



THE CITY RECORD

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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

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

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provides Internet access via the **WORLD WIDE WEB** to solicitations and awards
<http://www.nyc.gov/cityrecord>

PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

NOTICE OF MEETINGS

City Planning Commission
Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council
Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

Contract Awards Public Hearing
Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Design Commission
Meets in City Hall, Third Floor, Manhattan, New York 10007 on the second Monday of the month, except August. For changes in the schedule, copies of monthly agendas, or additional information, please call (212) 788-3071 or visit our web site at nyc.gov/artcommission

Department of Education
Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections
32 Broadway, 7th floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner

Environmental Control Board
Meets at 66 John Street, 10th floor, conference room, New York, NY 10038 at 9:15 A.M., once a month at the call of the Chairman.

Board of Health
Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

Health Insurance Board
Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

Board of Higher Education
Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services
Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

Commission on Human Rights
Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board
Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise And Concession Review Committee
Meets in Spector Hall, 22 Reade Street, Main Floor,

Manhattan, Monthly on Wednesdays, Commencing 2:30 P.M., and other days, times and location as warranted.

Real Property Acquisition And Disposition
Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, Commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission
Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System
Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority
Board Meetings will be held every other Wednesday at 10:00 A.M. (unless otherwise noted) in the Board Room on the 12th Floor of 250 Broadway. These meetings are open to the public. Pre-registration of speakers is required. Those who wish to register must do so at least forty-five (45) minutes before the scheduled Board Meeting. Comments are limited to the items on the agenda. Speakers will be heard in the order of registration. Speaking time will be limited to three (3) minutes. The public comment period will conclude upon all speakers being heard or at the expiration of thirty (30) minutes allotted by law for public comment, whichever occurs first.

For Board Meeting dates and times, and/or additional information, please visit our website at nyc.gov/nycha or contact us at (212) 306-6088. Copies of the agenda can be picked up at the Office of the Secretary at 250 Broadway, 12th floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five (5) business days before the Board Meeting.

Parole Commission
Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards
Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

Board of Standards and Appeals
Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission
Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

CITY UNIVERSITY

NOTICE

The Board of Trustees annual Manhattan Borough Hearing will take place at the Robert J. Kibbee Board Room, 535 East 80th Street, Room 104, New York, NY 10075 on Tuesday, January 20, 2009, at 5:00 P.M.

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF REAL ESTATE SERVICES

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held at 10:00 A.M. on January 7, 2009 in the second floor conference room, 22 Reade Street, in Manhattan.

IN THE MATTER of a proposed renewal of the lease for the City of New York, as Tenant, of approximately 1,505 rentable square feet of space on the 6th floor of the building located at 505 Park Avenue (Block 1394, Lot 1) in the Borough of Manhattan, for Community Board No. 8 to use as an office, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed renewal of the lease shall be for a period of ten (10) years from November 1, 2008, at an annual rent (inclusive of electric current) of \$133,344.00 (\$88.60 per square foot) for the first five (5) years, and at an annual rent (inclusive of electric current) of \$146,308.00 (\$97.21 per square foot) for the following five (5) years payable in equal monthly installments at the end of each month.

Further information, including public inspection of the proposed lease may, be obtained at One Centre Street, 2000 North, New York, NY 10007. To schedule an inspection, please contact Chris Fleming at (212) 669-7497.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts, Public Hearings Unit, 253 Broadway, Room 915, New York, NY 10007, (212) 788-7490, no later than FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TDD users should call VERIZON relay services.

ENVIRONMENTAL PROTECTION

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to Title 5, Chapter 3, Subchapter 3 of the Administrative Code of the City of New York, a public hearing will be held at, 22 Reade Street, Borough of Manhattan on Wednesday January 7, 2009, at 10:00 A.M. on the following:

REAL PROPERTY PUBLIC HEARING in the matter of the acquisition by the City of New York of fee simple (Fee) and conservation easement (CE) interests, and by the Watershed Agricultural Council (WAC) of conservation easement interests using funds provided by the City of New York on the following real estate in the Counties of Delaware, Greene, Putnam, Sullivan and Ulster for the purposes of preserving and preventing the contamination or pollution of the water supply of the City of New York:

NYC ID	County	Municipality	Type	Tax Lot ID	Acres (+/-)
3421	Delaware	Andes	Fee	260.-1-13.13	52.55
5533		Andes	Fee	323.-1-7.2	51.03
5351		Delhi	Fee	p/o 192.-1-1	85.70
5427		Hamden	Fee	p/o 190.-1-2.1	190.50
4246		Kortright	Fee	86.-1-30	52.70
5287		Meredith	Fee	124.-2-5.52	35.00
5984		Middletown	CE	261.-3-21.111	164.65
725		Middletown	Fee	305.-2-8 & 11	10.17
5639		Middletown	Fee	p/o 220.-1-39	27.72
6074		Tompkins	WAC CE	228.-2-33 & 249.-1-16	94.91
6074		Walton	WAC CE	28.-1-25	22.49
3520	Greene	Ashland	Fee	94.00-2-47, 48 & 49	22.81
5058		Ashland	Fee	60.00-1-26.1	104.84
5058		Ashland	Fee	60.00-1-17.1, 29, 30 & 31	18.94
7083		Hunter	Fee	182.00-4-6.111	14.50
2751		Jewett	CE	146.00-1-26.12, 129.00-3-9 & 10	274.20
3695		Jewett	Fee	p/o 132.00-2-73	146.20
7081		Jewett	Fee	112.00-1-3	89.03
2375		Windham	Fee	p/o 61.00-1-1.1	50.30
2665		Windham	Fee	113.00-1-21	168.10
7092		Windham	Fee	113.00-2-52	5.90
7133		Windham	Fee	46.00-1-44 & 45	20.00

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, Colle 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.

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■ AUCTION

PUBLIC AUCTION SALE NUMBER 1148

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is December 29, 2008 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on December 30, 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.

d17-30

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."

AGING

■ AWARDS

Goods & Services

SERVICES FOR SENIOR CITIZENS – BP/City Council Discretionary – PIN# 12509DISC2VQ – AMT: \$140,037.00 – TO: American Italian Coalition of Organizations Inc./AMICO, 5901 13th Avenue, Brooklyn, NY 11219.

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SERVICES FOR SENIOR CITIZENS – Competitive Sealed Proposals – Judgment required in evaluating proposals – Ridgewood Bushwick Senior Citizens Council Inc. 55 Bushwick Avenue, Brooklyn, NY 11206 PIN: 12509HDM024B - Contract Amount: \$3,986,062

Charles A. Walburg Multi Service Organizations Inc. 163 W. 125th Street, 13th Floor, New York, NY 10027 PIN: 12509HDM033E - Contract Amount: \$5,264,320

Family Care Services 355 East 149th Street, Bronx, NY 10455 PIN: 12509HDM042B - Contract Amount: \$3,882,000

Family Care Services 355 East 149th Street, Bronx, NY 10455 PIN: 12509HDM042C - Contract Amount: \$6,153,600

Family Care Services 355 East 149th Street, Bronx, NY 10455 PIN: 12509HDM042D - Contract Amount: \$3,091,200

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CHIEF MEDICAL EXAMINER

CONTRACTS

■ AWARDS

Services (Other Than Human Services)

MAINTENANCE AND REPAIR OF BIOROBOT M48 SERVICES – Sole Source – Available only from a single source - PIN# 81609ME0016 – AMT: \$100,000.00 – TO: Qiagen, Inc., 19300 Germantown Road, Germantown, MD 20874.

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CITY UNIVERSITY

■ SOLICITATIONS

Construction Related Services

ENGINEERING DESIGN SERVICES REQUIREMENTS CONTRACTS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 04209CUCF0108 – DUE 01-26-09 – The City University of New York is seeking firms to provide engineering design services at its various sites and facilities on an "as needed" basis in the following Categories of Work: Mechanical Engineering Design Services; Plumbing Engineering Design Services; Electrical Engineering Design Services; Environmental Engineering Services; Department of Buildings Controlled Inspection Services; Cost Estimating and Analysis Services. A firm may apply to be considered for one, some or all of the Categories of Work.

For each Category of Work, those responsive and responsible firms that are determined by CUNY to meet the Minimum Qualification Requirement and to best meet the Evaluation Criteria will, as the need arises, be further considered for project specific assignments to be defined by CUNY at a later date. Firms selected through this solicitation will enter into negotiations and execute contracts with the City University Construction Fund on behalf of the City University of New York. A three (3) year contract term is anticipated, subject to all required internal and external oversight approvals and contingent on the availability of funds. It is further anticipated that each contract would have a not-to-exceed amount of up to \$5 million for assigned services, depending on the particular Category(ies) of Work.

A copy of the solicitation is available for downloading at www.cuny.edu/constructionsolicitations.

The selection of firms and submission of additional information, if any, will be made consistent with applicable laws and procedures. The minority-owned business sub-contracting goal is 7.25 percent. The women-owned business sub-contracting goal is 4.75 percent.

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. City University of New York, Office of Facilities Planning, Construction and Management, Room 1140, 555 West 57th Street, 11th Floor, New York, NY 10019. Michael Feeney (212) 541-0440, DDCM.ContractsDept@mail.cuny.edu.

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CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

PRINT: CHECKS (HRA) – Competitive Sealed Bids – PIN# 8570900489 – DUE 01-16-09 AT 10:30 A.M.
● TOWEL: PAPER, ROLL AND DISPENSER – Competitive Sealed Bids – PIN# 8570900151 – DUE 01-16-09 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 1 Centre Street, 18th Floor, New York, NY 10007. Jeanette Megna (212) 669-8562.

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■ AWARDS

Goods

SNACK FOODS FOR DOC COMMISSARY – Competitive Sealed Bids – PIN# 857701587 – AMT: \$625,260.00 – TO: Universal Coffee Corporation, 123 47th Street, P.O. Box 320187, Brooklyn, NY 11232.
● RAINSUITS AND BOOTS (STOREHOUSE) – Competitive Sealed Bids – PIN# 857801387 – AMT: \$50,310.00 – TO: Industrial USA, Inc., 136 Wallabout Street, Suite 6A, Brooklyn, NY 11211.

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EMC SYSTEMS AND PERIPHERAL STORAGE – Intergovernmental Purchase – PIN# 8570900582 – AMT: \$155,534.00 – TO: EMC Corp., 2 Penn Plaza, 18th Fl., New York, NY 10121.NYS Contract #PT60953.
● MISCELLANEOUS SOFTWARE CATALOG - DOITT – Intergovernmental Purchase – PIN# 8570900589 – AMT: \$110,245.00 – TO: ASAP Software Express, 850 Asbury Dr., Buffalo Grove, IL 60089. NYS Contract #PT60291.

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

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PDA WAN IT EQUIPMENT - DOITT – Intergovernmental Purchase – PIN# 8570900591 – AMT: \$144,870.00 – TO: Unistar Sparco Computers, 7089 Ryburn Dr., Millington, TN 38053.GSA Contract #GS-35F-0218M.
● IT SERVERS/MAINTENANCE - NYPD – Intergovernmental Purchase – PIN# 8570900581 – AMT: \$208,809.20 – TO: Sentinel Security Corp., 4401 Ford Ave., Suite 600, Alexandria, VA 22302. GSA Contract #GS-35F-0324T.

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

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■ VENDOR LISTS

Goods

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

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

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

j4-jy17

EQUIPMENT FOR DEPARTMENT OF SANITATION

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

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

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

j4-jy17

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE

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

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

j4-jy17

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods

NOTEBOOK SOFTWARE CURRICULUM PACKS – CSB – PIN# Z0958040 – DUE 01-05-09 AT 5:00 P.M. – Bid opening: Tuesday, January 6th, 2009 at 11:00 A.M. There is a non-refundable fee of \$25.00, which is payable by all major credit cards. The solicitation can be downloaded from https://vendorportal.nycenet.edu.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. NYCDOE, Division of Contracts and Purchasing, Room 1201 65 Court Street, Brooklyn, NY 11201, (718) 935-2300 http://schools.nyc.gov/dcp

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ENVIRONMENTAL PROTECTION

■ SOLICITATIONS

Construction/Construction Services

SITE PREPARATION FOR THE RECONSTRUCTION OF GILBOA DAM AND ASSOCIATED FACILITIES, UPSTATE, NEW YORK – Competitive Sealed Bids – PIN# 82609WM00246 – DUE 01-27-09 AT 11:30 A.M. – CONTRACT CAT-212A: Document fee \$100.00. There will be a pre-bid conference on 1/12/09 at the Shandaken Intake Chamber in the Town of Gilboa Schoharie County Intake Road (Road 7) off Route 23, N.Y. at 10:00 A.M. Project Manager for this job is Paul Costa (718) 595-5470 and Michelle Mbugua (718) 595-4305. Authorization required. Please call the Project Manager or the Bid Room (718) 595-3265 for the authorization form and fax it to Michelle Mbugua (718) 595-6137 at least 7 days before the pre-bid date. To get driving directions please contact the Bid Room. This contract is subject to apprenticeship program requirements as describe in the solicitation materials. Vendor Source ID#: 57215.

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

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BUREAU OF WASTEWATER TREATMENT**■ SOLICITATIONS***Construction / Construction Services*

RE-BID: MAINTENANCE OF PETROLEUM BULK STORAGE TANKS AT VARIOUS WPCP'S, CITYWIDE – Competitive Sealed Bids – PIN# 826091198PBS – DUE 01-20-09 AT 11:30 A.M. – RE-BID: Project No. 1198-PBS(R). Document Fee: \$100.00. Albert Gordon, Project Manager, (718) 595-6930. There will be a mandatory pre-bid conference on 1/6/09 at 10:00 A.M. at the Oakwood Beach WPCP, 751 Mill Road, Staten Island, New York 10306. Vendor ID#: 52699.

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

d22

FIRE**■ SOLICITATIONS***Construction / Construction Services*

ROOFING REPLACEMENT AND WATERPROOFING SERVICES - QUEENS – Competitive Sealed Bids – PIN# 057090002168 – DUE 01-22-09 AT 3:00 P.M. Vendor Source ID#: 57258.

● **ROOFING REPLACEMENT AND WATERPROOFING SERVICES - BROOKLYN** – Competitive Sealed Bids – PIN# 057090002169 – DUE 01-22-09 AT 12:00 P.M. Vendor Source ID#: 57254.

● **ROOFING REPLACEMENT AND WATERPROOFING SERVICES - MANHATTAN** – Competitive Sealed Bids – PIN# 057090002170 – DUE 01-22-09 AT 2:00 P.M. Vendor Source ID#: 57257.

● **ROOFING REPLACEMENT AND WATERPROOFING SERVICES - STATEN ISLAND** – Competitive Sealed Bids – PIN# 057090002172 – DUE 01-22-09 AT 4:00 P.M. Vendor Source ID#: 57259.

● **ROOFING REPLACEMENT AND WATERPROOFING SERVICES - BRONX** – Competitive Sealed Bids – PIN# 057090002171 – DUE 01-22-09 AT 11:00 A.M. Vendor Source ID#: 57250.

The Fire Department of the City of New York seeks the services of a qualified roofing replacement and waterproofing services Contractor to provide roofing replacement and waterproofing services for FDNY Facilities projects.

The contract intended to be entered into as a result of this solicitation is one of a series of similar contracts. The PIN number's for the series of similar contracts are 057090002168, 057090002169, 057090002170, 057090002171 and 057090002172. All such contracts will be awarded in the overall best interest of the City.

These procurements are subject to goals for project participation by minority owned business enterprises (MBEs) and/or women owned business enterprises (WBEs) as required by Local Law 129 of 2005.

These procurements are subject to Environmentally Preferable Purchasing Laws.

These procurements are subject to Labor Law 816-b Apprenticeship Program requirements.

These procurements are subject to Local Law 220, Prevailing Wage requirements.

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.
Fire Department, 9 MetroTech Center, 5th Floor, Brooklyn NY 11201. Kristina LeGrand (718) 999-1234
legrandkm@fdny.nyc.gov

d22

■ AWARDS*Services (Other Than Human Services)*

CONSULTING SERVICES FOR THE DEVELOPMENT OF CBIDAS – Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 057090000802 – AMT: \$18,000,000.00 – TO: International Business Machines Corp., 23 Harmac Drive, East Haven, CT 06513.

d22

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*

SALVAGE OF HVAC SYSTEM - TRANE MODEL #B3B596A UNITS FROM JACOBI MEDICAL CENTER – Competitive Sealed Bids – PIN# 21-09-056 – DUE 01-07-09 AT 2:30 P.M. – A voluntary pre-bid meeting and site tour is scheduled for 12/29/08 at 11:00 A.M. in the Purchasing Department, Nurses Residence Building #4, Conference Room - 7N1, Jacobi Medical Center, 1400 Pelham Parkway, Bronx, NY 10461. Bids will be opened publicly at 2:30 P.M. on January 7, 2009.

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.
Jacobi Medical Center, Nurses Residence Building #4, 7 South, 1400 Pelham Parkway, Bronx, NY 10461 or fax request at (718) 918-7823.

d22

Goods & Services

PRIME WALLS AND INSTALL WALLPAPER – Competitive Sealed Bids – PIN# 22209074 – DUE 01-08-09 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.
Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Jannet Olivera, Procurement Analyst II, (718) 579-5992.

d22

SUPPLY STEEL MESH PANEL PARTITIONS –

Competitive Sealed Bids – PIN# 11209063 – DUE 01-07-09 AT 3:00 P.M. – Scheduled site visit for 12/30/08 and 12/31/08 from 9:30 A.M. at Harlem Hospital Center, 136 St. between Lenox and 5th Avenue, NY, NY 10037. Maintenance Department, Old Nurse Residence, 3rd Fl. Conference Room.

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.
Harlem Hospital Center clo Lincoln Hospital Center
234 East 149th Street, Bronx, NY 10451.
Jannet Olivera, Procurement Analyst II, (718) 579-5992.

d22

Services (Other Than Human Services)

RFP FOR CLAIMS DATA MINING – Request for Proposals – PIN #100912R057 – DUE 01-16-09 AT 4:00 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.
Health and Hospital Corporation, 160 Water Street, 3rd Floor, New York, NY 10038.
Kathleen Nolan (212) 908-8730, nolank@nychhc.org

d22

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

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00 – DUE 02-13-09 AT 3:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. Since February 16, 2007, the RFP has been available for pick up in person at the address listed below, between the hours of 10:00 A.M. and 4:00 P.M. on business days only. The RFP is also on line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or fax to (212) 219-5865. All proposals must be hand delivered at the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

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.
Health and Mental Hygiene, 93 Worth Street, Room 812
New York, NY 10013. Huguette Beauport (212) 219-5883
hbeauport@health.nyc.gov

o15-f12

HOMELESS SERVICES**■ SOLICITATIONS***Construction Related Services*

BUILDING UPGRADE AT WILLOW AVENUE – Competitive Sealed Bids – PIN# 071-09S02-1341 – DUE 01-22-09 AT 11:00 A.M. – Mandatory pre-bid conference/site visit Thursday, January 8, 2009 at 10:00 A.M. at Willow Avenue Shelter, 781 East 135th Street, Bronx, NY 10454. Facility contact person: Keith Davis at (718) 933-1677, ext. 101.

Period of Performance: 210 days from date of notice to commence work. Release date: Monday, December 22, 2008. Bids are due on Thursday, January 22, 2009 at 11:00 A.M. Bids received after (11:00 A.M.) will be returned.

Potential bidders are informed that this contract is subject to the fulfillment of M/WBE subcontract goals. Please refer to this process in the "Notice to Bidders" within the bid package under Part III - "Information for Bidders."

In addition, as a result of the Wicks Law Reform Legislation which went into effect July 1, 2008, prime contractors must submit in a separate bid package, the names and bid amounts of those sub-contractors for each trade they will be using in order to meet the M/WBE subcontracting goals required in this solicitation. Failure to submit your subcontractor(s) bid amounts within a separate bid package, along with the required documentation as detailed within the "Notice to Bidders", will result in your firm's bid being automatically declared non-responsive.

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
New York, NY 10004. Jacques Frazier (212) 361-8405
sfleming@dhs.nyc.gov

d22

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

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

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street
13th Floor, New York, NY 10004.
Suellen Schulman (212) 361-8400, sschulma@dhs.nyc.gov

a27-f12

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

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street,
13th Floor, New York, NY 10004.
Marta Zmoira (212) 361-0888, mzoita@dhs.nyc.gov

f29-d31

HOUSING AUTHORITY**■ SOLICITATIONS***Construction / Construction Services*

INSTALLATION OF FIRE ALARM SYSTEM CHILDREN'S CENTER AT DYCKMAN HOUSES – Competitive Sealed Bids – PIN# EL7014997 – DUE 01-08-09 AT 10:30 A.M.
● **GROUNDS IMPROVEMENTS AT FIORENTINO PLAZA** – Competitive Sealed Bids – PIN# GD8009573 – DUE 01-08-09 AT 10:00 A.M.

Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., 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

d17-23

PURCHASING DIVISION**■ SOLICITATIONS***Goods*

HERBICIDES – Competitive Sealed Bids – RFQ #6205 – DUE 01-05-09 AT 10:30 A.M.
● **FERTILIZERS** – Competitive Sealed Bids – RFQ #6204 – DUE 01-05-09 AT 10:30 A.M.
● **HUMUS-PEAT AND LIMESTONE** – Competitive Sealed Bids – RFQ #6203 – DUE 01-05-09 AT 10:40 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 Atul Shah (718) 707-5450.

d22

HOUSING PRESERVATION & DEVELOPMENT

HOUSING MANAGEMENT AND SALES, DIVISION OF ALTERNATIVE MANAGEMENT PROGRAMS

■ SOLICITATIONS

Construction / Construction Services

ELEVATOR – 1CSB – DUE 01-15-09 AT 11:00 A.M. – Address - # Units – Project # – Mandatory Walk Through 2041 5th Avenue, NYC - 40 Units – CM 1003804 – January 6, 2009 at 11:00 A.M.

Bid documents deposits: \$130.00 each building, non-refundable. Money order or certified check payable to: Delcor Associates, Inc.

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 Preservation and Development, 100 Gold Street 7th Fl., Rm. 7A-2, New York, New York 10038.

Bid package pick up location: Delcor Associates Inc., 81 Fourth Avenue, Brooklyn, New York 11217, (718) 638-8383.

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PARKS AND RECREATION

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

BLOCK PLANTING OF NEW AND REPLACEMENT STREET TREES

– Competitive Sealed Bids – PIN# 8462009M000C04 – DUE 01-27-09 AT 10:30 A.M. In Community Boards 1-12, Manhattan, known as Contract #MG-209M. Vendor Source ID#: 57199.

● PLANTING OF NEW AND REPLACEMENT STREET TREES

– Competitive Sealed Bids – PIN# 8462009M000C05 – DUE 01-27-09 AT 10:30 A.M. - In Community Boards 1-12, Manhattan, known as Contract #MG-309M. Vendor Source ID#: 57200.

● BLOCK PLANTING OF NEW AND REPLACEMENT STREET TREES

– Competitive Sealed Bids – PIN# 8462009X000C06 – DUE 01-27-09 AT 10:30 A.M. - In Community Boards 1-6, The Bronx, known as Contract #XG-509M. Vendor Source ID#: 57201.

● BLOCK PLANTING OF NEW AND REPLACEMENT STREET TREES

– Competitive Sealed Bids – PIN# 8462009X000C08 – DUE 01-27-09 AT 10:30 A.M. - In Community Boards 7-12, The Bronx, known as Contract #XG-609M. Vendor Source ID#: 57202.

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

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

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

☛ d22

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF A MODEL SAILBOAT RENTAL SERVICE

– Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M010-15-SLB – DUE 02-04-09 AT 3:00 P.M. – At Conservatory Waters, Central Park, Manhattan.

Parks will hold a proposer meeting on Thursday, January 8, 2009 at 9:30 A.M. at the proposed concession site, which is located adjacent to the Conservatory Waters sailboat pond inside Central Park at about East 74th Street.

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. Joel Metlen (212) 360-1397, joel.metlen@parks.nyc.gov

d10-23

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Services

PAYROLL PROCESSING SERVICES – Competitive Sealed Proposals – PIN# SCA09-00037R – DUE 01-14-09 AT 2:00 P.M. – Proposals will be accepted from the following firms:

Tri-State Employment Service; Basic Pay, LLC; PayChex, Inc.; PBI (Public Bookkeepers, Inc.); Ceridian Corporation; Oracle Corp.: Automatic Data Processing, Inc.; MyPayrollHR; AccountantsWorld, LLC; CompuPay, Inc.; Perquest, Inc.; Netchex Online; Time+Plus Payroll Services; Paylocity Corporation; Payroll People, Inc.; Corporate Payroll Services; CheckPoint HR; Advantage Payroll Service, Inc.; C & S Technologies; Master Tax, LLC.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, New York 11101. Seema Menon, Contract Negotiator, (718) 472-8284, smenon@nysca.org

d17-23

Construction / Construction Services

EXTERIOR MASONRY – Competitive Sealed Bids – PIN# SCA09-11111D-1 – DUE 01-07-09 AT 11:00 A.M. PS 178 (Brooklyn). Project Range: \$1,240,000.00 to \$1,303,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 752-5288.

d17-23

PLAYGROUND REDEVELOPMENT – Competitive Sealed Bids – PIN# SCA09-12254D-1 – DUE 01-07-09 AT 10:30 A.M. – PS 43 (Queens). Project Range: \$1,010,000.00 to \$1,063,000.00. 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) 752-5868.

d19-26

ELEVATOR UPGRADE – Competitive Sealed Bids – PIN# SCA09-12094D-1 – DUE 01-06-09 AT 10:30 A.M. I.S. 383 (Brooklyn). Project Range: \$770,000.00 to \$820,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 752-5842.

d17-23

AGENCY RULES

BUILDINGS

■ NOTICE

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE RELATING TO ADJUDICATIONS

NOTICE IS HEREBY GIVEN pursuant to the authority vested in the Commissioner of Buildings by section 643 of the New York City Charter, and in accordance with sections 1043 and 1048 of the Charter that the Department of Buildings proposes to repeal Subchapter B of Chapter 13 of Title 1 of the Rules of the City of New York and add a new Subchapter E and Section 105-05 to Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York. Matter underlined is new.

A public hearing on the proposed rule will be held at the Executive Offices of the Department of Buildings, 280 Broadway, 3rd Floor Conference Room New York, New York on January 23, 2009 at 3:00 P.M. Written comments regarding the proposed rule may be submitted to Phyllis Arnold, Chief Code Counsel, New York City Department of Buildings, 280 Broadway, New York, New York 10007, on or before January 23, 2009.

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

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Phyllis Arnold at the foregoing address by January 5, 2009.

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

Section 1. It is proposed to REPEAL Subchapter B of Chapter 13 of Title 1 of the Rules of the City of New York, relating to Rules Governing Adjudication Procedures.

Section 2. It is proposed to add a new Subchapter E and Section 105-05 to Chapter 100 of Title 1 of the Rules of the City of New York, to read as follows:

Subchapter E Miscellaneous Provisions

§ 105-05 Adjudications.

(a) Hearings concerning the following matters under the jurisdiction of the Department shall be held before the Office of Administrative Trials and Hearings and shall be governed by the rules of procedure utilized at that tribunal:

(1) Proceedings pursuant to Administrative Code §28-104.2.1 and §28-104.2.1.3.2 against a registered design professional seeking suspension, exclusion, or other limitation on such registered design professional's participation in the Professional Certification Program

(2) Proceedings pursuant to Administrative Code §§28-104.2.1, §28-114.1 and §28-115.2 seeking the suspension, revocation, disqualification or other limitation, with or without penalties, of the authority of any licensee or holder of a certificates of competence issued by the Department, approved agency, special inspector, registered design professional or any other person to conduct inspections of work or tests or to participate in any program authorizing either less than full examination of documents based on a registered design professional's professional certification or self-certification of the results of document preparation or review or an inspection

(3) Proceedings pursuant to Administrative Code §28-211.1.2 charging a person with having knowingly or negligently made a false statement or having knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of the code or of any rule of any agency

(4) Proceedings pursuant to Administrative Code Articles 212 and 214 seeking an order of closure

(5) Disciplinary proceedings pursuant to Administrative Code §28-401.19 seeking suspension or revocation, with or without penalties, against any licensee or holder of a certificates of competence issued by the Department

(6) Hearings pursuant to Administrative Code Article 419 for the return of seized property, separately or in conjunction with hearings to adjudicate the violation underlying the seizure

(7) Civil service employee disciplinary matters

(8) Any other administrative adjudicatory hearing not otherwise committed to the jurisdiction of another agency.

STATEMENT OF BASIS AND PURPOSE

This rule is proposed as an update of the Department's current rule governing adjudications. 1 RCNY 13-11 et seq. It makes three changes. First, rather than separately list each license type whose disciplinary proceedings are returnable at the Office of Administrative Trials and Hearings ("OATH"), it provides that disciplinary proceedings for all license types shall be returnable there. Second, it updates the types of proceedings returnable at OATH to reflect recent legislation, including changes enacted as part of the New York City Construction Codes. Finally, it formally eliminates the roles of the Master Electricians License Board and the Plumbing and Fire Suppression Piping Contractor License Board in the disciplinary referral process. While the Department expects these Boards to continue to consider and make recommendations on certain referrals, this change is designed to enable the Department to proceed expeditiously to OATH as a routine matter.

☛ d22

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE RELATING TO LICENSING

NOTICE IS HEREBY GIVEN pursuant to the authority vested in the Commissioner of Buildings by section 643 of the New York City Charter, and in accordance with sections 1043 and 1048 of the Charter and Title 28, Article 401 of the Administrative Code, that the Department of Buildings proposes to add a new Subchapter D and Sections §104-01 through §104-07, §104-09 and §104-22 to Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York. Matter underlined is new.

A public hearing on the proposed rule will be held at the Executive Offices of the Department of Buildings, 280 Broadway, 3rd Floor Conference Room New York, New York on January 26, 2009 at 11:00 A.M. Written comments regarding the proposed rule may be submitted to Phyllis Arnold, Deputy Commissioner, New York City Department of Buildings, 280 Broadway, New York, New York 10007, on or before January 26, 2009.

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

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Phyllis Arnold at the foregoing address by January 5, 2009.

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

Section 1. It is proposed to add a new Subchapter D and Sections §104-01 through §104-07, §104-09 and §104-22 to Chapter 100 of Title 1 of the Rules of the City of New York, to read as follows:

Subchapter D

Licensing and Registration of Businesses, Trades and Occupations Engaged in Building Work

§104-01 Examinations and Other Qualifications.

(a) Definitions. For purposes of this rule, the term "license" shall include "certificate of competence" whenever such a certificate is required by Chapter 4 of title 28 of the Administrative Code.

(b) Examinations

(1) Applicability

(i) This subdivision (b) shall apply to Department-sponsored examinations administered for the following licenses:

(A) Site Safety Manager Certificate

(B) Private Elevator Inspection Agency Director Certificate

(C) Private Elevator Inspection Agency Inspector Certificate

(D) Additional license types may be added to this listing as responsibility for their administration is transferred from the Department of Citywide Administrative Services to the Department of Buildings.

(2) Examination procedures.

(i) The examination shall consist of a written and/or a practical test, and a background investigation of the applicant's character and fitness and training/experience.

(ii) Candidates must first apply for the written examination by submitting an application on a form prescribed by the Department to the Department's Licensing Unit or its designee. The application must be accompanied by the examination fee and any other required documents as set forth in the Department's rules.

(iii) Failed written test.

(A) Candidates who fail the written test must wait at least fourteen (14) days before retaking it.

(B) Each time a candidate wishes to take the written test, including after a failure, the candidate must reapply to the Department and pay the required fee as set forth in the Department's rules.

(C) Candidates may take the written test three (3) times within a six (6) month period.

(D) Candidates who fail the written test three times within six (6) months must wait six (6) months before applying again to take the written test, in accordance with the procedure in paragraph (c) of this rule.

(iv) A candidate who has been notified of failure to pass the written test may appeal such failure only if the candidate has failed by not more than five (5) points. Such appeal must be in writing with an original signature and addressed as the Commissioner may require. The appeal must state the title of the license examination, the applicant's name, return address and social security number, the date of the test and a detailed statement of the grounds for appeal. The appeal must be received not later than thirty (30) days from the date of notification of failure to pass the license exam.

(3) Issuance of license after examination.

(i) A candidate who passes the required examination as provided in this rule and who is found to have met the qualifications of §28-401.6 of the Administrative Code, after an investigation, shall receive a notice of

qualification from the Department.

(ii) Upon receipt of the notice of qualification, the applicant must contact the Department's Licensing Unit to schedule an appointment to obtain the license.

(iii) The applicant shall appear and furnish to the Department all requested original forms, documents and fees within one (1) year of the date of the Department's notice of qualification. Failure to do so within the time specified will result in the denial of the license and will require a re-examination and reapplication.

(iv) License examinations administered by other agencies. License examinations administered by other agencies for licenses regulated by the Department shall continue to be subject to such other agency's rules and regulations regarding examinations and investigations until the responsibility for administering particular licensing examinations is transferred to the Department, at which point the provisions of this rule shall apply.

(c) Education, training and experience. An applicant must possess the minimum education, training and/or experience requirements specified by the Administrative Code at the time of filing the application. For purposes of this subdivision (c), the term "experience" refers to that experience gained as the result of full-time employment, unless otherwise determined by the Commissioner.

(d) Investigation.

(1) The Department or its designee shall conduct an investigation of each candidate to determine the candidate's fitness and qualification for the license. An applicant's failure to meet the requirements specified by the Administrative Code or by the Department's rules, and/or an applicant's refusal to cooperate with an investigation, will result in denial of the license or certificate of competence.

(2) Candidates who refuse to provide all requested documents within six (6) months of the date of request shall be denied a license or certificate of competence.

(3) A candidate who has been notified of failure to meet the fitness and qualification requirements may request reconsideration provided that the candidate has additional relevant information or documentation for the Department's review. Such appeal must be in writing with an original signature and addressed as the Commissioner may require. The request for reconsideration must state the title of the license examination, the applicant's name and return address, the date of the Department's denial and a detailed statement of the grounds for reconsideration with any supporting documentation. The request for reconsideration must be received not later than sixty (60) days from the date of notification of the denial of the license.

(e) Change of address.

(1) Candidates shall promptly notify the Department in writing of any address change that occurs after filing the license application.

(2) Failure to furnish such notification may result in denial of the license.

§104-02 Proof of required insurance.

(a) General liability insurance.

(1) The following licensees are required to submit proof of insurance prior to issuance or renewal of a license:

(i) Master Plumber

(ii) Master Fire Suppression Piping Contractor

(iii) Master Electrician

(iv) Special Electrician (to the extent of his/her employer's coverage)

(v) Rigger (Master/Special)

(vi) Sign Hanger (Master/Special)

(vii) Elevator Inspection Agency Director

(viii) General Contractors.

(2) Each holder of and applicant for a license shall secure Commercial General Liability (CGL) insurance policy or policies satisfying the requirements in this subparagraph. All CGL insurance policies, whether primary, excess or umbrella, shall:

(i) Be issued by a company or companies that may lawfully issue the required policy and has an A.M. Best rating of at least A-VII or a Standard and Poor's rating of at least AA.

(ii) Provide coverage at least as broad as that provided by the most recent edition of ISO Form CG 0001;

(iii) Provide coverage of at least \$1,000,000 (one million dollars) combined single limit per occurrence

(iv) Contain the following endorsement: This policy shall not be cancelled or terminated, or modified or changed unless thirty (30) days prior written notice is sent to the Named Insured and the commissioner of the New York City Department of Buildings, except that notice of termination for non-payment may be made on only ten (10) days written notice.

(3) Each holder of and applicant for a license shall file with the Department proof that there is in place insurance that provides the coverage set forth in this subdivision. Proof may consist of an insurance certificate, in which case the insurance certificate shall be accompanied by a sworn statement in a form prescribed by the Department from the insurer or from a licensed insurance broker certifying that the insurance certificate may be relied upon as proof that the certificate is accurate in all respects and that the insurance certified thereon is in force.

(4) The holder of and applicant for a license shall provide a copy of any required policy within thirty days of a request for such policy by the Department or the New York City Law Department.

(5) A failure by the City or the Department to enforce any of the foregoing requirements shall not constitute a waiver of such requirement or any other requirement.

(b) Workers' compensation insurance and disability insurance. Holders of and applicants for the license types specified in this subdivision shall, at their expense, procure and maintain workers' compensation and disability insurance:

(1) Master Plumber

(2) Master Fire Suppression Piping Contractor

(3) Master Electrician

(4) Special Electrician (to the extent of his/her employer's coverage)

(5) Oil Burner Equipment Installer

(6) Rigger (Master/Special)

(7) Sign Hanger (Master/Special)

(8) Elevator Inspection Agency Director

(9) General Contractor

(c) Acceptable forms:

(1) Workers' compensation insurance. The licensee must submit one of the following forms to the Department, or another form acceptable to the Department, or exemption from required coverage:

(i) C-105.2 Certificate of Worker's Compensation Insurance.

(ii) U-26.3 — State Insurance Fund Certificate of Workers' Compensation Insurance.

(iii) Request for WC/DB Exemption (Form CE-200).

(2) Disability insurance. The licensee must submit a form demonstrating required disability insurance coverage or exemption from required coverage.

(d) Requirements for all submitted insurance certificates.

(1) Insurance certificate requirements. All submitted insurance certificates must contain the following:

(i) The licensee's license or tracking number(s).

(ii) The insurance policy number(s).

(iii) The federal Employer Identification Number of the insured or the social security number on any workers' compensation or disability certificates.

(iv) The policy holder's business address, which cannot be a post office box. The address must appear exactly as on the Department's Buildings Information System ("BIS").

(v) New York City Department of Buildings, Attn: Licensing Unit, 280 Broadway, 6th Floor, New York, NY 10007 shall be specified as a certificate holder.

§104-03 Term of license.

(a) The term of a license issued to a new or renewal applicant for which an examination is required shall be three (3) years, measured from the date the license is issued, except as otherwise specified in this rule.

(b) The term of a license issued to a new or renewal applicant for which no examination is required shall be one (1) year, measured from the date the license is issued, except as otherwise specified in this rule.

(c) The term of a construction superintendent registration issued to a new or renewal applicant shall be three (3) years measured from the date the registration is issued.

(d) The term of a general contractor registration issued to a new or renewal applicant shall be three (3) years, measured from the date of the applicant's birthday.

(e) The term of a concrete safety manager registration issued to a new or renewal applicant shall be three (3) years, measured from the date the registration is issued.

(f) Nothing contained herein shall limit the authority of the Commissioner to stagger the issuance of licenses based on considerations other than the date of issuance of the license or to otherwise provide for reasonable implementation of modifications to license terms.

§104-04 Renewal . License renewals shall be governed by the provisions of Administrative Code §28-401.12.

§104-05 Reinstatement of license. In accordance with §28-401.13 of the Administrative Code, a license may be reinstated in accordance with the following requirements.

(a) A license that has been expired for less than one year may be reinstated upon filing of an application with the Department. Such reinstatement shall be subject to any applicable late and reinstatement fees.

(b) A license that has been expired for a period of one year to five years from the date of expiration may be reinstated without examination where the applicant demonstrates continued competence and completion of any and all required continuing education requirements.

(i) Continued competence shall be demonstrated by the applicant's active and legal engagement in the trade for which the applicant's license was issued. The applicant shall supply the Department with the following:

(i) A resume detailing employment history and the duties the applicant performed in each position during the time the license was expired;

(ii) A signed and notarized statement from the applicant's employer stating the nature of the applicant's duties and the dates of such employment;

(iii) For work in the trade requiring the supervision of a licensed person in accordance with Chapter 4 of the Code, a signed and notarized (or sealed) statement from the supervising licensee stating that he or she supervised the applicant, the dates of such supervision and the nature of the applicant's duties; and

(iv) Any other documentation the Department deems appropriate.

(2) An applicant for reinstatement must be actively and legally engaged in the trade during the time period between the expiration of the license and the date of the application for reinstatement, except for periods of time away from the trade not to exceed, in the aggregate, one (1) year.

(3) A candidate shall appear and furnish to the Department all requested original forms, documents and fees within six (6) months of the date of the request for reinstatement. Failure to do so will result in the denial of the reinstated license and will require a reexamination and reapplication.

(c) No license shall be reinstated if it is expired for over five (5) years. The applicant must reapply for a new license and meet all applicable qualifications, including any required examination.

(d) Exceptions to reinstatement provisions. If an application for renewal of a license for Construction Superintendent, Concrete Safety Manager or General Contractor is not filed within one year of a registration's expiration, the applicant must reapply for a new registration and meet all applicable qualifications.

§104-06 Continuing education requirements.

(a) Applicability. This section shall be applicable to license holders seeking renewal of licenses requiring the completion of continuing education course(s) and to applicants seeking Department approval to provide continuing education courses

for the following license types:

(1) Construction Superintendent.

(2) Master Plumber.

(3) Master Fire Suppression Piping Contractor.

(4) Site Safety Manager.

(5) Site Safety Coordinator.

(6) Concrete Safety Manager.

(7) Master Electrician.

(8) Special Electrician.

(b) Course requirements for license renewals. The following courses are required for renewal of the below listed license types:

(1) Construction Superintendent. During the one (1) year period immediately prior to renewal, the licensee shall have successfully completed a Site Safety Manager refresher course approved by the Department, or any equivalent course(s) approved by the Department, including those in electronic format.

(2) Concrete Safety Manager. During the one (1) year period immediately prior to renewal, the licensee shall have successfully completed an eight (8) hour Department approved course that is sufficient to qualify the individual as a competent person under OSHA standards to oversee concrete operations or any equivalent course(s) approved by the Commissioner, including those in electronic format.

(3) Master Plumber and Master Fire Suppression Piping Contractor. During the two (2) year period immediately prior to renewal, the licensee shall have successfully completed a one-day (7 hour) continuing education course approved by the Department.

(4) Site Safety Manager. During the one (1) year period immediately prior to renewal, the licensee shall have successfully completed a Site Safety Manager refresher course approved by the Department.

(5) Site Safety Coordinator. During the two (2) year period immediately prior to renewal, the licensee shall have successfully completed a Site Safety Manager refresher course approved by the Department.

(6) Master Electrician and Special Electrician. Effective January 1, 2010, during the three (3) year period immediately prior to renewal, the licensee shall have successfully completed a course of at least 24 hours, at least 8 hours of which shall focus on the New York City Electrical Code, approved by the Department.

(c) Course providers and content. Course providers seeking the Department's approval of courses shall submit written proposals that include the following:

(1) Identification of the type(s) and class(es) of licensees for which the proposed course(s) will be taught;

(2) A proposed curriculum appropriate for the type(s) and class(es) of licensees to which the course(s) will be taught. No more than 4 hours of any curriculum shall consist of course materials or credits to be applied to multiple license types. All curricula shall include but not be limited to:

(i) Business practices;

(ii) Relevant building code provisions, rules, and policy and procedure notices enacted or promulgated by the Department;

(iii) Department of Environmental Protection Water Rules for master plumber and master fire suppression piping contractor courses;

(iv) Occupational Safety and Health Standards for the Construction Industry for Site Safety Manager and Site Safety Coordinator courses;

(v) For Master Electricians and Special Electricians, relevant New York City Fire Department code provisions, rules and policies, and relevant utility regulations;

(vi) Relevant Department of Buildings filing and inspection requirements;

(vii) Safety/hazardous materials;

(viii) New technology;

(ix) Integrity/anti-corruption standard; and

(x) Other subjects identified by the Commissioner.

(3) A schedule detailing the proposed course cost(s) to individuals and/or groups wishing to enroll;

(4) A listing of proposed course availability;

(5) A detailed statement of the proposed provider's qualifications, including but not limited to instruction staff qualifications, other jurisdictions in which the provider has been approved to provide continuing education courses (if any), the composition of its governing authority, identification of its administrative resources (physical and human), and documentation of financial viability;

(6) A detailed statement of the proposed provider's procedures for confirming the identity of individuals taking any course(s) and for the issuance of a fraud-resistant document demonstrating that a licensee attended the course(s); and

(7) Such other items as the Commissioner may deem appropriate and necessary.

(d) Course approval. The Department of Buildings shall notify proposed course providers in writing of its approval. The Department may reevaluate approved courses at such intervals as it deems necessary and may withdraw approval or impose additional requirements.

(e) Listing of approved course providers. Approved course providers shall be listed on the Department's website.

§104-07 Suspension or revocation.

(a) Hearings concerning disciplinary proceedings pursuant to Administrative Code §28-401.19 seeking suspension or revocation, with or without penalties, against any licensee or holder of a certificate of competence issued by the Department shall be held before the Office of Administrative Trials and Hearings and shall be governed by the rules of procedure utilized at that tribunal.

(b) Stop work and suspension of permits. Upon any suspension or revocation of a license, certificate of competence, approval or authorization, unless replaced by another licensee, certificate holder, approved agency, special inspector, or registered design professional within five (5) business days of such suspension or revocation, all open jobs on which the licensee, certificate holder, approved agency, special inspector, or registered design professional is designated shall be stopped and the permits shall be suspended until such time as another licensee, certificate holder, approved agency, special inspector, or registered design professional is designated or such permits expire. Where the commissioner has summarily suspended a license or certificate of competence pursuant to Administrative Code §28-401.19.1, all open jobs on which the licensee, certificate holder, approved agency, special inspector, or registered design professional is designated shall be stopped immediately and the permits shall be suspended immediately for the earlier of the duration of the suspension or until such time as another licensee, certificate holder, approved agency, special inspector, or registered design professional is designated or until such permits expire.

(c) Conduct of hearing by office of administrative trials and hearings. The administrative law judge assigned to hear any matter specified in this rule shall submit his or her proposed findings of fact and recommended decision to the commissioner. Where the commissioner has summarily suspended a license or certificate of competence pursuant to Administrative Code §28-401.19.1, at the conclusion of the hearing on the first return date, the administrative law judge may lift the suspension, finally determine the matter, or, if the administrative law judge finds that the summary suspension was appropriate, but that further hearings are necessary to make a final determination of the charges, the administrative law judge may make a finding as to the need for further hearings and continue the suspension pending such further hearings without need for issuance of a commissioner's order.

§104-09 Hoisting Machine Operators Class C.

(a) Applicants for a Class C Hoisting Machine Operator license shall satisfy the qualification and examination requirements of the Administrative Code by complying with the following requirements:

(1) Applicants shall furnish to the Department a certification issued by the National Commission for the Certification of Crane Operators or an equivalent certification entity approved by the Department. The certification shall authorize operation of the type of equipment for which the applicant seeks a license. The applicant shall provide to the Department a copy of the certification, a copy of future re-certifications and documentation of new specialties acquired. The applicable certification shall be maintained continuously for the duration of the license term.

(2) Applicants shall provide proof of experience demonstrating two years work, within the three years prior to application, under the direct and continuing supervision of a Hoisting Machine Operator licensed by the Department or by another jurisdiction that regulates crane operators. At least one year of the qualifying work must have been undertaken in the city of New York or in an urban area of comparable density, as determined by the commissioner.

(b) Fitness requirements for renewal and reinstatement. As a condition of license renewal or reinstatement, a licensed or previously licensed Class C Hoisting Machine Operator shall provide evidence of fitness to perform the work authorized to be performed by a holder of the license type held or once held by the applicant. Such evidence shall consist of a valid certification(s) issued by the National Commission for the Certification of Crane Operators or an equivalent certification entity approved by the Department. The certification shall authorize the operation of the type of equipment for which the licensee is licensed and the licensee shall provide to the Department a copy of the certification, a copy of future re-certifications and documentation of new specialties acquired. Class C Hoisting Machine Operator's licenses that have been or will be renewed or reinstated at any time between July 1, 2008 and September 30, 2009 shall be conditioned on the licensee's satisfaction of the requirements of this rule by September 30, 2009, and shall lapse, effective October 1, 2009, upon failure to satisfy such condition, provided, however, that the commissioner may for cause, following notice and an opportunity to be heard, accelerate the date by which holders of such licenses must satisfy the requirements of this rule and in such case, upon failure to satisfy such condition, the license shall lapse. Renewal applicants shall satisfy the requirements of this rule at every subsequent renewal. The licensee shall pay the full license renewal or reinstatement fee at the time of renewal or reinstatement.

(c) Licensees shall provide to the Department no later than September 30, 2009 or at an earlier date determined by the commissioner pursuant to subdivision (b) or upon application, renewal, or re-instatement, as applicable:

(1) Evidence of having passed a physical exam that complies with the standards of ASME B 30, effective for the term of the license sought or held by the licensee; and

(2) Evidence of having certified compliance with the substance abuse testing provisions and standards of ASME B 30, effective for the term of the license sought or held by the licensee. Such evidence shall include the name, address and telephone number of the laboratory that performed the tests and consent to the release by such laboratory of the test results to the Department upon request of the Department.

(3) Evidence of a valid certification(s) issued by the National Commission for the Certification of Crane Operators or an equivalent certification entity approved by the Department.

(d) A Class C Hoisting Machine Operator license issued following compliance with this rule shall authorize the operation of only that type of equipment for which Department records indicate the licensee is certified.

(e) The provisions of this rule shall be in addition to the qualification, renewal and reinstatement requirements prescribed by articles 401 and 405 of title 28 of the Administrative Code.

(f) In addition to any other documents required to be maintained on-site by a licensed Class C Hoisting Machine Operator, such Operator shall have on-site at all times the following documents:

(1) The certification(s) issued to him or her by the National Commission for the Certification of Crane Operators or equivalent certification entity approved by the Department; and

(2) The hoisting machine operator license issued to him or her by the Department; and

(3) Evidence of having passed a physical exam that complies with the standards of ASME B 30, effective for the term of the license held by the licensee; and

(4) Evidence of having certified compliance with the substance abuse testing provisions and standards of ASME B 30, effective for the term of the license held by the licensee.

§104-22 Other obligations.

(a) Licensees shall promptly notify the Department in writing of any address change within thirty (30) days of the change.

(b) Licensees, as part of their obligation to maintain good moral character, shall notify the Department in writing of any criminal conviction within ten (10) days of the occurrence.

STATEMENT OF BASIS AND PURPOSE

This rule is proposed pursuant to the authority of the Commissioner of Buildings under sections 643 and 1043(a) of the New York City Charter and Title 28, Article 401 of the New York City Administrative Code. Article 401 authorizes rulemaking regarding the licensing, qualification and regulation of businesses, trades and occupations engaged in building work.

The proposed rule sets forth the procedures that will govern the Department's administration of certain licensing exams. The rule is proposed to apply to specified license types; other license types may be added as responsibility for their administration is assumed by the Department. The proposed rule also covers investigations of license applicants and certain administrative housekeeping matters.

In addition, the proposal addresses license terms for licenses

of various types and makes clear that the Commissioner maintains the authority to stagger the issuance of licenses based on considerations other than the date of issuance of the subject license, or to otherwise provide for reasonable implementation of modifications to the terms. The proposed rule also implements §28-401.9 by specifying insurance amounts, applicability to specific license categories, proper documentation, and certificate requirements and updates. It recognizes the need to exempt certain licensees from required workers' compensation and disability insurance requirements when the licensee has no employees.

The proposed rule implements §28-401.13 and §28-401.14 by specifying requirements and procedures for license reinstatement, specifying the licensees required to meet continuing education requirements, and setting forth their course requirements as well as requirements for course providers seeking Department approval.

The proposed rule also reflects miscellaneous licensee obligations not confined to the material covered in any one of the sections of the proposed Subchapter D. Such topics include notification of address change and notification of criminal conviction.

Finally, the proposed rule contains provisions based on Sections 28-401.7 and 28-405.4 of the Administrative Code. The first requires license applicants to take examinations as provided in Department rule. The second authorizes the commissioner to require hoisting machine operators to provide proof of fitness to perform authorized work as a condition to license renewal. Recent crane accidents have prompted the City to re-assess its testing and ongoing training requirements for all persons involved in the operation of cranes, including Class C Hoisting Machine Operators. The examination for the Class C Hoisting Machine Operator license is alleged by law enforcement authorities to have been the subject of improprieties, making it necessary for the Department to take permanent steps to restore integrity to the examination and license renewal processes for this license type.

Notice Pursuant to New York City Charter §1043(h)(2)

This proposed rulemaking follows adoption of Emergency Rule 1 RCNY §104-09, effective October 22, 2008, reflecting the same terms as those contained in this proposed rule §104-09. An extension of the Emergency Rule on an emergency basis for an additional 60 days is necessary to afford an opportunity for notice and comment and to adopt a final rule.

• d22

SPECIAL MATERIALS

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on December 30, 2008, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel as damage parcels, as follows:

Damage Parcel No.	Block	Lot
N/A	2770	1

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

William C. Thompson, Jr.
Comptroller

d15-30

URBAN DEVELOPMENT CORPORATION

■ NOTICE

DETERMINATION AND FINDINGS

Determination and Findings by the New York State Urban Development Corporation, d/b/a Empire State Development Corporation, Pursuant to Eminent Domain Procedure Law Section 204 in Connection with the Columbia University Educational Mixed Use Development Land Use Improvement and Civic Project.

The Columbia University Educational Mixed Use Development Land Use Improvement and Civic Project (the "Project") involves the acquisition, by condemnation or voluntary transfer, of certain property located within the Project Site (as described below) in the Manhattanville area of West Harlem for the development of a modern, open, integrated campus of some 17 acres for Columbia University ("Columbia") which would consist of a total of approximately 6.8 million gross square feet ("GSF") of new, state-of-the-art facilities housed in up to 16 new buildings and in an adaptively re-used existing building. Among other education related uses, these buildings would be used by Columbia for: teaching facilities; academic research probing the causes of diseases such as Parkinson's, autism, dementia, schizophrenia and Alzheimer's; graduate student housing,

faculty housing and housing for other employees; and active ground floor uses serving the local community and Columbia. The Project will create over two acres of much-needed publicly accessible, open space. This park-like and landscaped open space, like the Project site, will be without gates or barriers so as to invite pedestrian travel to and through the public areas of the site. The Project will also include an open-air market zone along 12th Avenue and widened, well-lit, treelined sidewalks. Columbia is a non-profit corporation, the oldest university in this State, one of the premier educational institutions in this nation, the seventh largest private employer in New York City (employing some 14,000 people, two-thirds of whom live in New York City), and, upon completion of the Project, Columbia is expected to employ an additional approximately 6,000 people at the Project site in stable, permanent jobs. During the construction build-out, some 14,000 construction jobs will also be created by the Project.

Nearly 2 million GSF of the Project total will be developed as a continuous, multi-level, Below-Grade Facility ("Below-Grade Facility") of up to some 80 feet in depth that would be used for activities that support the educational, academic research, housing, recreational and teaching programs of Columbia. The Below-Grade Facility would extend in part below West 130th, West 131st and West 132nd Streets, between Broadway and 12th Avenue and, as such, would connect most of the buildings. The build-out of the Project is anticipated to occur in two phases over an approximately 25-year period. The first phase would entail developing all of the Project site, except for Block 1999.

The Project site is wholly within New York County and generally extends from the southerly side of West 125th Street north along the westerly side of 12th Avenue to the northerly side of West 133rd Street, then along the northerly side of West 133rd Street to the westerly side of Broadway, then northerly along the westerly side of Broadway to the northerly side of West 134th Street, then along the northerly side of West 134th Street, then southerly along the easterly border of Lot 7 and through Lot 9 on Block 1987 to the easterly side of Old Broadway, then southerly along the easterly side of Old Broadway to the southerly side of West 131st Street, then westerly along the southerly side of West 131st Street to the easterly side of Broadway, then southerly along the easterly side of Broadway to the south side of West 125th Street and lastly northwesterly along the southerly side of West 125th Street to 12th Avenue. A map of the Project site is attached hereto and made a part hereof as Exhibit A.

The Project qualifies as both a Land Use Improvement Project and separately and independently as a Civic Project pursuant to the New York State Urban Development Corporation Act (Chapter 174 of the Laws of 1968, as amended; the "UDC Act"). As part of the educational mission of Columbia, the Project will foster important scientific research and knowledge in such areas as neurological disorders and systems biology to benefit the public. ESDC is providing no financing for the Project. Exclusive of financing costs, the estimated acquisition and construction cost for the Project is \$6.28 billion and the Project shall be funded by Columbia. Adequate provision has been or will be made for all Project related costs of acquisition, construction, operation, maintenance and upkeep.

The New York State Urban Development Corporation, d/b/a Empire State Development Corporation ("ESDC") adopted a General Project Plan for the Project on July 17, 2008. On September 2, 2008, as continued on September 4, 2008, ESDC held a duly noticed public hearing in accordance with the provisions of Article 2 of the New York State Eminent Domain Procedure Law ("EDPL") and Sections 6 and 16 of the UDC Act in order, among other things, to inform the public, to solicit comments on the Project from the public, and to review the public use, benefit or purpose of the proposed Project and general effect of the proposed Project on the environment and residents of the locality. Comments were invited at the hearing on the General Project Plan, the proposed condemnation, the proposed property acquisitions and the proposed property transfers to Columbia pursuant to the General Project Plan. Written or e-mailed comments were also invited until 5:30 P.M. on October 10, 2008.

The public hearing extended over two days and some 13 hours, until all persons who wished to speak had spoken for as long as they chose to speak. The public was provided with information concerning the public use, benefit and purpose to be served by the proposed Project, the Project location and the reasons for the selection of that location and the general effect of the proposed Project on the environment and residents of the locality. This information was provided by the hearing officer, and by representatives of ESDC and Columbia. Copies of the General Project Plan, the Final Environmental Impact Statement ("FEIS", together with the Draft Environmental Impact Statement, the "EIS") and two separate neighborhood condition studies of the Project site were made available at the public hearing. One such study was prepared by AKRF, Inc. which used the internationally known engineering firm of Thornton Tomasetti, Inc. to inspect and evaluate the physical conditions of the properties. The other study was performed by the internationally known environmental and engineering firm of Earth Tech, Inc. which likewise independently inspected and evaluated the physical conditions of the properties. Both studies found the Project site to be substandard or insanitary. The hearing provided an opportunity for the public to comment on the proposed Project, the General Project Plan, the proposed property transfers and the public use, benefits and purposes to be served by the Project. The record of the hearing remained open for any additional written comments until October 10, 2008.

During the hearing, ESDC stated that during the first ten-year phase of the Project, it would assist in acquiring certain needed properties and property interests including, among others, subsurface interests underlying and adjacent to City streets within the Project site and below-grade property

interests needed for tiebacks and supports and which are also needed for the construction, maintenance and development of the Below Grade Facility beneath West 130th, West 131st, and West 132nd Streets.

During the first ten-year phase, the following properties would also be subject to acquisition by ESDC for the Project: Block 1986, Lots 30 and 65; Block 1987, Lots 1 and 7 and the western portion of Lot 9; Block 1995, Lots 31 and 35; Block 1996, Lots 14, 15, 16, 18, 20, 21, 23, 29, 34, 36, 50, 56, and 61; Block 1997, Lots 1, 6, 9, 14, 17, 18, 21, 27, 29, 30, 33, 34, 40, 44, 47, 48, 49, 52, 55, 56, 61 and 64; Block 1998, Lots 1, 3, 6, 10, 13, 16, 24, 26, 29, 38, 49, 57, and 61.

In addition, subsurface interests in below grade portions of West 125th, West 129th, West 130th, West 131st and West 132nd Streets, certain adjacent below-grade areas of Broadway, 12th Avenue and possibly certain below-grade areas of Old Broadway may also be acquired. The surface of the streets will remain public streets typically from grade to a depth of some 8 to 10 feet below grade thereby assuring continuance of the present street grid. During this first ten-year phase of the Project, ESDC would not acquire through eminent domain: Block 1997, Lot 6, which is owned by the City and leased to an affiliate of the Metropolitan Transit Authority ("MTA"); Block 1997, Lots 29 and 48, so long as they continue to be used for religious purposes; Block 1998, Lot 38, which is owned by the City and operated by its Department of Housing Preservation and Development; and Block 1998, Lot 49, as long as it continues to be used for public utility purposes; or any part of Block 1999. Acquisition of City-owned lots is expected to occur pursuant to Section 14 of the UDC Act rather than through condemnation, and could occur under Section 14 at any time after those lots become vacant.

ESDC would only consider the acquisition of City-owned parcels leased by the MTA or its affiliates with the agreement of the MTA. ESDC will not acquire City-owned parcels used by the MTA or its affiliates while they are occupied by the MTA or its affiliates absent the agreement of the MTA.

Of the seven residential buildings on the Project site, six are located on Broadway between West 132nd and West 133rd Streets. The seventh is located on the south side of West 132nd Street. ESDC will not exercise its eminent domain power to acquire these seven buildings at any time while they remain occupied by residential occupants. Nor will ESDC exercise this power to acquire any other legal residential unit on the Project site prior to 2018.

Columbia and ESDC will provide relocation assistance to all Project residents and businesses as set forth in the General Project Plan.

Upon ESDC's acquisition of any property interest in the Project site, the payment by Columbia of all of ESDC's costs and expenses of acquiring the same, the payment of all fees, claims and expenses incurred or accrued by ESDC and ESDC's acquiring full possession thereof, ESDC would convey and release such property and property interests, without further consideration, to Columbia. All property now or hereafter owned by Columbia within the Project site will be subject to a Declaration of Covenants and Restrictions that will secure Columbia's compliance with the requirements of the General Project Plan, as modified and affirmed by ESDC's board on December 18, 2008 (the "GPP"), as well as certain obligations incurred by Columbia in connection with the rezoning of the area.

Compliance with the City's Uniform Land Use Review Procedure ("ULURP"), to the extent it might be deemed applicable to the Project, and with the City Map with respect to subsurface portions of City Streets which will be incorporated into the Below Grade Facility, would result in a multiplicity of reviews, delay implementation of the Project and its public benefits and needlessly duplicate the ULURP process that has already been conducted. The proposed Project already has received substantial public disclosure and involvement through the ULURP and State Environmental Quality Review Act/City Environmental Quality Review processes conducted for the recent rezoning and by the additional public review provided by ESDC's hearing. Given the opportunity so afforded the public to participate in the rezoning and environmental review under ULURP and the further opportunities afforded by ESDC, no purpose would be served by the delay associated with compliance with ULURP and related City requirements and such compliance would be impracticable and infeasible. Transfers of City owned property that might be subject to compliance with ULURP will therefore comply only with the UDC Act and GPP. Also, to the extent that the use of the below grade portion of City streets for Project purposes is inconsistent with the City Map, the Project will be governed by the GPP and not that Map.

Construction of the Project and the plans and specifications will be subject to and comply with the applicable provisions of the New York City Building Code, including without limitation, its fire, earthquake, sewer, street construction, health safety requirements and permitting requirements. In addition, Columbia's design team includes a Leadership in Energy and Environmental Design ("LEED") consultant to achieve at least the requisite LEED v. 2.2 Silver Certification, as set forth in the GPP, and will engage, at Columbia's own cost, an independent consultant acceptable to ESDC and the City to monitor environmental compliance on behalf of ESDC and the City.

All testimony and written comments received at the hearing and additional comments received during the comment period have been reviewed, made a part of the record, and afforded full consideration. Solely as an accommodation, ESDC has also duly considered late comments received during October, 2008 and reproduced the same as if they were duly part of the record. ESDC has also considered and relied upon the facts and analyses set forth in the EIS and the contents of the previously mentioned neighborhood

condition studies in reaching its determination and findings.

I. The Public Use, Benefit, and Purpose To Be Served by the Project [EDPL § 204(B)(1)].

The Project will provide the following public uses, benefits and purposes:

- 1) Address the State's and City's need for educational, community, recreational, cultural and other civic facilities. One of the most important responsibilities of State government is to provide for the education of its citizens - a responsibility that includes fostering the growth and development of independent colleges and universities to improve student learning and achievement.
- 2) Maintain the status of the City and the State as a global center for higher education and academic research by providing new facilities with large, open floor plates and shared infrastructure, comparable to those now being constructed by Columbia's peer institutions.
- 3) Eliminate the approximately 60% of the lots that have substandard, unsafe, unsanitary or deteriorated conditions thereon which exhibit critical and poor physical conditions, a vacancy rate of 25% or more, and a utilization rate of approximately 60% or less even measured against the lower density zoning that existed prior to the December, 2007 rezoning. Approximately 80% of the current buildings on the Project Site were built more than 50 years ago and some 16% of the buildings more than a century ago. For generations extending prior to World War II, the Project site has been largely used by small and diverse owners for automotive sales, repairs, storage warehouse and light industrial/transportation uses and also has continued to suffer from long-term poor maintenance, lack of development and disinvestment. The current bleak conditions are and have been inhibiting growth and preventing the site's integration into the surrounding community. The implementation of the Project would remove these blighted conditions.
- 4) Ensure consistent, orderly, comprehensive and controlled growth pursuant to the Project throughout the entire 17 acres and thereby generate the numerous community and civic benefits set forth in the GPP that merely complying with the recent rezoning will not accomplish. The proximity of the Project site to other Columbia facilities, particularly its Morningside Heights Campus and Medical Center Campus, will foster inter-disciplinary discourse and collaboration among university faculty and students and keep the City as a vibrant center for research, knowledge creation and education.
- 5) Accommodate the Below-Grade Facility for educational, academic research, recreation and supporting uses and infrastructure. The Below Grade Facility will among other things: permit the construction and use of a centralized and efficient energy plant; provide parking and receiving facilities thereby promoting the efficient distribution of goods and food services and helping to minimize street congestion; reduce above ground density thereby allowing some two acres of ground level space to be devoted to publicly accessible open space and allowing the new buildings to be on a scale with the surrounding community; permit the streets to remain open at grade level, thereby allowing the lower floors of the buildings to connect to a lively, street level commercial corridor serving the local community and Columbia, and contributing to a pedestrian-friendly and vibrant ground level experience for pedestrians.
- 6) Provide open areas that will be gateless, airy and publicly accessible, albeit privately-owned and maintained. The current bleak, essentially treeless, deteriorated, foreboding appearance of the Project site, and automobiles regularly parked on and blocking sidewalks, would be replaced with a site containing approximately 94,000 square feet of accessible open space and maintained as such in perpetuity that will be punctuated by trees, open vistas, paths, landscaping and street furniture and an additional well-lit 28,000 square feet of space of widened sidewalks that will invite east-west pedestrian traffic.
- 7) Generate 6,000 new Columbia jobs and

14,000 construction jobs and also generate billions of dollars in personal income for New Yorkers. During the implementation of the Project, the present value of tax revenue derived from construction expenditures and total personal income during this period is estimated to total \$122 million for the State and \$87 million for the City. By 2033, the active ground floor retail space uses serving the community and Columbia should alone generate almost double the City real estate taxes produced by the Project site in 2004-2005.

- 8) Make available to the community a package of mitigation measures and amenities including: upgrading the escalators at the 125th Street IRT subway station; a shuttle bus service for the elderly and disabled; a 24-year commitment, escalating up from \$500,000 per annum, towards the West Harlem Piers Park; viaduct lighting improvements, maintenance and electricity for lighting of the Riverside viaduct at the intersection of West 125th Street and 12th Avenue through 2033; and a host of other items set forth in the GPP. In opening its facilities, Columbia will make its libraries, computing facilities and other academic support facilities and services available to students from the new Public Middle and High School For Math, Science and Engineering for which Columbia is supplying the land rent-free for the next 49 years. Its proposed new swimming facilities will be available for the physically disabled and a local swim team and will also offer a four-hour "family session" to local residents on Sunday afternoons, year round.

II. Project Location and Reasons for Selection of that Location [EDPL § 204(B) (2)].

The Project location is set forth above. With 17 contiguous acres, the Project site will accommodate Columbia's historic and long-term contemplated growth and its need for flexible, state-of-the art educational facilities with sufficiently large floor plates, infrastructure below-grade, broad sidewalks, and open spaces that are essential to the creation and success of an urban campus integrated into the fabric of the local community. Its proximity to other Columbia facilities, particularly its Morningside Heights and Medical Center campus and Columbia's 100-year presence in the Morningside Heights Campus will promote and foster inter-disciplinary discourse, the expansion of knowledge and collaboration among educators and students. Independently, the Project site's current underutilization, substandard, deteriorated and unsanitary condition warrant its redevelopment pursuant to a cohesive, orderly and comprehensive plan that will benefit the local community, the City and State.

III. General Effect of the Project on the Environment [EDPL § 204(B)(3)].

The current aging jumble of low-density buildings, their physical condition and out-moded industrial/transportation character of the Project site, as shown in the two previously mentioned neighborhood condition studies and as evidenced by the numerous photographs contained therein, would be eliminated by the implementation of Project. The Project site would be transformed into an area characterized by open space, open vistas and visually cohesive, modern/iconic buildings and would benefit from significant, privately funded economic investment extending over the next several decades. Despite notable and sizeable redevelopment that has occurred around the Project site, the Project site itself has essentially remained stagnant for generations. The current conditions at the Project site would be dramatically improved by new buildings, new publicly accessible open space, new ground level retail opportunities, the creation of 6,000 new Columbia jobs and the knitting of the Project site into the activity of the surrounding neighborhoods of West Harlem.

The environmental impacts of the Project were analyzed and set forth in exhaustive detail in the EIS. The EIS discloses that the Project would clearly create inviting visual corridors towards the waterfront, improve the streetscape, improve the pedestrian experience on streets and create substantial publicly accessible open space on a site utterly lacking the same. The Project site including parcels on the east of Broadway would introduce new residential and commercial uses thereby enlivening the nearby community.

IV. General Effect of the Proposed Acquisitions on the Residents of the Locality [EDPL Section 204(B)(3)].

- 1) As set forth in the FEIS, the Project would affect local residents through the direct displacement of those who currently live on the Project site and the potential indirect displacement of those living in the vicinity of the Project site. Columbia would provide new replacement housing in the vicinity of the Project site for those residents displaced by the Project. Indirect residential displacement would be mitigated in part through a range of Columbia-funded affordable housing initiatives. Construction of the Project would also affect local residents in terms of air quality, traffic and noise.

Columbia will implement construction emission, noise, and traffic reduction, including the use of cleaner burning fuels and electric-grid powered equipment. A detailed discussion of the impact of the Project on the environment and local residents, including those impacts that cannot be fully mitigated, is set forth in the FEIS.

2) As previously mentioned, ESDC will not acquire by eminent domain any of the seven residential buildings on the Project site so long as they may be occupied by residential tenants and will not use this power to acquire possession of any other legal residential unit on the Project site prior to 2018. Among other things, Columbia would cause the construction of new housing to replace 75 residential units that will be required for the Project plus a minimum of 10% additional housing units. Relocation assistance would be provided to all residential households on the Project site including, without limitation, their relocation to decent, safe and sanitary dwellings as well as relocation payments and referrals to alternate housing, all of which would be paid for by Columbia. The approximately 85 known private businesses within the Project site would receive relocation assistance for the cost of moving, assistance on finding available commercial space and the other assistance described in the GPP.

3) In addition, the Project would provide for:

- a) Upgrading the escalators at the 125th Street subway station on Broadway;
- b) Providing \$500,000 p.a. (escalating at 3% annually) for the West Harlem Piers Park for 24 years;
- c) \$76 million payable over 12 years to fund community benefits;
- d) \$20 million towards affordable

housing to address the impact of the Project;

- e) \$20 million to the Harlem Community Development Corporation which serves the greater Harlem community, payable over a period of 25 years;
- f) Shuttle bus service for the elderly and disabled through 2033, but such service may be discontinued if and when the 125th Street IRT station at Broadway becomes ADA accessible;
- g) \$500,000 to the I.S. 195 playground which is just north of the Project site; and
- h) Numerous other contributions and civic programs similarly funded by Columbia and detailed in the GPP.

V. Other Relevant Factors [EDPL § 204(B)(4)].

At the public hearing, oral and written comments were received from the public, and it was stated that written comments would be accepted until the close of business on October 10, 2008.

Numerous comments were received in support of the Project and the many public uses, benefits or purposes to be served thereby. For those opposing the Project, certain adverse comments were made, such as: (a) the purported absence of a need for condemnation; (b) that commercial scientific enterprises would purportedly dominate the use of the Project site; (c) that the Project does not purportedly independently and separately qualify as civic project under the UDC Act; (d) that the two ESDC neighborhood condition studies and the two professional engineering reports, together with the extensive photographic evidence contained in each of those studies, do not allegedly substantiate blight; (e) that any pending FOIL requests or FOIL litigation should preclude any decision by ESDC with respect to the Project; (f) that the consultants engaged by ESDC to prepare the neighborhood condition studies were purportedly not independent; (g) that the buildings acquired by Columbia were allegedly in good condition prior to their acquisition and that after their acquisition Columbia purportedly failed to

maintain them; and (h) that there has been allegedly inadequate consideration given to the consequences of an earthquake or flood with respect to the Project.

All comments have been given careful, extensive and due consideration by ESDC.

DETERMINATION

Based on due consideration of the record and the foregoing findings, it is determined that the ESDC should exercise its power of condemnation to acquire the above-described property in order to promote and permit the purposes of the Project to be achieved.

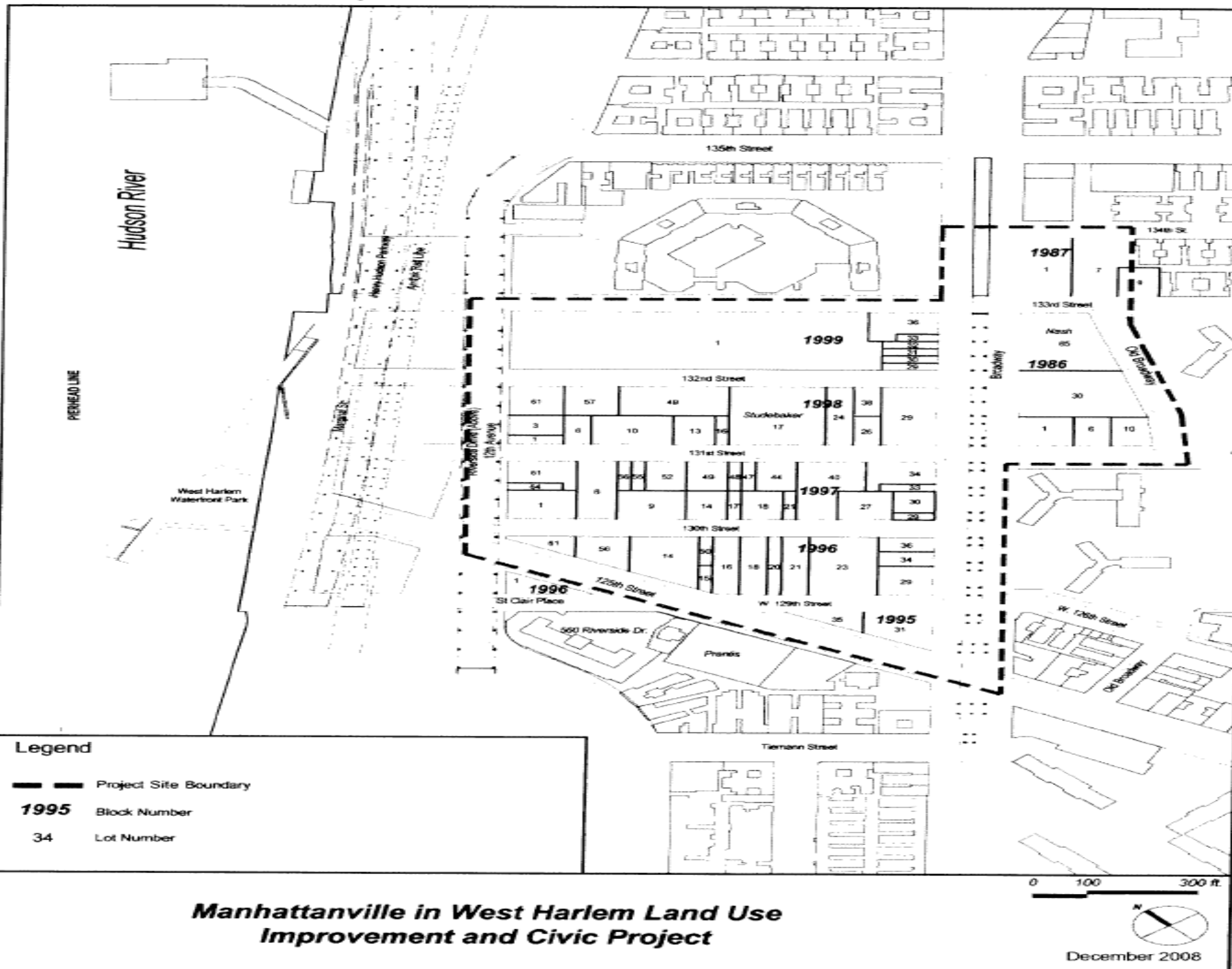
Copies of this Determination and Findings by the ESDC are available and will be forwarded without cost and upon request, by writing to:

Empire State Development Corporation
633 Third Avenue
New York, New York 10017
Attention: Ms. Regina Stephens

ATTENTION: ANY PERSON WHO WISHES TO SEEK JUDICIAL REVIEW OF THIS DETERMINATION AND FINDINGS, OR WHO CLAIMS TO BE AGGRIEVED BY SUCH DETERMINATION AND FINDINGS AND WISHES TO CHALLENGE SAME, MUST DO SO, IF AT ALL, (1) BY DULY COMMENCING A LEGAL PROCEEDING IN THE APPELLATE DIVISION, FIRST DEPARTMENT, 27 MADISON AVENUE, NEW YORK, NEW YORK, NO LATER THAN JANUARY 22, 2009, OTHERWISE ANY SUCH CHALLENGE OR JUDICIAL REVIEW MAY BE TIME BARRED, AND (2) BY DULY SERVING A DEMAND UPON THE ESDC TO FILE THE RECORD UNDERLYING THIS DETERMINATION AND FINDINGS. THE APPELLATE DIVISION MAY CONSIDER THE PUBLIC USE, BENEFIT OR PURPOSE TO BE SERVED BY THE PROPOSED ACQUISITION AND OTHER MATTERS SET FORTH IN NEW YORK EMINENT DOMAIN PROCEDURE LAW SECTION 207. UNDER SECTIONS 207 AND 208 OF THE EMINENT DOMAIN PROCEDURE LAW, THE EXCLUSIVE VENUE FOR ANY CHALLENGE TO THIS DETERMINATION AND FINDINGS IS THE ABOVE-DESCRIBED APPELLATE DIVISION. ANYONE WISHING TO CHALLENGE THIS DETERMINATION AND FINDINGS IS ADVISED TO CONSULT AN ATTORNEY PROMPTLY.

SEE MAP BELOW

Exhibit A. Project Site Map



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 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/only one source**
- RS Procurement from a Required Source/ST/FED
- NA Negotiated Acquisition
For ongoing construction project only:
- NA/8 Compelling programmatic needs

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

HOW TO READ CR PROCUREMENT NOTICES

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

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

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

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

☛ 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 PIN # 056020000293 DUE 04-21-03 AT 11:00 am	Method of source selection Procurement identification number Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	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.