **7605 | | 15 | 0 | | 0 | 11.41 | 0 | 0 |
| | | | | ***8434 | 3.5 | 2.5 | | 0 | 29.52 | 21.09 | 0 |
| 1 (wintergard) | 5,000 | | | | 6 | | | 0 | 30 | 0 | 0 |
| Conference 2 | 25,130 | | | **** 25,130 | 3.5 | 3.5 | | 0 | 87.96 | 87.96 | 0 |
| 3 | 25,130 | 10,052 | | | 3.5 | 3 | | | 35.18 | 31.56 | 0 |
| | | | 15,078 | | 3.5 | | | 12 | 52.77 | | 180.9 |
| 4 | 25,130 | 10,052 | | | 3.5 | 3 | | | 35.18 | 30.16 | 0 |
| | | | 15,078 | | 3.5 | | | 12 | 52.77 | | 180.9 |
| 5 | 25,130 | 10,052 | | | 3.5 | 3 | | | 35.18 | 30.16 | 0 |
| | | | 15,078 | | 3.5 | | | 12 | 52.77 | | 180.9 |
| 6 | 25,130 | 10,052 | | | 3.5 | 3 | | | 35.18 | 30.16 | 0 |
| | | | 15,078 | | 3.5 | | | 12 | 52.77 | | 180.9 |
| 7 | 25,130 | | | | 3.5 | 2 | | 0 | 87.96 | 50.26 | 0 |
| | | | | | 3.5 | | | | | | |
| 8 | 25,130 | 10,052 | | | 3.5 | 3 | | | 35.18 | 30.16 | 0 |
| | | | 15,078 | | 3.5 | | | 12 | 52.77 | | 180.9 |
| 9 | 25,130 | 10,052 | | | 3.5 | 3 | | | 35.18 | 30.16 | 0 |
| | | | 15,078 | | 3.5 | | | 12 | 52.77 | 0 | 180.9 |
| 10 | 25,130 | 10,052 | | | 3.5 | 3 | | | 35.18 | 30.16 | 0 |
| | | | 15,078 | | 3.5 | | | 12 | 52.77 | 0 | 180.9 |

APPENDIX B
East River Science Park Load Studies

| | | | | | | | | | |
|-------------------|---------|---------|---------|-----|---|----|---------|--------|-------|
| 11 | 25,130 | 10,052 | | 3.5 | 3 | | 35.18 | 30.16 | 0 |
| | | | 15,078 | 3.5 | | 12 | 52.77 | 0 | 180.9 |
| 12 | 25,130 | 10,052 | | 3.5 | 3 | | 35.18 | 30.16 | 0 |
| | | | 15,078 | 3.5 | | 12 | 52.77 | 0 | 180.9 |
| 13 | 25,130 | 10,052 | | 3.5 | 3 | | 35.18 | 30.16 | 180.9 |
| | | | 15,078 | 3.5 | | 12 | 52.77 | 0 | 0 |
| 14 | 25,130 | 10,052 | | 3.5 | 3 | | 35.18 | 30.16 | 180.9 |
| | | | 15,078 | 3.5 | | 12 | 52.77 | 0 | 0 |
| 15 | 25,130 | 10,052 | | 3.5 | 3 | | 35.18 | 30.16 | 180.9 |
| | | | 15,078 | 3.5 | | 12 | 52.77 | 0 | 0 |
| 16 penthouse | 2,624 | | | 3.5 | 1 | 0 | 9.18 | 2.62 | |
| totals | 427,711 | 129,732 | 180,936 | | | | 1429.55 | 591.14 | 2171 |
| TOTAL | | | | | | | | | |
| 4191.97 KW | | | | | | | | | |
| * lab support | | | | | | | | | |
| ** Retail | | | | | | | | | |
| *** Lobby | | | | | | | | | |
| **** Conf Center | | | | | | | | | |

APPENDIX B
East River Science Park Load Studies

| Tower 2 (East Tower) | | | | | | | | | | | |
|-----------------------------|------------------------|--------------------|-----------------|------------------|--------------------|---------------------|--------------------------|-----------------|----------------|------------|--|
| floor | gross area sqft | office area | lab area | misc area | ltg density | Utility dens | Lab power density | Lighting | Utility | Lab | |
| | Sq Ft | Sq. Ft. | Sq. Ft. | Sq. Ft | watts/sqft | watts/sqft | watts/sqft | Kw | Kw | Kw | |
| Serv. Level | 67,000 | 0 | 0 | Parking | 2 | 1 | 0 | 134 | 67 | 0 | |
| 1st Fl. | 21,898 | 10,722 | 0 | Lobby** | 3.5 | 3 | 0 | 37.53 | 32.17 | 0 | |
| | | 11,178 | | Retail * | 15 | | | | | | |
| Mezz. Fl. | 5,650 | 0 | 0 | MER | 3.5 | 2 | 0 | 19.78 | 11.3 | 0 | |
| 2nd Fl. | 19,132 | 7,653 | | | 3.5 | 3 | 0 | 26.79 | 22.95 | 0 | |
| | | | 11,479 | | 3.5 | 0 | 12 | 40.18 | 0 | 137.75 | |
| 3rd Fl. | 22,603 | 9,041 | | | 3.5 | 3 | 0 | 31.64 | 27.12 | 0 | |
| | | | 13,562 | | 3.5 | 0 | 12 | 47.46 | 0 | 162.75 | |
| 4th Fl. | 22,603 | 9,041 | | | 3.5 | 3 | 0 | 31.64 | 27.12 | 0 | |
| | | | 13,562 | | 3.5 | 0 | 12 | 47.46 | 0 | 162.75 | |
| 5th Fl. | 22,603 | 9,041 | | | 3.5 | 3 | 0 | 31.64 | 27.12 | 0 | |
| | | | 13,562 | | 3.5 | 0 | 12 | 47.46 | 0 | 162.75 | |
| 6th Fl. | 22,603 | 9,041 | | | 3.5 | 3 | 0 | 31.64 | 27.12 | 0 | |
| | | | 13,562 | | 3.5 | 0 | 12 | 47.46 | 0 | 162.75 | |
| 7th Fl. MER | 19,625 | 0 | 0 | | 3.5 | 2 | 0 | 68.69 | 39.25 | 0 | |
| 8th Fl | 19,625 | 7,850 | | | 3.5 | 3 | 0 | 27.48 | 23.55 | 0 | |
| | | | 11,775 | | 3.5 | 0 | 12 | 41.21 | 0 | 141.3 | |
| 9th Fl. | 19,625 | 7,850 | | | 3.5 | 3 | 0 | 27.48 | 23.55 | 0 | |
| | | | 11,775 | | 3.5 | 0 | 12 | 41.21 | 0 | 141.3 | |
| 10th Fl. | 19,625 | 7,850 | | | 3.5 | 3 | 0 | 27.48 | 23.55 | 0 | |
| | | | 11,775 | | 3.5 | 0 | 12 | 41.21 | 0 | 141.3 | |

APPENDIX B
East River Science Park Load Studies

| | | | | | | | | | |
|--------------------------------|---------|---------|---------|-----|---|----|---------|--------|---------|
| 11th Fl. | 19,625 | 7,850 | | 3.5 | 3 | 0 | 27.48 | 23.55 | 0 |
| | | | 11,775 | 3.5 | 0 | 12 | 41.21 | 0 | 141.3 |
| 12th Fl. | 19,625 | 7,850 | | 3.5 | 3 | 0 | 27.48 | 23.55 | 0 |
| | | | 11,775 | 3.5 | 0 | 12 | 41.21 | 0 | 141.3 |
| 13th Fl. | 19,625 | 7,850 | | 3.5 | 3 | 0 | 27.48 | 23.55 | 0 |
| | | | 11,775 | 3.5 | 0 | 12 | 41.21 | 0 | 141.3 |
| 14th Fl. | 13,616 | 5,446 | | 3.5 | 3 | 0 | 19.06 | 16.34 | 0 |
| | | | 8,170 | 3.5 | 0 | 12 | 28.6 | 0 | 98.04 |
| 15th Fl. | 13,616 | 5,446 | | 3.5 | 3 | 0 | 19.06 | 16.34 | 0 |
| | | | 8,170 | 3.5 | 0 | 12 | 28.6 | 0 | 98.04 |
| 16th Fl. | 12,960 | 5,184 | | 3.5 | 3 | 0 | 18.14 | 15.52 | 0 |
| | | | 7,776 | 3.5 | 0 | 12 | 27.22 | 0 | 93.31 |
| totals | 381,659 | 128,893 | 160,493 | | | | 1196.19 | 470.65 | 1925.94 |
| TOTAL | | | | | | | | | |
| 3592.78 KW | | | | | | | | | |
| * kitchen, servery, restaurant | | | | | | | | | |
| * *core/lobby | | | | | | | | | |

APPENDIX B
East River Science Park Load Studies

| | | | | | | | | | |
|-------------------------------|--------------------|-----------------|------------------|--------------------|------------------------|--------------------------|-----------------|----------------|------------|
| Future Tower (Tower 3) | | | | | | | | | |
| Estimate 450,000 sq ft. | | | | | | | | | |
| gross area | office area | lab area | misc area | ltg density | Utility density | Lab power density | Lighting | Utility | Lab |
| Sq Ft | Sq. Ft. | Sq. Ft. | Sq. Ft | watts/sqft | watts/sqft | watts/sqft | Kw | Kw | Kw |
| 428,000 | | | | | | | | | |
| | 162,400 | | | 3.50 | 3.00 | | 568.40 | 487.20 | 0.00 |
| | | 243,600 | | 3.50 | | | 852.60 | 0.00 | |
| | | | | | | 12.00 | | | 2923.20 |
| | | | 22,000 | 15.00 | | | 330 | | |
| | | | | | | | 1751 | 487.20 | 2923.20 |
| TOTAL | | | | | | | | | |
| 5161.4 KW | | | | | | | | | |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 1 (West Tower) | | | | | | | |
|----------------------|----------------------------|--------|------|-------|---------|-------|-------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Fume Hood Cannon Fans | ef-1 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-2 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-3 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-4 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-5 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-6 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Individual FHX fans (T.I.) | fhx-1 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-2 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-3 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-4 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-5 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-6 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-7 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-8 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-9 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-10 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-11 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-12 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-13 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-14 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-15 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-16 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-17 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-18 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-19 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-20 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-21 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-22 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-23 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-24 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-25 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-26 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-27 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 1 (West Tower) | | | | | | | |
|-----------------------------|----------------------------|------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Individual FHX fans (T.I.) | fhx-28 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-29 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-30 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-31 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-32 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-33 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-34 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-35 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-36 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-37 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-38 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-39 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-40 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-41 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-42 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-43 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-44 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-45 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-46 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-47 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-48 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-49 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-50 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-51 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-52 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-53 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-54 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-55 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-56 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-57 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-58 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-59 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-60 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-61 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-62 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 1 (West Tower) | | | | | | | |
|-----------------------------|----------------------------|--------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Individual FHX fans (T.I.) | fhx-63 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-64 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-65 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-66 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-67 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-68 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-69 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-70 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-71 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-72 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-73 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-74 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-75 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-76 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-77 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-78 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-79 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-80 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| | | | | | | | |
| Roof | toilet exhaust fans | tx-1 | 5.00 | 7.60 | 32.00 | 6.10 | 4.9 |
| Roof | toilet exhaust fans | tx-2 | 5.00 | 7.60 | 32.00 | 6.10 | 4.9 |
| | | | | | | | |
| elevator mer | EMR AC-1 | ac-1(10 kw) | | 15.60 | | 12.50 | 10 |
| | EMR AC-2 | ac-2 (10 kw) | | 15.60 | | 12.50 | 10 |
| | | | | | | | |
| Roof | elevator hoistway vent | ef-7 | 0.75 | 1.60 | 12.50 | 1.30 | 1 |
| Roof | elevator hoistway vent | ef-8 | 0.75 | 1.60 | 12.50 | 1.30 | 1 |
| | | | | | | | |
| 7th Fl. MER | secondary chw pumps | p-1 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th Fl. MER | secondary chw pumps | p-2 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th Fl. MER | secondary chw pumps | p-3 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | | | | | |
| 7th Fl. MER | perimeter heating pumps | p-4 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th Fl. MER | perimeter heating pumps | p-5 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| | | | | | | | |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 1 (West Tower) | | | | | | | |
|----------------------|-------------------------|---------------------|--------|---------|---------|---------|---------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| 7th Fl. MER | hot water re-heat pumps | p-6 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th Fl. MER | hot water re-heat pumps | p-7 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| | | | | | | | |
| 7th Fl. MER | Lab ahu supply fans | ACS-1 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu supply fans | ACS-2 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu supply fans | ACS-3 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu supply fans | ACS-4 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | | | | | |
| | | | | | | | |
| 7th Fl. MER | Lab ahu return fans | rf-1(dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu return fans | rf-2 (dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu return fans | rf-3 (dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu return fans | rf-4 (dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | | | | | |
| | Vivarium supply fans | ACS-5 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| | Vivarium supply fans | ACS-6 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| | | | | | | | |
| | | | | | | | |
| | Vivarium return fans | rf-5 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| | Vivarium return fans | rf-6 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| | | | | | | | |
| | Lobby ahu supply fan | ACS-7 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| | Lobby ahu return fan | rf-7 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | Wintergarden | AHU | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | Wintergarden | AHU | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| | | | 2161.5 | 2882.60 | | 2306.20 | 1845.80 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 1 (West Tower) | | | | | | | |
|----------------------|-----------------------------|---------------------|--------|---------|---------|---------|---------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| 7th FL MER | Lab ahu supply fans | ACS-3 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu supply fans | ACS-4 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | | | | | |
| | Lab ahu return fans | ACS-1 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu return fans | ACS-2 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu return fans | ACS-3 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu return fans | ACS-4 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | | | | | |
| 7th FL MER | Lobby ahu return fan | RF-2 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | Lobby ahu return fan | RF-2 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu supply fan | ACS-6 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu return fan | RF-3 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu supply fan | ACS-7 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu return fan | RF-4 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | kitchen ahu supply fan | ACS-8 | 25 | 34 | 183 | 27.2 | 21.8 |
| | | | | | | | |
| | | | 5068.0 | 6731.20 | | 5385.20 | 4310.20 |
| | | | | | | | |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 2 (East Tower) | | | | | | | |
|-----------------------------|-----------------------------|------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Cooling towers | ct-1 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Cooling towers | ct-2 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Cooling towers | ct-3 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Cooling towers | ct-4 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Cooling Tower Basin Heaters | ct-1 | | 15.60 | | 12.50 | 10 |
| Roof | Cooling Tower Basin Heaters | ct-2 | | 15.60 | | 12.50 | 10 |
| Roof | Cooling Tower Basin Heaters | ct-3 | | 15.60 | | 12.50 | 10 |
| Roof | Cooling Tower Basin Heaters | ct-4 | | 15.60 | | 12.50 | 10 |
| Roof | Fume Hood Cannon Fans | ef-1 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-2 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-3 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-4 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-5 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-6 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Individual FHX fans (T.I.) | fhx-1 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-2 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-3 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-4 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-5 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-6 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-7 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-8 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-9 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-10 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-11 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-12 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-13 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-14 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-15 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 2 (East Tower) | | | | | | | |
|----------------------|----------------------------|--------|-----|------|---------|------|------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Individual FHX fans (T.I.) | fhx-16 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-17 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-18 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-19 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-20 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-21 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-22 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-23 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-24 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-25 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-26 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-27 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-28 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-29 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-30 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-31 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-32 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-33 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-34 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-35 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-36 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-37 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-38 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-39 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-40 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-41 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-42 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-43 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-44 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-45 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-46 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-47 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-48 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-49 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-50 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 2 (East Tower) | | | | | | | |
|-----------------------------|----------------------------|------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Individual FHX fans (T.I.) | fhx-51 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-52 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-53 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-54 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-55 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-56 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-57 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-58 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-59 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-60 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-61 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-62 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-63 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-64 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-65 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-66 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-67 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-68 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-69 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-70 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-71 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-72 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-73 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-74 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-75 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-76 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-77 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-78 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-79 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-80 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| | | | | | | | |
| Roof | toilet exhaust fans | tx-1 | 5.00 | 7.60 | 32.00 | 6.10 | 4.9 |
| Roof | toilet exhaust fans | tx-2 | 5.00 | 7.60 | 32.00 | 6.10 | 4.9 |
| | | | | | | | |
| Roof | kitchen exhaust fan | kx-1 | 30 | 40 | 183 | 32 | 25.6 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 2 (East Tower) | | | | | | | |
|----------------------|-------------------------------|------|-------|---------|---------|--------|--------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | elevator mer a/c | ac-1 | | 15.60 | | 12.50 | 10 |
| | | ac-2 | | 15.60 | | 12.50 | 10 |
| Roof | elevator hoistway vent | ef-7 | 0.75 | 1.60 | 12.50 | 1.30 | 1 |
| | | ef-8 | 0.75 | 1.60 | 12.50 | 1.30 | 1 |
| 7th FL MER | chillers #1 | ch-1 | | 1175.00 | | 940.00 | 750.00 |
| 7th FL MER | chiller #2 | ch-2 | | 1175.00 | | 940.00 | 750.00 |
| 7th FL MER | Chiller #3 | ch-3 | | 1175.00 | | 940.00 | 750.00 |
| 7th FL MER | primary chw pumps | p-1 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | primary chw pumps | p-2 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | primary chw pumps | p-3 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | primary chw pumps | p-4 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | secondary chw pumps | p-5 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | secondary chw pumps | p-6 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | secondary chw pumps | p-7 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | primary condenser water pumps | p-8 | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th FL MER | primary condenser water pumps | p-9 | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th FL MER | primary condenser water pumps | p-10 | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th FL MER | primary condenser water pumps | p-11 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | primary condenser water pumps | p-12 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | process condenser water pumps | p-13 | 15.00 | 21.00 | 116.00 | 16.80 | 13.40 |
| 7th FL MER | process condenser water pumps | p-14 | 15.00 | 21.00 | 116.00 | 16.80 | 13.40 |
| 7th FL MER | process condenser water pumps | p-15 | 15.00 | 21.00 | 116.00 | 16.80 | 13.40 |
| 7th FL MER | perimeter heating pumps | p-16 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | perimeter heating pumps | p-17 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | hot water re-heat pumps | p-18 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th FL MER | hot water re-heat pumps | p-19 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower 2 (East Tower) | | | | | | | |
|-----------------------------|-----------------------------|---------------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| 7th FL MER | Lab ahu supply fans | ACS-1 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu supply fans | ACS-2 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu supply fans | ACS-3 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu supply fans | ACS-4 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | | | | | |
| | Lab ahu return fans | ACS-1 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu return fans | ACS-2 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu return fans | ACS-3 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th FL MER | Lab ahu return fans | ACS-4 (dual motors) | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| | | | | | | | |
| 7th FL MER | Lobby ahu return fan | RF-2 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | Lobby ahu return fan | RF-2 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu supply fan | ACS-6 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu return fan | RF-3 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu supply fan | ACS-7 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | conf. center ahu return fan | RF-4 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| 7th FL MER | kitchen ahu supply fan | ACS-8 | 25 | 34 | 183 | 27.2 | 21.8 |
| | | | | | | | |
| | | | 2696.5 | 7172.00 | | 5737.80 | 4585.35 |
| | | | | | | | |

APPENDIX C
East River Science Park Mechanical Loads

| Tower #3 (Future Tower Estimated Loads) | | | | | | | |
|--|----------------------------|------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Fume Hood Cannon Fans | ef-1 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-2 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-3 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-4 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-5 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Fume Hood Cannon Fans | ef-6 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| Roof | Individual FHX fans (T.I.) | fhx-1 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-2 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-3 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-4 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-5 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-6 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-7 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-8 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-9 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-10 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-11 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-12 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-13 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-14 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-15 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-16 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-17 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-18 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-19 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-20 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-21 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-22 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-23 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-24 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-25 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-26 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower #3 (Future Tower Estimated Loads) | | | | | | | |
|---|----------------------------|--------|-----|------|---------|------|------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Individual FHX fans (T.I.) | fhx-27 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-28 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-29 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-30 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-31 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-32 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-33 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-34 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-35 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-36 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-37 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx38 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx39 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-40 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-41 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-42 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-43 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-44 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-45 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-46 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-47 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-48 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-49 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-50 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-51 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-52 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-53 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-54 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-55 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-56 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-57 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-58 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-59 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-60 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower #3 (Future Tower Estimated Loads) | | | | | | | |
|--|----------------------------|--------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Roof | Individual FHX fans (T.I.) | fhx-61 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-62 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-63 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-64 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-65 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-66 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-67 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-68 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-69 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-70 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-71 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-72 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-73 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-74 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-75 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-76 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-77 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-78 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-79 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| Roof | Individual FHX fans (T.I.) | fhx-80 | 2.0 | 3.40 | 25.00 | 2.72 | 2.18 |
| | | | | | | | |
| | | | | | | | |
| Roof | toilet exhaust fans | tx-1 | 5.00 | 7.60 | 32.00 | 6.10 | 4.9 |
| Roof | toilet exhaust fans | tx-2 | 5.00 | 7.60 | 32.00 | 6.10 | 4.9 |
| | | | | | | | |
| elevator mer | EMR AC-1 | ac-1(10 kw) | | 15.60 | | 12.50 | 10 |
| | EMR AC-2 | ac-2 (10 kw) | | 15.60 | | 12.50 | 10 |
| | | | | | | | |
| Roof | elevator hoistway vent | ef-7 | 0.75 | 1.60 | 12.50 | 1.30 | 1 |
| Roof | elevator hoistway vent | ef-8 | 0.75 | 1.60 | 12.50 | 1.30 | 1 |
| | | | | | | | |
| 7th Fl. MER | secondary chw pumps | p-1 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th Fl. MER | secondary chw pumps | p-2 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |

APPENDIX C
East River Science Park Mechanical Loads

| Tower #3 (Future Tower Estimated Loads) | | | | | | | |
|--|-------------------------|---------------------|-----------|-------------|----------------|------------|-----------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| 7th Fl. MER | secondary chw pumps | p-3 | 60.0 | 77.00 | 435.00 | 61.60 | 49.30 |
| 7th Fl. MER | perimeter heating pumps | p-4 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th Fl. MER | perimeter heating pumps | p-5 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th Fl. MER | hot water re-heat pumps | p-6 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th Fl. MER | hot water re-heat pumps | p-7 | 40.00 | 52.00 | 290.00 | 41.60 | 33.3 |
| 7th Fl. MER | Lab ahu supply fans | ACS-1 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu supply fans | ACS-2 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu supply fans | ACS-3 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu supply fans | ACS-4 (dual motors) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | | | | | |
| | | | | | | | |
| 7th Fl. MER | Lab ahu return fans | rf-1(dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu return fans | rf-2 (dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu return fans | rf-3 (dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| 7th Fl. MER | Lab ahu return fans | rf-4 (dual motor) | 75.00 | 96.00 | 543.00 | 76.80 | 61.45 |
| | | | | | | | |
| | Lobby ahu supply fan | ACS-7 | 20.00 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | | | | | |
| | Totals | | 1941.50 | | | 2075.00 | 1660.70 |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

APPENDIX D
East River Science Park Plumbing Loads

| Tower 1 (West Tower) | | | | | | | |
|----------------------|-----------------------|-----|-------|--------|---------|--------|--------|
| Location | Equipment | Tag | HP | AMPS | LR AMPS | KVA | KW |
| Service Level | Fire Pump | | 100.0 | 124 | 725 | 99.2 | 79.4 |
| Service Level | Jockey Pump | | 5.0 | 7.60 | 46.00 | 6.10 | 4.90 |
| Service Level | Cooling Tower Make-up | | 20.0 | 27.00 | 145.00 | 21.60 | 17.30 |
| | Pumps | | 20.0 | 27.00 | 145.00 | 21.60 | 17.30 |
| Service Level | Ejector Pumps | | 5.0 | | | | |
| | | | 5.0 | | | | |
| Service Level | Sump Pumps | | 5.0 | | | | |
| | | | 5.0 | | | | |
| Service Level | Domestic Water Pumps | | 20.0 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | 20.0 | 27.00 | 145.00 | 21.60 | 17.30 |
| | | | 15.0 | 21.00 | 116.00 | 16.80 | 13.50 |
| Service Level | Compressors | | 5.0 | 7.60 | 46.00 | 6.10 | 4.90 |
| | | | | | | | |
| | | | | 268.20 | | 214.60 | 171.90 |
| | | | | | | | |
| | | | | | | | |
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Consolidated Edison Company
of New York, Inc.
4 Irving Place
New York NY 10003
www.conEd.com

December 1, 2006

Mr. John M. Bracciodieta
Jaros Baum & Bolles
80 Pine Street
New York, NY 10003

Re: East River Science Park
JB&B Project No. 13446.0.001
Con Edison ID No. 0436530
Layout No. S06-04148-M

Dear Mr. Bracciodieta:

For the 4,406W in lighting, 6,824HP in motor, 2,250HP in air conditioning, 1,175HP in elevators, 7,349kW in lab power, and 1,695kW in miscellaneous load that you plan to install at the above referenced location, we shall supply non-standard three-phase, four-wire, alternating current service at approximately 60 cycles and 265/460 volts, subject to the provisions of our Electric Rate Schedule and the Requirements for Electric Service Installations.

Con Edison will provide 265/460 volt service as follows:

Due to the fact that the complex is in a flood zone, the Vault Installations will be Interior Distribution, and the vaults will have to be located above the flood level.

The total demand load for the project is estimated at 16,500KVA for the complex and will require a six (6) and a four (4) 2,500KVA transformer installation.

Buildings Number 1 & 2:

Con Edison will furnish and deliver six (6) 2,500KVA transformers, network protectors and associated equipment to the Customer's property line.

The Customer is to build six (6) 2,500KVA vaults network compartments.

The Customer is to install transformers, network protectors, associated equipment, and establish five (5) full service takeoffs.

Each takeoff will be limited to 3,000 amperes per phase per half hour demand.

The entire vault installation is not to exceed 14,500 amperes per phase per half hour demand.

Building Number 3

Con Edison will furnish and deliver four (4) 2,500KVA transformers, network protectors and associated equipment to the Customer's property line.

The Customer is to build four (4) 2,500KVA vaults network compartments.

The Customer is to install transformers, network protectors, associated equipment, and establish three (3) full service takeoffs.

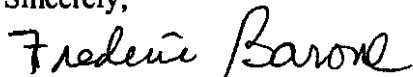
Each takeoff will be limited to 3,000 amperes per phase per half hour demand.

The entire vault installation is not to exceed 7,350 amperes per phase per half hour demand.

Our Customer Project Manager Mr. Joseph Kay will be your primary contact for this project. Mr. Kay will call you shortly to review the scope of work to be done and provide you will service layout.

If you do not hear from him shortly he can be reached at 212-460-6252. If you have any questions call me at 212-460-4411

Sincerely,



Frederic Barone
Customer Project Manager
Manhattan Energy Services

| | | |
|-----|-----------------|--------------------------|
| Cc: | Joseph Kay | Con Edison |
| | Eric Hollenberg | TSA of Massachusetts LLP |

Analysis of Financial Value of ERSP BIR Award Based on Original Estimate of 9 mW

| Month | kWh | On Peak (Est. 60%) | Off Peak (Est. 40%) | Load Factor (Est. 50%) | Estimated Demand | Con Ed T&D Cost Estimated @ 4.5 cents/kWh | Supply Charges Estimated @ 11.5 cents/kWh | Total Energy Cost 16.0 cents/kWh |
|--------------|-------------------|-----------------------|------------------------|---------------------------|---------------------|--|---|--|
| January | 3,348,000 | 2,008,800 | 1,339,200 | 50% | 9,000 | \$150,660 | \$385,020 | \$535,680 |
| February | 3,132,000 | 1,879,200 | 1,252,800 | 50% | 9,000 | \$140,940 | \$360,180 | \$501,120 |
| March | 3,348,000 | 2,008,800 | 1,339,200 | 50% | 9,000 | \$150,660 | \$385,020 | \$535,680 |
| April | 3,240,000 | 1,944,000 | 1,296,000 | 50% | 9,000 | \$145,800 | \$372,600 | \$518,400 |
| May | 3,348,000 | 2,008,800 | 1,339,200 | 50% | 9,000 | \$150,660 | \$385,020 | \$535,680 |
| June | 3,240,000 | 1,944,000 | 1,296,000 | 50% | 9,000 | \$145,800 | \$372,600 | \$518,400 |
| July | 3,348,000 | 2,008,800 | 1,339,200 | 50% | 9,000 | \$150,660 | \$385,020 | \$535,680 |
| August | 3,348,000 | 2,008,800 | 1,339,200 | 50% | 9,000 | \$150,660 | \$385,020 | \$535,680 |
| September | 3,240,000 | 1,944,000 | 1,296,000 | 50% | 9,000 | \$145,800 | \$372,600 | \$518,400 |
| October | 3,348,000 | 2,008,800 | 1,339,200 | 50% | 9,000 | \$150,660 | \$385,020 | \$535,680 |
| November | 3,240,000 | 1,944,000 | 1,296,000 | 50% | 9,000 | \$145,800 | \$372,600 | \$518,400 |
| December | 3,348,000 | 2,008,800 | 1,339,200 | 50% | 9,000 | \$150,660 | \$385,020 | \$535,680 |
| Total | 39,528,000 | 23,716,800 | 15,811,200 | | 9,000 | \$ 1,778,760 | \$ 4,545,720 | \$ 6,324,480 |

Tariff Savings Potential Based on 32% Reduction of T&D

BIR AWARD Tariff Savings

| | |
|-------------------------|---------------------|
| Year 1 | \$ 569,203 |
| Year 2 | \$ 569,203 |
| Year 3 | \$ 569,203 |
| Year 4 | \$ 569,203 |
| Year 5 | \$ 569,203 |
| Year 6 | \$ 569,203 |
| Year 7 | \$ 569,203 |
| Year 8 | \$ 569,203 |
| Year 9 | \$ 569,203 |
| Year 10 | \$ 569,203 |
| Year 11 | \$ 569,203 |
| Year 12 | \$ 455,363 |
| Year 13 | \$ 341,522 |
| Year 14 | \$ 227,681 |
| Year 15 | \$ 113,841 |
| Total | |
| Lifetime Savings | \$ 7,399,642 |

| | |
|--------------------------------|-----|
| T&D Reduction | 32% |
| T&D rates based on 2004 costs. | |

| | |
|---|--------------|
| Portion of Electric Peak Demand Associated with Electric Chiller= | 25% |
| Reduced value of BIR due to New Con Ed Tariff Change = | \$ 1,849,910 |

Analysis of Financial Value of ERSP BIR Award Based on Simulation Estimate of 7.1 mW

| Month | From | To | Days | kWh | On Peak | Off Peak | Load Factor | Estimated Demand | Total Energy Cost | T&D Costs (Assumes 33% of Total) |
|--------------|----------|----------|------|-------------------|-------------------|------------------|-------------|------------------|---------------------|----------------------------------|
| January | 01/01/04 | 01/31/04 | 31 | 1,687,112 | 1,012,267 | 674,845 | 49% | 4,603 | \$249,373 | \$82,293 |
| February | 02/01/04 | 02/29/04 | 29 | 1,550,914 | 930,548 | 620,366 | 48% | 4,603 | \$237,463 | \$78,363 |
| March | 03/01/04 | 03/31/04 | 31 | 1,779,150 | 1,067,490 | 711,660 | 48% | 4,957 | \$252,802 | \$83,425 |
| April | 04/01/04 | 04/30/04 | 30 | 1,739,532 | 1,043,719 | 695,813 | 47% | 5,112 | \$252,439 | \$83,305 |
| May | 05/01/04 | 05/31/04 | 31 | 1,798,396 | 1,079,038 | 719,358 | 40% | 6,022 | \$287,645 | \$94,923 |
| June | 06/01/04 | 06/30/04 | 30 | 2,047,249 | 1,228,349 | 818,900 | 40% | 7,056 | \$460,895 | \$152,095 |
| July | 07/01/04 | 07/31/04 | 31 | 2,239,329 | 1,343,597 | 895,732 | 42% | 7,101 | \$508,607 | \$167,840 |
| August | 08/01/04 | 08/31/04 | 31 | 2,188,192 | 1,312,915 | 875,277 | 41% | 7,112 | \$501,570 | \$165,518 |
| September | 09/01/04 | 09/30/04 | 30 | 1,959,836 | 1,175,902 | 783,934 | 39% | 7,049 | \$445,782 | \$147,108 |
| October | 10/01/04 | 10/31/04 | 31 | 1,732,032 | 1,039,219 | 692,813 | 45% | 5,167 | \$263,017 | \$86,796 |
| November | 11/01/04 | 11/30/04 | 30 | 1,653,674 | 992,204 | 661,470 | 50% | 4,600 | \$233,031 | \$76,900 |
| December | 12/01/04 | 12/31/04 | 31 | 1,720,210 | 1,032,126 | 688,084 | 50% | 4,596 | \$238,927 | \$78,846 |
| Total | | | | 22,095,626 | 13,257,376 | 8,838,250 | | 7,112 | \$ 3,931,551 | \$ 1,297,412 |

| Tariff savings potential with 100% | |
|------------------------------------|---------------------|
| BIR AWARD | Tariff Savings |
| Year 1 | \$ 415,172 |
| Year 2 | \$ 415,172 |
| Year 3 | \$ 415,172 |
| Year 4 | \$ 415,172 |
| Year 5 | \$ 415,172 |
| Year 6 | \$ 415,172 |
| Year 7 | \$ 415,172 |
| Year 8 | \$ 415,172 |
| Year 9 | \$ 415,172 |
| Year 10 | \$ 415,172 |
| Year 11 | \$ 415,172 |
| Year 12 | \$ 332,137 |
| Year 13 | \$ 199,282 |
| Year 14 | \$ 79,713 |
| Year 15 | \$ 83,034 |
| Total | |
| Lifetime Savings | \$ 5,261,057 |

| | |
|---|--------------|
| Portion of Electric Peak Demand Associated with Electric Chiller= | 25% |
| Reduced value of BIR due to New Con Ed Tariff Change = | \$ 1,315,264 |

Notes:

Energy usage based on energy simulation study performed by Viridian Energy & Environmental
Rates are based on current rates.

| |
|-------------------------------|
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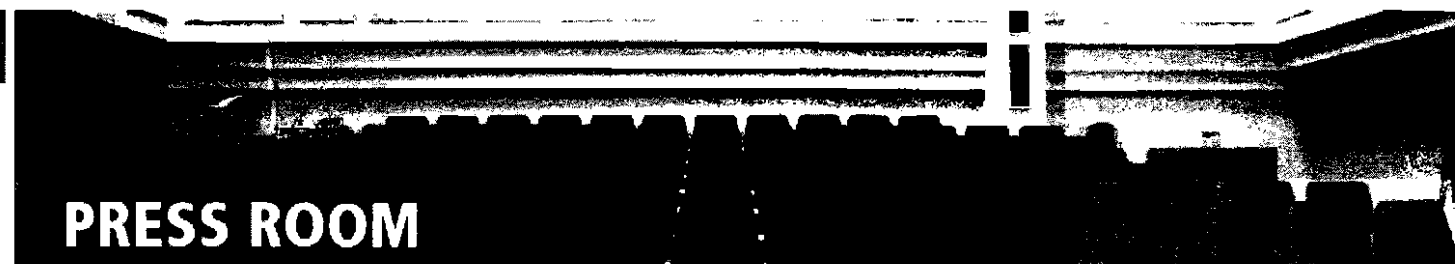
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NYC Economic Development Corporation Issues Requests for Proposals for Development Sites at Former Navy Homeport

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October 5, 2007

New York City, October 5, 2007– New York City Economic Development Corporation (NYCEDC)

today issued three Requests for Proposals (RFPs)

in connection with the New Stapleton Waterfront

Development Plan for the former U.S. Naval

Homeport in Staten Island. The RFPs seek residential development with accessory commercial

space: a hotel with a banquet hall and restaurant; and development of a sports complex. The

sites are located in the recently designated Special Stapleton Waterfront District created to allow

for the implementation of the Plan. The RFPs are a critical part of the Plan, which was developed

through the efforts of Mayor Bloomberg's Homeport Task Force and approved by the City

Council last year.

CONTACT

- Janel Patterson/Yonit Golub
- 212-312-3523

This project at Bronx Terminal Market will attract retailers and create a new park for public enjoyment.

This Queens project includes development of new residential units, retail space and more.

"These RFPs represent another milestone in the realization of Mayor Bloomberg's commitment to spur economic activity and reclaim the waterfront for local residents and visitors in all five boroughs," said NYCEDC President Robert C. Lieber. "Development of these sites, along with the public improvements called for in the New Stapleton Waterfront Development Plan, will transform an underused industrial area into a thriving waterfront community. I commend the members of the Homeport Task Force who have been a part of the planning process from the beginning for their hard work and dedication to this important endeavor."

The Task Force identified a number of key goals for the Plan, including connection to the Stapleton Community and public access to the waterfront. As a part of the Plan, the City is investing \$66 million in infrastructure improvements in the area, including new roadways, two public open spaces and a mile-long waterfront esplanade along New York Harbor with sweeping views of the Manhattan skyline and Verrazano Narrows Bridge.

The Task Force also developed the Plan's Design Guidelines for excellence and sustainability. Development of the sites will be required to adhere to those guidelines. The Task Force, which will continue to oversee implementation of the Plan, is comprised of City and local elected officials, and community and business leaders from around the Borough.

"The redevelopment of the Homeport is a great opportunity for the people of Staten Island and the Stapleton community in particular, and it has a great impact on the quality of life in the area," said Staten Island Borough President James P. Molinaro. "I'm pleased that the first step is being taken to redevelop this site, and I would like to thank Mayor Bloomberg once again for his

commitment to this project.”

The first RFP seeks proposals for the purchase and redevelopment of three parcels for residential development with accessory commercial development. The first parcel, in the northern part of the District, is approximately 4.7 acres and will contain about 125 residential units. The second parcel, located near the center of the District, is approximately 3.5 acres and will contain about 125 residential units, a 10,000-square-foot farmers' market and up to 25,000 square feet of community-oriented service retail space. The third parcel, approximately 2.4 acres, is located in the southern portion of the District and will contain about 100 residential units. Respondents may submit proposals for acquisition and development of all or any of the three parcels.

“The development of the Homeport site is a leap forward for the Stapleton Community and will serve as an important economic development anchor for the Borough,” said Councilmember Michael E. McMahon. “I look forward to a continued partnership with the City as these projects move forward.”

The second RFP is for the ground lease, development and operation of a 150-room hotel, a 20,000-square-foot banquet hall, and a 5,000-square-foot restaurant. The approximately 3.5-acre site is located in the northern portion of the District.

The third RFP is for the ground lease, development and operation of a sports complex on approximately 3.5 acres near the center of the District. The sports complex is proposed to include an indoor ice rink and turf field and accessory facilities, such as locker rooms. It may also include up to 5,000 square feet of sports-related retail, such as a sports equipment store, bike and skate rental shop or food concessions. Other proposed uses may include facilities for gymnastics, party rooms or other recreational activities.

“This returns another beautiful piece of what is our Staten Island Waterfront to Staten Islanders,” said Chair of Staten Island Community Board 1 Sean Sweeney. “We have long been denied access to its natural beauty and economic potential. Many hours of Task Force design, dialogue and debate have culminated in the final vision of what is to be a wonderful residential and recreational area.”

NYCEDC will use a variety of criteria to evaluate the responses to the RFPs, including economic impact of the project on New York City; qualifications of the development team; financial feasibility of the project; relationship to the surrounding community; and land use and design considerations. Green Building techniques are required for several parcels incorporating LEED ND

and NC standards. All respondents are encouraged to submit a Minority and Women-owned Business Enterprise/Local Hiring and Utilization Plan with their proposals

An informational meeting and site visit for all three RFPs will be held Wednesday, October 24, 2007 at 2:00 p.m. at the Homeport (entrance on Front Street at the end of Canal Street, Stapleton, Staten Island). For reservations for the site visit and meeting location details, please call Liliana Ruiz at 212-312-3840 or e-mail lruiz@nycedc.com by October 22, 2007. For copies of one or all of the RFPs, visit www.nycedc.com/rfp. Responses are due no later than 4 p.m. on Thursday, December 13, 2007

About NYCEDC

New York City Economic Development Corporation is the City's primary vehicle for promoting economic growth in each of the five boroughs. NYCEDC's mission is to stimulate growth through expansion and redevelopment programs that encourage investment, generate prosperity and strengthen the City's competitive position. NYCEDC serves as an advocate to the business community by building relationships with companies that allow them to take advantage of New York City's many opportunities

ERSP Chiller Chronology

| | |
|--|---|
| November 12, 2004 | EDC RFP for biotech development |
| August 4, 2005 | Conditional Designation Letter |
| Jan 1 2006 | Initiated analysis re use of electricity vs. steam for chillers |
| January 25, 2006 | ARE submits Application for Steam Service |
| May 23, 2006 | JBB Load Letter to Con Ed indicating use of electric chillers |
| October 26, 2006 | EDC letter to Con Ed authorizing 9 mw at BIR rate |
| November 15, 2006 | Con Ed executed BIR letter |
| December 1, 2006 | Con Ed Service Letter committing to provide requested service, including electric chillers. |
| December 15, 2006 | 80% Construction Documents Issued |
| December 29, 2006 | ARE/HHC executed lease |
| February 14, 2007 | Start of construction |
| March 2, 2007 | 100% Coordinated GMP Construction Documents Issued |
| May 4, 2007 | Con Ed issued proposal to eliminate BIR for chillers within 250 feet of steam service |
| May 15, 2007 | Bid completed for electric chillers |

| | |
|--|---------------------------------------|
| April 10, 2008 | Electric chiller delivery date |
|--|---------------------------------------|

| | |
|-------------------|---|
| Dec 8 2009 | Completion Date for West Tower East Tower and Option Parcel to follow |
|-------------------|---|

| | |
|----------------------------|---|
| > April 10, 2008 | Electric chiller delivery date |
| June 1, 2007 | If switched to steam chillers starting <u>June 1, 2007</u> : (This did not happen) |
| September 29, 2007 | Redesign (4 Months) |
| March 27, 2008 | Con Ed approval process (6 months) |
| May 8, 2008 | Rebid (6 Weeks) |
| July 7, 2008 | Re-Engineer (2 Months) |
| January 5, 2009 | Fabricate (26 weeks) |

|
> **January 19, 2009** **Steam Chiller delivery date**

September 11, 2010 **Completion Date**

| December 1, 2007 If switched to steam chillers starting **December 1, 2007:**

| March 30, 2008 Redesign (4 Months)

| September 26, 2008 Con Ed approval process (6 months)

| November 7, 2008 Rebid (6 Weeks)

| January 6, 2009 Re-Engineer (2 Months)

| July 7, 2009 Fabricate (26 weeks)

|> **July 21, 2009** **Steam Chiller delivery date**

March 13, 2011 **Completion Date**

Note: Chiller must be available for rigging when the steel erection is at the Machine Room level on the 7th Floor in order for steel erection to continue uninterrupted. Steel erection is critical to the overall completion of the building and any delays in steel erection will directly impact the building delivery dates.

Further notes:

Con Ed gave notice of the change on May 4, 2007 to take place April 1, 2008 = 11 months notice. with no formal decision.

It would take us a minimum of 18 months to make the change.

Even if we had started on June 1, 2007, we would have chillers 10 months after our current delivery date and would have to hold installing steel for that amount of time on the East Tower!

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East River Science Park
New York, New York
Project No. 13446.0.000

January 25, 2006

Mr. Michael McGee
Commercial Steam Services
Consolidated Edison Company of New York, Inc.
4 Irving Place – Room 1328
New York, New York 10003

Dear Mr. McGee:

The above-mentioned project is a proposed 15-story research laboratory building located between 28th and 29th Streets and First Avenue and the FDR Drive. The new building will consist of one (1) grade-level platform and two (2) towers, each containing fifteen (15) above-grade levels, including one (1) mid-level mechanical level at the 7th Floor. The total nominal gross square footage for the structure is 700,000 sq.ft. The air conditioning systems will consist of electrically driven refrigeration machines and cooling towers located in Tower 2, serving central air handlers, located in the mid-level Mechanical Room of each building, that serve the main lobby, offices, laboratory and laboratory support spaces. Heating will consist of steam-to-hot water heat exchangers, located within each mid-level Mechanical Room, hot water circulating pumps and, in general, hot water fin-tube elements, located below each office and/or laboratory floor window, and will be used to offset the heat losses occurring at the window walls and roof. Steam heating coils will be provided for the 100% outside air central laboratory systems. The laboratory systems will require reheat due to the fume hood make-up air requirements. Our preliminary calculations indicate that the anticipated total heating, domestic hot water and laboratory equipment in the Winter will be approximately 75,000 lbs./hr. with 16,000 lbs./hr. maximum load in the Summer for domestic hot water and laboratory equipment use.

It is our intention to provide an 8 in. high-pressure tap off of the existing 16 in. service located at 29th Street, currently serving Bellevue Hospital. Once within the new building, the new 8 in. line will be routed to a Steam Meter Room, located at the project's Parking Level (see SKM-I).

If there are any questions regarding the above, please do not hesitate to contact this office.

Very truly yours,

JAROS, BAUM & BOLLES

Matthew M. Wavro
MMW:jb

cc: (1) Mr. M. W. Simpler
(1) Mr. M. M. Wavro

(1) Mr. C. R. Horch
(1) File

Enc. (All Listed)

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APPLICATION FOR STEAM SERVICE

DATE: January 25, 2006

SITE LOCATION: East River Science Park – Bellevue Hospital

OWNER'S NAME: Alexandria Realty

ADDRESS:

BLDG. TYPE: RES'L. INDUS'L. COMM'L. X OLD NEW X

STEAM UTILIZATION: HEAT X HOT WATER X A/C OTHER

CUBE ABOVE GRADE: 863,400,000 ft³

CUBE BELOW GRADE: 2,716,000 ft³

NUMBER OF STORIES: 15

NUMBER OF APARTMENTS: Not applicable

TYPE OF HEATING SYSTEM: Hot Water

TYPE OF A/C: Electric

TONS: 2,400 tons

REQUESTED STEAM SERVICE POINT OF ENTRY: See Site Plan

MAXIMUM PRESSURE REQUIRED: 15 psig

IF IN EXCESS OF 75 PSIG, EXPLAIN:

DATE SERVICE IS REQUIRED:

| | LOAD DATA (lbs/hr): | |
|-------------|---------------------|--------|
| | WINTER | SUMMER |
| HEATING | 6,500 | 0 |
| VENTILATING | 55,000 | 0 |
| HOT WATER | 16,000 | 16,000 |
| TOTAL | 77,500 | 16,000 |

PLEASE PROVIDE THE FOLLOWING:

- I. A site drawing indicating the P.O.E. along with other utility connections within a 5 ft. radius of that point. This drawing is to show the location of the Steam Meter Room with respect to P.O.E. An elevation drawing is required in cases where the Meter Room is not on the same floor as the P.O.E.
- I. This application must be stamped by a P.E. or R.A.
- I. Return the application to:
Con Edison Steam Operations
4 Irving Place — Room 1328
New York, New York 10003
Attention: Mr. M. McGee

Company Name: Con Edison
Case Description: Electric Rate Filing
Case: 07-E-0523

Response to CPA Interrogatories – Set C PA2
Date of Response: 08/29/2007
Responding Witness: Rate Panel

Question No. 16

On page 83 of the Electric Rate Panel, Con Edison proposed that the reduced allocations to non-steam chillers would only apply to, "new customers applying for service under the BIR program on and after April 1, 2008." Please clarify the meaning of this statement. Would a customer who has submitted an application for BIR prior to April 1, 2008, who does not begin receiving electric service until after this date be subject to the reduction?

Response:

Yes. A Customer who submits an application for BIR prior to April 1, 2008 and receives allocations of power on and after April 1, 2008 under either the New and Vacant Programs or the New York City Comprehensive Program would be subject to reduced BIR benefits.