

# Recognition of Participants

All businesses that make a contribution, whether as the lead or as a partner/sub, will be recognized in the quarterly reporting of the District's Office of Partnerships and Grants Development.



**BUFF AND SCRUB 2008**

ZONING COMMISSION  
District of Columbia  
CASE NO.07-27  
EXHIBIT NO.48

CASE NO. 07-27  
EXHIBIT NO. 48

ION  
District of Columbia

**DONATION AGREEMENT  
BETWEEN THE DISTRICT OF COLUMBIA GOVERNMENT  
AND**

I, [Redacted] ("Donor") agrees to make a donation to the Office of the Deputy Mayor for Education and Office of Public Education Facilities Modernization of approximately \$ [Redacted] in-kind facilities maintenance, construction, and/or repairs to improve the conditions of D.C.'s schools in preparation for the 2008-2009 school year. The donation is being given freely without any expectation of special treatment by the government.

2. The donation will be used to augment the OPPEM capital and operating budgets. The donation is for an authorized purpose because it is consistent with the functions and purposes of the agency.

3. The donation is being made on the condition that the agency agrees to use the donation for the particular purpose stated in this agreement. If the agency does not use the full balance of the financial donation, I, the donor, give my express consent and authorization to the agency to use the remaining balance in the same or subsequent fiscal years for the same or similar authorized purpose, as reviewed and approved by the D.C. Ethics Officer. Otherwise, the Government of the District of Columbia will mail a refund check to the donor in the amount of any remaining balance. (State any other conditions that may apply).

Yes, with my consent all remaining funds may be applied toward another D.C. Government program with a similar purpose in this fiscal year or subsequent years.

No, please refund all remaining funds to the donor.

*Please check the appropriate box.*

4. The donor has read and agrees to be bound by the Rules of Conduct regarding Donations set forth in Mayor's Memorandum 2002-1, dated January 8, 2002.

5. To the best of the Donor's knowledge, the donor is not aware of any transactions pending before any agency or the District government involving the Donor, nor any litigation pending against the government involving the Donor.

6. The District of Columbia government acknowledges that systems are in place for the donation to be accepted by the government and the use of the donation may be properly tracked as required by the Section 115 of the District of Columbia Appropriations Act, 2003, Pub. L. 108-7.

Signature of the Parties:

Date: \_\_\_\_\_

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Authorized official representing the Donor

Date: \_\_\_\_\_

Victor Reinos  
Deputy Mayor for Education

Date: \_\_\_\_\_

Director of OPGD  
on behalf of the District of Columbia Government

**BUFF AND SCRUB 2008**



# Required Paperwork

1. Every business that participates will have to submit a signed Donation Agreement.

WHY? To certify that you aren't participating in hopes of getting additional contracts from the government, or in hopes that the District will drop that pesky lawsuit... And so that no one who works for the District risks going to jail.



**BUFF AND SCRUB 2008**

# Overarching Idea

- Businesses make an IN-KIND contribution of at least \$15,000 to an assigned school.
- School and business work together to identify the work that is needed.
- Office of the Deputy Mayor oversees the logistics.

**BUFF AND SCRUB 2008**



# How the contribution works

1. Your firm can do the work and provide the materials.

\$15,000 equals the amount that you would bill a client for the same amount of work.

2. Your firm can pay a subcontractor to do the work.

\$15,000 equals the amount that you are billed by the subcontractor.

3. Your firm can recruit partners/subs to provide money or services.

\$15,000 equals the total of the donations from each partner.

4. Your firm may choose not be to the lead but to make a contribution as a partner/sub.

**BUFF AND SCRUB 2008**



**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department of Parks and Recreation**



Clark E. Ray  
Director

September 16, 2008

To Whom It May Concern:

The District of Columbia Department of Parks and Recreation (DPR) does not have any signed agreement with EYA or EYA HOMES, Inc related to the triangle park bounded by Franklin Street NE, 4th Street NE, and Lincoln Road NE.

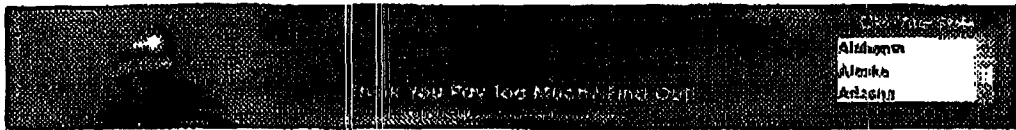
Should you have any questions, please contact me directly at (202) 673-7665 or Melissa McKnight, Director of Partnerships and Development at (202) 671-1462.

Thank you.

Sincerely,

Clark E. Ray  
Director

RECEIVED  
D.C. OFFICE OF ZONING  
2008 SEP 17 AM 11:08



Windows Live Home **Hotmail** Spaces OneNote MSN thehelpfoundation@live.com Sign out

Inbox New Reply Reply all Forward Delete Junk Move to Options

Attachments, pictures, and links in this message have been blocked for your safety. Show content

**RE: Shaed ES Scope of Work**

From: Robinson, Tony (OPEM) (Tony.Robinson1@dc.gov)  
You may not know this sender. Mark as safe | Mark as unsafe  
Sent: Mon 9/08/08 3:13 PM  
To: thehelpfoundation@live.com

Mr. Shabazz:

Per our conversation the following is some of the scope of work that was completed by Turner Construction Company at the Shaed Elementary School last year under the Targeted Repair Project:

1. Painting throughout building
2. Window replacements in the stairwells.
3. Replace the Cooling Tower on the Auditorium Roof.
4. Replace Exterior lighting
5. Replace Interior Lighting throughout building.
6. Replace flooring throughout.
7. Repair/Replace fencing.
8. Repair/replace broken plumbing/fixtures.
9. Repair/replace broken toilet partitions
10. Replace damage stair throats.
11. Replace ceiling/grd in hallways
12. Caulk Skylight in Cafeteria.
13. Clear all exterior drains
14. Repave parking lot and playground
15. Replace any Carpet with VCT.
16. Replace Interior Lighting throughout.
17. Replace Sump Pump in Boiler Room
18. Repair Boiler
19. Replace roof top exhaust fans
20. Replace window A/C Units that were broken
21. Repair/Replace Units.
22. Repair/Replace broken exterior doors.
23. Repair/Replace broken interior doors throughout school

As mentioned, the Mayor's Master Facilities Plan will be released soon and the community will be glad to know that the school is likely to get an even more substantive upgrade in the next few years. With regard to costs, I don't have a number and will most likely not be able to get it in time for your meeting. Please feel free to call me if you need any additional information.

Tony

Tony Robinson

Director of Communications

Office of Public Education Facilities Modernization

2400 East Capitol Street, SE

Washington, DC 20003

Office - (202) 698-7703

Cell - (202) 439-3277

Email - [Tony.Robinson1@dcs.gov](mailto:Tony.Robinson1@dcs.gov)

Website - [www.OPFEM.dcs.gov](http://www.OPFEM.dcs.gov)

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August 23, 2008

I am pleased to present a comprehensive Communities Amenities Plan for your consideration. All the items listed below came from direct input and feedback received from Commissioner Grant and/or his constituents through the 13 community meetings held over the past 16 months.

This chart summarizes the estimated value of the various elements of the plan. Below, I have provided more detail regarding the implementation of the amenities plan.

Community Amenities Plan Summary	
Affordable Housing*	\$5,987,106
Homeownership Training*	\$20,000
Triangle Park Improvements and Maintenance	\$340,000
Shaed Elementary Improvements*	\$75,000
Streetscape and Infrastructure Improvements*	\$450,000
Collegiate Scholarships	\$45,000
Small Business Support	\$40,000
Edgewood Civic Association Support	\$15,000
<b>Total</b>	<b>\$6,972,106</b>
*estimates	

#### Affordable Housing:

EYA is committing to provide 24 for-sale affordable homes. The homes will be priced at levels that are affordable to families earning between 50% and 80% of the Area Median Income (AMI) for the Washington, DC MSA. The homes will be either two or three bedrooms in the same proportion to the market rate homes. The homes will be mixed throughout the site and their exteriors will be the same level of quality and materials as the market rate homes.

The chart below shows the estimated sales prices of the affordable homes at 50% and 80% of AMI for three bedroom homes. These prices were determined using 2008 AMI figures, a 30 year fixed mortgage at 6.50%, and a 5% down payment. The prices at time of sale will be calculated using the most current AMI data and interest rates as approved by the DC Office of Planning. The chart further estimates the subsidy being provided by EYA and the Paulists for affordable housing. We have estimated the difference between the value of the affordable homes and the market rate homes to be more than \$5.7MM.

Saint Paul's Affordable Housing Program					
AMI	# Units	Family Size (3 bedroom)	Subsidized Sales Price	Market Price**	Total Subsidy
50%	12	4.5	\$151,244	\$465,000	\$3,765,066
80%	12	4.5	\$279,830	\$465,000	\$2,222,040
	24				\$5,987,106
*based upon estimated interest rates and taxes, 30 year term and 5% down payment					
**estimated market price at time of sale					

### Homeownership Training:

EYA is committing to sponsor training for people interested in purchasing the affordable for sale homes in the new community. Specifically, prior to releasing the affordable homes for sale, EYA will organize and sponsor informational sessions to meet the various needs of potential purchasers. Information will be provided on a variety of topics including the following:

1. Detailed explanation of process to be qualified to purchase an affordable home
2. Information on DC grant and low interest programs for qualified buyers
3. Information on a variety of conventional mortgage programs
4. Programs for first-time buyers such as credit score training and home budgeting

EYA will promote these sessions through the ANC 5C Commissioner, the Ward 5 Councilmember, and the Edgewood Civic Association. It will further seek to reach area renters with a direct mailing identified through the Haines Directory.

### Triangle Park

EYA is committing to make improvements valued at \$315,000 to the public space bounded by 4<sup>th</sup> Street, Lincoln Road, and Franklin Street. The design for the improvements has been approved by the DC Department of Parks and Recreation and an agreement has been drafted (exhibit D). In addition to the improvements, EYA will maintain the park for one year after its completion. EYA will complete the improvements prior to the issuance of 115<sup>th</sup> Occupancy Permit.

### Shaed Elementary School Improvements

EYA is committing to complete various improvements to the school and the grounds. Representatives from EYA inspected the school with its head custodian on May 28<sup>th</sup> and compiled a detailed list of improvements to be made. EYA will complete the list of improvements prior to the start of the 2009 school year. Among the repairs to be made are electrical repairs, tile replacement, masonry and concrete repairs, painting, and landscaping. EYA will coordinate these repairs with the school staff and Mr. Mel Butler in the Office of Public Education Facilities Modernization.

### Streetscape and Infrastructure Improvements

EYA is committing to make improvements to include new and separate storm water lines, important water connections to create a looped system improving both water quality and flows, repairs to roads, curb and gutters, and sidewalks, and the replacement of street trees.

### Ward 5 Employment Opportunities

EYA will enter into an agreement to participate in the Department of Employment Services (DOES) First Source Employment program to promote hiring of District residents during the construction process. EYA will request that DOES allow the new hire priority to be Ward 5 residents above all other District residents. Additionally, EYA will provide information sessions for Ward 5 businesses about the type of subcontractors needed for the project and the qualifications for competing for the work.

### Collegiate Scholarship

EYA will provide \$45,000 to a fund, to be established, for the purpose of granting college scholarships to deserving DCPS high school seniors residing within ANC 5C. EYA will work with the ANC 5C, DCPS faculty of Ward 5 high schools, and the Ward 5 Councilmember to ensure that the fund is properly established and

the selection and disbursement criteria are detailed. EYA's contribution will be made in single lump sum at the time of the settlement of the 1<sup>st</sup> home at Saint Paul's.

Small Business Support

EYA will provide \$40,000 to the Ward 5 Business Council to provide technical business assistance and training to small businesses with ANC 5C. EYA's contribution will be made in single lump sum at the time of the settlement of the 1<sup>st</sup> home at Saint Paul's.

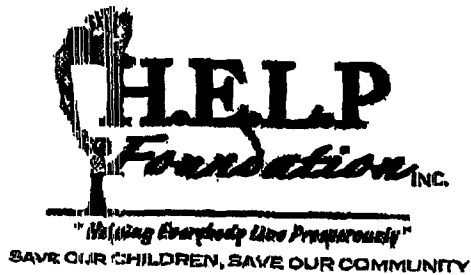
Edgewood Civic Association Contribution

EYA will provide \$15,000 for equipment and services for the benefit of Edgewood Civic Association. EYA will purchase a laptop and printer for the Association so that it may further its membership goals. Any funds remaining from the purchase of the referenced equipment will be used pay legal fees for establishing the Association as a non-profit 501c3 and to prepay printing costs of the Association. EYA and the Association will work together to select the printer. EYA will purchase the equipment and fund the services noted above at the time the PUD Covenant is recorded.

The Community Amenities Package is a part of the larger PUD application for Saint Paul's College and is conditioned upon the approval of the PUD by ANC 5C at its September meeting and the Zoning Commission.

Sincerely,

Jack Lester  
Vice President  
EYA, LLC



September 15, 2008

Mr. Anthony Hood  
 Chairman, District of Columbia Zoning Commission  
 District of Columbia Office of Zoning  
 441 4<sup>th</sup> Street NW  
 Suite # 200  
 Washington, DC 20001

Ref: Case #0727- St. Paul's College/ EYA  
 Re: Request to re-open the case

Dear Chairman Hood:

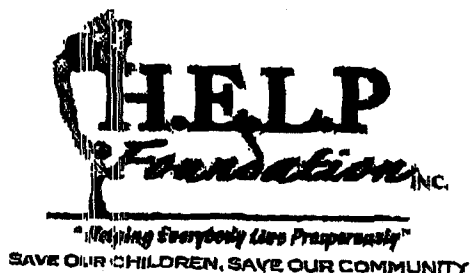
As a result of information recently made available to me, along with a thorough analysis of EYA's representation to the community, I have serious concerns about the future of the St. Pauls/EYA Project. These concerns range for issues of overcharging for services to outright misrepresentation of facts. Unfortunately such misinformation has become part of the public record and citizens and government officials have made decisions based upon half-truths and outright lies.

As a concerned citizen and as a community leader I make this petition to the Zoning Board to reopen the above referenced case, to correct the record, and to assure a fair, honest, and transparent process.

Sincerely,

M. Shabazz  
 CEO & Founder  
 The H.E.L.P. Foundation, Inc.

Enclosure: Official Letter of Petition to reopen case #0727



September 15, 2008

Mr. Anthony Hood  
Chairman, District of Columbia Zoning Commission  
District of Columbia Office of Zoning  
441 4<sup>th</sup> Street, NW  
Suite # 200  
Washington, DC 20001

Dear Chairman Hood:

I would like to express my concern with the comprehensive amenities package that was proposed by EYA for the St. Paul's College housing development project (Case # 07-27 St. Paul's College/EYA). I have attended three of the meetings held at the college by Mr. Jack Lester, EYA's Vice President of Land Acquisitions Development, where copies of the amenities package were distributed to the attendees. After attending these meetings and speaking with Mr. Lester and members of the community, I have found the amenities package to not be in the best interest of the citizens, businesses, and schools in the community.

There are several budget items in the EYA amenities package that concern me. These items are as follows:

\* **Triangle Park Improvements.** The majority of the funding is going towards improving the park area bounded by 4<sup>th</sup> Street, Lincoln Road, and Franklin Street. However, this park is maintained by the DC Department of Parks and Recreation. Mr. Lester claimed that EYA had partnership with the Department, but the Department had no record of a partnership with EYA. Conversations were held a year ago about creating a partnership, but the estimated amount for this proposed project was \$240,000.

\* **Shaed Elementary Improvements.** Mr. Lester claimed that EYA did work at the school prior to the 2008-2009 school year. However, Mr. James Wilson, Shaed Elementary's Building Engineer, claimed that Turner Construction did the improvement work at the school. EYA painted and cleared trees and weeds through the major's summer "buff and scrub" program, in which the work was provided free of cost.

\* **Streetscape and Infrastructure Improvements.** EYA proposes to provide the city with funding to make improvements to the storm water lines. However, it is the city government's responsibility to maintain the infrastructure of the city.

\* **Collegiate Scholarships.** The scholarship funding proposed by EYA, would not be limited to the students that live at attend school in the ANC where the homes are being built. These scholarships would be available to students across the district.

\* **Small Business Support.** The amount of money designated for small businesses is not enough to help the struggling businesses in the ANC.

\* **Homeownership Training.** There are dozens of established homeownership programs in the District of Columbia.

\* **Affordable Housing.** The city requires that each new development to have a certain number of affordable housing units.

We are living in a depression and, with the economy as it is, any funding that the community can get is appreciated. However, when large sums of private money are invested in to a park and sewer system, it concerns me. I know that the park and infrastructure improvements can be accomplished for much less. Mr. Jack Lester and EYA claim that this is what the community wanted, but, from my observation, the community knows nothing about the amenities package.

I am delighted to hear that there will be new development in Ward 5, but I would Like to go on the record as opposing the amenities package. I would like to request An opportunity to speak in front of the District of Columbia Zoning Commission, So that I can expand on my findings and give my reasons for opposition on the Record. I can be contacted at (202) 621-8319 or at [thehelpfoundation@live.com](mailto:thehelpfoundation@live.com).

Sincerely,



M. Shabazz  
CEO & Founder  
The H.E.L.P. Foundation, Inc.

Enclosure: EYA Amenities Package  
Scope of work for Turner Construction

2625 3<sup>rd</sup> St., N.E. #208 (202) 635-1961 Fax: (202) 635-1962



# Fax

Mahdi Shabazz

To: Richard Nero, Jr. From: The H.E.L.P. Foundation

Fax: (202) 727-6072 Pages: 18

Phone: (202) 727-6311 Date: Sept. 17, 2008

Re: CC:

- Urgent
- For Review
- Please Comment
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