



# THE CITY RECORD

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## THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

## 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 21, 2009, commencing at 10:00 A.M.

### BOROUGH OF THE BRONX No. 1 YANKEE STADIUM PARKING

CD 4 C 090153 PPX  
IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Parks & Recreation (DPR), pursuant to Section 197-c of the New York City Charter, for the disposition to the New York City Economic Development Corporation of six (6) city-owned properties restricted to public parking and accessory uses:

BLOCK	LOT
2539	29
2539	175
2539	191
2539	193
2539	504
2539	p/o 32

### Nos. 2, 3 & 4 BROADWAY PLAZA No. 2

CD 8 C 080014 MMX  
IN THE MATTER OF an application, submitted by the New York City Economic Development Corporation (EDC), and Kingsbridge 230th LLC, 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 elimination, discontinuance and closing of Kimberly Place, east of Broadway;
- any adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 13121 dated April 14, 2008, and signed by the Borough President.

### No. 3

CD 8 C 090146 ZMX  
IN THE MATTER OF an application submitted by Kingsbridge 230th LLC and the NYC Economic Development

Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 1d:

- eliminating from within an existing R6 District a C2-3 District bounded by Verveelen Place, the northwesterly boundary line of a Rail Road right-of-way, West 230th Street, and Broadway; and
- changing from an R6 District to a C4-4 District property bounded by Verveelen Place and its southeasterly centerline prolongation, the Major Deegan Expressway, West 230th Street and its southeasterly centerline prolongation, and Broadway;

as shown on a diagram (for illustrative purposes only) dated October 27, 2008, and subject to the conditions of CEQR Declaration E-223.

### No. 4

CD 8 C 090147 PPX  
IN THE MATTER OF an application submitted by the New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located on Block 3266, Lot 13 pursuant to zoning.

### BOROUGH OF MANHATTAN No. 5 567 WEST 183RD STREET

CD 12 C 090071 HAM  
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
  - the designation of property located at 567 West 183rd Street (Block 2154, Lot 95), as an Urban Development Action Area; and
  - an Urban Development Action Area Project for such area; and
- 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 three-story residential building, tentatively known as 567 West 183rd Street, with nine residential units, to be developed under the Department of Housing Preservation and Development's Division of Alternative Management Special Projects Program.

### No. 6

### 405-427 WEST 53RD STREET GARAGE

CD 4 C 070305 ZSM  
IN THE MATTER OF an application submitted by 405 West 53rd Development Group, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 96-111 and 13-561 of the Zoning Resolution to allow an unattended accessory off-street parking garage with a maximum capacity of 37 spaces on portions of the ground floor and cellar of a proposed

residential building on property located at 405-427 West 53rd Street (Block 1063, Lot 17), in a C6-2 District, within the Special Clinton District.

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

### No. 7 372 BROOME STREET

CD 2 C 070486 ZSM  
IN THE MATTER OF an application submitted by Little Red House, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-782 of the Zoning Resolution to modify the use regulations of Section 15-021(e) to allow the conversion to residential use of the 2nd through 6th floors of an existing 6-story building erected prior to December 15, 1961, on property located at 372 Broome Street (Block 480, Lot 37 and p/o of Lot 36), in a C6-2G District, within the Special Little Italy District (Preservation Area A).

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.

### BOROUGH OF QUEENS No. 8 NORTH CORONA 2 REZONING

CD 3 C 090112 ZMQ  
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No(s). 9d, 10a, 10b:

- changing from an R6B District to an R5 District property bounded by:
  - a line 100 feet southerly of 35th Avenue, a line midway between 90th Street and 91st Street, a line 100 feet northerly of 37th Avenue, and 90th Street;
  - a line 100 feet southerly of 34th Avenue, 93rd Street, a line 100 feet northerly of 35th Avenue, 92nd Street, 35th Avenue, a line midway between 93rd Street and 94th Street, a line 100 feet northerly of 37th Avenue, 92nd Street, 37th Avenue, 91st Street, a line 100 feet northerly of 37th Avenue, a line midway between 91st Street and 92nd Street, 35th Avenue, and 91st Street;
  - a line 100 feet southerly of 37th Avenue, a line midway between 90th Street and 91st Street, a line 300 feet northerly of Roosevelt Avenue, Elmhurst Avenue, 92nd Street, 37th Avenue, a line midway between 94th Street and 95th Street, a line 100 feet southeasterly of 37th Avenue, a line midway between Warren Street and Junction Boulevard, a line 100 northerly of Roosevelt Avenue, a line midway between 91st Street and 92nd Street, a line 200 feet northerly of Roosevelt Avenue, and 89th Street;
  - 35th Avenue, 105th Street, 34th Avenue, 112th Street, a line 100 northwesterly and northerly of 37th Avenue, 106th Street, 37th Avenue, 107th Street, 37th Road, 104th Street, a line 100 feet northwesterly of 37th Avenue, and a line 100 feet northeasterly of 99th Street;
  - a line 100 feet southeasterly of 37th Avenue, a line 100 feet southwesterly of 103rd Street, 39th Avenue, 99th Street, a line 100 feet northwesterly of 39th Avenue, and a line 100 feet northeasterly of 99th Street; and

- f. 38th Avenue, a line 125 feet northeasterly of 111th Street, a line 125 feet northwesterly of Roosevelt Avenue, and a line 100 feet northeasterly of 108th Street;
2. changing from an R5 District to an R5A District property bounded by a line 100 feet southerly of Northern Boulevard, a line 100 feet westerly of 101st Street, 34th Avenue, 102nd Street, 35th Avenue, a line midway between Junction Boulevard and 97th Street, the southerly street line of Brice Road and its easterly and westerly prolongation, Junction Boulevard, 34th Avenue, and a line 100 feet westerly of 96th Street;
3. changing from an R6B District to an R5A District property bounded by:
- a. 35th Avenue, a line midway between 91st Street and 92nd Street, a line 100 feet northerly of 37th Avenue, 91st Street, 37th Avenue, 92nd Street, Elmhurst Avenue, a line 300 feet northerly of Roosevelt Avenue, and a line midway between 90th Street and 91st Street;
- b. 35th Avenue, a line 100 feet northeasterly of 99th Street, a line 100 feet northwesterly of 37th Avenue, and a line 100 feet northeasterly of Junction Boulevard;
- c. a line 100 feet southeasterly of 37th Avenue, a line 100 feet northeasterly of 99th Street, a line 100 feet northwesterly of 39th Avenue, a line 100 feet northerly of Roosevelt Avenue, 98th Street, 38th Avenue, and 97th Street;
- d. 37th Road, 107th Street, 37th Drive, a line 100 feet southwesterly of 108th Street, a line 125 feet northwesterly and northerly of Roosevelt Avenue, a line 100 feet northeasterly of 104th Street, 39th Avenue, and 104th Street; and
- e. 37th Avenue, 111th Street, a line 125 feet northwesterly of 38th Avenue, 112th Street, a line midway between 37th Avenue and 38th Avenue, a line 125 feet southwesterly of 114th Street, a line 125 feet northwesterly of Roosevelt Avenue, a line 125 feet northeasterly of 111th Street, 38th Avenue, and a line 100 feet northeasterly of 108th Street; and
4. changing from an R6 District to an R6A District property bounded by:
- a. Astoria Boulevard, 112th Place, a line perpendicular to the easterly street line of 112th Street distant 200 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 112th Street and the southwesterly street line of Astoria Boulevard, a line midway between 111th Street and 112th Street, a line perpendicular to the westerly street line of 111th Street distant 250 feet southerly (as measured along the street line) from the point of intersection of the westerly street line of 111th Street and the southwesterly street line of Astoria Boulevard, a line midway between 110th Street and 111th Street, a line perpendicular to the easterly street line of 110th Street distant 150 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of 110th Street and the southwesterly street line of Astoria Boulevard, a line midway between 108th Street and 110th Street, the easterly prolongation of the southerly street line of 32nd Avenue, and 108th Street; and
- b. a line 100 northerly of Northern Boulevard, 112th Place, Northern Boulevard, a line 100 feet easterly of 112th Street, a line 100 feet southerly of Northern Boulevard, 96th Street, Northern Boulevard, and 95th Street;

as shown on a diagram (for illustrative purposes only), dated October 6, 2008.

**BOROUGH OF BROOKLYN**  
**No. 9**  
**EAST WINDSOR TERRACE**

**CD 7 C 090197 ZMK**  
**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 16d and 22c:

1. changing from an R5 District to a R5B District property bounded by the northeasterly centerline prolongation of Kermit Place, a line 80 feet southwesterly of Coney Island Avenue, Caton Avenue, and East 8th Street;
2. changing from an R6 District to an R5B District property bounded by Caton Place, East 8th Street, Kermit Place, a line 100 feet southwesterly of East 8th Street, a line 125 feet southeasterly of Kermit Place, East 7th Street, Kermit Place, the northerly

prolongation of a line midway between Ocean Parkway and East 7th Street, a line midway between Caton Place and Kermit Place, and a line 100 feet southwesterly of East 8th Street;

3. changing from an R7A District to an R5B District property bounded by a line 75 feet northwesterly of Kermit Place, the northerly prolongation of a line midway between Ocean Parkway and East 7th Street, Kermit Place, and Ocean Parkway;
4. changing from an R6 District to an R6A District property bounded by Kermit Place, East 7th Street, a line 125 feet southeasterly of Kermit Place, a line 100 feet southwesterly of East 8th Street, Kermit Place, East 8th Street, Caton Avenue, and the northerly prolongation of a line midway between Ocean Parkway and East 7th Street; and
5. establishing within a proposed R6A District a C2-4 District bounded by East 8th Street, Caton Avenue, East 7th Street, and a line 125 feet southeasterly of Kermit Place;

within the Special Ocean Parkway District, Borough of Brooklyn, Community District 7, as shown on a diagram (for illustrative purposes only) dated November 17, 2008.

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

**j7-21**

**CIVILIAN COMPLAINT REVIEW BOARD**

■ MEETING

The Civilian Complaint Review Board's Monthly Public meeting has been scheduled for Wednesday, January 14th, 2009 at 10:00 A.M. at 40 Rector Street, 2nd Floor.

The agency's Executive Director Report will be available online on Friday, January 9th, 2009 at [nyc.gov/ccrb](http://nyc.gov/ccrb).

**j7-14**

**ENVIRONMENTAL CONTROL BOARD**

■ MEETING

The next meeting will take place on Thursday, January 22, 2009 at 66 John Street, 10th Floor Conference Room, New York, NY 10038 at 9:15 A.M. at the call of the Chairman.

☛ **j14-16**

**EQUAL EMPLOYMENT PRACTICES COMMISSION**

■ MEETING

The next meeting of the Equal Employment Practices Commission will be on Thursday, January 15, 2009 at 10:00 A.M. in the Commission's Conference Room/Library located at 40 Rector Street, 14th Floor.

**j9-15**

**FRANCHISE AND CONCESSION REVIEW COMMITTEE**

■ MEETING

**NOTICE OF CANCELLATION**

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee that was to hold a Public Meeting on Wednesday, January 14, 2009 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan has been cancelled.

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

☛ **j14**

**LANDMARKS PRESERVATION COMMISSION**

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **January 20, 2009 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS  
BOROUGH OF THE BRONX 09-3008 - Block VARIOUS, lot VARIOUS-

Various Addresses - Fieldston Historic District  
A Romantic style planned suburb laid out in 1914 by engineer Albert Wheeler based on recommendations made by Frederick Law Olmsted and James R. Croe. The Historic District is characterized by an eclectic variety of residential buildings and styles including variants of the Colonial Revival, Craftsman, various picturesque revivals styles including Medieval, Tudor, and Mediterranean, as well as formal modernist houses. Application is to establish a Master Plan to govern certain types of alterations to buildings, other improvements and landscape improvements within the Fieldston Historic District, authorizing the staff to approve such work if it meets the requirements of the Master Plan.

PROPOSED RULEMAKING

A proposal to adopt the Fieldston Historic District Implementation Rules for a proposed master plan for certain alterations to improvement in the Fieldston Historic District pursuant to the City Administrative Procedures Act.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF THE BRONX 08-0832 - Block 5818, lot 2015-4640 Livingston Avenue - Fieldston Historic District  
A free standing house built circa 1947-1953 and altered in 1959. Application is to construct additions and alter facades. Zoned R1-2, NA-2.

BINDING REPORT

BOROUGH OF THE BRONX 09-4753 - Block 5937, lot 441-675 West 252nd Street - Wave Hill House - Individual Landmark  
A Federal style manor house built c. 1850, with additions and alterations in the Georgian and Gothic Eclectic styles in the late 19th and early 20th centuries. Application is to install a barrier-free access entry, ramp, and egress platform.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 09-4586 - Block 8038, lot 69-202 Shore Road - Douglaston Historic District  
An English Cottage style free standing house designed by Werner and Windolph and built in 1919, with later additions. Application is to demolish the mid-20th century additions, and construct new additions and install a new curb cut. Zoned R1-1.

MODIFICATION OF USE AND BULK

BOROUGH OF MANHATTAN 09-5184 - Block 1150, lot 7-161 West 78th Street - Upper West Side - Central Park West Historic District  
A Renaissance Revival style rowhouse with neo-Grec elements designed by Thom & Wilson and built in 1890. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Bulk Pursuant to Section 74-711 of the Zoning Resolution.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-8519 - Block 1251, lot 117-303 West 90th Street - Riverside-West End Historic District  
A Elizabethan Renaissance style rowhouse designed by Clarence True, and built in 1898-99. Application is to construct rear and rooftop additions. Zoned R10A.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-4942 - Block 1405, lot 8-115 East 70th Street - Upper East Side Historic District  
A neo-French Classic style residence designed by Patrick J. Murray and built in 1921-22. Application is to legalize the installation of a metal lattice at the roof and entryway light fixtures without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-5841 - Block 1505, lot 33-75 East 93rd Street - (former) George F. Baker House - Individual Landmark  
A modified Federal style residence designed by Delano & Aldrich and built in 1917-18. Application is to construct a rooftop addition and modify the courtyard. Zoned R10.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-7636 - Block 894, lot 37-149 East 38th Street - George S. Bowdoin Stable-Individual Landmark  
A Dutch Revival style stable designed by Ralph S. Townsend and built in 1902. Application is to install signage. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-5510 - Block 848, lot 68-901 Broadway - (former) Lord & Taylor Building - Individual Landmark - Ladies' Mile Historic District  
A French Second Empire style commercial building designed by James H. Giles and built in 1870. Application is to install storefront infill, louvers and a metal canopy.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-5097 - Block 485, lot 5-66 Greene Street - SoHo-Cast Iron Historic District  
A store building designed by J.B. Snook and built in 1873. Application is to install storefront infill, modify fire escape, replace windows, and legalize the removal of a loading dock and installation of stairs entrance without Landmarks Preservation Commission permits.

BINDING REPORT

BOROUGH OF MANHATTAN 09-5939 - Block 549, lot 1,2,3,4-  
Washington Square Park - Greenwich Village Historic District  
A public park built in 1826 with subsequent alterations. Application is to construct a stage platform.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 07-4285 - Block 591, lot 40-49-53 1/2 Grove Street, aka 317-321 Bleecker Street - Greenwich Village Historic District

Two six-story buildings designed by Herter Brothers and built in 1889. Application is to replace windows.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-2511 - Block 698, lot 18-515-521 West 26th Street - West Chelsea Historic District A vernacular brick factory building designed by Abraham Ratner and built in 1921; a daylight factory building designed by Rouse & Goldstone and built in 1911; and a brick daylight factory building with Arts and Crafts style elements designed by Harris H. Uris and built in 1913-14. Application is to construct rooftop additions. Zoned M1-5.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-4697 - Block 100, lot 3-150 Nassau Street - American Tract Society Building - Individual Landmark A steel skeletal-frame skyscraper with Romanesque and Renaissance Revival-style elements built in 1894-95 and designed by Robert Henderson Robertson. Application is to replace windows.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-5413 - Block 173, lot 19 & 20-78 and 80-82 Leonard Street - Tribeca East Historic District A Second Empire style store and loft building, built in 1864-1865, and an Italianate style store and loft building, designed by James H. Giles and built in 1860-1862. Application is to construct a rooftop addition. Zoned C6-ZA.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-1277 - Block 196, lot 7-412 Broadway - Tribeca East Historic District A neo-Renaissance style store and loft building designed by Frederick P. Platt and built in 1910. Application is to replace windows.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 09-2923 - Block 136, lot 8-48 Warren Street - Tribeca South Historic District Extension An Italianate style store and loft building built c.1855. Application is to replace windows.

#### CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-4001 - Block 260, lot 52-306 Hicks Street - Brooklyn Heights Historic District An Anglo-Italianate style row house constructed in 1853. Application is to alter window openings and replace windows.

j6-20

## OFFICE OF THE MAYOR

### ■ PUBLIC HEARINGS

#### NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAWS

PURSUANT TO STATUTORY REQUIREMENT, NOTICE IS HEREBY GIVEN that proposed local laws numbered and titled hereinafter have been passed by the Council and that a public hearing on such proposed local laws will be held in the Blue Room at City Hall, Borough of Manhattan, New York City, on **Wednesday, January 21, 2009 at 4:30 P.M.:**

**Intro 516-A** – A Local Law to amend the administrative code of the City of New York, in relation to requiring the police department to submit reports concerning the discharge of firearms.

**Intro 909** – A Local Law to amend the administrative code of the City of New York, in relation to the grace period for payment without interest of the installment of real property tax with respect to certain real property that is due and payable on January 1, 2009.

**Intro 910** - A Local Law to amend the administrative code of the City of New York, in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearing and the date by which the council shall submit report or reports pertaining thereto, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital project, the date of submission by the mayor of the preliminary budget...

Michael R. Bloomberg  
Mayor

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of City Legislative Affairs, 253 Broadway, 14th Floor, New York, NY 10007, (212) 788-3678, no later than five business days prior to the public hearing. TDD users call Verizon relay service.

☛ j14

## TRANSPORTATION

### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN**, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 p.m. on Wednesday, January 21, 2009. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

**#1** In the matter of a proposed revocable consent authorizing 39 West 76th Street Property LLC to construct, maintain and use a fenced-in planted area and steps on the north sidewalk of West 76th Street, east of Columbus Avenue, in the

Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019, and provides among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#2** In the matter of a proposed modification of revocable consent authorizing David Ellis Real Estate, L.P to construct, maintain and use two additional stairs under and along the north sidewalk of West 13th Street, east of Ninth Avenue, and under and along the east sidewalk of Ninth Avenue north of West 13th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of six years from the Date of Approval by the Mayor to June 30, 2015, and provides among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2009 compensation is increased by \$4,491 per annum

For the period July 1, 2009 to June 30, 2010 - \$10,746  
For the period July 1, 2010 to June 30, 2011 - \$11,020  
For the period July 1, 2011 to June 30, 2012 - \$11,294  
For the period July 1, 2012 to June 30, 2013 - \$11,568  
For the period July 1, 2013 to June 30, 2014 - \$11,842  
For the period July 1, 2014 to June 30, 2015 - \$12,106

the maintenance of a security deposit in the sum of \$12,200, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

**#3** In the matter of a proposed revocable consent authorizing One Bryant Park LLC to construct, maintain and use bollards on the sidewalks of the site bounded by 6th Avenue, 42nd and 43rd Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019, and provides among other terms and conditions, for compensation payable to the City according to the following schedule:

There shall be no compensation required for this revocable consent. the maintenance of a security deposit in the sum of \$10,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#4** In the matter of a proposed modification of revocable consent authorizing The New York Historical Society to remove existing Structure and to construct, maintain and use a stoop, accessibility ramp and sidewalk light fixtures, together with electrical conduits, on the south sidewalk of West 77th Street, west of Central Park West, and a stoop, two kiosks, and sidewalk light fixtures, together with electrical conduits, on the west sidewalk of Central Park West, between West 76th and West 77th Street, and a sidewalk light fixtures, together with electrical conduits, on the north sidewalk of West 77th Street, west of Central Park West, in the Borough of Manhattan. The proposed revocable consent is for a term of eight years from the Date of Approval by the Mayor to June 30, 2017 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2007 to June 30, 2017 - \$25/per annum.

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$500,000/\$2,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$200,000.

d30-j21

**NOTICE IS HEREBY GIVEN**, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, February 4, 2009. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

**#1** In the matter of a proposed revocable consent authorizing Michael Dimitriou to maintain and use a fenced-in area on the north sidewalk of Powell's Cove Boulevard west of 158th Street, in the Borough of Queens. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$100/per annum

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

**#2** In the matter of a proposed revocable consent authorizing The Promenade Condominium to maintain and use lampposts, together with electrical conduits, on the north and south sidewalks of East 76th Street, between York Avenue and Franklin D. Roosevelt Drive, in the Borough of Manhattan. The proposed revocable consent is for a term

beginning July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2018 - \$900/annum

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

**#3** In the matter of a proposed revocable consent authorizing Staten Island Aid for Retarded Children Inc. d/b/a Community Resources for the Developmentally Disable to continue to maintain and use a force main, together with manholes, and a sanitary sewer under, across and along Victory Boulevard, from Signs Road to Graham Avenue, in the Borough of Staten Island. The proposed revocable consent is for a term beginning July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$13,701  
For the period July 1, 2009 to June 30, 2010 - \$14,100  
For the period July 1, 2010 to June 30, 2011 - \$14,499  
For the period July 1, 2011 to June 30, 2012 - \$14,898  
For the period July 1, 2012 to June 30, 2013 - \$15,297  
For the period July 1, 2013 to June 30, 2014 - \$15,696  
For the period July 1, 2014 to June 30, 2015 - \$16,095  
For the period July 1, 2015 to June 30, 2016 - \$16,494  
For the period July 1, 2016 to June 30, 2017 - \$16,893  
For the period July 1, 2017 to June 30, 2018 - \$17,292

the maintenance of a security deposit in the sum of \$17,300, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#4** In the matter of a proposed revocable consent authorizing The Cooper Union for the Advancement of Science and Art to continue to maintain and use conduits under and across Astor Place, east of Fourth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term beginning July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$7,040  
For the period July 1, 2010 to June 30, 2011 - \$7,245  
For the period July 1, 2011 to June 30, 2012 - \$7,450  
For the period July 1, 2012 to June 30, 2013 - \$7,655  
For the period July 1, 2013 to June 30, 2014 - \$7,860  
For the period July 1, 2014 to June 30, 2015 - \$8,065  
For the period July 1, 2015 to June 30, 2016 - \$8,270  
For the period July 1, 2016 to June 30, 2017 - \$8,475  
For the period July 1, 2017 to June 30, 2018 - \$8,680  
For the period July 1, 2018 to June 30, 2019 - \$8,885

the maintenance of a security deposit in the sum of \$8,900, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

**#5** In the matter of a proposed revocable consent authorizing The Cooper Union for the Advancement of Science and Art to continue to maintain and use conduits under and along the easterly sidewalk of Fourth Avenue, between East 7th Street and Astor Place, in the Borough of Manhattan. The proposed revocable consent is for a term beginning July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$5,363  
For the period July 1, 2010 to June 30, 2011 - \$5,524  
For the period July 1, 2011 to June 30, 2012 - \$5,685  
For the period July 1, 2012 to June 30, 2013 - \$5,846  
For the period July 1, 2013 to June 30, 2014 - \$6,007  
For the period July 1, 2014 to June 30, 2015 - \$6,168  
For the period July 1, 2015 to June 30, 2016 - \$6,329  
For the period July 1, 2016 to June 30, 2017 - \$6,490  
For the period July 1, 2017 to June 30, 2018 - \$6,651  
For the period July 1, 2018 to June 30, 2019 - \$6,812

the maintenance of a security deposit in the sum of \$6,900, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

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## YOUTH AND COMMUNITY DEVELOPMENT

### ■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Wednesday, January 21, 2009, 156 William Street, 2nd Floor Auditorium, Borough of Manhattan, commencing at 10:00 A.M on the following:

**IN THE MATTER** of three (3) proposed contracts between the Department of Youth and Community Development and the Contractors listed below to support programs that serve various communities throughout Brooklyn New York with educational and community building events for youths and adults. The Contractors' PIN numbers and contract amounts are indicated below. The term of the contracts shall be from July 1, 2008 to June 30, 2009; with no option to renew.

#### Contractor/Address

- Ridgewood Bushwick Senior Citizens Council  
555 Bushwick Avenue, Brooklyn, NY 11206

**PIN#** 26009022261G **Amount** \$188,875

2. Ridgewood Bushwick Senior Citizens Council  
555 Bushwick Avenue, Brooklyn, NY 11206

**PIN#** 26009023183G **Amount** \$148,214

3. Ridgewood Bushwick Senior Citizens Council  
555 Bushwick Avenue, Brooklyn, NY 11206

**PIN#** 26009028076G **Amount** \$150,000

The proposed contractor is being funded by City Council Discretionary Funds, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

Drafts of the contract may be inspected at the Department of Youth and Community Development, Office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038 on business days between the hours of 9:00 A.M. and 5:00 P.M., from January 14, 2009 to January 21, 2009, excluding weekends and holidays.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Vincent Perneti, Deputy Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, [vpernetti@dycd.nyc.gov](mailto:vpernetti@dycd.nyc.gov). If the Department of Youth and Community Development receives no written requests to speak within the prescribed time, the Department reserves the right not to conduct the public hearing.

j14

## COURT NOTICES

### SUPREME COURT

■ NOTICE

#### KINGS COUNTY IA PART 74 NOTICE OF PETITION INDEX NUMBER 33132/08

In the Matter of the CITY OF NEW YORK, relative to acquiring title in fee simple, to real property needed for the **FIFTH AMENDED BROOKLYN CENTER URBAN RENEWAL PROJECT, PHASE 2** within an area bounded by Fulton Street, Duffield Street, Willoughby Street, and Albee Square, and a second area bounded by Lafayette Avenue, Rockwell Place, Fulton Street and Ashland Place, both of which areas are located in the Borough of Brooklyn, City and State of New York.

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

The application will be made before Justice Abraham Gerges at 360 Adams Street, in the Borough of Brooklyn, City and State of New York, on January 23, 2009, at 9:30 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

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

The City of New York, in this proceeding, intends to acquire title in fee simple to certain real property where not heretofore acquired for the same purpose, for the Fifth Amended Brooklyn Center Urban Renewal Project, Phase 2 in the Borough of Brooklyn, City and State of New York.

The real property to be acquired consists of the following parcels, located in Brooklyn New York, as shown on the Brooklyn Tax Map, as of May 19th, 2008:

Damage Parcel	Tax Block	Tax Lot
10	146	16
11	146	17
12	146	29
13	146	34
14	146	35
15	146	36
16	146	41
17	146	42
18	2107	15
19	2107	24
20	2107	30
21	2107	36
22	2107	40
23	2107	41

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

146 Lots 41 and 42 (Damage Parcels 16 and 17) are affected by a zoning lot merger agreement filed with the New York City Register August 30, 2007, CRFN 2007000449340.

The parcels to be acquired in Block 2107 shall be acquired subject to any and all easements that burden these parcels and benefit the Metropolitan Transportation Authority and New York City Transit.

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

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

Dated: December 8, 2008, New York, New York  
MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
100 Church Street  
New York, New York 10007  
Tel. (212) 788-0715

SEE MAPS ON BACK PAGES

j5-20

## PROPERTY DISPOSITION

### POLICE

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

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

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

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

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

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

**FOR ALL OTHER PROPERTY**

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

j1-d31

## PROCUREMENT

*"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."*

### ADMINISTRATION FOR CHILDREN'S SERVICES

CONTRACT ADMINISTRATION  
■ SOLICITATIONS

Goods & Services

**ON-CALL FOR FURNISHING AND INSTALLING VENETIAN BLINDS AND/OR WINDOW SHADES** – Competitive Sealed Bids – PIN# 068-08-ADM-0030 –

DUE 02-10-09 AT 3:00 P.M. – OPTIONAL PRE-BID DATE: Tuesday, January 27, 2009 at 10:00 A.M. at 150 William Street, Room 8A3, New York, NY 10038.  
Bid forms and specifications may be obtained, free of charge, from the ACS website, any time before the bid date (recommended method). Copy the link into your browser to go to the appropriate page <http://nyc.gov/html/acs/html/business/business.shtml>. In the event that you are unable to download this bid, a bid package may be requested via e-mail. Send all e-mail requests to [accadm@nysemail.state.ny.us](mailto:accadm@nysemail.state.ny.us). Please type the PIN above and type of service into the subject line. Also type the name of the company, complete address, contact name, phone and fax numbers into the body of the e-mail. If all else fails, you may call (212) 341-3461 to make arrangements to pick up a bid package in person.

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.  
*Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038.*  
*Diane Headley (212) 341-3459, [accadm@nysemail.state.ny.us](mailto:accadm@nysemail.state.ny.us)*

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### CHIEF MEDICAL EXAMINER

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Services (Other Than Human Services)

**DATAEASE DEVELOPMENT, ENHANCEMENT AND MAINTENANCE SERVICES** – Sole Source – Available only from a single source - PIN# 81609ME0020 – AMT: \$3,330,412.00 – TO: Saphire International, Inc., 101 Merritt Blvd., Suite 107, Trumbull, CT 06611-5435.

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### CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AWARDS

Goods

**PAN, DUST, HAND** – Competitive Sealed Bids – PIN# 857801441 – AMT: \$6,650.00 – TO: Pyramid Paper Company, 6510 North 54th Street, Tampa, FL 33610.

j14

**KIT, IV PREP AND IV SOLUTION AND SET FOR FDNY - EMS** – Competitive Sealed Bids – PIN# 857801000 – AMT: \$234,158.00 – TO: Henry Schein Inc. dba Matrix Medical, P.O. Box 3227, Irmo, SC 29063.

j14

■ 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.

j4-17

### 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.

j4-17

**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.

j4-17



**OPERATION OF A POOL MERCHANDISE CART –**  
Competitive Sealed Bids – PIN# Q4-SV – DUE 02-03-09 AT 3:00 P.M. – At the entrance to Astoria Pool in Astoria Park, Queens.  
**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.  
Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov*

j5-16

## SCHOOL CONSTRUCTION AUTHORITY

### CONTRACT ADMINISTRATION

#### ■ SOLICITATIONS

*Construction / Construction Services*

**ELEVATORS –** Competitive Sealed Bids – PIN# SCA09-12095D-1 – DUE 01-30-09 AT 10:00 A.M. Bushwick HS (Brooklyn). Project Range: \$1,860,000.00 to \$1,964,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 752-5849.*

j12-16

**HVAC SYSTEM UPGRADE/SMOKE PURGE –** Competitive Sealed Bids – PIN# SCA09-08950D-3 – DUE 02-02-09 AT 10:00 A.M. – PS 279 (Bronx). Project Range: \$2,430,000.00 to \$2,562,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor  
Long Island City, New York 11101, (718) 752-5849.*

j13-20

## SMALL BUSINESS SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

**WORKFORCE DEVELOPMENT CORPORATION RFI –** Request for Information – PIN# WDC09001 – DUE 01-30-09 AT 5:00 P.M. – The Workforce Development Corporation (a 501(c) 3 organization that works closely with the Department of Small Business Services) seeks information, suggestions, and feedback pertaining to the ways in which the changing economic climate affects training services available to employers through New York City government. Respondents are encouraged to submit comments concerning NYC Business Solutions Training Funds and/or proposals for new program models well-suited for current economic conditions.

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 Small Business Services, 110 William Street, 7th Floor, New York, NY 10038. Candice Reel (212) 618-6765, creel@sbs.nyc.gov*

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## AGENCY RULES

## HOUSING PRESERVATION & DEVELOPMENT

#### ■ NOTICE

### NOTICE OF PROMULGATION OF RULES PERTAINING TO FEES FOR ADMINISTRATION OF LOAN PROGRAMS AND CERTAIN OTHER MUNICIPALITY-AIDED PROJECTS

Notice is hereby given pursuant to the authority vested in the Commissioner of the Department of Housing Preservation and Development (“Department”) by Chapter 61 of the New York City Charter, Private Housing Finance Law Article XI, and General Municipal Law Articles 15 and 16 that the Department hereby adopts new rules pertaining to fees for administration of loan programs and certain other activities.

The new rules are underlined. A public hearing was held on December 29, 2008 at 100 Gold Street, New York, N.Y.

Section 1. Title 28 of the rules of the city of New York is amended by adding a new chapter 37 to read as follows:

#### CHAPTER 37

### FEES FOR ADMINISTRATION OF LOAN PROGRAMS AND CERTAIN OTHER MUNICIPALITY-AIDED PROJECTS

§37-01. HPD shall be authorized to charge and collect the fees set forth in this chapter.

§37-02. Definitions. For purposes of this chapter:

(a) “Appraisal Fee” shall mean the amount charged to a grantee, borrower, or recipient for HPD’s administrative costs in connection with a Simple Appraisal or a Complex Appraisal.

(b) “Certificate of Incorporation Fee” shall mean the amount charged to an applicant for HPD’s administrative costs in connection with the review of the formation of a housing development fund corporation pursuant to Article XI of the Private Housing Finance Law, including, but not limited to, review of a certificate of incorporation.

(c) “City-owned Property” shall mean real property title to which is held by the City of New York.

(d) “Complex Appraisal” shall mean an investigation by an appraiser to estimate the value of a property that is the basis of underwriting of a loan or grant or that will be conveyed from City to private ownership where such property consists of:

- (1) six or more tax lots consisting entirely of vacant land, for which the valuation can be made solely based upon available comparable sales data; or
- (2) any improved residential property consisting of four or more class A units; or
- (3) any improved property consisting of a combination of commercial and residential uses; or
- (4) any property consisting of a combination of vacant and improved land; or
- (5) any other complex development project consisting of a combination of uses.

(e) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

(f) “License Agreement Fee” shall mean the amount charged to an applicant for HPD’s administrative costs in connection with preparing each license agreement or renewal thereof for short-term use of City-owned property. Such fee shall not be deemed to be a rental or use and occupancy charge.

(g) “Mortgage Refinance Fee” shall mean the amount charged to a grantee, borrower, or recipient for HPD’s administrative costs in connection with processing requests to subordinate HPD debt.

(h) “Simple Appraisal” shall mean an investigation by an appraiser to estimate the value of a property that is the basis of underwriting of a loan or grant or that will be conveyed from City to private ownership where such property consists of:

- (1) five or fewer tax lots consisting entirely of vacant land, for which the valuation can be made solely based upon available comparable sales data; or
- (2) any improved residential property consisting of not more than three class A residential units for which the valuation can be made solely based upon available comparable sales data.

§37-03. Amount of Fee. The amount of each fee authorized under this chapter shall be as follows:

(a) Appraisal Fee. HPD may charge an Appraisal Fee in the amount of two thousand five hundred dollars (\$2,500) for each Simple Appraisal, and in the amount of three thousand dollars (\$3,000) for each Complex Appraisal.

(b) Certificate of Incorporation Fee. HPD may charge a Certificate of Incorporation fee in the amount of two hundred and fifty dollars (\$250).

(c) License Agreement Fee. HPD may charge a License Agreement Fee in the amount of one hundred dollars (\$100).

(d) Mortgage Refinance Fee. HPD may charge a Mortgage Refinance Fee in the amount of two hundred dollars (\$200).

§37-04. All fees authorized pursuant to this chapter shall be due and payable as directed by HPD. The fees set forth in this chapter shall be in addition to any other fees authorized under any other law or rules.

§2. This rule shall take effect immediately.

#### STATEMENT OF BASIS AND PURPOSE

Pursuant to New York City Charter §1802 and various federal and state statutes, the Department of Housing Preservation and Development (HPD), is empowered to perform a broad range of functions relating to both private and City-owned real property. The proposed rules set forth fees that may be charged and collected by HPD for its administrative costs in connection with performing such functions. The rules provide for fees for review by HPD of certificates of incorporation, for appraisals, for preparing or renewing license agreements for short-term leases of City-owned property, and for refinancing mortgages.

## OFFICE OF THE MAYOR

### MAYOR’S OFFICE OF CONTRACT SERVICES

#### ■ NOTICE

### NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 2-04, **Multi-Term Contracts (Client Services), of chapter 2 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

#### Basis and Purpose of the Amendment

The proposed amendment allows the agency to include language in its public hearing notice that allows the Agency to cancel the public hearing on its annual plan if no written request to testify is received within ten business days after publication, or a shorter period if approved by the CCPO. The proposed amendment also changes the time the public hearing notice must be published to 15 days prior to the hearing date. The purpose of this proposed amendment is to conform the hearing requirement for annual plans to the requirements for hearings on contracts.

#### How to Comment

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor’s Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. *To be considered, comments must be received by 2/18/09.*

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Paragraph 3 of Subdivision (c) of section 2-04 of Title 9 of the Rules of the City of New York is amended, and such subdivision (c) is further amended by adding a new paragraph (4) and renumbering paragraphs (4), (5) and (6) as paragraphs (5), (6) and (7), respectively, as follows:**

(c) Planning.

\* \* \*

(3) The agency shall issue the draft Plan within 30 days following the submission of the executive budget. The agency shall hold a public hearing on the draft plan within 20 days of its issuance. Notice of such public hearing shall be published once in the City record not less than [10]15 days prior to the hearing date. Such notice shall include:

(4) The agency may include in its notice of public hearing a provision that if the agency does not receive, within 10 business days after publication of such notice or shorter period approved by the CCPO, from any individual a written request to speak at such hearing, then the agency need not conduct such hearing. Should the agency choose not to conduct such hearing, the agency shall publish a notice in the City Record canceling such hearing.

(5) [4] Following the public hearing, the agency shall prepare a final Plan. The final Plan shall be submitted to the agency’s ACCO for approval.

(6) [5] The agency shall submit to the CCPO by August 31 a copy of the Plan approved by the ACCO.

(7) [6] The approved final Plan shall be issued no later than September 30 of the year in question.

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### NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 3-02, **Competitive Sealed Bidding, of chapter 3 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

#### Basis and Purpose of the Amendment

The proposed amendment to section 3-02 requires the Agency to give notice in invitations for bids of the M/WBE and EBE requirements of section 6-129 of the Administrative Code, where applicable, as well as extending the time for proposal preparation for proposals subject to the M/WBE and EBE requirements. The proposed amendment also requires the DSBS to maintain a list of certified M/WBE and EBE businesses and requires that a summary or transcript of pre-bid or pre-solicitation conferences be posted on the City’s website. Finally, in light of current law, the amendment deletes the provision relating to awards other than to the low bidder. The proposed amendment makes a series of changes to conform section 3-02 to changes that have occurred in the law.

#### How to Comment

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor’s Office of Contract Services,

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253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. *To be considered, comments must be received by 2/18/09.*

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Section 1. Subparagraph (xiv) of paragraph (2) of subdivision (b) of section 3-02 of Title 9 of the Rules of the City of New York is amended as follows:

- (xiv) a notice that contract award is subject, if applicable, to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program), as well as to applicable provisions of federal, State, and other local laws and executive orders requiring affirmative action and equal employment opportunity;

#### Section 2. Paragraph (2) of subdivision (b) of section 3-02 of Title 9 of the Rules of the City of New York is amended by adding a new subparagraph (xix), to read as follows:

(xix) a statement that the bidder will be required to comply, if applicable, with Section 220/230 of the New York State Labor Law, Section 6-109 of the New York Administrative Code, Mayoral Executive Order 102 of 2006, and with all other federal, State, and local labor laws and regulations, including but not limited to providing on-the-job training opportunities and payment of prevailing wages and living wages; and

#### Section 3. Subparagraph (xix) of paragraph (2) of subdivision (b) of section 3-02 of Title 9 of the Rules of the City of New York is renumbered subparagraph (xx), and clauses (H), (I) and (J) of such subparagraph are amended to read as follows:

[(xix)] (xx) where applicable for construction contracts, the following shall be additionally included:

\* \* \*

(H) a requirement that for projects on which more than one prime contractor will be involved, all bidders examine the invitation for bid packages for all other parts of the project; and

(I) [a statement that the bidder will be required to comply with Section 220/230 of the New York State Labor Law and with all other federal, State, and local labor laws and regulations, including but not limited to providing on-the-job training opportunities and payment of prevailing wages; and]

[(J)] a notice, for those contracts not otherwise subject to Section 6-129 of the New York Administrative Code (M/WBE and EBE Program), that contract award is subject to the provisions of Section 6-108.1 of the New York City Administrative Code relating to the LBE program and its implementing rules.

#### Section 4. Subparagraph (i) of paragraph (1) of subdivision (e) of section 3-02 of Title 9 of the Rules of the City of New York is amended to read as follows:

- (1) Notice of Solicitation.

(i) Distribution. IFBs or notices of their availability shall be mailed, faxed, hand delivered, or otherwise furnished [at least fifteen days in advance of the due date for the bids] to a sufficient number of [vendor]vendors, including all vendors on the bidders list for the purpose of securing competition. Such IFBs or notices shall be sent at least fifteen (15) days in advance of the due date for bids, or at least twenty-two (22) days in advance of the due date for bids which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program). An agency may, upon request of a vendor, provide IFBs or notices electronically. Where the notice does not include all IFB documents, an additional five (5) days shall be allowed. Notices of availability shall indicate, at minimum:

(A) the name of the agency and, if appropriate, the specific division or bureau soliciting the bids;

(B) title and brief description of the goods, services, or construction required;

(C) specific information about how, when, and where the IFB is available;

(D) the required fee or deposit amount, if any, for obtaining the IFB;

(E) the time, date, and location of any pre-bid conference or site visit, if any, and if attendance is mandatory;

(F) the date, time, and location for the receipt and opening of bids; and

(G) if applicable, the name and phone number of the agency contact person.

#### Section 5. Subclause ((g)) of clause (B) of subparagraph (ii) of paragraph (1) of subdivision (e) of section 3-02 of Title 9 of the Rules of the City of New York is amended, and a new subclause ((h)) is added, to read as follows:

(B) Content. Such notice shall include:

\* \* \*

((g)) required vendor qualifications or eligibility requirements, if any[.] and

((h)) A statement, if applicable, that the solicitation is subject to Section 6-129 of the Administrative Code (M/WBE and EBE program).

#### Section 6. Paragraphs (1) and (2) of subdivision (f) of section 3-02 of Title 9 of the Rules of the City of New York are amended to read as follows:

(f) Bidder Lists.

(1) Lists of vendors interested in being solicited for bids shall be compiled and maintained by the procuring agency. In addition, the CCPO may authorize one or more agencies to maintain citywide bidders' lists. Bidders lists shall be classified by standard categories of goods, services, and construction that are sufficiently detailed to provide meaningful distinctions among categories. Bidders lists shall include the names, addresses, EIN, e-mail addresses, and telephone numbers of the vendors[, and, if known, the minority and women vendor status as]. In addition, DSBS shall maintain a list of businesses certified by [DSBS] that agency as [.] Each agency shall make reasonable efforts to ensure inclusion of [.] minority [and] owned, women[']s business [.] owned and emerging business enterprises [on its bidders lists].

(2) The CCPO shall cause to be continuously published in the City Record notice of the availability of applications for vendors to be added to agency bidder lists for goods, services, and construction regularly procured by the City. Every effort shall be made to publish notice in a manner that [will encourage applications from] encourages minority, [and] women[']s and emerging business enterprises to certify with DSBS.

#### Section 7. Subdivision (h) and paragraph (4) of subdivision (i) of section 3-02 of Title 9 of the Rules of the City of New York are amended to read as follows:

(h) Pre-Bid or Pre-Solicitation Conferences. Pre-bid or pre-solicitation conferences may be conducted by the ACCO to explain the procurement requirements. Written notice of any conference shall be provided to all prospective vendors. A pre-bid conference should be held long enough after the IFB has been issued to allow bidders to become familiar with [it] the solicitation documents, but sufficiently before bid opening to allow consideration of the conference results in preparing their bids. Nothing stated at the pre-bid conference shall change the IFB unless a change is made by amendment as provided in this section. A summary or transcript of the conference shall be prepared[,] and [if a transcript is made] shall be [a public record] made available and shall be posted on the City's website. A record of attendance shall be kept of all conferences, and shall be made available and shall be posted on the City's website.

(i) Amendments to IFBs.

\* \* \*

(4) Timeliness. Amendments shall be distributed within a reasonable time to allow prospective vendors to consider them in preparing their bids. If the time and date set for receipt of bids will not permit such preparation, such time shall be increased to the extent possible, and stated in the amendment or [, if necessary,] shall be communicated by electronic mail, facsimile, or telephone and confirmed in the amendment. A notice of amendment shall be posted on the City's website.

\* \* \*

#### Section 8. Subparagraph (i) of paragraph (2) of subdivision (p) of section 3-02 of Title 9 of the Rules of the City of New York is amended to read as follows:

(2) Vendor Selection. In the case of low tie bids, the ACCO shall break the tie in the following order of priority:

(i) Select a certified New York City [small, ]minority [or] owned, woman-owned or emerging business entity bidder;

#### Section 9. Subdivision (u) of section 3-02 of Title 9 of the Rules of the City of New York, relating to Selection of Other Than or in Addition to the Lowest Responsible Bidder, is REPEALED, and subdivisions (v), (w) and (x) of such section are relettered subdivisions (u), (v) and (w), respectively.

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 3-08, **Small Purchases, of chapter 3 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

#### Basis and Purpose of the Amendment

The proposed amendment requires agencies to obtain CCPO approval in order to solicit additional vendors, such as those known to them from prior solicitations, for small purchase opportunities. The proposed amendment requires agencies otherwise to direct such solicitations to those randomly solicited from the appropriate citywide bidders lists and through methodologies otherwise sanctioned by DSBS. This will promote fairness and increase competition, by allowing vendors, including minority-owned, women-owned and emerging business enterprises greater access to small purchase opportunities.

#### How to Comment

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. *To be considered, comments must be received by 2/18/09.*

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Section 1. Subparagraph (iii) of paragraph (1) of subdivision (c) of section 3-08 of Title 9 of the Rules of the City of New York is amended as follows:

#### Section 3-08 SMALL PURCHASES.

\* \* \*

(c) Scope.

(1) Competition Objective.

\* \* \*

(iii) For procurements in value over \$5,000 through the small purchase limits, at least five vendors shall be solicited at random from the appropriate citywide small purchases[bidder] bidders list established by the CCPO for the particular goods, services, construction, or construction-related services being purchased, except where the bidders list consists of fewer than five vendors, in which case all vendors on the list shall be solicited. The agency may additionally solicit vendors other than those randomly solicited from the appropriate citywide small purchase bidders list, or as stated below, pursuant to any small purchase technique sanctioned by DSBS, only with the approval of the CCPO [who have responded to prior solicitations or whose names have been obtained through referrals from other City agencies, commercial buyers, or general market research]. Agencies may additionally employ any small purchase technique sanctioned by DSBS that is not otherwise in violation of these Rules. Responsive bids or offers shall be obtained from at least two vendors. For purposes of this section, a response of "no bid" is not a responsive bid. If only one responsive bid or offer is received in response to a solicitation, an award may be made to that vendor if the Contracting Officer determines that the price submitted is fair and reasonable and that other vendors had reasonable opportunity to respond.

\* \* \*

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#### NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 3-09, **Intergovernmental Purchases, of chapter 3 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

#### Basis and Purpose of the Amendment

The proposed amendment conforms the record requirement of section 3-09 to section 316 of the NYC Charter and LL 16 of 2004 by requiring the ACCO to determine that the price for purchases of services and construction is fair and reasonable when making an intergovernmental or cooperative purchase.

#### How to Comment

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. *To be considered, comments must be received by 2/18/09.*

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Paragraph (1) of subdivision (e) of section 3-09 of Title 9 of the Rules of the City of New York is amended as follows:

\* \* \*

(e) Record. Records shall include at a minimum:

#### NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT

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(1) the determination that for goods the price is lower than the prevailing market price; for services or construction that the price is fair and reasonable; and including an explanation of how such determination was made;

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**NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT**

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 4-09, **Resolution of Disputes Arising Out of Contract Administration, of chapter 4 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

**Basis and Purpose of the Amendment**

The proposed amendment to section 4-09 provides that dispute resolution shall not apply to terminations of contracts other than for cause. The proposed amendment also clarifies that (1) work under a contract shall continue during the dispute resolution process unless otherwise directed by the ACCO or Engineer, and (2) the rule applies to all disputes except as otherwise provided by the rule. The purpose of this last change in the proposed amendment is to conform the rules to the decision of the Appellate Division, First Department in Big Apple Physical Therapy v. Fire Department of the City of New York, 24 A.D.3d 168 (1st Dept. 2005). The purpose of the other changes is to promote clarity and efficiency in the process of dispute resolution.

**How to Comment**

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. *To be considered, comments must be received by 2/18/09.*

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Section 1. Subdivisions (a) and (c) of section 4-09 of Title 9 of the Rules of the City of New York is amended as follows:**

**Section 4-09 RESOLUTION OF DISPUTES ARISING OUT OF CONTRACT ADMINISTRATION.**

(a) Applicability. Except as provided in (1) and (2) below, [T]his section shall apply to all disputes between the City and a vendor that arise under, or by virtue of, a contract between them. All contracts shall include a clause providing that all such disputes [of the kind delineated herein] shall be finally resolved in accordance with the provisions of this section. Parties to contracts that do not contain this clause may by written agreement consent to the resolution of any disputes pursuant to this section.

(1) This section shall not apply to disputes concerning matters dealt with in other sections of these Rules or to disputes involving patents, copyrights, trademarks, or trade secrets (as interpreted by the courts of New York State) relating to proprietary rights in computer software, or to termination other than for cause.

(2) For construction, this section shall apply only to disputes about the scope of work delineated by the contract, the interpretation of contract documents, the amount to be paid for extra work or disputed work performed in connection with the contract, the conformity of the vendor's work to the contract, and the acceptability and quality of the vendor's work; such disputes arise when the Engineer, Resident Engineer, Engineering Audit Officer, or other designee of the Agency Head under the contract (as defined in the contract) makes a determination with which the vendor disagrees.

(c) Work to Continue. During such time as any dispute is being presented, heard, and considered pursuant to this section, the contract terms shall remain in force and, unless otherwise directed by the ACCO or Engineer, work shall continue as directed [by the ACCO or Engineer]. Failure of the vendor to continue the work as directed shall constitute a waiver by the vendor of its claim.

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**NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT**

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 2-07, **Responsiveness of Bids/Proposals, of chapter 2 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

**Basis and Purpose of the Amendment**

The proposed amendment requires the agency to inform a vendor in a notice of non-responsiveness that award of the contract shall be stayed if the vendor appeals unless otherwise determined by the ACCO. The proposed amendment also requires the agency to inform the vendor in the notice of non-responsiveness if the award has not been stayed pursuant to an ACCO determination, or, if a determination is made to lift the stay after the notice of non-responsiveness, to notify the vendor no later than 2 business days after the determination to lift the stay is made. The purpose of the proposed amendment is to clarify the process

that needs to be followed for non-responsiveness determinations.

**How to Comment**

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. *To be considered, comments must be received by 2/18/09.*

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Subdivisions (b) and (e) of section 2-07 of Title 9 of the Rules of the City of New York are amended as follows:**

**Section 2-07 RESPONSIVENESS OF BIDS/PROPOSALS.**

\* \* \*

(b) Determination of Non-Responsiveness. If the lowest price bid or any proposal is found non-responsive, a determination, setting forth in detail and with specificity the reasons for such finding, shall be made by the ACCO. A copy of such determination shall be mailed to the non-responsive vendor no later than two business days after the determination is made, and the agency shall inform the vendor of the right to appeal as set forth herein. Such notice shall also inform the vendor that, if an appeal is taken, award of the contract shall be stayed pending the determination of the Agency Head, unless the ACCO makes a determination and informs the vendor, pursuant to subdivision (e) of this Rule, that proceeding with the award without delay is necessary to protect substantial City interests.

\* \* \*

(e) Appeal. All non-responsive determinations may be appealed as set forth herein.

\* \* \*

(3) Stay of Award of Contract Pending Agency Head Determination. Award of the [procurement] contract shall be stayed pending the determination of the Agency Head, unless the ACCO makes a determination that proceeding with the [procurement] award without delay is necessary to protect substantial City interests. Where the award of the contract is not stayed, the vendor shall be advised of this action in the determination of non-responsiveness or if the stay is removed at any time after the determination of non-responsiveness, notification shall be provided to the vendor no later than two business days after such determination is made.

\* \* \*

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**NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT**

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 3-03, **Competitive Sealed Proposals, of chapter 3 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

**Basis and Purpose of the Amendment**

For the most part, the proposed amendment makes a series of changes to conform section 3-03 to changes that have occurred in the law. The proposed amendment to section 3-03 requires the Agency to give notice in RFPs of the M/WBE and EBE requirements of section 6-129 of the Administrative Code, where applicable, as well as extending the time for proposal preparation for proposals subject to the M/WBE and EBE requirements. The proposed amendment also provides for the extension of the time to hold open the receipt of proposals, with CCPO approval, where necessitated by generally applicable emergency circumstances.

**How to Comment**

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y. 10007. *To be considered, comments must be received by 2/18/09.*

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Section 1. Paragraphs (17) and (19) of subdivision (a) of section 3-03 of Title 9 of the Rules of the City of New York are amended as follows:**

\* \* \*

(a) The Request for Proposals (RFP) – Contents. RFPs shall include the following data:

\* \* \*

(17) a notice that contract award is subject, if applicable, to Section 6-129 of the New York City Administrative Code (M/WBE and EBE Program), as well as to applicable provisions of federal, State, and other local laws and executive orders requiring affirmative action and equal employment opportunity;

\* \* \*

(19) [if applicable for construction and construction-related services contracts,] a notice, for those contracts not otherwise subject to Section 6-129 of the New York Administrative Code (M/WBE and EBE Program), that contract award is subject to the provisions of Section 6-108.1 of the New York City Administrative Code relating to the LBE program and its [implementation] implementing rules;

**Section 2. Paragraph (1) of subdivision (c) of section 3-03 of Title 9 of the Rules of the City of New York is amended to read as follows:**

(c) Proposal Preparation Time and Form.

(1) Proposal preparation time shall be set to provide vendors a reasonable time to prepare their proposals. A minimum of twenty days shall be provided. For those proposals which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program), a minimum of twenty seven (27) days shall be provided. The manner in which proposals are to be submitted, including any forms for that purpose, shall be designated as a part of the RFP.

**Section 3. Subparagraph (i) of paragraph (1) of subdivision (d) of section 3-03 of Title 9 of the Rules of the City of New York is amended as follows:**

(1) Notice of Solicitation.

(i) Distribution. RFPs or notices of their availability and their notices of solicitation shall be posted on the City's website in a location that is accessible to the public simultaneously with their publication. RFPs and their notices of solicitation shall also be mailed, faxed, hand delivered, or otherwise furnished to a sufficient number of vendors, including all vendors on the bidders list at least twenty (20) days prior to the due date, or within the time frames authorized by Section 3-03 (h). An agency may, upon request of a vendor, provide RFPs or notices electronically. For those proposals which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program), a minimum of twenty seven (27) days prior to the due date shall be provided.

**Section 4. Clause (C) of subparagraph (ii) of paragraph (1) of subdivision (d) of section 3-03 of Title 9 of the Rules of the City of New York, relating to the posting of RFPs and their notices of solicitation on the City's website, is REPEALED.**

**Section 5. Paragraph (5) of subdivision (f) of section 3-03 of Title 9 of the Rules of the City of New York is amended as follows:**

(f) RFP Handling Procedures.

\* \* \*

(5) Handling and Acceptance of Late Proposals. A late proposal may only be accepted when it is determined by the ACCO that it is in the best interest of the City to do so. In such event, the ACCO may hold open the receipt of proposals by no more than three hours, during which time no other competing proposal may be opened. The ACCO may, upon written approval by the CCPO, hold open the receipt of proposals by longer than three hours, but until no later than the original submission time on the next business day; such approval may be given by the CCPO only where the need for holding the receipt of proposals open for a longer time arises from generally applicable emergency circumstances, such as weather or transit emergencies. An opened proposal shall eliminate the [possibility] option of accepting any late proposal. Where an ACCO has determined that it is in the best interest of the City to accept a late proposal, any other late proposal received during the period of extension shall be similarly accepted.

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**NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT**

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 3-08, **Small Purchases, of chapter 3 of Title 9 of the Rules of the City of New York**, pursuant to Sections 311 and 1043 of the New York City Charter.

**Basis and Purpose of the Amendment**

The proposed amendment requires agencies to use a written solicitation for all small purchases of services, in light of the differing nature of the purchase of goods and services.

**How to Comment**

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. *To be considered, comments must be received by 2/18/09.*

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Section 1. Subparagraph (i) of paragraph (2) of subdivision (c) of section 3-08 of Title 9 of the Rules of**



the City of New York is amended as follows:

- (2) Solicitation Methods and Use. (i) Agencies shall use the following solicitation methods for small purchases valued at more than \$5,000: (A) for small purchases of goods valued at not more than \$25,000, an oral or written solicitation describing the requirements, or (B) for small purchases of goods valued at more than \$25,000, a written solicitation describing the [requirement] requirements, or (C) for small purchases of services, a written solicitation describing the requirements.

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NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE AMENDMENT

The Procurement Policy Board (PPB) intends to promulgate an amendment to § 4-02, Contract Changes, of chapter 4 of Title 9 of the Rules of the City of New York, pursuant to Sections 311 and 1043 of the New York City Charter.

Basis and Purpose of the Amendment

The proposed amendment changes the threshold for cumulative contract changes requiring CCPO approval from the greater of ten percent of the original contract amount or \$100,000 to the greater of ten percent of the original contract amount or \$500,000, in light of the increased costs of procuring goods, services and construction.

How to Comment

A public hearing will be held on Wednesday, February 18, 2009 at 1:00 P.M. at the Mayor's Office of Contract Services, 253 Broadway, 9th Floor, New York City. In lieu of testimony, written comments may be sent to Jose Maldonado, Chair, Procurement Policy Board, 253 Broadway, 9th Floor, New York, N.Y., 10007. To be considered, comments must be received by 2/18/09.

The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

Subparagraph (ii) of paragraph (1) of subdivision (b) of section 4-02 of Title 9 of the Rules of the City of New York is amended as follows:

- (ii) changes in contract amount due to authorized additional or omitted work. Any such changes require appropriate price and cost analysis to determine reasonableness. In addition, except for non-construction requirements contracts, all changes that cumulatively exceed the greater of ten percent of the original contract amount or [\$100,000] \$500,000 shall be approved by the CCPO;

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RECORDS AND INFORMATION SERVICES

NOTICE

MUNICIPAL ARCHIVES DIVISION NOTICE OF ADOPTION OF RULE

Notice is hereby given pursuant to the authority vested in the Commissioner of Records and Information Services by Chapter 72, Section 3008 of the New York City Charter and in accordance with the requirements of Chapter 45, Section 1043 of the New York City Charter that the Department of Records and Information Services hereby adopts the following rules relating to the Municipal Archives Research Service and Copy Fee Schedule. The rule was published in the City Record as a proposed rule on December 2, 2008, and a public hearing was held on December 30, 2008.

Matter in [brackets] is deleted; matter underlined is new.

Sections 2-01, 2-02, 2-03 and 2-07 of Chapter 2 of Title 49 of the Rules of the City of New York is amended to read as follows:

Chapter 2

Municipal Archives Research Service and Copy Fee Schedule

- \$2-01 Vital Records. \$15.00 Search of birth, death, or marriage record in one year and one City/Borough for one name, and issuance of results, i.e. one certified copy of the record, or a "not found" statement. \$2.00 Per additional year to be searched in one City/Borough for the same name. \$2.00 Per additional City/Borough to be searched in one year for the same name. \$10.00 Per additional certified copy of birth, death or marriage record. [\$10.00] [Certified copy or transcript of birth, death, or marriage record, when certificate number is provided.] \$6.00 Certified copy or transcript of birth, death, or marriage record, requested over-the-counter at 31 Chambers Street, when certificate number is provided. \$5.00 Use of microfilm reader machine, per day, or part thereof, for consultation of birth, death or marriage records or indexes. [\$1.00] \$5.00 Exemplification of a birth, death, or marriage record. \$2-02 Digital Services. \$40.00 Per high resolution scan, color, [plus \$5.00 for delivery on disk] of item up to 11" x 14". \$2.00 Per low resolution scan of item up to 11" x 14" (this service not available for photographs). \$5.00 Additional fee for delivery of scanned items on disk. \$30.00 Per copy of disk containing archival material previously digitized (except photographic images). \$2-03 Photocopying.

- \$.25 Per copy, up to 11"x14" (self service). \$.50 Per copy, 11" x 17" (self service). \$.25 Per copy, from microfilm (self-service microfilm reader/printer; not available for vital records). \$.50 Per copy, from microfilm of a "tax" photograph. \$2-07 Other fees. \$15.00 and up Publication or license fee, per item (except moving images) reproduced. Publication or license fees will range from \$15.00 for editorial use in a scholarly publication, up to \$75.00, or more, for any use of a reproduction of a still image, document, or other archival item in any type of product or media including post-card, poster, book, magazine, newspaper, newsletter, film, video, television, or Web-site, based on the type of proposed use. \$1.00 Certification of record other than birth, death or marriage record. [\$100.00] \$200.00 Exhibition loan fee, per item. \$75.00 Per hour, for conservation services, not including materials.

Statement of Basis and Purpose of Rule

In order for the Municipal Archives to continue to provide its search and reproduction services, it is necessary to increase fees charged for some of these services. The administrative cost of providing vital record copies, photocopies, certain digital products, and exhibition loan services, now exceeds the revenue collected. The fee increases will recoup only part of the cost of providing the service.

Brian G. Andersson

j14



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 28, 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 3 columns: Damage Parcel No., Block, Lot. Rows include parcels 4, 4A and 4B; 8, 8A and 8B.

acquired in the proceeding, entitled: Victory Boulevard and Travis 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

j13-28

CONFLICTS OF INTEREST BOARD

NOTICE

The following serves as a confirmation of the receipt of filing of the 2007 Financial Disclosure Report for all filers who submitted reports on or prior to December 1, 2008. To find your entry, first look up your agency code (for example, "002" for the Mayor's Office). Then look up your login number (your EIN or unique identifier that you used to access the electronic filing program). Next to your login number, the date of your filing will appear, as well as the "hash" number, a unique sequence of 64 characters and numbers that serves as an electronic fingerprint for your particular filing as it existed at the time that it was submitted.

We urge each filer to make a copy of the published confirmation for his or her records.

If you filed after December 1, 2008, confirmation will be published in the "City Record" at a later date. Publication of these receipts also appears on the Conflicts of Interest Board's website: www.nyc.gov/ethics.

Table with 4 columns: FILER EIN, AGENCY CODE, FILING DATE, HASHED VALUE. Lists various filers and their filing details.

Table with 4 columns: FILER EIN, AGENCY CODE, FILING DATE, HASHED VALUE. Lists various filers and their filing details.







Table with 5 columns: FILER EIN, AGENCY CODE, FILING DATE, HASHED VALUE, and FILER EIN, AGENCY CODE, FILING DATE, HASHED VALUE. Contains multiple rows of data.

Table with 4 columns: FILER EIN, AGENCY CODE, FILING DATE, HASHED VALUE. Contains multiple rows of filing records.

j14

ENVIRONMENTAL PROTECTION

NOTICE

The New York City Department of Environmental Protection Bureau of Water Supply - Watershed Lands and Community Planning is posting this notice for the annual adjustment to Fee Schedule for Revocable Land Use Permits.

j12-16

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: January 9, 2009

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with 3 columns: Address, Application #, Inquiry Period. Lists addresses and application details.

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.

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.

j9-16

SCHOOL CONSTRUCTION AUTHORITY

NOTICE

NOTICE OF FILING

Pursuant to §1731 of the New York City School Construction Authority Act, notice has been filed for the proposed site selection of Block 5891, Lot 48 (portion), and any other property in the immediate vicinity which may be necessary for the proposed project, located in the Borough of Brooklyn, for the development of a new, approximately 680-seat primary school facility in Community School District No. 20.

The proposed site consists of approximately 35,530 sf of the property of the former Bay Ridge United Methodist Church and is located on the southwest corner of Fourth Avenue and Ovington Avenue. Under the proposed project, on behalf of the New York City Department of Education, the New York City School Construction Authority would acquire approximately 35,530 sf of lot 48 and construct a new public primary school facility.

Site plans and a summary thereof for the proposed action are available at:

New York City School Construction Authority 30-30 Thomson Avenue Long Island City, New York 11101

Attention: Ross J. Holden

Comments on the proposed actions are to be sent to the New York City School Construction Authority at the above address and will be accepted until February 27, 2009.

j14

COURT NOTICE MAPS FOR FIFTH AMENDED BROOKLYN CENTER URBAN RENEWAL PROJECT, PHASE 2

NOTES:

ALL STREET LINES ARE FINAL CITY MAP LINES, WHICH ARE THE SAME AS THE TAX MAP LINES FOR THE STREETS ON THIS MAP, UNLESS OTHERWISE NOTED. THIS MAP IS DRAWN IN ACCORDANCE WITH THE TAX MAP OF THE CITY OF NEW YORK IN THE BOROUGH OF BROOKLYN --- TAX BLOCKS 146 AND 2107 --- AS SAID TAX MAP EXISTED MAY 19, 2008; SAID TAX BLOCKS ARE IN BROOKLYN TAX MAP SECTIONS 1 AND 7. ALL TAX MAP DIMENSIONS ARE IN FEET AND INCHES. ALL REAR LOT DIMENSIONS ARE APPARENTLY THE SAME AS FRONT LOT DIMENSIONS EXCEPT AS OTHERWISE NOTED.

LEGEND

Legend table with 3 columns: Symbol, Description, Value. Includes symbols for Tax Block Number (2107), Tax Lot Number (15), Acquisition Line, Tax Lot Line (±12'-1"(C)), Damage Parcel Number (9), and Dimension Along Acquisition Line (273'-5").

ASSISTANT COMMISSIONER OF PLANNING HOUSING PRESERVATION AND DEVELOPMENT

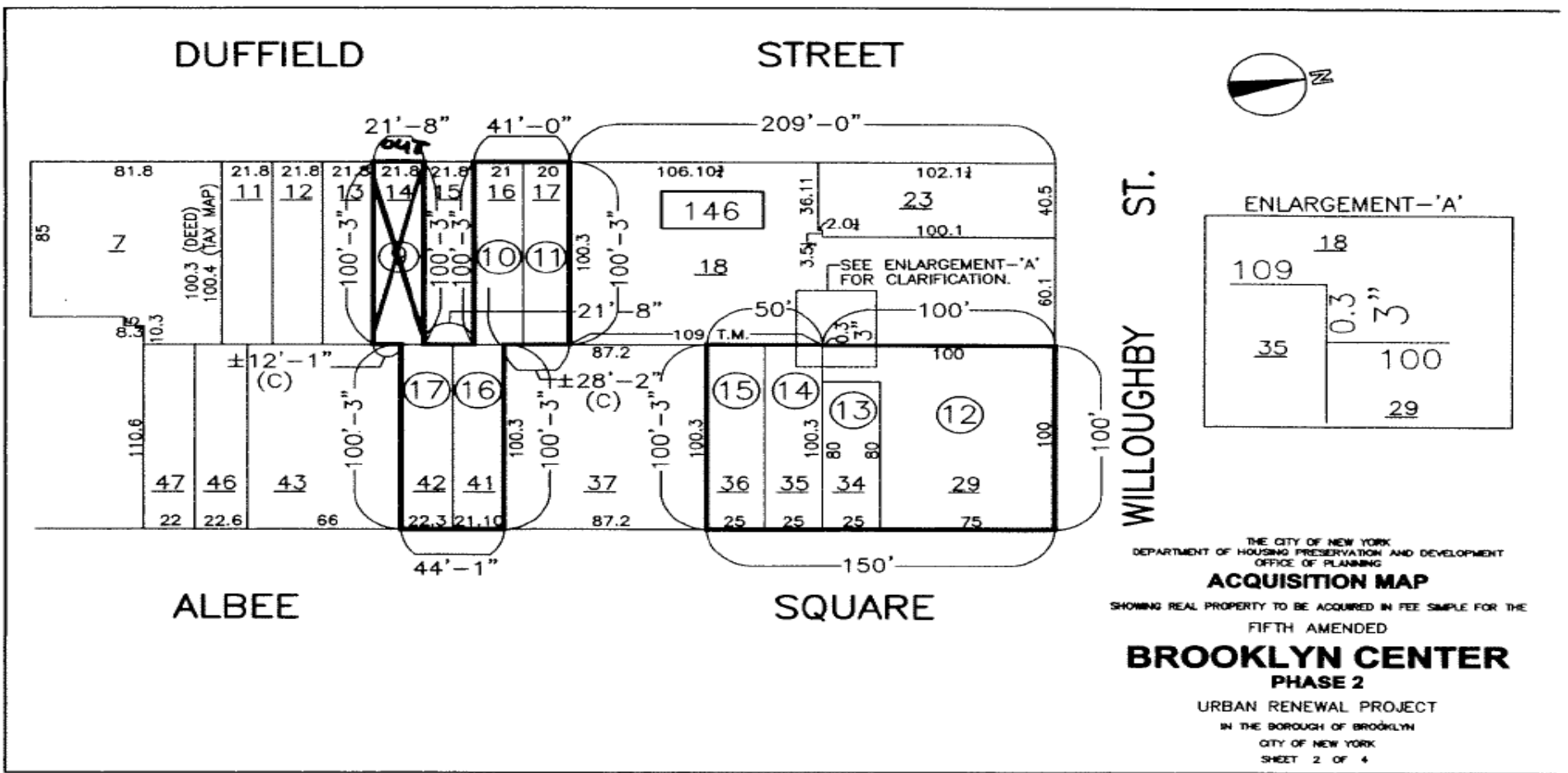
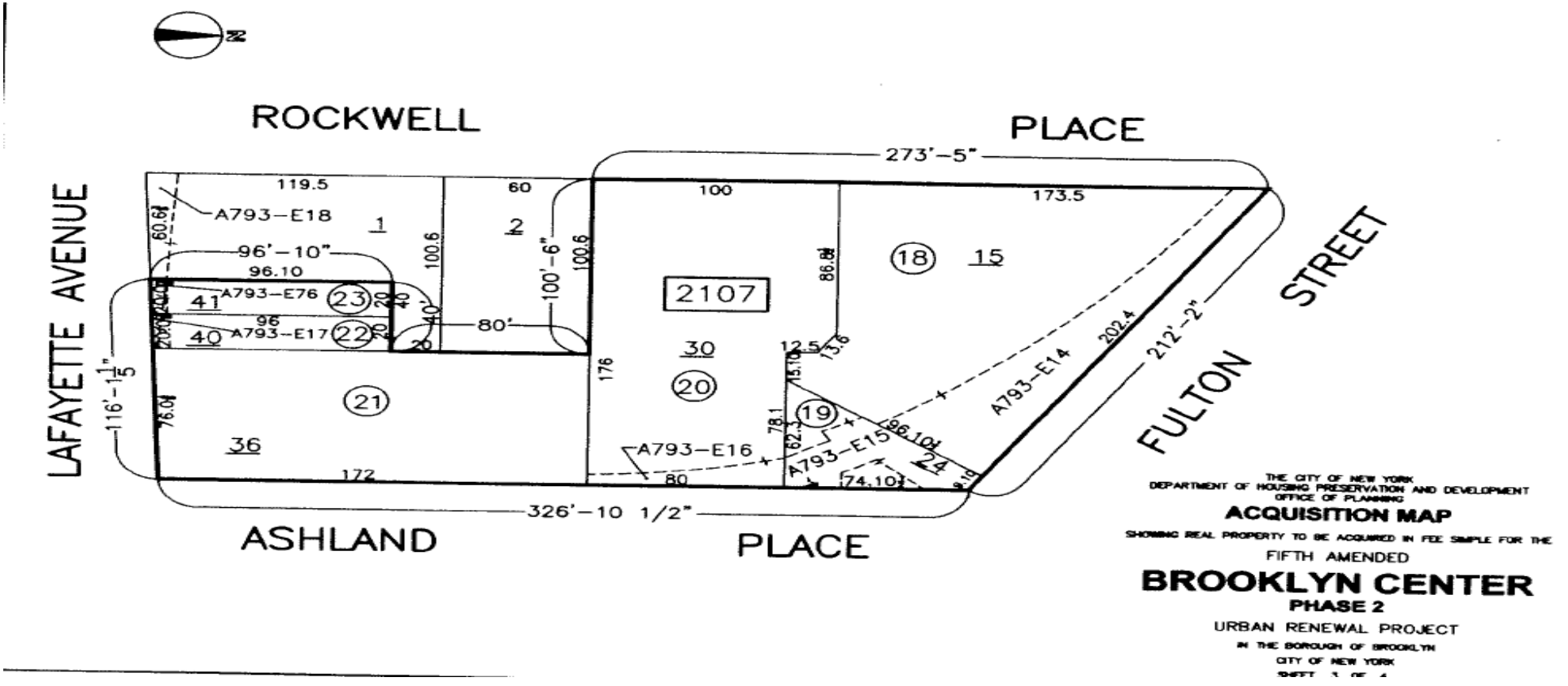
10/17/08 DATE

APPROVED BY THE CITY COUNCIL RESOLUTION No. 454, DATED JUNE 28, 2004

APPROVED BY THE MAYOR CALENDAR NO. 18, DATED JUNE 30, 2004

THE CITY OF NEW YORK DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT OFFICE OF PLANNING ACQUISITION MAP SHOWING REAL PROPERTY TO BE ACQUIRED IN FEE SIMPLE FOR THE FIFTH AMENDED BROOKLYN CENTER PHASE 2 URBAN RENEWAL PROJECT IN THE BOROUGH OF BROOKLYN CITY OF NEW YORK SHEET 1 OF 4

COURT NOTICE MAPS FOR FIFTH AMENDED BROOKLYN CENTER URBAN RENEWAL PROJECT, PHASE 2



**BROOKLYN CENTER URBAN RENEWAL PROJECT, 5th AMENDED, PHASE 2**

NOTE: Parcel numbers are a continuation from the Phase 1 map.

Parcel No.	Tax Block	Tax Lot	Property Address	(Reputed) Property Owner	Transitional Assessed Valuations					Actual Assessed Valuations		
					06/07 Land	06/07 Total	07/08 Land	07/08 Total	08/09 Land	08/09 Total	08/09 Land	08/09 Total
10	146	16	225 DUFFIELD STREET	YOUN G BANG	\$52,110	\$87,930	\$50,580	\$116,550	\$49,050	\$135,810	\$49,050	\$181,800
11	146	17	223 DUFFIELD STREET	R.L. GOLDMAN BRL TRUST	\$7,124	\$19,016	\$7,536	\$20,156	\$8,229	\$21,365	\$8,229	\$21,365
12	146	29	116 WILLOUGHBY ST.	ULTRA EQUITIES CO.	\$222,750	\$298,440	\$225,000	\$319,050	\$227,250	\$316,800	\$234,000	\$305,550
13	146	34	402 ALBEE SQUARE	EMAN REALTY CORP.	\$13,822	\$70,935	\$4,996	\$76,609	\$5,515	\$82,732	\$5,515	\$82,732
14	146	35	404 ALBEE SQUARE	EMAN REALTY CORP.	\$47,844	\$178,090	\$41,292	\$237,940	\$34,740	\$258,280	\$34,740	\$272,250
15	146	36	406 ALBEE SQUARE	EMAN REALTY CORP.	\$47,763	\$178,840	\$41,184	\$238,420	\$34,605	\$259,030	\$34,605	\$271,800
16	146	41	ALBEE SQUARE	VICTOR GIRARD	\$51,300	\$51,300	\$51,840	\$51,840	\$52,380	\$52,380	\$54,000	\$54,000
17	146	42	418 ALBEE SQUARE	MARYANN GIRARD	\$51,300	\$51,300	\$51,840	\$51,840	\$52,380	\$52,380	\$54,000	\$54,000
<b>Total Assessed Valuations For Tax Block 146</b>					<del>\$1,102,700</del>	<del>\$1,335,991</del>	<del>\$1,059,976</del>	<del>\$1,602,616</del>	<del>\$1,007,100</del>	<del>\$1,472,107</del>	<del>\$1,116,000</del>	<del>\$1,588,650</del>
18	2107	15	590 Fulton Street	City of N.Y. - HPD	\$360,000	\$360,450	\$360,000	\$360,450	\$360,000	\$360,450	\$360,000	\$360,450
19	2107	24	600 Fulton Street	600 Fulton Corp.	\$41,544	\$114,030	\$60,264	\$106,836	\$78,984	\$206,753	\$138,600	\$270,000
20	2107	30	272 Ashland Place	City of N.Y. - HPD	\$312,120	\$312,120	\$312,120	\$312,120	\$312,120	\$312,120	\$312,750	\$312,750
21	2107	36	19 Lafayette Avenue	City of N.Y. - DCAS	\$283,050	\$283,050	\$283,500	\$283,500	\$283,500	\$283,500	\$283,500	\$283,500
22	2107	40	11 Lafayette Avenue	City of N.Y. - DCAS	\$43,750	\$43,750	\$44,013	\$44,013	\$44,019	\$44,019	\$44,055	\$44,055
23	2107	41	9 Lafayette Avenue	City of N.Y. - HPD	\$44,176	\$44,176	\$44,437	\$44,437	\$44,442	\$44,442	\$44,505	\$44,505
<b>Total Assessed Valuations For Tax Block 2107</b>					\$1,084,640	\$1,157,576	\$1,104,334	\$1,151,356	\$1,123,065	\$1,251,284	\$1,183,410	\$1,315,260

## 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.