



# THE CITY RECORD

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**THE CITY RECORD**      **MICHAEL R. BLOOMBERG, Mayor**

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

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**PUBLIC HEARINGS AND MEETINGS**

*See Also: Procurement; Agency Rules*

**BROOKLYN BOROUGH PRESIDENT**

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that Brooklyn Borough President Marty Markowitz will hold a meeting and public hearing of the Brooklyn Borough Board in the Community Room, First Floor, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 6:00 P.M. on Tuesday, January 6, 2009.

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

**d24-j6**

**STATEN ISLAND BOROUGH PRESIDENT**

■ PUBLIC MEETING

Notice of Public Meeting of the Staten Island Borough Board in the Conference Room 122 at 5:30 P.M. on Wednesday, January 7, 2009.

Borough Hall - Stuyvesant Place, Staten Island, New York 10301.

**d29-j7**

**CITY PLANNING COMMISSION**

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, January 7, 2009, commencing at 10:00 A.M.

**BOROUGH OF THE BRONX**  
No. 1  
**1157 FULTON AVENUE**

**CD 3**      **C 090073 HAX**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a) the designation of property located at 1157 Fulton Avenue (Block 2609, Lot 54), as an

Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate the rehabilitation of an existing four-story residential building, tentatively known as 1157 Fulton Avenue, with approximately 13 residential units.

**BOROUGH OF BROOKLYN**  
Nos. 2, 3, 4, 5 & 6  
**GATEWAY ESTATES II**  
No. 2

**CD 5**      **C 090078 HUK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the Third Amended Fresh Creek Urban Renewal Plan for the Fresh Creek Urban Renewal Area.

The Third Amendment updates the project time schedule and overall plan by modifying parcel sizes, densities, building heights, and use designations on individual parcels; and revises the language and format of the Urban Renewal Plan to conform with HPD's current format for urban renewal plans, to facilitate the development of a mixed-use development containing residential, commercial, community facility and open space uses.

**No. 3**

**CD 5**      **C 090079 ZMK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17d:

1. eliminating from within an existing R6 District a C2-4 District bounded by a line 95 feet northeasterly of Lower Ashford Street, a line 115 feet northwesterly of Fountain Street, a line 100 feet southwesterly of Elton Street, the southwesterly centerline prolongation of Elton Place, Elton Street, a line 162 feet southeasterly of Erskine Place, a line 100 feet northeasterly of Elton Street, a line midway between Elton Place and Fountain Street, a line 95 feet southwesterly of Essex Street, Fountain Street, the southeasterly prolongation of the northeasterly street line of Essex Street, a line 180 feet southeasterly of Fountain Street, the southeasterly prolongation of the southwesterly street line of Lower Ashford Street, and Fountain Street;

2. changing from an R3-2 District to an R6 District property bounded by the former centerline of Erskine Street\*, the new centerline of Erskine Street\*, and a line 115 feet southeasterly of Schroeders Avenue\*;

3. changing from an R6 District to an R7A District property bounded by Flatlands Avenue, Elton Street, a line 100 feet northwesterly of Egan Street\*, a line 100 feet northeasterly of Elton Street,

the southeasterly street line of Elton Street and its northeasterly and southwesterly prolongations, a line 100 feet southwesterly of Elton Street, Locke Street\*, and Ashford Street\*;

4. changing from an R3-2 District to a C4-2 District property bounded by a line 115 feet southeasterly of Schroeder Avenue\*, the former centerline of Erskine Street\*, and the new centerline of Erskine Street\*;

5. changing from an R6 District to a C4-2 District property bounded by a line 115 feet southeasterly of Schroeders Avenue\* and its southwesterly prolongation, a line 100 feet southwesterly of Elton Street, the southeasterly street line of Elton Street and its northeasterly and southwesterly prolongations, a line 100 feet northeasterly of Elton Street, a line 115 feet southeasterly of Schroeders Avenue\*, the former centerline of Erskine Street\*, Erskine Street, a line 180 feet southeasterly of former Fountain Street\*, and the centerline of former Schenck Avenue;

6. establishing within an existing R6 District a C2-4 District bounded by:

a. Vandalia Avenue, Erskine Avenue\*, Schroeders Avenue\*, and a northeasterly boundary line of a park; and

b. Egan Street, Fountain Avenue, Vandalia Avenue, and a line 100 feet southwesterly of Fountain Avenue; and

7. establishing within the proposed R7A District a C2-4 District bounded by:

a. Flatlands Avenue, a line 100 feet southwesterly of Elton Street, Locke Street\*, and Ashford Street\*;

b. a line 100 feet northwesterly of Egan Street\*, a line 100 feet northeasterly of Elton Street, Vandalia Avenue, and Elton Street; and

c. Schroeders Avenue\*, Elton Street, the southeasterly street line of Elton Street and its southwesterly prolongation, and a line 100 feet southwesterly of Elton Street;

as shown on a diagram (for illustrative purposes only) dated September 8, 2008.

\*Note: Fountain Street is proposed to be eliminated, Schroeders Avenue is proposed to be mapped, Erskine Street is proposed to be narrowed and various streets are proposed to be re-named under a related concurrent application (C 080089 MMK) for a change in the City Map.

**No. 4**

**CD 5**      **C 090081 ZSK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development and Gateway Center Properties Phase II, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the regulations of Section 32-64 (Surface Area and Illumination Provisions), Section 32-65 (Permitted Projection or Height of Signs) and Section 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) in connection with a proposed commercial development, on property generally bonded by Gateway Drive, a line approximately 750 feet southeasterly of Schroeders Avenue, Erskine Street, and a line approximately 115 feet southeasterly of Schroeders Avenue (Block 4452 p/o Lots 170 and 400 and Block 4586 p/o Lot 1), in a C4-2 District\*, within a general large-scale development.

\*Note The site is proposed to be rezoned by changing an R6 District to a C4-2 District, under a related concurrent application C 090079 ZMK.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 5

CD 5 C 090082 HAK IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a. the designation of the following properties located at:

Table with 3 columns: Block, Lot, Fresh Creek Urban Renewal Area. Rows include 4444, 4445, 4446, 4447, 4448, 4449, 4452, 4586.

as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a new mixed use community, containing regional and local retail, housing, community and public facilities, and open space.

No. 6

CD 5 C 080089 MMK IN THE MATTER OF an application, submitted by Gateway Center Properties Phase II, LLC, the Department of Housing, Preservation and Development, the Department of Parks and Recreation, and the Nehemiah Housing Development Fund Corporation, Inc., pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430, et seq., of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of streets;
the elimination, discontinuance and closing of streets;
the establishment of park;
the elimination of park;
the extinguishment and modification of easements;
the modifications of grades necessitated thereby; and
any acquisition or disposition of real property related thereto,

all within an area generally bounded by Gateway Drive, Flatlands Avenue, Fountain Avenue, and Shore Parkway,

in accordance with Map Nos. Y-2705 and X-2706, dated September 4, 2008, and signed by the Borough President.

NOTICE

On Wednesday, January 7, 2009, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the Department of Housing Preservation and Development in conjunction with the above ULURP hearings to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning the 3rd amendment to the Fresh Creek Urban Renewal Plan, zoning and city map amendments, a special permit and the designation of an Urban Development Action Area and Project to facilitate Gateway Estates II, a proposed mixed-use development.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 07HPD021K.

Nos. 7, 8 & 9
363-365 BOND STREET
No. 7

CD 6 C 090047 ZMK IN THE MATTER OF an application submitted by the Toll Brooklyn, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from an M2-1 District to an M1-4/R7-2 District property bounded by Carroll Street and its southeasterly centerline prolongation, the center line of the Gowanus Canal, Second Street and its southeasterly centerline prolongation, and Bond Street; and

2. establishing a Special Mixed Use District (MX-11) District bounded by Carroll Street and its southeasterly centerline prolongation, the center line of the Gowanus Canal, Second Street and its southeasterly centerline prolongation, and Bond Street.

as shown on a diagram (for illustrative purposes only) dated September 8, 2008, and subject to the conditions of CEQR Declaration E-221.

No. 8

CD 6 C 090048 ZSK IN THE MATTER OF an application submitted by the Toll Brooklyn, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback regulations of Section 123-66 (Height and Setback Regulations), the rear yard regulations of Section 23-47 (Minimum Required Rear Yards), and the inner court regulations of Section 23-852 (Inner court recesses), in connection with a proposed mixed use development on property located at 363-365 Bond Street, (Block 452, Lots 1, 5, 15, 19, and Block 458, Lot 1), in an M1-4/R7-2 (MX-11) \* District, within a General Large-Scale Development.

\*Note: The site is proposed to be rezoned from an M2-1 District to an M1-4/R7-2 (MX-11) District, under a related application C 090047 ZMK.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 9

CD 6 C 090049 ZRK IN THE MATTER OF an application submitted by Toll Brooklyn, LP pursuant to Section 201 of the New York City Charter, for amendments of the Zoning Resolution of the City of New concerning Article XII, Section 3 (Special Mixed Use Districts); and Article II, Section 3 (Bulk Regulations for Residential Buildings in Residence Districts) in Community District 6, Borough of Brooklyn.

Matter in underline is new, to be added;
Matter in strikeout is old, to be deleted;
Matter within # # is defined in Section 12-10;
\* \* \* indicates where unchanged text appears in the Zoning Resolution

ARTICLE II - RESIDENCE DISTRICTS

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts
\* \* \*

23-144
In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Table with 2 columns: Community District, Zoning District. Rows include Community District 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

23-922
Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

- (i) In Community District 6, in the Borough of Brooklyn, in the R7-2 District within the areas shown on the following Map 14:



Map 14. Portion of Community District 6, Brooklyn

\* \* \*
23-942
In Inclusionary Housing designated areas

The #floor area# of a #development# or #enlargement# may not exceed the base #floor area ratio# set forth in the following table, except that such #floor area# may be increased by one and one-quarter square feet for each square foot of #floor area# provided for #lower income housing#, up to the maximum #floor area ratio# specified in the table.

However, the amount of #lower income housing# required to receive such bonus #floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, in the #building#. In addition, the following rules shall apply:

Table with 3 columns: District, Base #floor area ratio#, Maximum #floor area ratio#. Rows include R6\*, R6\*\*, R6A, R6B, R7\*, R7\*\*, R7A, R7D, R7X, R8, R9, R9A, R10.

\* for #zoning lots#, or portions thereof, beyond 100 feet of a #wide street#

\*\* for #zoning lots#, or portions thereof, within 100 feet of a #wide street#
(b) Height and setback

(1) Except in #Special Mixed Use Districts#, the compensated #building# must be #developed# or #enlarged# pursuant to the height and setback regulations of Sections 23-633 (Street wall location and height and setback regulations in certain districts) or 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), as applicable.

(2) In #Special Mixed Use Districts#, where the #residence district# designation has a letter suffix, the compensated #building# must be #developed# or #enlarged# pursuant to paragraph (a) or (b) of Section 123-662 (All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations), as applicable. However, where the #residence district# designation is an R6 District without a letter suffix, the compensated #building# must be #developed# or #enlarged# pursuant to the height and setback regulations of Section 23-633 regardless of whether the #building# is #developed# or #enlarged# pursuant to the Quality Housing Program.
\* \* \*

ARTICLE XII - SPECIAL PURPOSE DISTRICTS

Chapter 3
Special Mixed Use District
\* \* \*

123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Residential Buildings in R6, R7, R8 and R9 Districts

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Sections 23-142, 23-143 and paragraph (a) of Section 23-147 shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Section 23-145, or paragraph (b) of Section 23-147 for #non-profit residences for the elderly#. For purposes of this Section, #non-profit residences for the elderly# in R6 and R7 Districts without a letter suffix, shall comply with the provisions for R6A or R7A Districts, respectively, as set forth in paragraph (b) of Section 23-147.

Where the designated district is an R7-3 District, the maximum #floor area ratio# shall be 5.0 and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

Where the designated district is an R9-1 District, the maximum #floor area ratio# shall be 9.0, and the maximum #lot coverage# shall be 70 percent on an #interior# or #through lot# and 80 percent on a #corner lot#.

However, in #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratio# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Table with 2 columns: Special Mixed Use District, Designated Residence District. Row: MX 8-Community District 1, Brooklyn, R6 R6A R6B R7A

MX 11-Community District 6, R7-2 Brooklyn

\* \* \*
123-90
Special Mixed Use Districts Specified









Draft copies of the proposed contracts are available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from January 2, 2009 to January 8, 2009, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Ms. Angela Blake Fields at Room # 8-S6, (212) 863-6655.

Any individual wishing to speak at such hearing must submit a written request to Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer, Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038; by FAX: (212) 863-5455; or by E-mail: [jb1@HPD.nyc.gov](mailto:jb1@HPD.nyc.gov). If the Agency does not receive a written request to speak within 5 days business days after the publication of this notice, the Agency reserves the right not to conduct the public hearing. In such case, a notice will be published in The City Record cancelling the public hearing.

#### CORRECTED NOTICE OF PUBLIC HEARING

**IN THE MATTER** of three (3) proposed contracts between the Department of Housing Preservation and Development and the Contractors listed below, for the provision of Neighborhood Preservation Consultant Program. The contract term shall be from January 1, 2009 to December 31, 2011 with one two-year option to renew from January 1, 2012 to December 31, 2013.

#### Contractor/Address

1. Neighborhood Housing Services of North Bronx, Inc.  
1451 East Gunhill Road, Bronx, NY 10469

**Amount** \$120,000  
**PIN#** 806080100005Z

**Borough/Community Board to be Served** Bronx/CB #12

2. Neighborhood Housing Services of Northern Queens  
60-20 Woodside Avenue, Woodside, NY 11377

**Amount** \$120,000  
**PIN#** 806080100005U

**Borough/Community Board to be Served** Queens/CB #3

3. West Bronx Housing Neighborhood Resource Center  
3176 Bainbridge Avenue, Bronx, NY 10467

**Amount** \$240,000  
**PIN#** 806080100005D

**Borough/Community Board to be Served** Bronx/CB #'s 5 and 7

The proposed contractors have been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from January 2, 2009 to January 8, 2009, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Ms. Angela Blake Fields at Room # 8-S6, (212) 863-6655.

Any individual wishing to speak at such hearing must submit a written request to Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer, Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038; by FAX: (212) 863-5455; or by E-mail: [jb1@HPD.nyc.gov](mailto:jb1@HPD.nyc.gov). If the Agency does not receive a written request to speak within 5 days business days after the publication of this notice, the Agency reserves the right not to conduct the public hearing. In such case, a notice will be published in The City Record cancelling the public hearing.

#### CORRECTED NOTICE OF PUBLIC HEARING

**IN THE MATTER** of four (4) proposed contracts between the Department of Housing Preservation and Development and the Contractors listed below, for the provision of Neighborhood Preservation Consultant Program. The contract term shall be from January 1, 2009 to December 31, 2011 and will contain one two-year option to renew from January 1, 2012 to December 31, 2013.

#### Contractor/Address

1. Northern Manhattan Improvement Corporation  
76 Wadsworth Avenue, New York, NY 10033

**Amount** \$480,000  
**PIN#** 806080100005G

**Borough/Community Board to be Served** Manhattan CBs # 9, 10, 11 and 12

2. United Jewish Organizations of Williamsburg, Inc.  
32 Penn Street, Brooklyn, NY 11211

**Amount** \$60,000  
**PIN#** 806080100005T

**Borough/Community Board to be Served** Brooklyn CB # 1

3. Astella Development Corp.  
1618 Mermaid Avenue, Brooklyn, NY 11224

**Amount** \$120,000  
**PIN#** 806080100005K

**Borough/Community Board to be Served** Brooklyn CB # 13

4. AAFE Community Development Fund  
111 Division Street, New York, NY 10002

**Amount** \$120,000  
**PIN#** 806080100005F

**Borough/Community Board to be Served** Manhattan CB # 3

The proposed contractors have been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from January 2, 2009 to January 8, 2009, excluding Holidays, from 10:00 A.M. and 4:00 P.M. Contact Ms. Angela Blake Fields at Room # 8-S6, (212) 863-6655.

Any individual wishing to speak at such hearing must submit a written request to Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer, Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038; by FAX: (212) 863-5455; or by E-mail: [jb1@HPD.nyc.gov](mailto:jb1@HPD.nyc.gov). If the Agency does not receive a written request to speak within 5 days business days after the publication of this notice, the Agency reserves the right not to conduct the public hearing. In such case, a notice will be published in The City Record cancelling the public hearing.

☛ j2-8

## AGENCY RULES

### TRANSPORTATION

#### NOTICE

**Notice of Opportunity to Comment on Proposed Rule** regarding insurance requirements.

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE** Commissioner of Transportation by section 2903(b) of the New York City Charter, and in accordance with section 1043 of the Charter, that the Department of Transportation proposes to amend title 34 of the Official Compilation of the Rules of the City of New York by repealing and reenacting paragraph (3) of subdivision (a) of section 2-02 of Chapter 2 of Title 34 of the Official Compilation of the Rules of the City of New York, the Highway Rules. Matter underlined is new; matter [in brackets] is deleted. This rule was not included in the agency's regulatory agenda as it was not anticipated at the time the agenda was published.

Written comments regarding the proposed rules may be sent to Norris Powell, Executive Director, Permit Management, Department of Transportation, 40 Worth Street, 9th floor, New York, N.Y. 10013, on or before February 4, 2009. A public hearing shall be held on February 4, 2009 at 40 Worth Street, Room 999, New York, N.Y. at 10:00 A.M. Persons seeking to testify are requested to notify Norris Powell at the address stated above. Persons who need a sign language interpreter or other accommodation for a disability at the hearing are asked to notify Norris Powell at the foregoing address by January 28, 2009. Persons interested in receiving comments may request them by writing to: Department of Transportation, Record Access Office, 40 Worth Street, New York, N.Y. 10013. Janette Sadik-Khan, Commissioner.

Paragraph (3) of subdivision (a) of section 2-02 of title 34 of the Rules of the City of New York is amended to read as follows:

(3) Insurance and indemnification requirements (for all applicants):

(i) Each applicant shall, before applying for a permit, obtain a Commercial General Liability (CGL) insurance policy [from 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.] or policies satisfying the requirements of this subparagraph. [The] All CGL [Policy] insurance policies, whether primary, excess or umbrella, shall:

(A) 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.

(B) provide coverage to protect the City of New York ("City") [the Department] and the applicant from [all] claims for property damage and/or bodily injury, including death, which may arise from any operations performed by or on behalf of the applicant for which the Department has issued it a permit;

([B]C) provide coverage [broad enough to cover the permitted activity] at least as broad as that provided by the most recent edition of ISO Form CG 0001;

([C]D) provide coverage for completed operations;

([D]E) provide [commercial general liability] coverage [in an amount no less than] of at least \$1,000,000 combined single limit per occurrence, except that with respect to applications for permits to place a crane

on a street, such minimum amount shall be no less than \$3,000,000 combined single limit per occurrence [in the applicable CGL or automobile liability policy];

([E]F) [contain each of the following endorsements:

(1) The City of New York, the Department of Transportation, together with] provide that the City and its officials and employees are Additional Insureds with coverage at least as broad as set forth in ISO Form[s] CG 20[10]26 (11/85 ed.) [and CG 0001 (1/96 ed.)];

(G) provide that the limit of coverage applicable to the Named Insured is equally applicable to the City as Additional Insured.

(H) This policy shall not be cancelled or terminated, or modified or changed in a way that affects the City by the issuing insurance company unless thirty (30) days prior written notice is sent to the Named Insured and the Commissioner of the New York City Department of Transportation, except that notice of termination for non-payment may be made on only ten (10) days written notice.

(I) If the permit applicant has applied for more than one thousand permits in the previous calendar year, the insurance policy shall contain each of the following endorsements:

([2]1) If and insofar as knowledge of an "occurrence", "claim", or "suit" is relevant to the City [of New York] as Additional Insured under this policy, such knowledge by an agent, servant, official or employee of the City of New York will not be considered knowledge on the part of the City [of New York] of the "occurrence", "claim", or "suit" unless notice thereof is received by the: Insurance Claims Specialist, Affirmative Litigation Division, New York City Law Department[.]; and

([3]2) Any notice, demand or other writing by or on behalf of the Named Insured to the insurance company shall also be deemed to be a notice, demand or other writing on behalf of the City [and the Department] as Additional Insured[s]. Any response by the Insurance Company to such notice, demand or other writing shall be addressed to the Named Insured and to the City at the following address: Insurance Claims Specialist, Affirmative Litigation Division, New York City Law Department[.]; 100 Church Street, New York, New York 10007.

([4] This policy shall not be cancelled, terminated, modified or changed by the Insurance Company unless thirty (30) days prior written notice is sent by Certified Mail to the Named Insured and the Commissioner of the New York City Department of Transportation,

(5) The limit of coverage under this policy applicable to the City and the Department as Additional Insureds is equal to the limit of coverage applicable to the Named Insured.]

(ii) Each applicant shall, before applying for a permit, obtain [a] Workers Compensation insurance [policy] in accordance with the laws of the State of New York from a licensed insurance company.

(iii) Each applicant shall, before applying for a permit, file with the Department, proof that the applicant has insurance in place that [meets the requirements stated in this paragraph] provides coverage set forth in this subdivision with respect to the permit period [and if], If the applicant chooses to meet this proof with an insurance certificate, the insurance certificate shall set forth the coverage provided, state that completed operations coverage is included and that the City is an additional insured, and 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 applicant has insurance that meets the requirements stated in this paragraph with respect to the permit period] is accurate in all material respects, and that the described insurance is in effect.

(iv) An applicant may obtain insurance policies applicable to more than one permit application, in which case the proof pursuant to subparagraph (iii) shall state that the policies cover all such permits in specified boroughs, or throughout the City.

(v) The applicant 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.

(vi) In its sole discretion, the Department may allow applicants that frequently seek permits to self-insure, provided that the applicant:

- (A) presents proof of excess or umbrella [Commercial General Liability and automobile] CGL coverage applicable to its operations under such permits;
(B) certifies that it has a self-insurance program in place that satisfies the requirements contained in subparagraph (i) and will continue it for the life of the permit and the [g]Guarantee [p]Period, as defined in subparagraph (ii) of paragraph (16) of subdivision (e) of §2-11 of these rules;
(C) agrees to provide the same defense of any suit against the City that alleges facts that bring the suit within the scope of the coverage required in subparagraph (i) as an insurer would be obligated to provide under the laws of New York;
(D) submits a statement, signed by a person authorized to bind the applicant and acknowledged by a notary public, in which the applicant agrees to assume full liability for satisfying all obligations set forth in this [P]subparagraph [3](vi), and
(E) provides the Department with the name and address of the office or official of its self-insurance program who is responsible for satisfying the self insurance obligations.

(vii) The permittee shall maintain insurance throughout the Guarantee Period, as defined in subparagraph (ii) of paragraph (16) of subdivision (e) of section 2-11 of these rules, satisfying the requirements in subparagraph (i) of this paragraph and providing coverage to protect the City[, the Department] and the applicant from all claims for property damage and/or bodily injury, including death, which may arise from any defects discovered during such Guarantee Period.

(viii) The permittee shall notify in writing the [commercial general liability] CGL insurance carrier, and, where applicable, the worker's compensation and/or other insurance carrier, of any [such] loss, damage, injury, or accident, and any claim or suit arising [therefrom] from any operations performed by or on behalf of the permittee for which the Department has issued it a permit, immediately, but not later than 20 days after such event. The permittee's notice to the [commercial general liability] CGL insurance carrier must expressly specify that "this notice is being given on behalf of the City of New York[, the Department of Transportation] as Additional Insured[s] as well as [(the permittee)] the Named Insured." The permittee's notice to the insurance carrier shall contain the following information: the name of the permittee, the number of the permittee, the date of the occurrence, the location (street address and borough) of the occurrence, and the identity of the persons or things injured, damaged or lost.

(ix) The permittee shall indemnify, defend and hold the City [, the Department, its] and its officials and employees [and agents] harmless against any and all claims, liens, demands, judgments, penalties, fines, liabilities, settlements, damages, costs and expenses of whatever kind or nature (including, without limitation, attorneys' fees and disbursements), known or unknown, contingent or otherwise, allegedly arising out of or in any way related to the operations of the permittee and/or its failure to comply with any of the requirements set forth herein or [of the L]law. Insofar as the facts and law relating to any claim would preclude the City [, the Department, its] and its officials and employees [and agents] from being completely indemnified by the permittee, the City[, the Department,] and its officials and employees [and agents] shall be partially indemnified by the permittee to the fullest extent provided by law.

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

STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULE

The Commissioner of the Department of Transportation is authorized to regulate work taking place on City streets and sidewalks pursuant to section 2903 of the New York City Charter and Title 19 of the New York City Administrative Code.

Paragraph (3) of subdivision (a) of section 2-02 is being amended to set forth an industry standard ISO form which provides a reference for permit applicants and their brokers and insurers as to what would constitute sufficient insurance coverage to cover the liability assumed by the permit applicant when obtaining a permit. This amendment also eliminates the requirement for specific notice endorsements for most permit applicants to reduce burdens that small businesses may face in procuring insurance that includes the specific notice endorsements. In addition, this amendment provides minor corrections and clarifications of the rule relating to insurance requirements.

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

NOTICE

OFFICIAL FUEL PRICE SCHEDULE NO. 6177 FUEL OIL AND KEROSENE

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 12/29/2008. Lists various fuel contracts and prices for items like #1DULS, #2DHS, #2DLS, etc.

OFFICIAL FUEL PRICE SCHEDULE NO. 6178 FUEL OIL, PRIME AND START

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 12/29/2008. Lists fuel contracts for Pacific Energy and East Coast Petroleum.

OFFICIAL FUEL PRICE SCHEDULE NO. 6179 FUEL OIL AND REPAIRS

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 12/29/2008. Lists fuel contracts for SJ Fuel Co. Inc. and Nu Way Fuel Oil.

OFFICIAL FUEL PRICE SCHEDULE NO. 6180 GASOLINE

Table with columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE EFF. 12/29/2008. Lists gasoline contracts for Sprague Energy Corp. and Metro Terminals.

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 Street, Rm. 629, New York, NY 10007 on January 9, 2009, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with columns: Damage Parcel No., Block, Lot. Row 1: 2, 6700, p/o 41

acquired in the proceeding, entitled: Lemon Creek Sewer Easements and Fee Simple Title to Trenton Court and a portion of Hanover Avenue 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



**HOUSING PRESERVATION & DEVELOPMENT**

■ NOTICE

**OFFICE OF PRESERVATION SERVICES  
CERTIFICATION OF NO HARASSMENT UNIT**

**REQUEST FOR COMMENT ON APPLICATION FOR  
CERTIFICATION OF NO HARASSMENT PURSUANT  
TO LOCAL LAW 19 OF 1983**

DATE OF NOTICE: December 24, 2008

TO: OCCUPANTS, FORMER OCCUPANTS AND  
OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
175 Beach 115th Street, Queens	111/08	December 1, 2005 to Present
48 West 85th Street, Manhattan	112/08	December 3, 2005 to Present
211 West 134th Street, Manhattan	117/08	December 9, 2005 to Present
110 South Elliott Place, Brooklyn	113/08	December 5, 2005 to Present
143 Bergen Street, Brooklyn	118/08	December 9, 2005 to Present
1150 Dean Street, Brooklyn	119/08	December 9, 2005 to Present

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

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

d24-j5

**OFFICE OF PRESERVATION SERVICES  
CERTIFICATION OF NO HARASSMENT UNIT**

**REQUEST FOR COMMENT ON APPLICATION FOR  
CERTIFICATION OF NO HARASSMENT PURSUANT  
TO THE SPECIAL CLINTON DISTRICT PROVISIONS  
OF THE ZONING RESOLUTION**

DATE OF NOTICE: December 24, 2008

TO: OCCUPANTS, FORMER OCCUPANTS AND  
OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
361 West 51 Street, Manhattan	114/08	September 5, 1973 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Clinton District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement call (212) 863-8272.

d24-j5

**OFFICE OF PRESERVATION SERVICES  
CERTIFICATION OF NO HARASSMENT UNIT  
REQUEST FOR COMMENT ON APPLICATION FOR  
CERTIFICATION OF NO HARASSMENT PURSUANT  
TO THE SPECIAL GREENPOINT-WILLIAMSBURG  
DISTRICT PROVISIONS OF THE ZONING RESOLUTION**

DATE OF NOTICE: December 24, 2008

TO: OCCUPANTS, FORMER OCCUPANTS AND  
OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
277 Driggs Avenue, Brooklyn	115/08	October 4, 2004 to Present

146 North 9th Street, Brooklyn 116/08 October 4, 2004 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Greenpoint-Williamsburg District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's

intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement call (212) 863-8272.

d24-j5

**SANITATION**

■ NOTICE

**PERCENTAGE OF EXISTING LAWFULLY OPERATING TRANSFER STATIONS IN NEW YORK CITY BY  
COMMUNITY DISTRICT**

NOTICE IS HEREBY GIVEN, that pursuant to section 4-32(d) of Title 16 of the Rules of the City of New York, the Department of Sanitation is publishing the following chart detailing the percentage of existing lawfully operating transfer stations in New York City by Community District as required by the *Final Rules Governing The Department of Sanitation's Siting Requirements Regarding Transfer Stations* that were published in the *City Record* on November 8, 2004 and that became effective upon publication. A copy of the final rules, located in Subchapter C of Chapter 4 of Title 16 of the Rules of the City of New York, can also be found on the Department's website at [www.nyc.gov/dsny](http://www.nyc.gov/dsny). Dated: January 2, 2009.

Percentage of Existing, Lawfully Operating Transfer Stations in NYC	Community Districts	Buffer Distance to Residential Districts, Hospitals, Public Parks and Schools	Buffer Distance between Transfer Stations <sup>(A)</sup>	Additional Requirements	Zoning Requirements
16% or more	Brooklyn 1	700 feet	400 feet	(i) Facility enclosed; (ii) Queuing area on site; (iii) Offsets required (B), (C), (D), (E)	M2 and/or M3 districts only
From 12 to less than 16%	Bronx 2	600 feet	400 feet	(i) Facility enclosed; (ii) Queuing area on site; (iii) Offsets required (B), (C), (D), (E)	M2 and/or M3 districts only
From 8 to less than 12%	Bronx 1	600 feet	400 feet	Queuing area on site <sup>(F)</sup>	M2 and/or M3 districts only
From 4 to less than 8 %	Queens 2 Queens 5 Queens 7 Queens 12 Staten Island 2	500 feet	400 feet	Queuing area on site <sup>(F)</sup>	M1, M2 and/or M3 allowed <sup>(H)</sup>
Less than 4%	All other Community Districts	400 feet	400 feet	Queuing area on site <sup>(G)</sup>	M1, M2 and/or M3 allowed <sup>(H)</sup>

(A) This restriction shall not apply to a new transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.

(B) Any new transfer stations operating a truck-to-truck facility must obtain a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a transfer station within the same community district at a rate of one ton for every new ton of capacity. Such reduction must be of the same type of solid waste (putrescible for putrescible, construction and demolition debris for construction and demolition debris, or fill material for fill material).

(C) Any application for a new putrescible or construction and demolition debris transfer stations located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, and where at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel, must obtain a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a putrescible or construction and demolition debris transfer station within the same community district at a rate of one ton for every new ton of capacity.

(D) Any transfer station that is lawfully operating that is located at least 500 feet from a residential district, hospital, public park or school may increase its lawful daily permitted throughput capacity only if such owner/operator obtains a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a transfer station located in the same community district at a rate of one ton for every new ton of capacity. Such reduction must be of the same type of solid waste (putrescible for putrescible, construction and demolition debris for construction and demolition debris, or fill material for fill material).

(E) Any putrescible or construction and demolition debris transfer station that is lawfully operating at or adjacent to a rail yard, rail spur, industrial track or vessel facility where at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel, may increase its lawful daily permitted throughput capacity provided that the owner/operator obtains a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a putrescible or construction and demolition debris transfer station within the same community district at a rate of one ton for every new ton of capacity.

(F) Any transfer station that is lawfully operating may increase its lawful daily permitted throughput capacity, subject to Department review and approval, provided that it is located at least 500 feet from a residential district, hospital, public park or school. This restriction shall not apply to a transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.

(G) Any transfer station that is lawfully operating may increase its lawful daily permitted throughput capacity, subject to Department review and approval, provided that it is located at least 400 feet from a residential district, hospital, public park or school. This restriction shall not apply to a transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.

(H) Any new transfer station shall not be located in an M1 district if the M1 districts in such community district cumulatively contain three or more lawfully operating transfer stations.



Table with columns: NAME, SAI, M, 04875, \$41175.0000, APPOINTED, NO, 12/07/08... listing personnel for an initial period.

COMMUNITY COLLEGE (QUEENSBORO) FOR PERIOD ENDING 12/26/08

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for the Queensboro Community College.

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 12/26/08

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for the Manhattan Community College.

COMMUNITY COLLEGE (HOSTOS) FOR PERIOD ENDING 12/26/08

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for the Hostos Community College.

COMMUNITY COLLEGE (LAGUARDIA) FOR PERIOD ENDING 12/26/08

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for the Laguardia Community College.

HUNTER COLLEGE HIGH SCHOOL FOR PERIOD ENDING 12/26/08

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for Hunter College High School.

BROOKLYN COMMUNITY BOARD #9 FOR PERIOD ENDING 12/26/08

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for Brooklyn Community Board #9.

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 12/26/08

Large table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for the Department of Education Administration.

OFFICE OF PROBATION FOR PERIOD ENDING 12/26/08

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF\_DATE... listing personnel for the Office of Probation.

## READER'S GUIDE

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

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

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

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

### Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application. If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

### SELLING TO GOVERNMENT TRAINING WORKSHOP

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

### PRE-QUALIFIED LIST

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

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

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

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

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

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

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

### COMMON ABBREVIATIONS USED IN THE CR

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

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

### KEY TO METHODS OF SOURCE SELECTION

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

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

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

### HOW TO READ CR PROCUREMENT NOTICES

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

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

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

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

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

### NUMBERED NOTES

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