

EXECUTIVE ORDER No. 87

March 8, 2006

TRANSFER OF THE DEPARTMENT OF TRANSPORTATION'S
PRE-KINDERGARTEN TRANSPORTATION UNIT
TO THE DEPARTMENT OF EDUCATION

WHEREAS, the transportation services for preschool children receiving special services is currently being provided by the Pre-Kindergarten Transportation Unit of the New York City Department of Transportation ("DOT");

WHEREAS, in an effort to promote the standardization of all of the City's transportation services for children receiving special services, the transportation services further described below, currently performed by the New York City Department of Transportation, are to be transferred to the New York City Department of Education ("DOE") subject to the concurrence of DOE;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Effective July 2, 2006, or as soon as practicable thereafter, the functions performed by the Pre-Kindergarten Transportation Unit of the Department of Transportation shall be transferred to DOE. The functions of DOT's Pre-Kindergarten Transportation Unit include but are not limited to, the following:

- a. program management, including but not limited to managing staff and processes, recommending policy initiatives, and overseeing all administrative functions;
- b. contract management, including preparing bid specifications, preparing bidder lists, facilitating pre-bid conferences, performing site evaluations, preparing recommendations for award, including oversight approval, receiving and inspecting final contract documents, overseeing contract implementation, and resolving service delivery problems;
- c. finance and statistics, including monitoring all contract funding;
- d. inspections, including site inspections, "shadow" inspections and "ride along" inspections;

e. customer liaison, including intake of child information, complaint response and accident reporting; and

f. administrative support.

§ 2. With the purpose of ensuring continuity in operation of the functions described in Section 1, DOE and DOT may make appropriate arrangements, prior to the transfer date, with respect to: (a) use by DOE of DOT facilities and real and personal property; and (b) appropriate disposition of contracts and agreements entered into by DOT in relation to functions being transferred.

§ 3. The Department of Citywide Administrative Services and DOT shall take all steps necessary, consistent with applicable law, to implement this Order, including ensuring the transfer, pursuant to section 70(2) of the Civil Service Law, of employees substantially engaged in the performance of the functions described in Section 1. Employees who are subject to pending disciplinary charges on the date of the functional transfer, or against whom a disciplinary penalty has been assessed but not yet served or paid on or prior to such date, shall be retained in the employment of DOT until the resolution of the adjudicative or administrative proceedings and until any outstanding disciplinary penalty has been served or paid.

§ 4. In accordance with applicable law, employees of DOT, upon becoming employees of DOE, may elect to transfer their pension service credit from the New York City Employees' Retirement System ("NYCERS") to the Board of Education Retirement System or may elect to remain in NYCERS as transferred contributors.

§ 5. The transfer of functions authorized and directed by this order shall be contingent upon the written concurrence of the Chancellor of DOE at least twenty days before the effective date of such transfer.

§ 6. This Order shall take effect immediately.

Michael R. Bloomberg
Mayor