

## Request for Statements of Qualification

### For Capital Providers to Participate in the NYC Accelerator Program (Not For NYC Accelerator PACE Financing)

The New York City Accelerator (“NYC Accelerator” or “Program”) is requesting Statements of Qualification (“RFQ”) from banks, mortgage lenders, finance companies, CDFIs, energy services companies, and other organizations (“Capital Providers”) that offer loans, energy services agreements, or other forms of financing (“Financing Products” or “Funding Solutions”) for the purpose of providing capital to buildings located in New York City (“NYC” or “City”) to fund energy efficiency, decarbonization, water conservation, resiliency, clean energy projects and technologies, and/or associated pre-development requirements of such projects (“Accelerator-assisted Projects”).

Submission of a response to this Request for Statements of Qualification (“RFQ”) that meets the criteria outlined herein, in the sole judgment of the City and its advisors, will allow representatives of the NYC Accelerator program to reference to the Financing Products offered by Capital Providers during discussions with building owners and other stakeholders including building contractors and consultants (“Owners” or “Participants”) and allow NYC Accelerator representatives to directly refer Owners to Capital Providers.

An accepted submission will also result in the listing of the Capital Provider and its Financing Products on the NYC Accelerator website and other NYC Accelerator marketing or other materials (“Marketing Materials”) to serve as a resource for Owners participating in NYC Accelerator.

This RFQ shall not result in a contract with the City of New York.

Any questions related to this RFQ should be directed to Andrew Chintz, Financing Specialist, at [andrew@accelerator.nyc](mailto:andrew@accelerator.nyc).

### Energy Efficiency in NYC

NYC has over one million buildings that make up more than five billion square feet of built area. More than 90 percent of these buildings will still exist in 2050. The energy used in the City’s diverse building stock is the largest contributor of greenhouse gas (“GHG”) emissions, which are responsible for 68% of the citywide total GHG emissions in 2014. In recent years, NYC has focused on improving the efficiencies of large buildings through benchmarking, energy audit local laws, and programs, such as the Climate Mobilization Act (“CMA”). The CMA includes Local Law 97 which establishes incremental carbon limits on buildings of 25,000 square feet or larger.

### NYC Accelerator

NYC is a leader in combating climate change with a goal to be carbon neutral by 2050. The largest share of NYC’s GHG emissions comes from buildings which include residential, commercial, industrial, and institutional buildings. With all of this in mind, the Mayor’s Office of Climate and Sustainability (currently the Mayor’s Office of Climate and Environmental Justice) established the NYC Accelerator Program to mobilize real estate stakeholders towards a pathway to decarbonization, achieve CMA requirements, and meet the City’s [OneNYC goals](https://on.nyc.gov/3I6HdN9) (<https://on.nyc.gov/3I6HdN9>).

Launched in Spring 2021, NYC Accelerator (“Program”) provides free, one-on-one, customized technical guidance for Owners and operators of all types of privately-owned buildings. NYC Accelerator advisors provide assistance with developing a scope of work,

selecting contractors to perform the work, identifying incentive programs, and identifying financing options. Many Owners participating in NYC Accelerator are expected to need Financing Products to implement their Accelerator-assisted Projects and manage their capital budgets. The goal of this RFQ is to identify and compile these Financing Products for Participants.

NYC Accelerator mainly serves buildings that are 25,000 square feet or larger and subject to Local Law 97 requirements, but also focuses on buildings as small as 5,000 square feet. NYC Accelerator does not serve 1-4 family residential buildings. In addition to NYC's large commercial and residential building stock, there is an abundance of small buildings located throughout the City and many energy improvement or clean energy projects have small financing needs. By participating in the Program, both existing and new buildings can pursue deep energy measures that enable them to exceed Local Law 97 requirements passed under the CMA. Overall, NYC Accelerator aims at increasing awareness and education for professionals in this industry and to facilitate a just transition to carbon neutrality for all of NYC. More information is available at [www.accelerator.nyc](http://www.accelerator.nyc).

### **Section 1: Role of the Capital Provider**

As a City-funded program, NYC Accelerator is in a unique position to help Capital Providers working within NYC connect with key Owner decision makers to support greater energy efficiency and carbon reduction practices within building design, construction, and operations. The list of financing product categories identified to support this effort includes, but is not limited to:

- Green mortgage or line of credit,
- Specialty financing incorporating energy and other operating savings,
- Energy services with turnkey solutions that incorporate services and financing,
- Equipment loans or leases,
- Predevelopment loans to finance upfront energy retrofit-related project costs; and
- Bridge loans to finance costs prior to receiving incentive payments.

The list of building typologies accessing the Financial Products includes all non-municipal or non-governmental buildings including, but not limited to:

- Multifamily housing properties
  - Market rate or rent-regulated rental
  - Affordable housing – regulated or naturally occurring
  - Condominiums
  - Cooperatives
- Commercial, industrial, retail properties
- Special use facilities
- Properties and facilities owned by non-profit institutions such as higher education, health care, cultural and faith-based organizations

NYC Accelerator does not serve 1-4 family buildings and this RFQ is not requesting Financing Products for these buildings.

Capital Providers selected to participate will serve as an extension of the outreach activities of NYC Accelerator, helping to transition buildings in NYC to a low carbon future.

The Program will provide Capital Providers with the opportunity to be included as an approved NYC Accelerator Capital Provider available to be referred to building decision makers interested in financing options. Capital Providers will have the opportunity to expand their business by gaining exposure to NYC Accelerator Participant referrals. Selected Capital Providers will include the NYC Accelerator logo on their website. Capital

Providers may expand their technical knowledge of building decarbonization measures through optional, free NYC Accelerator training and Marketing Materials. As Capital Providers engage with the Program, they will showcase examples of their applied Financing Products to facilitate and maximize sustainable building projects with Participants.

#### Request for Alternatives to NYC Accelerator PACE Financing.

As part of the CMA, NYC passed Local Law 96 and Local Law 97. To accommodate Local Law 97 which sets carbon caps on NYC buildings, Local Law 96 authorized NYC Accelerator PACE Financing to provide a financing mechanism to help meet Local Law 97 requirements. NYC Accelerator PACE Financing has been launched in NYC and currently thirteen PACE lenders have been qualified to participate.

**This RFQ is NOT a request for Capital Providers to provide NYC Accelerator PACE Financing. It is a request for Capital Providers providing financing to Participants seeking alternatives to NYC Accelerator PACE Financing.** While NYC Accelerator PACE Financing is expected to fill a large demand for energy efficiency financing, not all Owners are able to access NYC Accelerator PACE Financing due to restrictions in the authorizing regulations or lender criteria.

The vast majority of buildings in NYC are multifamily and many multifamily Owners cannot access NYC Accelerator PACE financing due to intercreditor limitations, building sector or limited project financing needs. As a result, special preference will be given to Capital Providers that can meet the financing needs of Participants unable to access NYC Accelerator PACE Financing and address financing market gaps which include, but are not limited to:

- Financing Products available to condominiums
- Financing Products for small projects with minimum loan sizes of \$50,000
- Consideration to underwriting operating cost savings in the loan size amount (e.g. energy, maintenance, insurance savings)
- Financing Products that incorporate the funding and timing of cash incentives available through public and/or utility sponsored incentive programs
- Financing of health and safety measures in addition to financing energy efficiency or renewable energy improvements
- Financing Products that can be incorporated into Regulated affordable housing financing and subsidy programs provided by, but not limited to NYC HPD, NYC HCR, NYC HDC, HUD, FHA, FNMA, and FHLMC, as well as projects identified as naturally-occurring affordable housing
- Financing Products that can be incorporated into SBA loan programs

#### Request for other products or initiatives that help advance NYC and NYC Accelerator decarbonization goals.

NYC has one million buildings and NYC Accelerator provides services to all privately-owned buildings greater than 5,000 square feet. The demand for financing options to meet Local Law 97 requirements is strong and challenging. In addition to providing Financing Products, this RFQ is interested in solutions or initiatives from Capital Providers that may offer support to expanding capital sources. For example, programs for training lenders that underwrite energy savings or expand the use of existing Financing Products. While this RFQ is interested in understanding these additional benefits, it is not a requirement for approval under the RFQ.

## Section 2: NYC Accelerator and MWBE Goals

For the Program to achieve success, it must incorporate a diverse pool of Capital Providers. It is critical to focus on groups that are often overlooked or neglected when planning for major decarbonization efforts. With NYC Accelerator, there is a targeted effort to recruit MWBE Capital Providers to help accelerate the development of a diverse and equitable workforce.

In the fight to decarbonize buildings in NYC for a low carbon future, MWBE firms must be a part of the coalition. It is a NYC Accelerator core mission to deliver an equitable response to environmental social justice throughout the five boroughs and the Capital Providers should reflect that core mission.

## Section 3: Submission Requirements

To respond to this RFQ, please complete the [online application](https://forms.office.com/r/t6NHv0db8t) (<https://forms.office.com/r/t6NHv0db8t>). The Capital Provider should be familiar with the NYC energy market. Capital Providers must either be actively engaged with building projects in the NYC market and provide details for these projects, as outlined in the online application, or describe their strategy and rationale for entering the NYC market. Additional documentation (e.g., certifications, etc.) cannot be uploaded through the application portal and should be emailed to Andrew Chintz at [andrew@accelerator.nyc](mailto:andrew@accelerator.nyc) with the subject heading, "NYC Accelerator Capital Provider RFQ – [YOUR COMPANY NAME HERE]".

## Section 4: Deadline for Submission

There is no deadline for submission of a response to this RFQ. NYC Accelerator will accept responses to this RFQ on a rolling basis. However, respondents who are interested in being listed on NYC Accelerator Marketing Materials when the initial list of Capital Providers is published early in 2023 must provide their submission by December 2, 2022, at 5:00 PM Eastern Daylight Time.

## Section 5: Questions

NYC Accelerator plans to host an informational webinar to provide a Program overview and field questions about the RFQ and overall Program. Questions may be emailed to Andrew Chintz at [andrew@accelerator.nyc](mailto:andrew@accelerator.nyc), after the information session. Links for this event will be emailed to Capital Providers once dates are determined.

## Section 6: RFQ Submissions

Respondents can apply to be qualified for multiple Financing Products and should check all the applicable categories in the application. The following steps should be completed when responding to this RFQ:

1. Complete the [Online Application](https://forms.office.com/r/t6NHv0db8t) (<https://forms.office.com/r/t6NHv0db8t>)
2. Provide Supplemental Documentation:
  - a. Required: Two years of audited financial statements
  - b. Evidence of customary insurance coverage (e.g. D&O insurance, commercial general liability, professional liability/errors and omissions coverage, property and workers' compensation)
  - c. Optional: Certifications that may include but are not limited to: MWBE, MBE, WBE, VBE.

- d. **Email to Andrew Chintz** at [andrew@accelerator.nyc](mailto:andrew@accelerator.nyc) with the subject heading, "NYC Accelerator Capital Provider RFQ – [YOUR COMPANY NAME HERE]"

## **Section 7: Qualification Process**

NYC Accelerator will review all responses to this RFQ to determine whether the Capital Provider: (a) has submitted a complete application as described in Section 6 of this RFQ; (b) acknowledges the Requirements Once Selected (described in Section 8 of this RFQ) and the General Terms and Conditions (described in Section 9 of this RFQ); and (c) has met the applicable requirements to provide Financing Products for NYC Accelerator Participants. After the completion of such review, NYC Accelerator will notify the Capital Provider, in writing, regarding selection status.

## **Section 8: Requirements Once Selected**

The following requirements listed under this section must be met to remain active with NYC Accelerator:

1. Willingness and ability to provide, either directly or through a third-party partner, one or more Financing Products to aid Participants in completing NYC Accelerator-assisted Projects.
2. Experience providing Financing Products to multifamily and/or commercial buildings in NYC or elsewhere, preferably demonstrated by a track record of such successful financing transactions.
3. Underwriting criteria, due diligence requirements, and a loan approval process that is clearly identified and conducive to NYC Accelerator-assisted Projects.
4. Competitive loan pricing and fees.
5. Certification in writing that neither the Capital Provider nor any of its affiliates or partners is or will become a predatory lender or an affiliate thereof, as such terms are defined in section 6-128 of the Administrative Code of the City of New York.
6. Capital Provider and its partners have a satisfactory record of business integrity.
7. Agreement to notify the City at least thirty (30) days in advance of any changes to be implemented by the Capital Provider that would result in the Capital Provider or its Financing Products no longer being in compliance with the required terms and conditions under this Section 8, or no longer offering Financing Products or services that were represented as part of the Capital Provider's response to this RFQ.
8. All Capital Providers are required to complete an orientation with NYC Accelerator to become qualified for participation. This includes completion of a one-to-two-hour online orientation session by at least two primary company representatives. Covered topics will include an overview of NYC Accelerator, description of the Capital Provider's Financing Product offerings, and relevant borrower market to support the NYC Accelerator referral process. Capital Providers' participation will be verified with the training registration and webinar participation log.

9. All Capital Providers must provide company information at least some of which will be listed in NYC Accelerator Marketing Materials, including contact information, a concise description of relevant Financing Products offered, building sectors served, geographical work preferences within NYC, and further accompanying details outlined in the application. NYC Accelerator representatives will be authorized to reference the Financing Products offered during discussions with Participants. Capital Providers may be asked to supply promotional materials relating to their Financing Products.
10. Capital Providers are required to post the NYC Accelerator logo on their website.
11. Capital Providers are required to promptly respond to all inquiries made by, or on behalf of Participants, or any building decision maker that references NYC Accelerator within **three business days**.
12. Capital Providers are required to engage with leads generated from NYC Accelerator. An engagement with Participants includes reaching out to them, either by phone, email, or in person. Completing projects means that the Capital Provider has successfully closed on the financing of the Accelerator-assisted Project. Andrew Chintz, Financing Specialist, must be notified of an impending failure to close.
13. Capital Providers are required to have engaged with at least three different Participants and complete at least one Accelerator-assisted Project, per program year, or provide an acceptable rationale if this requirement is not met. See above for definitions on engaging and completing projects.
14. Agreement to inform NYC Accelerator on a quarterly basis about inquiries referred through the Program and completed financing transactions for Accelerator-assisted Projects. The Program is reliant on these engagements to achieve success. Communication methods between the Financing Specialist and Capital Providers will be determined from a choice of options to include but are not limited to: (1) entering data in a shared spreadsheet monthly; (2) scheduled monthly calls; or (3) detailed monthly email updates.
15. The Capital Provider must continue to meet the requirements described in Section 8 of this RFQ. If at any time NYC Accelerator determines that the Capital Provider and/or Financing Products are no longer in compliance with these requirements, NYC Accelerator will notify the Capital Provider of the reasons upon which such determination is based. The inability to stay in compliance with the requirements in Section 8 of this RFQ may result in disqualification as a Capital Provider, as determined by NYC Accelerator.

## **Section 9: General Terms and Conditions**

1. NYC Accelerator reserves the right, in its sole discretion, to withdraw this RFQ at any time; to determine not to proceed with the actions described or suggested herein; and to take any other action with respect to this RFQ, including but not limited to, the right to discontinue publication in any medium of NYC Accelerator materials.

2. NYC Accelerator reserves the right in its sole discretion to issue a new RFQ altering the terms and conditions of participation and re-qualifying Capital Providers to participate on and after a date established in the new RFQ.
3. If removed from the Program, the Capital Provider must halt usage of Marketing Materials and logo affiliated with the NYC Accelerator Program.
4. All determinations in connection with this RFQ (including, but not limited to, any determinations regarding the experience, capability, capacity, or financial resources of any Capital Provider, or regarding the selection of qualified Capital Providers or the removal of Capital Providers from NYC Accelerator materials) shall be in the sole discretion of NYC Accelerator.
5. Inclusion of any Capital Provider on NYC Accelerator Marketing Materials does not guarantee that such Capital Provider will be selected by any Participant, nor does it create any rights on the part of the Capital Provider.
6. Inclusion of any Capital Provider on NYC Accelerator Marketing Materials is not an endorsement by NYC Accelerator of the Capital Provider or financing offered by the Capital Provider. Participants must make their own determination as to whether to seek and obtain financing from Capital Providers or other entities.
7. Any material misrepresentation made by a Capital Provider or any failure by a Capital Provider to disclose any material information in connection with its response to this RFQ may result in the Capital Provider's disqualification from consideration for participation in the Program, or if the Capital Provider is already a qualified Capital Provider, the removal of the Capital Provider from the Program and Marketing Materials.
8. NYC Accelerator shall not be liable or responsible for the costs, expenses, or liabilities incurred by any person or entity in preparing any response to this RFQ or for any other costs, expenses, or liabilities incurred by any person or entity in connection with or in reliance on this RFQ
9. Responses to this RFQ will not be treated as confidential and may be disclosed to the public or made a matter of public record. Materials should not be submitted that the respondent would not wish to be subject to public disclosure or placed in the public record.
10. The City makes no representation or warranty as to the accuracy of information provided in this RFQ and nothing contained in this RFQ is, or should be, relied upon as a promise or representation.

**Contact Information:**

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