



# THE CITY RECORD

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## THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.  
ELI BLACHMAN, Editor of The City Record.

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BRONX BOROUGH PRESIDENT

#### ■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Adolfo Carrión, Jr. on Friday, March 14, 2008 at 10:00 A.M. in the office of the Borough President, 198 East 161st Street, (one block east of the Grand Concourse), 2nd Floor, the Bronx, New York 10451, on the following items:

**CD 9-ULURP APPLICATION NO: C 050172 ZMX - IN THE MATTER OF** an application submitted by Westpark, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 4b changing from an R5 District to an R6 District property bounded by Westchester Avenue, a line 450 feet northeasterly of Pugsley Avenue, a line midway between Westchester and Newbold Avenue, and Pugsley Avenue, Borough of the Bronx, Community District 9, as shown on a diagram (for illustrative purposes only) dated January 7, 2008 and subject to the conditions of CEQR Declaration E-207.

**CD 2-ULURP APPLICATION NO: C 080248 ZMX - IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

- changing from an M1-1 District to an R6 District property bounded by Seneca Avenue, Longfellow Avenue, a line 100 feet southerly of Seneca Avenue, and a line midway between Longfellow Avenue and Bryant Avenue;
- changing from an M1-1 District to an M1-2 District property bounded by Bruckner Expressway and its westerly centerline prolongation, Pedestrian Street and its northeasterly centerline prolongation, Longfellow Avenue, a line 150 feet northerly of Seneca Avenue, a line midway between Longfellow Avenue and Bryant Avenue, a line 100 feet southerly and southeasterly of Garrison Avenue, a line midway between Bryant Avenue and Faile Street, Garrison Avenue, Manida Street, a line 100 feet southeasterly of Garrison Avenue, Barretto Street, a line 75 feet northerly of Lafayette Avenue, Manida Street, Lafayette Avenue, Tiffany Street, a line 175 feet southerly of Spofford Avenue, a line midway between Barretto Street and Casanova Street, a line 100 feet northerly of Randall Avenue, Bryant Avenue, Spofford Avenue, Longfellow Avenue, Lafayette Avenue, Edgewater Road, Halleck Street, East Bay Avenue and its easterly

centerline prolongation, Longfellow Avenue, a line 300 feet northerly of Oak Point Avenue, Casanova Street, Randall Avenue, Worthen Street and its northwesterly centerline prolongation, and Bruckner Boulevard;

- changing from an M2-1 District to an M1-2 District property bounded by Bruckner Expressway, a U.S. Pierhead and Bulkhead Line, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, Edgewater Road, a line 200 feet southerly of Seneca Avenue, Whittier Street, a line 100 feet northerly of Lafayette Avenue, Edgewater Road, a line 175 feet northerly of Lafayette Avenue, a line perpendicular to the northerly street line of Lafayette Avenue distance 260 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Lafayette Avenue and the easterly street line of Edgewater Road, Lafayette Avenue, a line midway between Whittier Street and Longfellow Avenue, Seneca Avenue, Longfellow Avenue, and Pedestrian Street and its northeasterly centerline prolongation;
- changing from an M3-1 District to an M1-2 District property bounded by:
  - Worthen Street and its northwesterly centerline prolongation, Randall Avenue, Casanova Street, a line 300 feet northerly of Oak Point Avenue, Longfellow Avenue, Oak Point Avenue and its westerly centerline prolongation, a line 430 feet westerly of Barry Street and its northerly prolongation, the southwesterly prolongation of a line 75 feet northwesterly of Garrison Avenue, the northwesterly centerline prolongation of Leggett Avenue, and Bruckner Boulevard; and
  - East Bay Avenue, Halleck Street, Viele Avenue, Halleck Street, Ryawa Avenue, and Whittier Street; and
- establishing within an existing R6 District a C1-4 District bounded by:
  - Lafayette Avenue, Bryant Avenue, a line 75 feet southerly of Lafayette Avenue, and Faile Street; and
  - Hunt's Point Avenue, a line perpendicular to the easterly street line of Faile Street distance 400 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Faile Street and the southerly street line of Lafayette Avenue, a line 100 feet northeasterly of Hunt's Point Avenue, a line perpendicular to the northeasterly street line of Hunt's Point Avenue distance 270 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Hunt's Point Avenue and the westerly street line of Bryant Avenue,

Hunt's Point Avenue, Spofford Avenue, a line 100 feet westerly of Faile Street, a line 100 feet southwesterly of Hunt's Point Avenue, and Coster Street;

as shown on a diagram (for illustrative purposes only) dated January 7, 2008, and subject to the conditions of CEQR Declaration E-210.

Anyone wishing to speak may register at the hearing. Please direct any questions concerning these matters to the Borough President's office (718) 590-6124.

m7-13

### MANHATTAN BOROUGH PRESIDENT

#### ■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE MANHATTAN BOROUGH BOARD MEETING is scheduled for March 20, 2008 from 8:30 A.M. to 10:00 A.M., at the Office of the Manhattan Borough President located at 1 Centre Street, 19th Floor South.

PLEASE NOTE: Individuals requesting sign-language interpreters or other reasonable accommodations for disabilities should contact the Office of the Manhattan Borough President, located at 1 Centre Street, 19th Floor South, New York, NY 10007 at (212) 669-8300. NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING/MEETING.

m12-19

### CITY COUNCIL

#### ■ HEARINGS

#### HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON WEDNESDAY, MARCH 12, 2008, AT 10:30 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTERS:

#### Advice and Consent

- M-942**, Communication from the Mayor submitting the name of Mr. José Maldonado for appointment as a member of the New York City Civil Service Commission pursuant to §§ 31 and 813 of the *New York City Charter*. Should Mr. Maldonado receive the advice and consent of the Council, he will be eligible to serve the remainder of a six-year term that expires on March 21, 2009.

#### APPOINTMENT

- Preconsidered M**, Jane Carolyn Kalmus, Council candidate for re-appointment to the New York City Voter Assistance Commission pursuant to §1054(a) of the *New York City Charter*. If Ms. Kalmus is re-appointed, she will be eligible to serve for the remainder of a three-year term expiring on June 30, 2010.

#### AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

A Calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

Hector L. Diaz  
City Clerk, Clerk of the Council

m5-12

## CITY PLANNING COMMISSION

### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, March 12, 2008, commencing at 10:00 A.M.**

### BOROUGH OF MANHATTAN Nos. 1 & 2 EAST HARLEM CLUSTER No. 1

**CD 11 C 080151 ZMM**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b, changing from an R7-2 District to an R8A District property bounded by East 111th Street, the westerly boundary line of the New York Central Rail Road right-of-way, a line midway between East 110th Street and East 111th Street, and Madison Avenue, as shown on a diagram (for illustrative purposes only) dated December 3, 2007 and subject to the conditions of CEQR Declaration E-206.

### No. 2

**CD 11 C 080152 HAM**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) the designation of property located at 64-66, and 72 East 111th Street (Block 1616, Lots 49, 146, and 42), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, Lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43), as an Urban Development Action Area; and
  - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of property located at 64-66 East 111th Street (Block 1616, Lots 49 and 146), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 169 East 111th Street (Block 1639, Lot 28); 315 East 111th Street (Block 1683, Lot 10); 75 East 110th Street (Block 1616, Lot 31), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 1663 Madison Avenue (Block 1616, Lot 51), part of Site 25B of the Milbank Frawley Circle East Urban Renewal Area; 155 East 109th Street (Block 1637, Lot 23); 1642 Madison Avenue (Block 1615, Lot 55), part of Site 24B of the of the Milbank Frawley Circle East Urban Renewal Area; and 166 East 100th Street (Block 1627, Lot 43), to a developer selected by HPD;

to facilitate development of eight buildings, tentatively known as East Harlem South Cluster, with approximately 213 residential units, commercial and community facility space, to be developed under Housing Preservation and Development's Cornerstone Program.

### No. 3 GLEN OAKS LIBRARY

**CD 13 C 070362 ZSQ**  
**IN THE MATTER OF** an application submitted by the Queens Public Library pursuant to Section 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-901 of the Zoning Resolution to permit the allowable community facility floor ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a proposed two-story, approximately 7,734 square foot library on property located at 256-04 Union Turnpike (Block 8693, Lot 10) in an R2 District. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**YVETTE V. GRUEL, Calendar Officer**  
**City Planning Commission**  
**22 Reade Street, Room 2E**  
**New York, New York 10007**  
**Telephone (212) 720-3370**

**f28-m12**

## COMPTROLLER

### ■ MEETING

The City of New York's Audit Committee meeting is scheduled for Wednesday, March 19, 2008 from 9:30 A.M. to 12:00 Noon at 1 Centre Street in Room 530. Meeting is open to the general public.

**m12**

## COMMUNITY BOARDS

### ■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

## BOROUGH OF QUEENS

COMMUNITY BOARD NO. 5 - Wednesday, March 12, 2008 at 7:30 P.M., Greater Ridgewood Youth Council - Meeting Hall, 62-10 Myrtle Avenue, Glendale, NY

### #080013PCQ

**IN THE MATTER OF** an application submitted by the New York City Police Department and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 49-21 and 48-23 Metropolitan Avenue for use as a vehicle maintenance facility.

**m6-12**

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

## BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 5 - Thursday, March 13, 2008 at 6:00 P.M., Fashion Institute of Technology, 227 West 27th Street ("A" Building), New York, NY

### #C 080178ZSM

**IN THE MATTER OF** an application submitted by Park Avenue Hotel Acquisition, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 81-212, 74-79, 81-277 and 23-851 (Minimum Dimension of Inner Courts), to modify the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations-Daylight Evaluation) to facilitate the development of a 63-story mixed-use building, within the Special Midtown District.

**m7-13**

## BOARD OF CORRECTION

### ■ MEETING

Please take note that the next meeting of the Board of Correction will be held on March 13, 2008, at 9:30 A.M., in the Conference Room of the Board of Correction. Located at: 51 Chambers Street, Room 929, New York, NY 10007.

At that time, there will be a discussion of various issues concerning New York City's correctional system.

**m6-13**

## BOARD OF EDUCATION RETIREMENT SYSTEM

### ■ MEETING

The next regular meeting of the Board of Education Retirement System (BERS) of the City of New York Trustees will meet on Monday, March 17, 2008. This meeting will be held at the Tweed Courthouse, 52 Chambers Street, New York, New York 10007.

The meeting will convene at 4:30 P.M. in Room 105. An agenda will be distributed to BERS Trustees prior to the meeting.

If you need more information, please contact Noro Healy at (718) 935-4529 or email: nhealy@bers.nyc.gov

**m11-17**

## LANDMARKS PRESERVATION COMMISSION

### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **March 25, 2008** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-4844** - Block 96, lot 5-207 Front Street - South Street Seaport Historic District A Federal style building built c.1816 and altered in 1901. Application is to install storefront infill and signage.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-5525** - Block 179, lot 6-13 Worth Street - Tribeca West Historic District A store and loft building designed by William Field and Son and built 1873. Application is to construct a rooftop addition. Zoned C6-2A.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-5938** - Block 230, lot 3-317 Canal Street - SoHo-Cast Iron Historic District A Federal style house built in 1821 and altered in 1869. Application is to enlarge a fire escape and construct a rooftop deck.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-5074** - Block 232, lot 1-434 Broadway - SoHo - Cast Iron Historic District A Second Empire style store and loft building built in 1866-67. Application is install storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-6318** - Block 473, lot 5-

470 Broadway - SoHo-Cast Iron Historic District A commercial building originally built in 1858, and altered in 1918 and 1940. Application is to alter the facade and install new storefront infill and signage.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-3076** - Block 529, lot 7502-7 Bond Street - NoHo Historic District Two Second Empire-style store, warehouse and factory buildings one designed by Stephen D. Hatch and built in 1871, and the other designed by Griffith Thomas built in 1872-73. Application is to construct a rooftop addition and create new window openings in an existing bulkhead.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-1899** - Block 572, lot 71-55 West 8th Street - Greenwich Village Historic District A transitional Romanesque Revival style apartment house built ca.1895. Application is to reconstruct the facade.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-6454** - Block 553, lot 34-109 Waverly Place - Greenwich Village Historic District A Greek Revival style house built in 1840. Application is to construct rooftop and rear yard additions and to excavate the rear yard.. Zoned R-6.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 07-9145** - Block 632, lot 39-719 Greenwich Street - Greenwich Village Historic District A brick warehouse building designed by Bernstein and Bernstein and built in 1909. Application is for facade work.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-4019** - Block 646, lot 57-421-425 West 13th Street - Gansevoort Market Historic District A neo-Renaissance style warehouse building designed by Hans E. Meyen and built in 1901-02. Application is to install a new canopy, signage and light fixtures.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-5921** - Block 1265, lot 1-Rockefeller Plaza - Rockefeller Center - Individual Landmark An Art Deco style office, commercial and entertainment complex designed by the Associated Architects and built in 1931-33. Application is to install ticket kiosks on Rockefeller Plaza and the Channel Gardens.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-1438** - Block 1231, lot 29-480 Amsterdam Avenue - Upper West Side/Central Park West Historic District A Renaissance Revival style tenement building designed by Charles Rentz and built in 1894-95. Application is to install storefront infill and signage.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF MANHATTAN 08-4026** - Block 1200, lot 31-262 Central Park West - Upper West Side/Central Park West Historic District A neo-Renaissance style apartment building designed by Sugarman and Berger and built in 1927-1928. Application is to install through-the-wall air conditioners and replace windows.

**BINDING REPORT**  
**BOROUGH OF MANHATTAN 08-3744** - Block 113, lot 1-Brooklyn Bridge - Brooklyn Bridge - Individual Landmark A Gothic inspired suspension bridge designed by John A. Roebling and Washington Roebling, and built in 1867-83. Application is to replace, reconstruct, restore and repaint the bridge railings.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF BROOKLYN 08-5651** - Block 31, lot 1-201 Water Street - DUMBO Historic District A Daylight Factory style factory building designed by Frank H. Quinby and built in 1913; and a two story vernacular style factory building built c. 1900. Application is to alter masonry openings, replace the roof and install windows and storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF BROOKLYN 08-4794** - Block 2119, lot 23-277 Cumberland Street - Fort Greene Historic District An Italianate style building with a commercial ground floor built in the mid-1850's. Application is to replace storefront infill installed without Landmarks Preservation Commission permits and install an awning and bracket sign.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF BROOKLYN 07-7070** - Block 2102, lot 29-213 Cumberland Street - Fort Greene Historic District A French Second Empire style residence designed by William Brush and built in 1867. Application is to legalize the installation of railings, windows, and gates installed in non-compliance.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF BROOKLYN 08-6253** - Block 1982, lot 35-369 Grand Avenue - Clinton Hill Historic District An Italianate style rowhouse with neo-Grec style elements built in the early 1870's. Application is to install a deck.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF BROOKLYN 08-3038** - Block 1917, lot 6-280 Washington Avenue - Clinton Hill Historic District A Queen Anne style rowhouse designed by Marshall J. Morrill and built in 1887. Application is to replace windows and construct a rear yard addition. Zoned R6-B.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF BROOKLYN 07-7357** - Block 1962, lot 9-433 Waverly Avenue - Clinton Hill Historic District An Italianate style carriage house and residence built in the mid-19th century. Application is to modify and legalize alterations to the rear facade and the installation of decks without Landmarks Preservation Commission permits.

**CERTIFICATE OF APPROPRIATENESS**  
**BOROUGH OF QUEENS 08-4379** - Block 182, lot 88-39-16 44th Street - Sunnyside Gardens Historic District

A brick rowhouse with Colonial Revival style details designed by Clarence Stein, Henry Wright, and Frederick Ackerman and built in 1927. Application is to modify the rear deck.

m12-25

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, March 18, 2008 at 9:30 A.M.**, at the Landmarks Preservation Commission will conduct a public hearing in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmarks, Landmark Sites, and Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

**ITEMS TO BE HEARD**

LP-2287 **PROPOSED NOHO HISTORIC DISTRICT EXTENSION**, Borough of Manhattan

**Boundary Description**

The proposed NoHo Historic District Extension consists of the property bounded by a line beginning at the northwest corner of Lafayette Street and Bleecker Street, then extending northerly along the western curblin of Lafayette Street to a point on a line extending westerly from the northern property line of 379 Lafayette Street, easterly along said line and the northern property line of 379 Lafayette Street, northerly along part of the western property line of 30 Great Jones Street, northerly along the eastern building line of 383-389 Lafayette Street (aka 22-26 East 4th Street) and continuing northerly across East Fourth Street, northerly along the western property line of 25 East Fourth Street, easterly along the northern property lines of 25 and 27 East 4th Street, southerly along the eastern property line of 27 East 4th Street to the southern curblin of East 4th Street, easterly along the southern curblin of East 4th Street to a point on a line extending northerly from the eastern property line of 38 East 4th Street, southerly along said line and the eastern property line of 38 East 4th Street, easterly along part of the northern property line of 48 Great Jones Street, northerly along the western property lines of 354 and 356 Bowery, easterly along the northern property line of 356 Bowery to the western curblin of the Bowery, southerly along the western curblin of the Bowery to a point on a line extending easterly from the southern property line of 354 Bowery, westerly along said line and part of the southern property line of 354 Bowery, southerly along part of the eastern property line of 48 Great Jones Street, easterly along the northern property line of 54 Great Jones Street, southerly along the eastern property line of 54 Great Jones Street to the southern curblin of Great Jones Street, easterly along the southern curblin of Great Jones Street to a point on a line extending northerly from the easterly property line of 57 Great Jones Street, southerly along said line and part of the eastern property line of 57 Great Jones Street, easterly along the northern property line of 344 Bowery to the western curblin of the Bowery, southerly along the western curblin of the Bowery, westerly along the northern curblin of Bond Street to a point on a line extending northerly from the eastern property line of 51 Bond Street, southerly along said line and the eastern property line of 51 Bond Street, westerly along the southern property lines of 51 through 31 Bond Street and the southern curblin of Jones Alley, southerly along the eastern property line of 337 Lafayette Street (aka 51-53 Bleecker Street) to the northern curblin of Bleecker Street, and westerly along the northern curblin of Bleecker Street, to the point of beginning.

LP-2297 **FORMER SOCIETY OF CIVIL ENGINEERS CLUBHOUSE, NOW LEE'S ART SHOP**, 220 West 57th Street aka 218-222 West 57th Street, Manhattan. Landmark Site: Borough of Manhattan Tax Map Block 1028, Lot 42

LP-2299 (Former) **FIRE ENGINE COMPANY NO. 54**, 304 West 47th Street, Manhattan. Landmark Site: Borough of Manhattan Tax Map Block 1037, Lot 37

LP-2281 **ST. MICHAEL'S CHURCH, PARISH HOUSE AND RECTORY**, 201 West 99th Street aka 800-812 Amsterdam Avenue, Borough of Manhattan. Landmark Site: Borough of Manhattan Tax Map Block 1871, Lots 24 and 29

m3-18

**COURT NOTICES**

**SUPREME COURT**

NOTICE

**KINGS COUNTY  
IA PART 74  
NOTICE OF PETITION  
INDEX NUMBER 6398/08**

In the Matter of the Application of the CITY OF NEW YORK relative to acquiring title in fee simple absolute in certain real property, where not heretofore acquired, for

**ULMER PARK BRANCH LIBRARY** (2602 Bath Avenue, Brooklyn)

within an area generally bounded by Bath Avenue, Bay 43rd Street, Harway Avenue, and 26th Avenue, in the Borough of Brooklyn, City and State of New York.

**PLEASE TAKE NOTICE** that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Kings County, IA Part 74, for certain relief.

The application will be made at the following time and place: At 320 Jay Street, in the Borough of Brooklyn, City and State of New York, on March 28, 2008 at 9:30 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- 1) authorizing the City to file an acquisition map in the Office of the City Register;
- 2) directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
- 3) providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
- 4) providing that notices of claim must be served and filed within one calendar year from the vesting date.

The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the same purpose, for the Ulmer Park Branch Library in the Borough of Brooklyn, City and State of New York. The property to be acquired consists of Tax Lot 35 in Block 6897 shown on the Tax Map of The City of New York for the Borough of Brooklyn as said Tax Map existed on February 21, 2008.

The property shall be acquired subject to encroachments, if any, of the structures, improvements and appurtenances standing or maintained partly upon the above described parcels and partly upon the lands and premises adjoining the same, as long as such encroachments shall stand.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

**PLEASE TAKE FURTHER NOTICE THAT**, pursuant to EDPL §402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: February 26, 2008, New York, New York  
MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
100 Church Street  
New York, New York 10007  
Tel. (212) 788-0424

SEE MAP ON BACK PAGES

m3-14



**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF MUNICIPAL SUPPLY SERVICES**

SALE BY SEALED BID

**SALE OF: 1 UNUSED "CARRIER" ECOLOGICAL CHILLER.**

S.P.#: 08015

DUE: March 18, 2008



**New Today...**

first time procurement ads appearing today!

*The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. As part of this effort, the City is pleased to announce the following contracting opportunities for construction/construction services and construction-related services.*

**ADMINISTRATION FOR CHILDREN'S SERVICES**

AWARDS

Goods & Services

**ON-CALL ELECTRICAL CONSTRUCTION REPAIRS AND MAINTENANCE** – Competitive Sealed Bids – PIN# 068-07-ADM-0007 – AMT: \$4,088,200.00 – TO: P.M. Electrical Contracting Corporation, 1921 McDonald Avenue, Brooklyn, NY 11223.

● **BUILDING MANAGEMENT SERVICES** – Competitive Sealed Bids – PIN# 068-08-ADM-0026 – AMT: \$7,590,000.00 – TO: Williams USA Realty Services, Inc., 380 Madison Avenue, 3rd Floor, New York, NY 10017.

m12

**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF FACILITIES MANAGEMENT AND CONSTRUCTION**

AWARDS

Construction / Construction Services

**PAINTING, PATCHING AND PLASTERING IN DCAS BLDGS.** – Competitive Sealed Bids – PIN# 856060000357R – AMT: \$5,000,000.00 – TO: Riverdale Painting Corp., 1605 John Street #114, Fort Lee, NJ 07024. Service area is

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.  
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

m5-18

**POLICE**

**OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.**

The following listed property is in the custody, of the Property Clerk Division without claimants.

**Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.**  
**Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.**

**INQUIRIES**

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

**FOR MOTOR VEHICLES (All Boroughs):**

- \* College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- \* Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- \* Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

**FOR ALL OTHER PROPERTY**

- \* Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- \* Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- \* Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- \* Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- \* Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

**AUCTION**

**PUBLIC AUCTION SALE NUMBER 1128**

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is March 24, 2008 from 10:00 A.M. - 2:00 P.M. Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on March 25, 2008 at approximately 9:00 A.M. Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

m12-25

Brooklyn, Queens, and Staten Island. Contract expires in 3 years.

m12

**DESIGN & CONSTRUCTION**

**AGENCY CHIEF CONTRACTING OFFICER**

SOLICITATIONS

Construction / Construction Services

**CONSTRUCTION MANAGEMENT/BUILD SERVICES, PO223-001** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502008PD0008P – DUE 04-09-08 AT 4:00 P.M. – For the construction of the New 121st Street Precinct, Staten Island.

All qualified and interested firms are advised to download the Request for Proposal at <http://ddcftp.nyc.gov/rfpweb/> from March 13, 2008 or contact the person listed for this RFP. The contract resulting from this Request for Proposal will be subjected to Local Law 129 of 2005, Minority Owned and Women Owned Business Enterprise (M/WBE) program. The submission date is indicated above.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Design and Construction,  
30-30 Thomson Avenue, Long Island City, NY 11101.  
Kareem Alibocas (718) 391-3038, [alibocaka@ddc.nyc.gov](mailto:alibocaka@ddc.nyc.gov)

m12



## PROCUREMENT

*The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. As part of this effort, the City is pleased to announce the following contracting opportunities for construction/construction services and construction-related services.*

### ADMINISTRATION FOR CHILDREN'S SERVICES

#### AWARDS

*Goods & Services*

**ON-CALL ELECTRICAL CONSTRUCTION REPAIRS AND MAINTENANCE** – Competitive Sealed Bids – PIN# 068-07-ADM-0007 – AMT: \$4,088,200.00 – TO: P.M. Electrical Contracting Corporation, 1921 McDonald Avenue, Brooklyn, NY 11223.

● **BUILDING MANAGEMENT SERVICES** – Competitive Sealed Bids – PIN# 068-08-ADM-0026 – AMT: \$7,590,000.00 – TO: Williams USA Realty Services, Inc., 380 Madison Avenue, 3rd Floor, New York, NY 10017.

☛ m12

### CITY UNIVERSITY

#### SOLICITATIONS

*Goods & Services*

**REPAIR AND UPGRADE OF LABORATORY STAFF A CONTROL SYSTEM AND SOFTWARE** – Sole Source – DUE 03-14-08 AT 1:00 P.M. – Hunter College (CUNY) is entering into sole source negotiations with Thomas S. Brown Associates, Inc. located at 38-30 Woodside Avenue, Long Island City, New York 11104, to provide all labor and materials for the repair and upgrade of Staefa Control Systems and the corresponding Talon Software in Lab fourteen (14) at the main campus located at 68th Street Campus. Thomas C. Brown Associates, Inc. is a licensed installer of Talon Software. The amount of the agreement will be \$14,450.00 and the term shall be from date of notice to proceed until completion.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*

*Hunter College, Purchasing and Contract Department, 695 Park Avenue, E1509, New York, NY 10065. Daryl Williams, Purchasing Director, (212) 650-3811, daryl.williams@hunter.cuny.edu*

m7-13

### CITYWIDE ADMINISTRATIVE SERVICES

#### DIVISION OF FACILITIES MANAGEMENT AND CONSTRUCTION

#### AWARDS

*Construction/Construction Services*

**PAINTING, PATCHING AND PLASTERING IN DCAS BLDGS.** – Competitive Sealed Bids – PIN# 856060000357R – AMT: \$5,000,000.00 – TO: Riverdale Painting Corp., 1605 John Street #114, Fort Lee, NJ 07024. Service area is Brooklyn, Queens, and Staten Island. Contract expires in 3 years.

☛ m12

#### DIVISION OF MUNICIPAL SUPPLY SERVICES

#### VENDOR LISTS

*Goods*

**ACCEPTABLE BRAND LIST** – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

j4-jy17

**EQUIPMENT FOR DEPARTMENT OF SANITATION** – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

A. Collection Truck Bodies

B. Collection Truck Cab Chassis  
C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8562.

j4-jy17

**OPEN SPACE FURNITURE SYSTEMS - CITYWIDE** – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8562.

j4-jy17

### DESIGN & CONSTRUCTION

#### AGENCY CHIEF CONTRACTING OFFICER

#### SOLICITATIONS

*Construction/Construction Services*

**CONSTRUCTION MANAGEMENT/BUILD SERVICES, PO223-001** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502008PD0008P – DUE 04-09-08 AT 4:00 P.M. – For the construction of the New 121st Street Precinct, Staten Island.

All qualified and interested firms are advised to download the Request for Proposal at <http://ddcftp.nyc.gov/rfpweb/> from March 13, 2008 or contact the person listed for this RFP. The contract resulting from this Request for Proposal will be subjected to Local Law 129 of 2005, Minority Owned and Women Owned Business Enterprise (M/WBE) program. The submission date is indicated above.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*

*Department of Design and Construction  
30-30 Thomson Avenue, Long Island City, NY 11101.*

*Kareem Alibocas (718) 391-3038, alibocaka@ddc.nyc.gov*

☛ m12

**PV467-42 NEW 42 THEATER RENOVATIONS** – Sole

Source – Available only from a single source - PIN# 8502008PV0046P – DUE 03-24-08 AT 4:00 P.M. – The Department of Design and Construction intends to enter into a sole source contract with The New 42nd Street, Inc. for the above project. The contractor must have unique knowledge of the site, and must guarantee the assumption of all cost above the estimated cost of construction. In addition, the contractor must make a private financial contribution to fund the design and construction of the project. Any firm which believes that it is also qualified to provide these services or would like to provide such services in the future is invited to indicate by letter to: Department of Design and Construction, 30-30 Thomson Avenue, 5th Floor, Long Island City, New York 11101. Steven Wong, Program Director, (718) 391-2550, wongs@ddc.nyc.gov.

☛ m12-18

#### INTENT TO AWARD

*Construction/Construction Services*

**ARCHITECTURE AND ENGINEERING DESIGN SERVICES FOR THE HISTORIC PRESERVATION FOR THE RENOVATION OF CITY HALL** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 8502008PW0008P – DUE 03-25-08 AT 4:00 P.M. – Notice of Intent to Enter into Negotiations:

The City's Department of Design and Construction ("DDC") is responsible for providing design and construction services to various City agencies within the five Boroughs. DDC is publishing this Notice of Intent because there is a need to procure construction-related services for the renovation of the City's City Hall. Time is of the essences in making the selection of the Consultant and time is of the essence in performing the services described below.

Project Objective:

The selected Consultant will have two main functions:  
(1) provide overall architectural and engineering services, and  
(2) provide program management services for the overall project and work with the construction management firm procured independently by DDC. Due to the historic nature of the City Hall building, DDC seeks a Consultant, with historic preservation experience, to provide the following services: oversee, integrate, and coordinate a number of ongoing capital improvement projects at City Hall, and provide full design services for select components as requested. During design and construction of the project, it is both anticipated and expected that the City's Executive and Legislative Branches will be occupying the space, except for a brief, but yet to be determined, time, and both Branches of the City government will need use of the space to conduct the City's government functions.

Brief Description of City Hall:

New York City's City Hall is one of the oldest continuously used City Hall buildings in the nation that still houses its original government functions. City Hall is a designated New York City landmark. Moreover, its rotunda is a designated interior landmark.

Both the City's Executive and Legislative branches use the building for offices and meetings. In addition, the Legislative Branch conducts legislative hearings and meetings in City Hall. Today, New York's City Hall is considered one of the

finest architectural achievements of its period. The building was constructed from 1803 to 1812 and it is an early expression of the City's cosmopolitanism. City Hall is a three-story building with a functioning basement that has been converted into office space. The building was designed in the Federal style with clear French influences that can be seen in the large arched windows, delicate ornamental swags, and more decorative Corinthian and Ionic-style columns and pilasters. The building is entered by a formal staircase that sweeps up to the one-story portico fronting the building. The roof of the portico, surrounded by a balustrade, forms a balcony outside the Governor's Room's five large arched windows. A cupola, topped by a copper statue of Justice, rises above the attic, which has partly been converted into office space. The soaring rotunda dominates the interior, which is dramatically encircled by a keystone-cantilevered staircase. Ten Corinthian columns on the second floor support the coffered dome.

Proposed Scope of Work and Requirement of Two Key Roles: First role - architectural and engineering services. Overall, the Consultant will be responsible for the design of the entire renovation project of City Hall.

Currently, there are a number of capital projects at various stages of development that have already been assigned to several independently retained consultant teams. In considering the best approach to achieve design excellence, DDC is seeking two distinct proposals from the vendors to be discussed during the Negotiations.

The first proposal shall deal with the Consultant proposing how it would approach the project in total with the requirement that the Consultant retain under contract the services of one or all three consultant firms currently under contract with the City. These independent consultants have already started developing certain designs, but it would be a contractual requirement that the Consultant enter into direct contracts with these firms as subconsultants. DDC is interested in seeing in the proposal, at a minimum, the issues, both positive and negative to completing the project in a timely manner, by going this route. Please describe in detail how the vendor would make this proposal work.

The second proposal shall deal with the Consultant proposing how it would approach the project in total without being required to retain the consultants currently under contract with the City. DDC is interested in seeing in the proposal, at a minimum, the issues, both positive and negative to completing the project in a timely manner, by going this route. Please describe in the proposal how the vendor would make this proposal work and whether a new team can comply with and meet the tight completion schedule. Include a list of proposed subconsultants who would be made part of Consultant's team.

If the City determines it is in the City's best interest to have the current subconsultants continue to work on this project, then the selected firm will be responsible for retaining under contract these firms as subconsultants. The selected firm will be responsible for coordinating and integrating the scopes of work of the current subconsultants and any other subconsultants the Consultant decides to retain into a single cohesive capital program.

Second role - program management services. Overall, the Consultant will act as an agent for the City in coordinating and overseeing the entire design. The Consultant will have contractual responsibility for the entire design of the renovation project, and will have responsibility over the construction administration process. DDC will award an independent contract to a construction management firm and that firm will bid the individual construction contracts. The bid documents, including drawings and specifications, will be prepared by the Consultant. The Consultant's services will also include an ongoing review of the scope and interrelation of the overall work as developed in design, and, if necessary, may require rearrangement of the distribution of scope items and project schedules in design with either the current subconsultants or other subconsultants brought on the job by the Consultant, in order to attain a cohesive whole project that can be managed efficiently, smoothly, and in a timely manner.

It is critical that the program management plan for, and anticipate, that during construction there will be critical occupancies and that these occupants must not be disturbed throughout the construction process.

It is expected as a program manager that the Consultant will be able to demonstrate experience with retrofitting and integrating new building mechanical systems in a historically significant building. It is further expected as a program manager that the Consultant will be able to demonstrate experience with phasing construction work due to critical building occupancies.

This project will use BIM (Building Information Modeling) software to coordinate and track all aspects of the work. The base model will be provided by DDC, and the Consultant must demonstrate previous experience with using BIM to integrate, model, and interference-check complex building projects.

As described above, the actual construction project will have a construction management independently retained by DDC. The selected Consultant will be required to coordinate with DDC's construction management firm and will act as the central point of architectural and engineering contact for the entire project.

Project Background:

Currently, there are a number of capital improvement projects planned for City Hall. The projects include:

- Restoration of the City Council Chamber ceiling;
- Replacement of the elevator.

- Renovation of the City Council areas on the ground floor and the basement;
- Building-wide fire alarm system and HVAC components; and
- Replacement of City Hall's exterior front entrance steps.

Project components that deal with design and restoration of historically important areas may be removed from the scope of the existing consultant teams and assigned to the Consultant selected via this Negotiated Acquisition for full design services. It is important for the vendors to propose how they would handle the project under both scenarios, as described above.

Below is a brief description of the projects:

#### HVAC Phase II

Current Consultant: Stantec

Replacement of four air handlers, ductwork, return air fans and two cooling towers servicing the City Council Chambers, the Public Hearing Room, and the Committee of the Whole. Scope includes installation of a fresh air intake system and drip pan detection system with remote alarm over the Public Hearing Room in order to give the area museum quality ventilation.

This project is currently in Design Development.

#### HVAC Phase III

Current Consultant: DMJM Harris

Installation of new HVAC system for areas throughout City Hall not previously upgraded. Work includes the installation of vertical and horizontal distribution and fan coil units. Scope includes the replacement of a back up chiller to provide cooling to all fan coil units in case of black outs and other emergency conditions, and the installation of switch-over connections in areas not already utilizing dual temperature system.

This project is currently in Schematic Design.

#### Fire Alarm and Electrical Upgrade -

Current Consultant: DMJM Harris

The upgrade of the building-wide fire alarm system, and required electrical work.

This project is currently in Construction Documents phase.

#### Elevator Modernization Current Consultant:

DMJM Harris

Replacement of the Council Chamber elevator in order to upgrade cab, controls, motors, and hardware. Scope includes related electrical and HVAC requirements.

This project is currently in Construction Documents phase.

#### Renovation of City Hall Steps Current Consultant: Urbahn Architects

The replacement of the existing limestone steps and portico pavers with new granite steps and pavers and reinstallation of brass railings. Scope includes minor audio visual requirements in order to integrate with the City's broadcast systems.

This project is currently in Construction Documents phase.

#### Restoration of the Council Chambers Area

Current Consultant: Stantec

Restoration of the plaster ceilings and mural, walls, and wood wainscoting, refurbishing the Chambers balcony, and replacing the current flooring with a more historically accurate material. In addition, the lighting and audio visual systems will be upgraded to meet current standards. The restoration of this space requires expertise in historic preservation. It is likely that this project will require full design services from the Consultant. As part of the HVAC Phase II project, upgraded mechanical equipment will be installed in the attic and roof in order to provide appropriate ventilation to prevent the recurrence of mural deterioration. Coordination with this work is of extreme importance.

This project is currently in Schematic Design.

#### City Council Area Restoration Current Consultant: Stantec

Current Consultant: DMJM Harris

This project addresses the following areas: Council lounge, Council Speaker's Office, Committee Room, first floor conference room, second floor toilet, and public staircase from first to second floors.

Scope includes the restoration of plaster work, wood doors, casings, and moldings, door hardware, chandeliers, and the public marble staircase. New carpet and toilet fixtures and upgraded power and data are included.

It is likely that this project will require full design services from the Consultant.

This project is currently in Schematic Design.

#### Design Services:

The following parameters apply to those projects that require full design and construction administration services:

#### Design Phase:

The Consultant shall perform all work in conformance with all provisions of the contract and the DDC "Design Consultant Guide", dated August 2003, Appendix G, and the DDC High Performance Building Guidelines.

In addition, the Consultant shall provide Basic Preservation Services as set forth below.

1. Research: the Consultant shall provide research services which shall include historic and cultural research of existing documents, technical research of original materials and construction methods. All readily available archives shall be used.

2. Conditions Survey: The Consultant shall provide a conditions survey, which shall include on-site visual observation, non-destructive and destructive investigation of visible and concealed conditions.

3. Documentation: The Consultant shall provide documentation, including preparation of measured drawings, mapping of conditions, photography and other graphic representation of findings.

4. Preservation Plan: The Consultant shall develop a Preservation Plan specifying an approach to preservation issues.

#### Construction Phase:

The Consultant shall perform all work in conformance with all provisions of the contract and the DDC "Design Consultant Guide" dated August 2003, Appendix G, and the DDC High Performance Building Guidelines.

In addition, the Consultant shall provide the services set forth below during the construction phase.

1. The Consultant shall keep a Record of Field Changes to note changes to the materials and methods specified in the Contract Documents. This record shall include all significant changes affecting historic elements and materials that may influence maintenance procedures and future capital work. The Consultant shall submit the Record of Field Changes to DDC at the completion of construction.

The overall integrated project must comply with LL86 (Local Law 86 of 2005) and, to the extent achievable, will strive to obtain LEED EB (Existing Building) Certification.

#### Local Law 86 Compliance

Projects designed under this contract may be subject to one or more environmental laws. The agency will inform the consultant whether these requirements apply. In particular, projects may be subjected to Local Law 86 of 2005 (the Green Building Law) or one or more of the following local laws on environmentally preferable purchasing (EPP), including: Local Law 118 of 2005, Local Law 119 of 2005, Local Law 120 of 2005, and Local Law 121 of 2005.

Local Law 86 applies to capital projects for or in new buildings, for additions to existing buildings and in existing buildings subject to substantial reconstruction, including fit-outs of condominium units and leased space, costing \$2 million or more. Most covered projects must be built to achieve a "Silver" rating under the Leadership in Energy and Environmental Design (LEED) rating system of the U.S. Green Building Council (LEED "Certified" rating for educational and certain types institutional projects). There are additional requirements in the law regarding energy and water efficiency: including those for plumbing systems, boiler replacements, and/or lighting and HVAC comfort control systems, above certain dollar thresholds. The law does not apply to projects within spaces classified in certain occupancy groups, including residential and industrial, and is subject to certain exemptions.

The EPP laws apply to certain construction projects not covered by Local Law 86, subject to certain exemptions and waivers. In general, the requirements in the EPP laws for construction projects relate to Energy Star certified products, bathroom fixtures, lighting products, carpets, architectural coatings and construction or furnishing materials. A list of these products/materials and their minimum standards are available in the New York City EPP Minimum Standards for Construction Products. A hard copy of the standards may be obtained from the agency or on the web, at [http://www.nyc.gov/html/mocs/html/programs/other\\_epp.shtml](http://www.nyc.gov/html/mocs/html/programs/other_epp.shtml).

For LL86, in addition to preparing the required documentation for LEED certification, if applicable, the consultant will be required to provide project data for the purposes of project reporting using the Local Law 86 reporting worksheet, as requested by the agency. Such data includes project description, construction costs, LEED credits sought and earned (if applicable), reductions in energy cost and in water use, and incremental constructions costs.

For the EPP laws, the consultant will be required to provide a report, for any period requested by an agency, on products specified by or for the City that appear in the New York City EPP Minimum Standards for Construction Products. The report must contain the following information: agency, item description, quantity ordered and dollar value of all items ordered over the period requested.

If your firm is interested in being considered for award of the subject contract, please hand deliver a written expression of interest addressed to Carlo Di Fava, Contract Manager, at 30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. The expression of interest should specifically include the following:

1. A Cover Letter of no more than three pages, indicating the company name and address, and the name, address and telephone number of the person authorized to represent the firm (Be sure to refer to the proper DDC PIN number and title). Include a brief history of the firm, the overall firm organization, its goals and objectives and a statement of design philosophy.

#### 2. Experience of Firm

● Submit SF-254 Form, which lists the number of full-time staff currently employed and the projects on which the firm is currently working, has completed and future projects and commitments. Provide the value of these contracts and their schedules. (This form is available at <http://nyc.gov/html/ddc/html/otherfrm.html>).

● Submit SF-255 Form which identifies the proposed Project Executive, Project Manager, Assistant Project Manager, and Project Superintendent on the subject project. A resume of each person on the project team should also be submitted in

the SF-255 form (This form is available at <http://nyc.gov/html/ddc/html/otherfrm.html>).

● Provide examples of up to five completed projects similar in scope and type to this project completed within the last ten years. Visual materials can take the form of a printed brochure, photographs, drawings or similar images. For each project, the proposer shall provide information indicating whether the project was completed on time and within budget.

3. Completed Local Law 34 of 2007 - Doing Business Data Form (This form is available at <http://www.nyc.gov/html/ddc/html/forms.html>).

All Expressions of Interest received in the manner set forth will be reviewed to determine if they are responsive to the material requirements of this solicitation. Responsive submissions will include at least three (3) projects similar in scope and type to the required work in historically significant or landmark quality buildings, completed within the last five (5) years. Compliance with this requirement will be determined solely by the Department. Expressions of interest determined to be non-responsive will not be further considered.

All qualified firms will be evaluated based on the following criteria:

Quality and relevance of the firm experience - 50 percent  
Quality and experience of the firm personnel - 50 percent

The Department will enter into negotiations with the vendor determined to be the best qualified at the time of evaluation, based on consideration of the above-cited factors. A contract will be awarded to the responsible vendor whose offer is determined to be the most advantageous to the City, taking into consideration the price and the other factors set forth in this solicitation.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*

*Department of Design and Construction,  
30-30 Thomson Avenue, 4th Floor, Long Island City, NY  
11101. Carlo Di Fava (718) 391-1541, [difavac@ddc.nyc.gov](mailto:difavac@ddc.nyc.gov)*

**m6-12**

#### CITYHALL2, CONSTRUCTION MANAGEMENT

#### SERVICES AND CONSTRUCTION FOR THE

#### RENOVATION OF CITY HALL – Negotiated Acquisition –

Judgment required in evaluating proposals - PIN# 8502008PW0007P – DUE 03-25-08 AT 4:00 P.M. – The NYC Department of Design and Construction is intending to enter into negotiations with appropriately qualified vendors for construction management services and construction for the renovation of City Hall.

#### Brief description of City Hall

New York City's City Hall is one of the oldest continuously used city hall buildings in the nation that still houses its original government functions. City Hall is a designated New York City landmark. Moreover, its rotunda is a designated interior landmark.

Both the City's Executive and Legislative branches use the building for offices and meetings. In addition, the Legislative Branch conducts legislative hearings and meetings in City Hall. Today, New York's City Hall is considered one of the finest architectural achievements of its period. The building was constructed from 1803 to 1812 and is an early expression of the City's cosmopolitanism.

City Hall is a three-story building with a functioning basement that has been converted into office space. The building was designed in the Federal style with clear French influences that can be seen in the large arched windows, delicate ornamental swags, and more decorative Corinthian- and Ionic-style columns and pilasters. The building is entered by a formal staircase that sweeps up to the one-story portico fronting the building. The roof of the portico, surrounded by a balustrade, forms a balcony outside the Governor's Room's five large arched windows. A cupola, topped by a copper statue of Justice, rises above the attic, which has partly been converted into office space. The soaring rotunda dominates the interior, which is dramatically encircled by a keystone-cantilevered staircase. Ten Corinthian columns on the second floor support the coffered dome.

The Scope of Services will include, but not limited to, the following:

#### 1. HVAC Phase III

The work includes the installation of new riser chases; under flooring and above ceiling pipes; conduits and ducts; wall opening for ductwork and pipes; and fan coil units enclosures. The finishing or refinishing of wood flooring is also included in this phase. Work also includes installing a replacement back up chiller with a new chiller to provide cooling to all fan coil units in case of black-outs and/or emergency conditions; and the installation of switch-over connections in areas not already utilizing dual temperature system.

#### 2. Council Chambers Area

The work includes the restoration of the Chambers plaster ceilings and walls; wood wainscoting; refurbishment of the Chambers balcony; and replacement of existing Council desks and other furniture. The existing floor treatment in the Chambers is historically inappropriate and will be replaced. In addition, lighting and A/V systems will be upgraded to meet current standards. In order to prevent the recurrence of mural deterioration, attach area, and roof improvements will be made to accommodate the upgraded mechanical equipment in that area.

3. Fire Alarm and Electrical Upgrade

The upgrade of the fire alarm system includes: the installation of annunciation devices; a voice communication system; graphic display; system printers; fire detection visible and audible signals; fire alarm pull stations; strobe lights; and speakers. The electrical power upgrade includes the installation of a new 800 amp service with new risers, conduits, branch circuit panels, and associated connections.

4. Elevator Modernization

This project replaces the current elevator with new upgraded controls, motors, hardware, and cab. It also includes required HVAC environmental controls within dedicated spaces; and electrical power supply to maintain the new equipment.

5. City Hall Steps

The existing limestone steps (approximately 950 lf) and portico pavers (approximately 750sf) will be replaced with new granite steps and pavers. At least two brass railings will be removed and reinstalled. This project also includes the replacement of two audio/video connection boxes with related conduits and wiring to be coordinated and integrated with the city's broadcast systems.

6. HVAC Phase II

Four air handlers and accessories will be replaced along with ductwork and return air fans servicing the City Council Chambers, Public hearing Room, and committee of the Whole. Two cooling towers will be replaced. A roof level fresh air intake system will be installed in addition to a control system and a drip pan detection system with remote alarm over the public hearing room. This will give the area museum quality ventilation.

7. City Council Space

The restoration will address wood moldings, doors and hardware, plaster work on walls and ceilings, chandeliers, the addition of power and date lines, new carpeting, new toilet room fixtures, and marble stairs of the public circulation area up to the intermediate level (between 1st and 2nd floors).

8. Interior Spaces

This restoration or renovation will address ceilings, walls and flooring in the basement and various other areas throughout the building.

9. Local Law 86 Compliance

Projects designed under this contract may be subject to one or more environmental laws. The agency will inform the consultant whether these requirements apply. In particular, projects may be subjected to Local Law 86 of 2005 (the Green Building Law) or one or more of the following local laws on environmentally preferable purchasing (EPP), including: Local Law 118 of 2005, Local Law 119 of 2005, Local Law 120 of 2005, and Local Law 121 of 2005.

Local Law 86 applies to capital projects for or in new buildings, for additions to existing buildings and in existing buildings subject to substantial reconstruction, including fit-outs of condominium units and leased space, costing \$2 million or more. Most covered projects must be built to achieve a "Silver" rating under the Leadership in Energy and Environmental Design (LEED) rating system of the U.S. Green Building Council (LEED "Certified" rating for educational and certain types institutional projects). There are additional requirements in the law regarding energy and water efficiency: including those for plumbing systems, boiler replacements, and/or lighting and HVAC comfort control systems, above certain dollar thresholds. The law does not apply to projects within spaces classified in certain occupancy groups, including residential and industrial, and is subject to certain exemptions.

The EPP laws apply to certain construction projects not covered by Local Law 86, subject to certain exemptions and waivers. In general, the requirements in the EPP laws for construction projects relate to Energy Star certified products, bathroom fixtures, lighting products, carpets, architectural coatings and construction or furnishing materials. A list of these products/materials and their minimum standards are available in the New York City EPP Minimum Standards for Construction Products. A hard copy of the standards may be obtained from the agency or on the web, at [http://www.nyc.gov/html/mocs/html/programs/other\\_epp.shtml](http://www.nyc.gov/html/mocs/html/programs/other_epp.shtml).

For LL86, in addition to preparing the required documentation for LEED certification, if applicable, the consultant will be required to provide project data for the purposes of project reporting using the Local Law 86 reporting worksheet, as requested by the agency. Such data includes project description, construction costs, LEED credits sought and earned (if applicable), reductions in energy cost and in water use, and incremental constructions costs.

For the EPP laws, the consultant will be required to provide a report, for any period requested by an agency, on products specified by or for the City that appear in the New York City EPP Minimum Standards for Construction Products. The report must contain the following information: agency, item description, quantity ordered and dollar value of all items ordered over the period requested.

If your firm is interested in being considered for award of the subject contract, please hand deliver a written expression of interest addressed to Carol Phoenix, Contract Manager, at 30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. The expression of interest should specifically include the following:

1. A Cover Letter of no more than three pages, indicating the company name and address, and the name, address and telephone number of the person authorized to represent the firm (Be sure to refer to the proper DDC PIN number and title). Include a brief history of the firm, the overall firm organization, its goals and objectives and a statement of construction philosophy.

2. Experience of Firm

● Submit SF-254 Form, which lists the number of full-time staff currently employed and the projects on which the firm is currently working, has completed and future projects and commitments. Provide the value of these contracts and their schedules. (This form is available at <http://nyc.gov/html/ddc/html/otherfrm.html>).

● Submit SF-255 Form which identifies the proposed Project Executive, Project Manager, Assistant Project Manager, and Project Superintendent on the subject project. A resume of each person on the project team should also be submitted in the SF-255 form (This form is available at <http://nyc.gov/html/ddc/html/otherfrm.html>).

● Provide examples of up to five completed projects similar in scope and type to this project completed within the last ten years. Visual materials can take the form of a printed brochure, photographs, drawings or similar images. For each project, the proposer shall provide information indicating whether the project was completed on time and within budget.

3. Completed Local Law 34 of 2007 - Doing Business Data Form (This form is available at <http://www.nyc.gov/html/ddc/html/forms.html>).

All Expressions of Interest received in the manner set forth will be reviewed to determine if they are responsive to the material requirements of this solicitation. Responsive submissions will include at least three (3) projects similar in scope and type to the required work in historically significant or landmark quality buildings, completed within the last five (5) years. Compliance with this requirement will be determined solely by the Department. Expressions of interest determined to be non-responsive will not be further considered.

All qualified firms will be evaluated based on the following criteria:

- Quality and relevance of the firm experience - 50 percent
- Quality and experience of the firm personnel - 50 percent

The Department will enter into negotiations with the vendor determined to be the best qualified at the time of evaluation, based on consideration of the above-cited factors. A contract will be awarded to the responsible vendor whose offer is determined to be the most advantageous to the City, taking into consideration the price and the other factors set forth in this solicitation.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Design and Construction,  
30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. Carol Phoenix (718) 391-1530, [phoenixca@ddc.nyc.gov](mailto:phoenixca@ddc.nyc.gov)

m6-12

**CONTRACT SECTION**

■ SOLICITATIONS

*Construction / Construction Services*

**GLEN OAKS BRANCH LIBRARY, QUEENS** – Competitive Sealed Bids – DUE 04-11-08 AT 2:00 P.M. – PIN# 8502008LQ0001C - G.C. PIN# 8502008LQ0002C - PLBG. PIN# 8502008LQ0003C - HVAC PIN# 8502008LQ0004C - ELEC. LQC122-GK. Contract documents will not be sold after Monday, March 31, 2008. There will be a mandatory pre-bid conference on Tuesday, April 1, 2008 at 10:00 A.M. at Glen Oaks Branch Library located at 256-04 Union Turnpike, Glen Oaks, Queens, NY 11004. Special Experience Requirements (G.C. and HVAC). Bid documents are available at: <http://www.nyc.gov/ddc> This bid solicitation includes M/WBE participation goals for subcontracted work. For the M/WBE goals, please visit our website at [www.ddc.nyc.gov/buildnyc](http://www.ddc.nyc.gov/buildnyc) see "Bid Opportunities." For more information about M/WBE certification, please call 311 or go to [www.nyc.gov/getcertified](http://www.nyc.gov/getcertified). Vendor Source ID#: 50338.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Bid document deposit - \$35.00 per set. Company check or money order. No cash accepted. Late bids will not be accepted.  
Department of Design and Construction,  
30-30 Thomson Avenue, First Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2601.

m12

**ECONOMIC DEVELOPMENT CORPORATION**

**CONTRACTS**

■ SOLICITATIONS

*Goods & Services*

**THIS RFP HAS BEEN POSTPONED UNTIL FURTHER NOTICE: EXCURSION BOAT OPERATOR, WEST HARLEM PIERS PARK** – Request for Proposals – PIN# 2884-1 – DUE 04-15-08 AT 4:00 P.M. – Companies who have been certified with the New York City Department of

Small Business Services as Minority and Women Owned Business Enterprises ("M/WBE") are strongly encouraged to apply. To find out more about M/WBE certification, please call 311 or go to [www.nyc.gov/getcertified](http://www.nyc.gov/getcertified).

There will be an optional site visit at the West Harlem Piers Park on Tuesday, March 25th at 9:00 A.M. Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Thursday, March 27, 2008.

Questions regarding the subject matter of this RFP should be directed to [harlempiersexursionrfp@nycedc.com](mailto:harlempiersexursionrfp@nycedc.com). Answers to all questions will be posted by Wednesday, April 2nd, 2008, to [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Detailed submission guidelines and requirements are outlined in the RFP. Please submit six (6) sets of your proposal.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Economic Development Corp., 110 William Street, 6th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969.

m12

**LOEW'S KINGS THEATER RFP** – Request for Proposals – PIN# 2629-1 – DUE 05-07-08 AT 4:00 P.M. – Companies who have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises ("M/WBE") are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC's M/WBE program, please visit [www.nycedc.com/mwbeprogram](http://www.nycedc.com/mwbeprogram).

An informational session and site visit will be held on Monday, April 7, 2008 at 2:00 P.M. at the Theatre, located at 1025-1035 Flatbush Avenue in Brooklyn. Those who wish to attend must RSVP to Liliana Ruiz at (212) 312-3840 or [lruiz@nycedc.com](mailto:lruiz@nycedc.com) on or before Friday, April 4, 2008. Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Friday, April 25, 2008. Questions regarding the subject matter of this RFP should be directed to [tsussewell@nycedc.com](mailto:tsussewell@nycedc.com) For all questions that do not pertain to the subject matter of this RFP, please contact NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Friday, May 2, 2008, to [www.nycedc.com/RFP](http://www.nycedc.com/RFP).

The RFP is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday. To download a copy of the solicitation documents please visit [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Please submit six (6) sets of your proposal.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Economic Development Corp., 110 William Street, 6th Floor New York, NY 10038. Maryann Catalano (212) 312-3969.

m12

**EDUCATION**

**DIVISION OF CONTRACTS AND PURCHASING**

■ SOLICITATIONS

*Goods*

**LIBRARY VIDEO COMPANY SOFTWARE** – CSB – PIN# Z0669040 – DUE 03-12-08 AT 5:00 P.M. – Bid opening: Thursday, March 13th, 2008 at 11:00 A.M.  
● **QWIZDOM SOFTWARE** – CSB – PIN# Z0671040 – DUE 03-13-08 AT 5:00 P.M.  
● **IGNITE! LEARNING SOFTWARE** – CSB – PIN# Z0670040 – DUE 03-13-08 AT 5:00 P.M.  
● **FARONICS SOFTWARE** – CSB – PIN# Z0672040 – DUE 03-13-08 AT 5:00 P.M.  
Bid opening: Friday, March 14th, 2008 at 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

NYCDOE, Division of Contracts and Purchasing, Room 1201 65 Court Street, Brooklyn, NY 11201, (718) 935-3000 <http://schools.nyc.gov/dcp>

m12

**FURNISHING AND DELIVERING: MAINTENANCE FOR LIVE SCAN/CARD SCAN MACHINES**

– CSB – PIN# Z0697040 – DUE 03-26-08 AT 5:00 P.M. – Bid opening: Thursday, March 27th, 2008 at 11:00 A.M.  
● **DWDM MONITORING, MAINTENANCE AND PROBLEM RESOLUTION** – RFP – PIN# R0571040 – DUE 04-02-08 AT 11:30 A.M.

The New York City Department of Education (NYCDOE) is seeking proposals from organizations experienced in providing comprehensive management of fiber-optic networks to provide maintenance, network monitoring and problem resolution services for a DWDM fiber optic transmission system. If you are unable to download this solicitation, please send an e-mail to [dcpit@schools.nyc.gov](mailto:dcpit@schools.nyc.gov) with solicitation number, solicitation title, your company name, address, phone, fax, e-mail address, and tax ID number.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

NYCDOE, Division of Contracts and Purchasing, Room 1201 65 Court Street, Brooklyn, NY 11201, (718) 935-3000 <http://schools.nyc.gov/dcp>

m11-19





2007 to December 31, 2010. A vendor may submit an offer for more than one Facility Option. Current Agency vendors operating non-secure group homes that have contracts expiring in calendar year 2006 are urged to respond to this solicitation.

All program facilities shall be appropriately equipped to provide services for male or female youth as required by the Department, and be located in one of the five boroughs. The term of the contracts awarded from this solicitation will be for three years and will include an additional three-year option to renew. The anticipated maximum average annual funding available for each contract will be \$1,067,000, excluding start-up costs. Proposed start-up costs will be considered in addition to the proposed annual line item budget. Greater consideration will be given to applicants offering more competitive prices.

If your organization is interested in being considered for award of the subject contract, please hand deliver a written expression of interest addressed to my attention at 110 William Street, 13th Floor, New York, NY 10038. The expression of interest should specifically address the following:

1. Indicate each program facility for which the vendor is submitting.
2. Describe each proposed facility, its location, and proposed date of operation.
3. Attach appropriate documentation demonstrating the current use of each proposed facility and the vendor's site control of the facility for a period of at least 3 years.
4. For each proposed facility,
  - a) Indicate the number of beds to be provided and demonstrate that the facility has the capacity to provide the indicated number of beds.
  - b) Demonstrate that the facility will be appropriately equipped to provide services for male or female youth.
5. Demonstrate the vendor's organizational capability to:
  - a) Provide the indicated number of beds at each proposed facility. (If the vendor is a current provider, also demonstrate the capability to provide the indicated number of beds in addition to those already provided.)
  - b) Ensure that each proposed facility will be fully operational by required date in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFS), 9 N.Y.C.R.R. Section 180 et seq.
6. Demonstrate the quantity and quality of the vendor's successful relevant experience.
7. Attach for each proposed facility three-year annual line item operating budget. Include staffing details. Proposed start up costs should be included in addition to the proposed three-year annual line item operating budget.

All expressions of interest received in the manner set forth will be reviewed to determine if they are responsive to the material requirements of this solicitation. Expressions of interest determined to be non-responsive will not be further considered. Expressions of interest determined to be responsive will be considered in terms of the following factors:

- Appropriateness of each proposed facility.
- Demonstrated site control of each proposed facility.
- Demonstrated level of organizational capability to provide the proposed number of beds and to ensure that each proposed facility if fully operational by the applicable requisite date.
- Demonstrated quantity and quality of successful relevant experience.
- Annual budget amount and cost effectiveness of the budget.

The Department will enter into negotiations with the vendor(s) determined to be the best qualified at the time of evaluation, based on consideration of the above-cited factors. A contract will be awarded to the responsible vendor(s) whose offer(s) is/are determined to be the most advantageous to the City, taking into consideration the price and the other factors set forth in this solicitation. In the case that a vendor is eligible for award of more than one program facility, the Department reserves the right, based upon the vendor's demonstrated organizational capability and the best interest of the City, respectively, to determine how many and for which program facility(ies) the vendor will be awarded a contract.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Juvenile Justice, 110 William Street  
20th Floor, New York, NY 10038.

Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

n20-13

## LABOR RELATIONS

### ■ SOLICITATIONS

Services (Other Than Human Services)

**GROUP LONG-TERM DISABILITY AND BASIC LIFE AND AD AND D INSURANCE** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 214070000366 – DUE 04-22-08 AT 2:00 P.M. – The Management Benefits Fund is seeking a qualified vendor to provide Group Long-Term Disability and Basic Life and AD and D Insurance benefits for its approximately 24,000 active and retired members, which include the management, supervisory, and administrative employees of the City not covered by a collective bargaining agreement.

The following is the Minimum Qualification Requirement for this RFP. Proposals that do not demonstrate compliance with these requirements will be rejected: The proposer must, at the time of proposal submission, be authorized to conduct business in the State of New York. (The proposer must attach appropriate documentation to Appendix A - Proposal Cover Letter to demonstrate compliance).

The following Minimum Submission Requirement has been established for this procurement:

Proposals that fail to meet this requirement will be rejected. The proposer's proposal package must contain two separate and complete proposals - one for a Group Long Term Disability Insurance Plan and one for a Group Basic Life and AD and D Plan.

● **ADMINISTRATIVE SERVICES FOR THE SUPERIMPOSED MAJOR MEDICAL PLAN** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 214070000365 – DUE 04-22-08 AT 2:00 P.M. - The Management Benefits Fund is seeking a qualified vendor to administer the Superimposed Major Medical Plan for its approximately 24,000 active and retired members, and their eligible dependents, which include the management, supervisory, and administrative employees of the City not covered by a collective bargaining agreement.

The following is the Minimum Qualification Requirement for this RFP. Proposals that do not demonstrate compliance with these requirements will be rejected: The proposer must, at the time of proposal submission, be authorized to conduct business in the State of New York. (The proposer must attach appropriate documentation to Appendix A - Proposal Cover Letter to demonstrate compliance).

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Office of Labor Relations, 40 Rector Street, 3rd Floor  
New York, New York. Georgette Gestely (212) 306-7321.

m12

## PARKS AND RECREATION

### PURCHASING AND ACCOUNTING/ CONTRACTS UNIT

#### ■ SOLICITATIONS

Goods & Services

**TIRE REPAIR, QUEENS** – Competitive Sealed Bids – PIN# 84608Q000X03 – DUE 04-01-08 AT 3:00 P.M.  
● **TANK AND PUMP REPAIR** – Competitive Sealed Bids – PIN# 84608C000X10 – DUE 04-01-08 AT 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Parks and Recreation, Arsenal West, 24 W. 61st Street,  
3rd Floor, New York, NY 10023. Lisa Zapata (212) 830-7979.

m12

## SCHOOL CONSTRUCTION AUTHORITY

### CONTRACT ADMINISTRATION

#### ■ SOLICITATIONS

Services

**ARCHITECTURE AND ENGINEERING SERVICES** – Competitive Sealed Proposals – PIN# SCA08-00079R – DUE 03-26-08 AT 12:00 P.M. – The NYC School Construction Authority (SCA) is seeking qualified consultants interested in responding to a Request for Proposal (RFP) SCA No. 08-00079R to provide Architecture and Engineering Services in Connection with Capital Improvement Projects at Various Schools Throughout New York City.

Proposals will be accepted from the following firms: Aarris Architects, LLP, Acheson Doyle, Partners Architects, Afridi Associates, Alexander Gorlin Architects & Associates, Inc., Antonucci & Associates, LLP., Barbara Thayer, PC, BL Companies, Inc., Buck Simpers, Architects, Carter & Burgess, Chapman Architects, Claire Weisz Architects, CSA Group NY Architects & Engineers, Cutsgeorge Tooman & Allen Architects, Danois Architects, Design and Develop Group Architects, DiGeronimo, P.C., DMJM Harris, DMR Architects, Donald Blair Architects, DRG Architects, Faulding Architecture, Feld, Kamintzky & Cohen, PC., Fred Sommer & Associates, Gannett Fleming Engineers & Architects, G. SWITZER Architecture, Graf & Lewent Architects, Guilor Architect, P.C., H2M, HAKS Engineers, Harris Smith Design, The Hall Partnership Architecture, LLP., Herbert Kunstadt Associates, Inc., Highland Associates, Architecture & Engineering Design PC., HLW International, LLP., Horace Harris, Ivan Brice, Jack L. Gordon Architects, P.C. AIA, John M.Y. Lee/Michael Timchula, Karlsberger, Architecture., PC., Kostow Greenwood, Kutnicki Bernstein Architects, PLLC., Lubrano Ciavarra Design, LLC., Lynn Gaffney Architects, PLLC., MacRae Gibson, Magnusson Architects, Michielli Wyetznar Architects, Mondana Rezanian Architect, P.C., Oaklander Coogan & Vitto Architects, PC., O'Dea Lynch Abbattista, Paganamenta Torriani, Peter Kransnow Architect, PLLC., Platt Byard Dovell White Architects, RCGA Architects, PC., Redtop Architects, Rice Jones Architects, Sigma7 Design Group, STV, Inc., The Grosfeld Partnership, The RBA Group, Tonetti Associates Architects, P.C., Turett Collaborative Architects and Wank Adams Slavin Associates.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, 30-30 Thomson Avenue  
Long Island City, New York 11101. Sal DeVita, Senior  
Management Specialist, (718) 472-8049, sdevita@nysca.org

m11-24

Construction/Construction Services

**MULTI-CAMPUS WORK** – Competitive Sealed Bids – PIN# SCA08-11415D-1 – DUE 03-27-08 AT 11:30 A.M. – Far Rockaway HS (Queens). Project Range: \$1,220,000.00 to \$1,285,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, Plans Room Window  
Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 752-5843.

m7-13

**EXTERIOR MASONRY** – Competitive Sealed Bids – PIN# SCA08-11098D-1 – DUE 03-31-08 AT 11:00 A.M. – IS 201 (Brooklyn). Project Range: \$1,910,000.00 to \$2,010,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, Plans Room Window  
Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 472-8360.

m11-17

**LOW VOLTAGE ELECTRICAL SYSTEM** – Competitive Sealed Bids – PIN# SCA08-11526D-1 – DUE 03-28-08 AT 10:00 A.M. – IS 116 (Bronx). Project Range: \$1,560,000.00 to \$1,641,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, Plans Room Window  
Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 752-5854.

m11-17

**SCIENCE LAB UPGRADE AND SCIENCE LAB DEMO ROOM** – Competitive Sealed Bids – PIN# SCA08-004331-1 – DUE 03-25-08 AT 10:30 A.M. – JHS 232 (Brooklyn). Project Range: \$1,060,000.00 to \$1,115,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, Plans Room Window  
Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 752-5854.

m7-13

**MULTI-CAMPUS TRANSITION WORK** – Competitive Sealed Bids – PIN# SCA08-11411D-1 – DUE 03-31-08 AT 11:30 A.M. – Martin Luther King HS (Manhattan). Project Range: \$1,990,000.00 to \$2,095,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, Plans Room Window  
Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 752-5843.

m12-18

**LOW VOLTAGE ELECTRICAL AND SAFETY SYSTEMS** – Competitive Sealed Bids – PIN# SCA08-11703D-1 – DUE 03-27-08 AT 10:00 A.M. – PS 206 (Brooklyn). Project Range: \$1,170,000.00 to \$1,236,000.00.  
● **MULTI-CAMPUS TRANSITION** – Competitive Sealed Bids – PIN# SCA08-11405D-1 – DUE 03-26-08 AT 11:30 A.M. – Bushwick HS (Brooklyn). Project Range: \$1,100,000.00 to \$1,154,000.00.

Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, Plans Room Window  
Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 752-5288.

m10-14

## AGENCY RULES

### BUILDINGS

#### NOTICE

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding violation reclassification, establishment of periodic penalties and certification of correction.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Department by sections 28-201.2, 28-202.1, and 28-204.2 of the New York City Administrative Code, and in accordance with section 1043(b) of the Charter, that the Department of Buildings ("Department") proposes to repeal Subchapter A of Chapter 13 of Title 1 of the Rules of the City of New York and to add a new Subchapter B of Section 100-21 of Title 1 of the Rules of the City of New York, setting forth classifications of violations, daily and monthly penalties for certain of those violations, and processes for certifying their correction before the Department.

New matter in the following rule is underlined, and deleted material is in brackets.

A public hearing on the proposed rule will be held on April 14, 2008 at the Environmental Control Board, 66 John Street, 10 th Floor, Reception, at 5:00 p.m. Written comments regarding the proposed rule may be submitted to Phyllis Arnold, Chief Code Counsel, New York City Department of Buildings, 280 Broadway, New York, New York 10007, on or before April 14, 2008. Persons seeking to testify are requested to notify Phyllis Arnold at the address specified above on or before April 14, 2008.

Written comments and an audio tape of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 a.m. and 5:00 p.m. at the Office of the Commissioner, Executive Offices, Department of Buildings.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Phyllis Arnold at the foregoing address by April 7, 2008.

This rule was not included in the agency's regulatory agenda.

Section 1. It is proposed to REPEAL Subchapter A of Chapter 13 of Title 1 of the Rules of the City of New York, relating to adjudications by the Environmental Control Board.

Section 2. It is proposed to add a new subchapter B and section 100-21 to chapter 100 of Title 1 of the Rules of the City of New York, to read as follows:

#### Subchapter B Enforcement

§100-21 Violation reclassification and certification of correction.

(a) Pursuant to section 28-204.1 of the Administrative Code, any person who shall violate or fail to comply with any provision or provisions of law enforced by the Department or with any order issued pursuant thereto shall be liable for a civil penalty that may be recovered in a proceeding before the Environmental Control Board ("ECB"). Such proceeding shall be commenced by service of a notice of violation ("NOV") returnable before the board. Such notice of violation may be issued by employees of the Department or of other city agencies designated by the Commissioner and may be served by such employees or by a licensed process server.

(b) Classification of violations. For purposes of classifying violations pursuant to section 28-201.2 of the Administrative Code, the following terms shall have the following meanings:

(1) **IMMEDIATELY HAZARDOUS VIOLATION.** Immediately hazardous violations are those specified as such by the New York City Construction Codes, or those where the violating condition poses a threat that severely affects life, health, safety, property, the public interest, or a significant number of persons so as to warrant immediate corrective action, or, with respect to outdoor advertising, those where the violation and penalty are necessary as an economic disincentive to the continuation or the repetition of the violating condition. Immediately hazardous violations shall be denominated as Class 1 violations.

(2) **MAJOR VIOLATION.** Major violations are those specified as such by the New York City Construction Codes or those where the violating condition seriously affects life, health, safety, property, or the public interest but does not require immediate corrective action, or, with respect to outdoor advertising, those where the violation and penalty are appropriate as an economic disincentive to the continuation or the repetition of the violating condition. Major violations shall be denominated as Class 2 violations.

(3) **LESSER VIOLATION.** Lesser violations are those where the violating condition has a lesser effect than an immediately hazardous (Class 1) or major violation (Class 2) on life, health, safety, property, or the public interest. Lesser violations shall be denominated as Class 3 violations.

(c) Correction and certification of correction.

(1) Each NOV issued by the Commissioner shall contain an order of the Commissioner directing the respondent to correct the condition constituting the violation and to file a certification with the Department that the condition has been corrected

(2) The following violation cannot be certified as corrected prior to a hearing before ECB. The respondent must appear at the hearing prior to the submission of the certification to the Department:

(i) A violation for filing a false certification;

(3) The required certification shall be completed on the form issued with the NOV or obtained from the Department in accordance with the instructions contained therein.

(4) The respondent must appear at the ECB hearing for all violating conditions unless those charges are cured or a pre-hearing stipulation is offered, timely accepted by the respondent, and approved in writing by ECB. Where more than one violation of law is listed on the same NOV, the respondent may submit a single certification covering one or all of the violating conditions.

(5) The certification shall be signed by one with personal knowledge of the correction of the violating condition and notarized by a notary public or commissioner of deeds.

(6) The certification shall be accompanied by true and legible copies of any and all documentary proof of compliance.

(7) The completed certification must be returned to the Department at the address provided on the City's website, NYC.gov.

(8) For violations classified as Class 3 or for those Class 2 violations eligible for a cure, respondents may avoid a hearing by submitting a certification of correction acceptable to and received by the Department no later than forty days from the date of the Commissioner's order to correct set forth in the NOV. For violations classified as Class 1, a certification acceptable to the Department must be received by the Department forthwith.

(9) Failure to submit an acceptable certification for all violating conditions indicated on the NOV on a Department of Buildings form within the time period prescribed in paragraph (8) of this subdivision shall require the respondent to appear at a hearing at ECB on the date indicated on the NOV. If no certificate of correction is received within the time period prescribed in paragraph (8) of this subdivision, the respondent is also subject to issuance of a violation for failure to certify correction and the imposition of civil penalties as defined in Title 28-202.1.

(d) Mitigated and zero penalties. Mitigated or zero penalties are available in the following circumstances under the following conditions.

(1) Cure.<sup>1</sup> An eligible violation may be cured by correction before the first scheduled hearing date at ECB. All violations that are designated as Class 3 violations are eligible for cure. Some, but not all, types of violations that are designated as Class 2 violations are eligible for cure. Those types of Class 2 violations that are eligible for cure will be indicated within the ECB Buildings Penalty Schedule found in Chapter 31 of Title 15 of the Rules of the City of New York ("ECB Buildings Penalty Schedule"). In order to cure, a certificate of correction acceptable to the Department must be filed at the Department within forty days from the date of the Commissioner's order to correct set forth in the NOV. A cure constitutes an admission of the violation; dispenses with the need for a hearing at ECB; constitutes a predicate violation for subsequent violations; and, consistent with the provisions of Section 28-204.2, and with the provisions of the ECB Buildings Penalty Schedule, results in a zero penalty. A violation that has been charged as an Aggravated II violation is never eligible for a cure, even if there is a "Yes" in the "Cure" column in the ECB Buildings Penalty Schedule for that violation description.

(2) Stipulation. An eligible violation may be subject to stipulation where the Commissioner offers to the respondent a stipulation prior to or at a hearing to extend the time for compliance upon such terms and conditions as the Commissioner prescribes. Violations that are eligible for stipulation are indicated as such on the ECB Buildings Penalty Schedule. The respondent must admit the violation subject to stipulation and agree to correct it and file an acceptable certification of correction with the Department. The stipulation may be signed and submitted to ECB either before the first scheduled hearing date at ECB or else on the first scheduled hearing date but prior to any actual hearing on that date., in which case it is considered a **pre-hearing stipulation**, or may be entered into at the first ECB hearing in which case it is considered a **hearing stipulation**. A reduced penalty will be imposed in connection with a pre-hearing stipulation in an amount indicated for the charge in question in the ECB Buildings Penalty Schedule. Specifically, the penalty imposed for that violation will be half of the penalty amount (rounded to the nearest dollar) of the penalty amount that would otherwise have been imposed at a hearing for that particular violation. In connection with a stipulation entered into at a hearing, a hearing penalty will be imposed in an amount indicated for the charge in question in the ECB Buildings Penalty Schedule. A stipulation, whether a pre-hearing stipulation or a hearing stipulation, gives the respondent seventy-five days from the first scheduled hearing date within which to correct the violation and file a certificate of correction, failing which any reduced penalty that may have been imposed in connection with a pre-hearing stipulation will be adjusted to the standard hearing penalty set forth in the ECB Buildings Penalty Schedule. A stipulation is effective only if it is approved by ECB. A pre-hearing stipulation dispenses with the need for a hearing at ECB. No stipulation shall take effect unless, in the case of a pre-hearing stipulation, it is offered by the Department prior to the first scheduled hearing date, signed by respondent prior to the first scheduled hearing date and approved by ECB in writing, or unless, in the case of a hearing stipulation, it is offered by the Department at the hearing, accepted by the respondent at that hearing, and is approved in writing by ECB. A violation that has been charged as an Aggravated II violation is never eligible for a stipulation, even if there is a "Yes" in the "Stipulation" column in the ECB Buildings Penalty Schedule for that violation description.

(3) Mitigation. An eligible violation may be subject to mitigation where the respondent proves at the hearing that the condition was corrected prior to the first scheduled hearing date at ECB. Violations that are eligible for mitigation are indicated as such on the ECB Buildings Penalty Schedule. A penalty is imposed on mitigations in accordance with the ECB Buildings Penalty Schedule. If a mitigated penalty is imposed, that penalty will be half of the penalty amount (rounded to the nearest dollar) of the penalty amount that would otherwise have been imposed at a hearing for that particular violation. An acceptable certificate of correction must thereafter be filed at the Department. A violation that has been charged as an Aggravated II violation is never eligible for mitigation, even if there is a "Yes" in the "Mitigation" column in the ECB Buildings Penalty Schedule for that violation description.

<sup>1</sup> Section 28-204.2 of the Administrative Code provides for a zero penalty for Lesser violations that are corrected within the prescribed, or cure, period. For purposes of this rule, certain Major violations will also be treated as eligible for cure to the extent that section 28-202.1 of the Administrative Code specifies no minimum penalty for such violations.

(e) Certificate of correction review procedures.

(1) The Department shall review all certificates and accompanying documentation to determine their acceptability.

(2) The Department shall notify the respondent if the certification is accepted or rejected and, if rejected, the reasons for the rejection and the documents necessary to correct the problem.

(3) Corrected certifications must be received by the Department no later than the close of business forty days from the date of the Commissioner's order to correct set forth in the NOV.

(f) Aggravated penalties. Aggravated penalties shall be imposed in accordance with the ECB Buildings Penalty Schedule and with the following provisions. Notice of aggravated penalties shall either be set forth in the NOV or otherwise provided to the respondent prior to the date of the first scheduled hearing at ECB.

(1) Aggravated penalties of the first order. Aggravated penalties of the first order ("Agg. I") shall be imposed when evidence establishes the same condition or the same charge under the New York City Construction Codes or the predecessor charge under the laws in effect prior to July 1, 2008 in a prior enforcement action against the same owner or responsible party during the previous three years.

(2) Aggravated penalties of the second order. Aggravated penalties of the second order ("Agg. II") shall be imposed in the following instances:

(i) When the respondent or defendant is found in violation of any law or rule enforced by the Department where the violation of law is accompanied by or results in a fatality or serious injury or where the violating condition affects a significant number of people; or

(ii) Where the respondent or defendant refuses to give the Department requested information necessary to determine the condition of a building or site; or

(iii) Where the respondent or defendant has a history of non-compliance with laws or rules enforced by the Department at one

or more locations, including but not limited to a pattern of unreasonable delays in correcting violations, a pattern of failing to obey Stop Work Orders, filing false documents, or multiple defaults.

(iv) For purposes of this section, "in violation" shall mean to be adjudged in violation of any law or rule enforced by the Department following a hearing, to admit the charge, or to sign a stipulation agreement either at or before a hearing before any administrative or judicial tribunal. Failure to appear at a hearing leading to entry of a default order or judgment shall also be deemed a finding "in violation."

(g) Additional Daily and Monthly Penalties. Additional daily penalties may be imposed in connection with certain continuing and uncorrected Class 1 violations. Additional monthly penalties may be imposed in connection with certain continuing and uncorrected Class 2 violations. If the Department seeks such penalties in connection with a particular Class 1 or Class 2 charge, that will be indicated on the NOV. Such daily or monthly penalties, if applicable, are in addition to the set, flat-amount penalty that also is indicated in the ECB Buildings Penalty Schedule as applicable to the type of violation in question taking into account the classification level and Aggravated level of the particular violation. Imposition of such additional daily and monthly penalties is authorized pursuant to Section 28-202.1 of the New York City Administrative Code.

(1) Accrual of Daily Penalties. Daily penalties, if applicable, will accrue at the rate of \$1,000 per day for a total of forty-five days running from the date of the Commissioner's order to correct set forth in the NOV, unless the violating condition is proved by the respondent at the hearing to have been corrected prior to the end of that forty-five day period, in which case the daily penalties will accrue for every day up to the date of that proved correction.

(2) Accrual of Monthly Penalties. Monthly penalties, if applicable, accrue at the rate of \$250 per month for a total of one month running from the date of the Commissioner's order to correct set forth in the NOV, unless the violating condition is proved by the respondent at the hearing to have been corrected prior to the end of a month period.

(h) Applicability. On and after July 1, 2008 any work performed without a required permit will be presumed subject to enforcement under the New York City Construction Codes. Thus, the option afforded by 28-101.4 to use the either the 1968 Building Code or the New York City Construction Codes applies only to work for which an application is filed with the Department. If and when the work is the subject of an application to legalize, the option will be available once again.

(i) Legal References. The legal references referred to in the table below that reflects the classification of violations include the following:

(1) Title 28 of the New York City (NYC) Administrative Code. References to Title 28 of the NYC Administrative Code begin with "28-" (for example, "28-201.1). The citation "28-Misc." refers to provisions of Title 28 that are not specifically designated elsewhere in the table.

(2) Title 28 of the NYC Administrative Code (also known as the "1968 Building Code"). References to title 27 of the NYC Administrative Code begin with "27-" (for example, "27-371"). The citation "27-Misc." refers to provisions of Title 27 that are not specifically designated elsewhere in the table.

- (3) The "New York City Construction Codes," which consist of:
- The New York City plumbing code (PC)
  - The New York City building code (BC)
  - The New York City mechanical code (MC)
  - The New York City fuel gas code (FGC).

References to these New York City Construction Codes are designated by the various abbreviations set out above (for example, "BC3010.1"). The citations "BC-Misc.," "PC-Misc.," "MC-Misc." and "FGC-Misc." refer to provisions of the New York City building, plumbing, mechanical or fuel gas codes that are not specifically designated elsewhere in the table.

(4) Appendices to the New York City Construction Codes. The New York City Construction Codes include all enacted appendices. Administrative Code §28-102.6. References to Appendices are cited by using the abbreviation for the particular Construction Code followed by the applicable Appendix letter (for example, "H") followed by the applicable section number (for example, "BC H103.1").

(5) The NYC Zoning Resolution (ZR) and the Rules of the City of New York (RCNY). References to the Zoning Resolution and to the Rules of the City of New York are designated by the abbreviations "ZR" and "RCNY" (for example, "ZR25-41"; "1 RCNY9-01"). The citations "1 RCNY-Misc." and "ZR-Misc." refer to provisions of 1 RCNY or the Zoning Resolution that are not specifically designated elsewhere in the table.

(6) Reference Standards that pertain to Title 27 of the NYC Administrative Code (RS). References to the Reference Standards are designated by the abbreviation set out above (for example, "RS-16"). The citation "RS-Misc." refers to Reference Standards that are not specifically designated elsewhere in the table.

(7) Citations to the New York City Construction Codes. Whenever a section or subdivision of the New York City Construction Codes is cited or referred to, subordinate consecutively numbered subdivisions or paragraphs of the cited provision are deemed to be included in such reference unless the context or subject matter requires otherwise.

(j) Classification of particular violations. Particular violations shall be classified as indicated in the following table:

Section of Law	Classification	Violation Description
1 RCNY-Misc, RS-Misc	Class 1	Miscellaneous violations.
1 RCNY-Misc, RS-Misc	Class 2	Miscellaneous violations.
1 RCNY-Misc, RS-Misc	Class 3	Miscellaneous violations.
1 RCNY 27-03	Class 1	Prohibited sign on sidewalk shed or construction fence.
1 RCNY 9-01	Class 1	Licensed Rigger designated an unqualified foreman.
1 RCNY 9-01	Class 2	Licensed Rigger designated an unqualified foreman.
1 RCNY 9-03	Class 1	Licensed Rigger failed to ensure scaffold worker met minimum req.
1 RCNY 9-03	Class 2	Licensed Rigger failed to ensure scaffold worker met minimum req.
27-185 & BC 3007.1	Class 2	Operation of an elevator without equipment use permit or service equipment Certificate of Compliance.
27-228.5	Class 2	Failure to file an Architect/Engineer report certifying exit/directional signs are connected to emergency power source/storage battery equipment.
27-369 & BC 1020.2	Class 1	Failure to provide unobstructed exit passageway.
27-371 & BC 715.3.7	Class 2	Exit door not self-closing.
27-382 & BC 1006.3	Class 2	Failure to provide power for emergency exit lighting.
27-383(b) & BC 403.16	Class 1	Failure to install photoluminescent exit path marking in a high-rise building.
27-391 & BC 3002.3	Class 2	Emergency signs at elevator call stations missing, defective or non-compliant with section requirements.
27-393 & BC 1019.1.7	Class 2	Stair identification signs missing and/or defective.
27-509 & BC 3111.1	Class 3	Fence exceeds permitted height.
27-528 & BC 1024.1.3	Class 2	Approved Place of Assembly plans not available for inspection.
27-901(z)(1) & PC 301.6	Class 2	Piping installed in elevator/counterweight hoistway.
27-904 & FGC 406.6.2	Class 1	Gas being supplied to building without inspection and certification by DOB.
27-904 & FGC 406.6.2	Class 2	Gas being supplied to building without inspection and certification by DOB.

27-921(a) & PC 107.3	Class 1	Failure to have new or altered plumbing system tested.
27-921(a) & PC 107.3	Class 2	Failure to have new or altered plumbing system tested.
27-972(h) & BC 907.2.12.3	Class 2	Failure to install an acceptable two-way voice communication system with central station connection.
27-Misc, 28-Misc, BC-Misc	Class 1	Miscellaneous violations.
27-Misc, 28-Misc, BC-Misc	Class 2	Miscellaneous violations.
27-Misc, 28-Misc, BC-Misc	Class 3	Miscellaneous violations.
28-104.2.2	Class 2	Failure to provide approved/accepted plans at job site at time of inspection.
28-105.1	Class 2	Failed to obtain a temporary construction permit prior to installation/use of sidewalk shed.
28-105.1	Class 1	Work without a permit.
28-105.1	Class 2	Work without a permit.
28-105.1	Class 3	Work without a permit.
28-105.1	Class 2	Work without a permit: Expired permit.
28-105.1	Class 1	Construction or alteration work w/o a permit in manufacturing district for residential use.
28-105.1	Class 2	Construction or alteration work w/o a permit in manufacturing district for residential use.
28-105.1	Class 1	Demolition work without required demolition permit
28-105.1	Class 1	Plumbing work without a permit in manufacturing district for residential use.
28-105.1	Class 2	Plumbing work without a permit in manufacturing district for residential use.
28-105.1	Class 2	Outdoor sign on display structure without a permit.
28-105.1	Class 1	Outdoor Ad Co sign on display structure without a permit.
28-105.12.2	Class 2	Work does not conform to approved construction documents and/or approved amendments.
28-105.12.2	Class 3	Work does not conform to approved construction documents and/or approved amendments.
28-105.12.2	Class 1	Work does not conform to approved construction documents and/or approved amendments in a manufacturing district for residential use.
28-105.12.2	Class 2	Work does not conform to approved construction documents and/or approved amendments in a manufacturing district for residential use.
28-105.12.2	Class 1	Place of Assembly contrary to approved construction documents.
28-105.12.2	Class 2	Place of Assembly contrary to approved construction documents.
28-105.12.2	Class 1	Outdoor Ad Co sign is contrary compliance with construction documents.
28-117.1	Class 1	Operation of a Place of Assembly without a current Certificate of Operation.
28-117.1	Class 2	Operation of a Place of Assembly without a current Certificate of Operation.
28-118.2	Class 1	New building or open lot occupied without a valid certificate of occupancy.
28-118.3	Class 1	Altered/changed building occupied without a valid Certificate of Occupancy as per §28-118.3.1 - §28-118.3.2.
28-118.3	Class 2	Altered/changed building occupied without a valid Certificate of Occupancy as per §28-118.3.1 - §28-118.3.2.
28-118.3	Class 1	Change in occupancy/use of C of O as per §28-118.3.1 - §28-118.3.2 by operating a Place of Assembly as per when current C of O does not allow such occupancy.
28-118.3	Class 2	Change in occupancy/use of C of O as per §28-118.3.1 - §28-118.3.2 by operating a Place of Assembly as per when current C of O does not allow such occupancy.
28-118.3.2	Class 1	Occupancy contrary to that allowed by the Certificate of Occupancy or Building Department records.
28-118.3.2	Class 2	Occupancy contrary to that allowed by the Certificate of Occupancy or Building Department records.
28-118.3.2	Class 3	Occupancy contrary to that allowed by the Certificate of Occupancy or Building Department records.
28-202.1	Class 1	Additional daily penalty for Class 1 violation of 28-210.1 - 1 or 2 family converted to greater than 4 family.
28-202.1	Class 2	Additional monthly penalty for continued violation of 28-210.1
28-202.1	Class 1	Additional daily civil penalties for continued violations.
28-202.1	Class 2	Additional monthly civil penalties for continued violations.
28-202.1	Class 2	Additional monthly penalty for continued violation of 28-210.2
28-204.4	Class 2	Failure to comply with the commissioner's order to file a certificate of correction with the Department of Buildings.
28-207.2.2	Class 1	Unlawfully continued work while on notice of a stop work order.
28-210.1	Class 1	Residence altered for occupancy as a dwelling from 1 or 2 families to greater than 4 families.
28-210.1	Class 2	Residence altered for occupancy as a dwelling for more than the legally approved number of families
28-210.2	Class 2	Maintain or permit conversion of industrial/manufacturing bldg to residential use w/out C of O/code compliance
28-210.2	Class 2	Plumbing work contrary to approved app'n/plans that assists/maintains convers'n of indust/manuf occupancy for resid use
28-211.1	Class 1	Filed a certificate, form, application etc., containing a material false statement(s).
28-301.1	Class 1	Failure to maintain building in code-compliant manner.
28-301.1	Class 2	Failure to maintain building in code-compliant manner.
28-301.1	Class 3	Failure to maintain building in code-compliant manner.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: Use of prohibited door and/or hardware per BC 1008.1.8; 27-371(i).
28-301.1	Class 2	Failure to maintain building in code-compliant manner: Use of prohibited door and/or hardware per BC 1008.1.8; 27-371(j).
28-301.1	Class 1	Failure to maintain building in code-compliant manner: illumination for exits, exit discharges and public corridors per BC 1006.1:27-381.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: illumination for exits, exit discharges and public corridors per BC 1006.1:27-381.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: floor numbering signs missing and/or defective per BC 1019.1.7:27-392
28-301.1	Class 2	Failure to maintain building in code-compliant manner: floor numbering signs missing and/or defective per BC 1019.1.7:27-392
28-301.1	Class 1	Failure to maintain building in code-compliant manner: high-rise to provide exit sign requirement(s) within exits per BC 1011.1.1:27-383.1.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: high-rise to provide exit sign requirement(s) within exits per BC 1011.1.1:27-383.1.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: lack of emergency power or storage battery connection to exit signs per BC 1011.5.3; 27-384 (c).
28-301.1	Class 1	Failure to maintain building in code-compliant manner: lack of emergency lighting for exits, exit discharges and public corridors per BC 1006.1; 27-542.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: lack of emergency lighting for exits, exit discharges and public corridors per BC 1006.1; 27-542.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: failure to provide non-combustible proscenium curtain per BC410.3.5; 27-546.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: no fire stopping per BC 712.3; 27-345.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: no fire stopping per BC 712.3; 27-345.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: Improper exit/exit access doorway arrangement per BC 1014.2:27-361.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: service equipment - elevator per BC 3001.2:27-987.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: service equipment - elevator per BC 3001.2:27-987.

28-301.1	Class 3	Failure to maintain building in code-compliant manner: service equipment – elevator per BC 3001.2:27-987.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: service equipment – boiler.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: service equipment – boiler.
28-301.1	Class 3	Failure to maintain building in code-compliant manner: service equipment – boiler.
28-301.1	Class 1	Failure to maintain building in code-compliant manner: lack of a system of automatic sprinklers where required per BC 903.2; 27-954.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: lack of a system of automatic sprinklers where required per BC 903.2; 27-954.
28-301.1	Class 2	Fail to maintain building in code-compliant manner re: installation/maintenance of plumbing materials/ equipment per PC102.3:27-902.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: Gas vent reduced or undersized as per FGC 504.2:27-887.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: failure to comply with law for water supply system per PC 602.3:27-908(c).
28-301.1	Class 2	Failure to maintain building in code-compliant manner: failure to comply with law for drainage system per PC 702.1:27-911.
28-301.1	Class 2	Failure to maintain building in code-compliant manner: Plumbing fixtures(s) not trapped and/or vented per PC 916.1 & PC 1002.1; 27-901(o).
28-301.1	Class 1	Failure to maintain building in code-compliant manner: Misc sign violation by Outdoor Ad Co as per 27-498 through 27-508 & BC H103.1.
28-301.1	Class 2	Failure to maintain sign in accordance w Tit.27;Tit.28;ZR:RCNY
28-302.1	Class 1	Failure to maintain building wall(s) or appurtenances.
28-302.1	Class 2	Failure to maintain building wall(s) or appurtenances.
28-302.1	Class 3	Failure to maintain building wall(s) or appurtenances.
28-302.4	Class 2	Failure to submit a required report of critical examination documenting condition of exterior wall and appurtenances.
28-302.5	Class 2	Failure to file an amended report acceptable to this Department indicating correction of unsafe conditions.
28-303.7	Class 2	Failure to file signed boiler inspection report with owner's annual statement.
28-401.16	Class 2	Held self out as licensed, certified, registered etc., to perform work requiring a DOB license w/o obtaining such license.
28-401.9	Class 1	Failure to file evidence of liability &/or property damage insurance.
28-401.9	Class 1	Failure to file evidence of compliance with Workers Comp. law and/or disability benefits law.
28-404.1	Class 1	Supervision or use of rigging equipment without a Rigger's license.
28-404.4.1	Class 2	Licensed Master/Special Rigger failed to place appropriate "Danger" sign while using rigging equipment.
28-405.1	Class 1	Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's license.
28-405.1	Class 2	Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's license.
28-408.1	Class 2	Performing unlicensed plumbing work without a master plumber license.
28-502.6	Class 1	Misc sign viol'n by outdoor ad co of Tit.27;Tit.28;ZR;or BC
BC 1016.2	Class 2	Failure to maintain building in code-compliant manner: provide required corridor width per BC 1016.2:27-369
BC 3010.1 & 27-1006	Class 1	Failure to promptly report an elevator accident involving personal injury requiring the services of a physician or damage to property.
BC 3301.2 & 27-1009(a)	Class 1	Failure to safeguard all persons and property affected by construction operations.
BC 3301.2 & 27-1009(a)	Class 2	Failure to safeguard all persons and property affected by construction operations.
BC 3301.2 & 27-1009(a)	Class 1	Failure to institute/maintain safety equipment measures or temporary construction – No guard rails
BC 3301.2 & 27-1009(a)	Class 1	Failure to institute/maintain safety equipment measures or temporary construction – No toe boards.
BC 3301.2 & 27-1009(a)	Class 1	Failure to institute/maintain safety equipment measures or temporary construction – No handrails.
BC 3301.9 & 27-1009 (c)	Class 2	Failure to provide/post sign(s) at job site pursuant to subsection.
BC 3303.3 & 27-1020	Class 2	Failure to post D.O.T. permit for street/sidewalk closing.
BC 3303.4 & 27-1018	Class 2	Failure to maintain adequate housekeeping per section requirements.
BC 3304.3 & 1 RCNY 52-01(a)	Class 1	Failure to notify the Department prior to the commencement of earthwork.
BC 3304.3 & 1 RCNY 52-01(b)	Class 2	Failure to notify the Department prior to the cancellation of earthwork.
BC 3304.4 & 27-1032	Class 1	Failure to provide protection at sides of excavation.
BC 3306 & 27-1039	Class 1	Failure to carry out demolition operations as required by section.
BC 3306.2.1 Class 1		Failure to provide safety zone for demolition operations.
BC 3306.3& 27-195	Class 1	Failure to provide required notification prior to the commencement of demolition.
BC 3306.5	Class 1	Mechanical demolition without plans on site.
BC 3307.3.1& 27-1021(a)	Class 1	Failure to provide sidewalk shed where required.
BC 3307.6 & 27-1021	Class 2	Sidewalk shed does not meet code specifications.
BC 3307.7 & 27-1021(c)	Class 2	Job site fence not constructed pursuant to subsection.
BC 3309.4 & 27-1031	Class 1	Failure to protect adjoining structures during excavation operations.
BC 3310.5 & 27-1009(d)	Class 1	Failure to have Site Safety Manager or Coordinator present as required.
BC 3314.2 & 27-1042	Class 1	Erected or installed supported scaffold 40 feet or higher without a permit.
BC 3314.1.1 & 27-1050.1	Class 2	Failed to notify Department prior to use/inst. off C-hooks/outrigger beams in connection with Suspended Scaffold
BC 3314.4.3.1 & 27-1045	Class 1	Failure to perform safe/proper inspection of suspended scaffold.
BC 3314.4.3.1 & 27-1045(b)	Class 1	No record of daily inspection of Suspended Scaffold performed by authorized person at site.
BC 3314.4.5 & 26-204.1 (a)	Class 1	Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.
BC 3314.4.5 & 26-204.1 (a)	Class 2	Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.
BC 3314.4.6 & 26-204.1 (c)	Class 1	Use of supported scaffold without a scaffold user certificate.
BC 3314.4.6 & 26-204.1 (c)	Class 2	Use of supported scaffold without a scaffold user certificate.
BC 3314.6.3 & 27-1009	Class 1	Failure to provide/use lifeline while working on scaffold.
BC 3314.6.3 & 27-1009	Class 2	Failure to provide/use lifeline while working on scaffold.
BC 3316.2 & BC 3319.1& 27-1054	Class 1	Inadequate safety measures: Oper'n of crane/ derrick/hoisting equip in unsafe manner )
BC 3319.3	Class 1	Operation of a crane/derrick without a Certificate of Operation
BC 3319.3 & 27-1057(b)	Class 2	Operation of crane/derrick without Certificate of Approval/Certificate of Operation.
BC 3319.3 & 27-1057(d)	Class 2	Operation of a crane/derrick without a Certificate of Onsite Inspection.
PC-Misc, FGC-Misc, MC-Misc	Class 1	Miscellaneous violations.
PC-Misc, FGC-Misc, MC-Misc	Class 2	Miscellaneous violations.
PC-Misc, FGC-Misc, MC-Misc	Class 3	Miscellaneous violations.
RS 6-1	Class 1	Failure to file affidavits and/or comply with other requirements set forth for photoluminescent exit path marking.
ZR 42-543	Class 1	Outdoor Ad Co sign in M Dist exceeds height limit.
ZR 22-00	Class 2	Illegal use in residential district.
ZR 22-32	Class 1	Outdoor Ad Co has impermissible advertising sign in an R Dist.
ZR 22-342	Class 1	Outdoor Ad Co sign in R Dist exceeds height limits.
ZR 25-41	Class 2	Violation of parking regulations in a residential district.
ZR 25-41	Class 3	Violation of parking regulations in a residential district.
ZR 32-00	Class 2	Illegal use in a commercial district.
ZR 32-63	Class 1	Outdoor Ad Co advertising sign not permitted in specified C Dist.
ZR 32-64	Class 2	Sign(s) in specified C Dist exceed(s) surface area restrictions.
ZR 32-64	Class 1	Outdoor Ad Co sign(s) in specified C Dist exceed surface area limits.
ZR 32-652	Class 2	Sign in specified C Dist extends beyond street line limitation.
ZR 32-653	Class 2	Prohibited sign on awning, canopy, or marquee in C Dist.
ZR 32-655	Class 1	Outdoor Ad Co sign exceeds permitted height for specified C Dist.

ZR 42-00	Class 2	Illegal use in a manufacturing district.
ZR 42-52	Class 1	Outdoor Ad Sign not permitted in M Dist.
ZR 42-53	Class 1	Outdoor Ad sign in M Dist exceeds surface area limits.
ZR-Misc	Class 2	Miscellaneous violations of the Zoning Resolution.
ZR-Misc	Class 3	Miscellaneous violations of the Zoning Resolution.
ZR-Misc	Class 1	Misc sign violation under the Zoning Resolution by an Outdoor Ad Co
ZR-Misc	Class 2	Misc sign violation under the Zoning Resolution

Section 3. This rule shall take effect July 1, 2008.

TATEMENT OF BASIS AND PURPOSE

The Department proposes this rule to reflect the enactment of new Construction Codes, and the simultaneous repeal of substantial portions of the current Buildings Code. The new enforcement scheme will apply to all NOV's issued by the Department with a date of occurrence on or after July 1, 2008. The existing Penalty Schedule (designated in ECB's proposed rulemaking as "Buildings Penalty Schedule I") will be retained and will apply to all NOV's issued by the Department with a date of occurrence on or before June 30, 2008.

The new Construction Codes were enacted pursuant to the provisions of Local Law 33 of 2007 and Local Law 99 of 2005. Local Law 33 of 2007 set forth administrative, enforcement and technical provisions for the city's new Construction Codes. It revised and thus complemented Local Law 99 of 2005, which enacted administrative provisions of a new Title 28 of the NYC Administrative Code, as well as a new plumbing code. Local Law 33 repealed all of Chapter 1 of Title 26 of the NYC Administrative Code, and many of the provisions of Title 27 of the NYC Administrative Code, effective July 1, 2008. In view of the enactment of new Construction Codes, the Department is proposing a new classification scheme, new daily penalties, and new processes for certifying the correction of violation. This rule is intended to complement ECB's proposed rulemaking on this subject.

On July 1, 2008, the new Construction Codes will become effective in New York City. They consist of the New York City Plumbing Code (PC), the New York City Building Code (BC), the New York City Mechanical Code (MC) and the New York City Fuel Gas Code (FGC). In Title 28 of the NYC Administrative Code are found the administration and enforcement provisions that are applicable to both the new Construction Codes, and to the continuing provisions of the pre-existing Building Code. Those provisions of title 27 that continue to be in effect (primarily for existing buildings) have now been retitled the "1968 Building Code."

The new Construction Codes will apply prospectively to all new constructions, with some exceptions. For a period of one year after the effective date, owners may elect to use the technical requirements of the 1968 building code, rather than of the new Construction Codes, for new buildings and for applications for alteration of existing buildings. In addition, after that one-year period, alterations of existing buildings will in some circumstances, at the option of the owner, be permitted to comply with the 1968 Building Code.

Even if an existing building (or in some cases, a new or altered building) continues to be governed by the provisions of the 1968 Building Code, rather than by the provisions of the new Construction Codes, the enforcement provisions of Title 28 of the NYC Administrative Code will nonetheless apply in connection with those buildings. Title 28 includes, among other provisions, the various penalty structure requirements for violations of these codes. Accordingly, even in connection with the continuing provisions of the 1968 Buildings Code, a new set of classifications, penalties, and processes is required as of July 1, 2008.

Section 28-201.2 of the new codes requires the Department to indicate by rule whether a charge has a classification level of "immediately hazardous," (Class 1) "major," (Class 2) or "lesser" (Class 3). These classifications are based on "the effect of the violation on life, health, safety or the public interest or the necessity for economic disincentive." The classification level assigned to a particular charge determines the applicable statutory penalty range, as well as compliance requirements. The proposed rule reflects that these classifications shall be denominated as Class 1, Class 2, and Class 3, respectively and further reflects the proposed classifications of the various charges.

The proposed classifications, penalties, and processes set forth above include charges from Title 28; the new Construction Codes; the Rules of the Department of Buildings; the Zoning Resolution; and charges that reflect the various continuing provisions of the 1968 Building Code. The penalties in the proposal are based on the penalty provisions of Title 28 of the NYC Administrative Code.

The Environmental Control Board, pursuant to Chapter 2 of Title 28 of the NYC Administrative Code, will also promulgate a rule in order to implement the provisions of Title 28 and the new Construction Codes. ECB rule will include the same charge descriptions and classification levels as are included in the Department's proposed rule, although it will also include the precise penalty amounts for each infraction, including each infraction with multiple classifications. The reason for this replication in ECB's rule of portions of the proposed classifications is that ECB is mandated by Title 28 to impose penalties for every charge.

The proposed rule defines for purposes of both Department processes and ECB's establishment of mitigated penalties resolution by "cure," "stipulation," and "mitigation." It also implements the authority provided by section 28-204.2 of the Administrative Code by providing additional time for correction of a violation in connection with cures, such that cures are permitted within forty, rather than thirty days, in order to allow for practical processing-time considerations. In addition, it allows for such cures in connection with certain violations that are classified as Class 2, as well as in connection with violations that are classified as Class 3 to the extent that the codes provide no minimum penalty for Class 2 violation. Accordingly, for eligible Class 2 violations, if the violation is certified as corrected in the prescribed manner, it will have the same consequences as in connection with cures for Class 3 violations.

Regarding charges that pertain to certificates of occupancy issued by the Department, Section 28-201.2.1 of the Administrative Code provides that violations for "occupancy without a required certificate of occupancy" shall be classified as immediately hazardous (Class 1). The Department interprets that section to mean that a violation for occupancy without a required certificate of occupancy is a Class 1 violation only in cases involving a new building that has never had a certificate of occupancy. In all other cases, a violation for occupancy contrary to the certificate of occupancy may be written as an Class 1 violation or as a Class 2 violation or as a Class 3 violation.

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ENVIRONMENTAL CONTROL BOARD

NOTICE

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1404(c)(3) of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before April 14, 2008. A public hearing regarding the proposed rule will be held on April 14, 2008, at ECB, 66 John Street, Reception, at 5:00 p.m. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before April 14, 2008. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by April 7, 2008. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The Sanitation Penalty Schedule found in Section 31-122 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add new text to the headnote at the top of that penalty schedule that is prefaced with three asterisks (\*\*\*) as follows:

New matter is underlined.

\*\*\* For sections 10-119 and 10-120 and 16-308(g) and 16-308(h) and 16-404 and 16-405(a) and 16-405(b), and 16-118(7)(b)(2), and 16-118(7)(d), and 16-453(b), 16-453(c), 16-454(b), and 16-454(c), a repeat violation is a violation by the same respondent of the same section of law as the previous violation with a date of occurrence within twelve months of the date of occurrence of the previous violation.

Any person who violates Section 16-118(7)(b)(1) and/or Section 16-118(7)(c) while using or operating a motor vehicle, or owning said motor vehicle, is considered a repeat violator where the same respondent has violated either Section 16-118(7)(b)(1) or Section 16-118(7)(c) while using or operating a motor vehicle, or owning said motor vehicle, where the present violation has a date of occurrence within twelve months of the date of occurrence of the previous violation.

Section 2. The Sanitation Penalty Schedule found in Section 31-122 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add new text to the last headnote at the top of that penalty schedule, which begins with “With the exception of 10-119,” as follows:

New matter is underlined.

With the exception of section 10-119 (posting on a tree), and section 16-119, and sections 16-453(b); 16-453(c); 16-454(b), and 16-454(c), pursuant to §31-81(b) a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per §31-32, within 30 days of the mailing date of the default order issued against respondent.

Section 3. The Sanitation Penalty Schedule found in Section 31-122 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended, to add ten new charges immediately following the entry in that penalty schedule for NYC Admin. Code 16-405(b), “Failure to Comply with Rechargeable Battery Recycling Program Requirements (Battery Manufacturer)” as follows:

New matter is underlined.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
§16-453(a)(1)	<u>Providing plastic bags without recycling message.</u>	300 per day	9,000
§16-453(a)(2)	<u>Failure to provide a bin for the collection of plastic.</u>	300 per day	9,000
§16-453(a)(2)	<u>Failure to clearly mark a bin for the collection of plastic.</u>	300 per day	9,000
§16-453(a)(3)	<u>Failure to recycle plastic bags and film plastic.</u>	300 per day	9,000
§16-453(a)(5)	<u>Failure to sell reusable bags.</u>	300 per day	9,000
§16-453(b)***	<u>Failure to maintain plastic bag and film recycling records.</u>	1st Violation: 100 2nd Violation: 700 3rd Violation: 1,000	1st Violation: 100 2nd Violation: 700 3rd Violation: 1,000
§16-453(c)***	<u>Failure to submit an annual report. (Operator)</u>	1st Violation: 100 2nd Violation: 700 3rd Violation: 1,000	1st Violation: 100 2nd Violation: 700 3rd Violation: 1,000
§16-454(a)	<u>Failure to make arrangements for the collection, transport and recycling.</u>	500 per day	15,000
§16-454(b)***	<u>Failure to submit an annual report. (Manufacturer)</u>	1st Violation: 100 2nd Violation: 1,000 3rd Violation: 1,500	1st Violation: 100 2nd Violation: 1,000 3rd Violation: 1,500
§16-454(c)***	<u>Failure to provide educational materials.</u>	1st Violation: 100 2nd Violation: 1,000 3rd Violation: 1,500	1st Violation: 100 2nd Violation: 1,000 3rd Violation: 1,500

Section 4. The Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to change the entry in the “Section/Rule” column of that Penalty Schedule for 34 RCNY 2-05(d)(16), which currently reads “failure to house cables/hoses 8 feet above ground,” to read as follows:

New matter is underlined.  
Deleted matter is in [brackets].

SECTION/RULE	DESCRIPTION	Penalty	DEFAULT
34 RCNY 2-05(d)(16)	Fail[ure] to house <u>overhead cables/hoses/wires</u> with [8] <u>14 feet [above ground] minimum clearance</u>	250	750

Section 5. The Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add fifteen new entries at the end of that Penalty Schedule, immediately following the entry in that Penalty Schedule for New York City Administrative Code Section 19-128.1(e)(5), “Failed to repair damage to City property/sidewalk caused by newsrack,” to read as follows:

New matter is underlined.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
34RCNY 2-08 (e)(3)	<u>Failed to remove refuse from newsrack as per paragraph</u>	100	500
34RCNY 2-08 (e)(5)	<u>Newsrack empty/unsecured door for impermissible time</u>	100	500
34RCNY 2-08 (e)(4)	<u>Failed to correct newsrack damaged/in need of repair as per paragraph</u>	100	500
34RCNY 2-08 (b)(3)	<u>Failed to repair damage to City property/sidewalk caused by newsrack</u>	100	500
34RCNY 2-08 (d)(2)	<u>Failed to affix correct name/address/tel. no. to newsrack as per paragraph</u>	100	500
34RCNY 2-08 (d)(1)	<u>Newsrack exceeds size limits</u>	100	500
34RCNY 2-08 (d)(3)	<u>Newsrack used for impermissible advertising/promotional purposes</u>	100	500
34RCNY 2-08 (c)	<u>Newsrack placed/installed/maintained in improper location</u>	250	500
34RCNY 2-08 (b)(1)	<u>Failed to place/install newsrack in a manner so that it cannot be tipped over</u>	250	500
34RCNY 2-08 (b)(4)	<u>Failed to notify DOT of newsrack info and compliance as per paragraph</u>	3,000	4,000
34RCNY 2-08 (e)(1)	<u>Failed to certify/inaccurately certified graffiti removal as per DOT requirements</u>		
	<u>1-99 racks</u>	375	500
	<u>100-249 racks</u>	550	750
	<u>250-499 racks</u>	1,100	1,500
	<u>500-749 racks</u>	1,700	2,250
	<u>750-999 racks</u>	2,300	3,000
	<u>1,000 or more racks</u>	3,000	4,000
34RCNY 2-08 (e)(2)	<u>Failed to maintain accurate logs/records per DOT requirements</u>		
	<u>1-99 racks</u>	375	500
	<u>100-249 racks</u>	550	750
	<u>250-499 racks</u>	1,100	1,500
	<u>500-749 racks</u>	1,700	2,250
	<u>750-999 racks</u>	2,300	3,000
	<u>1,000 or more racks</u>	3,000	4,000

34RCNY 2-08 (e)(2)	<u>Failed to provide maintenance logs/records to DOT on request</u>		
	<u>1-99 racks</u>	375	500
	<u>100-249 racks</u>	550	750
	<u>250-499 racks</u>	1,100	1,500
	<u>500-749 racks</u>	1,700	2,250
	<u>750-999 racks</u>	2,300	3,000
	<u>1,000 or more racks</u>	3,000	4,000
34RCNY 2-08 (b)(4)	<u>Failed to notify DOT of newsrack info in accordance with rule requirements</u>		
	<u>1-99 racks</u>	375	500
	<u>100-249 racks</u>	550	750
	<u>250-499 racks</u>	1,100	1,500
	<u>500-749 racks</u>	1,700	2,250
	<u>750-999 racks</u>	2,300	3,000
	<u>1,000 or more racks</u>	3,000	4,000
34RCNY 2-08 (f)	<u>Failed to maintain/provide proper indemnification/insurance info</u>		
	<u>1-99 racks</u>	375	500
	<u>100-249 racks</u>	550	750
	<u>250-499 racks</u>	1,100	1,500
	<u>500-749 racks</u>	1,700	2,250
	<u>750-999 racks</u>	2,300	3,000
	<u>1,000 or more racks</u>	3,000	4,000

**Statement of Basis and Purpose of Proposed Rule**

The Environmental Control Board (ECB) proposes making the following revisions to the ECB Penalty Schedules:

1) The Board is revising the Sanitation Penalty Schedule found in Section 31-122 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York to add ten new charges pertaining to new legal requirements regarding recycling programs for plastic bags and film plastic. Those new requirements regarding recycling programs for plastic bags and film plastic were established by Local Law No. 1 of 2008, which was signed into law on January 23, 2008. That Local Law creates a new Chapter 4-B within Title 16 of the NYC Administrative Code that requires that certain retailers in the City establish an in-store recycling collection program for plastic bags and film plastic such as dry cleaning bags and shrink wrap. The law also requires retailers to maintain records evidencing the weight of the plastic bags that they collect for recycling and to report this information annually to the Department of Sanitation. In addition, the law requires plastic bag manufacturers to provide for collection and recycling of used plastic bags from retailers; to annually report the weight of such bags to the retailer; and to provide retailers, upon request, with educational materials that encourage the reduction, reuse and recycling of plastic carryout bags. These ten new charges that the Board is adding to the Sanitation Penalty Schedule implement these provisions of the law. In connection with these ten new charges, the Board is also revising one of the headnotes that is in the Sanitation Penalty Schedule in order to indicate what constitutes a repeat violation for the purpose of imposing repeat-violation penalties under the new law. Additionally, the Board is revising another one of the headnotes that is set out in the Sanitation Penalty Schedule in order to indicate the inapplicability of a thirty dollar late fee in connection with certain of these charges.

2) The Board is revising the Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York to change the entry in the “Section/Rule” column of that Penalty Schedule for 34 RCNY 2-05(d)(16), which currently reads “failure to house cables/hoses 8 feet above ground,” to instead read “fail to house overhead cables/hoses/wires with 14 feet minimum clearance.” This revision is being made to more accurately reflect the substantive provisions of 34 RCNY 2-05(d)(16), by specifying the requirement that all equipment hoses, cables or wires carried overhead across the sidewalk shall have fourteen feet minimum clearance.

3) The Board is revising the Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York to add fifteen new charges pertaining to newsrack requirements set forth in Section 2-08 of Title 34 of the Rules of the City of New York. These new charges are in addition to the current charges in the Penalty Schedule that pertain to newsracks, which cite to provisions of Title 19 of the NYC Administrative Code rather than to provisions of the Rules of the City of New York. These new charges are being added to that Penalty Schedule to enable the Department of Transportation to have the enforcement option of citing to the provisions of the Rules of the City of New York, which in some cases are more specific and detailed in their provisions than are the corresponding sections of the NYC Administrative Code.

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**NOTICE OF OPPORTUNITY TO COMMENT** on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED** in the Environmental Control Board by section 1404(c)(3) of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board’s regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before April 14, 2008. A public hearing regarding the proposed rule will be held on April 14, 2008, at the ECB, 66 John Street, 10th Floor, Reception, at 5:00 p.m. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before April 14, 2008. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by April 7, 2008. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add the following text directly below the heading at the beginning of that Penalty Schedule that reads “BUILDINGS PENALTY SCHEDULE,”

New matter is underlined.

**Buildings Penalty Schedule I: Effective For Notices of Violation With a Date of Occurrence On or Before June 30, 2008:**

The Penalty Schedule set forth below, Buildings Penalty Schedule I, sets forth the penalties that will be imposed in connection with Notices of Violation with a date of occurrence on or before June 30, 2008.

Section 2. The Buildings Penalty Schedule found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to add the following text at the end of that Penalty Schedule, below the entry in that penalty schedule for ZR 42-543, “Outdoor Ad Co sign in Manufacturing district exceeds height limit.”

New matter is underlined.

**Buildings Penalty Schedule II: Effective For Notices of Violation With a Date of Occurrence On or After July 1, 2008:**

The Penalty Schedule set forth below, Buildings Penalty Schedule II, sets forth the penalties that will be imposed in connection with Notices of Violation with a date of occurrence on or after July 1, 2008.

1.) Legal References. The legal references referred to in this Penalty Schedule include the following:

- Title 28 of the New York City (NYC) Administrative Code. References to Title 28 of the NYC Administrative Code begin with "28-" (for example, "28-201.1"). The citation "28-Misc." refers to provisions of Title 28 that are not specifically designated elsewhere in the Penalty Schedule.
- Title 27 of the NYC Administrative Code (also known as the "1968 Building Code"). References to title 27 of the NYC Administrative Code begin with "27-" (for example, "27-371"). The citation "27-Misc." refers to provisions of Title 27 that are not specifically designated elsewhere in the Penalty Schedule.
- The "New York City Construction Codes," which consist of:
  - The New York City plumbing code (PC)
  - The New York City building code (BC)
  - The New York City mechanical code (MC)
  - The New York City fuel gas code (FGC)

References to these New York City Construction Codes are designated by the various abbreviations set out above (for example, "BC3010.1"). The citations "BC-Misc.," "PC-Misc.," "MC-Misc." and "FGC-Misc." refer to provisions of the New York City building, plumbing, mechanical or fuel gas code that are not specifically designated elsewhere in the Penalty Schedule.

- Appendices to the New York City Construction Codes (the New York City Construction Codes include all enacted appendices, as per §28-102.6 of the NYC Administrative Code). References to Appendices are cited by using the abbreviation for the particular Construction Code followed by the applicable Appendix letter (for example, "H") followed by the applicable section number (for example, "BC H103.1").
- The NYC Zoning Resolution (ZR) and the Rules of the City of New York (RCNY). References to the Zoning Resolution and to the Rules of the City of New York are designated by the abbreviations "ZR" and "RCNY" (for example, "ZR25-41"; "1 RCNY9-01"). The citations "1 RCNY-Misc." and "ZR-Misc." refer to provisions of 1 RCNY or the Zoning Resolution that are not specifically designated elsewhere in the Penalty Schedule.
- Reference Standards that pertain to Title 27 of the NYC Administrative Code (RS). References to the Reference Standards are designated by the abbreviation set out above (for example, "RS-16"). The citation "RS-Misc." refers to Reference Standards that are not specifically designated elsewhere in the Penalty Schedule.

2.) Citations to the New York City Construction Codes. Whenever a section or subdivision of the New York City Construction Codes is cited or referred to, subordinate consecutively numbered subdivisions or paragraphs of the cited provision are deemed to be included in such reference unless the context or subject matter requires otherwise.

3.) Classification of Violations. Pursuant to the Rules of the Department of Buildings set out in Title 1 of the Rules of the City of New York, for purposes of classifying violations pursuant to section 28-201.2 of the Administrative Code, the following terms shall have the following meanings:

- **IMMEDIATELY HAZARDOUS VIOLATION.** Immediately hazardous violations are those specified as such by the New York City Construction Codes, or those where the violating condition poses a threat that severely affects life, health, safety, property, the public interest, or a significant number of persons so as to warrant immediate corrective action, or, with respect to outdoor advertising, those where the violation and penalty are necessary as an economic disincentive to the continuation or the repetition of the violating condition.) Immediately hazardous violations shall be denominated as Class 1 violations.
- **MAJOR VIOLATION.** Major violations are those specified as such by the New York City Construction Codes or those where the violating condition affects life, health, safety, property, or the public interest but does not require immediate corrective action, or, with respect to outdoor advertising, those where the violation and penalty are appropriate as an economic disincentive to the continuation or the repetition of the violating condition. Major violations shall be denominated as Class 2 violations.
- **LESSER VIOLATION.** Lesser violations are those where the violating condition has a lesser effect than an immediately hazardous (Class 1) or major violation (Class 2) on life, health, safety, property, or the public interest. Lesser violations shall be denominated as Class 3 violations.

In this Penalty Schedule, the classification of any particular charge is indicated in the column of the Penalty Schedule that is entitled "Classification." In some instances, where so indicated in this Penalty Schedule, a violation of a particular section of law may be charged by the Department of Buildings as either a "Class 1" violation, or as a "Class 2" violation, or as a "Class 3" violation, depending upon the assessment by the Department of Buildings as to the classification that is warranted for the particular violation in question.

4.) Aggravated Penalties: If a Notice of Violation charges a violation as an Aggravated I or as an Aggravated II violation and the respondent is found in violation, then aggravated penalties of the first order ("Aggravated I") or aggravated penalties of the second order ("Aggravated II") penalties will be imposed. This Penalty Schedule sets forth the Aggravated I or Aggravated II penalties that will apply. Pursuant to the Rules of the Department of Buildings set out in Title 1 of the Rules of the City of New York, the Department of Buildings will charge a violation as an Aggravated I or Aggravated II violation under the following circumstances:

(1) Aggravated penalties of the first order. Aggravated penalties of the first order ("Agg. I") shall be imposed in the following instances:

(i) Aggravated penalties of the first order. Aggravated penalties of the first order ("Agg. I") shall be imposed when evidence establishes the same condition or the same charge under the New York City Construction Codes or the predecessor charge under the laws in effect prior to July 1, 2008, in a prior enforcement action against the same owner or responsible party during the previous three years.

(2) Aggravated penalties of the second order. Aggravated penalties of the second order ("Agg. II") shall be imposed in the following instances:

(i) When the respondent is found in violation of any law or rule enforced by the Department of Buildings where the violation of law is accompanied by or results in a fatality or serious injury or where the violating condition affects a significant number of people; or

(ii) Where the respondent refuses to give the Department of Buildings requested information necessary to determine the condition of a building or site; or

(iii) Where the respondent has a history of non-compliance with laws or rules enforced by the Department of Buildings at one or more locations, including but not limited to a pattern of unreasonable delays in correcting violations, a pattern of failing to obey Stop Work Orders, filing false documents, or multiple defaults.

5.) Mitigation. A violation is potentially eligible for a mitigated penalty if this Penalty Schedule so indicates. If a violation is potentially eligible for a mitigated penalty, a mitigated penalty will be imposed if the respondent proves at the hearing that the condition was corrected prior to the first scheduled hearing date at ECB. (A certificate of correction must thereafter be filed by the respondent with the Department of Buildings in accordance with its Rules.) If a mitigated penalty is imposed, that penalty will be half of the penalty amount (rounded to the nearest dollar) of the penalty amount that would otherwise have been imposed at a hearing for that particular violation, except that a mitigated penalty is never available in connection with a violation that has been charged by the Department of Buildings as an Aggravated II charge (this is the case even if there is a "Yes" in the "Mitigated Penalty" column in this Penalty Schedule).

6.) Additional Daily and Monthly Penalties. Additional daily penalties may be imposed in connection with certain Class 1 violations. Additional monthly penalties may be imposed in connection with certain Class 2 violations. If such penalties are sought by the Department of Buildings in connection with a particular Class 1 or Class 2 charge, that will be indicated on the Notice of Violation.

Such daily or monthly penalties, if applicable, are in addition to the set penalty amount that also is indicated in this Penalty Schedule as applicable to the type of violation in question taking into account the classification level and Aggravated level of the particular violation. Imposition of such additional daily and monthly penalties is authorized pursuant to Section 28-202.1 of the New York City Administrative Code.

*Accrual of Daily Penalties:* Daily penalties, if applicable, will accrue at the rate set forth in this Penalty Schedule per day for a potential total of forty-five days running from the date of the Order to Correct of the Commissioner of the Department of Buildings that is set forth in the Notice of Violation unless the violating condition is proved by the respondent at the hearing to have been corrected prior to the end of that forty-five day period, in which case the daily penalties will accrue for every day up to the date of that proved correction.

*Accrual of Monthly Penalties:* Monthly penalties, if applicable, accrue at the rate set forth in this Penalty Schedule per month for a potential total of one month running from the date of the Order to Correct of the Commissioner of the Department of Buildings that is set forth in the Notice of Violation unless the violating condition is proved by the respondent at the hearing to have been corrected prior to the end of a month period.

7.) Cures. Certain violations are potentially eligible for a cure by correction within forty days running from the date of the Order to Correct of the Commissioner of the Department of Buildings that is set forth in the Notice of Violation. This Penalty Schedule indicates which violations are potentially subject to cure. A cure constitutes an admission of the charged violation; results in a finding of violation in connection with that charged violation; dispenses with the need for a hearing at ECB; may constitute a prior violation in relation to later-issued violations, for purposes of determining if those later-issued violations have an Aggravated I or Aggravated II status; and results in a zero penalty. As is indicated in this Penalty Schedule, and consistent with the provisions of Section 28-204.2 of the NYC Administrative Code, all violations that are designated as Class 3 violations are eligible for cure. Also some, but not all, violations that are designated as Class 2 violations are eligible for cure. (Note: A violation that has been charged as an Aggravated II violation is never eligible for a cure. This is the case even if there is a "Yes" in the "Cure" column in this Penalty Schedule.) In order to cure, the respondent must file a certificate of correction acceptable to the Department of Buildings with the Department of Buildings within the forty day period.

8.) Stipulations. Stipulations are agreements between the Department of Buildings and a respondent, subject to approval by the Environmental Control Board. If a violation is potentially eligible for a stipulation, that is indicated in this Penalty Schedule. Even where a violation is potentially eligible for a stipulation, a stipulation is only available if the Department of Buildings in fact makes an offer of such a stipulation in connection with the particular Notice of Violation. (Note: A violation that has been charged as an Aggravated II violation is never eligible for a stipulation. Also, a violation that is charged as Class 1 is never eligible for a stipulation. This is the case even if there is a "Yes" in the "Stipulation" column in this Penalty Schedule.) There are both pre-hearing stipulations, and hearing stipulations. Those terms are defined below.

If a respondent enters into a stipulation (whether a pre-hearing stipulation or a hearing stipulation), that stipulation constitutes an agreement whereby the Department of Buildings agrees not to issue another violation to the same respondent for the same violating condition for a period of seventy-five days running from the first scheduled hearing date; and whereby the respondent admits the violation, resulting in a finding of violation; and whereby the respondent agrees to correct the violation and to file an acceptable Certificate of Correction with the Department of Buildings within the seventy-five day period running from the first scheduled hearing date. Additionally, in connection with pre-hearing stipulations only (not hearing stipulations), a lesser penalty is imposed.

The Department of Buildings will in no event offer a stipulation if the violation has been charged as an Aggravated II violation, or has been deemed "Class 1" by the Issuing Officer on the NOV, or if the charge on the Notice of Violation is amended to indicate an "Class 1" or a "Class 2" violation that is not potentially eligible to receive a stipulation.

*Pre-hearing stipulations:* A "pre-hearing stipulation" is a stipulation that is offered and can be accepted only prior to the first scheduled hearing date, or else on the first scheduled hearing date but prior to any actual hearing on that date. A violation is eligible for a pre-hearing stipulation if this Penalty Schedule so indicates (indicated via a "Yes" in the "Stipulation" column of this Penalty Schedule) and if the Department of Buildings in fact offers a pre-hearing stipulation in connection with the particular Notice of Violation in question. Pre-hearing stipulation offers are made via a mailed notice. (If a respondent is uncertain whether a pre-hearing stipulation offer has been made in connection with a particular Notice of Violation, the respondent may call ECB to inquire.) No pre-hearing stipulation shall take effect unless it is offered by the Department of Buildings prior to the first scheduled hearing date, signed by respondent prior to or on the first scheduled hearing date, and approved by ECB in writing.

If a pre-hearing stipulation is offered in connection with a particular Notice of Violation and is timely accepted by the respondent, and if the respondent then files an acceptable Certificate of Correction within the seventy-five-day time period, then the penalty imposed for that violation will be half of the penalty amount (rounded to the nearest dollar) of the penalty amount that would otherwise have been imposed at a hearing for that particular violation.

However, if a pre-hearing stipulation is offered in connection with a particular Notice of Violation and is timely accepted by the respondent, but the respondent in connection with a particular pre-hearing stipulation then fails to file an acceptable certificate of correction with the Department of Buildings within the seventy-five-day time period, then the penalty imposed for that violation will rise to the full penalty amount that would have been imposed at a hearing if a hearing had been held.

Hearing stipulations: A hearing stipulation is a stipulation that is offered and can be accepted at a hearing. A violation is eligible for a hearing stipulation if this Penalty Schedule so indicates (via a "yes" in the "Stipulation" column of this Penalty Schedule) and if the Department of Buildings in fact offers a hearing stipulation at the hearing in connection with the particular Notice of Violation.

(If a hearing stipulation is offered in connection with a particular Notice of Violation and is accepted by the respondent, it constitutes an agreement as described above, whereby respondent agrees to correct the violation and file an acceptable certificate of correction within the seventy-five day period, and whereby the Department of Buildings agrees not to issue another violation to the same respondent for the same violating condition within that seventy-five day time period. No hearing stipulation shall take effect unless it is offered by the Department of Buildings at the hearing, accepted by the respondent at that hearing, and is approved in writing by ECB.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Rows include various violations such as 'Miscellaneous violations', 'Prohibited sign on sidewalk shed', 'Licensed Rigger designated an unqualified foreman', etc.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated II Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Rows include violations such as 'Work does not conform to approved construction documents and/or approved amendments', 'Place of Assembly contrary to approved construction documents', 'Operation of a Place of Assembly without a current Certificate of Occupancy', etc.





BC 3314.4.3.1 & 27-1045	Class 1	Failure to perform safe/upper inspection of suspended scaffold.	No	No	\$10,000	No	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
BC 3314.4.3.1 & 27-1045(b)	Class 1	No record of daily inspection of suspended scaffold performed by authorized person at site.	No	No	\$2,400	No	\$12,000	\$6,000	\$24,000	\$12,000	\$25,000
BC 3314.4.5 & 26-204.1(a)	Class 1	Erected, dismantled, repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.	No	No	\$2,400	No	\$12,000	\$6,000	\$24,000	\$12,000	\$25,000
BC 3314.4.5 & 26-204.1(a)	Class 2	Erected, dismantled, repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.	No	No	\$1,200	No	\$6,000	\$3,000	\$10,000	\$6,000	\$10,000
BC 3314.4.6 & 26-204.1(c)	Class 1	Use of supported scaffold without a scaffold user certificate.	No	No	\$1,600	No	\$8,000	\$4,000	\$16,000	\$8,000	\$25,000
BC 3314.4.6 & 26-204.1(c)	Class 2	Use of supported scaffold without a scaffold user certificate.	Yes	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
BC 3314.6.3 & 27-1059	Class 1	Failure to provide/use lifeline while working on scaffold.	No	No	\$1,600	No	\$8,000	\$4,000	\$16,000	\$8,000	\$25,000
BC 3314.6.3 & 27-1059	Class 2	Failure to provide/use lifeline while working on scaffold.	No	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
BC 3316.2 & BC 3319.1 & 27-1054	Class 1	Inadequate safety measures. Oper'n of crane/derrick/mooring equip. in unsafe manner.	No	No	\$4,800	No	\$24,000	\$12,000	\$25,000	\$24,000	\$25,000
BC 3319.3	Class 1	Operation of a crane/derrick without a Certificate of Operation.	No	No	\$1,000	No	\$5,000	\$2,500	\$10,000	\$5,000	\$25,000
BC 3319.3 & 27-1057(b)	Class 2	Operation of crane/derrick without Certificate of Approval/Certificate of Operation.	No	No	\$2,400	No	\$10,000	\$6,000	\$10,000	\$10,000	\$10,000
BC 3319.3 & 27-1057(d)	Class 2	Operation of a crane/derrick without a Certificate of Onsite Inspection.	No	No	\$2,400	No	\$10,000	\$6,000	\$10,000	\$10,000	\$10,000
PC-Misc, FGC-Misc, MC-Misc	Class 1	Miscellaneous violations.	No	No	\$1,600	No	\$8,000	\$4,000	\$16,000	\$8,000	\$25,000
PC-Misc, FGC-Misc, MC-Misc	Class 2	Miscellaneous violations.	Yes	Yes	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
PC-Misc, FGC-Misc, MC-Misc	Class 3	Miscellaneous violations.	Yes	Yes	\$300	Yes	\$500	\$500	\$500	\$500	\$500
RS 8-1	Class 1	Failure to file affidavits and/or comply with other requirements set forth for photoluminescent exit path markings.	No	No	\$2,400	Yes	\$12,000	\$6,000	\$24,000	\$12,000	\$25,000
ZR 42-543	Class 1	Outdoor Ad Co sign in M Dist exceeds height limit.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 22-00	Class 2	Illegal use in residential district.	Yes	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
ZR 22-32	Class 1	Outdoor Ad Co has impermissible advertising sign in an R Dist.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 22-342	Class 1	Outdoor Ad Co sign in R Dist exceeds height limits.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 25-41	Class 2	Violation of parking regulations in a residential district.	Yes	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
ZR 25-41	Class 3	Violation of parking regulations in a residential district.	Yes	No	\$300	Yes	\$500	\$500	\$500	\$500	\$500
ZR 32-00	Class 2	Illegal use in a commercial district.	Yes	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
ZR 32-62	Class 1	Outdoor Ad Co advertising sign not permitted in specified C Dist.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 32-64	Class 2	Sign in specified C Dist exceeds surface area restrictions.	No	Yes	\$1,200	Yes	\$6,000	\$3,000	\$10,000	\$6,000	\$10,000
ZR 32-64	Class 1	Outdoor Ad Co sign in specified C Dist exceeds surface area limits.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 32-652	Class 2	Sign in specified C Dist extends beyond street line limitation.	No	Yes	\$1,200	Yes	\$6,000	\$3,000	\$10,000	\$6,000	\$10,000
ZR 32-653	Class 2	Prohibited sign on awning, canopy, or marquee in C Dist.	No	Yes	\$1,200	Yes	\$6,000	\$3,000	\$10,000	\$6,000	\$10,000
ZR 32-655	Class 1	Outdoor Ad Co sign exceeds permitted height for specified C Dist.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 42-00	Class 2	Illegal use in a manufacturing district.	Yes	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
ZR 42-52	Class 1	Outdoor Ad Sign not permitted in M Dist.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR 42-53	Class 1	Outdoor Ad sign in M Dist exceeds surface area limits.	No	No	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR-Misc	Class 2	Miscellaneous violations of the Zoning Resolution.	Yes	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000
ZR-Misc	Class 3	Miscellaneous violations of the Zoning Resolution.	Yes	No	\$300	Yes	\$500	\$500	\$500	\$500	\$500
ZR-Misc	Class 1	Misc sign violation under the Zoning Resolution by an Outdoor Ad Co.	No	Yes	\$10,000	Yes	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
ZR-Misc	Class 2	Misc sign violation under the Zoning Resolution.	No	Yes	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000

**Statement of Basis and Purpose of Proposed Rule**

The Environmental Control Board (ECB) proposes the following revisions to the ECB Penalty Schedules:

The Board is adding to its rules found in Section 31-103 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York a new Buildings Penalty Schedule (designated as "Buildings Penalty Schedule II") to reflect the enactment of new Construction Codes, and the simultaneous repeal of substantial portions of the current Buildings Code. The new Penalty Schedule will apply to all Notices of Violation issued by the Department of Buildings with a date of occurrence on or after July 1, 2008. The existing Penalty Schedule (designated as "Buildings Penalty Schedule I") will be retained and will apply to all Notices of Violation issued by the Department of Buildings with a date of occurrence on or before June 30, 2008.

The new Construction Codes were enacted pursuant to the provisions of Local Law 33 of 2007 and Local Law 99 of 2005. Local Law 33 of 2007 set forth administrative, enforcement and technical provisions for the city's new Construction Codes. It revised and thus complements Local Law 99 of 2005, which enacted administrative provisions of a new Title 28 of the NYC

Administrative Code, as well as a new plumbing code. Local Law 33 repealed all of Chapter 1 of Title 26 of the NYC Administrative Code, and many of the provisions of Title 27 of the NYC Administrative Code, effective July 1, 2008. In view of the enactment of new Construction Codes, the Board is proposing a new Buildings Penalty Schedule to reflect the changes in the law.

On July 1, 2007, the new Construction Codes will become effective in New York City. The enactment of the new Construction Codes provides for improved building safety, enhanced enforcement tools, opportunities for construction cost savings, and incentives for innovative and sustainable building in New York City. The new Construction Codes consist of the New York City Plumbing Code (PC), the New York City Building Code (BC), the New York City Mechanical Code (MC) and the New York City Fuel Gas Code (FGC). In Title 28 of the NYC Administrative Code are found the administration and enforcement provisions that are applicable to both the new Construction Codes, and to the continuing provisions of the pre-existing Building Code. Those provisions of title 27 that continue to be in effect (primarily for existing buildings) have now been retitled the "1968 Building Code."

The new Construction Codes will apply prospectively to all new constructions, with some exceptions. For example, for a period of one year after the effective date, owners may elect to use the technical requirements of the 1968 building code, rather than of the new Construction Codes, for new buildings and for applications for alteration of existing buildings. In addition, after that one-year period, alterations of existing buildings will in some circumstances, at the option of the owner, be permitted to comply with the 1968 Building Code.

Even if an existing building (or in some cases, a new or altered building) continues to be governed by the provisions of the 1968 Building Code, rather than by the provisions of the new Construction Codes, the enforcement provisions of Title 28 of the NYC Administrative Code will nonetheless apply in connection with those buildings. Title 28 includes, among other provisions, the various penalty structure requirements for violations of these codes. Accordingly, even in connection with the continuing provisions of the 1968 Buildings Code, a new ECB Buildings Penalty Schedule is required as of July 1, 2008.

The proposed Penalty Schedule set forth above includes charges from Title 28; the new Construction Codes; the Rules of the Department of Buildings; the Zoning Resolution; and charges that reflect the various continuing provisions of the 1968 Building Code. The penalties in the proposed Penalty Schedule are based on the penalty provision requirements of Title 28 of the NYC Administrative Code.

The Department of Buildings, pursuant to Chapter 2 of Title 28 of the NYC Administrative Code, will also promulgate Rules in order to implement the provisions of Title 28 and the new Construction Codes. The Department of Buildings rules will include the same charge descriptions and classification levels as are included in the proposed Penalty Schedule II, although without including the penalties themselves. The reason for this replication in DOB's rule of these portions of the proposed Penalty Schedule II is that the Department of Buildings is mandated by Title 28 to set forth in a rule the classification level for every charge. Specifically, as mandated by Section 28-201.2 of the NYC Administrative Code, the Department of Buildings must indicate in its rules whether a charge has a classification level of "lesser," (Class 3) "major," (Class 2) or "immediately hazardous" (Class 1). These classifications are based on "the effect of the violation on life, health, safety or the public interest or the necessity for economic disincentive." The classification level assigned to a particular charge determines the applicable statutory penalty range, as well as compliance requirements. The proposed rule reflects that these classifications shall be denominated as Class 1, Class 2, and Class 3, respectively and the proposed Penalty Schedule II reflects these classifications of the various charges.

This proposed Penalty Schedule II will allow a "cure" or zero penalty in connection with all violations classified as Class 3 violations, as well as for some violations classified as Class 2 violations, if an acceptable Certificate of Correction is filed in a timely manner with the Department of Buildings in accordance with the Rules of the Department of Buildings. This provision for cures is based upon the provisions of Section 28-204.2 of the NYC Administrative Code, which provides that no civil penalty shall be imposed for violations that are classified as Lesser (Class 3) violations if those violations are corrected and an acceptable Certificate of Correction is timely filed, within thirty days, with the Department of Buildings. Section 28-204.2 further provides that such a violation later may serve as a predicate for purposes of assessing aggravating factors attributable to multiple offenses. In addition to reflecting these statutory requirements, the proposed Penalty Schedule II provides additional time for correction in connection with cures, such that cures are permitted within forty, rather than thirty days, in order to allow for practical processing-time considerations. Additionally, the proposed Penalty Schedule II allows for such cures in connection with certain violations that are classified as Class 2, as well as in connection with violations that are classified as Class 3. Accordingly, the Board has established a zero penalty (consistent with the statutory range set out for Major (Class 2) violations set forth in Section 28-202.1 of the NYC Administrative Code) for specified Class 2 violations if the violation is certified as corrected in the same manner and with the same consequences as in connection with cures for Class 3 violations.

This proposed Penalty Schedule II also reflects the fact that in some cases, the Department of Buildings may offer a stipulation to a respondent in connection with certain types of charges. Stipulation offers are made by the Department of Buildings consistent with its Rules, which pertain to such offers. Those Rules are found in Title 1 of the Rules of the City of New York. The proposed Penalty Schedule II indicates which violations are potentially eligible for such a stipulation offer.

Regarding charges that pertain to certificates of occupancy issued by the Department of Buildings, Section 28-201.2.1 of the NYC Administrative Code provides that violations for "occupancy without a required certificate of occupancy" shall be classified as Class 1. The Department of Building interprets that section to mean that a violation for occupancy without a required certificate of occupancy is an Class 1 violation only in cases involving a new building that has never had a certificate of occupancy. In all other cases, a violation for occupancy contrary to the certificate of occupancy may be written as an Class 1 violation or as a Class 2 violation or as a Class 3 violation, as will be set out by the Department of Buildings in its Rules.

SPECIAL MATERIALS

CITY PLANNING

NOTICE

PROPOSED ANNUAL PERFORMANCE REPORT (APR) and PROPOSED AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) STATEMENT 2007 CONSOLIDATED PLAN PROGRAM YEAR COMMENT PERIOD - March 12 - March 26, 2008

The Proposed 2007 Consolidated Plan Annual Performance Report (APR) Public Comment Period will be from March 12th to March 26th. This document describes the City's performance concerning the: statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy, and the City's use of the four U.S. Department of Housing and Urban Development (HUD) Community Planning and Development formula entitlement programs: Community Development Block Grant (CDBG); HOME Investment Partnerships (HOME); Emergency Shelter Grant (ESG); and Housing Opportunities for Persons with AIDS (HOPWA). The APR reports on the accomplishments and commitment of these funds during the 2007 program year, January 1, 2007 to December 31, 2007.

In addition, New York City's Five-Year Affirmatively Furthering Fair Housing (AFFH) Statement will also be released for public comment as part of the City's proposed APR.

As of March 12, 2008, copies of both the Proposed APR and Proposed AFFH can be obtained at the Department of City Planning Bookstore, 22 Reade Street, Manhattan, Monday - Friday; 10:00 A.M. - 4:00 P.M. In addition, copies of the Proposed APR will be available for review at the main public library in each of the five boroughs. Please call (212) 720-3531 for information on the closest library.

The public comment period ends close of business March 26, 2008. Written comments regarding either of the respective reports should be sent to: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street, 4N, New York, N.Y. 10007.

m11-24

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH CASES MADE AND

provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on March 21, 2008, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Includes parcels 154, 154A, 156, 156A, 157, 157A, 158, 158A, 159, 159A, 60.

139, 139A, 140 and 140A 3791 31 and 33

acquired in the proceeding, entitled: New Creek Bluebelt, Phase 4 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr. Comptroller

m7-20

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH CASES MADE AND provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on March 20, 2008, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Includes parcels 2,2A,3,3A,4,4A,5, 2301 p/o 1, Bed of N. 10th Street, 50, Bed of N. 10th Street, 60, Bed of N. 10th Street, 70.

acquired in the proceeding, entitled: Bushwick Inlet Phase II subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr. Comptroller

m7-20

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

OFFICE OF PRESERVATION SERVICES CERTIFICATION OF NO HARASSMENT UNIT REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: March 7, 2008

TO: OCCUPANTS, FORMER OCCUPANTS AND

OTHER INTERESTED PARTIES OF

Table with 3 columns: Address, Application #, Inquiry Period. Lists addresses from 239 West 132nd Street to 107 St. James Place, Brooklyn.

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy. Upon the issuance of a Certification, an owner can legally convert the premises to non-single room occupancy use.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement call (212) 863-8272.

m7-17

YOUTH AND COMMUNITY DEVELOPMENT

NOTICE

In advance of the release of the Neighborhood Development Area (NDA) Request for Proposals, The New York City Department of Youth and Community Development (DYCD) is issuing a concept paper presenting the purpose and plan for this program. The NDA concept paper will be posted on DYCD's website www.nyc.gov/dycd beginning March 13, 2008.

Public comments are encouraged and should be emailed to DYCD at cp@dycd.nyc.gov by April 10, 2008. Please write "NDA Concept Paper" in the subject line.

m6-12

CHANGES IN PERSONNEL

ADMIN FOR CHILDREN'S SVCS FOR PERIOD ENDING 02/22/08

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF\_DATE, TITLE. Lists personnel changes for Admin for Children's Svcs.

Table with 7 columns: NAME, NUM, SALARY, ACTION, PROV, EFF\_DATE, TITLE. Lists personnel changes for HRA/Dept of Social Services.

BENNETT	CURTIS	L	52304	\$37189.0000	RESIGNED	NO	02/06/08
BISHARA	KAMAL	W	40517	\$55045.0000	RETIRED	NO	02/07/08
BLACKWOOD	VIOLA	E	10124	\$47563.0000	INCREASE	NO	02/10/08
BLAKE	LLOYD	B	52304	\$37189.0000	RESIGNED	NO	02/15/08
BOYD	MICHELLE	A	52311	\$45901.0000	RESIGNED	YES	02/06/08
BROCK	DREW	W	70810	\$27278.0000	RESIGNED	YES	01/01/08
BROWN	JUDEA	J	31113	\$37189.0000	APPOINTED	YES	11/02/07
BROWN	YVONNE	B	10124	\$47563.0000	INCREASE	NO	02/10/08
BROWN-FORCHENEY	FELECIA	A	81803	\$21038.0000	RETIRED	YES	08/30/07
BRUNSON	THEO	G	13632	\$82649.0000	INCREASE	NO	02/03/08
CARTER	TACHELLE	J	56057	\$34364.0000	INCREASE	YES	02/10/08
CEASAR	LORETTA	A	10124	\$42557.0000	RETIRED	NO	02/06/08
CHOW	ERIC	C	30086	\$52404.0000	APPOINTED	YES	02/10/08
CODADA	PHILOME	E	52311	\$45901.0000	DECEASED	YES	02/12/08
CONDE	CALIXTO	W	70810	\$22035.0000	RESIGNED	YES	07/14/07
CURMON	JESTINE	Y	10251	\$35874.0000	INCREASE	YES	02/03/08
DAVIS	TIA	S	52304	\$25527.0000	RESIGNED	NO	08/26/07
DAVISON	BARBARA	A	10251	\$29955.0000	RETIRED	NO	02/12/08
DELEON	JEAN	C	52304	\$25527.0000	DISMISSED	NO	09/23/07
DIAZ	ANTRAL	A	52304	\$37189.0000	DECEASED	NO	02/07/08
DIXON	DEBORAH	J	52313	\$59563.0000	INCREASE	YES	02/03/08
FERDINAND	ROSINE	A	10026	\$87329.0000	INCREASE	YES	02/10/08
FIGUEROA	FERNANDO	W	70815	\$43540.0000	RESIGNED	NO	02/02/08
FIGUEROA	MICHELLE	N	10026	\$91401.0000	RESIGNED	YES	02/04/08
FIGUEROA	MICHELLE	N	52304	\$36061.0000	RESIGNED	NO	02/04/08
FLYNN	DANIEL	J	13611	\$46030.0000	APPOINTED	YES	12/05/07
FREDERICK	GERALD	S	92343	\$310.8700	RETIRED	NO	12/20/06
FULCHERBENJAMIN	RUTH	M	10124	\$52617.0000	INCREASE	NO	02/03/08
GARCIA	ANGELA	M	52314	\$32338.0000	APPOINTED	YES	02/03/08
GARCIA	MIGUEL	A	52304	\$37488.0000	RETIRED	NO	02/15/08
GHIGLIOTTI	JOYCE	K	10124	\$47563.0000	INCREASE	NO	02/11/08
GRIUBUSHINA	DIANA	S	52304	\$32338.0000	APPOINTED	YES	02/10/08
GUPTA	MONIKA	R	13643	\$72800.0000	APPOINTED	YES	02/03/08
HARRIS	RAYMOND	D	52311	\$31508.0000	RETIRED	NO	05/31/07

m12

### LATE NOTICES

### COMMUNITY BOARDS

#### PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

#### BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 2 - Tuesday, March 18, 2008, 6:15 P.M., St. Francis College, 180 Remsen Street, 1st Floor, Brooklyn, NY

IN THE MATTER OF an application, by JL Megre Co., Inc. doing business as Haagen-Dazs Ice Cream, for review pursuant to Section 20-226(b) of the New York City Administrative Code, of the application to construct and operate an unenclosed sidewalk cafe with 4 tables and 8 seats at 120 Montague Street, between Henry and Hicks Streets.

IN THE MATTER OF an application, by 166 Park Inc., dba Rice, for review pursuant to Section 20-226(b) of the New York City Administrative Code, of the application to construct and operate an unenclosed sidewalk cafe with 6 tables and 12 seats at 166 Dekalb Avenue.

m12-18

### DESIGN & CONSTRUCTION

#### CONTRACT SECTION

##### SOLICITATIONS

#### Construction / Construction Services

**NEW YORK HALL OF SCIENCE GREAT HALL FACADE REPAIRS, QUEENS** - Competitive Sealed Bids - PIN# 8502008PV0043C - DUE 04-10-08 AT 2:00 P.M. - Project No: PV274-SP1-R. Contract documents will not be sold after Thursday, March 27, 2008. There will be a mandatory pre-bid conference on Friday, March 28, 2008 at 10:00 A.M. at New York Hall of Science Great Hall Facade Repairs located at 47-01 111th Street, Queens, NY 11368.

Special Experience Requirements. Bid documents are available at: <http://www.nyc.gov/ddc>

This bid solicitation includes M/WBE participation goals for subcontracted work. For the M/WBE goals, please visit our website at [www.ddc.nyc.gov/buildnyc](http://www.ddc.nyc.gov/buildnyc) see "Bid Opportunities." For more information about M/WBE certification, please call 311 or go to [www.nyc.gov/getcertified](http://www.nyc.gov/getcertified) Vendor Source ID#: 50387.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Bid document deposit - \$35.00 per set. Company check or money order. No cash accepted. Late bids will not be accepted.  
Department of Design and Construction, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2601.

m12

### ENVIRONMENTAL PROTECTION

#### SOLICITATIONS

#### Construction / Construction Services

**REBID: RETROFIT OF DIESEL POWERED VEHICLES, NYC** - Competitive Sealed Bids - PIN# 82608RETRO07 - DUE 03-27-08 AT 11:00 A.M.  
RE-BID: Project No: RETRO-07(R). Document Fee: \$80.00. Lorenzo Marchesi, Project Manager, (718) 610-0711. Vendor ID#: 48010.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Greg Hall (718) 595-3236, [ghall@dep.nyc.gov](mailto:ghall@dep.nyc.gov)

m12

### POLICE

#### CONTRACT ADMINISTRATION UNIT

##### SOLICITATIONS

#### Services (Other Than Human Services)

**RENTAL/SERVICE FOR SATELLITE PHONES** - Competitive Sealed Bids - PIN# 056080000584 - DUE 04-03-08 AT 11:00 A.M. - For 120 satellite phones. VSID#: 50372.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Police Department, 51 Chambers Street, Room 310, New York, New York 10007.  
Stephanie Gallop (646) 610-5225.

m12

## COURT NOTICE MAP FOR ULMER PARK BRANCH LIBRARY

**LEGEND**

- BUILDING
- HILLS
- FENCE
- ENCROACHMENTS
- CLUB
- STREET LINE
- ACQUISITION LINE & DIMENSION
- TAX BLOCK LINE
- TAX LOT LINE & DIMENSION
- LOW CROSSING LINE
- TAX LOT NUMBER
- DAMAGE PARCEL NO.
- TAX BLOCK NUMBER

**ASSESSED VALUATIONS**

PARCEL NO.	BLOCK NO.	LOT NO.	REPORTED OWNER	AREA ± SQ.FT.	STORIES	2006-2007	2007-2007	2007-2008
						LAND	IMPROV.	TOTAL
117-09	6897	10	ULMER PARK BRANCH LIBRARY	11,700	4	114,000	204,750	318,750
				TOTAL:	11,700	114,000	204,750	318,750

**REFERENCE DRAWINGS**

FINAL SECTION MAP: No. 88 & No. 100

**NOTES**

ALL DIMENSIONS SHOWN IN FEET OR FEET AND INCHES TO THE CENTER OF ROAD.

ALL BLOCKS AND LOTS HEREON ARE SPECIALLY TAX BLOCKS AND TAX LOTS AS SHOWN ON THE TAX MAP OF THE CITY OF NEW YORK FOR THE BOROUGH OF BROOKLYN, AS SAID TAX MAP DATED ON 11-21-07.

THIS MAP WAS PREPARED BY THE CITY ENGINEER AND IS SUBJECT TO THE CITY ENGINEER'S REVIEW AND APPROVAL. THE CITY ENGINEER'S REVIEW IS LIMITED TO TECHNICAL ASPECTS AND DOES NOT CONSTITUTE AN ENDORSEMENT OF THE PROJECT OR A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.

PREPARED FOR: CITY OF NEW YORK, DEPARTMENT OF DESIGN + CONSTRUCTION, DIVISION OF TECHNICAL SUPPORT

PREPARED BY: [Signature]

DATE: [Date]

SCALE: [Scale]

PROJECT: ULMER PARK BRANCH LIBRARY

ACQUISITION AND DAMAGE MAP

DATE: [Date]

SCALE: [Scale]

PROJECT: ULMER PARK BRANCH LIBRARY

## READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at [www.comptroller.nyc.gov](http://www.comptroller.nyc.gov), click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

### VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists--free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at [NYC.gov/selltonyc](http://NYC.gov/selltonyc)
- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

### Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

### SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

### PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

### NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

### PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

### ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

### PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://NYC.GOV.Selltonyc>

### COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

- AB ..... Acceptable Brands List
- AC ..... Accelerated Procurement
- AMT ..... Amount of Contract
- BL ..... Bidders List
- CSB ..... Competitive Sealed Bidding (including multi-step)
- CB/PQ ..... CB from Pre-qualified Vendor List
- CP ..... Competitive Sealed Proposal (including multi-step)
- CP/PQ ..... CP from Pre-qualified Vendor List
- CR ..... The City Record newspaper
- DA ..... Date bid/proposal documents available
- DUE ..... Bid/Proposal due date; bid opening date
- EM ..... Emergency Procurement
- IG ..... Intergovernmental Purchasing
- LBE ..... Locally Based Business Enterprise
- M/WBE ..... Minority/Women's Business Enterprise
- NA ..... Negotiated Acquisition
- NOTICE.... Date Intent to Negotiate Notice was published in CR
- OLB..... Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN..... Procurement Identification Number
- PPB ..... Procurement Policy Board
- PQ ..... Pre-qualified Vendors List
- RS..... Source required by state/federal law or grant
- SCE ..... Service Contract Short-Term Extension
- DP ..... Demonstration Project
- SS ..... Sole Source Procurement
- ST/FED ..... Subject to State &/or Federal requirements

### KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

- CSB ..... **Competitive Sealed Bidding** (including multi-step)  
*Special Case Solicitations / Summary of Circumstances:*
- CP ..... **Competitive Sealed Proposal** (including multi-step)
- CP/1 ..... Specifications not sufficiently definite
- CP/2 ..... Judgement required in best interest of City
- CP/3 ..... Testing required to evaluate
- CB/PQ/4 ....
- CP/PQ/4 .... **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP ..... Demonstration Project
- SS ..... **Sole Source Procurement/only one source**
- RS..... Procurement from a Required Source/ST/FED
- NA..... Negotiated Acquisition
- For ongoing construction project only:*
- NA/8 ..... Compelling programmatic needs

- NA/9 ..... New contractor needed for changed/additional work
- NA/10 ..... Change in scope, essential to solicit one or limited number of contractors
- NA/11 ..... Immediate successor contractor required due to termination/default  
*For Legal services only:*
- NA/12 ..... Specialized legal devices needed; CP not advantageous
- WA ..... **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 ..... Prevent loss of sudden outside funding
- WA2 ..... Existing contractor unavailable/immediate need
- WA3 ..... Unsuccessful efforts to contract/need continues
- IG ..... **Intergovernmental Purchasing** (award only)
- IG/F ..... Federal
- IG/S ..... State
- IG/O ..... Other
- EM ..... **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A ..... Life
- EM/B ..... Safety
- EM/C ..... Property
- EM/D ..... A necessary service
- AC ..... **Accelerated Procurement/markets with** significant short-term price fluctuations
- SCE ..... **Service Contract Extension/insufficient time;** necessary service; fair price  
*Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason* (award only)
- OLB/a ..... anti-apartheid preference
- OLB/b ..... local vendor preference
- OLB/c ..... recycled preference
- OLB/d ..... other: (specify)

### HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

**BUS SERVICES FOR CITY YOUTH PROGRAM** – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.

### NUMBERED NOTES

**Numbered Notes are Footnotes.** If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.