



THE CITY RECORD

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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BROOKLYN BOROUGH PRESIDENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Brooklyn Borough President Marty Markowitz will hold a meeting and public hearing of the Brooklyn Borough Board in the Community Room First Floor, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 6:00 P.M. on Tuesday, October 7, 2008.

Note: To request a sign language interpreter, or to request TTD services, call Mr. Andrew Steininger at (718) 802-3877 at least 5 business days before the day of the hearing.

s23-o7

STATEN ISLAND BOROUGH PRESIDENT

■ PUBLIC MEETING

Staten Island Borough Board, Conference Room 122 at 5:30 P.M., Wednesday, October 1, 2008. Borough Hall - Stuyvesant Place, Staten Island, New York 10301.

s24-o1

CITY COUNCIL

■ NOTICE

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Thursday, October 2, 2008:

ST. GEORGE REZONING

STATEN ISLAND CB - 1 N 080425 ZRR
Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendment of the Zoning Resolution of the City of New York relating to Article I, Chapters 1, 2, 4, 5 and Article X, Chapter 8 to establish the Special St. George District.

Matter underlined is new, to be added;
Matter within # # is defined in Section 12-10;

Matter in ~~strikeout~~ is old, to be deleted;
* * * indicates where unchanged text appears in the Zoning Resolution

11-12 Establishment of Districts

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Establishment of the Special South Richmond Development District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 7, the #Special South Richmond Development District# is hereby established.

Establishment of the Special St. George District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special St. George District# is hereby established.

* * *

12-10 DEFINITIONS

* * *

Special South Richmond Development District

* * *

Special St. George District

The "Special St. George District" is a Special Purpose District designated by the letters "SG" in which special regulations set forth in Article X, Chapter 8, apply. The #Special St. George District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

Special Stapleton Waterfront District

* * *

14-44 Special Zoning Districts Where Certain Sidewalk Cafes are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Staten Island	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
---------------	--------------------------	----------------------------

South Richmond Development District	Yes	Yes
-------------------------------------	-----	-----

St. George District	<u>Yes</u>	<u>Yes</u>
---------------------	------------	------------

Stapleton Waterfront District	Yes	Yes
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* * *

Chapter 5 Residential Conversion of Existing Non-Residential Buildings

* * *

15-011 Applicability within Special Districts

* * *

The provisions of this Chapter shall apply in the #Special Downtown Jamaica District# as modified by Article XI, Chapter 5 (Special Downtown Jamaica District).

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article X, Chapter 8 (Special St. George District).

* * *

ARTICLE X SPECIAL PURPOSE DISTRICTS

* * *

All text is new; it is not underlined

Chapter 8 Special St. George District

108-00 GENERAL PURPOSES

The "Special St. George District" established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include among others, the following specific purposes, to:

- build upon St. George's existing strengths as a civic center, neighborhood and transit hub by providing rules that will bolster a thriving, pedestrian friendly business and residence district;
- establish zoning regulations that facilitate continuous ground floor retail and the critical mass needed to attract and sustain a broader mix of uses;
- require a tall, slender building form that capitalizes on St. George's hillside topography and maintains waterfront vistas;
- encourage the reuse and reinvestment of vacant office buildings;
- accommodate an appropriate level of off-street parking while reducing its visual impact: and
- promote the most desirable use of land and building development in accordance with the District Plan for St. George and thus conserve the value of land and buildings and thereby protect the City's tax revenues.

108-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

Commercial Street

A "commercial street" shall be a #street#, or portion thereof, where special regulations pertaining to ground floor #uses# on #commercial streets#, pursuant to Section 108-11, apply to #zoning lots# fronting upon such #streets#. #Commercial streets# are designated on Map 2 in the Appendix to this Chapter.

108-02 General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special St. George District#, the regulations of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special St. George District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

However, the regulations of this Chapter shall not apply to any property that is the subject of a site selection for a court house and public parking garage pursuant to application C080379 PSR. Such property shall be governed by the underlying regulations of this Resolution.

Furthermore, any property that is the subject of a site selection and acquisition for the use of a lot for open parking pursuant to application C080378 PCR may be governed by the regulations of this Chapter or the underlying regulations of this Resolution for a period of two years after (date of enactment). After (date of enactment plus two years), such property shall be subject to the regulations of this Chapter.

108-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special St. George District# Plan.

The District Plan includes the following four maps:

Map 1	Special St. George District and Subdistricts
Map 2	Commercial Streets
Map 3	Minimum and Maximum Base Heights
Map 4	Tower Restriction Areas

The maps are located in the Appendix to this Chapter and are hereby incorporated and made a part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

108-04 Subdistricts

In order to carry out the purposes and provisions of this Chapter, the #Special St. George District# shall include two Subdistricts: the Upland Subdistrict and the Waterfront Subdistrict, as shown on Map 1 (Special St George District and Subdistricts) in the Appendix to this Chapter.

108-05 Applicability of District Regulations

108-051 Applicability of Article I, Chapter 1

Within the #Special St. George District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York, stating:

- in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

108-052 Applicability of Article 1, Chapter 2

The definition of "lower density growth management area" in Section 12-10 (DEFINITIONS) shall be modified to exclude all districts within the #Special St George District#.

108-053 Applicability of Article 1, Chapter 5

The provisions of Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), shall apply in the #Special St. George District#, as modified in this Section. The conversion to #dwelling units# of non-#residential buildings#, or portions thereof, erected prior to January 1, 1977, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b). Uses in #buildings# erected prior to January 1, 1977, containing both #residential# and non-#residential uses# shall not be subject to the provisions of Section 32-42 (Location within Buildings)..

108-10 USE REGULATIONS

108-11 Ground Floor Uses on Commercial Streets

Map 2 (Commercial Streets) in the Appendix to this Chapter specifies locations where the special ground floor #use# regulations of this Section apply.

#Uses# on the ground floor of a #building# shall be limited to

#commercial uses#. The level of the finished floor of such ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjoining #street#.

#Commercial uses# shall have a depth of at least 30 feet from the #street wall# of the #building# facing the #commercial street# and shall extend along the entire width of the #building# except for lobbies and entrances to #accessory# parking spaces, provided such lobbies and entrances do not occupy more than 25 percent of the #street wall# width of the #building#. Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet of the #street wall# of the #building# facing the #commercial street#.

108-12 Transparency Requirements

Any #street wall# of a #building# containing ground floor #commercial# or #community facility uses#, excluding #schools#, shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

108-13 Location of Uses in Mixed Buildings

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential uses#. However, such non-#residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from non-#residential uses# exists within the #building#.

108-14 Security Gates

Within the #Special St. George District#, all security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

108-20 FLOOR AREA, LOT COVERAGE AND YARD REGULATIONS

108-21 Maximum Floor Area Ratio

In C4-2 Districts within the Upland Subdistrict, the underlying #floor area ratio# and #open space# regulations shall not apply. In lieu thereof, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 3.4, and no #floor area# bonuses shall apply, except that for #zoning lots# with less than 10,000 square feet of #lot area# without frontage on a #commercial street#, the maximum #floor area ratio# for any #use#, separately or in combination, shall be 2.2, and no #floor area# bonuses shall apply.

108-22 Maximum Lot Coverage

In C4-2 Districts within the Upland Subdistrict, the underlying #open space ratio# provisions shall not apply. In lieu thereof, the maximum permitted #lot coverage# for a #residential building#, or portion thereof, shall be 70 percent for an #interior# or #through lot# and 80 percent for a #corner lot#. However, no maximum #lot coverage# shall apply to any #corner lot# of 5,000 square feet or less.

108-23 Rear Yard Equivalents

In C4-2 Districts within the Upland Subdistrict, the #rear yard equivalent# regulations for #residential uses# on #through lots# or the #through lot# portion of a #zoning lot# are modified as set forth in this Section. Such #yards# shall be provided within 45 feet of the centerline of the #through lot# or #through lot# portion, and the level of such #yards# may be provided at any level not higher than the floor level of the lowest #story# containing #dwelling units# that face such #yards#. Furthermore, no #rear yard equivalent# regulations shall apply to any #through lot# or #through lot# portion of a #zoning lot# on which a tower is #developed# or #enlarged# pursuant to Section 108-35.

108-30 HEIGHT AND SETBACK REGULATIONS

The provisions of this Section, inclusive, shall apply to all #buildings# within the Upland Subdistrict.

In C1-2 Districts mapped within R3-2 Districts, all #buildings# shall comply with the height and setback regulations of R4 Districts, except that the maximum perimeter wall height shall be 26 feet, and the #street wall# location provisions of Section 108-32 (Street Wall Location) shall apply.

The underlying height and setback regulations of C4-2 Districts within the Upland Subdistrict shall not apply. In lieu thereof, the height and setback regulations of this Section, inclusive, shall apply.

In the Waterfront Subdistrict, the underlying height and

setback regulations of Section 62-34 (Height and Setback Regulations on Waterfront Blocks) shall apply, except as modified in Section 108-31 (Rooftop Regulations).

All heights shall be measured from the #base plane#, except that wherever a minimum or maximum base height is specified for #zoning lots# with multiple #street frontages#, such heights shall be determined separately for each #street# frontage, with each height measured from the final grade of the sidewalk fronting such #street wall#.

108-31 Rooftop Regulations

The provisions of this Section shall apply to all #buildings# in C4-2 Districts within the Upland and Waterfront Subdistricts.

- Permitted obstructions

The provisions of Section 33-42 shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
- the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

- Screening requirements for mechanical equipment

For all #developments# and #enlargements#, and conversions of non-#residential buildings# to #residences#, all mechanical equipment located on any roof of a #building# or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

108-32 Street Wall Location

- Street walls along commercial streets

For #zoning lots# with #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 70 percent of the #commercial street# frontage of the #zoning lot# and be located within eight feet of the #street line# of the #commercial street#, or sidewalk widening line, whichever is applicable.

- Street walls along non-commercial streets

For #zoning lots# without #commercial street# frontage, the #street wall# of any #development# or #enlargement# shall extend along at least 50 percent of the #street# frontage of the #zoning lot# and be located within eight feet of the #street line# or sidewalk widening line, whichever is applicable .

In C4-2 Districts within the Upland Subdistrict, such #street walls# shall rise without setback to the minimum height specified on Map 3 (Minimum and Maximum Base Heights) in the Appendix to this Chapter, or the height of the #building#, whichever is less. When a #building# fronts on two intersecting #streets# for which different minimum base heights apply, the higher base height may wrap around to the #street# with the lower base height for a distance of up to 100 feet.

108-33 Maximum Base Height

The maximum height of a #building# or other structure# before setback shall be as specified on Map 3 (Minimum and Maximum Base Heights) in the Appendix to this Chapter. Where a maximum base height of 60 feet applies as shown on Map 3, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 108-35. When a #building# fronts on two intersecting #streets# for which different maximum base heights apply, the higher base height may wrap around to the #street# with the lower base height for a distance of up to 100 feet. All portions of #buildings# above such maximum base heights shall provide a setback at least ten feet in depth measured from any #street wall# facing a #wide street# and 15 feet in depth from any #street wall# facing a #narrow street#.

In C4-2 Districts within the Upland Subdistrict , dormers may exceed the maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts). However, on any #zoning lot# that includes a tower #developed# or #enlarged# pursuant to Section 108-35, dormers shall not be permitted.

108-34 Maximum Building Height

In C4-2 Districts within the Upland Subdistrict, for #buildings# that are not #developed# or #enlarged# pursuant to the tower provisions of Section 108-35 (Towers), the maximum #building# height shall be 70 feet, except that on Bay Street where there is a maximum base height of 85 feet, the maximum #building height# also shall be 85 feet.

In C4-2 Districts within the Upland Subdistrict for #buildings# that are #developed# or #enlarged# pursuant to the tower provisions of Section 108-35, the maximum height of the tower portion of a #building# shall be 200 feet, and the height of all other portions of the #building# shall not exceed the applicable maximum base height. Where a maximum base height of 60 feet applies as shown on Map 3 (Minimum and Maximum Base Heights) in the Appendix to this Chapter, such maximum base height shall be reduced to 40 feet for #zoning lots developed# or #enlarged# pursuant to the tower provisions of Section 108-35.

108-35 Towers

The tower provisions of this Section shall apply, as an option, to any #zoning lot# with a #lot area# of at least 10,000 square feet. Any portion of a #building developed# or #enlarged# on such #zoning lots# that exceeds the applicable maximum base height shall be constructed as either a point tower or a broad tower, as follows:

- (a) Point tower
 - (1) Tower lot coverage and maximum length

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 6,800 square feet. The outermost walls of each #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 85 feet.
 - (2) Tower top articulation

The highest three #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, (a) (2), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.
- (b) Broad tower

Each #story# located entirely above a height of 70 feet shall not exceed a gross area of 8,800 square feet. The outermost walls of each such #story# shall be inscribed within a rectangle, and the maximum length of any side of such rectangle shall be 135 feet. The upper #stories# shall provide setbacks with a minimum depth of 15 feet measured from the east facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 70 feet, whichever is less. For towers with at least six #stories# located entirely above a height of 70 feet, the lowest level at which such setbacks may be provided is 100 feet, and the highest #story# shall be located entirely within the western half of the tower.
- (c) Orientation of all towers

The maximum length of the outermost walls of any side of each #story# of a #building# facing the #shoreline# that is entirely above a height of 70 feet shall not exceed 80 feet. For the purposes of this Section, the #street line# of St. Marks Place shall be considered to be a line parallel to the #shoreline#, and any side of such rectangle facing St. Marks Place from which lines perpendicular to the #street line# of St Marks Place may be drawn, regardless of intervening structures, properties or #streets#, shall not exceed 80 feet.
- (d) Location of all towers

Any portion of a #building# that exceeds a height of 70 feet shall be no closer to a #side lot line# than eight feet, and any #story# of a #building# that is entirely above a height of 70 feet shall be located within 25 feet of a #street line# or sidewalk widening line, where applicable.
- (e) Maximum tower height

The maximum height of any #building# utilizing the tower provisions of this Section shall be 200 feet. The height of the tower portion of the #building# shall be measured from the #base plane#.
- (f) Tower and base integration

All portions of a #building# that exceed the applicable maximum base height set forth in Section 108-33 shall be set back at least 10 feet from the #street wall# of a #building# facing a #wide street# and at least 15 feet from the #street wall# of a #building# facing a #narrow street#. However, up to 50 percent of the #street wall# of the portion of the #building# located above a height

of 70 feet need not be set back from the #street wall# of the #building#, and may rise without setback from grade, provided such portion of the #building# is set back at least 10 feet from a #wide street line# or sidewalk widening line, where applicable, and at least 15 feet from a #narrow street line# or sidewalk widening line, where applicable.

- (g) Tower exclusion areas

No #building# may exceed a height of 70 feet within the areas designated on Map 4 (Tower Restriction Areas) in the Appendix to this Chapter.

108-40 MANDATORY IMPROVEMENTS

108-41 Sidewalks

Sidewalks with a depth of at least 12 feet, measured perpendicular to the curb of a #street#, shall be provided along the entire #street# frontage of a #zoning lot#. In locations where the width of the sidewalk within the #street# is less than 12 feet, a sidewalk widening shall be provided on the #zoning lot# so that the combined width of the sidewalk within the #street# and the sidewalk widening equals 12 feet. However, existing #buildings# to remain on the #zoning lot# need not be removed in order to comply with this requirement. All sidewalk widenings shall be improved to Department of Transportation standards for sidewalks, shall be at the same level as the adjoining public sidewalks, and shall be accessible to the public at all times.

108-42 Planting Areas

The area of the #zoning lot# between the #street line# or sidewalk widening line, where applicable, and the #street wall# of the #building# shall be planted, except at the entrances to and exits from the #building#, or adjacent to #commercial uses# fronting on the #street#.

108-50 PARKING REGULATIONS

In the #Special St George District#, the underlying regulations governing permitted and required #accessory# off-street parking spaces are modified as set forth in this Section.

108-51 Required off-street parking and loading

In C4-2 Districts, the following special regulations shall apply:

- (a) Residential uses

One off-street parking space shall be provided for each #dwelling unit# created after (effective date of amendment), including any #dwelling units# within #buildings# converted pursuant to Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings). However, where the total number of required spaces is five or less, or, for conversions, where the total number of required spaces is 20 or less, no parking shall be required, except that such waiver provision shall not apply to any #zoning lot# subdivided after (effective date of amendment). The provisions of Section 73-46 (Waiver of Requirements for Conversions) shall apply to conversions where more than 20 parking spaces are required.
- (b) Commercial uses

For #commercial uses#, the off-street parking and loading requirements of a C4-3 District shall apply, except that food stores with 2,000 or more square feet of #floor area# per establishment shall require one parking space per 400 square feet of #floor area#, and, for places of assembly and hotels, the off-street parking and loading requirements of a C4-2 District shall apply.
- (c) Community facility use

For ambulatory diagnostic or treatment health care facilities listed in Use Group 4, the off-street parking requirements of a C4-3 District shall apply.

108-52 Special Floor Area Regulations

The #floor area# of a #building# shall not include floor space used for off-street parking spaces provided in any #story# that complies with the provisions of Section 108-54 (Location of Accessory Off-street Parking Spaces).

108-53 Use of Parking Facilities

All #accessory# off-street parking spaces may be provided within parking facilities, including #public parking garages#, on #zoning lots# other than the same #zoning lot# as the #use# to which they are #accessory#, provided:

- (a) such parking facilities are located within the #Special St. George District#;
- (b) the off-street parking space within such facility is counted only once in meeting the parking requirements for a specific #zoning lot#; and
- (c) the number of #accessory# parking spaces within such facility shall not exceed the combined number of spaces permitted on each #zoning lot# using such facility, less the number of spaces provided on each #zoning lot# using such facility.

108-54 Location of Accessory Off-street Parking Spaces

No open parking areas shall be located between the #street wall# of a #building# and the #street line#, and no open parking area shall front upon a #commercial street#. All open parking areas, regardless of the number of parking spaces, shall comply with the perimeter screening requirements of Section 37-921.

All off-street parking spaces within structures shall be located within facilities that, except for entrances and exits, are:

- (a) entirely below the level of each #street# upon which such facility fronts; or
- (b) located, at every level above-grade, behind commercial, community facility or #residential floor area# so that no portion of such parking facility is visible from adjoining #streets#. The minimum depth of any such #floor area# shall be 30 feet, except that such depth may be reduced to 15 feet where the #street wall# containing such #floor area# fronts upon a #street# with a slope in excess of 11 percent; and
- (c) no parking shall be permitted on the roof of such facilities.

108-55 Special Requirements for Roofs of Parking Facilities

The roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. No parking spaces shall be provided on the roof of such facility. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. No less than 75 percent of such roof area shall be accessible for the recreational use of the occupants of the building in which it is located; and no more than 25 percent may be accessible solely from an adjacent #dwelling unit#. Hard surfaced areas shall not cover more than 60 percent of such roof area.

108-56 Curb Cuts on Commercial Streets

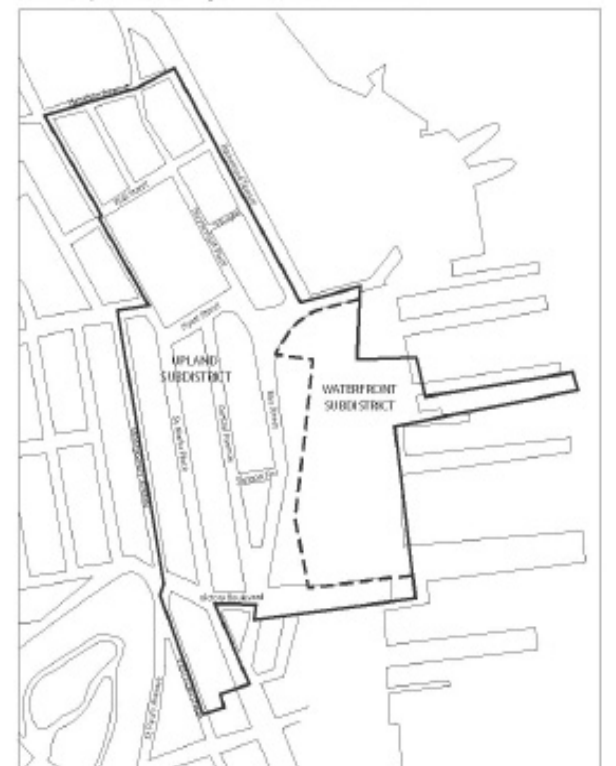
No curb cuts shall be permitted on #commercial streets# as shown on Map 2 in the Appendix to this Chapter. However, if access to a required #accessory# parking facility or loading berth is not possible because of such restriction, a curb cut may be allowed if the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that such location is the only possible location for the facility or loading berth, is not hazardous to traffic safety, is at least 50 feet from the intersection of two #street lines#, and is constructed so as to have minimal effect on the streetscape.

108-57 Accessory Indoor Bicycle Parking

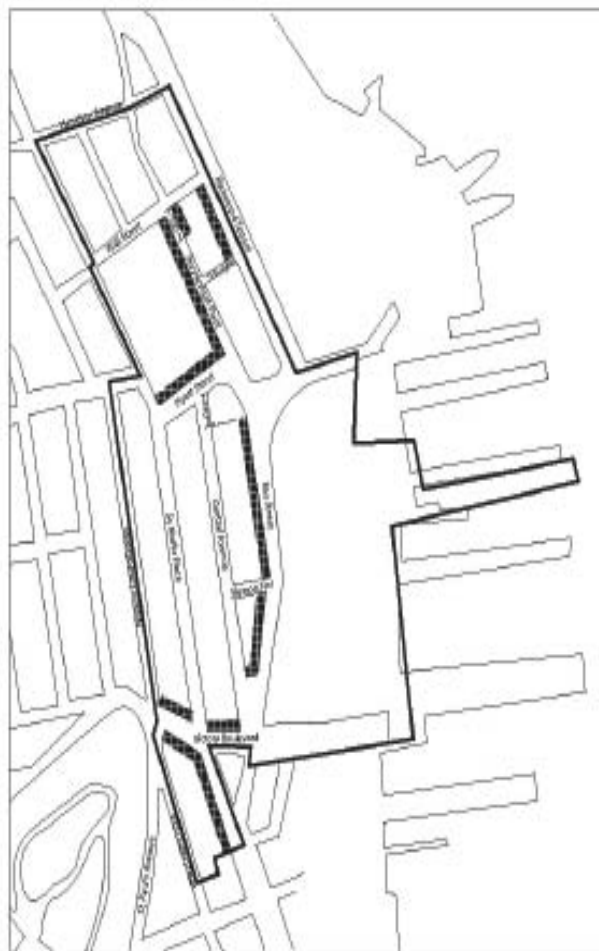
A designated area for #accessory# bicycle parking shall be provided for #developments# or #enlargements# with #residential# or #commercial uses#. Such facility shall be enclosed, accessible and secure. Floor space used for #accessory# bicycle parking located below a height of 33 feet, including #accessory# facilities, such as lockers, showers and circulation space, shall not be included in the definition of #floor area#.

- (a) For #residential developments# or #enlargements# with ten or more units per #building# or #building segment#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
- (b) For commercial office #developments# or #enlargements# with 10,000 square feet or more of office #floor area#, one bicycle parking space shall be provided for every 5,000 square feet of office space, up to a maximum of 200 bicycle parking spaces.
- (c) For commercial #developments# or enlargements# with 10,000 square feet or more of retail or service #floor area#, one bicycle parking space shall be provided for every per 10,000 square feet of retail space, up to a maximum of 100 bicycle parking spaces.

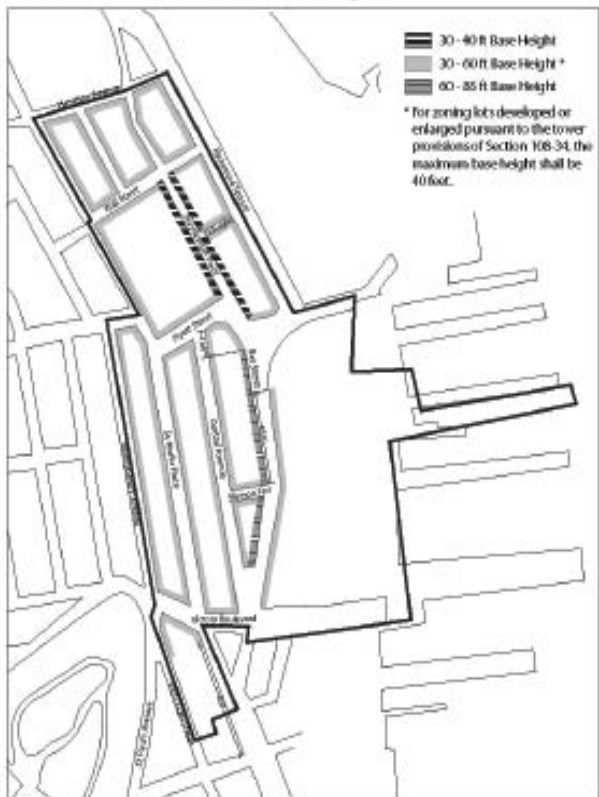
SPECIAL ST GEORGE DISTRICT PLAN MAPS
MAP 1. Special St. George District and Subdistricts



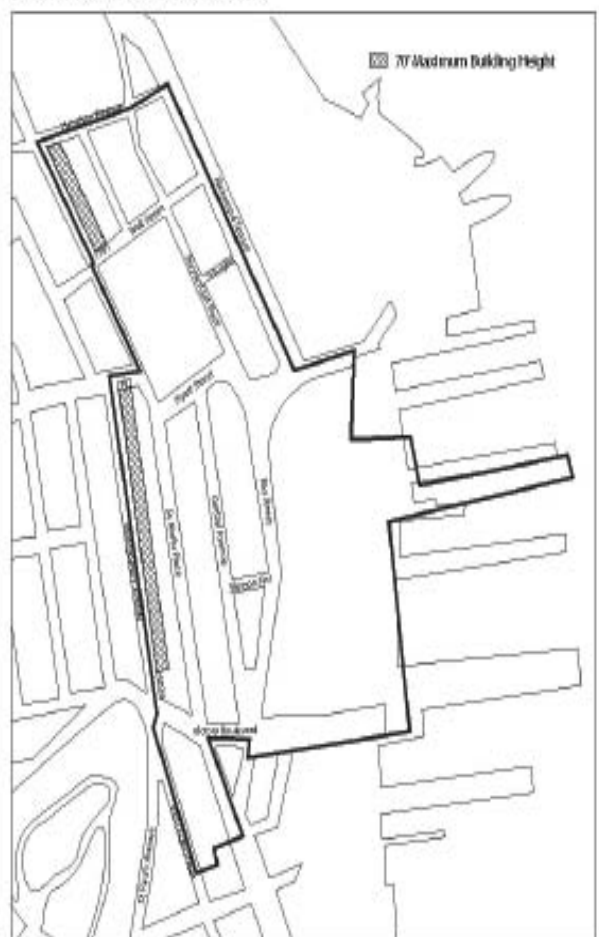
SPECIAL ST GEORGE DISTRICT PLAN MAPS
MAP 2. Commercial Streets



SPECIAL ST GEORGE DISTRICT PLAN MAPS
MAP 3. Minimum and Maximum Base Heights



SPECIAL ST GEORGE DISTRICT PLAN MAPS
MAP 4. Tower Restriction Areas



ST. GEORGE REZONING

STATEN ISLAND CB - 1 C 080426 ZMR

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. 21c:

1. eliminating from an existing R3-2 District a C1-2 District bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street;
2. changing from an R3-2 District to a C4-2 District property bounded by Victory Boulevard, Bay Street (westerly portion), a line 600 feet northwesterly of Hannah Street, and Van Duzer Street; and
3. establishing a Special St. George District bounded by: the property line of the US Government Lighthouse Department, the US Bulkhead line of the Upper Bay, a line forming an angle of 104 degrees with the second-named course distant 225 feet northerly (as measured along the second-named course) of the first-named course, a line perpendicular to the third-named course distant 326 feet westerly (as measured along the third-named course) of the second-named course, the northerly street line of Borough Place and its westerly prolongation, Richmond Terrace and its southeasterly centerline prolongation, Hamilton Avenue, St. Marks Place, Fort Place, Montgomery Avenue, the northerly centerline prolongation of St. Pauls Avenue, Van Duzer Street, a line 150 feet northwesterly of Hannah Street, a line midway between Van Duzer Street and Bay Street, the southwesterly centerline prolongation of Minthorne Street, Bay Street (westerly portion), Victory Boulevard, Bay Street (easterly portion), the southerly street line of Victory Boulevard and its westerly and easterly prolongations, the northerly prolongation of a line 135 feet easterly of Murray Hulbert Avenue, the easterly prolongation of a line 921 feet northerly of the southerly street line of Victory Boulevard, a US Pierhead Line, and the property line of the US Government Lighthouse Department;

as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and which includes CEQR designation E-217.

DUTCH KILLS REZONING

QUEENS CB - 1 C 080428 ZRQ

Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for amendments to the Zoning Resolution of the City of New York, concerning Article XI, Chapter 7, (Special Long Island City Mixed Use District), relating to the addition of the Dutch Kills Subdistrict and expansion of the Special Long Island City Mixed-Use District.

Matter in Graytone or Underlined is new, to be added; Matter in Strikethrough is old, to be deleted; Matter within # # is defined in Section 12-10; * * * indicate where unchanged text appears in the Zoning Resolution

12-10 DEFINITIONS

* * *

Special Long Island City Mixed Use District
The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are ~~three~~ four special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, ~~and~~ the Queens Plaza Subdistrict and the Dutch Kills Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.

Special Lower Manhattan District

* * *

10/17/06

43-12 Maximum Floor Area Ratio

M1 M2 M3
In all districts, as indicated, for any #building# on any #zoning lot#, the maximum #floor area ratio# shall not exceed the #floor area ratio# set forth in the following table, except as otherwise provided in the following Sections:

* * *

Any given #lot area# shall be counted only once in determining the #floor area ratio#.

Maximum Permitted #Floor Area Ratio#	Districts
1.00	M1-1
2.00	M1-2* M1-4 M2-1 M2-3 M3
5.00	M1-3 M1-5 M2-2 M2-4
10.00	M1-6

* In Community District 1, in the Borough of Queens, in the M1-2 District bounded by a line 100 feet southwesterly of 37th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 39th Avenue, 24th Street, and a line 100 feet northeasterly of 40th Avenue, 23rd Street, 39th Avenue and 24th Street, the maximum #floor area ratio# shall be increased to 3.0 provided that such additional #floor area# is limited to the following #uses#: photographic or motion picture production studios and radio or television studios listed in Use Group 10A, and #uses# listed in Use Groups 16A, 16D, 17A and 17B as set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), except for automobile, motorcycle, trailer or boat sales, motorcycle or motor scooter rental establishments, poultry or rabbit killing establishments, riding academies, stables for horses and trade schools for adults.

In #buildings# used partly for #community facility use# and partly for #manufacturing# or #commercial use#, the total #floor area# used for #manufacturing# or #commercial use# shall not exceed the amount permitted in the preceding table or by the bonus provisions in Sections 43-13 or 43-14.

Notwithstanding any other provisions of this Resolution, the maximum #floor area ratio# in an M1-6 District shall not exceed 12.0.

* * *

7/26/01

Article XI - Special Purpose Districts

Chapter 7 Special Long Island City Mixed Use District

7/26/01

117-00 GENERAL PURPOSES

The "Special Long Island City Mixed Use District" established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Long Island City community. These general goals include, among others, the following specific purposes, to:

- (a) ~~to~~ support the continuing growth of ~~a~~ mixed residential, commercial and industrial neighborhoods by permitting expansion and new development of residential, commercial, community facility and light manufacturing uses where adequate environmental standards are assured;
- (b) ~~to~~ encourage the development of moderate to high density commercial uses within a compact transit-oriented area;
- (c) ~~to~~ strengthen traditional retail streets in Hunters Point by allowing the development of new residential and retail uses;
- (d) ~~to~~ encourage the development of affordable housing;
- (~~e~~ e) ~~to~~ promote the opportunity for people to work in the vicinity of their residences;
- (~~e~~ f) ~~to~~ retain jobs within New York City;
- (~~f~~ g) ~~to~~ provide an opportunity for the improvement of Long Island City; and
- (~~g~~ h) ~~to~~ promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

7/26/01

117-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS).

Mixed use, building or development

For the purposes of this Chapter, a "mixed use building" or a "mixed use development" shall be any #building# or #development# used partly for #residential use# and partly for #community facility#, #commercial# or #manufacturing use#.

Special Long Island City Mixed Use District (repeated from Section 12-10)

The "Special Long Island City Mixed Use District" is a Special Purpose District designated with the letters "LIC" in which regulations set forth in Article XI, Chapter 7, apply. There are ~~three~~ four special subdistricts within the #Special Long Island City Mixed Use District#: the Hunters Point Subdistrict, the Court Square Subdistrict, ~~and~~ the Queens Plaza Subdistrict. The #Special Long Island City Mixed Use District# and its regulations supplement, modify and supersede those of the districts on which it is superimposed.

7/26/01

117-02 General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Long Island City Mixed Use District#, the regulations of the #Special Long Island City Mixed Use District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Long Island City Mixed Use District#, except as otherwise provided in this Chapter. The

regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

- (a) Notwithstanding the provisions of Section 54-40 (DAMAGE OR DESTRUCTION IN NON-COMPLYING BUILDINGS), when a #building# that existed on October 25, 1995, within the Hunters Point or Court Square Subdistricts, is damaged or demolished by any means, it may be reconstructed to its #bulk# prior to such damage or destruction or to the #bulk# permitted by this Chapter, whichever is greater.
- (b) For #developments# or #enlargements# containing both #residential# and non-#residential uses#, or for changes in #use# that would result in a #building# occupied by #residential# and non-#residential uses#, the #residential use# shall be located on a #story# or #stories# above the highest #story# occupied, in whole or in part, by a non-#residential use#. Non-#residential uses# may, however, be located on the same #story#, or on a #story# higher than that occupied by #residential uses#, provided that the non-#residential uses#:
 - (1) are located in a portion of the #mixed use building# that has separate direct access to the #street# with no access to the #residential# portion of the #building# at any #story#; and
 - (2) are not located directly over any portion of the #building# containing #dwelling units#.
- (c) Regulations relating to #accessory# parking facilities, #public parking lots# and #public parking garages# within the #Special Long Island City Mixed Use District# Hunters Point Subdistrict, the Court Square Subdistrict and the Queens Plaza Subdistrict are set forth in Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and in Portions of Community Districts 1 and 2 in the Borough of Queens).
- (d) In the granting of special permits or authorizations within the #Special Long Island City Mixed Use District#, the City Planning Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding uses.
- (e) Where references are made to #block# numbers within this Chapter, such numbers are to be found on the maps appended to this Chapter.
- (f) In areas within the #Special Long Island City Mixed Use District# that are not within a Subdistrict, the regulations of the underlying zoning district shall apply.

7/26/01

117-03 District Plan and Maps

The regulations of this Chapter implement the #Special Long Island City Mixed Use District# Plan.

The District Plan includes the following maps in Appendices A, B and C:

Appendix A	Map of the #Special Long Island City Mixed Use District# and Subdistricts
Appendix B	Court Square Subdistrict Plan Map and Description of Improvements
Appendix C	Queens Plaza Subdistrict Plan Maps: <ul style="list-style-type: none"> Map 1 - Designated Districts within the Queens Plaza Subdistrict Map 2 - Ground Floor Use and Frontage Map 3 - Sidewalk Widening, Street Wall Location and Ground Floor Use,

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

8/12/04

117-04 Subdistricts

In order to carry out the purposes and provisions of this Chapter, ~~three~~ four subdistricts are established within the #Special Long Island City Mixed Use District#. In each of these subdistricts ~~certain~~ special regulations apply that do not apply elsewhere within the remainder of the #Special Long Island City Mixed Use District# and supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive. ~~The Special District and Subdistricts are shown in Appendix A of this Chapter.~~

Special regulations set forth in Sections 117-10 through 117-30, inclusive, shall apply to the Hunters Point Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.

~~The Court Square Subdistrict Plan Map is shown in Appendix B of this Chapter. Special regulations set forth in Sections 117-40 through 117-45, inclusive, shall apply to the Court Square Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

~~The Queens Plaza Subdistrict Plan Maps are included in Appendix C of this Chapter. Special regulations set forth in Sections 117-50 through 117-57, inclusive, shall apply to the Queens Plaza Subdistrict and shall supplement or supersede the provisions of Sections 117-00 through 117-03, inclusive.~~

Sections 117-60 through 117- 64, inclusive, shall apply to the Dutch Kills Subdistrict.

117-05 Applicability of Article I, Chapter 1

Within the #Special Long Island City Mixed Use District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, or noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for potential hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

117-60 DUTCH KILLS SUBDISTRICT

In the #Special Long Island City Mixed Use District#, the special regulations of Sections 117-60 through 117-64, inclusive, shall apply within the Dutch Kills Subdistrict.

117-61 General Provisions

In specified areas of the Dutch Kills Subdistrict of the #Special Long Island City Mixed Use District#, an M1 District is paired with a #Residence District#. For the purposes of Section 117-60, inclusive, regulating the Dutch Kills Subdistrict, such #Residence# and M1 Districts are referred to as the "designated districts." The designated districts within the Dutch Kills Subdistrict are indicated on the #zoning map# and are as follows:

- M1-2/R5B
- M1-2/R5D
- M1-2/R6A
- M1-3/R7X

The special provisions of Article XII, Chapter III, of the #Special Mixed Use District# shall apply to the designated districts within the Dutch Kills Subdistrict except where modified by the provisions of the Subdistrict, and shall supplement or supersede the provisions of the underlying designated #Residence# or M1 District, as applicable.

117-62 Special Use Regulations

In the Dutch Kills Subdistrict, the provisions of Section 42-12 (Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16) shall be modified to permit food stores, including supermarkets, grocery stores or delicatessen stores, without limitation as to #floor area# per establishment.

117-63 Special Bulk Regulations in the Designated Districts

Maximum #floor area ratio#, #lot coverage# and #street wall# provisions in the designated districts are modified as set forth in Sections 117-631 through 117- 633, inclusive.

117-631 Floor area ratio and lot coverage modifications

- (a) In the Dutch Kills Subdistrict, the #floor area# of a #building# shall not include floor space used for #accessory# off-street parking spaces provided in any #story# located not more than 33 feet above #curb level#, in any #building#, except where such floor space used for #accessory parking# is contained within a #public parking garage#.
 - (1) M1-2/R5B Designated District
 - The maximum #floor area ratio# for #residential use# shall be 1.65.
 - The maximum #lot coverage# for a #residential building# shall be 60 percent on an #interior lot# or #through lot# and 80 percent on a #corner lot#.
 - (2) M1-3/R7X Designated District
 - (i) Inclusionary Housing Program
 - Where the designated district is M1-3/R7X within the Dutch Kills Subdistrict, such district shall be an #Inclusionary Housing designated

area# pursuant to Section 12-10 (Definitions), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.

- (ii) Maximum floor area ratio

Within such #Inclusionary Housing designated area#, the maximum #floor area ratio# for any #building# containing a #residential use# shall not exceed the base #floor area ratio# of 3.75, except that such base #floor area ratio# may be increased to the maximum #floor area ratio# of 5.0 as set forth in Section 23-942 through the provision of #lower income housing#, pursuant to the provisions relating to #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING).

- (c) Maximum floor area ratio for certain commercial and manufacturing uses

In M1-2 designated districts, the maximum #floor area ratio# shall be increased to 3.0 provided that such additional #floor area# is limited to the following #uses: photographic or motion picture production studios and radio or television studios listed in Use Group 10A, and #uses# listed in Use Groups 16A, 16D, 17A and 17B as set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), except for automobile, motorcycle, trailer or boat sales, motorcycle or motor scooter rental establishments, poultry or rabbit killing establishments, riding academies, stables for horses and trade schools for adults.

117-632 Street wall location

In the Dutch Kills Subdistrict, the #street wall# of any #residential# or #mixed use development# or #enlargement# shall be located no closer to nor further from the #street line# than the #street wall# of an adjacent existing #building#. For all #zoning lots#, the #street wall# of a #building# need not be located further from the #street line# than 15 feet.

117-633 Maximum street wall height

In M1-2/R5B designated districts, for #residential buildings#, the maximum height of a #street wall# above the #base plane# shall be 33 feet or three #stories#, whichever is less.

117-634 Maximum building height for mixed use buildings in designated R5 Districts

The provisions regarding the maximum height of #mixed use buildings# within 25 feet of a #street line#, as set forth in Section 123-661 (Mixed use buildings in Special Mixed Use Districts with R3, R4 or R5 District designations), shall be modified in the Dutch Kills Subdistrict, where the designated Residence District is an R5 District, as follows:

- (a) In designated R5B Districts, no #building or other structure# shall exceed a height of 33 feet within 25 feet of a #street line#;
- (b) In designated R5D Districts, no #building or other structure# shall exceed a height of 40 feet within 25 feet of a #street line#.

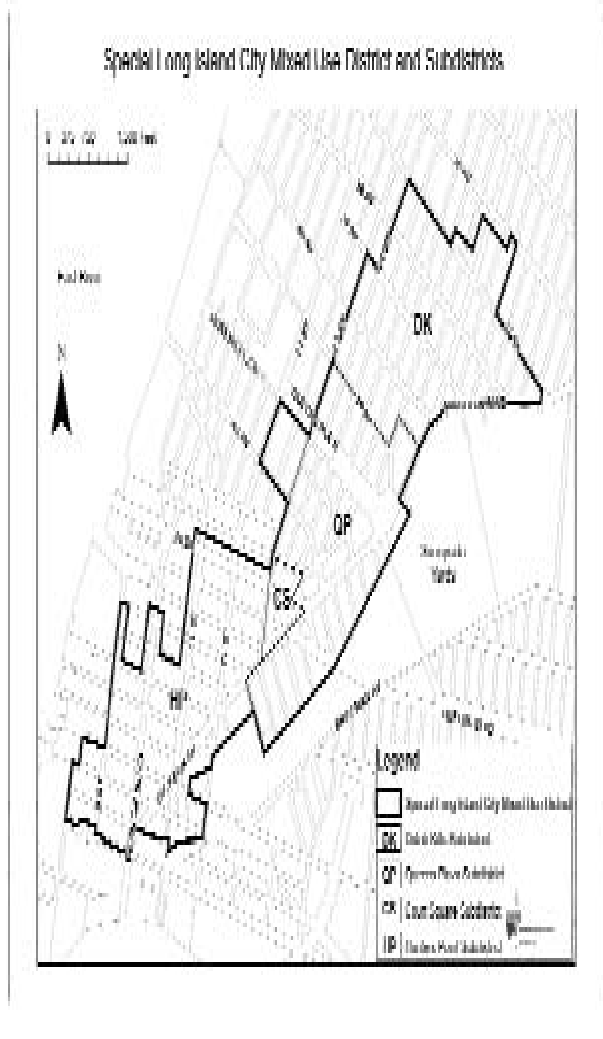
117-64 Special Parking Regulations

The provisions of Section 123-70 (Parking and Loading) and the underlying #accessory# off-street parking and loading regulations for the designated districts, are modified as follows:

- (a) Commercial and community facility uses
 - (1) The #accessory# off- street parking and loading requirements of a C8-2 District, as set forth in Article III, Chapter 6, shall apply to all #commercial# and #community facility uses#, except that this modification shall not apply to #uses# listed in Use Group 5. The #accessory# off- street parking and loading requirements applicable to the designated M1 District set forth in Article IV, Chapter 4, and Section 123-70 shall apply to Use Group 5.
 - (2) For Use Group 5 #uses#, the provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number) shall be modified as follows: the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be 5 spaces.
- (b) Residential uses
 - (1) The provisions of Section 25-241 (Reduced requirements) shall not apply in the designated M1-3/R7X District.
 - (2) In the applicable designated #Residence Districts#, the provisions of Section 25-26 (Waiver of Requirements for Small Number of Spaces) are modified as follows:

- i) in the designated M1-2/R6A and M1-3/R7X Districts, the provisions of Section 25-26 shall only apply to #zoning lots# existing both on (date of amendment adoption) and on the date of application for a building permit.
 - ii) for all new #residential developments# or #enlargements# in the designated M1-3/R7X District, the maximum number of #accessory# off-street parking spaces for which requirements are waived shall be five spaces.
- (3) Where the designated district is a M1-2/R5B District, the provisions of Section 25-633 (Prohibition of curb cuts in certain districts) shall not apply.

**APPENDIX A
Special Long Island City Mixed Use District and Subdistricts**



DUTCH KILLS REZONING

QUEENS CB - 1 C 080429 ZMQ

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. 9b:

1. changing from an M1-3D District to an M1-2 District property bounded by a line 100 feet southwesterly of 37th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 39th Avenue, 24th Street, a line 100 feet northeasterly of 40th Avenue, 23rd Street, 39th Avenue, and 24th Street;
2. changing from an M1-1 District to an M1-2/R5B District property bounded by 36th Avenue, 33rd Street, a line 200 feet southwesterly of 36th Avenue, a line midway between 32nd Street and 33rd Street, a line 150 feet northeasterly of 37th Avenue, and a line midway between 31st Street and 32nd Street;
3. changing from an M1-1 District to an M1-2/R6A District property bounded by a line 100 feet southwesterly of 36th Avenue, a line midway between 31st Street and 32nd Street, a line 150 feet northeasterly of 37th Avenue, a line midway between 32nd Street and 33rd Street, a line 200 feet southwesterly of 36th Avenue, 33rd Street, 37th Avenue, 29th Street, a line 460 feet southwesterly of 36th Avenue, and a line midway between 30th Street and 31st Street;
4. changing from an M1-3D District to an M1-2/R5B District property bounded by:
 - a. a line 100 feet southwesterly of 37th Avenue, 29th Street, a line 100 feet northeasterly of 38th Avenue, and a line 100 feet northwesterly of 27th Street;
 - b. a line 100 feet southwesterly of 38th Avenue, a line midway between 29th Street and 30th Street, a line 100 feet northeasterly of 39th Avenue, and a line midway between Crescent Street and 27th Street;

- c. a line 100 feet southwesterly of 39th Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of 40th Avenue, and 24th Street;
 - d. a line 100 feet southwesterly of 39th Avenue, a line 100 feet northwesterly of 29th Street, a line 100 feet northeasterly of 40th Avenue, and a line midway between 27th Street and Crescent Street;
 - e. a line 100 feet southwesterly of 40th Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of 41st Avenue, and 23rd Street; and
 - f. a line 100 feet southwesterly of 40th Avenue, 29th Street, a line 100 feet northeasterly of 41st Avenue, and a line midway between 27th Street and Crescent Street;
5. changing from an M1-3D District to an M1-2/R5D District property bounded by:
- a. a line 100 feet southwesterly of 37th Avenue, a line 100 feet northwesterly of 27th Street, a line 100 feet northeasterly of 38th Avenue, and a line 100 feet southeasterly of 24th Street; and
 - b. by a line 100 feet southwesterly of 38th Avenue, a line midway between Crescent Street and 27th Street, a line 100 feet northeasterly of 39th Avenue, a line midway between 29th Street and 30th Street, a line 100 feet southwesterly of 38th Avenue, a line midway between 30th Street and 31st Street, 39th Avenue, a line midway between 29th Street and 30th Street and its southwesterly prolongation, 40th Road, 29th Street, a line 100 feet southwesterly of 40th Avenue, a line midway between Crescent Street and 27th Street, a line 100 feet northeasterly of 41st Avenue, a line midway between Crescent Street and 24th Street, a line 100 feet southwesterly of 40th Avenue, 23rd Street, a line 100 feet northeasterly of 40th Avenue, and a line 100 feet southeasterly of 24th Street; and excluding the area bounded by a line 100 feet southwesterly of 39th Avenue, a line 100 feet northwesterly of 29th Street, a line 100 feet northeasterly of 40th Avenue, and a line midway between 27th Street and Crescent Street;
6. changing from an M1-3D District to an M1-2/R6A District property bounded by:
- a. 37th Avenue, 34th Street, a line 100 feet southwesterly of 38th Avenue, a line midway between 31st Street and 32nd Street, 39th Avenue, a line midway between 30th Street and 31st Street, a line 100 feet southwesterly of 38th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet northeasterly of 38th Avenue, 29th Street, a line 100 feet southwesterly of 37th Avenue, and 24th Street; and
 - b. a line 100 feet northeasterly of 41st Avenue, 29th Street, 41st Avenue, and 23rd Street;
7. changing from an M1-3D District to an M1-3/R7X District property bounded by 37th Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40th Road, a line midway between 29th Street and 30th Street and its southwesterly prolongation, 39th Avenue, a line midway between 31st Street and 32nd Street, a line 100 feet southwesterly of 38th Avenue, and 34th Street; and
8. establishing a Special Long Island City District (LIC) bounded by 36th Avenue, 33rd Street, 37th Avenue, the northerly centerline prolongation of Standard Lane, Northern Boulevard, 40th Road, 29th Street, 41st Avenue, 23rd Street, a line 100 feet northeasterly of 40th Avenue, 24th Street, a line 100 feet southwesterly of 39th Avenue, a line 100 feet southeasterly of 24th Street, a line 100 feet southwesterly of 37th Avenue, 24th Street, 37th Avenue, 29th Street, a line 460 feet southwesterly of 36th Avenue, a line midway between 30th Street and 31st Street, a line 100 feet southwesterly of 36th Avenue, and a line midway between 32nd Street and 33rd Street;
- as shown on a diagram (for illustrative purposes only) dated May 19, 2008, and which includes CEQR Designation E-218.

DELANO

QUEENS CB - 7 20085712 TCQ

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Delano Café Corp., b/b/a Delano, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 29-02A Francis Lewis Boulevard.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room,

City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Thursday, October 2, 2008:

**WEST CHELSEA HISTORIC DISTRICT
MANHATTAN CB - 4 20095027 HKM (N 090044 HKM)**

Designation by the Landmarks Preservation Commission (List 404, LP-2302), pursuant to Section 3020 of the New York City Charter of the landmark designation of the West Chelsea Historic District. The district boundaries are: property bounded by a line beginning at the intersection of the northern curblin of West 28th Street and the eastern curblin of the West Side Highway (aka Joe DiMaggio Highway, Twelfth Avenue), extending easterly along the northern curblin of West 28th Street to a point formed by its intersection with a line extending northerly from the eastern property line of 548-552 West 28th Street (aka 547-553 West 27th Street), continuing southerly across the roadbed, along said property line, and across the roadbed to the southern curblin of West 27th Street, easterly along said curblin to a point formed by its intersection with a line extending northerly from the eastern property line of 536-542 West 27th Street, southerly along said property line to the southern property line of 534 West 27th Street, easterly along said property line and the southern property lines of 532 through 516 West 27th Street, to the western property line of 510-514 West 27th Street, northerly along said property line to the southern curblin of West 27th Street, easterly along said curblin to a point formed by its intersection with a line extending northerly from the eastern property line of 510-514 West 27th Street, southerly along said property line to the southern property line of 510-514 West 27th Street, westerly along a portion of said property line to the eastern property line of 513 West 26th Street, southerly along said property line and across the roadbed to the northern curblin of West 26th Street, easterly along said curblin to the western curblin of Tenth Avenue, southerly along said curblin and across the roadbed to the southern curblin of West 25th Street, westerly along said curblin to a point formed by its intersection with a line extending northerly from the eastern property line of 210-218 Eleventh Avenue (aka 564-568 West 25th Street), southerly along said property line to the southern property line of 210-218 Eleventh Avenue (aka 564-568 West 25th Street), westerly along said property line to the eastern curblin of Eleventh Avenue, northerly along said curblin and across the roadbed to the northern curblin of West 25th Street, easterly along said curblin to a point formed by its intersection with the western property line of 551-555 West 25th Street, northerly along said property line to the northern property line of 551-555 West 25th Street, easterly along said property line and the property lines of 549 through 543 West 25th Street to the western property line of 518-534 West 26th Street, northerly along said property line to the southern curblin of West 26th Street, westerly along said curblin and across the roadbed to the western curblin of Eleventh Avenue, southerly along said curblin to a point formed by its intersection with a line extending easterly from the southern property line of 239-243 Eleventh Avenue (aka 600-626 West 26th Street), westerly along said property line to the western property line of 239-243 Eleventh Avenue (aka 600-626 West 26th Street), northerly along said property line to the southern curblin of West 26th Street, westerly along said curblin to the eastern curblin of the West Side Highway (aka Joe DiMaggio Highway, Twelfth Avenue), northerly across the roadbed and along said curblin to the point of the beginning.

**GEORGE CUNNINGHAM STORE
STATEN ISLAND CB - 3 20095028 HKR (N 090046 HKR)**

Designation by the Landmarks Preservation Commission (List 404, LP-2229), pursuant to Section 3020 of the New York City Charter of the landmark designation of the George Cunningham Store located at 173 Main Street (Block 8026, Lot 5), as a historic landmark.

**MORNINGSIDE PARK SCENIC LANDMARK
MANHATTAN CB - 9 20095029 HKM (N 090045 HKM)**

Designation by the Landmarks Preservation Commission (List 404, LP-2254), pursuant to Section 3020 of the New York City Charter of the landmark designation of Morningside Park Scenic Landmark, Morningside Park, including the Lafayette and Washington Park triangle, bounded by the eastern curblin of Morningside Drive, the northern curblin of Cathedral Parkway (West 110th Street), the western curblin of Morningside Avenue, the southern curblin of West 123rd Street, the eastern curblin of Amsterdam Avenue, the southern curblin of Morningside Drive, to the point of the beginning (Block 1850, Lots 1 and 2, and Block 1849, Lot 1), as a historic landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 1:00 P.M. on Thursday, October 2, 2008:

**HOPKINSON/PARK PLACE
BROOKLYN CB - 16 C 080447 HAK**

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 1612 Park Place (Block 1468, Lot 56); and 404 A, 408, 414, and 416 Hopkinson Avenue (Block 1468, Lots 58, 60, 63, and 64), 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 such property to a developer selected by HPD;

to facilitate development of a residential building, tentatively known as Hopkinson/Park Place, with approximately 25 units to be developed under the Department of Housing Preservation and Development's New Foundations Program.

**COMMON GROUND SENIOR HOUSING
BROOKLYN CB - 16 C 080492 HAK**

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 St. Mark's Avenue (Block 1452, Lot 65), 1511, 1505, 1503, and 1501 St. Mark's Avenue (Block 1452, Lots 59, and 62-65), Bergen Street (Block 1452, Lot 138), and Saratoga Avenue (Block 1452, Lot 147), 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 such property to a developer selected by HPD;

to facilitate development of a residential building, tentatively known as Common Ground Senior Housing, with approximately 71 units, to be developed under the U.S. Department of Housing and Urban Development's Section 202 Supportive Housing Program for the Elderly.

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

1. Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law; and
4. Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law.

NO.	ADDRESS	BLOCK/ LOT	BORO	COMMUNITY PROGRAM BOARD	
1.	1216 Pacific Street	1206/20	Brooklyn	Asset Sales	8
2.	476 Linden Boulevard	4875/8	Brooklyn	Asset Sales	17
3.	142-05 Rockaway Blvd.	12036/99	Queens	Asset Sales	12

s26-o2

CITY PLANNING COMMISSION

■ PUBLIC HEARING

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 Tuesday, October 7, 2008, commencing at 10:00 A.M.

**BOROUGH OF MANHATTAN
No. 1**

**DONA PETRA SANTIAGO APARTMENTS
CD 3 C 080504 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 723, 719, and 717 East 9th Street (Block 379, Lots 53, 54, and 56), 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 such property to a developer selected by HPD;

to facilitate development of an eight-story residential building, tentatively known as Dona Petra Santiago Apartments, with approximately 56 residential units, to be developed under the Department of Housing and Urban Development's Section 202 Program.

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

s24-o7

CITY PLANNING

■ PUBLIC HEARINGS

NYC Department of City Planning announces the PUBLIC COMMENT PERIOD and PUBLIC HEARING for the Proposed 2009 Consolidated Plan. The thirty-day PUBLIC COMMENT PERIOD will begin on OCTOBER 8, 2008, and will end NOVEMBER 6, 2008.

A PUBLIC HEARING will be held on WEDNESDAY, NOVEMBER 5, 2008, beginning at 4:00 p.m. at 22 Reade Street, Spector Hall, New York, N.Y. 10007. The Public Hearing will be followed by a question and answer session with City agency representatives in attendance.

The 2009 Proposed Consolidated Plan contains the City's annual application for four U.S. Department of Housing and Urban Development (HUD) Community Planning and Development programs: Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

Proposed Funding allocations for 2009 are as follows: CDBG \$265.643 million; HOME \$112.516 million; ESG \$7.969 million; HOPWA \$56.811 million totaling \$442.939 million.

The 2009 Proposed Consolidated Plan consists of three volumes: Volume 1. Contains an Executive Summary that provides an overview of the proposed use of entitlement grant dollars during the calendar year and the public's comments to the proposal and the Action Plan: One-Year Use of Funds; Volume 2. Contains the City's Supportive Housing Continuum of Care for the Homeless and Other Non-Homeless Special Needs Populations, and Other Actions, which are the statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy; and Volume 3. Summary of Citizens' Comments, and Appendices. The Appendices include: Definitions; Abbreviations and Acronyms; Maps of Areas for Directed Assistance and Minority Populations; Dictionary of Program Description Variables; Index of Programs; and Resources for Prospective Homebuyers, and the City of New York's unified response to the "Questionnaire for HUD's Initiative on Removal of Regulatory Barriers".

To obtain a free copy of the 2009 Proposed Consolidated Plan, please visit the City Planning Bookstore, 22 Read Street, New York, N.Y. (M - F, 10:00 a.m. to 4:00 p.m.).

Copies of the document can also be obtained at the following Department of City Planning Offices:

BRONX OFFICE
1 Fordham Plaza, 5th fl.
Bronx, New York 10458
(718) 220-8500

BROOKLYN OFFICE
16 Court Street, 7th fl.
Brooklyn, New York 11241
(718) 643-7550

QUEENS OFFICE
120-55 Queens Boulevard, Room 201
Queens, New York 11424
(718) 286-3169

STATEN ISLAND OFFICE
130 Stuyvesant Place, 6th fl.
Staten Island, New York 10301
(718) 556-7240

Also, the Proposed Plan will be made available for downloading through the internet via the Department's website at www.nyc.gov/planning.

Furthermore, copies of the Proposed 2009 Consolidated Plan 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.

Written comments may be sent to: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street, 4N New York, New York 10007.

s25-o8

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. 3 - Monday, October 6, 2008, 7:00 P.M., Restoration Plaza, 1368 Fulton Street, Lower Level, Brooklyn, NY

Public Hearing on the FY 2010 Capital and Express Budget Priorities.

s30-o6

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 14 - Thursday, October 2, 2008, 7:00 P.M., 810 East 16th Street, (Avenue H and the Railroad Dead End), Brooklyn, NY

Special Permits

BSA #230-08-BZ / #228-08-BZ

Applications for special permits have been filed with the Board of Standards and Appeals (BSA), pursuant to Zoning Resolution of the City of New York, to enlarge single or two-family detached or semi-detached residences within the designated R2 district bounded by Avenue I, Nostrand Avenue, Kings Highway, Avenue O and Ocean Avenue.

s26-o2

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Monday, October 6, 2008 at 7:30 P.M., MS 158, 46-35 Oceania Street, Bayside, NY

A proposal from the NYC Department of Transportation regarding the 235th Street pedestrian bridge over the Long Island Rail Road. The bridge must either be made handicapped accessible through the addition of helical ramps or it must be completely demolished.

A proposal from the NYC Department of Transportation to change the flow of traffic from a two-way operation to a one-way operation north to 254th Street between Horace Harding Expressway and Thornail Avenue in Little Neck, Queens.

s30-o6

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 12 - Wednesday, October 1, 2008, 7:00 P.M., 711 West 168th Street (Enter on Haven Avenue), New York, NY

#736-45-BZ

Re: Exxon Mobile Gas Station - 3740 Broadway NEC W. 155th Street
Host: Land Use Committee

s25-o1

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

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 1 - Monday, October 6, 2008 at 8:00 P.M., 1 Edgewater Plaza - Suite 217, Staten Island, NY

#N050351ZAR/#N050352ZAR

Applications have been submitted to certify future subdivision to authorize development and site alterations on zoning lots having a steep slope to construct seven single-family houses and seven two-family houses within the Special Hillside Preservation District at East Buchanan and Fillmore streets, Eadie Place and Highview Avenue.

#N060075ZCR/#N060076ZAR/#N060077

Applications have been submitted to certify future subdivision to authorize modification of grading controls to construct fourteen two-family houses within the Special Hillside Preservation District.

BSA# 70-08-A, 71-08-A, 72-08-A, 73-08-A, 74-08-A, and 75-08-A, 215 a, b and c Van Name Avenue and 345 a, b, and c Van Name Avenue

The owner seeks to determine that the owner of the premises has acquired a common law vested right to continue development commenced under the prior R3A zoning designation.

#N080255ZAR

Authorization to facilitate the development of an 8-story residence for the elderly at 190 Broad Street.

BSA# 117-97-BZ

An application has been submitted for an extension of a variance at 1112 Forest Avenue, (Basille's Restaurant).

s30-o6

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Tuesday, October 7, 2008 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

s26-o7

INDUSTRIAL DEVELOPMENT AGENCY

■ PUBLIC HEARINGS

The New York City Industrial Development Agency (the "Agency") is empowered under the New York State Industrial Development Agency Act (constituting Title 1 of Article 18-A of the General Municipal Law), and Chapter 1082 of the 1974 Laws of New York, as amended, to issue nonrecourse revenue

bonds to provide financing for qualified projects, and to enter into industrial and small industry incentive program transactions and other straight-lease transactions for the benefit of qualified projects, and thereby advance the job opportunities, general prosperity and economic welfare of the people of the State of New York (the "State") and to improve their prosperity and standard of living. The Agency has been requested (i) to make available the proceeds of its bonds to be issued in the approximate aggregate dollar amounts, to be used by the persons, for the purposes, and at the addresses identified below, and (ii) to participate in industrial and small industry incentive program straight-lease transactions and other straight-lease transactions for the purposes and at the addresses also identified below. As used herein, "bonds" are bonds, the interest on which may be exempt from local and/or State and/or Federal income taxes; and the "City" shall mean The City of New York. As used herein with reference to bond amounts, "approximately" shall be deemed to mean up to such stated bond amount or a greater principal amount not to exceed 10 % of such stated bond amount.

Straight lease (Small Industry Incentive Program) transaction on behalf of a to-be-formed real estate holding company, for the benefit of Acme American Repairs Inc., a commercial food equipment servicer and repairer; Acme American Refrigeration, Inc., an installer and servicer of commercial refrigeration equipment; Acme American Environmental, Inc., a servicer and cleaner of commercial kitchen ducts; and Commercial Kitchen Design, Inc., a designer and distributor of commercial kitchens, all in connection with the acquisition, renovation, equipping and/or furnishing of an approximately 23,125 square foot facility located on an approximately 33,335 square foot parcel of land located at 99 Scott Avenue, Brooklyn, New York. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight lease (Industrial Incentive Program) transaction on behalf of a real estate holding company to be formed, for the benefit of Blue Star Bus Inc., a specialized bus transportation company, in connection with the acquisition, renovation, equipping and/or furnishing of (i) an approximately 9,500 square foot facility located on an approximately 9,500 square foot parcel of land located at 491 Wortman Avenue, Brooklyn, New York, Block 4384, Lot 31, and (ii) an approximately 9,500 square foot facility located on an approximately 9,500 square foot parcel of land located at 491 Wortman Avenue, Brooklyn, New York, Block 4384, Lot 36. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Approximately \$4,000,000 manufacturing facilities revenue bond transaction or Straight-Lease transaction (Industrial Incentive Program) on behalf of a to-be-formed real estate holding company, for the benefit of Boundary Fence & Railing Systems, Inc., a fence and railing manufacturer and distributor, in connection with the acquisition, renovation, equipping and / or furnishing of an approximately 23,500 square foot facility located on an approximately 47,500 square foot parcel of land located at 87-35 131st Street, Richmond Hill, Queens, New York; and in connection with the acquisition, construction, renovation, equipping and / or furnishing of an approximately 2,000 square foot facility located on an approximately 47,500 square foot parcel of land located at 87-35 131st Street, Richmond Hill, Queens, New York. The financial assistance proposed to be conferred by the Agency will consist of such bond financing, payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight lease (Small Industry Incentive Program) transaction for the benefit of 71 Captains Court LLC, on behalf of Deborah Bradley Construction & Management Services, Inc., general contractor and construction management consultant for the construction and management of institutional and educational facilities, in connection with the acquisition, renovation, equipping and/or furnishing of an approximately 5,000 square foot facility located on an approximately 1,474 square foot parcel of land located at 481 Manhattan Avenue (a/k/a 349 West 120th Street) New York, New York. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight lease (Industrial Incentive Program) transaction for the benefit of Hoskyville Realty Corp., on behalf of Hoskie Co., Inc., a meat and seafood by-products processor and wholesaler, in connection with the acquisition, renovation, equipping and/or furnishing of (i) an approximately 20,000 square foot facility located on an approximately 20,000 square foot parcel of land located at 132-140 Harrison Place (a/k/a 125 Grattan Street), Brooklyn, New York; (ii) an approximately 22,000 square foot facility located on an approximately 11,450 square foot parcel of land located at 142-152 Harrison Place, Brooklyn, New York; (iii) an approximately 4,271 square foot facility located on an approximately 4,100 square foot parcel of land located at 33-35 Varick Street, Brooklyn, New York; (iv) an approximately 8,542 square foot facility located on an approximately 8,500 square foot parcel of land located at 21-29 Varick Street, Brooklyn, New York; (v) an approximately 5,000 square foot facility located on an approximately 5,000 square foot parcel of land located at 143-145 Grattan Avenue, Brooklyn, New York; (iv) an approximately 6,433 square foot facility located on an approximately 6,433 square foot parcel of land located at 137-141 Grattan Avenue, Brooklyn, New York. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight lease (Small Industry Incentive Program) transaction for the benefit of 141 Lake Avenue Realty LLC, on behalf of J.R. Produce Inc., an importer and distributor of kosher salads and herbs, in connection with the acquisition, renovation, equipping and/or furnishing of an approximately 15,000 square foot facility located on an approximately 16,288 square foot parcel of land located at 141 Lake Avenue, Staten Island, New York. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight lease (Industrial Incentive Program) transaction for the benefit of Mehadrin Dairy Corporation, Inc.; L.F.W. Dairy Corporation, Inc.; and BBM, LLC, which are kosher dairy distributors, in connection with the construction, renovation, equipping and/or furnishing of an approximately 62,910 square foot facility located on an approximately 46,000 square foot parcel of land located at 328 Boerum Street & 79 Bogart Street (a/k/a 353 McKibbin Street), Brooklyn, New York, Block 3083, Lots 16 & 30. The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Straight lease (Industrial Incentive Program) transaction for the benefit of to-be-formed holding company, on behalf of Rapid Processing, LLC, a paper processor and recycler and Five Star Carting Inc., a waste and recycling company, in connection with the following, (all properties listed are located in Brooklyn, New York); (i) the acquisition, renovation, equipping and/or furnishing of an approximately 185,000 square foot facility (consisting of one or contiguous buildings) located on an approximately 200,000 square foot parcel of land located at 62-70 Scott Avenue, 72-136 Scott Avenue, 138-142 Scott Avenue, and 150-160 Scott Avenue; (ii) the acquisition, renovation, equipping and/or furnishing of an approximately 37,500 sq. ft. square foot facility located on an approximately 37,500 square foot parcel of land located at 34 Porter Avenue, and 95-96 Thames Street, and 87 Thames Street; (iii) the acquisition, renovation, equipping and/or furnishing of an approximately 5,000 square foot facility located on an approximately 5,000 square foot parcel of land located at 88 Grattan Street; (iv) the acquisition of an approximately 63,644 square foot vacant parcel of land (consisting of one parcel or contiguous parcels of land) located at 115-137 Scott Avenue, 162 Scott Avenue, and 575-593 Scott Avenue; (v) the acquisition of an approximately 2,300 square foot. parcel of land located at Block 3393, Lot 125, (vi) the acquisition, renovation, furnishing and/or equipping of an approximately 12,432 square foot facility located on an approximately 13,970 square foot parcel of land located at 941 Stanley Avenue The financial assistance proposed to be conferred by the Agency will consist of payments in lieu of City real property taxes, exemption from City and State mortgage recording taxes and exemption from City and State sales and use taxes.

Pursuant to Section 859a of the General Municipal Law of the State of New York and Internal Revenue Code Section 147(f), the Agency will hold a hearing on the proposed financings and transactions set forth above at the office of the New York City Economic Development Corporation ("NYCEDC"), 110 William Street, 4th Floor, New York, New York commencing at 10:00 A.M. on **Friday, October 10, 2008**. Interested members of the public are invited to attend. The Agency will present information at such hearing on the proposed financings and transactions set forth above. Pursuant to subdivision 3 of the above-referenced Section 859a, the Agency will, in addition, provide an opportunity for the public to review at such hearing the project application and the cost-benefit analysis for each of the proposed financings and transactions. For those members of the public desiring to review project applications and cost benefit analyses before the date of the hearing, copies of these materials will be made available, starting on or about noon on the Friday preceding the hearing. Persons desiring to obtain copies of these materials may visit the website of the New York City Economic Development Corporation at nycedc.com or may call (212) 312-3543. Persons desiring to make a brief statement regarding the proposed financings and transactions should give prior notice to the Agency at the address or phone number shown below. Written comments may be submitted to the Agency to the attention of Mr. David Shelley at the address shown below. Please be advised that certain of the aforementioned proposed financings and transactions may possibly be removed from the hearing agenda prior to the hearing date. Information regarding such removals will be available by contacting dshelley@nycedc.com on or about noon on the Friday preceding the hearing.

New York City Industrial Development Agency
110 William Street, 6th Floor
New York, New York 10038
(212) 312-3543

s30

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC MEETING

Please note that the meeting for the St. Vincent's Hospital hardship application will take place at the Swayduck Auditorium at the New School, 65 Fifth Avenue at (14th Street), Borough of Manhattan. Since this is a Public Meeting item, there will be no public testimony. Please bring a picture ID for entrance into the building.

**Preservation Department
Public Meeting Item
Tuesday, October 07, 2008**

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-8617 - Block 617, lot 55-20 7th Avenue - Greenwich Village Historic District.

A contemporary institutional building designed by Arthur A. Schiller and Albert Ledner and built in 1962-63. Application is to demolish the existing building and construct a new hospital building on the site pursuant to Section 25-309 of the New York City Administrative Code.

● **Please note: After the St. Vincent's presentation the Public Hearing will reconvene at the Landmarks Preservation Commission Hearing Room at 1 Centre Street, 9th Floor, Borough of Manhattan.**

s25-o7

■ 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, **October 7, 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 09-2161 - Block 529, lot 1-644 Broadway - NoHo Historic District
A Queen Anne Romanesque Revival style bank and loft building designed by Stephen D. Hatch and built in 1889-91. Application is to install new windows at an existing modern addition.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-3068 - Block 523, lot 44-627 Broadway, aka 196 Mercer Street - NoHo Historic District
A Renaissance Revival style warehouse building designed by Louis Korn and built in 1894-1895. Application is to legalize the installation of a painted wall sign without Landmark Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-1105 - Block 473, lot 16-433 Broome Street - SoHo - Cast Iron Historic District
A building originally built in 1827, and converted to a French Renaissance style store and loft building in the 1870s. Application is to construct a rooftop addition. Zoned M1-5B.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 09-3467 - Block 473, lot 16-433 Broome Street - SoHo - Cast Iron Historic District
A building originally built in 1827, and converted to a French Renaissance style store and loft building in the 1870s. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use Pursuant to Section 15-20(b) of the Zoning Resolution. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-0609 - Block 475, lot 7508-37 Greene Street - SoHo-Cast Iron Historic District
A store building designed by Richard Berger and built in 1883-1884. Application is to construct a rooftop addition and alter the rear facade. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-2534 - Block 610, lot 16-115-125 7th Avenue South - Greenwich Village Historic District
A building designed by the Liebman Melting Partnership and built in 1990-1994. Application is to alter the façade and construct a rooftop addition. Zoned CA-5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5051 - Block 621, lot 16-92 Perry Street - Greenwich Village Historic District
An apartment house designed by Charles J. Rheinschmidt and built in 1914. Application is to create new storefront and door openings and install signage.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-2511 - Block 698, lot 18-515-519 West 26th Street - West Chelsea Historic District
A brick factory building designed by Rouse & Goldstone and built in 1911. Application is to construct rooftop addition. Zoned M1-5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-3634 - Block 1250, lot 91-601 West End Avenue - Riverside - West End Historic District
A Renaissance Revival style apartment building built in 1915-16. Application is to establish a master plan governing the future replacement of windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-1612 - Block 1249, lot 40-312 West 88th Street - Upper West Side/Central Park West Historic District
A Flemish-Revival style rowhouse designed by Joseph H. Taft and built in 1885-90. Application is to construct rear yard addition. Zoned R8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-0226 - Block 1404, lot 67-110 East 70th Street - Upper East Side Historic District
A residence designed by James Santon in 1869 and altered by Robertson & Potter in 1905 in the simplified Beaux-Arts style. Application is to alter the facade, construct a rooftop, and rear yard addition, and modify the windows. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-0937 - Block 1386, lot 62-12-14 East 72nd Street - Upper East Side Historic District
A modern style apartment building designed by James E. Ware, originally built in 1890, altered in 1966; and a neo-

Renaissance style residence designed by Rose and Store and built in 1892-94. Application is to the demolish 12 East 72nd Street and the rear façade of 14 East 72nd Street, construct a new building and a new rear façade at 14 East 72nd Street; and install a new entrance with marquee. Zoned R10/Pl.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6586 - Block 1907, lot 29-241 Lenox Avenue - Mount Morris Park Historic District
A rowhouse designed by A.B. Van Dusen and built in 1883-85. Application is to construct a rooftop addition, and modify the storefront and areaway. Zoned R7-2, C1-4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 09-2026 - Block 8046, lot 57-215 Hollywood Avenue, a.k.a. 237-15 34th Avenue - Douglaston Historic District
A freestanding Colonial Revival style house and garage designed by E. L. Maher and built in 1923. Application is to construct an addition, front entrance portico and enlarge the garage. Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-2514 - Block 243, lot 16-143 Montague Street - Brooklyn Heights Historic District
An Anglo-Italianate style rowhouse built between 1850 and 1860, and altered at the basement and parlor floors for commercial use in the early twentieth century. Application is to legalize an illuminated bracket sign installed without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 06-1290 - Block 1319, lot 39-198 Sterling Street - Prospect Lefferts Gardens Historic District
A neo-Renaissance style rowhouse, designed by William Debus and built in 1910. Application is to legalize painting of the facade and the installation of ironwork without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-0957, 08-0958 - Block 1063, lot 5, 6-79-81 7th Avenue - Park Slope Historic District
Two one-story commercial buildings built prior to 1939. Application is to demolish the buildings and construct a new building. Zoned C1-3.

s24-o7

COURT NOTICE

SUPREME COURT

■ NOTICE

**COUNTY OF NEW YORK
NOTICE OF ACQUISITION
Index No. 401866/2008**

In the Matter of the Application of
LOWER MANHATTAN DEVELOPMENT CORPORATION,

Petitioner,

To Acquire By Exercise of its Powers of Eminent Domain Title to Certain Real Property Interests for a Civic and Land Use Improvement Project Herein Known as

THE WORLD TRADE CENTER MEMORIAL AND CULTURAL PROGRAM.

PLEASE TAKE NOTICE, that by Order of the Supreme Court of the State of New York, County of New York, IAS Part 55 (Hon. Justice Jane S. Solomon J.S.C.), duly entered in the office of the Clerk of the County of New York on September 12, 2008, the application of the Lower Manhattan Development Corporation ("LMDC") to acquire (a) certain surface rights in fee to certain parcels of land along Vesey, Church, Fulton, Dey, Cortlandt, Liberty, Greenwich, West Broadway and Washington Streets, (b) certain subsurface rights in fee to certain parcels of land within the beds of Greenwich and Church Streets, and (c) permanent, perpetual subsurface easements below portions of Vesey, Church and Liberty Streets, as part of the World Trade Center Memorial and Cultural Program, was granted and LMDC was thereby authorized to file an acquisition map with the Office of the Clerk of the County of New York and the Office of the City Register, Borough of Manhattan. Said map, showing the property interests acquired by LMDC, was filed with the Office of the Clerk and with the Office of the City Register on September 24, 2008. The property interests vested in LMDC on September 24, 2008.

The surface and subsurface rights in fee and the permanent, perpetual subsurface easements acquired by LMDC in this acquisition are generally located within the area bounded by West, Liberty, Church and Vesey Streets, Manhattan Tax Block 58, Lot 1, sometimes known as the World Trade Center Site (the "WTC Site"), and the areas directly adjacent thereto, all in the Borough of Manhattan, City, County and State of New York.

The surface and subsurface rights acquired by LMDC in fee were acquired for the purpose of reintroduction and realignment of certain streets, pedestrian walkways, rights of way and/or improvements within the WTC Site and adjacent areas. The permanent, perpetual subsurface easements were taken for the purpose of installing tie-backs or rock anchors for the new slurry walls that are to be constructed as part of

the World Trade Center Memorial and Cultural Program.

PLEASE TAKE FURTHER NOTICE that if you intend to file a written claim or notice of appearance pursuant to § 503 of the New York State Eminent Domain Procedure Law, such claim must be filed with the Clerk of the Supreme Court of the State of New York, County of New York, with copies served upon Petitioner's counsel, Carter Ledyard & Milburn LLP, 2 Wall Street, New York, New York 10005, on or before November 12, 2008.

Dated: September 24, 2008
New York, New York

CARTER LEDYARD & MILBURN LLP

By: _____
Joseph M. Ryan, Esq.
2 Wall Street
New York, New York 10005
(212) 732-3200

*Attorneys for Petitioner,
Lower Manhattan Development
Corporation*

SEE MAPS ON BACK PAGES

s29-o10

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 09001-G

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, October 1, 2008 (SALE NUMBER 09001-G). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: Location: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions>
Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

s18-o1

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 1142

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is October 6,

2008 from 10:00 A.M. - 2:00 P.M. Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on October 7, 2008 at approximately 9:30 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.

s24-o7

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. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

ADMINISTRATION FOR CHILDREN'S SERVICES

■ AWARDS

Goods & Services

CHILD CARE SERVICES – Negotiated Acquisition – PIN# 06809NA12010 – AMT: \$1,282,567.00 – TO: Promesa Inc., 1776 Clay Avenue, Bronx, NY 10457.
● **CHILD CARE SERVICES** – Negotiated Acquisition – PIN# 06809NA12170 – AMT: \$7,811,031.00 – TO: Highbridge Advisory Council Family Services Incorporated, 880 River Avenue, 2nd Floor, Bronx, NY 10452.

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CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AWARDS

Goods

HYDRANT LOCKING DEVICE, (CUSTODIAN), BRAND SPECIFIC – Competitive Sealed Bids – PIN# 857800529 – AMT: \$1,750,412.93 – TO: Hydra Shield Manufacturing, Inc., 3249 West Story Road, Irving, TX 75038.
● **BATHROOM FIXTURES (DISPENSER), RE-AD** – Competitive Sealed Bids – PIN# 857801369 – AMT: \$1,201,200.00 – TO: Curtis C Bailey dba Vandal Stop Products, P.O. Box 55, Chico, CA 95927.

s30

MOBARK TUB GRINDER PARKS DEPARTMENT – Intergovernmental Purchase – PIN# 857900192 – AMT: \$428,693.00 – TO: LC Whitford Equipment Co., Inc., P.O. Box 663, 164 N Main Street, Wellsville, NY 14895-0663. GSA Contract #GS-30F-0018-N.

Suppliers wishing to be considered for a contract with the General Services Administration of the Federal Government are advised to contact the Small Business Utilization Center, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 18-130, NY, NY 10278 or by phone: 212-264-1234.

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SCIENTIFIC EQUIPMENT FOR OCME/DOHMH – Intergovernmental Purchase – PIN# 857900191 – AMT: \$118,475.55 – TO: Dionex Corporation, 1228 Titan Way, P.O. Box 3603, Sunnyvale, CA 94088. NYS Contract #PC 63712.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

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■ 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****■ INTENT TO AWARD***Construction/Construction Services*

LND-DYNIX, NEW YORK PUBLIC LIBRARY AUTOMATED INTEGRATION SYSTEMS – Sole Source – Available only from a single source - PIN# 8502009LN0001P – DUE 10-10-08 AT 4:00 P.M. – The Department of Design and Construction intends to enter into a sole source contract with the New York Public Library, Astor, Lenox and Tilden Foundations for the above project. The contractor must have unique knowledge of the site, and must guarantee the assumption of all costs above the estimated cost of construction. 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, which must be received no later than October 1, 2008 to: Steven Wong, Program Director, 5th Floor, 30-30 Thomson Avenue, Long Island City, NY 11101, (718) 391-2550, wongs@ddc.nyc.gov

s25-o1

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.

j1-d31

■ SOLICITATIONS*Goods & Services***CAMERA AND SOFTWARE FOR LABORATORY**

CRITICAL TEST – Competitive Sealed Bids – PIN# 22209044 – DUE 10-20-08 AT 3:00 P.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.

Generations+/Northern Manhattan Health Network c/o Lincoln Hospital Center, 234 East 149th Street, 2A2, Bronx, NY 10451. Yolanda Johnson, Procurement Analyst II, (718) 579-5867.

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PERFORM MAINTENANCE ON 46 TRANSFER SWITCHES –

Competitive Sealed Bids – PIN# 22209042 – DUE 10-14-08 AT 3:00 P.M. - According to Schedule A program 1 at Lincoln Hospital.

A pre-bid conference will be held on 10/07/08 at 10:00 A.M. at Lincoln Medical and Mental Health Center, 234 East 149th Street, Bronx, NY 10451. Meeting at the Purchasing Department, Room 2A2.

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.

Generations+/Northern Manhattan Health Network for Metropolitan Hospital c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Junior Cooper (718) 579-5096.

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MEDICAL LUMBER EXTENSION MACHINE –

Competitive Sealed Bids – PIN# 11209022 – DUE 10-15-08 AT 3:00 P.M.

● **CALIBER ARTICULATED ANKLE KIT –** Competitive Sealed Bids – PIN# 11209023 – DUE 10-16-08 AT 3:00 P.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.

Generations+/Northern Manhattan Health Network for Harlem Hospital c/o Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Yolanda Johnson, Procurement Analyst II, (718) 579-5867.

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HEALTH AND MENTAL HYGIENE**AGENCY CHIEF CONTRACTING OFFICER****■ AWARDS***Human/Client Service*

SCHOOL-BASED HEALTH CENTER – BP/City Council Discretionary – PIN# 08SH163401R0X00 – AMT: \$240,000.00 – TO: Mount Sinai Medical Center, One Gustave Levy Place, 1190 Fifth Avenue, New York, NY 10029.

● **NUTRITION FOR LIFE/HEALTH AND EDUCATION OUTREACH PROGRAM –** BP/City Council Discretionary – PIN# 07CR099301R0X00 – AMT: \$250,000.00 – TO: Touro College, 27-33 West 33rd Street, New York, NY 10010.

● **CONT. DAY. RX MH –** BP/City Council Discretionary – PIN# 07AZ197400R0X00 – AMT: \$624,817.00 – TO: Maimonides Medical Center, 4810 Tenth Avenue, Brooklyn, NY 11219.

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HOMELESS SERVICES**OFFICE OF CONTRACTS AND PROCUREMENT****■ SOLICITATIONS***Human/Client Service*

SAFE HAVEN OPEN-ENDED RFP – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-08S-04-1164 – DUE 08-27-10 – The Department of Homeless Services has issued an Open Ended Request for Proposals (PIN 071-08S-04-1164) as of August 27, 2007 seeking appropriately qualified vendors to develop and operate a stand-alone Safe Haven for chronic street homeless single adults and/or adult couples without minor children.

There is no due date for proposals under this RFP. Proposals will be reviewed by the Department as they are received and contracts will be awarded on an on-going basis until the Department's needs are met.

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 Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Suellen Schulman (212) 361-8400, sschulma@dhs.nyc.gov

a27-f12

CORRECTION: TRANSITIONAL RESIDENCES FOR

HOMELESS/DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 01-02-09 AT 2:00 P.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Request for proposals is also available on-line at www.nyc.gov/cityrecord

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 Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Marta Zmoira (212) 361-0888, mzoita@dhs.nyc.gov

f29-d31

HOUSING PRESERVATION & DEVELOPMENT**■ AWARDS***Human/Client Service***HOMELESSNESS PREVENTION AND RELOCATION**

SUPPORT – Request for Proposals – PIN# 806081000045C – AMT: \$780,000.00 – TO: Catholic Charities Community Services Archdiocese of New York, 1011 First Street, New York, NY 10022-4134.

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INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS**AGENCY CHIEF CONTRACTING OFFICER****■ AWARDS***Services (Other Than Human Services)***SUPPORT SERVICES FOR VIGNETTE LICENSED**

PRODUCTS – Intergovernmental Purchase – PIN# 85808OGS0057 – AMT: \$395,049.34 – TO: ASAP Software Express, Inc., 850 Asbury Drive, Buffalo Grove, IL 60089. This award was procured through the NYS OGS; therefore, the agency must follow the State procurement policy.

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JUVENILE JUSTICE**■ SOLICITATIONS***Human/Client Service***CORRECTION: PROVISION OF NON-SECURE**

DETENTION CENTERS – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13007DJJ001 – DUE 11-14-08 AT 3:00 P.M. – CORRECTION: The NYC Department of Juvenile Justice (DJJ) is seeking one or more appropriately qualified vendors to provide non-secure detention services for youth. Services shall include, but not be limited to, custody, basic youth care, food, clothing, shelter, education, health care, recreation, court related services, social work and case management

services, social skills instruction, group sessions and monitoring and supervision of these services. In addition, the contract will require that a defibrillator shall be located in each program facility and that all staff requiring CPR training shall be certified in use of said defibrillator.

Each program facility will provide at least 10 and no more than 12 beds 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. The Department is seeking to provide services at facilities that will be operational at any time from January 1, 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, 13th Floor, New York, NY 10038. Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

n20-13

PARKS AND RECREATION**CONTRACT ADMINISTRATION****■ SOLICITATIONS***Construction/Construction Services*

CORRECTION: HVAC WORK IN CONNECTION WITH THE RECONSTRUCTION OF THE BOATHOUSE – Competitive Sealed Bids – PIN# 8462008Q099C07 – DUE 10-23-08 AT 10:30 A.M. – CORRECTION: Located on the East side of Meadow Lake in Flushing Meadows-Corona Park, Queens. Known as Contract #Q099-507M. Vendor Source ID#: 55444.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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, Olmsted Center, Room 64, Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov
Olmsted Center, Room 60, Flushing Meadows-Corona Park, Flushing, NY 11368.

s30

AWARDS

Construction / Construction Services

RECONSTRUCTION OF ANGEL CAMPANARO PLAYGROUND – Competitive Sealed Bids – PIN# 8462008X187C01 – AMT: \$1,442,694.08 – TO: UA Construction Corp., 71 West 23rd Street, NY, NY 10010. And Emile Cavanaugh Triangle, The Bronx, known as Contract #X187-106M.
● **RECONSTRUCTION OF SEDGWICK PLAYGROUND** – Competitive Sealed Bids – PIN# 8462008X158C01 – AMT: \$1,540,700.93 – TO: UA Construction Corp., 71 West 23rd St., NY, NY 10010.

s30

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction / Construction Services

PAVED AREAS (BLACKTOP) AND ATHLETIC FIELD – Competitive Sealed Bids – PIN# SCA09-004395-1 – DUE 10-20-08 AT 11:00 A.M. – PS/IS 52 (Manhattan). Project Range: \$2,330,000.00 to \$2,460,000.00. 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.

s30-06

LOW VOLTAGE BELL, CLOCK AND PUBLIC ADDRESS SYSTEMS – Competitive Sealed Bids – PIN# SCA09-12112D-1 – DUE 10-21-08 AT 11:30 A.M. – I.S. 49 (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) 752-5842.

s30-06

AGENCY RULES

CONSUMER AFFAIRS

NOTICE

NOTICE OF PUBLIC HEARING AND OPPORTUNITY TO COMMENT

Notice of Public Hearing and Opportunity to Comment on a Proposed Rule Regarding Video Surveillance Systems at Cabarets and Public Dance Halls

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer Affairs by Section 20-104 (b) of Chapter 1, and Section 20-360.2 (b) of Chapter 2 of Title 20 of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter that the Department intends adopt a new rule regarding the video surveillance systems at cabarets and dance halls.

Written comments regarding this amendment may be sent to the office of Andrew Eiler, Director of Legislative Affairs, Department of Consumer Affairs, 42 Broadway, 8th floor, New York, N.Y. 10004 on or before October 31, 2008. A public hearing shall be held on October 31, 2008 at 10:00 A.M., 66 John Street, 11th floor hearing room, New York, N.Y. 10038. Persons seeking to testify are requested to notify the Office of the Commissioner at the foregoing address. Persons who

request that a sign language interpreter or other form of reasonable accommodation for a disability be provided are asked to notify the Office of the Commissioner at the foregoing address by October 22, 2008. Written comments and a summary 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 Andrew Eiler, Director of Legislative Affairs, Department of Consumer Affairs, 42 Broadway, 8th floor, New York, N.Y. 10004.

The proposed Rule was not included in the Regulatory Agenda because at the time the Regulatory Agenda was prepared, the Department had not decided to adopt the rule.

All the material is underlined because the entire rule is new.

RULE

Section 1. Subchapter T of Chapter 2 of Title 6 of the Rules of the City of New York is amended by adding a new Section 2-208 and 2-209 to read as follows:

§2-208 Requirements for posting of signage regarding the use of video surveillance systems by cabarets and dance halls. (a) The signs required to be posted pursuant to paragraph twelve of subdivision b of section 20-362.1 of the New York City Administrative Code shall be permanently affixed to a wall and be adjacent to each entrance from or exit to a cabaret or dance hall from a public area so that the sign is clearly visible to any person from any place that is within the recording range of camera installed at such location.

(b) The sign required to be posted shall read substantially as follows in capitalized block letters:

NOTICE! (To be in red letters at least four inches high).

VIDEO CAMERAS ARE RECORDING ALL PERSONS AND ACTIVITIES WITHIN 15 FEET OF THE PUBLIC ACCESS TO THIS PREMISE. (To be in letters two inches high.)

(c) The background color of the sign specified in subdivision (b) of this section shall be a color that is sharply distinct from both the red color to be used for the word "NOTICE" and the color of the text of the sign. The text and background color of such sign shall be treated with a luminescent coating which shall make such signs clearly visible twenty-four hours a day.

§2-209 Certifications of compliance with video surveillance requirements. (a) The person required pursuant to subdivision c of section 20-362.1 of the New York City Administrative Code to submit a report certifying that a video surveillance system complies with the requirements specified in subdivision b of section 20-360.2 of the New York City Administrative Code shall file a certified statement on a form to be made available by the Department that identifies the information to be certified by such person.

(b) All personnel of a cabaret or dance hall who are authorized to access video recordings made by the video recording system required to be installed by Section 20-360.2 of the New York City Administrative Code shall, as required by paragraph ten of subdivision b of section 20-360.2, certify in a signed written statement on a form to be made available by the Department that identifies the information to be certified by such person.

(c) The cabaret or dance hall licensee who is required to keep a log of persons requesting access to, dissemination and use of recorded material shall submit copies of such logs to the current address of the Department.

Statement of Basis and Purpose: Local Law No. 7 for the year 2007 added section 20-360.2. Subdivision (b) of section 20-360.2 provides that copies of the certification to be filed by employees who are authorized to access video tape recordings made by surveillance cameras, and copies of logs of requests for access to such tapes, "be provided to the department in accordance with its rules." Subdivision (b) also provides that a cabaret or dance hall post signage at appropriate locations about the operation of such surveillance cameras "as determined by rule of the commissioner." Subdivision (c) of section 20-360.2 provides that reports required to be filed by cabarets and dance halls to certify compliance with the requirements for installing video camera surveillance systems "be submitted in such form and manner and containing such information as shall be provided by rule of the commissioner."

The proposed amendments of Subchapter T of Chapter 2 of Title 6 of the Rules of the City of New York would add two new sections to such subchapter to implement these requirements. The proposed new section 2-208 describes the content and location of the signage to be posted at points of access to cabarets and dance halls regarding the use of video camera surveillance systems. The proposed new section 2-209 provides that the Department will furnish the forms that specify the manner and content of the information to be included in the reports and certifications that must be filed. This section also provides details for the submission of the logs identifying those requesting access to tape recordings made by the required video recording surveillance systems.

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ENVIRONMENTAL PROTECTION

NOTICE

Notice of Amendment to Chapter 25 of Title 15 of the Rules of the City of New York Promulgation of Rule Concerning the Use of Emissions Control Technology on Sight-Seeing Buses

PURSUANT TO THE AUTHORITY VESTED IN THE Department of Environmental Protection by Section 1043 and subdivision (c) of section 1043 of the New York City

Charter and section 24-163.3 of the Administrative Code of the City of New York, the Department of Environmental Protection promulgates and amends the rule governing the use of best available retrofit technology by sight-seeing buses (15 RCNY 25-01 *et. seq.*)

These amendments were proposed and published August 18th, 2006 in The City Record. The required public hearing was held on September 27th, 2006.

The proposed Rule was listed in the Department of Environmental Protection's FY'07 Agenda.

Statement of Basis and Purpose

On May 11, 2005, Mayor Michael Bloomberg signed Local Law 41 for the year 2005. The law amended the Administrative Code of the City of New York in relation to the use of best available retrofit technology ("BART") by sight-seeing buses. The law requires that beginning January 1, 2007, any sight-seeing bus that is licensed by the Department of Consumer Affairs (DCA) and is equipped with an engine that is over three years old shall utilize BART for reducing the emission of pollutants. A sight-seeing bus, as defined by the law, is a vehicle that carries eight or more passengers and operates for hire from a fixed point in the City to a place of interest or amusement. The law provides that the Commissioner of the Department of Environmental Protection shall make determinations, and shall publish a list of such determinations, as to the BART for reducing the emission of pollutants to be used for each type of diesel fuel-powered sight-seeing bus affected by the law.

This rulemaking sets forth the initial determinations of the Commissioner of the Department of Environmental Protection as to what constitutes BART for purposes of compliance with section 24-163.6 of the Administrative Code.

The Rules are authorized by section 1043 of the Charter of the City of New York, section 24-163.6 of the Administrative Code of the City of New York and section 6 of Local Law 41 for the year 2005.

Title 15 of the Rules of the City of New York is amended by adding a new Chapter 25 to read as follows:

Chapter 25

Rules Concerning the Use of Emissions Control Technology on Sight-Seeing Buses

Subchapter

- A General Provisions
- B Use of Best Available Retrofit Technology
- C Waiver Procedure

Subchapter A

General Provisions

§ 25-01 Definitions.

§ 25-01 Definitions.

"Best available retrofit technology" (BART) shall mean a technology, verified by the United States environmental protection agency or the California air resources board, for reducing the emission of pollutants that achieves reductions in particulate matter emissions at the highest classification level for diesel emission control strategies, as set forth in §25-04 of subchapter B of this chapter, that is applicable to the particular engine and application. Such technology shall also, at a reasonable cost, achieve the greatest reduction in emissions of nitrogen oxides at such particulate matter reduction level and shall in no event result in a net increase in the emissions of either particulate matter or nitrogen oxides.

"Commissioner" shall mean the Commissioner of the New York City Department of Environmental Protection or her designee.

"Person" shall mean any natural person, partnership, firm, company, association, joint stock association, corporation or other legal entity.

"Reasonable cost" shall mean that such technology does not cost greater than thirty percent more than other technology applicable to the particular engine and application that falls within the same classification level for diesel emission control strategies, as set forth in §25-04 of subchapter B of this chapter, when considering the cost of the strategies, themselves, and the cost of installation.

"Sight-seeing bus" shall mean a motor vehicle designed to comfortably seat and carry eight or more passengers operating for hire from a fixed point in the city of New York to a place or places of interest or amusements, and shall also include a vehicle, designed as aforesaid which by oral or written contract is let and hired or otherwise engaged for its exclusive use for a specific or special trip or excursion from a starting point within the city of New York.

Subchapter B

Use of Best Available Retrofit Technology

§ 25-02 Best Available Retrofit Technology Determination.

§ 25-03 Motor Vehicles That Are Not Subject to BART.

§ 25-04 Classification Levels.

§ 25-05 Selection Process.

§ 25-06 Best Available Retrofit Technology Selection Applicability.

§ 25-02 Best Available Retrofit Technology Determination. Pursuant to section 24-163.6 of the Code, any diesel fuel-powered sight-seeing bus licensed by the department of consumer affairs and equipped with an engine that is over three years old shall utilize the Best Available Retrofit Technology, as defined in § 25-01 of subchapter A of this chapter. In making their selections, owners or operators of

such buses are directed to consult the EPA and CARB verified lists at <http://www.epa.gov/otaq/retrofit/retroverifiedlist.htm> and <http://www.arb.ca.gov/diesel/verdev/background.htm>.

§ 25-03 Motor Vehicles That Are Not Subject to BART. Any diesel fuel-powered sight-seeing bus that is equipped with an engine certified to the applicable 2007 United States Environmental Protection Agency standard for particulate matter as set forth in section 86.007-11 of title 40 of the code of federal regulations or to any subsequent United States environmental protection agency standard for such pollutant that is at least as stringent, shall not be required to utilize the BART as defined in §25-01 of subchapter A of this chapter.

§ 25-04 Classification Levels.
Level IV

Any Diesel Particulate Filter (DPF) or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by 85 percent or greater, or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour.

Level III

Any DPF or Diesel Oxidation Catalyst (DOC) or Catalyzed Wire Mesh Filter (CWMF) or other technology or combination of technologies verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 50 and 84 percent.

Level II

Any DOC or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 25 and 49 percent.

Level I

Any DOC or emulsified diesel fuel or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 20 and 24 percent.

§ 25-05 Selection Process.

(a) For each type of diesel fuel-powered sight-seeing bus subject to the BART requirement, the owner or operator of such sight-seeing bus must identify, in list form, all types of pollution control technology devices verified for such sight-seeing bus at classification Level IV.

(b) All types of pollution control technology devices identified by the owner or operator of such sight-seeing bus as classification Level IV devices that are not technologically feasible for use with respect to the particular vehicle, engine or application are to be eliminated from such list. To eliminate all types of pollution control technology devices identified by the owner or operator of such sight-seeing bus at classification Level IV, or a specific type of pollution control technology, or a particular pollution control technology device, the owner or operator must demonstrate to the satisfaction of the Commissioner that operational constraints or physical, chemical or engineering principles preclude the successful and effective use of the bus when used with such types of technology devices, or type of technology, or particular pollution control technology device.

(c) If, after the elimination process, no pollution control technology devices remain in classification Level IV from which the owner or operator can select a BART, the same identification and elimination process must be done for classification Level III. If, after the elimination process, no pollution control technology devices remain in classification Level III from which the owner or operator can select a BART, the same identification and elimination process must be done for classification Level II. If, after the elimination process, no pollution control technology devices remain in classification Level II from which the owner or operator can select a BART, the same identification and elimination process must be done for classification Level I.

(d) Once a level is selected as provided for in subdivisions (a), (b), and (c) of this section, an economic impact analysis is to be performed on the remaining technologies where the technology reduces both particulate matter and nitrogen oxide. The owner or operator shall select the technology that achieves, at a reasonable cost, the greatest reduction in nitrogen oxide emissions. If there is no such technology that achieves, at a reasonable cost, a reduction in nitrogen oxide emissions, the technology that achieves the greatest particulate matter reduction must be selected.

§ 25-06 Best Available Retrofit Technology Selection Applicability.

No owner or operator of a sight-seeing bus subject to this chapter shall be required to replace a selected BART or other authorized technology within three years of having first utilized such technology. Furthermore, no owner or operator of such bus shall be required to replace Level IV technology until it has reached the end of its useful life.

Subchapter C

Waiver Procedure

§25-07 Application for Waiver and Approval of a Written Finding of Unavailability.

§ 25-07 Application for Waiver and Approval of a Written Finding of Unavailability.

(a) An application for a waiver for the use of the required BART shall contain the following information:

- (1) Identification of the required BART;
- (2) An explanation as to why the applicable BART is unavailable. Such explanation must include all

documentation generated in the BART selection process described in section 25-05 of this chapter:

(3) Identification of a technology for reducing the emission of pollutants, if any, that is available and appropriate for such vehicle, which may include a technology that does not appear on the EPA or CARB verified lists, and that, if available and appropriate, will be used instead of the BART.

(4) The name and contact number of the applicant.

(b) The application shall be submitted to:

Director of the Division of Air and Noise Programs,
Enforcement and Policy
Bureau of Environmental Compliance
New York City Department of Environmental Protection
59-17 Junction Blvd.
Flushing, NY 11373

(c) The Department shall submit such application to the Department of Consumer Affairs with a request for a Written Finding of Unavailability from the Commissioner of Consumer Affairs.

(d) The Department of Consumer Affairs will make a written finding regarding such request within thirty days of receipt of the Department of Environmental Protection's request for a Written Finding of Unavailability.

(e) The Department's decision whether to grant the waiver for the use of BART shall be subject to a Written Finding of Unavailability by the Department of Consumer Affairs.

(f) Waivers are effective for three years. Any application for renewal shall be submitted no later than thirty days prior to the expiration date of the waiver.

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**Promulgation of Chapter 15 of Title 15 of the Rules of the City of New York
Rules Concerning the Use of Ultra-Low Sulfur Fuel and Emissions Control Technology on City Motor Vehicles**

PURSUANT TO THE AUTHORITY VESTED IN THE Department of Environmental Protection by section 1043 of the New York City Charter and section 24-163.4 of the Administrative Code of the City of New York, the Department of Environmental Protection promulgates and amends the rule governing the use of best available retrofit technology and ultra low sulfur diesel fuel on city motor vehicles (15 RCNY 15-01 *et. seq.*) These amendments were proposed and published on April 25th, 2006 in The City Record. The required public hearing was held on June 5th, 2006.

Statement of Basis and Purpose

On May 11, 2005, Mayor Michael Bloomberg signed Local Law 39 for the year 2005. The law amended the Administrative Code of the City of New York in relation to the use of ultra low sulfur diesel fuel ("ULSDF") and best available retrofit technology ("BART") by city motor vehicles. The law requires that diesel fuel-powered motor vehicles owned or operated by city agencies be powered by ULSDF. The law further requires that a percentage, increasing yearly to 100 percent, of diesel fuel-powered motor vehicles with a weight of more than 8,500 pounds that are owned or operated by city agencies utilize BART or be equipped with an engine certified to the 2007 EPA standard for reducing the emission of pollutants. The law provides that the Commissioner shall make determinations, and shall publish a list of such determinations, as to the BART for reducing the emission of pollutants to be used for each type of diesel fuel-powered motor vehicle affected by the law.

This rulemaking sets forth the initial determinations of the Commissioner as to what constitutes BART for the purposes of compliance with section 24-163.4 of the Administrative Code.

The Rules are authorized by section 1043 of the Charter of the City of New York and section 24-163.4 of the Administrative Code of the City of New York.

Chapter 15 of Title 15 of the Rules of the City of New York is enacted to read as follows:

Chapter 15

Rules Concerning the Use of Ultra Low Sulfur Diesel Fuel and Emission Control Technology on City Motor Vehicles

Subchapter

A General Provisions

B Use of Best Available Retrofit Technology and Ultra Low Sulfur Diesel Fuel

Subchapter A

General Provisions

§ 15-01 Definitions.

§ 15-01 Definitions.

"Best available retrofit technology" shall mean a technology, verified by the United States environmental protection agency or the California air resources board, for reducing the emission of pollutants that achieves reductions in particulate matter emissions at the highest classification level for diesel emission control strategies, as set forth in §15-04 of subchapter B of this chapter, that is applicable to the particular engine and application. Such technology shall also, at a reasonable cost, achieve the greatest reduction in emissions of nitrogen oxides at such particulate matter reduction level and shall in no event result in a net increase in the emissions of either particulate matter or nitrogen oxides.

"City agency" shall mean a city, county, borough, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

"Code" shall mean the Administrative Code of the City of New York.

"Commissioner" shall mean the Commissioner of the New York City Department of Environmental Protection or her designee.

"Department" shall mean the Department of Environmental Protection.

"Gross vehicle weight rating" shall mean the value specified by the manufacturer of a motor vehicle model as the maximum design loaded weight of a single vehicle of that model.

"Motor vehicle" shall mean a vehicle operated or driven upon a public highway that is propelled by any power other than muscular power, except electrically-driven mobility assistance devices operated or driven by a person with a disability, provided, however, that this term shall not include vehicles that are specially equipped for emergency response by the department, office of emergency management, sheriff's office of the department of finance, police department or fire department.

"Person" shall mean any natural person, co-partnership, firm, company, association, joint stock association, corporation or other like organization.

"Reasonable cost" shall mean that such technology does not cost greater than thirty percent more than other technology applicable to the particular engine and application that falls within the same classification level for diesel emission control strategies, as set forth in §15-04 of subchapter B of this chapter, when considering the cost of the strategies, themselves, and the cost of installation.

"Ultra low sulfur diesel fuel" shall mean diesel fuel that has a sulfur content of no more than fifteen parts per million.

Subchapter B

Use of Best Available Retrofit Technology and Ultra Low Sulfur Diesel Fuel

§ 15-02 Best Available Retrofit Technology Determination

§ 15-03 Motor Vehicles That Are Not Subject to BART

§ 15-04 Classification Levels

§ 15-05 Selection Process

§ 15-06 Best Available Retrofit Technology Selection Applicability

§ 15-07 Use of Ultra Low Sulfur Diesel Fuel

§ 15-02 Best Available Retrofit Technology Determination. Pursuant to section 24-163.4 of the Code, any diesel fuel-powered motor vehicle having a gross vehicle weight rating of more than 8,500 pounds that is owned or operated by a City agency shall utilize the Best Available Retrofit Technology ("BART"), as defined in § 15-01 of subchapter A of this chapter. In making their selections, agencies are directed to consult the EPA and CARB verified lists at <http://www.epa.gov/otaq/retrofit/retroverifiedlist.htm> and <http://www.arb.ca.gov/diesel/verdev/background.htm>.

City agencies shall select BART for their diesel fuel-powered motor vehicles in accordance with §15-05 of this subchapter. City agencies shall notify the Department of their selections, and the Department shall make a determination as to whether the BART selected may be utilized for the vehicle, engine and application for which it was selected. The Department shall notify the selecting agency of its determination.

§ 15-03 Motor Vehicles That Are Not Subject to BART. Any diesel fuel-powered motor vehicle having a gross vehicle weight rating of more than 8,500 pounds that is owned or operated by a City agency and that is equipped with an engine certified to the applicable 2007 United States Environmental Protection Agency standard for particulate matter as set forth in section 86.007-11 of title 40 of the code of federal regulations or to any subsequent United States environmental protection agency standard for such pollutant that is at least as stringent, shall not be required to utilize the BART as defined in §15-01 of subchapter A of this chapter.

§ 15-04 Classification Levels.

Level IV

Any Diesel Particulate Filter (DPF) or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by 85 percent or greater, or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour.

Level III

Any DPF or Diesel Oxidation Catalyst (DOC) or Catalyzed Wire Mesh Filter (CWMF) or other technology or combination of technologies verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 50 and 84 percent.

Level II

Any DOC or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 25 and 49 percent.

Level I

Any DOC or emulsified diesel fuel or other technology verified for a specific application from either the CARB or

EPA verified lists that reduces diesel particulate matter emissions by between 20 and 24 percent.

§ 15-05 Selection Process.

(a) For each type of motor vehicle subject to the BART requirement, the City agency operating such vehicle must identify, in list form, all types of pollution control technology devices verified for such motor vehicle at classification Level IV.

(b) All types of pollution control technology devices identified by the City agency as classification Level IV devices that are not technologically feasible for use with respect to the particular vehicle, engine or application are to be eliminated from such list. To eliminate all types of pollution control technology devices identified by the agency at classification Level IV, or a specific type of pollution control technology, or a particular pollution control technology device, the agency must demonstrate to the satisfaction of the Commissioner that operational constraints or physical, chemical or engineering principles preclude the successful and effective use of the motor vehicle when used with such types of technology devices, or type of technology, or particular pollution control technology device.

(c) If, after the elimination process, no pollution control technology devices remain in classification Level IV from which the City agency can select a BART, the same identification and elimination process must be done for classification Level III. If after the elimination process, no pollution control technology devices remain in classification Level III from which the City agency can select a BART, the same identification and elimination process must be done for classification Level II. If after the elimination process, no pollution control technology devices remain in classification Level II from which the City agency can select a BART, the same identification and elimination process must be done for classification Level I.

(d) Once a level is selected as provided for in subdivisions (a), (b), and (c) of this section, an economic impact analysis is to be performed on the remaining technologies where the technology reduces both PM and nitrogen oxide (NOx). The agency shall select the technology achieving, at a reasonable cost, the greatest reduction in NOx emissions.

(e) The Commissioner may determine, upon application by a City agency, that a technology, whether or not it has been verified by the United States environmental protection agency or the California air resources board, may be appropriate to test, on an experimental basis, on a particular type of diesel fuel-powered motor vehicle owned or operated by a City agency. The Commissioner may authorize such technology to be installed on up to five percent or twenty-five of such type of motor vehicle, whichever is less.

§ 15-06 Best Available Retrofit Technology Selection Applicability.

No City agency shall be required to replace a selected BART or an experimental technology within three years of having first utilized such technology. Furthermore, no City agency shall be required to replace Level IV technology until it has reached the end of its useful life.

§ 15-07 Use of Ultra Low Sulfur Diesel Fuel.

All motor vehicles owned or operated by a City agency must be powered by ultra low sulfur diesel fuel unless the Commissioner has issued a written determination pursuant to subdivision (e) of section 24-163.4 of the Code, or a waiver pursuant to subdivision (f) of section 24-163.4 of the Code.

LOFT BOARD

■ NOTICE

NOTICE OF ADOPTION OF FINAL RULES

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE NEW YORK CITY LOFT BOARD by Article 7-C of the Multiple Dwelling Law and Mayor's Executive Order No. 66, dated September 30, 1982, and pursuant to and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Loft Board hereby amends section 2-01(a) of Title 29 of the Rules of the City of New York, relating to code compliance legalization deadlines and the expiration of the Loft Law. The text added to the rules is underlined, and deleted text is bracketed.

A duly noticed public hearing was held on September 18, 2008, affording the public opportunity to comment on the proposed amendments, as required by section 1043 of the New York City Charter. Written Comments were accepted through September 18, 2008.

Section 1. Subparagraph (i) and the heading of paragraph (1) of subdivision (b) of section 2-11 of Title 29 of the Rules of the City of New York are amended to read as follows:

(1) [Registration applications] Registration and Code Compliance Monitoring fee. (i) The filing fee for registration and code compliance monitoring shall be [\$200.00] \$500.00 per residentially occupied unit.

Statement of Basis and Purpose of Rule:

Pursuant to section 2-11 of the rules of the Loft Board, landlords whose buildings are registered as interim multiple dwellings ("IMDs") are required to renew their registration annually beginning on July 1 of each year. A filing fee specified in section 2-11 is charged for each residentially

occupied unit in an IMD. Although the annual fee for the registration of IMD buildings was increased in 2006 an additional increase is necessary to support the operations of the Loft Board, which are mandated by statute. The Board is therefore constrained to meet these expenses by increasing the filing fee for annual registrations submitted after July 1, 2009.

Dated: September 18, 2008

Marc Rauch
Chairperson

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TRANSPORTATION

■ NOTICE

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE REGARDING CROSSWALKS AND PEDESTRIAN RAMPS

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Transportation by section 2903(a) of the New York City Charter, and in accordance with section 1043 of the Charter, that the Department of Transportation proposes to amend the definition of unmarked crosswalk in subdivision (b) of section 4-01 and paragraph (7) of subdivision (f) of section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York, the Traffic Rules. This rule was not included in the agency's most recent regulatory agenda, as it was not anticipated at the time the agenda was published.

WRITTEN COMMENTS regarding the proposed rule amendments may be sent to Michael Primeggia, Deputy Commissioner, Division of Traffic Operations, Department of Transportation, 28-11 Queens Plaza North, Long Island City, NY 11101. A public hearing shall be held on October 31, 2008 at 40 Worth Street, Room 1015, New York, N.Y. at 10:00 A.M.

PERSONS SEEKING TO TESTIFY are requested to notify Deputy Commissioner Primeggia at the address stated above at least seven days prior to the hearing.

PERSONS WHO NEED A SIGN LANGUAGE INTERPRETER or other accommodation for a disability at the hearing are asked to notify Deputy Commissioner Primeggia at the foregoing address by October 24, 2008. Persons interested in receiving comments may request them by writing to: Department of Transportation, Record Access Office, 40 Worth Street, New York, N.Y. 10013. Janette Sadik-Khan, Commissioner.

The text of the proposed rule follows. Matter underlined is new; matter [in brackets] is deleted.

Section 1. The definition of "crosswalk" in subdivision (b) of section 4-01 of Title 34 of the Rules of the City of New York is amended to read as follows:

Crosswalk.

(i) Marked crosswalk. That part of a roadway defined by two parallel lines or highlighted by a pattern of lines (perpendicular, parallel or diagonal used either separately or in combination) that is intended to guide pedestrians into proper crossing paths.

(ii) Unmarked crosswalk. That part of a roadway, other than a marked crosswalk, which is included within the extensions of the sidewalk lines between opposite sides of the roadway at an intersection, provided that (A) the roadway crosses through the intersection rather than ending at the intersection, and/or (B) all traffic on the opposing roadway is controlled by a traffic control device.

§2. Paragraph (7) of subdivision (f) of section 4-08 of Title 34 of the Rules of the City of New York is amended to read as follows:

(7) Pedestrian ramps. Alongside or in a manner which obstructs a curb area which has been cut down, lowered or otherwise constructed or altered to provide access for persons with disabilities at a marked or unmarked crosswalk as defined in subdivision (b) of section 4-01 of this chapter. A person may stop, stand or park a vehicle alongside or in a manner which obstructs a pedestrian ramp not located within such crosswalk, unless otherwise prohibited.

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

The Commissioner of the Department of Transportation is authorized to promulgate rules regarding parking and traffic in the City pursuant to section 2903 of the New York City Charter.

The definition of "unmarked crosswalk" in subdivision (b) of section 4-01 of the Traffic Rules and Regulations is being amended to more clearly define unmarked crosswalks to differentiate pedestrian ramps that lead to such crosswalks from other pedestrian ramps for enforcement purposes.

Paragraph (7) of subdivision (f) of section 4-08 of Title 34 of the Rules of the City of New York prohibits stopping, standing or parking in front of pedestrian ramps intended for the crossing of individuals. The proposed revision to this paragraph clarifies that the prohibition only applies to pedestrian ramps that lead people to crosswalks, and that motorists may park their vehicles in front of other pedestrian ramps. The proposed amendment will improve enforcement of the Traffic Rules and Regulations with respect to such pedestrian ramps by making such enforcement more clear and consistent.

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SPECIAL MATERIALS

CITY RECORD

■ NOTICE

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August 2008**

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COURT NOTICE, SUPREME COURT

KINGS COUNTY

Notice of Petition, EMS Battalion 39, to an Estate for a Term of Five Years, at 265 Pennsylvania Avenue, Index Number 21531/08—1-7

Notice of Acquisition, EMS Battalion 39, to an Estate for a Term of Five Years, at 265 Pennsylvania Avenue, Index Number 21531/08—29

PROPERTY DISPOSITION

*See Also: Public Hearings & Meetings

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Sealed Bids—1-7, 11-20, 22-29

HOUSING PRESERVATION & DEVELOPMENT—5, 19
POLICE—Daily

Auction—27-29

OFF-TRACK BETTING—25

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Materials Management Division—Daily

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Table listing personnel changes for various departments, including names, titles, salaries, and dates.

Table listing personnel changes for various departments, including names, titles, salaries, and dates.

DEPT. OF DESIGN & CONSTRUCTION FOR PERIOD ENDING 09/05/08

Table listing personnel changes for the Dept. of Design & Construction, including names, titles, salaries, and dates.

DEPT OF INFO TECHNOLOGY & TELE FOR PERIOD ENDING 09/05/08

Table listing personnel changes for the Dept of Info Technology & Tele, including names, titles, salaries, and dates.

DEPT OF RECORDS & INFO SERVICE FOR PERIOD ENDING 09/05/08

Table listing personnel changes for the Dept of Records & Info Service, including names, titles, salaries, and dates.

CONSUMER AFFAIRS FOR PERIOD ENDING 09/05/08

Table listing personnel changes for Consumer Affairs, including names, titles, salaries, and dates.

DEPT OF CITYWIDE ADMIN SVCS FOR PERIOD ENDING 09/05/08

Table listing personnel changes for the Dept of Citywide Admin Svcs, including names, titles, salaries, and dates.

DISTRICT ATTORNEY-MANHATTAN FOR PERIOD ENDING 09/05/08

Table listing personnel changes for District Attorney-Manhattan, including names, titles, salaries, and dates.

BRONX DISTRICT ATTORNEY FOR PERIOD ENDING 09/05/08

Table listing personnel changes for Bronx District Attorney, including names, titles, salaries, and dates.

MORELLI	NESTOR	G	70810	\$27977.0000	RESIGNED	NO	08/24/08
MORRIS	STEREROY	K	52406	\$22888.0000	APPOINTED	YES	08/24/08
REYES	JULISSA	A	52406	\$22888.0000	APPOINTED	YES	08/17/08
SCHALL	SARAH	J	30114	\$77500.0000	RESIGNED	YES	08/17/08
VENTURA	YOLINDA	A	52406	\$22888.0000	RESIGNED	YES	08/24/08
WILLIAMS	SHANTE	N	56057	\$29882.0000	APPOINTED	YES	08/17/08

DISTRICT ATTORNEY KINGS COUNTY
FOR PERIOD ENDING 09/05/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ALLEN-MCCOMBS	JENNETTE	M	56057	\$45000.0000	RESIGNED	YES	08/14/08
HOPKINS	NAJAH	N	56057	\$39000.0000	RESIGNED	YES	08/19/08
MORISSET	DAVID		30114	\$52196.0000	RESIGNED	YES	08/24/08

DISTRICT ATTORNEY QNS COUNTY
FOR PERIOD ENDING 09/05/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
BAEZ	LESLIE		56057	\$34364.0000	RESIGNED	YES	08/26/08
BATALLA	DANIELA	R	56057	\$31200.0000	RESIGNED	YES	08/17/08
CHIU	NELLIE	C	56057	\$29882.0000	RESIGNED	YES	08/20/08
CORCORAN	JULIA	M	56057	\$33500.0000	APPOINTED	YES	08/17/08
DILUCCA	ANTONIO	S	52406	\$22888.0000	RESIGNED	YES	08/26/08
FRANKENSTEIN	BARRY	M	30114	\$53500.0000	APPOINTED	YES	08/17/08
GOLDSTEIN	BRIAN	R	91406	\$10.0000	APPOINTED	YES	08/24/08
LEE	EVELYN		56057	\$36321.0000	RESIGNED	YES	08/26/08
O'NEILL	EUGENE	F	30114	\$146000.0000	RETIRED	YES	08/26/08

DISTRICT ATTORNEY RICHMOND COU
FOR PERIOD ENDING 09/05/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ALICEA	ANTHONY		30827	\$52470.0000	APPOINTED	YES	08/10/08
HANKIN	AMY		52613	\$50000.0000	RESIGNED	YES	08/17/08
SAVAGE	PATRICK	F	30827	\$52470.0000	APPOINTED	YES	08/10/08

DISTRICT ATTORNEY-SPECIAL NARC
FOR PERIOD ENDING 09/05/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
COURTNEY	JONATHAN	D	56057	\$30000.0000	APPOINTED	YES	08/17/08

OFFICE OF THE MAYOR
FOR PERIOD ENDING 09/19/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
FORGACS	AMY	E	0527A	\$54000.0000	INCREASE	YES	08/31/08
GARCIA	MELISSA	A	06405	\$58297.0000	RESIGNED	YES	08/10/08
GENAO	CARMEN	S	0668A	\$45758.0000	APPOINTED	YES	09/02/08
HOLLANDER	SOPHIA	R	05277	\$66018.0000	RESIGNED	YES	07/17/07
IBRIC	MERSIDA	A	06423	\$55750.0000	APPOINTED	YES	09/02/08
KHAN	LIZA	A	06423	\$58564.0000	RESIGNED	YES	07/29/08
KNAPP	SARAH	F	0527A	\$110000.0000	APPOINTED	YES	08/31/08
LA VORNGA	MARC	V	6087A	\$110000.0000	APPOINTED	YES	09/04/08
OPRAN	JULIAN	A	82991	\$83525.0000	RESIGNED	YES	08/31/08
SOLOMON	HARRIS	J	0668A	\$45758.0000	APPOINTED	YES	09/02/08
STEIN	JULIE	I	05277	\$42592.0000	RESIGNED	YES	07/13/08

BOARD OF ELECTION
FOR PERIOD ENDING 09/19/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
CONCEPCION	ANDREA		94367	\$11.5500	APPOINTED	YES	08/24/08
DELAYO	DOROTHY	A	94229	\$86720.0000	APPOINTED	YES	08/31/08
FOSTER	CECELIA		94367	\$12.1300	APPOINTED	YES	09/07/08
GAYLE	MARIAN	W	94367	\$11.5500	APPOINTED	YES	09/07/08
GIWA	ELLEN		94207	\$37562.0000	APPOINTED	YES	09/07/08
HEYLIGER	MARION	C	94367	\$11.5500	APPOINTED	YES	09/07/08
HOLCK	ROBERT		94367	\$11.5500	APPOINTED	YES	08/31/08
JANIS	HAROLD	V	94367	\$11.5500	APPOINTED	YES	08/31/08
JOHNSON	CHARLISS	N	94367	\$11.5500	APPOINTED	YES	09/07/08
KEEFE	JEAN	C	94524	\$23.4500	APPOINTED	YES	09/07/08
MARTIN	CHRISTIN		94367	\$11.5500	APPOINTED	YES	08/31/08
MENDES	FRANCIS		94367	\$12.1300	APPOINTED	YES	08/31/08
PITTS GARRETT	LOUISE		94524	\$23.4500	APPOINTED	YES	09/07/08
SIBERT	BARBARA	A	94207	\$40428.0000	RETIRED	YES	08/16/08
SOLDIVIERO	VALERIE		94367	\$11.5500	APPOINTED	YES	08/31/08
SOLOMON	HARRIS	J	94207	\$37562.0000	RESIGNED	YES	09/02/08
TURNER	JONATHAN	A	94367	\$11.5500	APPOINTED	YES	08/31/08
WALKER	ROBIN	A	94367	\$11.5500	APPOINTED	YES	08/31/08

CAMPAIGN FINANCE BOARD
FOR PERIOD ENDING 09/19/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
JOERSS	ERIK		10026	\$88000.0000	RESIGNED	YES	08/30/08

OFFICE OF THE ACTUARY
FOR PERIOD ENDING 09/19/08

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
WEISS	MARTIN		82985	\$134205.0000	INCREASE	YES	08/31/08

PRESIDENT BOROUGH OF MANHATTAN
FOR PERIOD ENDING 09/19/08

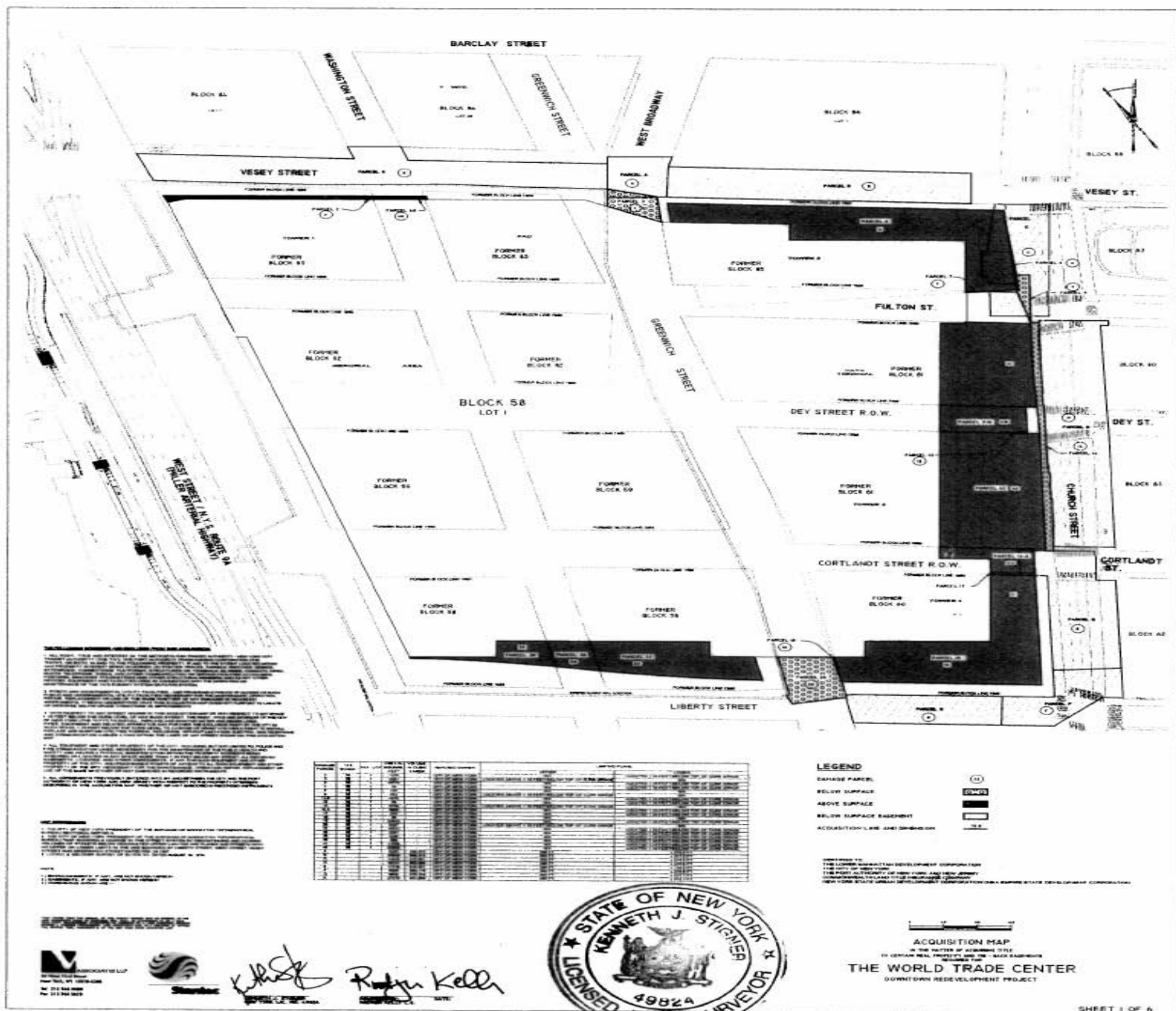
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
BENJOYA	DANIEL	L	56058	\$43000.0000	APPOINTED	YES	09/07/08
HAMPTON	HILLARY	D	10025	\$45000.0000	RESIGNED	YES	05/14/08
MANDELL	JONATHAN	L	10025	\$72000.0000	APPOINTED	YES	08/27/08
TOOTH	KATHERIN	A	10025	\$46000.0000	APPOINTED	YES	09/02/08
WEISS	REGINA	R	10026	\$67959.1500	RESIGNED	YES	07/13/08

BOROUGH PRESIDENT-STATEN IS
FOR PERIOD ENDING 09/19/08

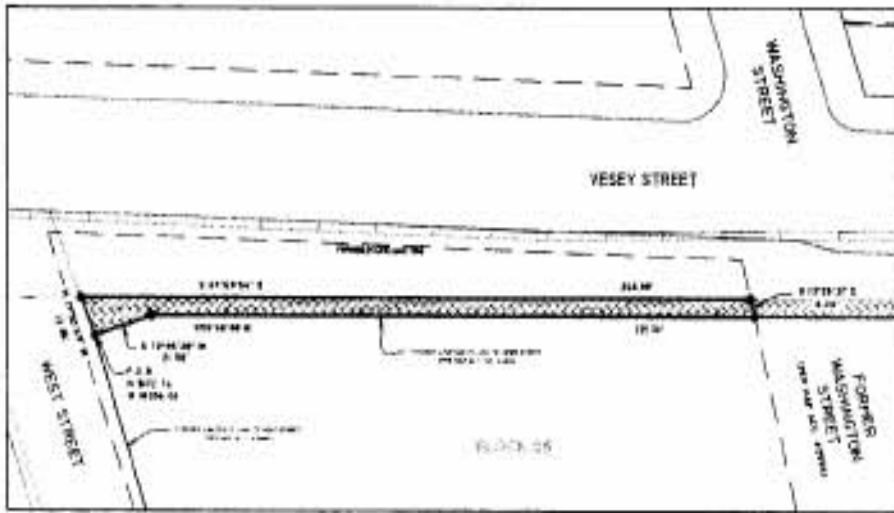
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
CUSACK	HEATHER	A	06022	\$23.0100	APPOINTED	YES	09/07/08
GUERIN	SARA		56056	\$30702.0000	RESIGNED	YES	08/28/08
LAFFERTY	KRISTEN	M	10209	\$8.0000	RESIGNED	YES	08/18/08
MCCUE	ASHLEY		10209	\$9.0000	RESIGNED	YES	08/23/08
ROSELLI	KATE	R	10209	\$10.0000	RESIGNED	YES	08/21/08
VINCIGUERRA	BETSY	A	56058	\$40000.0000	INCREASE	YES	08/31/08

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COURT NOTICE MAPS FOR THE WORLD TRADE CENTER
MEMORIAL AND CULTURAL PROGRAM



COURT NOTICE MAPS FOR THE WORLD TRADE CENTER MEMORIAL AND CULTURAL PROGRAM



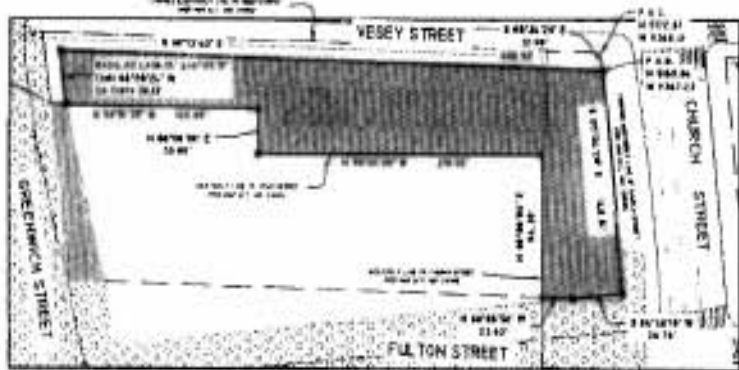
PARCEL 2

NOTE: PARCEL 2 IS LOCATED ABOVE A PLANE 1.35 FEET BELOW CURB GRADE*



PARCEL 3

NOTE: PARCEL 3 IS LOCATED BELOW A PLANE 1.35 FEET BELOW CURB GRADE*

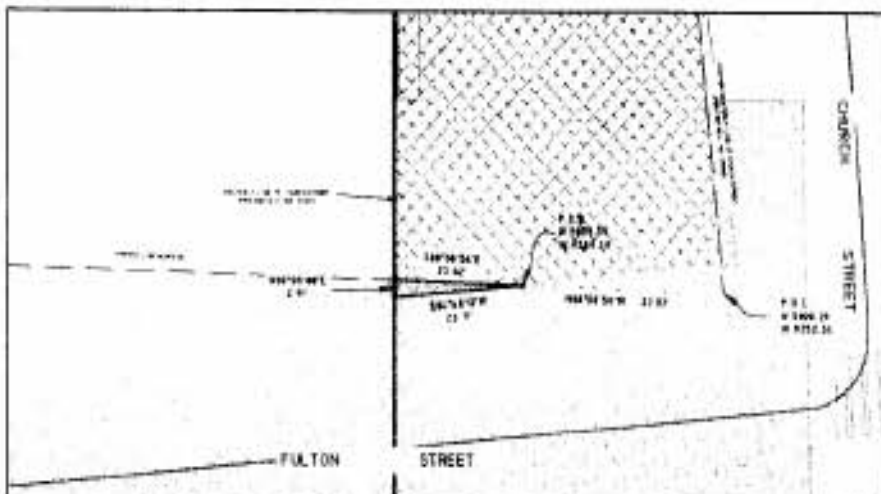


PARCEL 4

NOTE: PARCEL 4 IS LOCATED ABOVE A PLANE 1.35 FEET BELOW CURB GRADE*

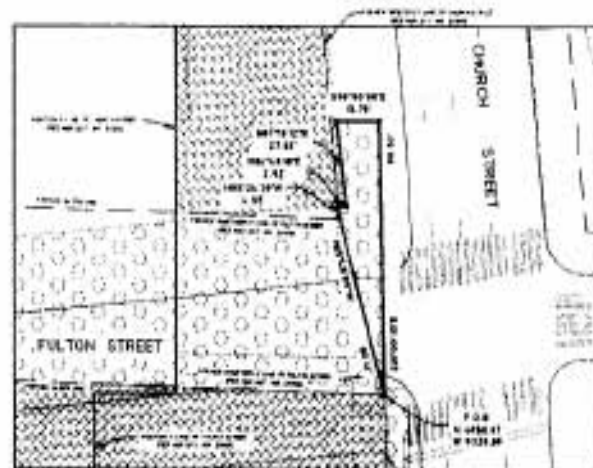


PARCEL 5



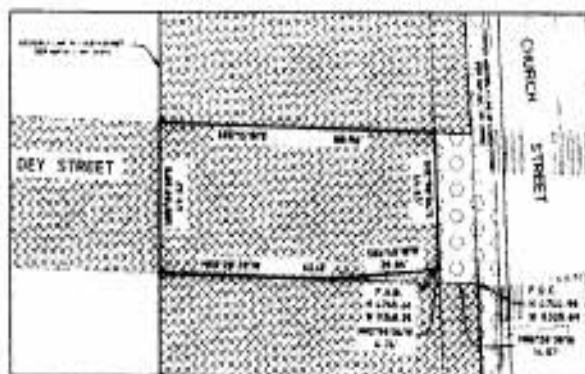
PARCEL 6

NOTE: PARCEL 6 IS LOCATED ABOVE A PLANE 1.35 FEET BELOW CURB GRADE*



PARCEL 7

NOTE: PARCEL 7 IS LOCATED BELOW A PLANE 1.35 FEET BELOW CURB GRADE*



PARCEL 8

NOTE: PARCEL 8 IS LOCATED ABOVE A PLANE 1.35 FEET BELOW CURB GRADE*



NOTICE

1. THE CITY OF NEW YORK HAS BEEN ADVISED BY THE STATE OF NEW YORK THAT THE STATE OF NEW YORK HAS A CLAIM TO THE LANDS DESCRIBED IN THIS MAP.

2. THE CITY OF NEW YORK HAS BEEN ADVISED BY THE STATE OF NEW YORK THAT THE STATE OF NEW YORK HAS A CLAIM TO THE LANDS DESCRIBED IN THIS MAP.

3. THE CITY OF NEW YORK HAS BEEN ADVISED BY THE STATE OF NEW YORK THAT THE STATE OF NEW YORK HAS A CLAIM TO THE LANDS DESCRIBED IN THIS MAP.

4. THE CITY OF NEW YORK HAS BEEN ADVISED BY THE STATE OF NEW YORK THAT THE STATE OF NEW YORK HAS A CLAIM TO THE LANDS DESCRIBED IN THIS MAP.

5. THE CITY OF NEW YORK HAS BEEN ADVISED BY THE STATE OF NEW YORK THAT THE STATE OF NEW YORK HAS A CLAIM TO THE LANDS DESCRIBED IN THIS MAP.

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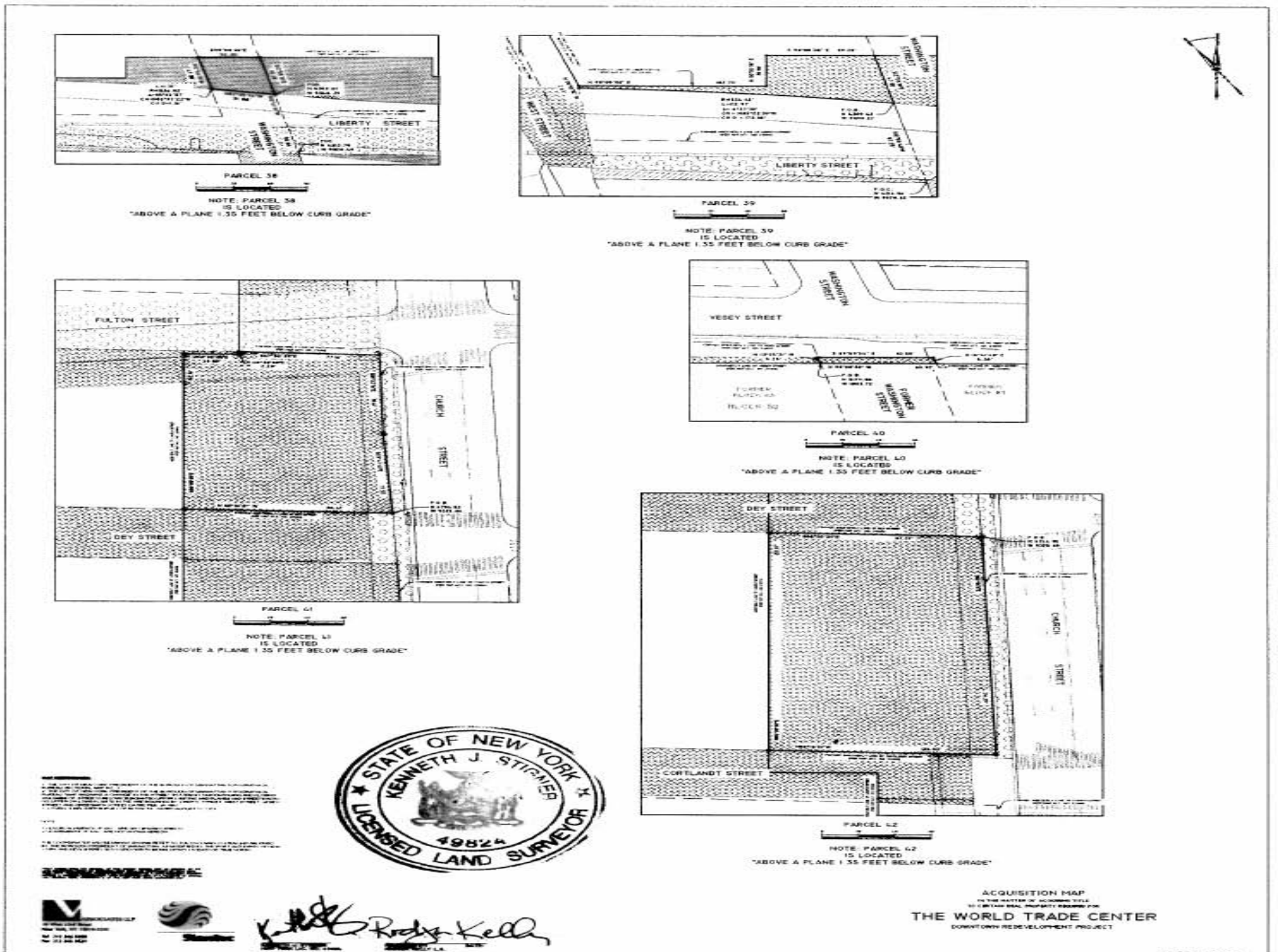
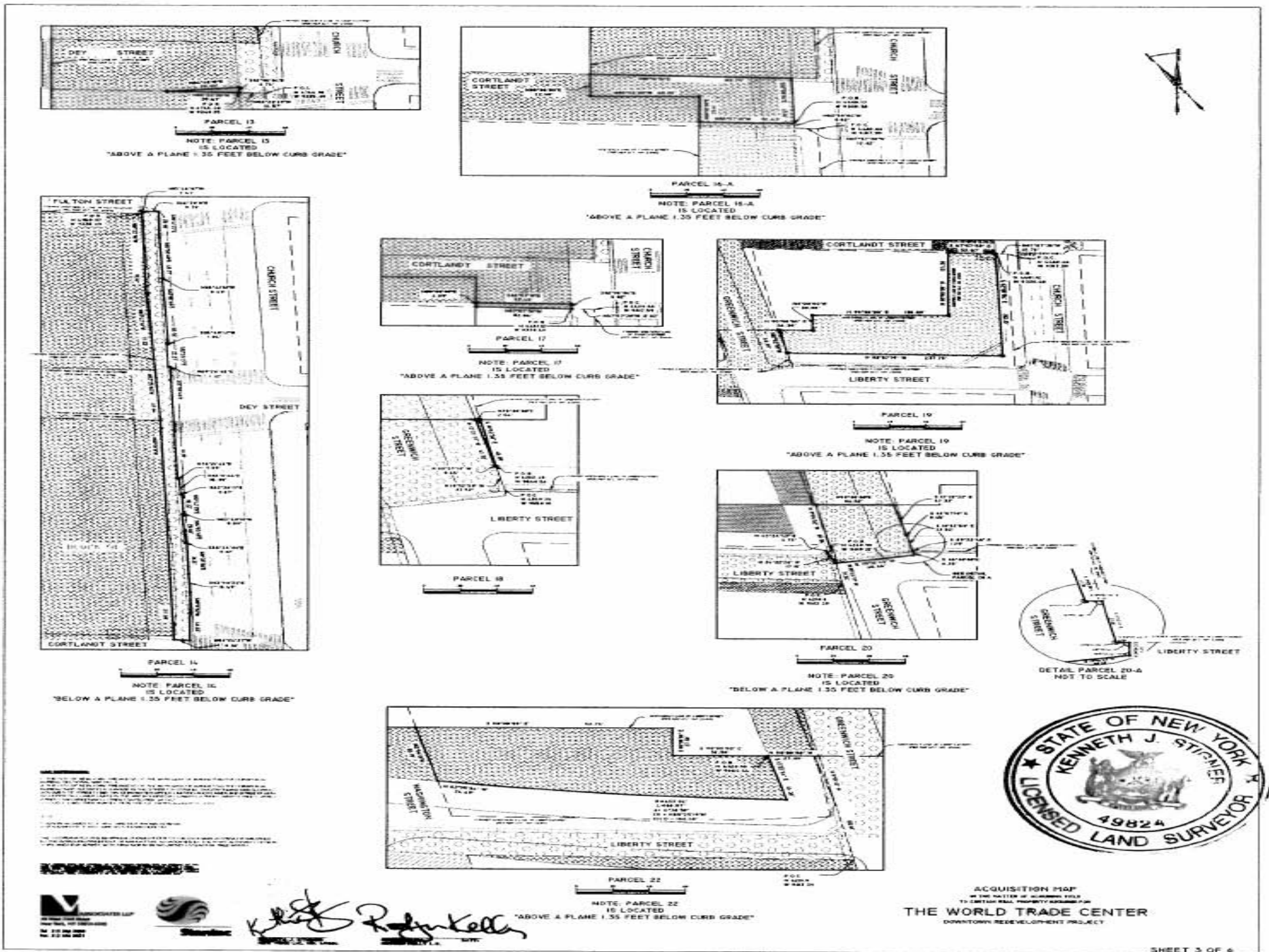
THE CITY OF NEW YORK



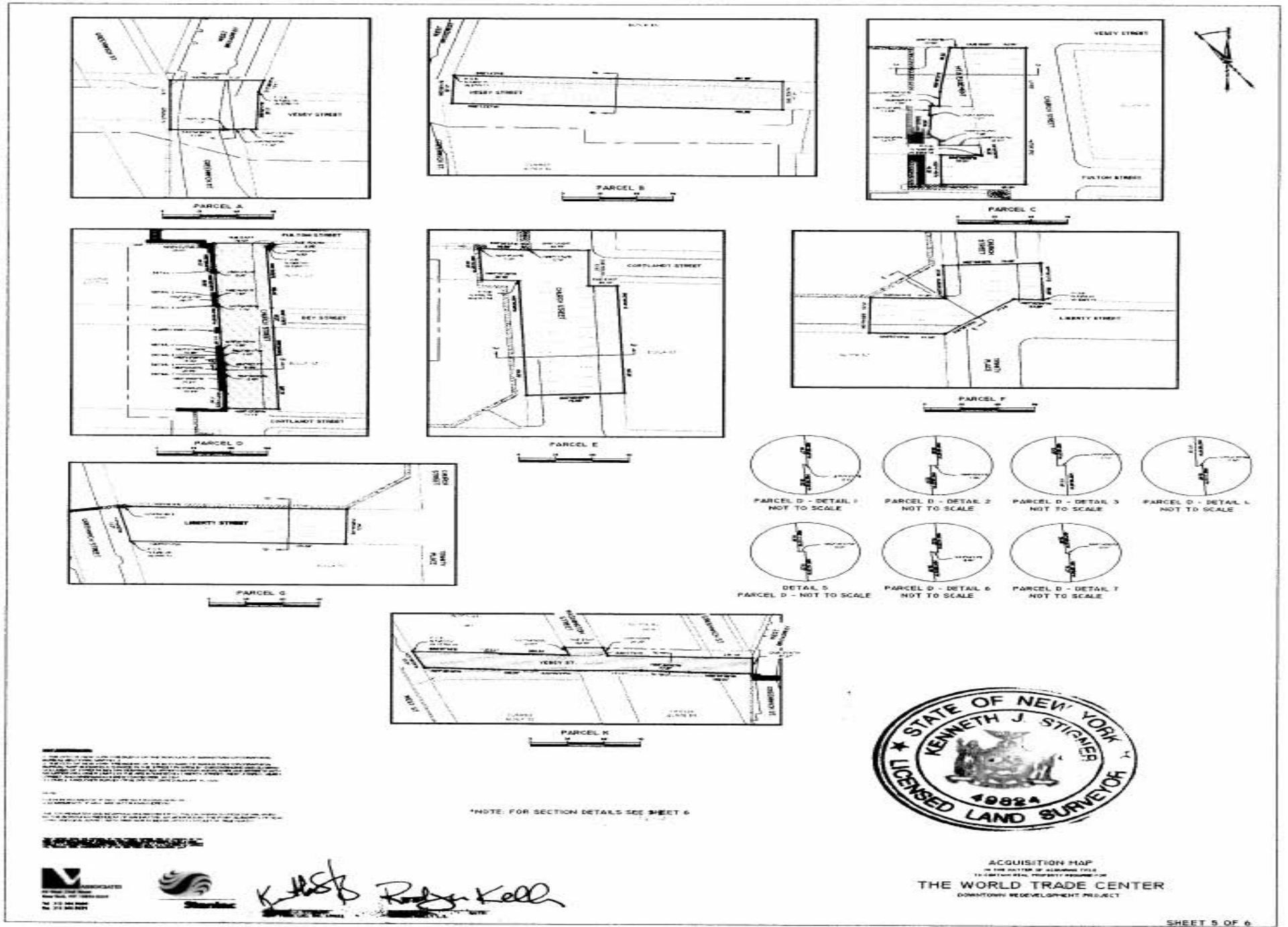
Kelly
Ryan Kelly

ACQUISITION MAP
 IN THE MATTER OF ACQUIRING TITLE
 TO CERTAIN REAL PROPERTY REQUIRED FOR
THE WORLD TRADE CENTER
 DOWNTOWN REDEVELOPMENT PROJECT

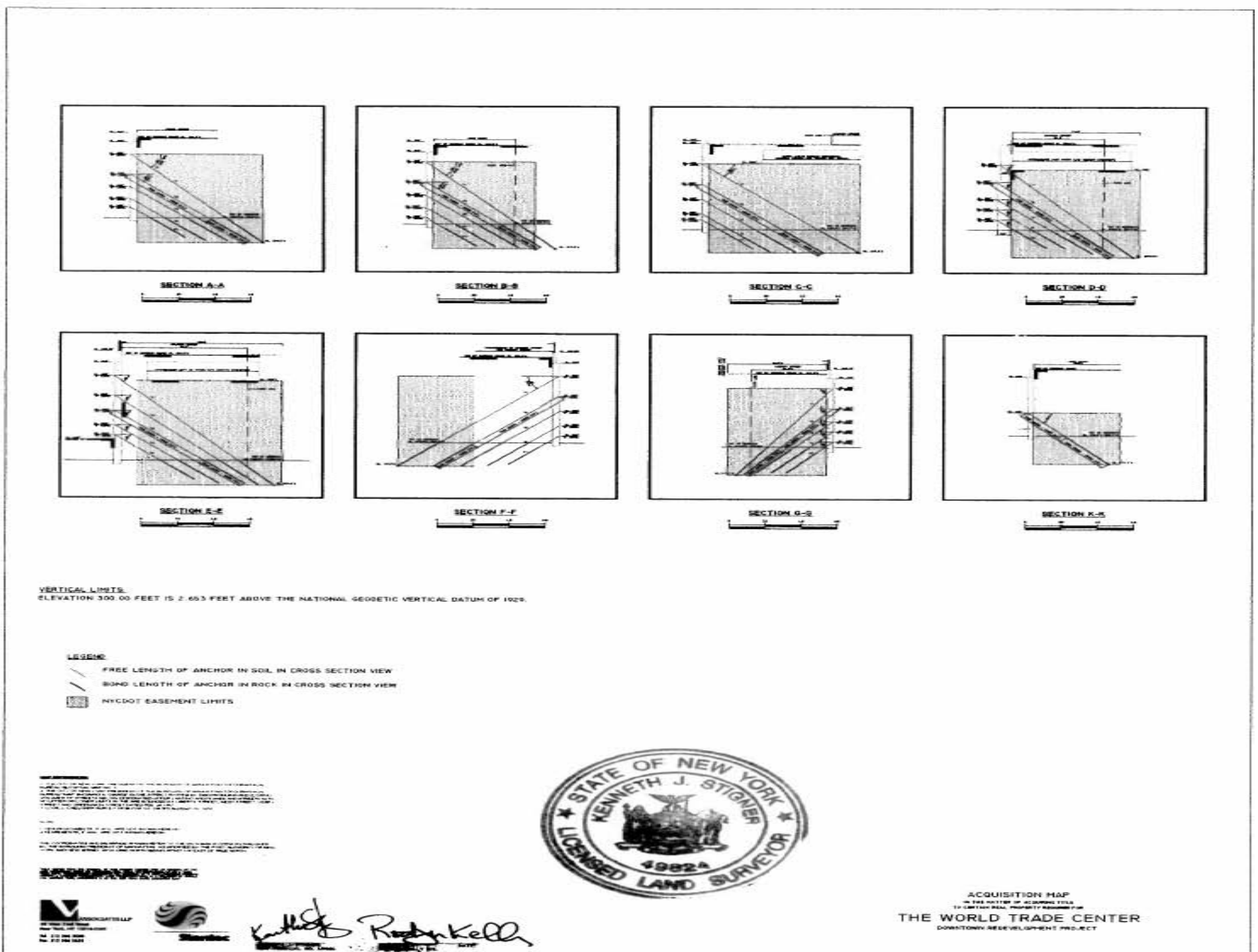
COURT NOTICE MAPS FOR THE WORLD TRADE CENTER MEMORIAL AND CULTURAL PROGRAM



COURT NOTICE MAPS FOR THE WORLD TRADE CENTER MEMORIAL AND CULTURAL PROGRAM



SHEET 5 OF 6



SHEET 6 OF 6

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, 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
- 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 Judgment 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/9New 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/OOther
- 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/crecycled 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.

☛ m27-30

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 and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

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.