



THE CITY RECORD

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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

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ELI BLACHMAN, Editor of 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.

1) Purchaser: Clarendon Holding Company
Property: 2,500 square feet located at the corner of Glenmore Avenue and Sheffield Avenue
Block: 3719, Lot 15
Community Board #5
City Council District #37

2) Purchaser: Waste Management of New York, LLC
Property: Approximately 3,000 square feet in the former bed of Scholes Street located adjacent to the English Kills canal
Block: 2962, Lot 999
Community Board #1
City Council District #34

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.

o2-7

MANHATTAN BOROUGH PRESIDENT

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT THE MANHATTAN BOROUGH BOARD MEETING is scheduled for October 16, 2008 from 8:30 A.M. to 10:00 A.M., at the Harlem State Office Building located at 163 West 125th Street, 2nd Floor, Art Gallery.

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

o6-15

CITY COUNCIL

■ HEARINGS

HEARING BY THE COMMITTEE ON RULES,
PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND

ELECTIONS WILL HOLD A HEARING ON TUESDAY, OCTOBER 7, 2008, AT 10:30 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTER:

Appointment

- M-1118, Communication from the Queens Republican County Committee recommending the name of Judith D. Stupp to the Council, regarding her appointment to the New York City Board of Elections pursuant to § 3-204 of the New York State Election Law. Should the Council appoint Ms. Stupp, she will serve the remainder of a four-year term that expires on December 31, 2008.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

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

Michael McSweeney
Acting City Clerk, Clerk of the Council

o1-7

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

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 am to 4:00 pm).

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.

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CIVILIAN COMPLAINT REVIEW BOARD

NOTICE

The Civilian Complaint Review Board's Monthly Public meeting has been scheduled for Wednesday, October 8th, 2008 at 10:00 A.M., 40 Rector Street, 2nd Floor.

Also on Wednesday, October 8th, the Operations Committee will be meeting at 8:30 A.M. and the Alternative Dispute Resolution Committee will be meeting at 9:00 A.M.

Contact: Philip Weitzman, Press Secretary, (212) 442-1629, pweitzman@ccrb.nyc.gov

The agency's Executive Director Report will be available online on Friday, October 3rd, 2008 at nyc.gov/ccrb

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COMMUNITY BOARDS

PUBLIC HEARINGS

BOROUGH OF BROOKLYN

Community Board #10 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Monday, October 20, 2008 at 7:15 P.M. at Knight of Columbus, 1305 86th Street, Brooklyn.

Community Board #16 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Tuesday, October 28, 2008 at 7:00 P.M. at 444 Thomas S. Boyland Street, Brooklyn.

BOROUGH OF MANHATTAN

Community Board #6 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Wednesday, October 15, 2008 at 7:00 P.M. at NYU Medical Center, 550 First Avenue, Classroom B.

o6-10

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 4 - Tuesday, October 7, 2008, 7:00 P.M., VFW Post #150, 51-11 108th Street, Corona, NY

BSA #207-08-BZ

Application for a variance to permit the proposed change in use of the first floor of the premises to allow for the enlargement of the existing Use Group 3 day care center.

FY 2010 Capital and Expense Budget Requests.

o1-7

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

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **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 facade 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 090937 - 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 facade of 14 East 72nd Street, construct a new building and a new rear facade 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

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 21, 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 QUEENS 09-1478 - Block 1460, lot 14-35-18 87th Street - Jackson Heights Historic District
One of a pair of neo-Tudor style rowhouses designed by C. F. and D. E. McAvoy and built in 1926. Application is to replace roofing.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF STATEN ISLAND 08-2102 - Block 15, lot 141-112 Carroll Place - St. George/New Brighton Historic District
A neo-Colonial style garage and chauffeur's quarters designed by T. Hutchison and built in 1924. Application is to construct an addition. Zoned R3A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-6946 - Block 215, lot 13-58 Hicks Street - Brooklyn Heights Historic District
An early 19th century frame residence and rear building, altered in the 1950's. Application is to alter the facades and construct an addition. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-1782 - Block 325, lot 1-239-245 Degraw Street - Cobble Hill Historic District
A neo-Grec style store and residence built circa 1880. Application is to replace storefront infill and windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-3663 - Block 326, lot 24-15 Tompkins Place - Cobble Hill Historic District
A Greek Revival style rowhouse built in the 1840s. Application is to construct a rear yard addition. Zoned R6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-0110 Block 1319, lot 39-194 and 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 the installation of ironwork without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-5453 - Block 5181, lot 77-455 East 17th Street - Ditmas Park Historic District
A Colonial Revival style free-standing house designed by A.White Pierce and built in 1902. Application is to legalize facade alterations performed without Landmarks Preservation Commission permits.

BINDING REPORT
BOROUGH OF MANHATTAN 09-3798 - Block 73, lot 10 and 11-89 and 95 South Street - South Street Seaport Historic District
A modern pier and retail structure built circa 1980;..... Application is to demolish the Pier 17, reconstruct the pier and relocate the Tin Building and construct seven new buildings and pavilion structures. Zoned C-2-8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7350 - Block 231, lot 4-307 Canal Street, aka 49 Howard Street - SoHo-Cast Iron Historic District
An Italianate style store building built in 1856 and 1862. Application is to replace ground floor infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-2272 - Block 609, lot 62/63-133 and 135 West 13th Street - Greenwich Village Historic District
Two Greek-Revival style rowhouses built in 1845. Application is to alter the facades and areaways.

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 09-3702 - Block 611, lot 34-131 7th Avenue South - Greenwich Village Historic District
A commercial building designed by George M. McCabe and built in 1929. Application is to construct a rooftop addition, and replace windows and storefront infill. Zoned C2-6.

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 windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-2492 - Block 530, lot 31-53 Great Jones Street - NoHo Historic District Extension
A garage building built in circa 1882 and converted to a storage building by Harry Kirshbaum in 1928. Application is to install storefront infill and an exhaust duct.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-7198 - Block 641, lot 43-84 Jane Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1858. Application is to construct rear yard and rooftop additions. Zoned R-6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-3052 - Block 822, lot 30-5 West 20th Street - Ladies' Mile Historic District
An Italianate style dwelling built in 1852 and altered in 1904 to accommodate storefronts at the first and second stories. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-3680 – Block 846, lot 56-866 Broadway – Ladies' Miles Historic District
A Greek Revival style rowhouse built in 1847-48, and altered at the ground floor for commercial use in the 1850s. Application is to replace the storefront infill and alter the stair bulkhead.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 06-4323 - Block 1251, lot 7501-190 Riverside Drive - Riverside-West End Historic District
An Beaux-Arts style apartment building designed by Townsend, Steine & Haskell and built in 1909-10. Application is to construct a rooftop addition. Zoned R10A.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-1519 - Block 1237, lot 61-610 West End Avenue - Riverside- West End Historic District
A neo-Renaissance style apartment building designed by George & Edward Blum and built in 1910. Application is to install a sidewalk canopy and alter the front courtyard.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-3066 - Block 1170, lot 1-390 West End Avenue - Apthorp Apartments B Individual Landmark
An Italian Renaissance style apartment building designed by Clinton and Russell and built in 1906-08. Application is to install rooftop mechanical units and an acoustical screen.

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 a rear yard addition. Zoned R8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8589 – Block 1129, lot 64-66 West 77th Street – Upper West Side/Central Park West Historic District
A Renaissance Revival style flats building designed by Thom and Wilson and built in 1894-95. Application is to install a sidewalk canopy.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-3811 – Block 1212, lot 27-117 West 81st Street – Upper West Side/Central Park West Historic District
A Northern Renaissance Revival style rowhouse designed by Henry L. Harris and built in 1884-1885. Application is to alter the existing rooftop addition. Zoned R-8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-3778 – Block 1376, lot -60, 63-12-14 East 62nd Street - Upper East Side Historic District
Two houses built in 1879-80 and redesigned in the neo-French Classic style by Harry Allan Jacobs in 1915-16. Application is to construct rooftop additions. Zoned C5-1 and R8B/LH-1.

MODIFICATION OF USE AND BULK

BOROUGH OF MANHATTAN 09-5779 - Block 1376, lot 60, 61, 62, and 63-12-18 East 62nd Street - Upper East Side Historic District
Three houses built in 1879-80 and redesigned in the neo-French Classic style by Harry Allan Jacobs in 1915-16; and a house built in 1879-80 and redesigned in the neo-Renaissance style by Harry Pelton in 1903. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a special permit pursuant to Section 74-711. Zoned C5-1 and R8B/LH-1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-3813 - Block 1389, lot 29-45 East 74th Street - Upper East Side Historic District
A rowhouse built in 1879, and altered in 1957 by Sidney and Gerald M. Daub. Application is to construct a stoop, alter the facade and construct a rear yard and roof top addition. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-1020 - Block 1393, lot 25-45 East 78th Street - Upper East Side Historic District
A Neo-Federal style residence built in 1913-1914 and designed by Arthur C. Jackson. Application is to install a stretch banner.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 090937 - 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.

o7-21

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

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, October 22, 2008. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York to maintain and use pipes and conduits under, across and along Amsterdam Avenue, south of West 118th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$24,963
For the period July 1, 2009 to June 30, 2010 - \$25,690
For the period July 1, 2010 to June 30, 2011 - \$26,417
For the period July 1, 2011 to June 30, 2012 - \$27,144
For the period July 1, 2012 to June 30, 2013 - \$27,871
For the period July 1, 2013 to June 30, 2014 - \$28,598
For the period July 1, 2014 to June 30, 2015 - \$29,325
For the period July 1, 2015 to June 30, 2016 - \$30,052
For the period July 1, 2016 to June 30, 2017 - \$30,779
For the period July 1, 2017 to June 30, 2018 - \$31,506

the maintenance of a security deposit in the sum of \$7,200, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York to maintain and use two conduits under and across Fort Washington Avenue, south of West 168th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$3,873
For the period July 1, 2009 to June 30, 2010 - \$3,986
For the period July 1, 2010 to June 30, 2011 - \$4,099
For the period July 1, 2011 to June 30, 2012 - \$4,212
For the period July 1, 2012 to June 30, 2013 - \$4,325
For the period July 1, 2013 to June 30, 2014 - \$4,438
For the period July 1, 2014 to June 30, 2015 - \$4,551
For the period July 1, 2015 to June 30, 2016 - \$4,664

For the period July 1, 2016 to June 30, 2017 - \$4,777
For the period July 1, 2017 to June 30, 2018 - \$4,890

the maintenance of a security deposit in the sum of \$1,100, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York to maintain and use pipes and conduits under and across Broadway, north of West 116th Street, and under and across West 116th Street, east of Claremont Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$24,247
For the period July 1, 2009 to June 30, 2010 - \$24,953
For the period July 1, 2010 to June 30, 2011 - \$25,659
For the period July 1, 2011 to June 30, 2012 - \$26,365
For the period July 1, 2012 to June 30, 2013 - \$27,071
For the period July 1, 2013 to June 30, 2014 - \$27,777
For the period July 1, 2014 to June 30, 2015 - \$28,483
For the period July 1, 2015 to June 30, 2016 - \$29,189
For the period July 1, 2016 to June 30, 2017 - \$29,895
For the period July 1, 2017 to June 30, 2018 - \$30,601

the maintenance of a security deposit in the sum of \$7,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York to maintain and use conduits under, across and along West 113th Street, West 114th Street, West 115th Street, Claremont Avenue, West 120th Street and Amsterdam Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$ 84,657
For the period July 1, 2009 to June 30, 2010 - \$ 87,123
For the period July 1, 2010 to June 30, 2011 - \$ 89,589
For the period July 1, 2011 to June 30, 2012 - \$ 92,055
For the period July 1, 2012 to June 30, 2013 - \$ 94,521
For the period July 1, 2013 to June 30, 2014 - \$ 96,987
For the period July 1, 2014 to June 30, 2015 - \$ 99,459
For the period July 1, 2015 to June 30, 2016 - \$101,919
For the period July 1, 2016 to June 30, 2017 - \$104,385
For the period July 1, 2017 to June 30, 2018 - \$106,851

the maintenance of a security deposit in the sum of \$24,700, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing New York Recycling Ventures, Inc. to construct, maintain and use fenced-in planted areas on the sidewalks of East Bay Avenue, Whittier Street, Viele Avenue and Longfellow Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$173/per annum.

the maintenance of a security deposit in the sum of \$3,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

o1-22

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-I

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 29, 2008 (SALE NUMBER 09001-I). 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 Website, 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.

o7-29

PUBLIC AUCTION SALE NUMBER 09001-H

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 15, 2008 (Sale Number 09001-H). 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.

o1-15

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."

CHIEF MEDICAL EXAMINER

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Services (Other Than Human Services)

MAINTENANCE SERVICES OF WTC DNA SAMPLE ANALYSIS – Sole Source – Available only from a single source - PIN# 81610ME0003 – DUE 10-10-08 AT 3:00 P.M. The Office of Chief Medical Examiner (OCME) intends to enter into a contract for Maintenance Services of the TrueAllele Software used for WTC DNA sample analysis with Cybergenetics Corp., 2555 Washington Road, Suite 611, Pittsburgh, PA 15241.

Any other vendor who is capable of providing these services to the NYC Office of Chief Medical Examiner may express their interest in doing so by writing to Luis A. Rodriguez, NYC OCME, 421 E. 26th Street, 10th Floor, NY, NY 10016, or e-mail lrodriguez@ocme.nyc.gov

o3-9

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

HYDRANT WRENCH/SPANNER – Competitive Sealed Bids – PIN# 8570900129 – DUE 11-03-08 AT 10:30 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.

*Department of Citywide Administrative Services
Office of Vendor Relations, 1 Centre Street, Room 1800,
New York, NY 10007. Jeanette Megna (212) 669-8610.*

o7

■ 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

BOARD OF ELECTIONS

■ SOLICITATIONS

Services (Other Than Human Services)

AFTER HOURS TRANSPORTATION – Competitive Sealed Bids – PIN# 003200901013 – DUE 10-30-08 – For Hire Vehicle Services for Employees of the Board of Elections.

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.

*Board of Elections, 42 Broadway, 7th Floor, New York, NY 10004. Gwendolyn Youngblood (212) 487-7213,
gyoungblood@boe.nyc.ny.us*

o7

OFFICE OF EMERGENCY MANAGEMENT

■ INTENT TO AWARD

Services (Other Than Human Services)

MAINTENANCE SERVICE FOR BUILDING AUTOMATION SYSTEM – Sole Source – Available only from a single source - PIN# 01709BMS01 – DUE 10-20-08 AT 10:00 A.M. – The New York City Office of Emergency Management intends to enter into sole source negotiations with Siemens Building Technologies, Inc. to provide software maintenance and other related services for the Siemens Apogee Building Automation System. Siemens is the developer of the software and supporting equipment. Siemens will maintain, update and manage the software system that controls all aspects of the heating, ventilation and air conditioning in OEM's headquarters.

Any firm who believes it could also provide this service is invited to submit an expression of interest in writing to: NYC OEM, 165 Cadman Plaza East, Brooklyn, NY 11201,

attention: Nydia Colimon, or via email at procurement@oem.nyc.gov.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Office of Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201. Nydia Colimon (718) 422-8429, procurement@oem.nyc.gov

o3-9

ENVIRONMENTAL PROTECTION

■ SOLICITATIONS

Services (Other Than Human Services)

1230-JA: SERVICE AND REPAIR OF THE ABB DISTRIBUTED CONTROL SYSTEM AT THE JAMAICA WPCP – Sole Source – Available only from a single source - PIN# 8260901230JA – DUE 10-17-08 AT 4:00 P.M. – DEP intends to enter into a Sole Source Agreement with ABB Inc., for 1230-JA Service and repair of the ABB distributed Control System at the Jamaica WPCP. The ABB control System at the Jamaica WPCP is in Place to monitor and control critical processes and equipment that treat wastewater at the plant. Since this system ensures that certain New York State regulatory permits are met at the plant, proper maintenance is necessary to ensure that it is operating correctly at all times in order to ensure the health and safety of the public and the protection of the environment. A contract of this type will enable the plant to maintain this equipment without interruption to its monitoring capabilities and also protect \$4 million capital investment began upon acceptance of the system on July 14, 2006. The duration was for two years and thus has recently expired. A maintenance contract is required to fill this recent void. Any firm which believes it can also provide the required service is invited to so, indicated by letter to: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373. Debra Butlien (718) 595-3423, d.butlien@dep.nyc.gov

o1-7

CRO-346CR S: DESIGN AND CONSTRUCTION OF A NEW ELECTRICAL POWER SUBSTATION FOR THE CROSS RIVER PUMP STATION – Sole Source – Available only from a single source - PIN# 82609W000104 – DUE 10-20-08 AT 4:00 P.M. – DEP intends to enter into a Sole Source Agreement with New York State Electric and Gas (NYSEG) for CRO-346CR S: Design and Construction of a New Electrical Power Substation for the Cross River Pump Station. This contract with New York State and Gas Power Station, is a sole source contract between NYCDEP and the electrical utility in the region, NYSEG. The electrical utility will design, build, operate and maintain this substation. This substation is being designed and constructed to power the Cross River Pump Station that will be located within Delaware Aqueduct Shaft 13. The pump station contract has been bid under contract CRO-346CR G,H,E and is currently proceeding through the registration process. Contract CRO-346CR S will be issued utilizing the sole source method because it is the most competitive method under the circumstances as there is only one available source. Any firm which believes it can also provide the required service is invited to so, indicated by letter to: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373. Debra Butlien (718) 595-3423, dbutlien@dep.nyc.gov

o3-9

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

XIENCES CORONARY STENTS, VARIOUS SIZES, ABBOTT VASCULAR MFG – CSB – PIN# 111090000051 – DUE 10-17-08 AT 12:00 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.
Bellevue Hospital Center, Purchasing Department 462 First Avenue, Room 12 E 31, NY, NY 10016. Wilda Suarez, Procurement Analyst, (212) 562-3950.

o7

Goods & Services

CHOLESTEROL AND GLUCOSE SCREENING – CSB – PIN# 111090000052 – DUE 10-17-08 AT 1:00 P.M. – Vendor to supply rental of machines, used to process testing.

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.
Bellevue Hospital Center, Purchasing Department 462 First Avenue, Room 12E31, NY, NY 10016. Wilda Suarez, Procurement Analyst, (212) 562-3950.

o7

NEUROMED MATRIX SYSTEM – Competitive Sealed Bids – PIN# 11209029 – DUE 10-22-08 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. Edwin Iyasere, Procurement Analyst II, (718) 579-5106.

o7

PREVENTIVE MAINTENANCE SERVICE COMM; 7/2008 - 6/30/09 FOR METROPOLITAN HOSPITAL – Competitive Sealed Bids – PIN# 22209047 – DUE 10-22-08 AT 3:00 P.M.
● AUTO SCRUBBER BOOST – Competitive Sealed Bids – PIN# 22209048 – DUE 10-24-08 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. Nancy Latorres, Procurement Analyst II, (718) 579-5993.

o7

TRANSDUCER; ULTRASOUND – Competitive Sealed Bids – PIN# 11209028 – DUE 10-24-08 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. Sonia Barnes, Procurement Analyst II, (718) 579-5035.

o7

Services

SERVICE CONTRACT FOR WEEKLY MAINTENANCE OF 180 GALLON FISH TANK – 1 CSB – BID# QHN 2009 1032 QHC – DUE 10-23-08 AT 10:00 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.
Queens Health Network, Procurement Services and Contracts, 82-68 164th Street, "S" Building, 2nd Floor, Jamaica, NY 11432. Jack Arnone (718) 883-6000.

o7

PREVENTIVE MAINTENANCE SERVICE CONTRACT FOR SEVEN (7) EMERGENCY GENERATORS – 1 CSB – BID# QHN 2009 1034 EHC – DUE 10-24-08 AT 10:00 A.M.
● REPAIR THREE (3) CATERPILLER 3412 600DW EMERGENCY GENERATOR SETS – 1 CSB – BID# QHN 2009 1035 EHC – DUE 10-24-08 AT 2:00 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.
Queens Health Network, Procurement Services and Contracts, 82-68 164th Street, "S" Building, 2nd Floor, Jamaica, NY 11432. Jack Arnone (718) 883-6000.

o7

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, ssschulma@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

PROCUREMENT

■ SOLICITATIONS

Services (Other Than Human Services)

ON-CALL PLUMBING, CITYWIDE – Competitive Sealed Bids – PIN# 07108S021275 – DUE 12-04-08 AT 11:00 A.M. – Bid to be released on: 10/14/08
 Directions by subway - 4 or 5 train to Bowling Green
 J, Z, M train to Broad Street
 N, R, W train to Whitehall Street

Mandatory pre-bid conference, date: 10/30/08, Time: 10:00 A.M., Place: DHS Central Warehouse, 101-07 Farragut Road, Brooklyn, New York 11236.
 Direction by car or subway to pre-bid conference contact: Georgina Rios (718) 688-8540 or Donald Mercado (718) 688-8538.

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. Josiane Destra (212) 361-8498, jdestra@dhs.nyc.gov

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HOUSING AUTHORITY

■ SOLICITATIONS

Construction/Construction Services

GAS PIPING REPLACEMENT – Competitive Sealed Bids – PIN# PL7021736 – DUE 10-28-08 AT 10:30 A.M.
● ROOF REPLACEMENT AND ASBESTOS ABATEMENT – Competitive Sealed Bids – PIN# RF7006100 – DUE 10-28-08 AT 10:00 A.M.

Bid documents are available for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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.
Housing Authority, 90 Church Street, 11th Floor. Gloria Guillo, MPA, CPPO, (212) 306-3121, gloria.guillo@nycha.nyc.gov

o6-10

PURCHASING DIVISION

■ SOLICITATIONS

Goods

CCTV CISCO LAB FOR CCTV STORE ROOM – Competitive Sealed Bids – RFQ #6049 – DUE 10-22-08 AT 10:30 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.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Marjorie Flores (718) 707-5460.

o7

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ INTENT TO AWARD

Services (Other Than Human Services)

INTERNET ACCESS THROUGH SERVICE PROVIDERS – Other – PIN# 85809NA0002 – DUE 10-14-08 AT 3:00 P.M. – DoITT intends to enter into negotiations with US LEC Communications, Inc. DBA PAETEC Business Services to continue to provide internet service connectivity to the City of New York. Any firm which believes it can provide the required service in the future is invited to indicate via email to acco@doitt.nyc.gov by October 14th, 2008, 3:00 P.M.

Procurement Method: Negotiated Acquisition Extension.

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 Information Technology and Telecommunications, 75 Park Place, 9th Floor, New York, NY 10007. Margaret Budzinska (212) 788-6510, mbudzinska@doitt.nyc.gov

o6-10

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 is 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

AWARDS

Construction / Construction Services

RECONSTRUCTION OF A PORTION OF THE BRIDLE PATH IN PELHAM BAY PARK – Competitive Sealed Bids – PIN# 8462008X039C01 – AMT: \$699,088.00 – TO: L-C Construction Consulting, Corp., 55-13 69th Street, Maspeth, NY 11378. The Bronx. Known as Contract #X039-607M.
RECONSTRUCTION OF PLAY EQUIPMENT, SAFETY SURFACING, CITYWIDE – Competitive Sealed Bids – PIN# 8462008C000C10 – AMT: \$1,280,000.00 – TO: CP Perma Paving Construction, Inc., 81 Industrial Loop, Staten Island, NY 10309. - In school yards at IS 187(B), PS 101(B), PS 215(B), and PS 021(R).
 Known as Contract #CNYG-208M.
EXPANSION OF SIDEWALK TREE PITS, THE PLANTING OF NEW AND REPLACEMENT STREET TREES – Competitive Sealed Bids – PIN# 8462008B000C010 – AMT: \$1,776,000.00 – TO: Olson's Creative Landscaping Corp., 1811 Bellmore Ave., Bellmore, NY 11710. - And the installation of tree pit guards in Community Boards 1-18, Brooklyn.

Known as Contract #BG-1008M.

PLANTING OF NEW AND REPLACEMENT STREET TREES – Competitive Sealed Bids – PIN# 8462008B000C017 – AMT: \$936,000.00 – TO: Robert Bello Landscape Service Inc., 1614 East 31st Street, Brooklyn, NY 11234. - In Community Boards 1-9, Brooklyn. Known as Contract #BG-1808M.

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REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF A CAFE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M70-79-R – DUE 11-21-08 AT 3:00 P.M. – At the Rotunda, located at 79th Street in Riverside Park, Manhattan. Hard copies of the RFP can be obtained, at no cost, commencing on Monday, October 6, 2008 through Friday, November 21, 2008, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is located at 830 Fifth Avenue, Room 403, New York, NY 10065.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
 212-504-4115

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, The Arsenal-Central Park
 830 Fifth Avenue, Room 407, New York, NY 10021.
 Gabrielle Ohayon (212) 360-1397,
 gabrielle.ohayon@parks.nyc.gov

o6-20

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Services

JANITORIAL AND MAINTENANCE BUILDING SERVICES – Competitive Sealed Bids – PIN# SCA-0901P – DUE 10-29-08 AT 10:00 A.M. – SCA Headquarters at 30-30 Thomson Avenue, L.I.C., NY 11101 and The Office of The Inspector General, 188 W. 230th Street, Bronx, NY 10463.

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

o7-14

Construction / Construction Services

SCIENCE LAB UPGRADES – Competitive Sealed Bids – PIN# SCA09-11556D-2 – DUE 10-27-08 AT 10:00 A.M. – IS 61 (Brooklyn). Project Range: \$1,070,000.00 to \$1,124,000.00. 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) 752-5852.

o7-14

SCIENCE LAB – Competitive Sealed Bids – PIN# SCA09-004431-1 – DUE 10-23-08 AT 11:00 A.M. Eastside HS (Manhattan). Project Range: \$1,330,000.00 to \$1,395,000.00. 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) 752-5849.

o7-14

TRANSPORTATION

BRIDGES

SOLICITATIONS

Construction / Construction Services

SEISMIC RETROFIT AND RECONSTRUCTION OF BRIDGE OPERATING SYSTEM – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 84108MBBR278 – DUE 11-03-08 AT 2:00 P.M. – The proposed Total Design and Construction Support Services is necessary for the City to perform Preliminary Design (Phase I), Final Design (Phase II), and the preparation of Construction Contract documents and Construction Support Services (Phase III), for the Seismic Retrofit and Reconstruction of Bridge Operating System of Madison Avenue Bridge over Harlem River, Manhattan and The Bronx. Particular encouragement is extended to Disadvantaged Business Enterprise (DBE) firms for Federal Aid/NYS DOT Aid Projects. The Pre-proposal Conference will be held on October 21, 2008 at 10:30 A.M. at 2 Rector Street, 8th Conference Room.

This RFP is available on NYCDOT Website
<https://a841-dotwebpcard01.nyc.gov/RFP/html/asp/rfp.asp>.
 A deposit of \$50.00 in the form of a certified check or money order made payable to New York City Department of Transportation is required to obtain bid/contract documents.

NO CASH ACCEPTED. Refund will be made only for contract Bid/Proposal documents that are returned in its original condition within 10 days after the Bid Opening. Any persons delivering bid documents must enter the building through 220 Church Street, New York, NY. Due to increased building security bidders should ensure that proper photo identification is available upon request. Please ensure that your company's address, telephone and fax numbers are submitted by your company (or messenger service) when picking up contract documents. For additional information, please contact Dr. Paul - Michael Kazas at (212) 442-7654

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 Transportation, Office of Agency Chief
 Contracting Officer, Contract Unit, 40 Worth Street,
 Room 824A, NY, NY 10013. Hours 9:00 A.M. - 3:00 P.M.
 Bid Window (212) 442-7565.

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

DESIGN & CONSTRUCTION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, October 16, 2008, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Skidmore, Owings and Merrill, LLP, 14 Wall Street, New York, New York 10005, for PO79-JOC, Architectural and Engineering Design Services for a New NYPD Joint Operations Command Center, Borough of Manhattan. The contract amount shall be \$2,834,179. The contract term shall be 750 Consecutive Calendar Days from the date of written notice to proceed.
 PIN#: 8502008PD0012P.

The proposed consultant has been selected by means of Negotiated Acquisition, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from October 7, 2008 to October 16, 2008, excluding Saturdays, Sundays, and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Kareem Alibocas at (718) 391-3038.

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AGENCY RULES

ENVIRONMENTAL CONTROL BOARD

NOTICE

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding the re-numbering of various internal section number references within the rules of the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by Section 1404 of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board (ECB) proposes to amend various sections of ECB's rules, "Enforcement Procedures Before the Environmental Control Board," so as to change all internal references within its rules from Section 1404 of the City Charter to references to Section 1049-a of the City Charter, and so as to change all references within its own rules to sections prefaced with a "31-" to references to sections prefaced with a "3-". ECB's rules are at present found within Chapter 31 of Title 15 of the Rules of the City of New York (RCNY). However, on or before the date of the final rule that will result from this proposed rule, ECB's rules will have been reissued so as to be included within Chapter 3 of Title 48 of the RCNY. This reissuance will occur because ECB will be consolidated with the Office of Administrative Trials and Hearings as of November 23, 2008 by virtue of the enactment of Local Law Number 35 of 2008, and Title 48 includes the rules of the Office of Administrative Trials and Hearings. Accordingly, ECB by separate proposed rule will have included its rules within Chapter 3 of Title 48. Also, the prefix "3-" will have replaced the prefix "31-" in all ECB rule numbers. Accordingly, the amendments to ECB's rules that are proposed within this rule are being proposed as amendments to ECB rules contained within Chapter 3 of Title 48, as prefaced with "3-", rather than with "31-". New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the

Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before November 6, 2008. As is authorized by Section 1043(d)(ii) of the NYC Charter, there shall be no public hearing regarding the proposed rule, on the ground that such a public hearing would serve no public purpose. Persons interested in receiving written comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. Section 3-12, "Scope of Rules," of Chapter 3 of Title 48 is amended to read as follows:

§3-12 Scope of Rules.

The rules contained herein govern the conduct of all adjudicatory hearings at the tribunal brought pursuant to the provisions of [§1404] §1049-a of the New York City Charter and provisions of the New York City Administrative Code, or as otherwise authorized by law, and the conduct of such special hearings or enforcement proceedings before the board as authorized by Title 24 of the New York City Administrative Code.

Section 2. Subdivision (c) of Section 3-14, "Form of Documents," of Chapter 3 of Title 48 is amended to read as follows:

(c) All documents, other than notices of violation (provision for which is made in rule [31-31] 3-31) required to be served on other parties, shall be accompanied by an affidavit of service when filed. Such affidavit shall recite the date and manner of service as to each party and be executed by the serving party.

Section 3. Subdivision (c) of Section 3-31, "Notice of Violation," of Chapter 3 of Title 48 is amended to read as follows:

(c) *Service*: A notice of violation issued by a petitioner may be served on a respondent in accordance with the methods set out in [§1404(d)(2)] §1049-a(d)(2) of the New York City Charter which render the tribunal's decision and order automatically docketable in Civil Court, or alternatively as provided by the statute, rule or other provision of law governing the violation alleged. Lawful service in a manner other than that provided for in [§1404(d)(2)] §1049-a(d)(2) shall give the tribunal jurisdiction to hold a hearing or render a decision and order whether after hearing or in default thereof, but such decision and order shall not be entered in Civil Court or any other place provided for entry of civil judgments without court proceedings.

Section 4. Subdivision (c) of Section 3-51, "Rights of Parties," of Chapter 3 of Title 48 is amended to read as follows:

(c) *Rights of Parties*. Every party, except intervenors under [§31-35(b)] §3-35(b), shall have the right of due notice, cross examination, presentation of evidence, objection, motion, argument and all other rights essential to a fair hearing. Section 5. Subdivision (b) of Section 3-57, "Decisions," of Chapter 3 of Title 48 is amended to read as follows:

(b) *Finality*. If timely exceptions are not filed as per [§31-71], §3-71 the hearing officer's recommended decision and order will be automatically adopted by the board without further action and shall constitute the board's final action in the matter.

Section 6. Section 3-81, "Default by Respondent," of Chapter 3 of Title 48 is amended to read as follows:

§3-81 Default by Respondent.

(a) Failure of a respondent to make a timely response, or appear or proceed as required by the tribunal or hearing officer or these rules shall constitute a default. Upon default, the hearing officer or board shall thereupon render such decision and order in accordance with [§1404d.(1)(d)] §1049-a(d)(1)(d) of the Charter. Orders rendered in consequence of a default shall take effect immediately. Notice of such order shall be sent to respondent.

(b) Where respondent was permitted to admit and pay by mail pursuant to [§31-32] §3-32, respondent shall also be offered the opportunity to enter a late admission and payment by mail within 30 days of the mailing date of the default order issued against respondent. An appropriate fee may be imposed by the tribunal for the processing of such late admission.

Section 7. Section 3-92, "Post-Sealing Special Hearing," of Chapter 3 of Title 48 is amended to read as follows:

§3-92 Post-Sealing Special Hearing.

At any time after a sealing has taken place, a respondent may request a special hearing to present evidence as to why the seal should be removed or sealing order modified. The request may be made by letter addressed to the board or the executive director or their designee at the tribunal. A special post-sealing hearing shall then be scheduled and shall be presided over by a hearing officer of the tribunal and conducted in accordance with the provisions of subparagraphs (d), (e) and (f) of [§31-81] §3-81 of these rules. Section 8. Subdivisions (d) and (e) of Section 3-95, "Post Judgment Amendment of Records," of Chapter 3 of Title 48 are amended to read as follows:

(d) The recommended decision and order shall be filed with the executive director and served on all parties. Any party who appeared at the hearing, in person or otherwise, may file exceptions to such recommended decision and order in the manner provided in [§31-71] §3-71 of these rules and the board shall render a final decision and order on such exceptions. Such final decision and order shall be the final decision of the board for purposes of review pursuant to article 78 of the Civil Practice Law and Rules.

(e) If exceptions are not filed within the time provided in [§31-71] §3-71, the hearing officer's recommended decision and order shall become the final decision and order of the board and, in accordance with applicable law, shall not be subject to review pursuant to article 78 of the Civil Practice Law and Rules.

Section 9. Section 3-100, "General," of Chapter 3 of Title 48 is amended to read as follows:

§31-100 General Whenever a respondent is found in violation of any of the following provisions of the New York City Administrative Code, Rules of the City of New York, New York City Health Code, New York State Public Health Law, New York Codes, Rules and Regulations, New York City Zoning Resolution, New York State Vehicle and Traffic Law, New York State Environmental Conservation Law, any civil penalties recommended by a Hearing Officer pursuant to [§31-57(a)] §3-57(a) and/or any default penalties imposed pursuant to [§31-81(a)] §3-81(a) in accordance with [§1404(d)(1)(d)] §1049-a(d)(1)(d) of the Charter and/or any civil penalties imposed for admissions of violation(s) pursuant to [§31-32] §3-32 or late admissions pursuant to [§31-81(b)] §3-81(b) will be imposed pursuant to the penalty schedules set forth below. Please note that some of the penalties in the Penalty Schedules set forth below are established by law as flat penalties. Thus, for some of the penalties set forth below, no range of dollar amounts is set forth in the Administrative Code or other applicable law. However, solely for the convenience of the public, these flat penalties are included in the Penalty Schedules set forth below, to ensure, to the extent possible, that these Penalty Schedules are comprehensive.

Section 10. The third paragraph at the beginning of Section 3-107, "Food Vendor Administrative Code Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

* Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to the penalty for this charge for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 11. The third paragraph at the beginning of Section 3-109, "General Vendor Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

* Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to the penalty for this charge for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 12. The first paragraph at the beginning of Section 3-110, "Health Code and Miscellaneous Food Vendor Violations Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 13. The third paragraph at the beginning of Section 3-112, "Health Code Lead Abatement Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 14. The first paragraph at the beginning of Section 3-113, "Hudson River Park Rules Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 15. The fourth paragraph at the beginning of Section 3-115, "Noise Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 16. The second paragraph at the beginning of Section 3-116, "Parks Rules Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 17. The first paragraph at the beginning of Section 3-117, "Public Health Law Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed [penalty] penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 18. The second paragraph at the beginning of Section 3-118, "Public Pay Phones Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

* Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to the penalties for these charges for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 19. The second paragraph at the beginning of Section 3-119, "Public Safety Graffiti Penalty Schedule," of Chapter 3 of Title 48 is amended to read as follows:

Pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Section 20. The paragraph at the beginning of Section 3-122, "Sanitation Penalty Schedule," of Chapter 3 of Title 48, that reads "With the exception of section 10-119 (posting on a

tree), and section 16-119, and sections 16-453(b); 16-453(c); 16-454(b), and 16-454(c), pursuant to [§31-81(b)] a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32], within 30 days of the mailing date of the default order issued against respondent," is amended to read as follows:

With the exception of section 10-119 (posting on a tree), and section 16-119, and sections 16- 453(b); 16-453(c); 16-454(b), and 16-454(c), pursuant to [§31-81(b)] §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per [§31-32] §3-32, within 30 days of the mailing date of the default order issued against respondent.

Statement of Basis and Purpose

The Environmental Control Board proposes to amend internal numbering references within its rules so as to change all references from Section 1404 of the City Charter to references to Section 1049-a of the City Charter, and so as to change all references from its own rules prefaced with a "31-" to references to its own rules prefaced with a "3-".

These amendments to the internal numbering references within ECB's rules are proposed because ECB will be consolidated with OATH as of November 23, 2008. ECB will be consolidated into OATH pursuant to the provisions of Local Law Number 35 of 2008, which provides that "[t]here shall be in the office of administrative trials and hearings an environmental control board." To effect this consolidation, Local Law Number 35 amends City Charter section 1404 which governs ECB, and re-numbers that section as section 1049-a.

Local Law Number 35 takes effect thirty days after its becoming law or "as soon as practicable thereafter as a transfer of functions may be effectuated pursuant to subdivision 2 of section 70 of the civil service law." The law was signed on August 12, 2008, and the functional transfer is scheduled for November 23, 2008. Accordingly, the consolidation of OATH and ECB will become effective on November 23, 2008.

In view of the consolidation of ECB with OATH, ECB will by separate proposed rule have included all of its rules within Chapter 3 of Title 48, which is the title of the Rules of the City of New York that includes the rules of the Office of Administrative Trials and Hearings. Also by separate rule, ECB will have replaced the prefix "31-" in all ECB rule numbers with the prefix "3-".

Accordingly, ECB is proposing to re-number all internal references in its own rules to City Charter Section 1404, as references to Section 1049-a, and proposes to renumber all internal references in its own rules to sections prefaced with a "31-", as references to sections prefaced with a "3-".

As is authorized by Section 1043(d)(ii) of the NYC Charter, there shall be no public hearing regarding the instant proposed rule, on the ground that such a public hearing would serve no public purpose. This determination is made because this proposed rule merely reflects a ministerial implementation of the statutory mandate of Local Law Number 35 that ECB and OATH be consolidated.

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding references to New York City Charter Section 1404 in NOV's filed after November 23, 2008.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by Section 1404 of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board (ECB) proposes to amend section 3-31 of ECB's rules as found in Title 48 of the Rules of the City of New York (RCNY). ECB's rules are at present found within Chapter 31 of Title 15 of the Rules of the City of New York (RCNY). However, on or before the date of the final rule that will result from this proposed rule, ECB's rules will have been reissued so as to be included within Chapter 3 of Title 48 of the RCNY. This reissuance will occur because ECB will be consolidated with the Office of Administrative Trials and Hearings as of November 23, 2008 by virtue of the enactment of Local Law Number 35 of 2008, and Title 48 includes the rules of the Office of Administrative Trials and Hearings. Accordingly, ECB by separate proposed rule will have included its rules within Chapter 3 of Title 48. Also, the prefix "3-" will have replaced the prefix "31-" in all ECB rule numbers. Accordingly, the amendments to the ECB rule that is proposed within this rule is being proposed as an amendment to Section 3-31 as contained within Chapter 3 of Title 48, rather than as an amendment to Section 31-31. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before November 6, 2008. A public hearing regarding the proposed rule will be held on November 6, 2008, at ECB, 66 John Street, 10th Floor, Reception, New York, N.Y. 10038, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before November 6, 2008. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by October 30, 2008. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. Subdivision (b) of section 3-31 found in Subchapter B of Chapter 3 of Title 48 of the Rules of the City of New York is amended to read as follows:

(b) *Contents*: The notice of violation shall contain the name and address, when known, of a respondent, a brief description of the alleged violation, its date and place of occurrence, and reference to the provision of law or rule charged. The notice of violation shall contain information advising the respondent of the maximum penalty and of the time

in which the respondent may admit or deny the violation charged. The notice of violation shall also contain a warning to the respondent that failure to plead in the manner and time stated in the notice may result in a default decision and order being entered against the respondent. On or after November 23, 2008, any notice of violation filed pursuant to this section that references section 1404 of the Charter as the legal authority and jurisdiction under which a hearing is to be held shall be deemed to reference section 1049-a of the Charter.

Statement of Basis and Purpose of Proposed Rule

The Board is amending the Enforcement Procedures before the Environmental Control Board found in Section 3-31(b) of Subchapter B of Chapter 3 of Title 48 of the Rules of the City of New York.

This is to take into account the recent passage of Local Law 35 of 2008 which provides for the functional transfer of the Environmental Control Board (ECB), into the Office of Administrative Tribunals and Hearings, (OATH). This legislation renumbered section 1404 of the New York City Charter to section 1049-a. Such law will become effective November 23, 2008.

In view of the consolidation of ECB with OATH, ECB will by separate proposed rule have included all of its rules within Chapter 3 of Title 48, which is the title of the Rules of the City of New York that includes the rules of the Office of Administrative Trials and Hearings. Also by separate rule, ECB will have replaced the prefix "31-" in all ECB rule numbers with the prefix "3-". Accordingly, the amendments to the ECB rule that is proposed within this rule is being proposed as an amendment to Section 3-31 as contained within Chapter 3 of Title 48, rather than as an amendment to Section 31-31.

Prior to the enactment of this legislation, ECB's jurisdiction to adjudicate violations was found in section 1404 of the New York City Charter. Local Law 35 now places ECB's jurisdiction in section 1049-a. Notices of Violation (Nov's) returnable to the ECB must refer to the legal authority and jurisdiction under which a hearing is to be held.

ECB has undertaken aggressive steps to assure Notices of Violation issued on and after November 23, 2008, reflect the new charter provision of section 1049-a. All agencies which issue Notices of Violation returnable to the Board have been provided with ample notice of the need for their Nov's to reflect this change.

The Board realizes that there may be instances where Nov's are filed on or after the effective date of Local Law 35 which do not reference the amended legal authority and jurisdiction under which a hearing is to be held. The Board proposes this amendment to its rules at this time in order to ensure that all adjudications commenced on and after November 24, 2008, conform with the amended statutory authority as reflected in Local Law 35 of 2008.

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

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by section 1404(c)(3) of the New York City Charter, and by Section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created. Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before November 6, 2008. A public hearing regarding the proposed rule will be held on November 6, 2008, at the ECB, 66 John Street, 10th Floor, Reception, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before November 6, 2008. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by October 30, 2008. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038. Section 1. The Fire Penalty Schedule found in Section 3-106 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to revise the definition of "second or subsequent violation" found in Fire Penalty Schedule II, which is effective for every Notice of Violation with a date of occurrence on or after July 1, 2008, to read as follows:

Deleted Material is in [brackets]. New material is underlined.

[A second or subsequent violation is a violation by the same respondent of the same provision of law, rule or regulation as the previous violation and, if the respondent is the owner, agent, lessee, or other person in control of the premises with respect to which the violation occurred, at the same premises, with a date of occurrence within 18 months of the date of occurrence of the previous violation.]

A violation is subject to second or subsequent violation penalties when: (1)(a) it is a violation by the same respondent of the same provision of law, rule, or Violation Category as a prior violation that has a date of occurrence within 18 months, or (b) it is a violation by the same respondent of the predecessor provision of law, rule or Violation Category (previously "Rule") that has a date of occurrence within 18 months; and (2) if the respondent is the owner (as defined in the Fire Code) of the premises with respect to which the violation occurred, if the prior violation occurred at the same premises.

Statement of Basis and Purpose of Proposed Rule

The Environmental Control Board (ECB) proposes to revise the definition of "second or subsequent" violation found in ECB's Fire Penalty Schedule II. The revision is proposed so that the higher "second or subsequent" penalty amount will be imposed not only when there is a prior violation of the same section of law, rule or Violation Category but also when there is a prior violation of the predecessor section of law, rule or Violation Category (previously "Rule").

The term "Violation Category" is included in the proposed definition of "second or subsequent" violation because the NYC Fire Department, for enforcement purposes, classifies charging provisions into categories denominated "Violation Categories" (1 RCNY 109-01). The equivalent classifications were denominated "Rule" categories under the superseded Fire Code (3 RCNY 16-03). ECB's Fire Penalty Schedule II reflects the current Violation Categories. Therefore, for example, under the proposed definition, if a current violation is of a "Violation Category 1" charge, that violation will constitute a "second or subsequent" violation if the respondent was previously found in violation of either (i) any "Violation Category 1" charge issued pursuant to the current Fire Code with a date of occurrence within 18 months of the date of occurrence of the current charge, if all other criteria set forth in the definition of "second or subsequent" violation are met, or (ii) any "Rule 1" charge issued pursuant to the superseded Fire Prevention Code, with a date of occurrence within 18 months of the date of occurrence of the current charge, if all other criteria set forth in the definition of "second or subsequent" violation are met.

ECB is proposing to amend Title 48 of the Rules of the City of New York (RCNY) in this rulemaking, rather than Title 15 of the RCNY, because ECB is being consolidated with the Office of Administrative Trials and Hearings (OATH), and Title 48 includes the rules of OATH. This consolidation is pursuant to the provisions of Local Law 35 of 2008, which re-numbers Section 1404 of the City Charter as Section 1049-a, and provides in said Section 1049-a that "[t]here shall be in the office of administrative trials and hearings an environmental control board."

Local Law 35 was signed on August 12, 2008 and is effective either within thirty days after its becoming law or "as soon as practicable thereafter as a transfer of functions may be effectuated pursuant to subdivision 2 of section 70 of the civil service law." It is anticipated that such "transfer of functions" will be completed on November 23, 2008, and that the consolidation of ECB with OATH will be effective on that date. Therefore, as of November 23, 2008, by means of a separately promulgated rule, ECB's rules ("Enforcement Procedures Before the Environmental Control Board"), including all of ECB's penalty schedules, will be reissued as Chapter 3 of Title 48 of the RCNY, and re-numbered

accordingly. In light of the reissuance and re-numbering of its rules within Chapter 3 of Title 48, the Board proposes to include the revised definition of "second or subsequent" violation within Chapter 3 of Title 48, rather than within Chapter 31 of Title 15.

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

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1404(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before November 6, 2008. A public hearing regarding the proposed rule will be held on November 6, 2008, at 5:00 P. M., at ECB, 66 John Street, 10th Floor, Reception, New York, N.Y. 10038, at 5:00 p.m. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before November 6, 2008. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by October 30, 2008. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add a new entry within Buildings Penalty Schedule II. This new entry will be added immediately following the entry in Buildings Schedule II for BC 3303.3 & 27-1020, "Failure to post D.O.T. permit for street/sidewalk closing." New material is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row 1: BC 3303.4 & 27-1018, Class 1, Failure to maintain adequate housekeeping per section requirements, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000.

Section 2. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add two new entries within Buildings Penalty Schedule II. These new entries will be added immediately following the entry in Buildings Penalty Schedule II for BC 3303.4 & 27-1018, Class 2, "Failure to maintain adequate housekeeping per section requirements," as follows:

New matter is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row 1: BC 3303.4.5 & 27-1018, Class 1, Unsafe storage of materials during construction or demolition, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000. Row 2: BC 3303.4.6 & 27-1018, Class 1, Unsafe storage of combustible material and equipment, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000.

Section 3. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II. This new entry will be added immediately following the entry in Buildings Penalty Schedule II for BC 3307.3.1 & 27-1021(a), Class 1, "Failure to provide sidewalk shed where required," as follows:

New matter is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row 1: BC 3307.3.1 & 27-1021(a), Class 2, Failure to provide sidewalk shed where required, No, No, \$2,400, No, \$10,000, \$6,000, \$10,000, \$10,000, \$10,000.

Section 4. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II. This new entry will be added immediately following the entry in Buildings Penalty Schedule II for BC 3310.5 & 27-1009(d), "Failure to have Site Safety Manager or Coordinator present as required," as follows:

New material is underlined.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row 1: BC 3310.9.1, Class 1, No Concrete Safety manager present during all concrete operations as required, No, No, \$2,400, Yes, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000.

Section 5. The entry in Buildings Penalty Schedule II, BC 3314.4.6 & 26-204.1 (c), Class 1, "Use of supported scaffold without a scaffold user certificate," which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to read as follows:

Deleted material is in [brackets]. I DON'T SEE ANY BRACKETS HERE.

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row 1: BC 3314.4.6 [& 26-204.1 (c)], Class 1, Use of supported scaffold without a scaffold user certificate, No, No, \$1,600, No, \$8,000, \$4,000, \$16,000, \$8,000, \$25,000.

Section 6. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended by deleting the entry in Buildings Penalty Schedule II, BC 3314.4.6 & 26-204.1 (c), Class 2, "Use of supported scaffold without a scaffold user certificate," as follows:

Deleted material is in [brackets].

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row 1: [BC 3314.4.6 & 26-204.1 (c)], [Class 2], [Use of supported scaffold without a scaffold user certificate.], [Yes], [No], [\$800], [Yes], [\$4,000], [\$2,000], [\$8,000], [\$4,000], [\$10,000].

Section 7. The entry in Buildings Penalty Schedule II, BC 3314.4.5 & 26-204.1(a), Class 1, "Erected, dismantled, repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion," which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended as follows:

Deleted material is in [brackets].

Table with 12 columns: Section of Law, Classification, Violation Description, Cure, Stipulation, Standard Penalty, Mitigated Penalty, Default Penalty, Aggravated I Penalty, Aggravated I Default Penalty, Aggravated II Penalty, Aggravated II Default - Maximum Penalty. Row 1: BC 3314.4.5 [& 26-204.1 (a)], Class 1, Erected, dismantled, repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion, No, No, \$2,400, No, \$12,000, \$6,000, \$24,000, \$12,000, \$25,000.

Section 8. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended by deleting the entry in Buildings Penalty Schedule II, BC 3314.4.5 & 26-204.1(a), Class 2, "Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion," as follows: Deleted material is in [brackets].

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
[BC 3314.4.5 & 26-204.1(a)]	[Class 2]	[Erected, dismantled repaired, maintained, modified or removed supported scaffold without a scaffold certificate of completion.]	[No]	[No]	[\$1,200]	[No]	[\$6,000]	[\$3,000]	[\$10,000]	[\$6,000]	[\$10,000]

Section 9. Buildings Penalty Schedule II, which, on or before the effective date of the final rules resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following all entries for Section 28-105.1 "Outdoor Ad Co sign on display structure without a permit," as follows: New Matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>§28-105.11</u>	<u>Class 2</u>	<u>Failure to post permit for work at premises</u>	Yes	Yes	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000

Section 10. Buildings Penalty Schedule II, which, on or before the effective date of the final rules resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add two new entries within Buildings Penalty Schedule II immediately following the entry for 28-105.12.2. "Outdoor Ad Co sign is contrary compliance with construction documents," as follows: New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>§ 28-110.1</u>	<u>Class 1</u>	<u>Failure to provide evidence of workers attending construction & safety course</u>	No	No	\$1,200	No	\$6,000	\$3,000	\$12,000	\$6,000	\$25,000
<u>§ 28-110.1</u>	<u>Class 1</u>	<u>Failure to conduct workers' site-specific safety orientation program per site safety plan.</u>	No	No	\$1,200	No	\$6,000	\$3,000	\$12,000	\$6,000	\$25,000

Section 11. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-118.3.2, "Occupancy contrary to that allowed by the Certificate of Occupancy or Building Department records," as follows: New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>§28-201.1</u>	<u>Class 1</u>	<u>Unlawful Acts. Failure to comply with an order of the Commissioner.</u>	No	No	\$2,400	No	\$12,000	\$6,000	\$24,000	\$12,000	\$25,000

Section 12. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-211.1, "Filed a certificate, form, application etc., containing a material false statement(s)," as follows: New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>§28-211.1</u>	<u>Class 1</u>	<u>Filed a certificate of correction or other related materials containing material false statement(s).</u>	No	No	\$4,800	No	\$24,000	\$12,000	\$25,000	\$24,000	\$25,000

Section 13. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-301.1, "Failure to maintain building in code-compliant manner: Improper exit/exit access doorway arrangement per BC 1014.2:27-361," as follows: New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>§28-301.1</u>	<u>Class 1</u>	<u>Failure to maintain building in a code compliant manner. Failure to provide number of required means of egress for every floor per BC 1018.1 & 27-366.</u>	No	No	\$1,200	No	\$6,000	\$3,000	\$12,000	\$6,000	\$25,000

Section 14. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-301.1, "Failure to maintain building in code-compliant manner: Plumbing fixture(s) not trapped and/or vented per PC 916.1 & PC 1002.1: 27-901(o)," as follows: New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>§28-301.1</u>	<u>Class 2</u>	<u>Failure to maintain building in a code compliant manner. Exhaust discharge must be no closer than 10 feet from building openings as per RS 2-2.1.4 & MC 401.5.2</u>	Yes	No	\$800	Yes	\$4,000	\$2,000	\$8,000	\$4,000	\$10,000

Section 15. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended by deleting the entry in Buildings Penalty Schedule II for 28-405.1, Class 2, "Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's license," as follows: Deleted material in [brackets].

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
[§28-405.1]	[Class 2]	[Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's License]	[No]	[No]	[\$800]	[Yes]	[\$4,000]	[\$2,000]	[\$8,000]	[\$4,000]	[\$10,000]

Section 16. The entry in Buildings Penalty Schedule II for 28-408.1, Class 2, "Performing unlicensed plumbing work without a master plumber license," which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to read as follows: Deleted material in [brackets]. New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>§28-408.1</u>	<u>[Class 2] Class 1</u>	<u>Performing unlicensed plumbing work without a master plumber license.</u>	No	No	[\$500] \$1,000	[Yes] No	[\$2,500] \$5,000	[\$1,250] \$2,500	[\$5,000] \$10,000	[\$2,500] \$5,000	[\$10,000] \$25,000

Section 17. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for 28-401.1, "Performing unlicensed plumbing work without a master plumber license," as follows: New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>Misc. Chapter 4 of Title 28- Unlicensed Activity</u>	<u>Class 1</u>	<u>Illegally engaging in any business or occupation without a required license or other authorization.</u>	No	No	\$1,000	No	\$5,000	\$2,500	\$10,000	\$5,000	\$25,000

Section 18. Buildings Penalty Schedule II, which, on or before the effective date of the final rule resulting from this proposed rule, will be found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add one new entry within Buildings Penalty Schedule II immediately following the entry for ZR 22-00, Class 2, "Illegal use in residential district," as follows: New matter is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Maximum Penalty
<u>ZR 22-00</u>	<u>Class 3</u>	<u>Illegal use in residential district</u>	Yes	Yes	\$300	No	\$500	\$500	\$500	\$500	\$500

Section 19. It is proposed that this rule take effect thirty days after its publication in the City Record as a final rule, except that section 4 of this rule shall take effect on January 1, 2009, and section 10 of this rule shall take effect on December 2, 2008.

Statement of Basis and Purpose

The Environmental Control Board proposes various amendments and additions to charges in Buildings Penalty Schedule II, as found within Title 48 of the Rules of the City of New York (RCNY). Although currently (as of the publication date of the instant proposed rule) ECB's Buildings Penalty Schedule II is found within Title 15 of the RCNY, as of November 23, 2008, ECB will be consolidated with the Office of Administrative Trials and Hearings (OATH) by virtue of the enactment of Local Law 35 of 2008. Title 48 of the RCNY includes OATH's rules. Since ECB will be consolidated with OATH, ECB's rules will, as of November 23, 2008, also be included within Title 48, in Chapter 3 of that Title. Accordingly, the instant proposed rule, which amends Buildings Penalty Schedule II, is proposing amendments to Buildings Penalty Schedule II as found within Chapter 3 of Title 48.

The consolidation of OATH and ECB is pursuant to the provisions of Local Law 35 of 2008, which provides that "[t]here shall be in the office of administrative trials and hearings an environmental control board." To effect this consolidation, Local Law 35 amends City Charter section 1404, which currently governs ECB, and re-numbers that Charter Section as Charter Section 1049-a. Local Law 35 goes into effect within thirty days after its enactment or "as soon as practicable thereafter as a transfer of functions may be effectuated pursuant to subdivision 2 of section 70 of the civil service law." It is anticipated that such "transfer of functions" will be completed by November 23, 2008 and that the consolidation of OATH and ECB will go into effect on that date.

It should be noted that with regard to all new and amended proposed violations in the instant proposed rule, the classifications (but not the penalties) are established by the Department of Buildings by a separate rule of that Department. This is because, pursuant to section 28-201.2 of the NYC Administrative Code, the Commissioner of the Department of Buildings is required to promulgate rules classifying all violations enforced by the Department as Immediately Hazardous (Class 1), or as Major (Class 2), or as Lesser (Class 3). Those violation classifications are then incorporated into ECB's Penalty Schedules.

Housekeeping Violations: The Board proposes adding three additional charges for violations of Building Code section 3303.4, to Buildings Penalty Schedule II. Section 3303.4 pertains to "housekeeping" at construction sites. This is in view of the enactment of Local Law 34 of 2008, which took effect on August 12, 2008. That law amended Section 28-201.2.1 of the NYC Administrative Code so as to classify violations of subsections 3303.4.5 and 3303.4.6 as "Immediately Hazardous" (Class 1). Therefore, the Board proposes adding charging provisions for those subsections. In addition, the Board proposes adding a new Class 1 general housekeeping violation (not specific to a particular subsection), which will be in addition to the already existing general Class 2 violation. The Board notes that the Department of Buildings will, by separate rule, propose adding the descriptions of and the classifications for these additional Class 1 housekeeping charges to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Concrete Safety Managers: The Board proposes adding a Class 1 charge for a violation of Building Code Section 3310.9.1, "No Concrete Safety Manager present during all concrete operations as required," to Buildings Penalty Schedule II. This is in view of the enactment of Local Law 40 of 2008, which takes effect on January 1, 2009. That Local Law adds a new section, BC 3310.9, to the Building Code, requiring additional personnel to oversee concrete operations at major buildings under construction, and requiring a Concrete Safety Manager on construction sites where a minimum of 2,000 cubic yards of concrete is to be poured. Accordingly, the Board proposes adding a new charge to implement this new provision of law. The Board notes that the Department of Buildings, by separate rule, will propose adding the description of and the classification for this additional charge to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY. Since Local Law 40 takes effect on January 1, 2009, the Board proposes that the new charge for Section 3310.9.1 take effect on that date.

Supported scaffolds: The Board proposes deleting the Class 2 charges for Building Code sections 3314.4.5 and 3314.4.6, both of which pertain to supported-scaffolds, from Buildings Penalty Schedule II. This is in view of the enactment of Local Law 24 of 2008, which took effect on July 1, 2008. That law amended Section 28-201.2.1 so as to require that all violations of sections 3314.4.5 and 3314.4.6 be classified as Class 1 (Immediately Hazardous). Accordingly, the Board proposes deleting the Class 2 charges for those sections. Additionally, the Board proposes amending the two remaining (Class 1) charges for Sections 3314.4.5 and 3314.4.6 so as to delete the additional Section numbers, 26-204.1(a) and 26-204(c), that are also listed in those charges. The reason the Board proposes deleting the references to Sections 26-204.1(a) and 26-204(c) is that the references to those sections were included in error in the initial promulgation of Buildings Penalty Schedule II. The Board notes that the Department of Buildings will, by separate rule, propose equivalent amendments to its rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Site safety: The Board proposes adding two new charges to Buildings Penalty Schedule II for violations of Administrative Code section 28-110.1, namely, "Failure to provide evidence of workers attending construction & safety course," and "Failure to conduct workers' site-specific safety orientation program per site safety plan." This is in view of the enactment of Local Law 41 of 2008, which takes effect on December 2, 2008. That law amends Section 28-110.1 to add two new provisions that require that workers complete site safety courses, and that require Site Safety Plans to include mandatory site-specific Safety Orientation Programs.

Accordingly, the Board proposes adding two new charges to implement these new provisions of Section 28-110.1. The Board notes that the Department of Buildings, by separate rule, will propose adding the descriptions of and the classifications for these additional charges to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY. Since Local Law 41 takes effect on December 2, 2008, the Board proposes that these new charges for Section 28-110.1 take effect on that date.

Unlicensed activity: The Board proposes deleting the Class 2 level charge for Administrative Code section 28-405.1, "Supervision or use of power-operated hoisting machine without a Hoisting Machine Operator's license," from Buildings Penalty Schedule II. There is already a Class 1 charge for that violation in the Penalty Schedule. The Board also proposes amending the charge for Administrative Code section 28-408.1, "Performing unlicensed plumbing work without a master plumbing license," from a Class 2 charge to a Class 1 charge. The Board also proposes adding a new Class 1 miscellaneous charge, "Illegally engaging in any business or occupation without a required license or other authorization," for Chapter 4 of Title 28 of the Administrative Code. The Board proposes these various amendments and additions to Buildings Penalty Schedule II in view of the enactment of Local Law 08 of 2008, which took effect on July 1, 2008. That law amended Administrative Code section 28-201.2.1 to require that a violation be classified as Class 1 where the violation is of any provision of Chapter 4 of Title 28 of the Administrative Code, for engaging in any business or occupation without a required license or other authorization. The Board notes that the Department of Buildings, by separate rule, will propose equivalent changes to its rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Sidewalk sheds: The Board proposes adding a new Class 2 charge for a violation of Building Code section 3307.3.1 & Administrative Code section 27-1021(a), "Failure to provide sidewalk shed where required." There is already a Class 1 charge for this section. The Board proposes adding a Class 2 classification in view of the fact that a Class 2 severity level may be warranted under some circumstances. The Board notes that the Department of Buildings, by separate rule, will propose adding the description of and the classification for this additional Class 2 charge to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Failure to post permit for work at premises: The Board proposes adding a charge for a violation of Administrative Code section 28-105.11, for failure to post permit for work at premises, to enable effective enforcement of this section of law. The Board notes that the Department of Buildings, by separate rule, will propose adding the description of and the classification for this additional charge to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Required Means of egress; Location of exhaust discharge: The Board proposes adding two new charges for failure-to-maintain in violation of Administrative Code section 28-301.1: (1) respondent failed to provide the required number of means of egress for every floor, and (2) respondent improperly located an exhaust discharge. These charges are added in order to enable effective enforcement with regard to these conditions. The Board notes that the Department of Buildings anticipates, by separate rule, will propose adding the descriptions of and the classifications for these additional charge to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Zoning Resolution 22-00: The Board proposes adding a new Class 3 charge for illegal use in a residential district in violation of section 22-00 of the Zoning Resolution. This charge is added in view of the fact that there is already a Class 3 charge in Buildings Penalty Schedule II for violations of ZR 25-41, which pertains to parking restrictions, and in view of the fact that ZR 22-00 is also at times cited in connection with violations pertaining to parking restrictions. The Board notes that the Department of Buildings, by separate rule, will propose adding the description of this Class 3 charge to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Material false statements in Certificate of Correction: The Board proposes adding a new charge for filing a false certificate of correction pursuant to Administrative Code section 28-211.1, which makes it a violation to make a material false statement in various documents, including certificates of corrections. Buildings Penalty Schedule II already contains a general charge under section 28.211.1; however, the Board is proposing to add this more specific charge, due to the frequency of issuance of violations in connection with certificates of correction, in particular. The Board notes that the Department of Buildings, by separate rule, will propose adding the description of this new charge to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY.

Failure to comply with an order of the Commissioner: The Board proposes adding a new charge for failing to comply with an order of the Commissioner of the Department of Buildings in violation of Administrative Code section 28-201.1. Buildings Penalty Schedule II already includes a charge for failure to comply with a Stop Work Order, and a charge for not filing a certificate of correction. However, the proposed new charge will enable enforcement in connection with all other instances of failure to comply with a Commissioner's order. The Board notes that the Department of Buildings, by separate rule, will propose adding the description of this new charge to the Department's rules found in 100-21 of subchapter B of Title 1 of the RCNY.

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

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control

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

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, on or before November 6, 2008. A public hearing regarding the proposed rule will be held on November 6, 2008, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 on or before November 6, 2008. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038, (212) 361-1515 by October 30, 2008. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 9th Floor, New York, N.Y. 10038.

Section 1. The Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to change the entry in the "Section/Rule" column of that Penalty Schedule that currently reads "34 RCNY 2-11(e)(12)(xi)," to read as follows:

Deleted material is in [brackets].

SECTION/RULE	DESCRIPTION	Penalty	DEFAULT
34 RCNY 2-11(e)(12)(xi) <u>(x)</u>	Failure to permanently restore cut within required time	800	2,400

Section 2. The Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to change the entry in the "Section/Rule" column of that Penalty Schedule that currently reads "34 RCNY 2-11(e)(12)(ix)," to read as follows:

New matter is underlined.

Deleted material is in [brackets].

SECTION/RULE	DESCRIPTION	Penalty	DEFAULT
34 RCNY 2-11(e)(12) [(ix)] <u>(viii)</u>	Failure to seal street opening joints	100	300

Section 3. The Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York is amended to change the entry in the "Section/Rule" column of that Penalty Schedule that currently reads "34 RCNY 2-11(e)(12)(x)," to read as follows:

New matter is underlined.

SECTION/RULE	DESCRIPTION	Penalty	DEFAULT
34 RCNY 2-11(e)(12) [(x)] <u>(ix)</u>	Failure to restore lane markings	750	2,250

Statement of Basis and Purpose of Proposed Rule

The Board is amending the Department of Transportation Penalty Schedule found in Section 31-124 of Subchapter G of Chapter 31 of Title 15 of the Rules of the City of New York to change the numbering of three sections to reflect the re-numbering of those sections that was effected by a Final Rule promulgated by the New York City Department of Transportation on June 7 of 2007. Specifically, Section 34 RCNY 2-11(e)(12)(xi) is renumbered 34 RCNY 2-11(e)(12)(x); Section 34 RCNY 2-11(e)(12) (ix) is renumbered 34 RCNY 2-11(e)(12)(viii); and Section 34 RCNY 2-11(e)(12)(x) is renumbered 34 RCNY 2-11(e)(12)(ix). The descriptions and penalties for these charges remain the same.

the number of homeless families and individuals seeking emergency shelter has increased city-wide. Many of these households were formerly housed and for a variety of reasons, were subsequently evicted from their homes. Many eviction cases are lost because tenants do not have and/or do not seek legal representation, do not know their rights and responsibilities, miss court and/or administrative hearings, or do not respond effectively to landlord-tenant disputes.

DHS intends to work collaboratively with service providers to enhance the delivery of anti-eviction legal services and other services with the aim of preserving the tenancy of families most at risk of entering the shelter system. In advance of the issuance of the Request for Proposals, DHS is releasing a "Concept Paper" presenting the agency's proposed approach and requesting comments and feedback to enhance the program services. The concept paper will be posted beginning October 6th, 2008 on the DHS's website, www.nyc.gov/dhs. Comments on this concept paper are invited and will be accepted until close of business, Wednesday October 22nd, 2008. Please limit your comments to no more than (5) five pages. Comments may be submitted by regular mail or by email and must be directed to the contact person:

Kayona Wall
Senior Contract Officer/Competitive Sealed Proposals
Department of Homeless Services
33 Beaver Street; 13th Floor New York, NY 10004
Telephone #: 212-361-8439
E-Mail: Kwall@dhs.nyc.gov

On the outside of the envelope or subject line of the email, please write the following: "Tenancy Preservation Legal Services/Response to Concept Paper."

o6-10

MAYOR'S OFFICE OF ENVIRONMENTAL COORDINATION

■ NOTICE

NOTICE OF CEQR COMMENCEMENT

CEQR NO.	Project Name	Borough	CD
06BSA013M	813-815 Broadway	Manhattan	MN02
08BSA079R	Victory Boulevard Medical	Staten Island	SI01
08BSA083Q	Astoria Boulevard Hotel	Queens	QN03
08BSA089M	Hilton Resorts Corporation/Spa Chakra LLC	Manhattan	MN05
08BSA090R	Roman Spa and Sauna	Staten Island	SI01
08BSA092K	651-671 Fountain Avenue	Brooklyn	BK05
08BSA095K	Congregation Kol Torah	Brooklyn	BK14
08BSA096M	Bally Sport Club	Manhattan	MN05
08BSA097M	Garden Retreat Spa	Manhattan	MN05
09CAS001Q	1 Beach 84th Street	Queens	QN14
07DCP051R	Woodrow Plaza	Staten Island	SI03
08DCP052M	126-128 Baxter Street	Manhattan	MN02
08DCP062R	1281 Arthur Kill Road/Commercial Development	Staten Island	SI03
08DCP069R	481 Jersey Street	Staten Island	SI01
08DCP078K	Teddy's Bar and Grill	Brooklyn	BK01
09DCP004M	53 West 53rd Street	Manhattan	MN05
09DCP007M	Western Rail Yard Project	Manhattan	MN04
07DEP003U	Gilboa Dam Reconstruction	Upstate	
07DEP067U	Hillview Reservoir Cover	Upstate	
09DME001K	572 Fulton Street	Brooklyn	BK02
09DME002K	Bush Terminal - Units B & C	Brooklyn	BK07
08DOS007Q	Long Term Service Contract for Management Rail Transport	Queens	QN02
09DOS001K	Brooklyn Interim Waste Export Program-2008 Procurement	Brooklyn	BK1 BK6 BK7 BK5
09DPR001X	Bronx River House	Bronx	BX09
09HPD001K	577-583 Belmont Avenue	Brooklyn	BK05
09HPD002K	Van Siclen/Warwick Project	Brooklyn	BK05
09HPD007K	Coretta Scott-King Senior Apartments	Brooklyn	BK05
09HPD008K	Round III Division/Java	Brooklyn	BK01
09HPD009K	Hegeman Residence	Brooklyn	BK16



HOMELESS SERVICES

■ NOTICE

NOTICE OF CONCEPT PAPER

Tenancy Preservation Legal Services (TPLS)

The Department of Homeless Services ("DHS") intends in the near future to issue a Request for Proposals ("RFP") seeking qualified legal services providers to assist in fulfilling its mission to prevent homelessness and shelter entry. Recently,

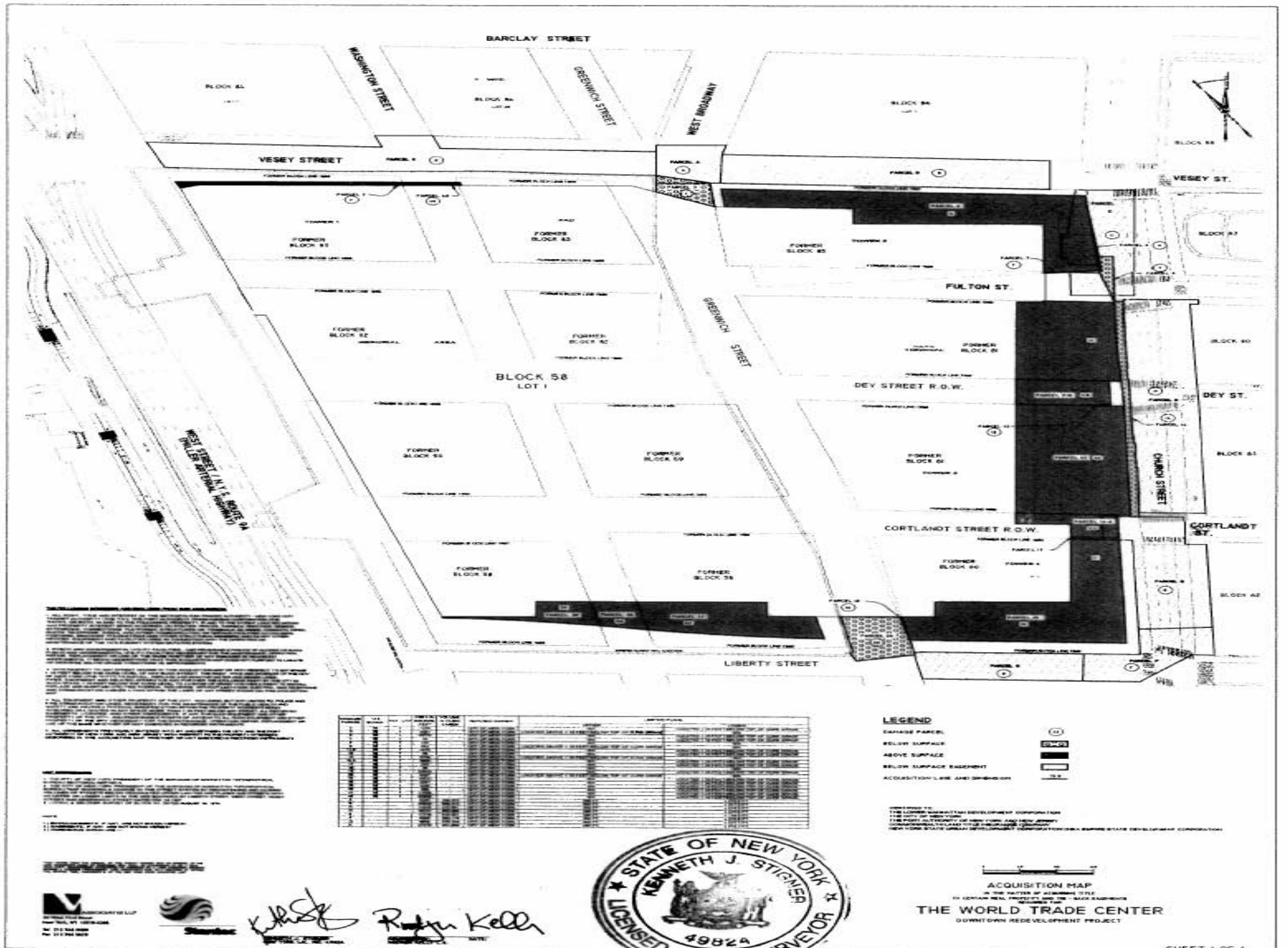
WHEELER	MICHAEL	P	70260	\$87522.0000	PROMOTED	NO	10/26/07
WRIGHT	SHANNETT	N	60817	\$32658.0000	DISMISSED	NO	09/05/08
WYSOKOWSKI	MICHAEL	S	7023A	\$88948.0000	PROMOTED	NO	12/21/07
YAU	JOANNA		10234	\$10.7100	RESIGNED	YES	08/23/08
YEE	EDWARD	K	7023A	\$92506.0000	PROMOTED	NO	06/27/08
YUIMANS	DAMON	J	70210	\$50737.0000	RESIGNED	NO	08/16/08
ZAPATA	DIXON		70210	\$52148.0000	TERMINATED	NO	09/11/08
ZINK	SCOTT		7023A	\$88948.0000	PROMOTED	NO	03/28/08

FIRE DEPARTMENT FOR PERIOD ENDING 09/19/08

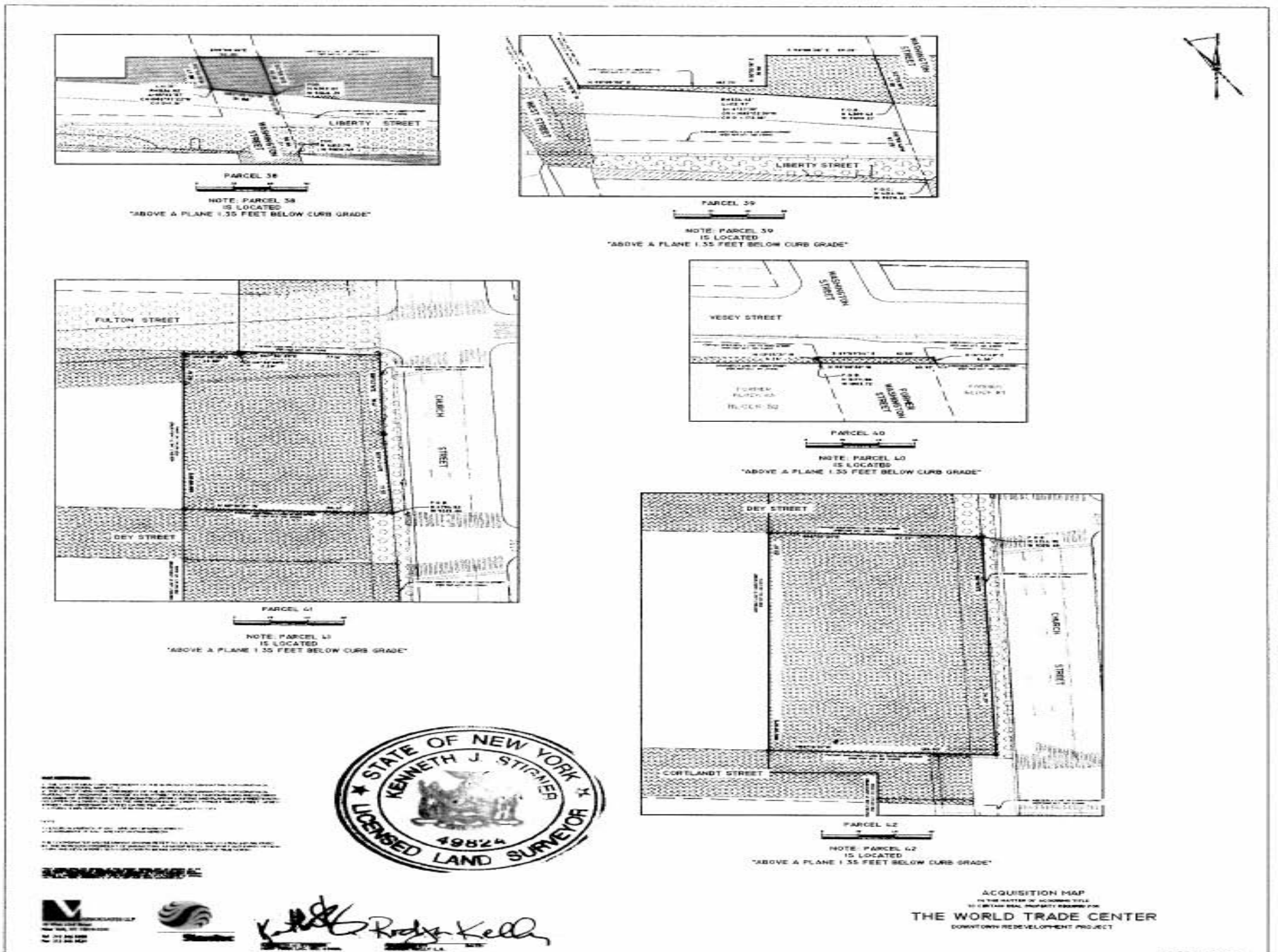
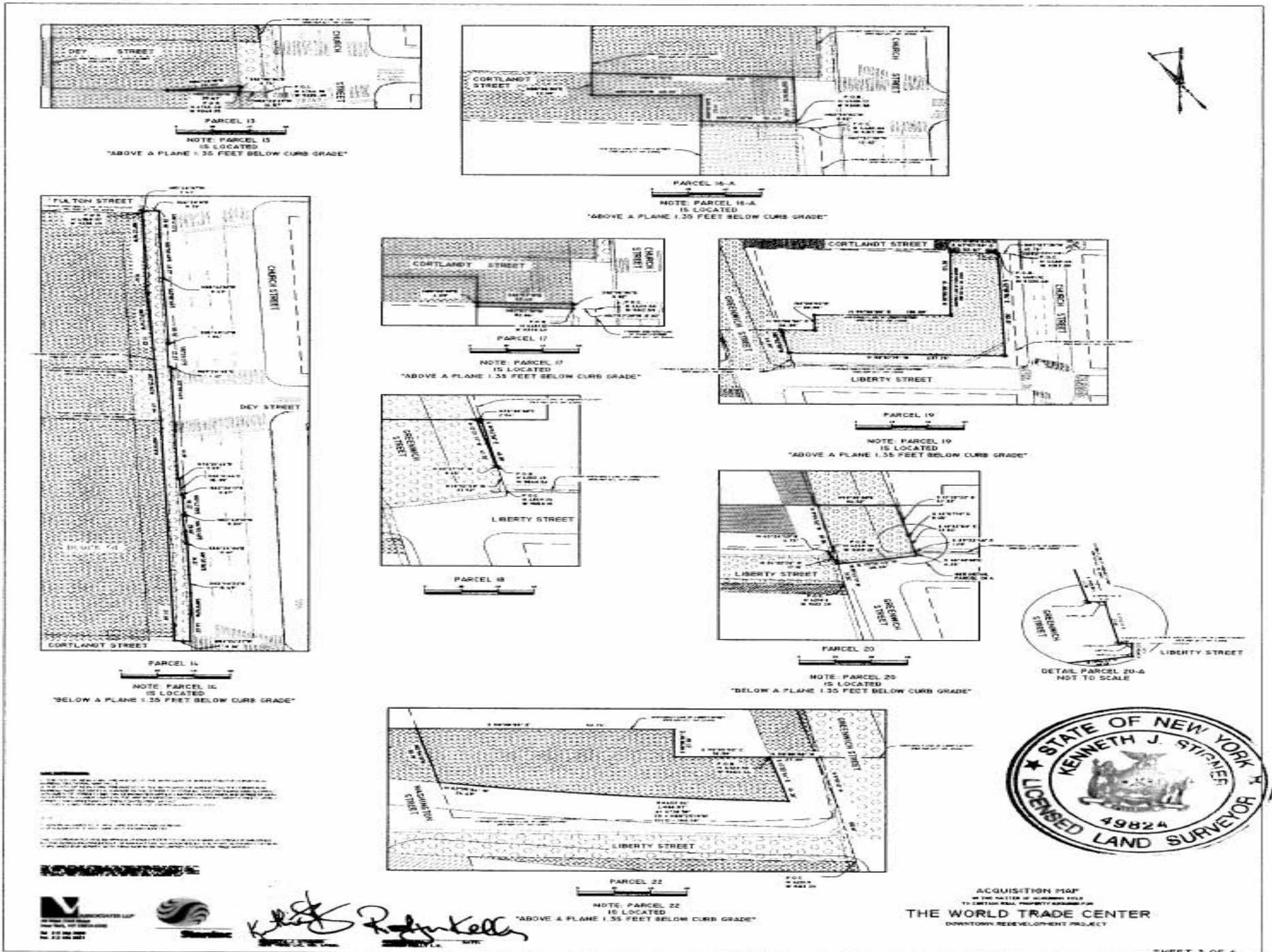
NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ABAD	BYRON	P	53053	\$27295.0000	INCREASE	YES	09/12/08
ABBAMONTE	JOSEPH	E	70365	\$88012.0000	PROMOTED	NO	06/23/07
ALFIERI	ROBERT	J	70370	\$100603.0000	PROMOTED	NO	06/22/07
ALLES	RICHARD	J	70382	\$131988.0000	PROMOTED	NO	05/12/07
ALVIA	ALLEN		53053	\$27295.0000	INCREASE	YES	09/12/08
ANDERSON	KEVIN	P	70365	\$88012.0000	PROMOTED	NO	01/05/08
ANDINO	FRANK		53055	\$56716.0000	RETIRED	NO	09/01/08
ARCHER	PETER		70365	\$88012.0000	PROMOTED	NO	06/23/07
ASAMOAH	SAMUEL	A	10024	\$83524.0000	INCREASE	YES	06/30/08
BAGGOTT	EDWARD	J	7038A	\$174560.0000	PROMOTED	NO	03/29/08
BALKISSOON	CHAITRAM		92510	\$270.0800	PROMOTED	NO	08/25/08
BELLOVIN	ROBERT	A	70360	\$88012.0000	PROMOTED	NO	06/23/07
BENNETT	DEREK	P	70365	\$88012.0000	PROMOTED	NO	11/03/07
BERNSTEIN	MICHAEL		70365	\$88012.0000	PROMOTED	NO	06/23/07
BEST	ADRIAN	R	31105	\$20.3500	RESIGNED	NO	09/05/08
BORRILLO	NICHOLAS		70365	\$88012.0000	PROMOTED	NO	11/03/07
BOYCE	ROBERT	J	70382	\$131988.0000	PROMOTED	NO	05/12/07
BRADY	PETER	J	70360	\$87186.0000	RETIRED	NO	12/04/07
BRADY	THOMAS	J	70370	\$100603.0000	PROMOTED	NO	06/22/07
BRAILEY	LATANYA	C	71010	\$30316.0000	RESIGNED	NO	04/23/08
BREEN	EDWARD	J	70370	\$100603.0000	PROMOTED	NO	06/22/07
BROSI	JOSEPH		70365	\$88012.0000	PROMOTED	NO	11/03/07
BROWN	MICHAEL	G	70365	\$88012.0000	PROMOTED	NO	06/23/07
BUCKHEIT	MICHAEL	J	70370	\$100603.0000	PROMOTED	NO	06/22/07
BURKE	FRANCIS	J	70365	\$88012.0000	PROMOTED	NO	05/12/07
BUTCHER	JOHN	M	70365	\$88012.0000	PROMOTED	NO	11/03/07
BUTLER	JAMES	A	70370	\$100603.0000	PROMOTED	NO	05/12/07
CALERI	DOMENICK	T	70370	\$100603.0000	PROMOTED	NO	05/12/07
CALLAN	JOSEPH	M	70370	\$100603.0000	PROMOTED	NO	06/22/07
CAMPANELLA	STEPHEN		70365	\$88012.0000	PROMOTED	NO	05/12/07
CANTY	JAMES	M	70365	\$88012.0000	PROMOTED	NO	06/23/07
CARANGI	CHRISTOP	M	70365	\$91532.0000	PROMOTED	NO	08/15/08
CASHIN	TERENCE	M	70370	\$100603.0000	PROMOTED	NO	05/12/07
CHAMBERLAIN	GARY	F	70370	\$100603.0000	PROMOTED	NO	06/22/07
CHANDLER	ETIENNE	L	10234	\$11.4300	RESIGNED	YES	08/30/08
CIARAVINO	PHILLIP		70370	\$100603.0000	PROMOTED	NO	06/22/07
CLARK	DAVID	C	70310	\$68475.0000	DECEASED	NO	08/30/08
CLINTON	GERARD	F	70370	\$100603.0000	PROMOTED	NO	06/22/07
COLEMAN	LIAM	J	70365	\$88012.0000	PROMOTED	NO	11/03/07
CONFORTI	THOMAS		53053	\$27295.0000	INCREASE	YES	09/12/08
CONLON	PAUL		70370	\$104627.0000	PROMOTED	NO	08/16/08
CONRAD	PAUL	M	70365	\$88012.0000	PROMOTED	NO	06/23/07
CORABI	MICHAEL	L	70365	\$88012.0000	PROMOTED	NO	11/03/07
CORCORAN	JAMES	T	70365	\$88012.0000	PROMOTED	NO	11/03/07
CORDERO	KEITH		31661	\$38285.0000	DISMISSED	NO	08/15/08
CORTES	DANIEL	J	53053	\$27295.0000	INCREASE	YES	09/12/08
CRISTELLO	STEPHEN	W	70365	\$88012.0000	PROMOTED	NO	06/23/07
CRONIN	CORNELIU	J	70370	\$104627.0000	PROMOTED	NO	08/16/08
DELRE	NICHOLAS		70382	\$131988.0000	PROMOTED	NO	05/12/07
DEMARTINI	CHARLES	W	70365	\$88012.0000	PROMOTED	NO	06/23/07
DESANTIS	ANDREW	J	53053	\$38030.0000	RESIGNED	NO	09/11/08
DIFUSCO	ANDREW	F	70393	\$95347.0000	PROMOTED	NO	11/03/07
DIPIETRO	JEFFREY	S	70365	\$91532.0000	PROMOTED	NO	08/15/08
DOHERTY	JAMES	G	70370	\$104627.0000	PROMOTED	NO	05/10/08
DONAHUE	JOHN	M	70365	\$88012.0000	PROMOTED	NO	06/23/07
DONLEVY	JAMES	J	70382	\$131988.0000	PROMOTED	NO	05/27/07
DONOHUE	KENNETH		70365	\$91532.0000	PROMOTED	NO	08/15/08
DONOHUE	RAYMOND	J	70365	\$88012.0000	PROMOTED	NO	06/23/07
DONOVAN	JOHN	J	70365	\$88012.0000	PROMOTED	NO	06/23/07
DUDLEY	JOSEPH	R	70365	\$88012.0000	PROMOTED	NO	06/23/07
DUFFY	RICHARD	H	70365	\$88012.0000	PROMOTED	NO	11/03/07
DUGGAN	JAMES	B	70365	\$91532.0000	PROMOTED	NO	08/15/08
DUGNAN	DAVID	B	70310	\$68475.0000	RETIRED	NO	09/01/08
EGAN	MATTHEW	L	70365	\$88012.0000	PROMOTED	NO	11/03/07

EHNI	CHARLES	J	70365	\$91532.0000	PROMOTED	NO	06/21/08
ENDALL	ROBERT	P	70370	\$104627.0000	PROMOTED	NO	08/16/08
FAHY	MICHAEL	J	70365	\$88012.0000	PROMOTED	NO	11/03/07
FEHMAN	JOHN	D	70365	\$88012.0000	PROMOTED	NO	11/03/07
FELICE	MICHAEL		92575	\$94249.0000	RETIRED	NO	09/01/08
FITCHETT	GLENN	W	70365	\$91532.0000	PROMOTED	NO	08/15/08
FITCHETT	WILLIAM	M	70370	\$104627.0000	PROMOTED	NO	08/16/08
FITZGERALD	STEVEN	P	70370	\$104627.0000	PROMOTED	NO	05/10/08
FITZGERALD	THOMAS	M	70370	\$100603.0000	PROMOTED	NO	06/22/07
FLAHERTY	LIAM	J	70365	\$88012.0000	PROMOTED	NO	06/23/07
FLOOD	RICHARD	E	70370	\$100603.0000	PROMOTED	NO	06/22/07
FLORIO	ROBERT	M	70365	\$88012.0000	PROMOTED	NO	01/05/08
FORD	ESTHER	E	53053	\$27295.0000	INCREASE	YES	09/12/08
FORDE	ROBERT	M	70365	\$88012.0000	PROMOTED	NO	11/03/07
GALA	MICHAEL	F	70370	\$100603.0000	PROMOTED	NO	05/12/07
GANDER	RICHARD	A	70365	\$88012.0000	PROMOTED	NO	11/03/07
GANDOLFO	CARL	A	53053	\$27295.0000	INCREASE	YES	09/12/08
GARCIA	SANDRA		71010	\$30316.0000	RESIGNED	NO	04/23/08
GEISSLER	GERARD	A	90735	\$248.5700	RESIGNED	YES	08/12/06
GENTILUOMO	STEVEN	G	70365	\$91532.0000	PROMOTED	NO	06/21/08
GIBBONS	PATRICK	J	70365	\$88012.0000	PROMOTED	NO	01/05/08
GIBBS	ROBERT		53054	\$50996.0000	RETIRED	NO	09/02/08
GIERY	SEAN	M	70365	\$88012.0000	PROMOTED	NO	06/23/07
GIMPEL	TIMOTHY	J	70365	\$88012.0000	PROMOTED	NO	05/12/07
GINLEY	ROBERT	C	70370	\$104627.0000	PROMOTED	NO	05/10/08
GINTY	PATRICK	J	70370	\$100603.0000	PROMOTED	NO	05/12/07
GOLDSON	LEON	A	53053	\$27295.0000	INCREASE	YES	09/12/08
GONZALEZ	ADONAY		53053	\$27295.0000	RESIGNED	YES	08/30/08
GREGORIO	JOHN	A	70370	\$100603.0000	PROMOTED	NO	05/12/07
GROSSO	JAMES	M	70365	\$88012.0000	PROMOTED	NO	11/03/07
GUMB	HAROLD	J	70365	\$88012.0000	PROMOTED	NO	05/12/07
HABE	RICHARD	W	31643	\$49943.0000	APPOINTED	YES	09/02/08
HALDERMAN	MICHAEL		70382	\$131988.0000	PROMOTED	NO	05/12/07
HAMILTON	KEVIN	D	53053	\$27295.0000	INCREASE	YES	09/12/08
HANNON	MATTHEW	D	53053	\$27295.0000	INCREASE	YES	09/12/08
HARRIS	JOSEPH	A	70370	\$100603.0000	PROMOTED	NO	05/12/07
HART	PETER	J	70382	\$131988.0000	PROMOTED	NO	05/12/07
HARVEY	ERIKA	D	10234	\$15.0000	RESIGNED	YES	09/04/08
HELFF	TIMOTHY	H	70365	\$88012.0000	PROMOTED	NO	06/23/07
HENRI	THOMAS		70365	\$88012.0000	PROMOTED	NO	06/23/07
HILABY	FAISAL		53053	\$27295.0000	INCREASE	YES	09/12/08
HINDS	PATRICIA	A	91212	\$35826.0000	INCREASE	YES	06/02/08
HOLFESTER	JOHN	V	70365	\$88012.0000	PROMOTED	NO	05/12/07
HUBERT	MICHAEL	J	70365	\$88012.0000	PROMOTED	NO	06/23/07
HUTCHINSON	SHOWIN	P	53053	\$27295.0000	INCREASE	YES	09/12/08
HYLAND	LAWRENCE	P	70370	\$100603.0000	PROMOTED	NO	05/12/07
IRIARTE	WAYMAN	A	70365	\$88012.0000	PROMOTED	NO	06/23/07
JACKSON	KEVIN	T	70365	\$88012.0000	PROMOTED	NO	11/03/07
JACKSON	MICHAEL	J	70365	\$88012.0000	PROMOTED	NO	11/03/07
JONAS	JOHN	A	70382	\$131988.0000	PROMOTED	NO	05/12/07
JOYCE	CHRISTOP	J	70370	\$100603.0000	PROMOTED	NO	05/12/07
KEARNEY	PETER	P	70365	\$88012.0000	PROMOTED	NO	06/23/07
KERSHIS	JOHN	F	70365	\$91532.0000	PROMOTED	NO	08/15/08
KHIRYENKO	PAVEL		53054	\$41139.0000	RESIGNED	YES	08/22/08
KIESLING	JAMES	W	70365	\$88012.0000	PROMOTED	NO	11/03/07
KOCH	JOHN	D	70370	\$104627.0000	PROMOTED	NO	03/29/08
KOMMAREDDY	ABHILASH	R	10234	\$17.1500	RESIGNED	YES	08/30/08
KONOP	GEORGE	M	70365	\$88012.0000	PROMOTED	NO	01/05/08
LAMBERTA	CHARLES	W	70370	\$100603.0000	PROMOTED	NO	05/12/07
LAPOLLA	THOMAS	P	70370	\$100603.0000	PROMOTED	NO	06/22/07
LAVIN	JAMES	F	70365	\$88012.0000	PROMOTED	NO	06/23/07
LEACH	JAMES	B	70365	\$91532.0000	PROMOTED	NO	06/21/08
LEEB	FRANK	A	70365	\$88012.0000	PROMOTED	NO	06/23/07
LEICHT	PETER	M	70382	\$131988.0000	PROMOTED	NO	05/27/07
Lennon	CHRISTOP	J	70370	\$100603.0000	PROMOTED	NO	05/12/07
LILLEY	WILLIAM	P	70365	\$88012.0000	PROMOTED	NO	06/23/07
LINDQUIST	PATRICK	J	70365	\$88012.0000	PROMOTED	NO	06/23/07
LIOTTA	GERARD	G	70365	\$91532.0000	PROMOTED	NO	08/15/08
LIPARI	ANTHONY		70370	\$100603.0000	PROMOTED	NO	06/22/07
LONGAN	MATTHEW	J	70370	\$100603.0000	PROMOTED	NO	06/22/07
LOSAURO	FRANK		70365	\$88012.0000	PROMOTED	NO	06/23/07
LOVETT	BRENDAN	G	53053	\$27295.0000	INCREASE	YES	09/12/08
LOVETT	JAMES		70365	\$88012.0000	PROMOTED	NO	06/23/07
LUNDEN	JESSICA	O	53053	\$27295.0000	INCREASE	YES	09/12/08
LYNN	JOHN	D	7039B	\$159766.0000	PROMOTED	NO	06/21/08

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



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



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

HOW TO READ CR PROCUREMENT NOTICES

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

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

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

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

☛ 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.