



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXVII NUMBER 98

FRIDAY, MAY 21, 2010

PRICE \$4.00

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THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

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ELI BLACHMAN, Editor of The City Record.

Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

QUEENS BOROUGH PRESIDENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on Thursday, May 27, 2010 at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, TDD users should call (718) 286-2656, no later than FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

CD11 - BSA# 887-54BZ - IN THE MATTER of an application submitted by Eric Palatnik, Esq. on behalf of 218 Bayside Operating LLC, pursuant to Section 11-411 of the NYC Zoning Resolution, to reopen and amend an existing variance for an additional term of ten (10) years, for an existing automotive service station (U.G. 16) with an accessory convenience store in an C2-2/R6B district located at **218-01 Northern Boulevard**, Block 6321, Lot 21, Zoning Map 11a, Bayside, Borough of Queens.

CD07 - BSA# 11-93 BZ - IN THE MATTER of an application submitted by the Sheldon Lobel P.C. on behalf of Joykiss Management, LLC pursuant to Section 11-411 of the Zoning Resolution of the City of New York, to request an extension of the term of the variance previously granted by the Board of Standards and Appeals, to legalize certain alterations, and a waiver of the Rules of Practice and Procedure for continued operation of an existing eating and drinking establishment in an R3-2 district, located at **46-45 Kissena Boulevard**, zoning map 10d, Flushing, Borough of Queens.

CD04 - BSA# 189-96BZ - IN THE MATTER of an application submitted by John C. Chen on behalf of Ping Yee pursuant to Sections 73-244 of the New York City Zoning Resolution to reopen and extend the term of the previously granted special permit which will expire on June 7, 2010 for an additional term of three (3) years for continued use of first floor of a two-story building as an eating and drinking establishment with dancing (use group 12A) in an R6/C2-3 district, located at **85-10, 85-12 Roosevelt Avenue**, Block 1502, Lot 3, zoning map 9d, Jackson Heights, Borough of Queens.

CD01 - BSA# 32-10BZ - IN THE MATTER of an application submitted by Kramer Levin Naftalis & Frankel LLP on behalf of North 30 Associates LLC, pursuant to Section 72-21 of the NYC Zoning Resolution, for a variance to allow a dormitory use (Use Group 3) in an M1-5 district located at **30-30 Northern Boulevard**, Block 239, Lot 60, Zoning Map 9b, Long Island City, Borough of Queens.

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF REAL ESTATE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY PUBLIC HEARING ON ACQUISITIONS AND DISPOSITIONS, in accordance with Section 824 of the New York City Charter, will be held at 10:00 A.M. on June 9, 2010 in the second floor conference room, 22 Reade Street, in Manhattan in the matter of a lease for the City of New York, as tenant, of approximately 81,829 rentable square feet of space on the entire 2nd, part 5th and 9th floors in a building located at 2 MetroTech Center (Block 148, Lot 7) in the Borough of Brooklyn, for the Department of Information Technology & Telecommunications to use as a data center and office space, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine.

The proposed use was approved by the City Planning Commission pursuant to NYC Charter Section 195 on February 24, 2010 (CPC Appl. No. N100230 PXX) Public Hearing Cal. No. 6.

The proposed lease shall be for a period of twenty (20) years from Commencement Date at an annual rent of \$2,709,750.00 (\$33.11 per square foot) for years one (1) through five (5), \$3,034,920.00 (\$37.09 per square foot) for years six (6) through ten (10), \$3,399,110.40 (\$41.54 per square foot) for years eleven (11) through fifteen (15), and \$3,807,003.65 (\$46.52 per square foot) for years sixteen (16) through twenty (20), payable in equal monthly installments at the end of each month. The Tenant shall pay its proportionate share of increases in real estate taxes and operating expenses over a base year amount. In addition, the Tenant shall initially pay data center expenses at an annual rate of \$1,208,400 (\$69.15 per square foot), payable in equal monthly installments at the end of each month, and thereafter such expenses shall be paid by Tenant in accordance with the terms outlined in the lease.

The Tenant may terminate (i) the second (2nd) floor at the end of the seventh (7th) year of the lease term upon twelve (12) months prior written notice, (ii) the fifth (5th) and ninth (9th) floors at the end of the tenth (10th) year of the lease term upon twelve (12) months prior written notice, or (iii) all the leased space after the tenth (10th) year of the lease term upon twelve (12) months prior written notice. In the event that the lease is terminated by the Tenant, the Tenant shall pay to the Landlord the unamortized portion of the Landlord's contribution towards Phase 1 of the alterations and improvements, as more specifically set forth in the lease.

The Tenant shall have the right to renew the lease for two periods of five (5) years at 95% of the Fair Market Value Rental.

The Tenant shall have the right to expand on the mechanical floors (11th and 12th floors) for dedicated mechanical equipment at \$15.00 per square foot.

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

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

TDD users should call VERIZON relay services.

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, May, 26, 2010, commencing at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1

LINDENGUILD HALL

CD 3 C 100259 HUX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the fourth amendment to the Bathgate Urban Renewal Plan for the Bathgate Renewal Area.

BOROUGH OF MANHATTAN

Nos. 2, 3, 4, 5 & 6

15 PENN PLAZA

No. 2

CD 5 C 100047 ZMM

IN THE MATTER OF an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8d by changing from a C6-4.5 District to a C6-6 District property bounded by West 33rd Street, a line 150 feet westerly of Avenue of the Americas, West 32nd Street, and a line 200 feet easterly of Seventh Avenue- Fashion Avenue, as shown on a diagram (for illustrative purposes only) dated February 8, 2010.

No. 3

CD 5 N 100048 ZRM

IN THE MATTER OF an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article VIII, Chapter 1 (Special Midtown District) relating to the applications for modification of height and setback and mandatory plan elements for the 15 Penn Plaza proposal.

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

* * *
ARTICLE VIII, Chapter 1
Special Midtown District
* * *

81-066
Special permit modifications of Section 81-254, Section 81-40, and certain Sections of Article VII, Chapter 7

(a) The City Planning Commission, by special permit, for #zoning lots# where the #lot area# is at least 60,000 square feet or that occupy an entire #block#, may permit modification of the mandatory district plan elements of Section 81-40 or the provisions of Article VII, Chapter 7, that determine the distribution of permitted #floor area# on such #zoning lots# and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements. However, no exception to the #street wall# or retail continuity requirements shall be permitted on Fifth Avenue or within 50 feet of Fifth Avenue within the #Special Midtown District#.

The modifications shall be subject to the following findings:

- (e)(1) that the modifications of mandatory plan elements, #floor area# allocation; or #rear yard# and #court# regulations result in a better arrangement of required facilities or in better site planning on a uniquely large #zoning lot#.
- (e)(2) that a substantial majority of the #zoning lot# is either vacant at the time of certification for review, pursuant to Section 197-c of the New York City Charter, or contains #buildings# that will be an integral part of the #development#, both physically and programmatically;
- (e)(3) that the design, scale and location of the new #buildings# or #enlarged buildings# are compatible with the character of the surrounding area and existing #buildings# to remain on the #zoning lot#;
- (e)(4) that such modifications will not unduly obstruct the access of light and air to surrounding properties;
- (e)(5) that any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #development#;
- (f)(6) that such modifications of mandatory plan elements or #floor area# allocation are consistent with the basic strategy of the #Special Midtown District# and the purposes of the Mandatory District Plan Elements.

(b) For #developments# or #enlargements# on a #zoning lot# with a #lot area# of at least 60,000 square feet located wholly or partially in the Penn Center Subdistrict which have been granted a #floor area# bonus for subway station and/or rail mass transit facility improvements pursuant to Section 81-541 in accordance with Section 74-634, the Commission may permit modifications of the mandatory district plan elements of Section 81-40, the height and setback regulations of 81-26 and 81-27, or the provisions of Article VII, Chapter 7 that determine the distribution of permitted #floor area# on such #zoning lots# and, in conjunction with such modifications, may also modify the applicable #yard# and #court# requirements subject to the following findings:

- (1) that the modifications of mandatory plan elements, #floor area# allocation or #rear yard# and #court# regulations result in a better arrangement of required facilities or in better site planning on a uniquely large #zoning lot#;
- (2) that the design, scale and location of the new #buildings# or #enlarged buildings# are compatible with the character of the surrounding area and existing #buildings# to remain on the #zoning lot#;
- (3) that such modifications will not unduly obstruct the access of light and air to surrounding properties;
- (4) that any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #development#;
- (5) that such modifications of mandatory plan elements or #floor area# allocation are consistent with the basic strategy of the #Special Midtown District# and the purposes of the Mandatory District Plan Elements;
- (6) that the improvements to the below-grade pedestrian circulation network provided by the #development# or #enlargement# significantly increase public accessibility to and from subway stations and/or rail mass transit facilities in and around Pennsylvania Station; and
- (7) that the modifications of height and setback regulations:
 - (i) are necessary due to the constraints or conditions of the #development# or #enlargement# and conditions imposed by the configuration of the site; and
 - (ii) will provide an appropriate distribution of #bulk# on the #zoning lot# with due consideration of the basic strategy of the #Special Midtown District# and the purpose of the District's height and setback regulations. In considering whether such distribution of #bulk# is appropriate, the Commission shall consider a complete daylight evaluation for the proposed design.

The Commission may prescribe appropriate conditions and

safeguards to minimize adverse effects on the character of the surrounding area.

* * *

**81-254
Special permit for height and setback modifications**

In the #Special Midtown District#, the City Planning Commission may modify the special height and setback regulations set forth in this Chapter only in accordance with the following provisions:

Section 74-711 (Landmark preservation in all districts) as modified by the provisions of Sections 81-266 or 81-277 (Special permit for height and setback modifications);

Section 74-79 (Transfer of Development Rights from Landmark Sites) where development rights are transferred from a landmark site to an adjacent lot in a C5-3, C6-6 or C6-7 District, as modified by Section 81-212, and the total #floor area# on the adjacent lot resulting from such transfer exceeds the basic maximum #floor area ratio# by more than 20 percent. In such cases, the granting of a special permit by the Commission for height and setback modifications shall be in accordance with the provisions of Sections 81-266 or 81-277;

Section 81-066 (Special permit modifications of Section 81-40, Section 81-254 and certain Sections of Article VII, Chapter 7).

Section 81-635 (Transfer of development rights by special permit).

* * *

**81-50
SPECIAL REGULATIONS FOR THE PENN CENTER
SUBDISTRICT**

* * *

**8151
General Provisions**

In order to establish the Penn Center Subdistrict as a destination and enhance its retail, entertainment and commercial character and expand accessibility to its transportation network, special regulations are set forth governing the location and type of #signs#, urban design and streetscape relationships, and the improvement of pedestrian circulation to and from public transit facilities.

The regulations of Section 81-50 are applicable only in the Penn Center Subdistrict, the boundaries of which are shown on Map 1 (Special Midtown District and Subdistricts) in Appendix A of this Chapter, except as set forth for rail mass transit improvements pursuant to Section 81-541. These regulations supplement or modify the provisions of this Chapter applying generally to the #Special Midtown District#, of which this Subdistrict is a part.

* * *

**81-541
Rail mass transit facility improvement**

In addition to the provisions of Section 81-29 (Incentives by Special Permit for Provisions of Public Amenities), the City Planning Commission may grant #floor area# bonuses for subway station and/or rail mass transit facility improvements for non-#residential# or #mixed buildings#, in accordance with Section 74-634 (Subway station improvements in commercial zones of 10 FAR and above in Manhattan), and may modify or waive the provisions of Section 81-43 (Street Wall Continuity Along Designated Streets) in accordance with the provisions of Section 74-634, provided that such improvement is approved by the entities which own and/or operate the rail mass transit facility. Prior to granting a special permit, the City Planning Commission shall be provided with:

- (a) a letter from each entity that operates the rail mass transit facility confirming that the drawings of the subway and/or rail mass transit improvement are of sufficient scope and detail to describe the layout and character of the improvements and that the proposed implementation of the improvements is physically and operationally feasible, and
- (b) a legally enforceable instrument containing:
 - (1) drawings of the improvements, as approved by the transit operator;
 - (2) provisions that all easements required for the on-site improvements will be conveyed and recorded against the property;
 - (3) the obligations of the applicant to construct, maintain and provide capital maintenance for the improvements and
 - (4) a schedule for completion of the improvements and a requirement that a performance bond or other appropriate security be provided to insure the completion of the improvements.

For the purposes of this Section, improvements to any rail mass transit facility on a #zoning lot# located wholly or partially within the Subdistrict qualifies for bonus #floor area# in accordance with the provisions of Section 74-634, as modified herein. For #zoning lots# located partially within the Subdistrict, such bonus #floor area# may be located anywhere on such #zoning lot#. In addition, if a subway and/or rail mass transit improvement has been constructed

in accordance with an approved special permit and has received a Notice of Substantial Completion in accordance with the provisions of Section 74-634, the bonus #floor area# may be retained at the full amount granted by the special permit and may be utilized elsewhere on the #zoning lot# subject to any applicable review and approval process for such #development# or #enlargement#.

* * *

in connection with a proposed commercial development on property located at 15 Penn Plaza* (Block 808, Lots 40, 1001 and 1002) in a C6-6 District**, within the Special Midtown District (partially within the Penn Center Subdistrict).

Note: The site is proposed to be granted a special permit pursuant to Sections 81-066(b) and 81-254* of the Zoning Resolution, under a concurrent related application (C 100049 ZSM), to modify:

- 1. the height and setback regulations of Section 81-27 (Alternative Height and Setback Regulations-Daylight Evaluation); and
- 2. the Mandatory District Plan Elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity Along Designated Streets), 81-45 (Pedestrian Circulation Space), 81-47 (Major Building Entrances), and the design standards for pedestrian circulation spaces of Section 37-53(f) (Sidewalk Widening);

** Note: A portion of the site is proposed to be rezoned from a C6-4.5 District to a C6-6 District under a concurrent related application (C 100047 ZMM) for a zoning map change.

No. 4

CD 5 C 100049 ZSM

IN THE MATTER OF an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 81-066(b)* and 81-254* of the Zoning Resolution to modify:

- 1. the height and setback regulations of Section 81-27 (Alternative Height and Setback Regulations-Daylight Evaluation); and
- 2. the Mandatory District Plan Elements of Sections 81-42 (Retail Continuity along Designated Streets), 81-43 (Street Wall Continuity Along Designated Streets), 81-45 (Pedestrian Circulation Space), 81-47 (Major Building Entrances), and the design standards for pedestrian circulation spaces of Section 37-53(f) (Sidewalk Widening);

in connection with a proposed commercial development on property located at 15 Penn Plaza (Block 808, Lots 40, 1001 and 1002) in a C6-6 District**, within the Special Midtown District (partially within the Penn Center Subdistrict).

* Note: Sections 81-066 and 81-254 are proposed to be amended under a concurrent related application (N 100048 ZRM) for a zoning text change.

** Note: The site is proposed to be rezoned from a C6-4.5 District to a C6-6 District under a concurrent related application (C 100047 ZMM) for a zoning map change.

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

No. 5

CD 5 C 100050 ZSM

IN THE MATTER OF an application submitted by 401 Hotel REIT, LLC and 401 Commercial, L.P. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 81-541* and 74-634 of the Zoning Resolution to allow a floor area bonus not to exceed 20 percent of the basic maximum floor area ratio permitted by the underlying district regulations for subway station and/or rail mass transit facility improvements, in connection with a proposed commercial development on property located at 15 Penn Plaza (Block 808, Lots 40, 1001 and 1002) in a C6-6 District**, within the Special Midtown District (partially within the Penn Center Subdistrict).

* Note: Section 81-541 is proposed to be amended under a concurrent related application (N 100048 ZRM) for a zoning text change.

** Note: The site is proposed to be rezoned from a C6-4.5 District to a C6-6 District under a concurrent related application (C 100047 ZMM) for a zoning map change.

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

No. 6

CD 5 C 100237 PQM

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of easements bounded by Sixth and Seventh avenues, West 32nd and West 33rd streets (Block 808, Lots 40, 1001 and 1002), Borough of Manhattan, Community District 5, to facilitate the construction of transit entrances, a below-ground pedestrian passageway, and other mass transit improvements.

NOTICE

On Wednesday, May 26, 2010, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to the 15 Penn Plaza Draft Environmental

Impact Statement (DEIS) concerning Amendments to the Zoning Map and the text of the Zoning Resolution (ZR); easement acquisitions; various special permits modifying mandatory District Plan elements as well as height and setback regulations within the Special Midtown District, a floor area bonus in exchange for Subway Station and Rail Mass Transit Facility Improvements, and other related actions, to facilitate the construction of a new commercial office building (known as "15 Penn Plaza") on the block bounded by Seventh Avenue on the west, Avenue of the Americas on the east, West 33rd Street on the north, and West 32nd and Street on the south (Block 808, Lots 1001 and 1002), located in Manhattan Community District 5.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 09DCP019M

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

m13-26

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 08 - Wednesday, May 26, 2010, 7:30 P.M., Hillside Manor, 188-11 Hillside Avenue, Jamaica Estates, NY

BSA# 677-53-BZ

61-26/30 Fresh Meadow Lane, Queens, NY
Application filed to waive the Rules of Practice and Procedure, to extend the term of a variance permitting the parking and storage of motor vehicles awaiting service, to extend the time to obtain a new Certificate of Occupancy and to permit enlargement of the subject building per ZR11-412. The current term expired on March 24, 2007. It is proposed to enlarge the current structure by 1,076.2 square feet through the addition of an 18 ft. by 59.79 enlargement at the front of the existing building.

m20-26

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 09 - Tuesday, May 25, 2010 at 7:00 P.M., Middle School 61 (Auditorium), 400 Empire Boulevard, Brooklyn, NY

#C 100325ZSK

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to permit the allowable community facility floor area ratio of Section 24-11 to apply to a proposed 6-story non-profit institution on property located at 329 Lincoln Road.

#C 100326HAK

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter, as an Urban Development Action Area; and an Urban Development Action Area Project for the disposition of such property to facilitate development of a 6-story building tentatively known as Providence House I, with approximately 26 units.

m19-25

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 01 - Tuesday, May 25, 2010, 6:30 P.M., Capital One Bank (Greenpoint), 807 Manhattan Avenue, (Downstairs Meeting Rm.) Brooklyn, NY

#100264PQK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for an acquisition of property located at 145 Randolph Street, for continued use as parking lot.

#100258PQK

IN THE MATTER OF an application submitted by the Department of Sanitation and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for an acquisition of property located at 525 Johnson Avenue for continued use as garage.

m19-25

CONSUMER AFFAIRS

■ PUBLIC HEARINGS

Legal Notice

NOTICE IS HEREBY GIVEN, PURSUANT TO LAW, that the New York City Department of Consumer Affairs will hold a Public Hearing on Wednesday, May 26, 2010, at 2:00 P.M., at 66 John Street, 11th floor, in the Borough of Manhattan,

on the following petitions for sidewalk café revocable consent:

- 1) 151 Bleecker LLC
151 Bleecker Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 2) 1650 Crosby Avenue Inc.
1650 Crosby Avenue, in the Borough of the Bronx
(To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 3) 283 Smith Street Food Corp.
283 Smith Street, in the Borough of Brooklyn
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 4) 2850 Broadway Rest. Associates LLC
2850 Broadway, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 5) 301 East 47th Street Restaurant Corp.
888-890 Second Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 6) 308-310 Bleecker Restaurant LLC
308-310 Bleecker Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 7) 400 West 14th Inc.
400 West 14th Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 8) Airamid LLC
248-25 Northern Boulevard, in the Borough of Queens
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 9) Ark 48 Corporation
6 East 48th Street, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 10) Banjara Dining Inc.
344 East Sixth Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 11) Bar Giacosa Corp.
268 Sixth Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 12) BM Café Inc.
768 Ninth Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 13) BMT Operations LLC
49 Grove Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 14) Buckwheat and Alfalfa, Inc.
182 8th Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 15) Burkinabe Entertainment LLC
2271-2273 7th Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 16) Burrito Junction, Inc.
241 Columbus Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 17) C.A.P. Restaurant Corp.
303 West 48th Street, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 18) Carnival Latin Bistro Corp.
4325 Broadway, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 19) Cieli Partners LP
900 Seventh Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 20) Cosi, Inc.
841 Broadway, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 21) Culinary Concepts By Jean-Georges, LLC
2935 Ninth Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 22) Dynamic Music Corp.
117 McDougal Street, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 23) Elevated Entertainment Restaurants LLC
961 2nd Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 24) Enid's Corporation
560 Manhattan Ave., in the Borough of Brooklyn
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 25) EP Properties LTD.
1347 2nd Avenue, in the Borough of Manhattan

- (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 26) Havana Central NY 3 LLC
2911 Broadway, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 27) IL Melograno LLC
501 West 51st Street, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 28) J.M.M.T. Café Inc.
360 Third Avenue, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 29) Krilic Enterprise Inc.
3095 33rd Street, in the Borough of Queens
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 30) Lekkas Restaurant Corporation
322 Seventh Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 31) Loco III, Inc.
111 Stanton Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 32) Madiba Corporation
195 Dekalb Avenue, in the Borough of Brooklyn
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 33) Nana Sushi & Lounge Inc.
511 3rd Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 34) Nani & Keny Corp.
31-05 34th Street, in the Borough of Queens
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 35) Olimatt LLC
256 Prospect Park West, in the Borough of Brooklyn
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 36) Opa-Europa, Inc.
749 9th Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 37) Park Slope MP Company, Inc.
160 7th Avenue, in the Borough of Brooklyn
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 38) Picante Inc.
3424 Broadway, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 39) Ploy Dee Inc.
969 Amsterdam Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 40) Poy Laung Thai Restaurant, Inc.
206 Bedford Avenue, in the Borough of Brooklyn
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 41) Q & P Pizza Inc.
28-01 Steinway Street, in the Borough of Queens
(To modify,, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 42) Raynick Corp.
205 Allen Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 43) Three Beans Inc.
93 Avenue A, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 44) Tonelli Restaurant
3628 Broadway, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 45) Vida Café Inc.
247 Dyckman Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 46) Vida Mexicana Inc.
223 Dyckman Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 47) Wild Rose Management, Inc.
2756 Broadway, in the Borough of Manhattan
(To continue to, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 48) Yallos Rest. Inc.
776 9th Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)

Individuals requesting Sign Language Interpreters should contact the Department of Consumer Affairs, Licensing division, 42 Broadway, 5th Floor, New York, NY 10004, (212) 487-4379, no later than five (5) business days before the hearing.

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EMPLOYEES' RETIREMENT SYSTEM

INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, May 25, 2010 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

m18-24

ENVIRONMENTAL PROTECTION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on June 3, 2010 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and New York City College of Technology, 300 Jay Street, Brooklyn, NY 11201 for CITYTECH: Construction Related Training for Residents in the Bronx. The Contract term shall be 1 year from the date of the written notice to proceed. The Contract amount shall be \$360,623.00 - Location: Borough of the Bronx - PIN: 82610CTYTECH.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from May 21, 2010 to June 3, 2010 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by May 27, 2010, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

Note: Individuals requesting Sign Language Interpreters should contract Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

m21

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, **June 01, 2010 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.

BINDING REPORT

BOROUGH OF MANHATTAN 10-7128 - Block 122, lot 1 - City Hall- Individual and Interior Landmark-African Burial Ground and Commons Historic District A Federal style government building designed by Mangin and McComb and built between 1802 and 1811. Application is to install rooftop mechanical equipment, modify interior and exterior stairs, install fire suppression equipment and alter an areaway.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5027 - Block 181, lot 16-179 Franklin Street - Tribeca West Historic District A late 19th century Commercial style store and loft building designed by Havilah H. Smith & Son and Hugo Kafka and built in 1888. Application is to legalize the installation of storefront infill without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-3313 - Block 543, lot 58-129 MacDougal Street - 129 MacDougal Street House - Individual Landmark A Federal style house built in 1828-1829. Application is to alter a window on the front facade.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-8522 - Block 619, lot 52-341 Bleecker Street - Greenwich Village Historic District A vernacular frame house with brick facade built in 1820, and later altered. Application is to construct a rear yard addition, alter the rear facade, and excavate the cellar. Zoned C1-6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-8380 - Block 607, lot 27-122-132 West 12th Street - Greenwich Village Historic District An apartment house designed by H. I. Feldman and built in 1940-1941. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7545 - Block 574, lot 39-40 Fifth Avenue - Greenwich Village Historic District A neo-Georgian style apartment house designed by Van Wart & Wein, and built in 1929. Application is to reconstruct a greenhouse, install railings, and replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7031 - Block 583, lot 42-55-57 Leroy Street - Greenwich Village Historic District Two Romanesque Revival style apartment houses built in 1887. Application is to remove the cornice and raise the parapet.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7058 - Block 644, lot 54-7 9th Avenue - Gansevoort Market Historic District Two Greek Revival style rowhouses built in 1849. Application is to legalize and enlarge a fire escape.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7703 - Block 745, lot 11-347 West 21st Street - Chelsea Historic District An Italianate style house built in 1846. Application is to alter the facade and construct rooftop and rear yard additions. Zoned R7B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-3959 - Block 848, lot 14-893 Broadway, aka 13 East 19th Street - Ladies' Miles Historic District A neo-Grec style converted shop and dwelling built in 1844, altered in 1873-74 and altered again in 1975. Application is to alter the facade and replace storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-8141 - Block 1118, lot 52-56 West 66th Street - First Battery Armory-Individual Landmark An armory building designed by Horgan and Slattery and built in 1900-1903. Application is to replace ground floor infill, modify openings and the areaway and install a ramp, raise lot-line parapets and to install mechanical equipment and bulkheads. Zoned C4-7.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6407 - Block 1141, lot 26-115 West 69th Street - Upper West Side/Central Park West Historic District A Renaissance Revival style rowhouse with Romanesque Revival style elements designed by Thom & Wilson and built in 1891. Application is to construct a rear yard addition. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6782 - Block 1216, lot 23-115 West 85th Street - Upper West Side/Central Park West Historic District A Queen Anne/Romanesque Revival style rowhouse designed by John G. Prague and built in 1890-91. Application is to alter the areaway and replace door and windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-6726 - Block 1390, lot 132-57 East 75th Street - Upper East Side Historic District A Brutalist style apartment building designed by William B. Gleckman and built in 1973-1979. Application is to modify window openings.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4721 - Block 1906, lot 32-229 Lenox Avenue - Mount Morris Park Historic District A Beaux-Arts style house designed by Clarence True and built in 1899. Application is to construct a rear yard addition and reconstruct the rear yard facade. Zoned R7-3 & C1-4.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-7055 - Block 195, lot 39-150 Bond Street - Boerum Hill Historic District An Italianate style residence built in 1866-67. Application is to install mechanical equipment at the roof, reconstruct the garage facade, and repaint the facades.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 09-6601 - Block 312, lot 28-232 Court Street - Cobble Hill Historic District A mid-19th century Greek Revival style rowhouse. Application is to install storefront infill and signage.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BRONX 10-7906 - Block 2309, lot 1-112 Lincoln Avenue - Estey Piano Factory Building - Individual Landmark A factory building designed by A.B. Ogden & Son architects, and built in 1885-86, with later additions. Application is to amend Certificate of Appropriateness 10-5557 to construct a rear yard addition. Zoned M1-2/R6A.

m18-j1

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 **Tuesday, June 1, 2010 at 4:00 P.M.:**

Int. 66 - in relation to benefits pursuant to section four hundred twenty-one-a of the real property tax law.

Int. 118-A - in relation to requiring the mayor's office of operations to develop and disseminate a business owner's bill of rights.

Int. 123-A - in relation to the surface areas of playgrounds and athletic fields.

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.

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PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

AUCTION

PUBLIC AUCTION SALE NUMBER 10001-W

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, May 26, 2010 (SALE NUMBER 10001-W). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

A listing of vehicles to be offered for sale in the next auction can be viewed on our website, on the Friday prior to the sale date at:

<http://www.nyc.gov/autoauction>
OR
<http://www.nyc.gov/autoauctions>

Terms and Conditions of Sale can also be viewed at this site.

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

m20-26

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."

CITYWIDE ADMINISTRATIVE SERVICES

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Construction / Construction Services

FURNISH, INSTALL AND/OR REMOVE BIRD NETTING IN PUBLIC BUILDINGS – Competitive Sealed Bids – PIN# 85610000539 – DUE 06-16-10 AT 11:00 A.M. – Furnish, install and/or remove various types of netting with attachment accessories (Netting Assembly) upon public buildings and/or structures at various locations under the jurisdiction of DCAS/DFMC throughout the five boroughs, for a period of three years. Contract value is \$750,000.

This contract is subject to prevailing wage rates.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Department of Citywide Administrative Services
 One Centre Street, Room 1860, NYC 10007.
 Sal Rainone (212) 669-8265, srainone@dcas.nyc.gov*

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CONTRACTS

■ SOLICITATIONS

Services (Other Than Human Services)

FIREFIGHTER EXAMINATION – Negotiated Acquisition – PIN# 85610N0001 – DUE 06-07-10 AT 2:00 P.M. – The Department of Citywide Administrative Services ("DCAS") is seeking proposals from appropriately qualified contractors to conduct a job analysis and to develop and score a written examination for Firefighter based on the results of this job analysis. The proposals must be submitted in the form of a response to the Negotiated Acquisition Solicitation Document available from the City Record Online starting May 19, 2010.

DCAS identified the following vendors for solicitation:

1. Aon Consulting, Inc.
2. PDRI, A PreVisor Company
3. Sharf and Associates Employment Risk Advisors, Inc.
4. James L. Outtz, PhD
5. EB Jacobs
6. Barrett and Associates, Inc.

It is anticipated that DCAS will award one contract for these services. The term of the contract will be two years.

Qualified vendors that are interested in providing the services described in the solicitation document are invited to express their interest in participating by sending a letter or an email, which must be received no later than 5:00 P.M. on Monday, May 31, 2010, to the attention of Erkan Solak, Deputy Agency Contracting Officer, DCAS Office of Contracts, 18th Floor, One Centre Street., New York, NY 10007 or email: esolak@dcas.nyc.gov.

Proposals must be received by mail or in person no later than 2:00 P.M. on Monday, June 7, 2010 by Erkan Solak, Deputy Agency Contracting Officer, DCAS Office of Contracts, 18th Floor, One Centre Street., New York, NY 10007.

Pursuant to § 3-04(b)(2) of the PPB Rules, it has been determined that it is not practicable or advantageous to the City to use the Competitive Sealed Bidding process to acquire these services. A time sensitive situation exists which requires that a supplier be retained quickly, as the Agency must respond to a court order.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Department of Citywide Administrative Services
 1 Centre Street, 18th Floor N, New York, NY 10007.
 Erkan Solak (212) 669-3530, esolak@dcas.nyc.gov.*

m20-26

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

JACKETS, SAFETY VESTS AND ACCESSORIES – Competitive Sealed Bids – PIN# 8571000651 – DUE 06-09-10 AT 10:30 A.M.

● **UNIFORMS (HPD/DCAS)** – Competitive Sealed Bids – PIN# 8570900718 – DUE 06-08-10 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Department of Citywide Administrative Services
 1 Centre Street, Room 1800, New York, NY 10007.
 Anna Wong (212) 669-8610, fax: (212) 669-7603
 dcasdmssbids@dcas.nyc.gov*

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FRESH, FROZEN, CANNED FRUITS, VEG. AND MISC. GROC. - DJJ – Competitive Sealed Bids – PIN# 8571000750 – DUE 05-26-10 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Department of Citywide Administrative Services
 1 Centre Street, Room 1800, New York, NY 10007.
 Anna Wong (212) 669-8610, fax: (212) 669-7603
 dcasdmssbids@dcas.nyc.gov*

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■ VENDOR LISTS

Goods

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

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

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

jy17-j4

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) 669-8610.

jy17-j4

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) 669-8610.

jy17-j4

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

RECONSTRUCTION OF BRONX AND PELHAM PARKWAY EASTBOUND AND PELHAM PARKWAY SOUTH – Competitive Sealed Bids – PIN# 8502009HW0034C – AMT: \$36,165,168.80 – TO: C.A.C. Industries Inc., 23-23 Borden Avenue, Long Island City, NY 11101. Project ID: HWX710.

● **HWMP2019, RESIDENT ENGINEERING INSPECTION SERVICES FOR THE RECONSTRUCTION OF EAST HOUSTON STREET, MANHATTAN** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502009HW0051P – AMT: \$7,078,113.00 – TO: HAKS/JWP (JV), 40 Wall Street, 11th Floor, New York, NY 10005.

● **INSTALLATION OF TRUNK WATER MAINS IN 1ST AVENUE BETWEEN 59TH AND 61ST STREET, ETC., MANHATTAN** – Competitive Sealed Bids – PIN# 8502009WM0008C – AMT: \$31,082,001.80 – TO: Halcyon Construction Corp., 65 Marble Avenue, Pleasantville, NY 10570. Project ID: MED600.

● **RECONSTRUCTION OF EASTERN PARKWAY BETWEEN WASHINGTON AVENUE AND GRAND ARMY PLAZA, BROOKLYN** – Competitive Sealed Bids – PIN# 8502008HW0036C – AMT: \$18,618,618.61 – TO: Difazio Industries, Inc., 38 Kinsey Place, Staten Island, New York 10303. Project ID: HWCK1019.

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EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Human / Client Service

INFORMATION TECHNOLOGY HELP DESK – Request for Proposals – PIN# R0844040 – DUE 06-15-10 AT 1:00 P.M. – The New York City Department of Education (DOE) is seeking proposals from organizations experienced in managing day to day operations in support of Level-1 Service Desk for Information Technology. The DOE anticipates entering into a requirements agreement with one (1) Vendor resulting from this solicitation and the contract term is for 5 years with two options to extend for two years each at DOE's sole discretion.
 Pre-Proposal Conference: May 24, 2010 at 1:30 P.M., Location: St. Francis College, 180 Remsen Street, Room 4306, Brooklyn Heights, NY 11201.

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 Education, 65 Court Street, Room 1201
 Brooklyn, NY 11201. Ed Cohen (718) 935-2300
 dcipit@schools.nyc.gov*

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HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

■ SOLICITATIONS

Goods

DISPOSABLE SENSORS AND CUVETTES FOR CDI SYSTEM 500 – Competitive Sealed Bids – PIN# 111-10-120 – DUE 06-03-10 AT 3:00 P.M. – Same as or equal to Terumo Cardiology.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Bellevue Hospital Center, Purchasing, 462 First Avenue
 Room# 12 East 32, New York, NY 10016.
 Melissa Cordero (212) 562-2016, fax: (212) 562-2779
 melissa.cordero@bellevue.nychhc.org*

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MANIFOLD KIT# 60030115 – Competitive Sealed Bids – PIN# QHN2010-1099EHC – DUE 06-10-10 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Queens Health Network, 82-68 164th Street, "S" Building
 Jamaica, NY 11432. Monique Thomas (718) 883-6000
 fax: (718) 883-6222, thomasmon@nychhc.org*

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Goods & Services

T-SYSTEM MEDICAL DOCUMENTATION SOLUTION

– Sole Source – Available only from a single source - PIN# 231-10-062SS – DUE 05-22-10 AT 10:00 A.M. – "The North Brooklyn Health Network" (NBHN) Emergency Room Department intends to enter into a sole source contract for the T-System Medical Documentation Solution with T-Systems, Inc., 4020 McEwen Drive, Dallas TX 75244. Any other supplier who is capable of providing the T-System Documentation Solution for the NBHN may express their interest in doing so by writing or email to Millicent Thompson, Procurement Analyst.

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.
*North Brooklyn Health Network, 100 North Portland Avenue
 Rm. C-32, Brooklyn, NY 11205.
 Millicent Thompson (718) 260-7686, fax: (718) 260-7619,
 millicent.thompson@nychhc.org*

m17-21

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human / Client Service

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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

j6-20

HOUSING AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

REPAIRING EXTERIOR MASONRY AND ROOFING REPLACEMENT – Competitive Sealed Bids – PIN# ST9011482 – DUE 06-10-10 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121
 fax: (212) 306-5151, gloria.guillo@nycha.nyc.gov*

m20-26

PURCHASING DIVISION**■ SOLICITATIONS***Goods*

SCO - FURNISHING VARIOUS ELECTRICAL ITEMS – Competitive Sealed Bids – SCO# 26791 AS – DUE 06-09-10 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101.
Bid documents available via internet ONLY:
http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

m21

HUMAN RESOURCES ADMINISTRATION**CONTRACTS****■ AWARDS***Human/Client Service*

SCATTER SITE HOUSING SERVICES – Renewal –

- PIN# 06907P0009CNVR001 - CAMBA, Inc., located at 1720 Church Avenue, Brooklyn, NY 11226 - Contract amount: \$5,584,335.00
- PIN# 06907P0021CNVR001 - Discipleship Outreach Ministries, Inc., located at 5220 4th Avenue, Brooklyn, NY 11220 - Contract amount: \$3,146,463.00
- PIN# 06907P0029CNVR001 - Discipleship Outreach Ministries, Inc., located at 5220 4th Avenue, Brooklyn, NY 11220 - Contract amount: \$1,632,798.00
- PIN# 06907P0015CNVR001 - FACES NY, Inc., located at 317 Lenox Avenue, 10th Fl., New York, NY 10027 - Contract amount: \$1,874,016.00
- PIN# 06907P0017CNVR002 - Harlem Congregations for Community Improvement, Inc., located at 2854 Frederick Douglas Blvd., New York, NY 10039 - Contract amount: \$5,123,751.00
- PIN# 06907P0005CNVR001 - Harlem United Community AIDS Center, located at 306 Lenox Avenue, New York, NY 10027 - Contract amount: \$2,969,307.00
- PIN# 06907P0027CNVR001 - Harlem United Community AIDS Center, Inc., located at 306 Lenox Avenue, New York, NY 10027 - Contract amount: \$3,271,860.00
- PIN# 06907P0025CNVR001 - Heartshare Human Services of NY, located at 191 Joralemon Street, Brooklyn, NY 11201 - Contract amount: \$3,105,864.00
- PIN# 06907P0011CNVR001 - Iris House: A Center for Women Living with HIV, Inc., located at 2348 Adam Clayton Powell Blvd., New York, NY 10030 - Contract amount: \$5,285,151.00
- PIN# 06907P0023CNVR001 - St. Nicks Alliance Corp., located at 11 Catherine Street, Brooklyn, NY 11211 - Contract amount: \$4,108,545.00
- PIN# 06907P0033CNVR001 - St. Nicks Alliance Corp., located at 11 Catherine Street, Brooklyn, NY 11211 - Contract amount: \$5,855,625.00
- PIN# 06907P0007CNVR001 - Unique People Services, Inc., located at 4234 Vireo Avenue, Bronx, New York 10470 - Contract amount: \$3,133,869.00
- PIN# 06907P0013CNVR001 - Unique People Services, Inc., located at 4234 Vireo Avenue, Bronx, New York 10470 - Contract amount: \$3,153,642.00
- PIN# 06907P0031CNVR001 - Unique People Services, Inc., located at 4234 Vireo Avenue, Bronx, New York 10470 - Contract amount: \$2,516,325.00
- PIN# 06907P0019CNVR001 - University Consultation and Treatment Center for Mental Hygiene, Inc., located 1020 Grand Concourse, Bronx, NY 10451 - Contract Amount: \$2,353,533.00

The New York City Human Resources Administration (HRA) HIV/AIDS Service Administration (HASA) intends to renew its contracts with the 15 organizations listed above to continue to provide Supportive Scatter Site Housing for Persons Living with AIDS and their Families.

The contract renewal term will be from 7/01/10 to 06/30/13. Anyone having comments on vendor performance should contact Paula Sangster-Graham at (212) 620-5493 on or before May 31, 2010.

m21

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS**■ INTENT TO AWARD***Goods & Services*

SOFTWARE LICENSES AND MAINTENANCE – Sole Source – Available only from a single source - PIN# 85810SS00019 – DUE 05-28-10 AT 3:00 P.M. – The City intends to enter into Sole Source negotiations with DTS Software, Inc. for Proprietary Software Licenses and Maintenance. Any vendor that wishes to provide such services in the future should send notice to DoITT by Friday, May 28, 2010.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Information Technology and Telecommunications, 75 Park Place, NYC, NY 10007.
Dorothy Duncan (212) 788-6274, fax: (212) 788-6489, dduncan@doitt.nyc.gov

m21-27

Services (Other Than Human Services)

REGIONAL ARCHITECTURE SYSTEM AND INTER-AGENCY REMOTE VIDEO NETWORK – Sole Source –

Available only from a single source - PIN# 85810S0005 – DUE 05-24-10 AT 3:00 P.M. – DoITT intends to enter into sole source negotiations with TRANSCOM, Inc. to provide support services for the Regional Architecture System and the Inter-agency Remote Video Network (RA IRVN). Any firm which believes it can provide the required services in the future is invited to indicate so via email to acco@doitt.nyc.gov by May 24th, 2010 by 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Information Technology and Telecommunications, 75 Park Place, 9th Floor, New York, NY 10007.
Latanya Ferguson (212) 788-6691, acco@doitt.nyc.gov

m17-21

JUVENILE JUSTICE**■ SOLICITATIONS***Human/Client Service*

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 110 William Street 14th Floor, New York, NY 10038.
Chuma Uwechia (212) 442-7716, cuwechia@djj

jy1-d16

■ AWARDS*Human/Client Service*

PROVISION OF MENTAL HEALTH SERVICES FOR YOUTH IN DETENTION – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJM1 – AMT: \$3,550,701.00 – TO: Hope Care Medical Counseling Service, P.C., P.O. Box 220284, Great Neck, NY 11022.

m21

PARKS AND RECREATION**REVENUE AND CONCESSIONS****■ SOLICITATIONS***Services (Other Than Human Services)*

OPERATION AND MAINTENANCE OF A SEASONAL CAFE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M89-SB – DUE 07-15-10 AT 3:00 P.M. – Parks is seeking proposals for the operation and maintenance of a seasonal cafe at the Union Square Park Pavilion, with an option to develop, operate and maintain a small scale, satellite kiosk at the Licensed Premises.

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, fax: (212) 360-3434, alexander.han@parks.nyc.gov

m18-j1

SCHOOL CONSTRUCTION AUTHORITY**CONTRACT ADMINISTRATION****■ SOLICITATIONS***Construction/Construction Services*

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA10-12727D-1 – DUE 06-09-10 AT 11:00 A.M. – IS 592 (Brooklyn). Project Range: \$1,300,000.00 to \$1,375,000.00. 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, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360 kidlett@nycsca.org

m19-25

Services (Other Than Human Services)

COMPUTER AND PERIPHERAL EQUIPMENT SALVAGE SERVICES – Competitive Sealed Bids – PIN# SCA-1009P – DUE 06-07-10 AT 10:00 A.M. – All vendors must be pre-qualified to receive a contract award with 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, 30-30 Thomson Avenue Long Island City, NY 11101. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

m18-24

PROCUREMENT**■ SOLICITATIONS***Construction/Construction Services*

CONSTRUCTION OF A NEW SIX STORY SCHOOL – Competitive Sealed Bids – PIN# SCA10-006617-1 – DUE 06-15-10 AT 3:00 P.M. – PS/IS 281 (Manhattan). Project Range: \$48,343,000.00 – \$50,890,000.00. Mandatory Pre-Bid Meeting Date: May 27, 2010 at 11:00 AM at NYCSCA, 30-30 Thomson Ave., LIC., NY 11101, Second Floor Conference Room, 2 Main A. Failure to attend this mandatory pre-bid meeting will result in your firm being ineligible to bid on the referenced solicitation. Non-Refundable Bid Documents Charge: \$250.00, Certified Check or Money Order only. Make payable to the New York City School Construction Authority. Bidders must be Pre-Qualified by the SCA. Limited bids will only be accepted from the following Construction Managers/Prime General Contractors: Leon D. DeMatteis Construction Corp.; Pavarini McGovern; Petracca and Sons, Inc.; Silverite Construction Co., Inc.; Skanska USA Building, Inc.; Turner Construction Co.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Iris Vega (718) 472-8292 fax: (718) 752-8292, ivega@nycsca.org

m18-24

TRANSPORTATION**DIVISION OF TRAFFIC****■ SOLICITATIONS***Construction Related Services*

ELECTRIC TRAFFIC SIGNAL EQUIPMENT, IN THE FIVE BOROUGHES – Competitive Sealed Bids – PIN# 84110MBTR486 – DUE 06-17-10 AT 11:00 A.M. – Furnishing, installation, and removal of Electric Traffic Signal, in the five boroughs of the City of New York. An optional pre-bid meeting will be held on Thursday, May 27, 2010 at 10:00 A.M. at 34-02 Queens Blvd., 2nd Floor Conference Room, Long Island City, NY 11101.

Contract available during the hours of 9:00 A.M. - 3:00 P.M. ONLY.

A deposit of \$50.00 in the form of a certified check or money order made payable to New York City Department of Transportation is required to obtain Contract/Bid Documents. NO CASH ACCEPTED. Refund will be made only for Contract/Bid Proposal Documents that are returned in its original condition within 10 days after bid opening. Any persons delivering bid document must enter the building located on the South side of the Building facing the Vietnam Veterans Memorial. All visitors must go through the buildings security screening process. Bidders should allow extra time and ensure that proper government issued photo identification (ii Drivers License, Passport, Identification Card) is available upon request. Please ensure that your company's address, telephone, and fax numbers are submitted by your company (or messenger service) when picking up contract documents. For additional please contact Frank Caiazzo at (718) 786-4061. Vendor Source ID#: 68367.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Transportation, Contract Management Unit, Office of the Agency Chief Contracting Officer, 55 Water Street, Ground Floor, New York, NY 10041.
Bid Window (212) 839-9435.

m21

AGENCY RULES**CAMPAIGN FINANCE BOARD****■ NOTICE**

Notice of Opportunity to Comment on Proposed Amendments to Campaign Finance Board Rules

IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "Board") under Chapter 46 of the New York City Charter (including, but not limited to, Sections 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (the "Act") (including, but not limited to, Section 3-708(8) of the New York City Administrative Code), the Board hereby proposes rules for candidates in Board adjudications. If adopted, the proposed rules would be housed in Chapter 12 of the Board's Rules, a new chapter added specifically to address procedures for formal adjudications.

I. Explanation, Basis, and Purpose

The Campaign Finance Board Rules are codified in Chapter 52 of the Rules Compilation of the City of New York. The subject matter of this rulemaking was described in the Board's regulatory agenda for fiscal year 2011, published in [The City Record](#) on April 14, 2010.

Local Laws Nos. 34 and 67 of 2007 amended the Act to provide candidates with the option to use the procedures afforded by the City Administrative Procedure Act (“CAPA”) when the Board alleges that a campaign committed violations of the Act or Board Rules (the “Rules”) and/or when the Board claims that a campaign must repay public funds.

Specifically, alleged violations and proposed penalties and/or claims for the repayment of public funds must be adjudicated in accordance with section 1046 of the New York City Charter unless such procedures are waived by the candidate or principal committee. As a result, candidates will have two options for adjudicating penalty matters and public funds repayment claims: (1) they may appear before the Board for a hearing that is essentially similar to prior Board practices; or (2) they may appear before an administrative law judge at the Office of Administrative Trials and Hearings (“OATH”), or hearing officer(s) assigned by the Board, for a formal hearing whose procedures are consistent with section 1046 of the Charter.

Numerous City agencies appear before OATH’s administrative law judges for their adjudicatory hearings. OATH has adopted general Rules of Practice for conducting administrative hearings, and several of the City agencies that appear before OATH’s administrative law judges have adopted additional, specialized rules that build upon OATH’s Rules of Practice for the conduct of their cases. The following proposed rules are structurally and substantively consistent with OATH’s Rules of Practice, but have been amended slightly to reflect that formal hearings may not be presided over by an OATH administrative law judge. Nevertheless, the proposed rules require that all designated hearing officers, whether at OATH or elsewhere, follow certain procedural rules to provide campaigns with adjudications consistent with section 1046 of the Charter.

If adopted following the opportunity for public comment, the following proposed rules would take effect thirty days after final publication in [The City Record](#).

II. Opportunity to Comment

Written comments regarding the proposed rules must be submitted to the General Counsel of the Campaign Finance Board, 40 Rector Street, 7th Floor, New York, on or before **Monday, June 21, 2010**. A public hearing will be held on **Wednesday, June 23, 2010** at the offices of the Board beginning at **10:00 A.M.** Persons wishing to testify are requested to notify the General Counsel of the Board at the foregoing address. Written comments and a transcript of the hearing will be available for public inspection, within a reasonable time after receipt, at the offices of the Board on weekdays between the hours of 9:00 A.M. and 5:00 P.M.

III. Proposed Rules

Chapter 12 would be added to the Board’s Rules as follows:

Chapter 12 Procedural Rules for Formal Adjudications

Subchapter A – General Matters

Rule 12-01 Definitions.

As used in this chapter:

Administrative law judge. “Administrative law judge” shall mean the hearing officer assigned to preside over a case that is referred to the Office of Administrative Trials and Hearings.

CAPA. “CAPA” shall mean the City Administrative Procedure Act, §§ 1041 to 1047 of the New York City Charter (“Charter”).

Case. “Case” shall mean an adjudication pursuant to CAPA, § 1046 of the Charter.

Chief administrative law judge. “Chief administrative law judge” shall mean the director of OATH appointed by the mayor.

Electronic means. “Electronic means” shall mean any method of transmission of information between computers or other machines designed for the purpose of sending and receiving such transmissions, and which allows the recipient to reproduce the information transmitted in a tangible medium of expression (e.g., facsimile transmission and e-mail).

Filing. “Filing” shall mean submitting papers to the hearing officer, whether in person, by mail, or by electronic means, for inclusion in the record of proceedings in a case.

Hearing officer. “Hearing officer” shall mean the person assigned to preside over a case.

OATH. “OATH” shall mean the Office of Administrative Trials and Hearings.

Petition. “Petition” shall mean a document filed by the Board, analogous to a complaint in a civil action, which states the claims to be adjudicated.

Petitioner. “Petitioner” shall mean the Board.

Respondent. “Respondent” shall mean a party against whom claims are asserted by the Board.

Rule 12-02 Applicability.

(a) This chapter shall apply solely to cases that are subject to CAPA, including hearings, pre-hearing and post-hearing matters, brought by the Board pursuant to the New York City Campaign Finance Act, Title 3 of the New York City Administrative Code (the “Administrative Code”).

(b) In the event of any inconsistency between this chapter, other chapters of this title, and the rules of OATH, this chapter shall govern.

Rule 12-03 Construction and Waiver.

This chapter shall be liberally construed to promote just and efficient adjudication of cases. This chapter may be waived or modified on such terms and conditions as may be determined in a particular case to be appropriate by a hearing officer.

Rule 12-04 Proceedings Before Designation of Hearing Officer.

Proceedings before the case is referred to a hearing officer shall be governed by chapter 7 of the Board’s Rules.

Subchapter B – Pre-Hearing Matters

Rule 12-05 Designation of Hearing Officer.

The Board shall designate, at its sole discretion, a hearing officer to preside over cases pursuant to this chapter. The designated hearing officer shall be: (i) one or more members of the Board; (ii) another person or persons assigned by the Board; or (iii) the chief administrative law judge of OATH or such administrative law judge as the chief administrative law judge may assign.

Rule 12-06 Commencement of Proceedings and Pleadings.

(a) The Petition.

(i) The Board shall institute proceedings pursuant to this chapter by serving a petition, sworn to or affirmed as to the truth thereof, on respondent(s). The petition shall include a short and plain statement of the matters to be adjudicated. It shall set forth the facts which, if proved, would constitute a violation of the City Charter, the Administrative Code, or the Board’s Rules, as well as the applicable provisions thereof which are alleged to have been violated. The petition shall also set forth a statement of the relief requested. If applicable, the petition shall set forth the facts which, if proved, constitute a required payment or repayment of public funds.

(ii) The petition shall be accompanied by the following: notice of the respondent’s right to file an answer, the deadline to file an answer, and the place(s) to serve and file an answer; notice that failure to serve and file a timely answer shall be deemed an admission of all allegations contained in the petition; notice of the respondent’s right to representation by an attorney or other representative; and notice that a person representing the respondent must file a notice of appearance with the hearing officer.

(b) Service of the Petition.

(i) The Board shall serve the petition upon the respondent. Service of the petition shall be made by regular first-class mail to respondent’s last known residential or business address (e.g., address listed in the Filer Registration form, Certification form, or amendments to the Filer Registration or Certification provided by respondent as required by Rules 1-11 and 2-01). Service of the petition shall be complete upon mailing.

(ii) In the alternative, service of the petition may be made by electronic means to respondent’s last known e-mail address (e.g., listed in the Filer Registration form, Certification form, or amendments to the Filer Registration or Certification provided by respondent as required by Rules 1-11 and 2-01). Service of the petition by electronic means shall be complete on the date of transmission.

(c) Answer.

(i) The respondent shall file an answer to the petition with the hearing officer and serve the same answer on the Board.

(ii) If the petition was served on respondent by regular first-class mail, the answer shall be filed and served within twenty-six calendar days of the date the petition was postmarked. If the petition was served on respondent by electronic means, the answer shall be filed and served within twenty-one calendar days.

(iii) The answer may include affidavits or affirmations, documentary exhibits, or other evidentiary material in rebuttal of the petition. The answer may be accompanied by a memorandum of law.

(iv) If respondent fails to serve and file a timely answer, all allegations of the petition shall be deemed admitted, and the case shall proceed as scheduled. If the answer fails to specifically address any allegation in the petition, such allegation shall be deemed admitted.

(v) The time to serve and file an answer may be extended only upon the consent of all parties or upon application to the hearing officer for good cause shown.

(d) Amendment of Pleadings.

Pleadings shall be amended as promptly as possible upon conditions just to all parties. If a pleading is to be amended

less than twenty-five days before the commencement of the hearing, the amendment may be made only on consent of the parties or by leave of the hearing officer.

Rule 12-07 Filing of Papers.

(a) **Generally.** The notice accompanying the petition shall notify the parties of the designated hearing officer(s) and of the place to file papers. Papers may be filed with the hearing officer in person, by mail or by electronic means.

(b) **Headings.** If an OATH index number has been assigned pursuant to Rule 12-08(d), the subject matter heading for each paper sent by personal service, mail or electronic means must indicate the OATH index number.

(c) **Means of service on adversary.** Submission of papers to the hearing officer by electronic means, mail, or personal delivery without providing equivalent method of service to all other parties shall be deemed to be an *ex parte* communication.

(d) **Proof of service.** Proof of service must be maintained by the parties for all papers filed with the hearing officer. Proof of service shall be in the form of an affidavit by the person effecting service, or in the form of a signed acknowledgement of receipt by the person receiving the papers. A writing admitting service by the person served is adequate proof of service. Proof of service for papers served by electronic means, in addition to the foregoing, may be in the form of a record confirming delivery or acknowledging receipt of the electronic transmission.

Rule 12-08 Docketing the Case at OATH.

(a) Only cases referred to OATH must be docketed.

(b) Only the Board may docket a case at OATH. Following service of the petition upon the respondent, the Board shall docket a case by delivering to OATH a completed intake sheet, with a petition and appropriate proof of service of the petition.

(c) When a case is docketed, OATH shall place it on the trial calendar, the conference calendar, or on open status. Cases involving the same respondent or respondents shall be scheduled for joint hearings or conferences.

(d) When a case is docketed, it shall be given an index number and assigned to an administrative law judge. Assignments shall be made and changed at the discretion of the chief administrative law judge of OATH or his or her designee, and motions concerning such assignments shall not be entertained except pursuant to Rule 12-09.

(e) After docketing the case at OATH or selecting a hearing date, the Board shall serve notice of hearing, if a hearing date has been selected, and a notice of conference, if a conference date has been selected, within five business days. The notice shall be served by first class mail or electronic means, and appropriate proof of service shall be maintained by the Board.

(f) A conference or hearing shall be scheduled for a date that is at least two weeks after the date the answer must be served and filed.

(g) The administrative law judge may determine that the case is not ready for a conference or hearing and may adjourn the conference or hearing, or may remove the case from the conference or hearing calendar and place it on open status.

Rule 12-09 Disqualification of Hearing Officers.

(a) A motion for disqualification of a hearing officer shall be addressed to that hearing officer, shall be accompanied by a statement of the reasons for such application, and shall be made as soon as practicable after a party has reasonable cause to believe that grounds for disqualification exist.

(b) The hearing officer shall be disqualified for bias, prejudice, interest, or any other cause for which a judge may be disqualified in accordance with § 14 of the Judiciary Law. In addition, a hearing officer may, *sua sponte* or on motion of any party, withdraw from any case, where in the hearing officer’s discretion, his/her ability to provide a fair and impartial adjudication might reasonably be questioned.

(c) If the administrative law judge determines that his or her disqualification or withdrawal is warranted on grounds that apply to all of the existing administrative law judges, the administrative law judge shall state that determination, and the reasons for that determination, in writing or orally on the record, and may recommend to the chief administrative law judge that the case be assigned to a special administrative law judge to be appointed temporarily by the chief administrative law judge. The chief administrative law judge shall either accept that recommendation, or, upon a determination and reasons stated in writing or orally on the record, reject that recommendation. A special administrative law judge shall have all of the authority granted to administrative law judges under this chapter.

Rule 12-10 Conferences.

(a) Only cases referred to OATH are eligible for conferences.

(b) Conferences may be held for the formulation and simplification of issues, the possibility of obtaining admissions or stipulations of fact and of admissibility and authenticity of documents, the order of proof and of witnesses, discovery issues, legal issues, pre-hearing applications, scheduling, and settlement of the case.

(c) In the discretion of the administrative law judge, and whether or not a case has been placed on the OATH conference calendar, conferences may be scheduled on the

application of either party or *sua sponte*. In the discretion of the administrative law judge, conferences may be conducted by telephone.

(d) All parties are required to attend conferences as scheduled unless timely application is made to the administrative law judge. Participants shall be prompt and prepared to begin on time. No particular format for conducting the conference is required. The structure of the conference may be tailored to the circumstances of the particular case.

(e) If settlement is to be discussed at the conference, each party shall have an individual possessing authority to settle the matter either present at the conference or readily accessible. During settlement discussions, upon notice to the parties, the administrative law judge or other person conducting the conference may confer with each party and/or representative separately.

(f) All settlement offers, whether or not made at a conference, shall be confidential and shall be inadmissible in any future hearing.

(g) A settlement shall be reduced to writing, or, in the discretion of the administrative law judge, placed on the record. In the event that a settlement is reached other than at a conference, the hearing officer shall be notified immediately pursuant to Rule 12-12(f). Copies of all written settlement agreements shall be sent promptly to the hearing officer.

(h) In the event that the case is not settled at the conference, outstanding pre-hearing matters, including discovery issues, shall be raised during the conference. In the event that the case is not settled at the conference, a hearing date may be set, if such a date has not already been set. The parties shall be expected to know their availability and the availability of their witnesses for a hearing.

Rule 12-11 Notice of Conference or Hearing.

(a) When a case is placed on either the conference calendar or the trial calendar, the Board shall serve respondent with notice of the following: the date, time and place of the conference or hearing; each party's right to representation by an attorney or other representative at the conference or hearing; the requirement that a person representing a party at the conference or hearing must file a notice of appearance prior to the conference or hearing; and, in a notice of a hearing served by the Board, the fact that failure of the respondent or an authorized representative of the respondent to appear at the hearing may result in a declaration of default and waiver of the right to a hearing, or other disposition, against the respondent.

(b) The notice of conference or hearing served by first class mail or electronic means, and appropriate proof of service shall be maintained. A copy of the notice of conference, with proof of service, shall be filed with the administrative law judge at or before the commencement of the conference. A copy of the notice of hearing, with proof of service, shall be filed with the hearing officer at or before the commencement of the hearing.

(c) When multiple petitions against a single respondent, or petitions against multiple respondents, are placed on the conference or trial calendar for a joint conference or hearing pursuant to Rule 12-08, notice of hearing or notice of conference pursuant to this section shall include notice of such joinder.

Rule 12-12 Adjournments.

(a) Applications for adjournments of conferences or hearings shall be governed by this section and by Rule 12-14 or Rule 12-27. Conversion of a hearing date to a conference date, or from conference to hearing, shall be deemed to be an adjournment.

(b) Applications to adjourn conferences or hearings shall be made to the hearing officer as soon as the need for the adjournment becomes apparent. Applications for adjournments are addressed to the discretion of the hearing officer, and shall be granted only for good cause. Although consent of all parties to a request for an adjournment shall be a factor in favor of granting the request, such consent shall not by itself constitute good cause for an adjournment. Delay in seeking an adjournment shall militate against grant of the request.

(c) If a party selects a hearing or conference date without consulting with or obtaining the consent of another party, an application for an adjournment of such date by that other party, especially if such application is based upon a scheduling conflict, shall be decided with due regard to the *ex parte* nature of the case scheduling.

(d) Counsel shall file an affirmation of actual engagement prior to a ruling on an adjournment sought on that basis. Such affirmation shall state the name and nature of the conflicting matter, the court or tribunal hearing the matter, the judge before whom it is scheduled, the date that the conflicting engagement became known to counsel, and the date, time, place and approximate duration of the engagement.

(e) Approved adjournments, other than adjournments granted on the record, shall be promptly confirmed in writing by the applicant, to all parties and to the administrative law judge.

(f) Withdrawal of a case from the calendar by the petitioner shall not be subject to the "good cause" requirement of subdivision (b) of this section. However, such withdrawal, other than pursuant to settlement agreement or other final disposition of the case, shall be permitted only upon

application to the hearing officer, who may grant or deny the application, either in full or upon stated terms and conditions.

(g) If the administrative law judge determines that a case is not ready for hearing or conference and that an adjournment is inappropriate he or she may remove the case from the calendar. Unless otherwise directed by the administrative law judge, the case will be administratively closed if the parties do not restore the matter to the calendar within 30 days.

Rule 12-13 Discovery.

(a) Requests for production of documents, for identification of hearing witnesses, and for inspection of real evidence to be introduced at the hearing may be directed by any party to any other party without leave of the hearing officer.

(b) Depositions shall only be taken upon motion for good cause shown. Other discovery devices, including interrogatories, shall not be permitted except upon agreement among the parties or upon motion for good cause shown. Resort to such extraordinary discovery devices shall not generally be cause for adjournment of a conference or hearing.

(c) Discovery shall be requested and completed promptly, so that each party may reasonably prepare for the hearing. A demand for identification of witnesses, for production of documents, or for inspection of real evidence to be introduced at the hearing shall be made not less than twenty days before the hearing, or not less than twenty-five days if service of the demand is by mail. An answer to a discovery request shall be made within fifteen days of receipt of the request, or within ten days if service of the answer is by mail. An objection to a discovery request shall be made as promptly as possible, but in any event within the time for an answer to that request. Different times may be fixed by consent of the parties, or by the hearing officer for good cause. Notwithstanding the foregoing time periods, where the notice of the hearing is served less than twenty-five days in advance of the hearing, discovery shall proceed as quickly as possible, and time periods may be fixed by consent of the parties or by the hearing officer.

(d) Any discovery dispute shall be presented to the hearing officer sufficiently in advance of the hearing to allow a timely determination. Discovery motions are addressed to the discretion of the hearing officer. The timeliness of discovery requests and responses, and of discovery-related motions, the complexity of the case, the need for the requested discovery, and the relative resources of the parties shall be among the factors in the hearing officer's exercise of discretion.

(e) In ruling upon a discovery motion, the hearing officer may deny the motion, order compliance with a discovery request, order other discovery, or take other appropriate action. The hearing officer may grant or deny discovery upon specified conditions, including payment by one party to another of stated expenses of the discovery. Failure to comply with an order compelling discovery may result in imposition of appropriate sanctions upon the disobedient party, attorney or representative, the preclusion of witnesses or evidence, drawing of adverse inferences, or, under exceptional circumstances, removal of the case from the calendar, dismissal of the case, or declaration of default.

Rule 12-14 Pre-Hearing Motions.

(a) Pre-hearing motions shall be consolidated and addressed to the hearing officer as promptly as possible, and sufficiently in advance of the hearing to permit a timely decision to be made. Delay in presenting such a motion may, in the discretion of the hearing officer, weigh against the granting of the motion, or may lead to the granting of the motion upon appropriate conditions.

(b) The hearing officer may in his or her discretion permit pre-hearing motions to be made in writing, by electronic means, or orally, including by telephone. The hearing officer may require the parties to submit legal briefs on any motion. Parties are encouraged to make pre-hearing motions, or to conduct preliminary discussions and scheduling of such motions, by conference telephone call or by electronic means to the hearing officer.

(c) Motion papers shall state the grounds upon which the motion is made and the relief or order sought. Motion papers shall include notice to all other parties of their time pursuant to subdivision (d) of this section to serve papers in opposition to the motion. Motion papers and papers in opposition shall be served on all other parties, and proof of service shall be filed with the papers. The filing of motion papers or papers in opposition by a representative who has not previously appeared shall constitute the filing of a notice of appearance by that representative, and shall conform to the requirements of Rule 12-15(b).

(d) Unless otherwise directed by the hearing officer upon application or *sua sponte*, the opposing party shall file and serve responsive papers no later than eight days after service of the motion papers if service of the motion papers was personal or by electronic means, and no later than thirteen days after service if service of the motion papers was by mail.

(e) Reply papers shall not be filed unless authorized by the hearing officer, and oral argument shall not be scheduled except upon the direction of the hearing officer.

(f) Nothing in this section shall limit the applicability of other provisions to specific pre-hearing motions.

Subchapter C – Rules of Conduct

Rule 12-15 Appearances at OATH.

(a) A party may appear in person, by an attorney, or by a

duly authorized representative. A person appearing for a party, including by telephone conference call, is required to file a notice of appearance with OATH. Docketing of a case by an attorney or representative of a party shall be deemed to constitute the filing of a notice of appearance by that person. The filing of any papers by an attorney or representative who has not previously appeared shall constitute the filing of a notice of appearance by that person, and shall conform to the requirements of subdivisions (b) and (d) of this Rule. Participation in a telephone conference call on behalf of a party by an attorney or representative of the party shall be deemed an appearance by the attorney or representative. Nonetheless, upon making such an appearance, the attorney or representative shall file a notice of appearance in conformity with subdivisions (b) and (d) of this section.

(b) The appearance of a member in good standing of the bar of a court of general jurisdiction of any state or territory of the United States shall be indicated by the suffix "Esq." and the designation "attorney for (petitioner or respondent)", and the appearance of any other person shall be indicated by the designation "representative for (petitioner or respondent)".

(c) Absent extraordinary circumstances, no application shall be made or argued by any attorney or other representative who has not filed a notice of appearance.

(d) A person may not file a notice of appearance or appear on behalf of a party unless he or she has been retained by that party to represent the party before OATH. Filing a notice of appearance or making an appearance constitutes a representation that the person appearing has been so retained. Filing a notice of appearance constitutes a representation that the person appearing has read and is familiar with the rules of this subchapter.

Rule 12-16 Ex Parte Communications.

No *ex parte* communications, other than those related to ministerial matters regarding a conference or hearing, shall be received by a hearing officer.

Subchapter D - Hearings

Rule 12-17 Role of the Hearing Officer.

In the conduct of an adjudication, a hearing officer may:

(a) administer oaths and affirmations, examine witnesses, rule upon offers of proof, receive written and oral testimony, and oversee and regulate discovery procedures;

(b) upon the request of any party, or upon the hearing officer's discretion, subpoena the attendance of witnesses and the production of books, records, or other information;

(c) regulate the course of the hearing in accordance with Rule 12-21;

(d) dispose of procedural requests or similar matters;

(e) make recommended or final findings of fact or decisions, determinations or orders, as authorized by law; and

(f) take any other action authorized by law or agency rule consistent therewith.

Rule 12-18 Consolidation; Separate Hearings.

All or portions of separate cases may be consolidated for the hearing, or portions of a single case may be severed for separate hearings, in the discretion of the hearing officer. Consolidation or severance may be ordered on motion or *sua sponte*, in furtherance of justice, efficiency or convenience.

Rule 12-19 Witnesses and Documents.

The parties shall have all of their witnesses available on the hearing date. A party intending to introduce documents into evidence shall bring to the hearing copies of those documents for the hearing officer, the witness, and the other parties. Repeated failure to comply with this section may be cause for sanctions. Such sanctions may include formal admonishment or reprimand, assessment of costs or imposition of a fine, exclusion of the offending person from the proceedings, exclusion or limitation of evidence, adverse evidentiary inference, adverse disposition of the case, in whole or in part, or other sanctions as the hearing officer may determine to be appropriate.

Rule 12-20 Subpoenas.

(a) A subpoena *ad testificandum* requiring the attendance of a person to give testimony prior to or at a hearing or a subpoena *duces tecum* requiring the production of documents or things at or prior to a hearing may be issued only by the hearing officer upon application of a party or *sua sponte*.

(b) A request by a party that the hearing officer issue a subpoena shall be deemed to be a motion, and shall be made in compliance with Rule 12-14 or 12-27, as appropriate; provided, however, that such a motion shall be made on 24 hours notice by electronic means or personal delivery of papers, including a copy of the proposed subpoena, unless the hearing officer directs otherwise. For cases before OATH, the proposed subpoena may be prepared by completion of a form subpoena available from OATH. The making and scheduling of requests for issuance of subpoenas by telephone conference call to the hearing officer or by electronic means is encouraged.

(c) Subpoenas shall be served in the manner provided by § 2303 of the Civil Practice Law and Rules, unless the hearing officer directs otherwise.

(d) In the event of a dispute concerning a subpoena after the subpoena is issued, informal resolution shall be attempted with the party who requested issuance of the subpoena. If the dispute is not thus resolved, a motion to quash, modify or enforce the subpoena shall be made to the hearing officer.

Rule 12-21 Order of Proceedings.

Testimony and argument on the law and facts shall be presented in the following order: petitioner, witnesses called by the petitioner, if any, cross-examination, the respondent(s) and/or their counsel, witnesses called by respondent(s) and/or their counsel, cross-examination, and closing statements. Each party shall be afforded an opportunity to present rebuttal testimony, if deemed appropriate by the hearing officer. Closing statements, if any, shall be made first by petitioner. The order of proceedings may be modified at the discretion of the hearing officer.

Rule 12-22 Interpreters.

The hearing officer will make reasonable efforts to provide language assistance services to a party or their witnesses who are in need of an interpreter to communicate at a hearing or conference.

Rule 12-23 Failure to Appear.

All parties, counsel and other representatives are required to be present at the hearing and prepared to proceed at the time scheduled for commencement of the hearing. Commencement of the hearing, or of any session of the hearing, shall not be delayed beyond the scheduled starting time except for good cause as determined in the discretion of the hearing officer. Absent a finding of good cause, and to the extent permitted by the law applicable to the claims asserted in the petition, the hearing officer may direct that the hearing proceed in the absence of any missing party or representative, render a disposition of the case adverse to the missing party, or take other appropriate measures, including the imposition of appropriate sanctions. Relief from the direction of the hearing officer may be had only upon motion brought as promptly as possible pursuant to Rule 12-14 or 12-27. The hearing officer may grant or deny such a motion, in whole, in part, or upon stated conditions.

Rule 12-24 Evidence at the Hearing.

(a) Compliance with technical rules of evidence, including hearsay rules, shall not necessarily be required. Principles of civil practice and rules of evidence may be applied to ensure an orderly proceeding and a clear record, and to assist the hearing officer in the role as trier of fact. The order of proceedings may be altered by the hearing officer for convenience of the parties, attorneys, witnesses, or OATH, where substantial prejudice will not result.

(b) The hearing officer may limit examination, the presentation of testimonial, documentary or other evidence, and the submission of rebuttal evidence. Objections to evidence offered, or to other matters, will be noted in the transcript, and exceptions need not be taken to rulings made over objections. The hearing officer may call witnesses, may require any party to clarify confusion, fill gaps in the record, or produce witnesses, and may question witnesses directly.

(c) In the discretion of the hearing officer, closing statements may be made orally or in writing. On motion of the parties, or *sua sponte*, the hearing officer may direct written post-hearing submissions, including legal briefing, proposed findings of fact and conclusions of law, or any other pertinent matter.

(d) **Evidence pertaining to penalty or relief.** A separate hearing shall not be held as to the penalty to be imposed or the relief to be granted in the event that the petition is sustained in whole or in part.

Rule 12-25 Official Notice.

(a) In reaching a decision, the hearing officer may take official notice, before or after submission of the case for decision, on request of a party or *sua sponte* on notice to the parties, of any fact which may be judicially noticed by the courts of this state. Matters of which official notice is taken shall be noted in the record, or appended thereto. The parties shall be given a reasonable opportunity on request to refute the officially noticed matters by evidence or by presentation of authority.

(b) Official notice may be taken, without notice to the parties, of rules published in the Rules of the City of New York or in The City Record. In addition, all parties are deemed to have notice that official notice may be taken of other regulations, directives, guidelines, and similar documents that are lawfully applicable to the parties, provided that any such materials that are unpublished are filed with the hearing officer sufficiently before commencement of the hearing to enable all parties to address at the hearing any issue as to the applicability or meaning of any such materials.

Rule 12-26 Public Access to Proceedings.

(a) Other than conferences, all proceedings shall be open to the public, unless the hearing officer finds that a legally recognized ground exists for closure of all or a portion of the proceeding, or unless closure is required by law. Witnesses may be excluded from proceedings other than their own testimony in the discretion of the hearing officer.

(b) No person shall make or cause to be made a stenographic, electronic, audio, audio-visual or other verbatim or photographic reproduction of any hearing or other proceeding, whether such hearing or other proceeding is conducted in person, by telephone, or otherwise, except upon application to the hearing officer. Except as otherwise provided by law (e.g. N.Y. Civil Rights Law, § 52), such application shall be addressed to the discretion of the hearing officer, who may deny the application or grant it in full, in part, or upon such conditions as the hearing officer deems necessary to preserve the decorum of the proceedings and to protect the interests of the parties, witnesses and any other concerned persons.

(c) Transcripts of proceedings made a part of the record by the administrative law judge shall be the official record of proceedings at OATH, notwithstanding the existence of any other transcript or recording, whether or not authorized under the previous subdivision of this section.

Rule 12-27 Hearing Motions.

Motions may be made during the hearing orally or in writing. Hearing motions made in writing shall satisfy the requirements of Rule 12-14. The hearing officer may, in his or her discretion, require that any hearing motion be briefed or otherwise supported in writing. In cases referred to a hearing officer for disposition by report and recommendation to the Board's Chair, motions addressing the sufficiency of the petition or the sufficiency of the petitioner's evidence shall be reserved until closing statements.

Rule 12-28 The Transcript.

Hearings shall be stenographically or electronically recorded, and the recordings shall be transcribed, unless the hearing officer directs otherwise. In the discretion of the hearing officer, matters other than the hearing may be recorded and such recordings may be transcribed. Transcripts shall be made part of the record, and shall be made available upon request as required by law.

Rule 12-29 Decision Made on the Record.

The hearing officer may conclude a case by making a decision or report and recommendation on the record.

Subchapter E - Proceedings After Issuance of Report and Recommendation

Rule 12-30 Written Comments.

Once the hearing officer has issued a recommended final determination, each party shall have twenty days to submit written comments to the Board. The comments should raise any objections to the recommended determination, and objections not raised in the comments will be deemed waived in any further proceedings. Comments shall be limited to the record of the adjudicatory proceeding. Comments shall be served upon all other parties, and shall be served upon the Board by the General Counsel. Upon application filed with the Board's General Counsel, the Board's Chair may shorten or extend the time for comments for good cause shown. No personal appearances shall be made before the Board unless the Board specifically requests that the parties appear.

Rule 12-31 Final Determination.

The Board shall provide a final determination affirming, rejecting, or modifying the hearing officer's recommended final determination within 30 days of the conclusion of the written comments period. The final determination shall notify the candidate of the commencement of the four-month period during which a special proceeding may be brought to challenge the Board's determination pursuant to Article 78 of the Civil Practice Law and Rules. If the Board affirms the hearing officer's recommended final determination in its entirety, it shall notify respondent that the hearing officer's recommended final determination was affirmed by the Board. If the Board rejects or modifies the hearing officer's recommended final determination, the Board shall provide a written determination stating the basis for any assessed penalty or public funds determination, including any findings of fact and conclusions of law. Determinations made by the Board pursuant to this chapter may not be appealed to the Board unless the Board specifically provides otherwise in its determination.

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SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 6469
FUEL OIL AND KEROSENE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/17/2010
2887105	2.0	#1DULS	MANH	SPRAGUE ENERGY CORP	-.0649 GAL. 2.6293 GAL.
2887105	3.0	#1DULS	BRONX	SPRAGUE ENERGY CORP	-.0649 GAL. 2.6293 GAL.
2887105	4.0	#1DULS	BROOKLYN	SPRAGUE ENERGY CORP	-.0649 GAL. 2.6643 GAL.
2887105	5.0	#1DULS	QUEENS	SPRAGUE ENERGY CORP	-.0649 GAL. 2.6643 GAL.
2887105	6.0	#1DULS	S.I.	SPRAGUE ENERGY CORP	-.0649 GAL. 2.7293 GAL.
2887105	7.0	#1DULS	P/U	SPRAGUE ENERGY CORP	-.0649 GAL. 2.5411 GAL.
2887086	3.0	#1DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-.0662 GAL. 2.5691 GAL.
2887086	7.0	#1DULSB20	P/U	SPRAGUE ENERGY CORP	-.0662 GAL. 2.4994 GAL.
2887086	1.0	#1DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-.0653 GAL. 2.5528 GAL.
2887086	5.0	#1DULSB5	P/U	SPRAGUE ENERGY CORP	-.0653 GAL. 2.4708 GAL.
3087064	1.0	#1DULSB50	CITY WIDE BY TW	METRO FUEL OIL CORP.	-.0680 GAL. 3.1054 GAL.
2887052	1.0	#2	MANH	RAPID PETROLEUM	-.0512 GAL. 2.1946 GAL.
2887052	4.0	#2	BRONX	RAPID PETROLEUM	-.0512 GAL. 2.1944 GAL.
2887052	7.0	#2	BROOKLYN	RAPID PETROLEUM	-.0512 GAL. 2.1840 GAL.
2887052	13.0	#2	S.I.	RAPID PETROLEUM	-.0512 GAL. 2.2275 GAL.
2887053	10.0	#2	QUEENS	METRO FUEL OIL CORP.	-.0512 GAL. 2.2173 GAL.
2887169	1.0	#2B5	CITY WIDE BY TW	METRO FUEL OIL CORP.	-.0522 GAL. 2.5916 GAL.
2887105	8.0	#2DHS	BARGE M.T.F. 111	SPRAGUE ENERGY CORP	-.0512 GAL. 2.4701 GAL.
2887106	9.0	#2DHS	BARGE WI	METRO FUEL OIL CORP.	-.0512 GAL. 2.3815 GAL.
2887301	1.0	#2DLS	BARGE ST. GEORGE	METRO FUEL OIL CORP.	-.0622 GAL. 2.5087 GAL.
2887301	3.0	#2DLS	P/U	METRO FUEL OIL CORP.	-.0622 GAL. 2.3715 GAL.
2887302	4.0	#2DLS	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-.0622 GAL. 2.4932 GAL.
2887105	1.0	#2DULS	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-.0634 GAL. 2.3777 GAL.
2887105	1.1	#2DULS	P/U	SPRAGUE ENERGY CORP.	-.0634 GAL. 2.3427 GAL.
2887301	2.0	#2DULS	BARGE ST. GEORGE	METRO FUEL OIL CORP.	-.0634 GAL. 2.4574 GAL.
2887086	4.0	#2DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-.0649 GAL. 2.4565 GAL.
2887087	8.0	#2DULSB20	P/U	METRO FUEL OIL CORP.	-.0649 GAL. 2.8073 GAL.
2887086	2.0	#2DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-.0637 GAL. 2.4216 GAL.
2887105	10.0	#2DULSB5	BARGE ST. GEORGE	SPRAGUE ENERGY CORP	-.0637 GAL. 2.9569 GAL.
2887159	6.0	#2DULSB5	P/U	METRO FUEL OIL CORP.	-.0637 GAL. 2.4693 GAL.
3087065	2.0	#2DULSB50	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-.0672 GAL. 2.9412 GAL.
2887274	7.0	#2DULSDISP	DISPENSED	SPRAGUE ENERGY CORP.	-.0634 GAL. 2.7046 GAL.
2887052	2.0	#4	MANH	RAPID PETROLEUM	-.0581 GAL. 1.9850 GAL.
2887052	5.0	#4	BRONX	RAPID PETROLEUM	-.0581 GAL. 1.9884 GAL.
2887052	8.0	#4	BROOKLYN	RAPID PETROLEUM	-.0581 GAL. 1.9992 GAL.
2887052	14.0	#4	S.I.	RAPID PETROLEUM	-.0581 GAL. 2.0322 GAL.
2887053	11.0	#4	QUEENS	METRO FUEL OIL CORP.	-.0581 GAL. 2.0040 GAL.
2887052	3.0	#6	MANH	RAPID PETROLEUM	-.0626 GAL. 1.8609 GAL.
2887052	6.0	#6	BRONX	RAPID PETROLEUM	-.0626 GAL. 1.8609 GAL.
2887052	9.0	#6	BROOKLYN	RAPID PETROLEUM	-.0626 GAL. 1.8759 GAL.
2887052	15.0	#6	S.I.	RAPID PETROLEUM	-.0626 GAL. 1.9119 GAL.
2887054	12.0	#6	QUEENS	CASTLE OIL CORPORATION	-.0626 GAL. 1.8800 GAL.
2787347	1.0	JETA	FLOYD BENNETT	SPRAGUE ENERGY CORP	-.0467 GAL. 2.9212 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6470
FUEL OIL, PRIME AND START**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/17/2010
3087154	1.0	#2	MANH	F & S PETROLEUM CORP.	-.0512 GAL. 2.3011 GAL.
3087154	79.0	#2	BRONX	F & S PETROLEUM CORP.	-.0512 GAL. 2.3011 GAL.
3087154	157.0	#2	BKLYN, QUEENS, SI	F & S PETROLEUM CORP.	-.0512 GAL. 2.3811 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6471
FUEL OIL AND REPAIRS**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/17/2010
3087115	1.0	#2	MANH & BRONX	PACIFIC ENERGY	-.0512 GAL. 2.1265 GAL.
3087115	80.0	#2	BKLYN, QUEENS, SI	PACIFIC ENERGY	-.0512 GAL. 2.1317 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6472
GASOLINE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 5/17/2010
2687312	2.0	E85	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-.0105 GAL. 2.1617 GAL.
2787192	7.0	PREM	CITY WIDE BY TW	METRO TERMINALS	-.0611 GAL. 2.4309 GAL.
2887274	6.0	PREM	CITY WIDE BY VEHICLE	SPRAGUE ENERGY CORP.	-.0611 GAL. 2.6644 GAL.
2787192	1.0	U.L.	CITY WIDE BY TW	METRO TERMINALS	-.0556 GAL. 2.2584 GAL.
2887274	1.0	U.L.	MANH P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.0556 GAL. 2.6295 GAL.
2887274	2.0	U.L.	BX P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.0556 GAL. 2.5295 GAL.
2887274	3.0	U.L.	BR P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.0556 GAL. 2.5295 GAL.
2887274	4.0	U.L.	QNS P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.0556 GAL. 2.5295 GAL.
2887274	5.0	U.L.	S.I. P/U BY VEHICLE	SPRAGUE ENERGY CORP.	-.0556 GAL. 2.5295 GAL.

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COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on May 25, 2010 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
18	15961	p/o 76
19	15961	p/o 74
20	15961	p/o 72
21	15961	p/o 70
22	15961	p/o 69
23	15961	p/o 68
26	15960	p/o 57

Acquired in the proceeding, entitled; Beach 43, 44 and 45 and Conch Drive, et al subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN C. LIU
Comptroller

m11-25

FINANCE

■ NOTICE

NOTICE OF INTEREST RATES ON NEW YORK CITY INCOME AND EXCISE TAXES AND ANNUAL VAULT CHARGE

Pursuant to the power vested in the Commissioner of Finance by §11-537(f)(1), §11-687(5)a, §11-715(h)(1), §11-817(g)(1), §11-905(g) (1), §11-1114(g) (1), §11-1213(g) (1), §11-1317(d)(2), §11-1413 (g)(1), §11-1515(g)(1), §11-2114(g)(1), §11-2414(g)(1), §11-2515(g)(1), and §11-2714(g)(1) of the Administrative Code of the City of New York, notice is hereby given of the interest rates to be set for the period July 1, 2010 through September 30, 2010 for underpayments and, where applicable, overpayments of New York City income and excise taxes and the Annual Vault Charge.

Interest on overpayments of the following taxes that remain or become overpaid on or after July 1, 2010 is to be paid at the rate of 3%:

City Business Taxes (General Corporation Tax and Banking Corporation Tax)
(Chapter 6 of Title 11 of the Administrative Code of the City of New York)

City Unincorporated Business Income Tax
(Chapter 5 of Title 11 of the Administrative Code of the City of New York)

Tax upon Foreign and Alien Insurers
(Chapter 9 of Title 11 of the Administrative Code of the City of New York)

Interest on underpayments of the following taxes and charges that remain or become underpaid on or after July 1, 2010 is to be paid at the rate of 8%:

City Unincorporated Business Income Tax
(Chapter 5 of Title 11 of the Administrative Code of the City of New York)

City Business Taxes (General Corporation Tax and Banking Corporation Tax)
(Chapter 6 of Title 11 of the Administrative Code of the City of New York)

Commercial Rent or Occupancy Tax
(Chapter 7 of Title 11 of the Administrative Code of the City of New York)

Tax on Commercial Motor Vehicles and Motor Vehicles for Transportation of Passengers
(Chapter 8 of Title 11 of the Administrative Code of the City of New York)

Tax Upon Foreign and Alien Insurers
(Chapter 9 of Title 11 of the Administrative Code of the City of New York)

Utility Tax
(Chapter 11 of Title 11 of the Administrative Code of the City of New York)

Horse Race Admissions Tax
(Chapter 12 of Title 11 of the Administrative Code of the City of New York)

Cigarette Tax
(Chapter 13 of Title 11 of the Administrative Code of the City of New York)

Tax on Transfer of Taxicab Licenses
(Chapter 14 of Title 11 of the Administrative Code of the City of New York)

Tax on Coin Operated Amusement Devices
(Chapter 15 of Title 11 of the Administrative Code of the City of New York)

Real Property Transfer Tax
(Chapter 21 of Title 11 of the Administrative Code of the City of New York)

Tax on Retail Licensees of the State Liquor Authority
(Chapter 24 of Title 11 of the Administrative Code of the City of New York)

Tax on Occupancy of Hotel Rooms
(Chapter 25 of Title 11 of the Administrative Code of the City of New York)

Annual Vault Charge
(Chapter 27 of Title 11 of the Administrative Code of the City of New York)

Questions regarding this notice may be directed to the New York City Department of Finance, Legal Affairs Division, 345 Adams Street, 3rd Floor, Brooklyn, New York, 11201 (718) 403-3600.

m21

TRANSPORTATION

■ NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON DEKALB AVENUE, BETWEEN FULTON STREET, BOND STREET AND ALBEE SQUARE, BOROUGH OF BROOKLYN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation (“DOT”) intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on DeKalb Avenue between Fulton Street, Bond Street and Albee Square in Brooklyn (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT’s prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT’s sole discretion.

DOT has identified the Fulton Mall Improvement Association as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

m13-j8

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON BROAD STREET, BETWEEN WALL STREET AND BEAVER STREET, BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation (“DOT”) intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on Broad Street between Wall Street and Beaver Street in Manhattan (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that

helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT’s prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT’s sole discretion.

DOT has identified the Alliance for Downtown New York as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

m13-j8

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON EAST FORDHAM ROAD, EAST KINGSBRIDGE ROAD AND CELIA CRUZ BOULEVARD, BOROUGH OF THE BRONX

Pursuant to the Concession Rules of the City of New York, the Department of Transportation (“DOT”) intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on East Fordham Road, East Kingsbridge Road and Celia Cruz Boulevard in the Bronx (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise within the Licensed Plaza.

The concessionaire shall issue solicitations in the basic form of a Request for Proposals or a Request for Bids to select entities that will operate and manage such subconcessions. The selection of the entities to operate and manage the subconcessions will be subject to DOT’s prior written approval.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT’s sole discretion.

DOT has identified the Fordham Road Business Improvement District as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by June 8, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

m13-j8

CHANGES IN PERSONNEL

COMMUNITY COLLEGE (QUEENSBORO)
FOR PERIOD ENDING 04/16/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
CASTRO	GISELLE	M 10102	\$12.1800	APPOINTED	YES	04/06/10
CHEE	CHRISTIN	10102	\$11.1100	APPOINTED	YES	03/29/10
CURLEY	MEGHAN	R 04689	\$38.9100	APPOINTED	YES	03/22/10
EARDLEY	JEANNE	04861	\$30305.0000	RETIRED	YES	03/30/10
FIACCO	ANTHONY	O 10102	\$10.9900	APPOINTED	YES	04/06/10

MCWALTERS	JENNETTE	M	04804	\$44874.0000	RETIRED	NO	04/03/10
PREVETE	JEAN	P	10102	\$10.9900	APPOINTED	YES	03/01/10
PUJIC	ERIKA AN	P	04294	\$77.8080	APPOINTED	YES	03/28/10
ROMANELLI	RALPH	P	04601	\$27.6900	APPOINTED	YES	01/27/10
SCHAEFER	ALPA	V	04625	\$64.8400	APPOINTED	YES	03/17/10
SHAMEEM	MADIHA	P	10102	\$11.1100	APPOINTED	YES	04/06/10
WILLIAMS	EDMOND	W	10102	\$18.0000	APPOINTED	YES	04/05/10

COMMUNITY COLLEGE (KINGSBORO)
FOR PERIOD ENDING 04/16/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ABREU	ANNERY	S	04017	\$40129.0000	APPOINTED	YES	04/04/10
ALFORD	TAHIRA	F	10102	\$9.7200	APPOINTED	YES	03/10/10
AMELKIN	JULIE	P	10102	\$12.1800	APPOINTED	YES	03/11/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes names like BOFFA, BRYAN, BURKE, etc.

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 04/16/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes names like ACHAMPONG, AHN, BAPTISTE, etc.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes names like WILLIAMS, ZAMPARO, BROWN, etc.

COMMUNITY COLLEGE (LAGUARDIA) FOR PERIOD ENDING 04/16/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes names like AYUDA, CAPEHART, DI MARCO, etc.

HUNTER COLLEGE HIGH SCHOOL FOR PERIOD ENDING 04/16/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes names like MARRERO, SABELLA, SOCOL-KREGSMAN, etc.

DEPARTMENT OF EDUCATION ADMIN FOR PERIOD ENDING 04/16/10

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes names like ANDRIA, ARDIS, ARONS, etc.

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LATE NOTICES

CITYWIDE ADMINISTRATIVE SERVICES

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 27, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Citywide Administrative Services of the City of New York and Dun and Bradstreet, Inc., dba D&B, 3 Sylvan Way, 1st Floor, Parsippany, NJ 07054, for the provision of Financial Information Subscription Services. The contract amount shall be \$1,933,971. The contract term shall be from July 1, 2010 to June 30, 2015. PIN #: 85701000458.

The proposed contract is a subscription for services, pursuant to Section 1-02 (f) (5) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Citywide Administrative Services, Division of Municipal Supply Services, Vendor Relations Unit, One Centre Street, 18th Floor, New York, NY 10007, on business days, excluding Legal Holidays, from May 21, 2010 to May 27, 2010, from 9:00 A.M. to 4:00 P.M.

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MAYOR'S OFFICE OF CONTRACT SERVICES

NOTICE

NOTICE OF FRANCHISE AND CONCESSION REVIEW COMMITTEE PUBLIC HEARING ON AGENCY CONCESSION PLANS

Notice of a Franchise and Concession Review Committee (FCRC) Public Hearing on Agency Concession Plans for Fiscal Year 2011 pursuant to Section 1-10 of the Concession Rules of the City of New York (Concession Rules), to be held on June 7, 2010, commencing at 2:30 P.M., and located at 22 Reade Street, Barish Room, Manhattan. At this hearing, the FCRC will further solicit comments about the provisions of the Concession Rules from the vendor community, civic groups and the public at large.

The following agencies submitted an Annual Concession Plan: the Department of Parks and Recreation, the Department of Citywide Administration Services, the Department of Transportation, the Department of Corrections, the Department of Probation, the New York Police Department, the Department of Housing Preservation and Development, the Department of Homeless Services, the Department of Environmental Protection, the Department of Health and Mental Hygiene, the Department of Records and Information Services, the New York City Office of Chief Medical Examiner, the New York City Economic Development Corporation on behalf of the Department of Small Business Services, and NYC & Company on behalf of the Department of Small Business Services.

The portfolio of Agency Concession Plans covers significant and non-significant concessions expiring, continuing and anticipated for solicitation or initiation in Fiscal Year 2011. Furthermore, the portfolio covers:

- Department of Parks and Recreation: mobile food units, food service facilities, golf courses, driving ranges, marinas, tennis professionals, Christmas trees, parking lots, markets, concerts, newsstands, stables, gas stations, amusement venues, ice skating rinks, carousels, ferry services, bike rentals, circus, sailboat rentals, souvenirs and gifts.
● Department of Citywide Administrative Services: maritime and non-maritime occupancy permits.
● Department of Transportation: food kiosks, vending machines, pedestrian plazas, food courts.
● Department of Corrections: commissary services, food court, lockers.
● Department of Probation: advertising and marketing software.
● New York City Police Department: vending machines.
● Department of Housing Preservation and Development: vending machines.
● Department of Homeless Services: athletic facilities.
● Department of Environmental Protection: gas purification.
● Department of Health and Mental Hygiene: drug discount card program, café.
● Department of Records and Information Services: publication of record collections.
● New York City Office of the Chief Medical Examiner: DNA swab kit.
● New York City Economic Development Corporation on behalf of the Department of Small Business Services: parking lots, maritime and non-maritime occupancy permits.
● NYC & Company on behalf of the Department of Small Business Services: marketing, advertising, intellectual property & trademark merchandising.

Interested parties may obtain a copy of the Agency

Concession Plans by contacting Adam Buchanan by phone at (212) 788-0023 or via email at abuchanan@cityhall.nyc.gov. Hard copies will be provided at a cost of \$.25 per page by check or money order made payable to the New York City Department of Finance. Upon request, a PDF version of the Agency Concession Plans is available free of cost. The FCRC shall consider the issues raised at the Public Hearing in accordance with the procedures set forth in the Charter under the City Administrative Procedure Act.

m21-j7

HOUSING AUTHORITY

SOLICITATIONS

Goods & Services

GSD - REPROGRAPHIC SERVICES - CAPITAL PROJECTS ADMINISTRATION - Competitive Sealed Bids - PIN# 26801 - DUE 06-04-10 AT 10:50 A.M. - Vendor shall have the ability to receive, scan, print, and distribute bid sets as required by the Authority. The vendor shall provide a site within the five boroughs, with hours between 8:30 A.M. - 5:00 P.M. for contractors/bidders to pick up contract documents and maintain a bid Package Reception Desk for the distribution of Authority contract documents. This is a five (5) year contract; the Authority shall have the sole discretion to terminate the contract at any time for its convenience upon not fewer than five (5) days prior written notice to the vendor of the Authority's intention to terminate the contract.

Interested firms may obtain a copy and submit it on NYCHA's website: Doing Business with NYCHA. Http://www.nyc.gov/html/nycha/html/business/business.shtml Vendors are instructed to access the "Register Here" link for "New Vendors"; if you have supplied goods or services to NYCHA in the past and you have log-in credentials click the "Log into iSupplier" link under "Existing Vendor." If you do not have your log-in credentials, click the "Request a Log-in ID" using the link under "Existing Vendor." Upon access, reference applicable RFQ number per solicitation.

Vendors electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS - Money order/Certified check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A bid package will be generated at time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Housing Authority, 90 Church Street, 12th Fl., New York, NY 10007. Sabrina Steverson (212) 306-6771, sabrina.steverson@nycha.nyc.gov

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READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

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

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

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

- Online at <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/9New contractor needed for changed/additional work
- NA/10.....Change in scope, essential to solicit one or limited number of contractors
- NA/11.....Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12.....Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1Prevent loss of sudden outside funding
- WA2Existing contractor unavailable/immediate need
- WA3Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F.....Federal
- IG/S.....State
- IG/OOther
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A.....Life
- EM/B.....Safety
- EM/C.....Property
- EM/D.....A necessary service
- AC **Accelerated Procurement/markets with** significant short-term price fluctuations
- SCE..... **Service Contract Extension/insufficient time;** necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a.....anti-apartheid preference
- OLB/b.....local vendor preference
- OLB/crecycled preference
- OLB/d.....other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

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

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

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

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

☛ m27-30

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

NUMBERED NOTES

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