§ 627. Definitions. As used or referred to in this article:

1. "Alternative project delivery contract" means any project delivery method authorized by this article, including construction manager build, construction manager at risk, and design-build, pursuant to which one or more contracts for the provision of design or construction management and construction services are awarded pursuant to an open and competitive method of procurement, as specified in section six hundred thirty-four of this article.

2. "Best value" means the basis for awarding contracts for services to a proposer that optimizes quality, cost and efficiency, price and performance criteria, which may include, but is not limited to:

(a) the quality of the proposer's performance on previous projects;

(b) the timeliness of the proposer's performance on previous projects;

(c) the level of customer satisfaction with the proposer's performance on previous projects;

(d) the proposer's record of performing previous projects on budget and ability to minimize cost overruns;

(e) the proposer's ability to limit change orders;

(f) the proposer's ability to prepare appropriate project plans;

(g) the proposer's technical capacities;

(h) the individual qualifications of the proposer's key personnel;

(i) the proposer's ability to assess and manage risk and minimize risk impact;

(j) the proposer's financial capability;

(k) the proposer's ability to comply with applicable requirements, including the provisions of articles one hundred forty-five, one hundred forty-seven and one hundred forty-eight of the education law;

(l) the proposer's past record of compliance with federal laws, state and local laws, rules, licensing requirements, where applicable, and executive orders, including, but not limited to, section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, or any successor provision, article fifteen-A of the executive law, any other applicable laws concerning minority- and women-owned business enterprise participation, the labor law, and any other applicable labor and prevailing wage laws;

(m) the proposer's record of complying with existing labor standards, maintaining harmonious labor relations, and protecting the health and safety of workers and payment of wages above any locally-defined living wage;

(n) a quantitative factor to be used in evaluation of bids or offers for awarding of contracts for bidders or offerors that are certified as minority or women owned business enterprises pursuant to article fifteen-A of the executive law or certified pursuant to section thirteen hundred four of the New York city charter as minority or women owned business enterprises, or where the bidder is a joint venture including at least one such certified firm. Where the trust identifies a quantitative factor pursuant to this paragraph, the trust shall specify that businesses certified as minority or women owned business enterprises pursuant to article fifteen-A of the executive law as well as those certified as minority or women owned business enterprises pursuant to section thirteen hundred four of the New York city charter, or joint ventures including at least one such certified firm, are eligible to qualify for such factor. Nothing in this paragraph shall be construed to require that such businesses be concurrently certified as minority or women owned business enterprises under such article and such section to qualify for such quantitative factor; and

(o) a quantitative factor to be used in evaluation of bids or offers for awarding of contracts for bidders or offerors that provide economic opportunities for low and very low-income persons in accordance with section three of the federal housing and urban development act of nineteen hundred sixty-eight, as amended, where applicable, or any successor provision. Such basis shall reflect, wherever possible, objective and quantifiable analysis.

3. "Board" means the board of trustees of the trust.

4. "City" means the city of New York.

5. "Construction manager at risk" means a project delivery method whereby a construction manager:

(a) serves as part of a team in conjunction with the owner in the design phase of the project;

(b) during the construction phase, acts as general contractor for agreed upon compensation as set forth in the construction manager at risk agreement; and

(c) assumes the risk of construction costs exceeding an amount specified in the construction manager at risk agreement.

6. "Construction manager build" means a project delivery method whereby a construction manager, following a declaration of a disaster by the governor or state of emergency by the mayor pursuant to article two-B of the executive law or chapter one of title three of the administrative code of the city of New York, or following an independent cost estimate and a concurrence by NYCHA that construction work is required at a housing facility to remedy defects to bring the housing facility into decent, safe, and sanitary condition:

(a) serves as part of a team in conjunction with the owner in the design phase of the project;

(b) under the oversight of the owner acts as the single source of responsibility to bid, select and hold construction contracts on behalf of the owner during the construction phase; and

(c) manages the construction project on behalf of the owner.

7. "Cost plus" means compensating a contractor for the cost to complete a contract by reimbursing actual costs for labor, equipment and materials plus an additional amount for overhead and profit.

8. "Design-build" means a project delivery method for the design and construction of a project with a single entity, which may be a team comprised of separate entities.

9. "Ground lease" means the written instrument pursuant to which NYCHA transfers to the trust its leasehold interest in its housing facilities and ancillary personal property.

10. "Housing facilities" means the land and buildings thereon owned or operated by NYCHA and the improvements made to such land and buildings for use in connection with development or operation of dwelling accommodations for low-income families.

11. "Low-income families" means low-, very low-, and extremely low-income families as defined in paragraph two of subsection (b) of section 1437a of title forty-two of the United States code or any successor provision.

12. "Mayor" means the mayor of the city of New York.

13. "NYCHA" means the New York city housing authority.

14. "NYCHA board" means the members of NYCHA appointed pursuant to subdivision three of section four hundred two of this chapter.

15. "NYCHA CEO" means the chief executive officer of NYCHA who serves pursuant to NYCHA's by-laws.

16. "NYCHA CFO" means the chief financial officer of NYCHA who serves pursuant to NYCHA's by-laws.

17. "Other residents" means residents who are:

(a) residents of a housing facility on the date NYCHA transfers such facility to the trust but are not low-income families, as defined in this section, on the date of such transfer;

(b) low-income families, as defined in this section, and residents of a housing facility on the date NYCHA transfers such facility to the trust but who, subsequent to such transfer and during the course of the tenancies of such residents, no longer satisfy the definition of low-income families; or

(c) low-income families, as defined in this section, upon commencement of their tenancies in a housing facility operated by the trust but who, during the course of the tenancies of such residents, do not satisfy the definition of low-income families.

18. "Project labor agreement" shall have the same meaning as described in section two hundred twenty-two of the labor law.

19. "Resident" means a natural person whose lawful primary residence

is a dwelling unit in a housing facility.

20. "Trust" means the New York city public housing preservation trust.

21. "Voting process" means the process that shall be undertaken at a particular housing facility before the trust may transfer, convey, assign, mortgage, pledge or otherwise encumber any interest in, or permit or suffer any transfer, conveyance, assignment, mortgage, pledge or other encumbrance of any interest in such housing facility. The voting process shall be further defined as set forth in requirements promulgated pursuant to section six hundred thirty of this article.