The Core Commitments Progress Report

In 2012, the New York City Council approved NYU’s Core Plan, granting NYU permission to develop new facilities on the two superblocks bounded by West 3rd Street and West Houston Street to the north and south, and by Mercer Street and Laguardia Place to the east and west. With the guidance of Council Member Margaret Chin and the City, NYU agreed that in addition to the approved plan, NYU would fulfill a series of commitments to the community. These commitments include enhancing spaces for public use, implementing construction mitigation measures, incorporating sustainability initiatives, and formalizing oversight procedures for construction and open space maintenance.

NYU’s commitments to the community are memorialized in an agreement between NYU and the City (the Restrictive Declaration), described below. Please contact NYU Community Engagement at (212) 998-2400 or community.engagement@nyu.edu with any questions.

Community and Open Spaces
NYU is enhancing and supporting spaces for community members.
- 181 Mercer Community Facility
- 181 Mercer North (Bleecker Street) Entry
- Financial Contribution for Playground Enhancements
- Bleecker Street Landscape
- Greene Street Walk
- Fiorello LaGuardia Park
- Mercer-Houston Dog Run Relocation
- Minority Women and Local Business Enterprises Plan
- Space for a Public School
- Toddler Playground
- Sasaki Garden Site Improvements
- Seasonal Playground Associate
- Washington Square Village Community Space
- Mercer Street Plaza No-Build Agreement

Construction
NYU is implementing various mitigation measures prior to, during, after construction.
- Construction Mitigation Plans
  - Air Emissions Reduction
  - Pest Management
  - Noise Reduction
  - Historic Resource Monitoring
  - Dewatering
  - Hazardous Waste Control
  - Traffic Mitigation
- Construction Noise Mitigation (Window/AC/PTAC Replacement)
- Noise Attenuation
- Traffic Mitigation at Project Completion
- Traffic Monitoring Plan
- Transit Mitigation
- Historic Resource Protection Measures
- Archaeological Investigation
- Maintenance and Protection of Traffic

Sustainability
NYU is implementing sustainability initiatives that support water conservation, energy efficiency, and emissions reduction.
- Building Energy Consultant
- Efficient Maintenance and Operations
- Emissions Reduction
- Energy Efficiency
- LEED Certification
- Storm Water BMP
- Water Conservation
- Boiler Stack Locations

Oversight
Agreements and oversight organizations review NYU’s progress on its commitments as memorialized in the Restrictive Declaration.
- Construction Committee Liaison
- Independent Construction Monitor
- LaGuardia Corner Gardens Protection Plan and Fund
- LaGuardia Corner Gardens Task Force
- Landscape Improvements Compliance Report
- Mature Tree Protection Plans: Mercer Street and LaGuardia Place
- Open Space Oversight Committee
- Public Space Endowment
- Public Space Maintenance and Operations Agreement
- Public Space Maintenance Letter of Credit
- Willow Oak Tree Maintenance Plan
181 Mercer Community Facility

Overview: NYU will make approximately 7,500 gross square feet of community facility space on the ground floor level of 181 Mercer Street accessible to pedestrians from the Greene Street Walk, a landscaped pedestrian way to be created as part of the new building. For further reference, please review the NYU Letter to Council Member Margaret Chin from July 2012 and the Restrictive Declaration 6.1(b), p. 80.

Current Status: Design and program planning for 181 Mercer Street is underway and 7,500 gross square feet of community facility space is being factored into the design and programming of the building. This facet of the project will be ongoing during the design and construction of 181 Mercer.

181 Mercer Street North (Bleecker Street) Entry

Overview: The north entry of 181 Mercer Street along Bleecker Street will incorporate a small planting area on property under the jurisdiction of the NYC Department of Transportation. The design of the north entry landscape will be subject to review and approval by the NYC Public Design Commission. NYU will collaborate with the Department of Transportation, the Department of Parks, and the Public Design Commission to create a design for this area. For further reference, please review Restrictive Declaration Section 6(a) (b)(c).

Current Status: Design of the north entry area is currently underway.

Financial Contribution for Playground Enhancement

Overview: NYU will make a contribution of $350,000 (adjusted for inflation) to NYC Department of Parks and Recreation for improvements at the LMNOP or Washington Square Park playgrounds. NYU will collaborate with the Department of Parks and Recreation on this project. Please refer to the Restrictive Declaration section 4.4(f)(i), page 60 for further reference.

Current Status: NYU will make the contribution prior to the receipt of the TCO (Temporary Certificate of Occupancy) for 181 Mercer Street.

Bleecker Street Landscape

Overview: NYU worked with the NYC Department of Parks and Recreation and NYC Department of Transportation to improve the planting areas on Bleecker Street between Mercer Street and LaGuardia Place. Improvements include new plantings to add seasonal interest and variety to the understory, sidewalk repaving, new fencing on the planting bed perimeter, and tree pruning and fertilizing. The Department of Parks and Recreation and the Department of Transportation took the lead in designing the landscape improvements, and Community Board 2 and the Open Space Oversight Organization were consulted prior to and during review and approval on October 5, 2015 by the Public Design Commission. For further reference, please review NYU's presentation to the Public Design Commission, the Letter from NYU to Council Member Margaret Chin, and the Restrictive Declaration section 6.1, page 79.

Current Status: Construction of the Bleecker Street Landscape is complete, and the space is open and available to the public. View the presentation given by the Department of Transportation the Public Design Commission for the full design.

Greene Street Walk

Overview: The Greene Street Walk will run along the west side of the 181 Mercer Street at ground level, from West Houston Street to Bleecker Street, on property owned by NYU which is outside the boundary of the Silver Towers landmark site. The Walk is intended as a physical and visual link connecting Soho to Greenwich Village and NYU. The facade treatment and building uses of 181 Mercer Street at the ground level (i.e., building entries, amount of transparency, interior public spaces), along with landscaping and the provision of outdoor seating, will activate and enliven the walk. The intention is to draw people to the building along the Walk, and that it be well utilized for building access and for points north and south. For further reference, please review Restrictive Declaration section 6.1, page 79.

Current Status: The design of the Greene Street Walk is currently underway. The Greene Street Walk will be constructed as part of the 181 Mercer Street project.
Fiorello LaGuardia Park

**Overview:** Under the direction of the NYC Department of Parks and Recreation, the Department of Transportation, and the Open Space Oversight Organization (OSOO), NYU produced an upgrade plan for Fiorello LaGuardia Park, along LaGuardia Place between Bleeker Street and West 3rd Street. Design concepts were vetted with Community Board 2, the OSOO, at OSOO-led stakeholder meetings, and at a public forum, with ultimate design approval given by the Public Design Commission on October 5, 2015. Upgrades include new paving and widened pathways, the creation of a reading circle around the LaGuardia statue, tree pruning, removing dead or diseased trees and replanting with small ornamental trees, and installing seating. For further reference, review the Restrictive Declaration section 6.1, page 79.

**Current Status:** Construction of Fiorello LaGuardia Park is complete, the space is now open and available to the public. View the project page for more details, and view the presentation given by the Department of Transportation the Public Design Commission for the full design.

Mercer-Houston Dog Run Relocation

**Overview:** NYU relocated the Mercer-Houston Street Dog Run, formerly along the west side of Mercer Street near Houston Street, to a new site beside Silver Towers I (110 Bleecker Street) just west of 181 Mercer Street. NYU and the Mercer-Houston Dog Run Association collaborated on a design that includes a water feature and climbing boulders, as well as seating and a small storage shed, while maintaining the integrity of the landmarked space. NYU received approval from the Landmarks Preservation Commission (LPC) for the dog run relocation in 2011 as part of a larger master plan for the Silver Towers site. The Landmark Preservation Commission approved the playground location and concept in July 2011. Prior to construction of the playground, the final design will require additional review and approval by Landmarks. For further reference, please review the Restrictive Declaration section 4.3(d)(i)(B), page 50.

**Current Status:** The new dog run is now complete. For more information about the dog run and membership options, visit mercerhoustondogrun.org.

Minority Women and Local Business Enterprises Plan

**Overview:** As part of its commitments to the City Council during land use approvals for the project, NYU agreed to implement a minority, women, and, local business enterprise (MWLBE) Plan prior to the start of project construction.

**Current Status:** NYU's MWLBE Plan for 181 Mercer Street is being implemented. Learn more at the MWLBE page.

Space for a Public School

**Overview:** The NYC School Construction Authority has the option to build a school which would be incorporated into the Bleecker Building. The SCA must provide NYU with notice of intent to build a school. In October 2014, at the request of Council Member Chin, NYU extended the SCA notice deadline from December 31, 2014 to December 31, 2018. If the SCA indicates to the University that it intends to move forward with the project, construction must commence by July 31, 2020. NYU will provide the SCA with annual updates regarding NYU’s anticipated construction schedule until the SCA’s construction window has elapsed. NYU will collaborate with the Department of City Planning and the School Construction Authority on this project. For further reference, please review the Restrictive Declaration sec 6.2(b), page 83.


Toddler Playground

**Overview:** NYU will construct a .25-acre playground on the Silver Towers block, just a few feet north of the Mercer Houston Street Dog Run Association’s dog run. At almost 11,000 square feet, this new toddler playground will contain a variety of play equipment, landscaping, and seating, including the incorporation of the existing circular concrete seating, which is a landmark feature on the Silver Towers site. The Landmark Preservation Commission approved the playground location and concept in July 2011. Prior to construction of the playground, the final design will require additional review and approval by Landmarks. For further reference, please review the Restrictive Declaration section 4.3(d)(i)(B), page 50.

**Current Status:** Planning for the toddler playground is currently underway. The design and construction of the playground will be completed during construction of 181 Mercer Street.
Sasaki Garden Site Improvements
Overview: NYU will make the Sasaki Garden more accessible to the public and increase public awareness of the Garden by posting wayfinding signage. Collaborators for this project include the Superblock Stewardship Advisory Committee and University administration. This commitment was made by NYU to Council Member Chin in July 2012. For further reference, please refer to the NYU Letter to Council Member Margaret Chin from July 2012.
Current Status: In December 2015, the Superblock Stewardship Advisory Committee issued a report “Embracing a Better Quality of Life: Recommendations from the Superblock Stewardship Advisory Committee” that included a recommendation to improve access to the Sasaki Garden. The work of the Advisory Committee is ongoing and a wayfinding signage program is expected to be reviewed in 2017.

Seasonal Playground Associate
Overview: NYU will fund a seasonal playground associate for Washington Square Park to offset the potential increase in park users during construction of the LaGuardia Building on the north superblock. NYU will collaborate with the Department of Parks and Recreation on this project. For further reference, please review the Restrictive Declaration 4.4(f)(ii), p. 61.
Current Status: This project will be part of the design/construction due diligence process related to LaGuardia building construction, which will not occur until 2022 at the earliest.

Washington Square Village Community Facility Space
Overview: NYU made 6,000 square feet of community facility space available in Washington Square Village 4, which is used for daycare and pre-K programs and managed by Creative Steps/University Settlement. In addition, based on community input and guidance from Council Member Margaret Chin, another 900 square feet of community facility space has been provided in Washington Square Village 3. Visiting Neighbors occupies the space and they provide outreach programs for seniors in Lower Manhattan. For further reference, please view the letter written to Council Member Margaret Chin in July 2012 and Council Member Chin’s letter to the community from May 2013.
Current Status: This project was completed November 2014. The Creative Steps Early Child Care Center is in operation in Washington Square Village 4. Visiting Neighbors is open and serving clients from their new office space. Meeting and activity space has also been provided for the Washington Square Village Tenants Association. Additionally, a large ground floor studio has been retrofitted for use as playspace for Washington Square Village resident families.

Mercer Street Plaza No-Build Agreement
Overview: Per the ULURP approvals and as memorialized in the Mapping Agreement, which sets out the conditions for the de-mapping of certain City-owned mapped rights-of-way on the periphery of the project site, the plaza on the west side of Mercer Street between West 3rd and West 4th Streets (the “CoGen Plaza”) shall be used as permanent landscaped and publicly accessible open space in perpetuity.
Current Status: The Mapping Agreement has been executed and the right-of-way de-mapped as a street. NYU owns the CoGen Plaza above and below grade and the plaza will remain landscaped open space in perpetuity.
Construction Mitigation Plans

**Overview:** NYU will prepare construction mitigation plans for each new building on the superblocks. Construction mitigation plans will include construction-related environmental commitments such as diesel emission reduction measures, a dust control plan, construction noise reduction measures, construction vibration measures, a construction dewatering plan, a pest management plan, a hazardous materials plan, and a historic resources protection plan. NYU will collaborate with various city and state agencies on this project. For further reference, please review *Restrictive Declaration* section 4, pages 24 - 41 and *Construction Mitigation FAQ* for the 181 Mercer Street Project.

**Current Status:** Construction mitigation plans are in place for the 181 Mercer Street Project and may be updated for different construction phases during the project. Please consult the *Construction Mitigation FAQ* for more information.  

Construction Noise Mitigation Plans (Window/AC/PTAC Replacement)

**Overview:** Prior to the start of construction, NYU provided sound-attenuating windows (either new windows or secondary storm windows) and new air conditioners or air conditioner covers for NYU buildings on the superblock site and non-NYU buildings on the periphery of the project site, depending on their proximity to the zone of impact. For further reference, please review *Restrictive Declaration* section 4.4(e), page 57.

**Current Status:** New window and AC or PTAC installation is complete at both WSV and Silver Towers. Off-site noise mitigation for buildings on the periphery of the 181 Mercer Street site that were identified in the *Final Environmental Impact Statement* as having a significant noise impact during construction is ongoing.

Noise Attenuation

**Overview:** NYU will meet noise attenuation requirements for new buildings, including 181 Mercer Street. Noise attenuation involves installing Outdoor-Indoor Transmission Class-rated glass on the building facades. Noise attenuation requirements for 181 Mercer Street will adhere to the *Restrictive Declaration* section 4.2 (b), pages 42-43.

**Current Status:** Noise attenuation planning will be part of the design/construction due diligence process for each building, including 181 Mercer Street.

Traffic Mitigation at Project Completion

**Overview:** NYU will pay the costs of any required traffic mitigation measures (or implement such measures directly) under the direction of the Department of Transportation. For the 181 Mercer Street project, traffic mitigation measures include improving the intersection approach at Bleecker and Mercer Streets. For further reference, please review *Restrictive Declaration* section 4.4 (d), page 56 and section 4.4 (c).

**Current Status:** The identified traffic mitigation for 181 Mercer Street will be implemented prior to completion of the building.

Traffic Monitoring Plan

**Overview:** Due to the potential for transportation conditions to change over time, NYU will conduct a Traffic Monitoring Program to determine the need for and any adjustments to transportation-related mitigation measures. NYU will collaborate with the Department of Transportation on this project. For further reference, please review *Restrictive Declaration*, section 4.4 (c) (iii) page 54.

**Current Status:** Traffic monitoring will occur after the completion and occupancy of the LaGuardia Building.

Transit Mitigation

**Overview:** NYU will conduct a study prior to completion of 181 Mercer Street project to determine the necessity of widening stairs at the Broadway/Lafayette subway station. If the subway stair must be widened, the work will be completed prior to the issuance of the temporary certificates of occupancy for 181 Mercer Street. NYU will collaborate with NYC Transit Authority and the Department of City Planning. Refer to *Restrictive Declaration* section 4.4(d), page 56 for further reference.

**Current Status:** The transit stair study is underway.
**Historic Resource Protection Measures**

**Overview:** NYU will consult with the State Historic Preservation Office regarding aspects of the new construction on the north block, including: preparing a Level II HABS documentation of Washington Square Village; a Construction Protection Plan for certain adjacent buildings; and historic plaques and markers in the former Sasaki Garden. For further reference, please review Restrictive Declaration section 4.1(j), page 42.

**Current Status:** This project will be part of the design/construction due diligence process related to the Mercer and LaGuardia buildings.

**Archaeological Investigation**

**Overview:** NYU will undertake a Phase 1B archaeological investigation in consultation with the Landmarks Preservation Commission to determine the presence of archaeological resources that may exist in areas on the superblocks as denoted in the Final Environmental Impact Statement Figure 7-1A (see page 11 of Chapter 7 in the FEIS). NYU will also collaborate with the State Historic Preservation Commission on this project on the north block. For further reference please review the Restrictive Declaration, section 4 (h) page 36.

**Current Status:** An area with moderate to high historic period archaeological sensitivity has been identified adjacent to the Bleecker Building development site (sensitive areas were not found in the vicinity of the 181 Mercer Street project site). As part of pre-construction due diligence for the Bleecker Building, NYU will consult with the NYC Landmarks Preservation Commission.

**Maintenance and Protection of Traffic**

**Overview:** NYU will prepare a Maintenance and Protection of Traffic (MPT) Plan and provide diagrams of proposed temporary curb lane and sidewalk closures for the 181 Mercer Street project, including the duration of closures, the sidewalk protection measures to be installed for pedestrians, and other MPT items. The Department of Transportation will review and approve NYU’s MPT for the 181 Mercer Street project. For further reference, please refer to Restrictive Declaration, section 4.1(i), page 41.

**Current Status:** MPT plans for 181 Mercer Street have been approved by DOT. See the site plan for street and lane closures.
Building Energy Consultant
Overview: NYU will hire a qualified building energy consultant to report on the energy efficiency measures for each new building, ensuring that the construction and usage plans will result in at least 10% less energy consumption than the standards set forth in either state or city energy codes. For further reference, please review Restrictive Declaration sec 4.3 (d) (i)(B), page 50.
Current Status: The building energy consultant will be hired as a part of the design/construction due diligence process for each building, prior to receipt of a new building permit.

Efficient Maintenance and Operations
Overview: NYU will use alternative fuels and efficient vehicles for the maintenance and operation of 181 Mercer Street. For further reference, please read Restrictive Declaration section 4.3 (d)(i)(D)(iii), page 52.
Current Status: NYU will include efficient maintenance and operations as part of the design/construction due diligence process for each building.

Emissions Reduction
Overview: NYU is scheduled to switch the fuel in the central heating plant to natural gas or No. 2 fuel oil, or to an alternative fuel that will result in the same or lower emissions, before the occupation of 181 Mercer Street. For further reference, please review Restrictive Declaration section 4.2 (a), page 42.
Current Status: NYU has completed the switch in fuel type for the central heating plant. The plant now runs on natural gas. This Restrictive Declaration requirement is complete.

Energy Efficiency
Overview: NYU will implement and incorporate energy efficiency measures in all new buildings, including high efficiency HVAC systems, high-albedo roofing materials, window glazing, motion sensors, and Energy Star appliances. For further reference, please review Restrictive Declaration section 4.3 (d)(i) pages 49 - 50.
Current Status: Energy efficiency measures will be part of the design/construction due diligence; 181 Mercer Street will be constructed according to LEED Silver standards.

LEED Certification
Overview: NYU will use reasonable and good faith effort to obtain LEED Silver Certification for 181 Mercer Street. NYU will collaborate with the US Green Building Council. For further reference, please review Restrictive Declaration section 4.3(a), page 44.
Current Status: The architects are currently in the design process for 181 Mercer Street. They are incorporating sustainable design features into the design of the building.

Storm Water Best Management Practices
Overview: NYU will develop and implement one or more plans incorporating best management practices to reduce the rate of peak discharge to the combined sewer system on the superblocks. NYU will work with the Department of Environmental Protection on this project. For further reference please review the Restrictive Declaration section 4.3(b), page 48.
Current Status: Stormwater Best Management Practices (BMP) planning is underway. NYU will submit best management plans to the Department of Environmental Protection for the 181 Mercer Street project.

Water Conservation
Overview: NYU will implement water conservation strategies and install measures such as low-flow toilets and faucets in order to arrive at 20 percent less than baseline water usage for 181 Mercer Street. For further reference, please review Restrictive Declaration section 4.3 (c) page 49.
Current Status: Water conservation will be part of the design/construction due diligence and LEED Silver planning process for 181 Mercer Street. This is expected to include low-flow toilets and other water conservation measures.
Boiler Stack Locations

**Overview:** NYU will locate the boiler stacks for new buildings on the southern superblock away from neighboring facilities. For the southern portion of 181 Mercer Street, the boiler stacks will be at least 30 feet from any potential rooftop playgrounds and at least 128 feet away from SOS LaGuardia. The stack locations in 181 Mercer Street will adhere to Restrictive Declaration requirements. For further reference, please review Restrictive Declaration.

**Current Status:** NYU does not intend to install new boilers at 181 Mercer Street. Hot water and chilled water will be piped from the NYU central co-generation plant located 251 Mercer Street (below the Mercer Street Plaza) directly to 181 Mercer Street. The co-gen plant previously served the Coles gym (formerly on the site of 181 Mercer Street) and the lines connecting the co-gen plant to 181 Mercer Street will be upgraded and re-connected for the project.

CoGen Tie-In

**Overview:** For greater energy efficiency, the northern portion of 181 Mercer Street will be connected to NYU’s cogeneration power plant. For further reference, please review Restrictive Declaration section 4.2(a), page 42.

**Current Status:** Co-Generation Power Plant upgrades are scheduled to commence in late September 2017 and are scheduled to continue through winter 2019. For more information, please visit the project construction web page.
Construction Committee Liaison

**Overview:** NYU will designate a liaison to work with a Construction Committee to be set up by the Manhattan Borough President. The Construction Committee liaison will address questions and concerns raised by the Committee in a timely fashion. For further reference, please review *Restrictive Declaration* section 6(f), page 79, section 4.

**Current Status:** NYU has designated a liaison from NYU Community Engagement to work with the Manhattan Borough President’s Construction Committee.

Independent Construction Monitor

**Overview:** With the consent of the Department of City Planning, NYU hired a third-party independent construction monitor to oversee the implementation and performance of NYU’s commitments and project components related to mitigation, monitoring, and the environment. Please review the *Restrictive Declaration* section 4.8, page 64 for more information.

**Current Status:** The Department of City Planning has approved HDR as the independent monitor for the project. The monitor commenced site visits in September 2016 (with the start of exterior brick removal at the Coles gym) to monitor NYU’s compliance with the Restrictive Declaration construction mitigation measures. The monitor prepares monthly reports for City Planning and quarterly reports for the Construction Committee. The quarterly construction committee reports are posted on the 181 Mercer Street construction page. The monitor will continue regular site inspections throughout completion of the 181 Mercer Street project.

LaGuardia Corner Gardens Protection Plan and Fund

**Overview:** If the Department of City Planning does not identify a permanent relocation site for the Garden, NYU and DCP will formulate a garden protection plan. The plan would need approval by the LaGuardia Corner gardeners and City Planning. Best practices for avoiding impacts to the Garden during the Bleecker Building’s construction may include temporarily relocating the Garden, protecting the space during construction, or temporarily closing it. In all of these instances, NYU would pay for the garden’s reconstruction and establish a Garden Viability Fund to increase plants’ viability post-construction. For further reference, review the Restrictive Declaration, section 4.4(g) page 62 and *Restrictive Declaration*, section 44 (a) (I) (B), page 54.

**Current Status:** The garden protection plan would be formulated prior to construction of the Bleecker Building and implemented during and after construction of the Bleecker Building.

LaGuardia Corner Gardens Task Force

**Overview:** Twelve months prior to the construction of the Bleecker Building, the City Planning Commission will convene a Task Force to determine if there is a feasible relocation site for the LaGuardia Corner Gardens within Community Board 2. NYU will be responsible for the garden’s relocation costs. The Task Force will collaborate with representatives of the LaGuardia Corner Gardens and will have 6 months to identify a relocation site. Alternatively, if the garden is not relocated (ie, if a relocation site is not found) NYU will establish a fund for use by LaGuardia Corner Gardens to help ensure the garden remains healthy and viable as there may be an increase in shadows due to the Bleecker Building. Refer to *Restrictive Declaration*, section 4.4 (a)(I)(A), page 53 for further reference.

**Current Status:** This item pertains to the construction of the Bleecker Building, date to be determined.

Landscape Improvements Compliance Report

**Overview:** On an annual basis, an architect, landscape architect, or engineer will inspect the public open spaces at the request of NYU and confirm that NYU has met its maintenance obligations for the spaces. A draft compliance report will be generated and submitted to the OSOO for comment before it is finalized and submitted to the Chair of the City Planning Commission and the Commissioner of the Department of Parks and Recreation. For further reference, please refer to *Restrictive Declaration* section 7.3(b), page 92.

**Current Status:** The first annual compliance report was submitted to the OSOO on June 22, 2017 and is currently awaiting OSOO comments or feedback.

Mature Tree Protection Plans: Mercer Street and LaGuardia Place

**Overview:** To the extent practical, NYU will endeavor to protect mature trees in close proximity to construction. NYU will create Mature Tree Protection Plans for two construction staging areas -- on Mercer Street between Bleecker Street and West 3rd Street, and on LaGuardia Street between Bleecker Street and West 3rd Street. For further reference, please review the *Restrictive Declaration* section 4.1(j), page 42.

**Current Status:** This project will be part of the design/construction due diligence process related to the Mercer and LaGuardia buildings.
Open Space Oversight Committee

Overview: The Open Space Oversight Organization (OSOO) was established in May 2013. It is a 501(c)(3) organization with a mandate to review and comment on the design, maintenance, and operation of the public open spaces on the superblocks, as well as review NYU's compliance with commitments made for these spaces. NYU's maintenance obligations are memorialized in a license agreement with the NYC Department of Parks. The OSEO is comprised of five appointees, one each from the New York City Council, the Manhattan Borough President's Office, Community Board 2, the NYC Parks Department, and NYU. For further reference, please review Restrictive Declaration.

Current Status: The Restrictive Declaration required NYU to create the OSEO by December 2012. The OSEO is monitoring NYU's ongoing maintenance of the public open spaces on the periphery of the Silver Towers and Washington Square Village blocks - Bleecker Street Landscape and Fiorello LaGuardia Park.

Public Space Endowment

Overview: NYU created an endowment fund, managed by the University, for the maintenance of the public open space constructed on the Superblocks. For further reference, please review the July 16, 2012 letter from NYU to Council Member Margaret Chin.

Current Status: The Restrictive Declaration required that the endowment be created before the opening of the Bleecker Street Landscape and Fiorello LaGuardia Park. The endowment has been established.

Public Open Space Maintenance Agreement

Overview: NYU entered into a maintenance agreement (license agreement) with the Department of Parks and Recreation for the maintenance obligations for the public open spaces on the superblocks. For further reference, please review the Restrictive Declaration, section 6 (c)(i), page 74 and also Exhibit I.

Current Status: The Restrictive Declaration required the agreement to be executed prior to completion of Bleecker Landscape and Fiorello LaGuardia Park. The license agreement has been executed.

Public Space Maintenance Letter of Credit

Overview: NYU posted a letter of credit with the NYC Department of Parks and Recreation to ensure that maintenance funds are available for the public spaces bordering NYU property on the superblocks. For further reference, please review Restrictive Declaration, section 6 (c)(i), page 74.

Current Status: The Restrictive Declaration requires that the letter of credit be prepared before the opening of the Bleecker Street Landscape and Fiorello LaGuardia Park. The letter of credit has been prepared and accepted by the NYC Department of Parks and Recreation.

Willow Oak Tree Maintenance Plan

Overview: NYU established a Tree Maintenance Plan for the Willow Oak Grove adjacent to Bleecker Street on the southern superblock. NYU collaborated with the Department of Parks and Recreation on this project. For further reference, please review Restrictive Declaration section 4.2(c), page 43.

Current Status: The maintenance plan was implemented by NYU in June of 2013.