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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, January 5, 2011 at 10:00 A.M.

BOROUGH OF THE BRONX
Nos. 1 & 2
WEBSTER AVENUE/BEDFORD PARK/NORWOOD
REZONING
No. 1

CDs 7 & 12 **C110085 ZMX**
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 1d and 3c:

1. eliminating from within an existing R7-1 District a C13 District bounded by:
 - a. line 100 feet southwesterly of East Gun Hill Road, Reservoir Place, a line 150 feet southwesterly of East Gun Hill Road, and Putnam Place;
 - b. a line 100 feet southerly of East Gun Hill Road, a line midway between Decatur Avenue and Webster Avenue, a line 150 feet southerly of East Gun Hill Road, and Perry Avenue;
 - c. East 207th Street-Msgr. John C. McCarthy Place and its westerly centerline prolongation, a line 150 feet easterly of Bainbridge Avenue, East 205th Street, a line 150 feet northeasterly of East 204th Street, a line 100 feet southeasterly of Decatur Avenue, a line 100 feet northeasterly of East 204th Street, Webster Avenue, a line 100 feet southwesterly of East 204th Street, a line midway between Decatur Avenue and Webster Avenue, a line 150 feet southwesterly of East 204th Street, Bainbridge Avenue, and a line midway between Rochambeau Avenue and Bainbridge Avenue;
 - d. Valentine Avenue, a line 150 feet northeasterly of East 198th Street, Bainbridge Avenue, and line 100 feet

2. eliminating from within an existing R7-1 District a C2-3 District bounded by:
 - a. Van Courtlandt Avenue East and its northeasterly centerline prolongation, Reservoir Oval East, a line 150 feet easterly of Bainbridge Avenue, East 207th Street-Msgr. John C. McCarthy Place and its westerly centerline prolongation, and a line midway between Rochambeau Avenue and Bainbridge Avenue;
 - b. a line 100 feet southeasterly of Decatur Avenue, East 205th Street, Webster Avenue, and a line 100 feet northeasterly of East 204th Street;
 - c. a line 100 feet northwesterly of Webster Avenue, East 201st Street, Webster Avenue, and a line 150 feet northeasterly of Bedford Park Boulevard;
 - d. a line 100 feet northwesterly of Webster Avenue, a line 100 feet southwesterly of Bedford Park Boulevard, Webster Avenue, and East 197th Street; and
 - e. East 194th Street, Webster Avenue, a line 100 feet southwesterly of East 193rd Street, and a line 100 feet northwesterly of Decatur Avenue;
3. eliminating from within an existing R8 District a

4. changing from an R7-1 District to an R4A District property bounded by East 193rd Street, a line 150 feet northwesterly of Decatur Avenue, a line 100 feet southwesterly of East 193rd Street, a line 300 feet northerly of East Fordham Road and its easterly prolongation, and Marion Avenue;
5. changing from an C4-4 District to an R4A District property bounded by a line 300 feet northwesterly of East Fordham Road and its easterly prolongation, a line 100 feet northwesterly of Decatur Avenue, a line perpendicular to the northwesterly street line of Marion Avenue distant 280 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Marion Avenue and the northerly street line of East Fordham Road, and Marion Avenue;
6. changing from an R7-1 District to an R5A District property bounded by:
 - a. East 210th Street, Bainbridge Avenue, a line 100 feet southwesterly of East 210th Street, a line midway between Bainbridge Avenue and Reservoir Oval West, a line perpendicular to the northwesterly street line of Reservoir Oval West distant 320 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of Reservoir Oval West and the southwesterly street line of East 210th Street, Reservoir Oval West, East 208th Street, and a line midway between Rochambeau Avenue and Bainbridge Avenue;
 - b. East 207th Street, a line perpendicular to East 206th Street distant 315 feet westerly (as measured along the street line) from the point of intersection of northerly street line of East 206th Street and the westerly street line of Perry Avenue, East 206th Street, and a line 100 feet easterly of Bainbridge Avenue;
 - c. Hull Avenue, a line perpendicular to the southeasterly street line of Hull Avenue distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Hull Avenue and the southwesterly street line of East 207th Street, a line midway between Hull Avenue and Decatur Avenue, and a line perpendicular to the southeasterly street line of Hull Avenue distant 450 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Hull Avenue and the southwesterly street line of East 207th Street;
 - d. Hull Avenue, a line 270 feet southwesterly of East 205th Street, a line midway between Hull Avenue and Decatur Avenue, a line 210 feet southwesterly of East 205th Street, Decatur Avenue, and a line 100 feet northeasterly of East 204th Street;
 - e. East 201st Street, Bainbridge Avenue, a line 100 feet northeasterly of Bedford Park Boulevard, a line midway between Briggs Avenue and Bainbridge Avenue, a line 100 feet southwesterly of East 201st Street, and a line 70 feet southeasterly of Briggs Avenue;
 - f. East 201st Street, a line 120 feet northwesterly of Webster Avenue, a line

C2-3 District bounded by a line 100 feet northwesterly of Webster Avenue, East Mosholu Parkway South, Webster Avenue, and East 201st Street;

- perpendicular to the southeasterly street line of Decatur Avenue distant 275 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Decatur Avenue and the southwesterly street line of East 201st Street, Decatur Avenue, a line 100 feet northeasterly of Bedford Park Boulevard, a line midway between Marion Avenue and Decatur Avenue, a line perpendicular to northwesterly street line of Decatur Avenue distant 130 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of Decatur Avenue and the southwesterly street line of East 201st Street, and Decatur Avenue;
- g. East 198th Street, a line 100 feet northwesterly of Marion Avenue, East 196th Street, Bainbridge Avenue, a line 100 feet southwesterly of East 198th Street, and a line 100 feet southeasterly of Bainbridge Avenue; and
- h. a line 260 feet northeasterly of East 194th Street, a line 150 feet northwesterly of Marion Avenue, a line 100 feet northeasterly of East 194th Street, and a line midway between Briggs Avenue and Valentine Avenue;
7. changing from an R8 District to an R5A District property bounded by a line 100 feet southwesterly of east Mosholu Parkway South, a line 125 feet northwesterly of Perry Avenue, a line 100 feet northeasterly of East 201st Street, Perry Avenue, East 201st Street, a line 90 feet northwesterly of Bainbridge Avenue, a line 100 feet northeasterly of East 201st Street, and Bainbridge Avenue;
8. changing from an R7-1 District to an R5B District property bounded by:
- a. a line 100 feet southwesterly and southerly of East Gun Hill Road, a line midway between Perry Avenue and Hull Avenue, a line 200 feet northeasterly of East 209th Street, Perry Avenue, a line 375 feet northeasterly of Holt Place, Reservoir Oval East, and Putnam Place;
- b. a line 50 feet southwesterly of East 209th Street, a line 100 feet southeasterly of Decatur Avenue, East 207th Street, a line midway between Perry Avenue and Hull Avenue, a line 350 feet southwesterly of East 209th Street, Perry Avenue, Holt Place, Reservoir Oval East, a line 200 feet northeasterly of Holt Place, Perry Avenue, a line 100 feet southwesterly of East 209th Street, and Hull Avenue;
- c. East 207th Street- Msgr. John C. McCarthy Place, Perry Avenue, a line 220 feet northeasterly of East 205th Street, a line midway between Perry Avenue and Hull Avenue, a line 55 feet northeasterly of East 205th Street, Hull Avenue, a line 100 feet northeasterly of East 204th Street, a line 100 feet easterly of Bainbridge Avenue, East 206th Street, and a line perpendicular to the northerly street line of East 206th Street distant 315 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of East 206th Street and the northwesterly street line of Perry Avenue;
- d. a line 120 feet southwesterly of East 205th Street, a line 120 feet northwesterly of Webster Avenue, a line 100 feet northeasterly of East 204th Street, and Decatur Avenue;
- e. Bainbridge Avenue, East 201st Street, a line 110 feet northwesterly of Marion Avenue, a line perpendicular to the southeasterly street line of Perry Avenue distant 180 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Perry Avenue and the southwesterly street line of East 201st Street, Perry Avenue, a line 100 feet northeasterly of Bedford Park Boulevard, a line 100 feet southeasterly of Bainbridge Avenue, and a line perpendicular to the southeasterly street line of Bainbridge Avenue distant 195 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Bainbridge Avenue and the southwesterly street line of East 201st Street;
- f. Valentine Avenue, a line 100 feet southwesterly of East 199th Street, a line 125 feet southeasterly of Briggs Avenue, a line perpendicular to the southeasterly street line of Briggs Avenue distant 325 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Briggs Avenue and the southwesterly street line of East 199th Street, Bainbridge Avenue, and a line 100 feet northeasterly of East 198th Street;
- g. Marion Avenue, East 199th Street, a line 80 feet northwesterly of Decatur Avenue, Oliver Place, Decatur Avenue, East 198th Street, a line 100 feet southeasterly of Decatur Avenue, a line 130 feet northeasterly of East 197th Street, Decatur Avenue, a line 150 feet southwesterly of East 198th Street, a line 90 feet northwesterly of Decatur Avenue, East 197th Street, a line 60 feet northwesterly of Decatur Avenue, a line 75 feet southwesterly of East 197th Street, Marion Avenue, and East 197th Street, a line 100 feet westerly of Marion Avenue, and East 198th Street; and
- h. a line 320 feet southwesterly of East 196th Street, a line 110 feet southeasterly of Bainbridge Avenue, a line 450 feet northeasterly of East 194th Street, Marion Avenue, East 195th Street, a line 175 feet southeasterly of Marion Avenue, a line 350 feet northeasterly of East 194th Street, a line 150 feet northwesterly of Marion Avenue, a line 260 feet northeasterly of East 194th Street, and a line midway between Briggs Avenue and Valentine Avenue;
9. changing from an R7-1 District to an R5D District property bounded by the westerly centerline prolongation of East 207th Street- Msgr. John C. McCarthy Place, Bainbridge Avenue, East 205th Street, a line 100 feet northeasterly of East 204th Street, a line 120 feet northwesterly of Webster Avenue, East 204th Street, a line midway between Decatur Avenue and Webster Avenue, a line 100 feet southwesterly of East 204th Street, Bainbridge Avenue, and a line midway between Rochambeau Avenue and Bainbridge Avenue;
10. changing from an R7-1 District to an R6B District property bounded by:
- a. a line 100 feet southerly of East Gun Hill Road, a line midway between Hull Avenue and Decatur Avenue, a line 305 feet northeasterly of East 209th Street, Decatur Avenue, a line 250 feet northeasterly of East 209th Street, a line 100 feet southeasterly of Decatur Avenue, a line 50 feet northeasterly of East 209th Street, Decatur Avenue, a line 75 feet northeasterly of East 209th Street, and Hull Avenue;
- b. a line 100 feet northwesterly of Bainbridge Avenue, a line midway between Rochambeau Avenue and Bainbridge Avenue, Bainbridge Avenue, a line 100 feet southwesterly of East 204th Street, a line midway between Decatur Avenue and Webster Avenue, a line 100 feet northeasterly of East Mosholu Parkway North, a line 400 feet southwesterly of East 204th Street, Bainbridge Avenue, and East Mosholu Parkway North, a line 110 feet northwesterly of Bainbridge Avenue, and Rochambeau Avenue;
- c. East 197th Street, Bainbridge Avenue, a line 150 feet southwesterly of East 197th Street, Briggs Avenue, a line 100 feet northeasterly of East 196th Street, and a line midway between Valentine Avenue and Briggs Avenue; and
- d. East 193rd Street, Marion Avenue, a line perpendicular to the northwesterly street line of Marion Avenue distant 460 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Marion Avenue and the northerly street line of East Fordham Road, Bainbridge Avenue, a line 100 feet northeasterly of Coles Lane, a line 85 feet northwesterly of Bainbridge Avenue, a line 125 feet northeasterly of Coles Lane, Briggs Avenue, a line 470 feet northeasterly of Coles Lane, and Bainbridge Avenue;
11. changing from an R7-1 District to an R7A District property bounded by:
- a. East Gun Hill Road, a line midway between Decatur Avenue and Webster Avenue, a line 100 feet southerly and southwesterly of East Gun Hill Road, and Putnam Place;
- b. Van Courtlandt Avenue East, Reservoir Oval East, a line 100 feet easterly of Bainbridge Avenue, East 205th Street, Bainbridge Avenue, the westerly centerline prolongation of East 207th Street- Msgr. John C. McCarthy Place, a line midway between Rochambeau Avenue and Bainbridge Avenue, a line 100 feet southeasterly of Van Courtlandt Avenue East, a line 100 feet easterly of easterly and northeasterly of East Mosholu Parkway North, a line 110 feet northwesterly of Bainbridge Avenue, and East Mosholu Parkway North;
- c. Bainbridge Avenue, a line 400 feet southwesterly of East 204th Street, a line 100 feet northeasterly of East Mosholu Parkway North, a line midway between Decatur Avenue and Webster Avenue, and East Mosholu Parkway North; and
- d. Valentine Avenue, a line 100 feet northeasterly of Bedford Park Boulevard, Bainbridge Avenue, a line perpendicular to the southeasterly street line of Bainbridge Avenue distant 195 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Bainbridge Avenue and the southwesterly street line of East 201st Street, a line 100 feet northeasterly of Bedford Park Boulevard, Decatur Avenue, a line perpendicular to the southeasterly street line of Decatur Avenue distant 275 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Decatur Avenue and the southwesterly street line of East 201st Street, a line 120 feet northwesterly of Webster Avenue, a line 100 feet southwesterly of Bedford Park Boulevard, Marion Avenue, a line 190 feet northeasterly of East 198th Street, Bainbridge Avenue, and a line 100 feet southwesterly of Bedford Park Boulevard;
12. changing from an R7-1 District to an R7B District property bounded by:
- a. a line 100 feet southwesterly of East Gun Hill Road, Hull Avenue, a line 75 feet northeasterly of East 209th Street, Decatur Avenue, a line 50 feet northeasterly of East 209th Street, a line 100 feet southeasterly of Decatur Avenue, a line 250 feet northeasterly of East 209th Street, Decatur Avenue, a line 305 feet northeasterly of East 209th Street, a line midway between Hull Avenue and Decatur Avenue, a line 100 feet southerly of East Gun Hill Road, a line midway between Decatur Avenue and Webster Avenue, the northwesterly centerline prolongation of East 210th Street, Webster Avenue, a line 130 feet northeasterly of East 205th Street, a line 100 feet southeasterly of Decatur Avenue, East 205th Street, a line 120 feet northwesterly of Webster Avenue, a line 120 feet southwesterly of East 205th Street, Decatur Avenue, a line 210 feet southwesterly of East 205th Street, a line midway between Hull Avenue and Decatur Avenue, a line 270 feet southwesterly of East 205th Street, Hull Avenue, a line 55 feet northeasterly of East 205th Street, a line midway between Perry Avenue and Hull Avenue, a line 220 feet northeasterly of East 205th Street, Perry Avenue, East 207th Street- Msgr. John C. McCarthy Place, a line 100 feet easterly of Bainbridge Avenue, Reservoir Oval East, Holt Place, Perry Avenue, a line 350 feet southwesterly of East 209th Street, a line midway between Perry Avenue and Hull Avenue, East 207th Street, a line 100 feet southeasterly of Decatur Avenue, a line 50 feet southwesterly of East 209th Street, Hull Avenue, a line 100 feet southwesterly of East 209th Street, Reservoir Oval East, a line 375 feet northeasterly of Holt Place, Perry Avenue, a line 200 feet northeasterly of East 209th Street, and a line midway between Hull Avenue and Perry Avenue; and excluding the area bounded by Hull Avenue, a line perpendicular to the southeasterly street line of Hull Avenue distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Hull Avenue and the southwesterly street line of East 207th Street, a line midway between Hull Avenue and Decatur Avenue, and a line perpendicular to the southeasterly street line of Hull Avenue distant 450 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Hull Avenue and the southwesterly street line of East 207th Street;
- b. a line 100 feet southerly of Van Courtlandt Avenue, a line midway between Bainbridge Avenue and Rochambeau Avenue, a line 100 feet northwesterly of Bainbridge Avenue, and a line 100 feet easterly of East Mosholu Parkway North;
- c. East 201st Street, a line 70 feet southeasterly of Briggs Avenue, a line 100 feet southwesterly of East 201st Street, a line midway between Briggs Avenue and Bainbridge Avenue, a line 100 feet northeasterly of Bedford Park Boulevard, and Valentine Avenue;
- d. Valentine Avenue, a line 100 feet southwesterly of Bedford Park Boulevard, Bainbridge Avenue, a line perpendicular to the southeasterly street line of Briggs Avenue distant 325 feet southwesterly (as measured along the street line) from the

- point of intersection of the southeasterly street line of Briggs Avenue and the southwesterly street line of East 199th Street, a line 125 feet southeasterly of Briggs Avenue, and a line 100 feet southwesterly of East 199th Street;
- e. Perry Avenue, a line perpendicular to the southeasterly street line of Perry Avenue distant 180 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Perry Avenue and the southwesterly street line of East 201st Street, a line 110 feet northwesterly of Marion Avenue, East 201st Street, Decatur Avenue, a line perpendicular to northwesterly street line of Decatur Avenue distant 130 feet southwesterly (as measured along the street line) from the point of intersection of the northwesterly street line of Decatur Avenue and the southwesterly street line of East 204th Street, a line midway between Marion Avenue and Decatur Avenue, and a line 100 feet northeasterly and easterly of Bedford Park Boulevard;
- f. Marion Avenue, a line 100 feet southwesterly of Bedford Park Boulevard, a line 120 feet northwesterly of Webster Avenue, East 198th Street, Decatur Avenue, Oliver Place, a line 80 feet northeasterly of Decatur Avenue, and East 199th Street;
- g. Valentine Avenue, a line 100 feet northeasterly of East 198th Street, Bainbridge Avenue, a line 190 feet northeasterly of East 198th Street, Marion Avenue, East 198th Street, a line 100 feet southeasterly of Bainbridge Avenue, a line 100 feet southwesterly of East 198th Street, Bainbridge Avenue, East 197th Street, a line midway between Valentine Avenue and Briggs Avenue, a line 100 feet northwesterly of East 196th Street, Briggs Avenue, a line 150 feet southwesterly of East 197th Street, Bainbridge Avenue, East 196th Street, a line 100 feet northwesterly of Marion Avenue, East 197th Street, Marion Avenue, a line 75 feet southwesterly of East 197th Street, a line 60 feet northwesterly of Decatur Avenue, East 197th Street, a line 90 feet northwesterly of Decatur Avenue, a line 150 feet southwesterly of East 198th Street, Decatur Avenue, a line 130 feet northeasterly of East 197th Street, a line 100 feet southeasterly of Decatur Avenue, East 197th Street, a line midway between Decatur Avenue and Webster Avenue, East 194th Street, Decatur Avenue, a line 100 feet southwesterly of East 193rd Street, a line 150 feet northwesterly of Decatur Avenue, East 193rd Street, Bainbridge Avenue, a line 470 feet northeasterly of Coles Lane, Briggs Avenue, a line 100 feet northeasterly of East 194th Street, a line 150 feet northwesterly of Marion Avenue, a line 350 feet northeasterly of East 194th Street, a line 175 feet southeasterly of Marion Avenue, East 195th Street, Marion Avenue, a line 450 feet northeasterly of East 194th Street, a line 110 feet southeasterly of Bainbridge Avenue, a line 320 feet southwesterly of East 196th Street, a line midway between Valentine Avenue and Briggs Avenue, and a line 100 feet northeasterly of East 194th Street; and
- h. a line 125 feet northeasterly of Coles Lane, Poe Place, a line 100 feet northeasterly of Coles Lane, Bainbridge Avenue, a line perpendicular to the northwesterly street line of Marion Avenue distant 460 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Marion Avenue and the northerly street line of East Fordham Road, Marion Avenue, the westerly prolongation of a line 300 feet northerly of East Fordham Road, Bainbridge Avenue, Coles Lane, and Briggs Avenue;
- 13. changing from an C4-4 District to an R7B District property bounded by the westerly prolongation of a line 300 feet northerly of Fordham Road, Marion Avenue, and a line perpendicular to the northwesterly street line of Marion Avenue distant 280 feet northeasterly (as measured along the street line) from the point of intersection of the northwesterly street line of Marion Avenue and the northerly street line of East Fordham Road;
- 14. changing from an C8-2 District to an R7B District property bounded by a line 360 feet southerly of East Gun Hill Road, Webster Avenue, the westerly centerline prolongation of East 210th Street, and a line midway between Decatur Avenue and Webster Avenue;
- 15. changing from an R7-1 District to an R7D District property bounded by:
 - a. a line 130 feet northeasterly of East 205th Street, Webster Avenue, a line 100 feet southwesterly of East 204th Street, a line

- midway between Decatur Avenue and Webster Avenue, East 204th Street, a line 120 feet northwesterly of Webster Avenue, East 205th Street, and a line 100 feet southeasterly of Decatur Avenue;
- b. East 201st Street, Webster Avenue, Botanical Square, Webster Avenue, East 197th Street, a line 100 feet southeasterly of Decatur Avenue, East 198th Street, and a line 120 feet northwesterly of Webster Avenue;
- c. East 194th Street, Webster Avenue, a line 100 feet southwesterly of East 193rd Street, and Decatur Avenue;
- 16. changing from an C8-2 District to an R7D District property bounded by:
 - a. a line 320 feet northeasterly of the southeasterly prolongation of the northeasterly street line of East 205th Street, the southeasterly boundary line of a Rail Road right-of-way (New York and Harlem Rail Road), East Mosholu Parkway North and its southerly centerline prolongation, a line midway between Decatur Avenue and Webster Avenue, a line 100 feet southwesterly of East 204th Street, and Webster Avenue;
 - b. Webster Avenue, Botanical Square and its southeasterly centerline prolongation, the southeasterly boundary line of a Rail Road right-of-way (New York and Harlem Rail Road), and Bedford Park Boulevard; and
 - c. a line midway between Decatur Avenue and Webster Avenue, East 197th Street, Webster Avenue, and East 194th Street;
- 17. changing from a C8-2 District to a C4-4 District property bounded by a line 800 feet northeasterly of East Gun Hill Road, the southeasterly boundary line of a Rail Road right-of-way (New York and Harlem Rail Road), East Gun Hill Road, Newell Street, East 210th Street, Webster Avenue, a line 360 feet southwesterly of East Gun Hill Road, a line midway between Decatur Avenue and Webster Avenue, East 211th Street, and Webster Avenue;
- 18. changing from a C8-2 District to a C4-5D District property bounded by Bedford Park Boulevard, the southeasterly boundary line of a Rail Road right-of-way (New York and Harlem Rail Road), a line perpendicular to the centerline of a Rail Road right-of-way (New York and Harlem Rail Road) distant 1322 feet southwesterly (as measured along the Rail Road right-of-way) from the point of intersection of the centerline of a Rail Road right-of-way (New York and Harlem Rail Road) and the southwesterly street line of Bedford Park Boulevard, and Webster Avenue;
- 19. establishing within a proposed R5D District a C1-4 District bounded by the westerly centerline prolongation of East 207th Street-Msgr. John C. McCarthy Place, Bainbridge Avenue, East 205th Street, a line 100 feet northeasterly of East 204th Street, a line 120 feet northwesterly of Webster Avenue, East 204th Street, a line midway between Decatur Avenue and Webster Avenue, a line 100 feet southwesterly of East 204th Street, and a line midway between Rochambeau Avenue and Bainbridge Avenue;
- 20. establishing within a proposed R7A District a C1-4 District bounded by:
 - a. East 207th Street-Msgr. John C. McCarthy Place, a line 100 feet easterly of Bainbridge Avenue, East 205th Street, and Bainbridge Avenue; and
 - b. a line midway between Marion Avenue and Decatur Avenue, Bedford Park Boulevard, Decatur Avenue, a line 100 feet northeasterly of Bedford Park Boulevard, a line 120 feet northwesterly of Webster Avenue, and a line 100 feet southwesterly of Bedford Park Boulevard;
- 21. establishing within a proposed R7A District a C2-4 District bounded by Van Courtlandt Avenue East, Reservoir Oval East, a line 100 feet easterly of Bainbridge Avenue, East 207th Street, the westerly centerline prolongation of East 207th Street-Msgr. John C. McCarthy Place, and a line midway between Rochambeau Avenue and Bainbridge Avenue;
- 22. establishing within a proposed R7B District a C2-4 District bounded by a line 100 feet northwesterly of Decatur Avenue, a line midway between East 194th Street and East 193rd Street, Decatur Avenue, and a line 100 feet southwesterly of East 193rd Street;
- 23. establishing within a proposed R7D District a C2-4 District bounded by
 - a. a line 320 feet northeasterly of the southeasterly prolongation of the northeasterly street line of East 205th Street, the northwesterly boundary line of a Rail Road right-of-way (New York and Harlem Rail Road), a line 110 feet northeasterly of East 204th Street, a line 100 feet southeasterly of Webster Avenue, East Mosholu Parkway North and its southeasterly centerline prolongation, a line midway between Decatur Avenue and Webster Avenue, East 204th Street, a line

- 120 feet northwesterly of Webster Avenue, East 205th Street, a line 100 feet southeasterly of Decatur Avenue, a line 130 feet northeasterly of East 205th Street, and Webster Avenue; and
- b. East 201st Street, Webster Avenue, Botanical Square and its southeasterly centerline prolongation, the northwesterly boundary line of a Rail Road right-of-way (New York and Harlem Rail Road), Bedford Park Boulevard, Webster Avenue, a line 100 feet southwesterly of East 193rd Street, Decatur Avenue, East 194th Street, a line midway between Decatur Avenue and Webster Avenue, East 197th Street, a line 100 feet southeasterly of Decatur Avenue, East 198th Street, and a line 120 feet northwesterly of Webster Avenue; and
- 24. establishing within an existing R8 District a C2-4 District bounded by East Mosholu Parkway South, Webster Avenue, East 201st Street, and a line 120 feet northwesterly of Webster Avenue;

as shown on a diagram (for illustrative purposes only) dated September 27, 2010 and subject to the conditions of CEQR Declaration E249.

No. 2

CD 7 **N 110086 ZRX**
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Appendix F (Inclusionary housing designated areas).

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

Article II
Residence District Regulations

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

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

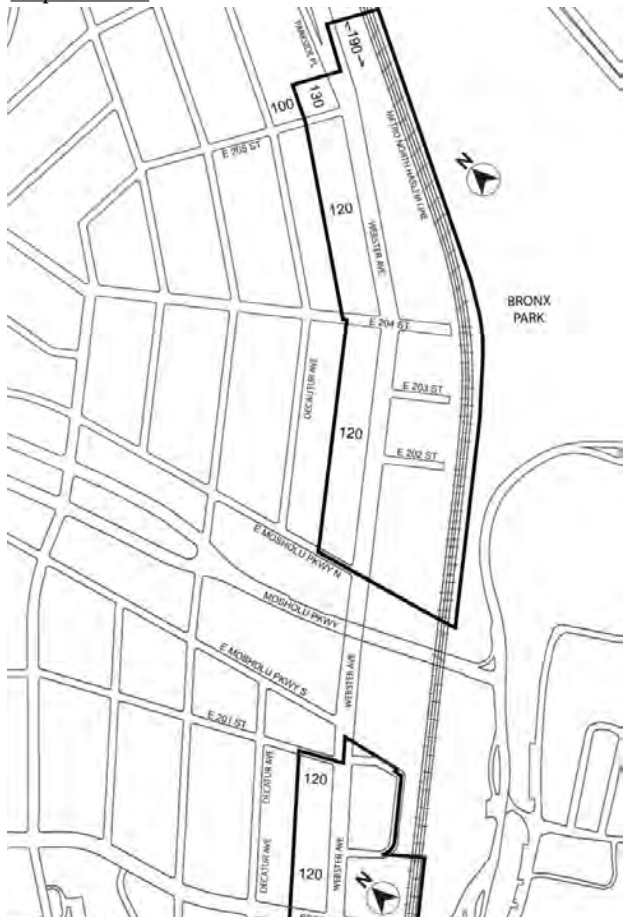
In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated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

Community District	Zoning District
Community District 1, Bronx	R6A R7-2 R7A R7X R8A
Community District 4, Bronx	R8A R9D
Community District 7, Bronx	R7D
Community District 1, Brooklyn	R6 R6A R6B R7A R7-3
Community District 2, Brooklyn	R7A R8A R9A
Community District 3, Brooklyn	R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R7A R8A
Community District 14, Brooklyn	R7A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 1, Queens	R7A
Community District 2, Queens	R7X

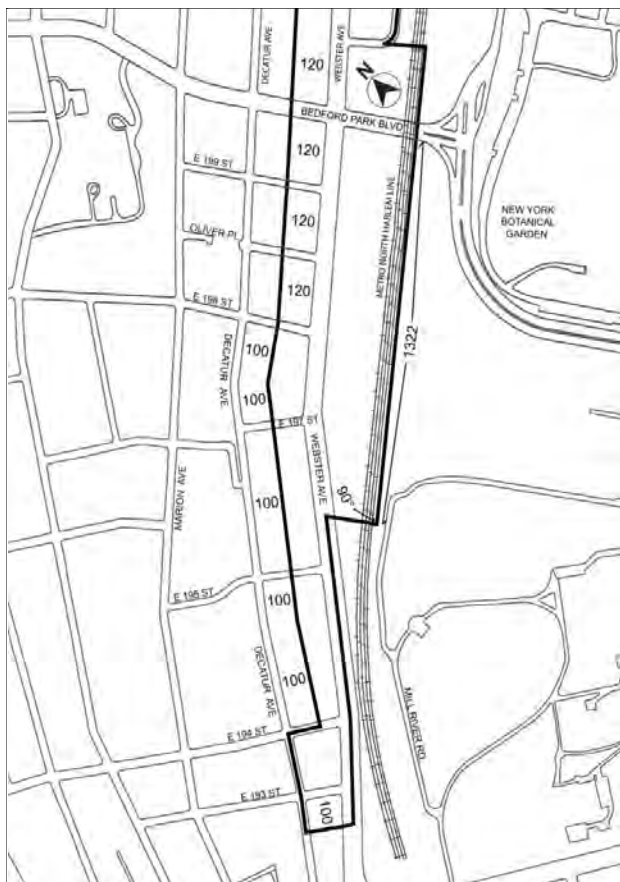
*** APPENDIX F: Inclusionary Housing Designated Areas ***

*** The Bronx ***
*** The Bronx Community District 7 ***

In the R7D Districts within the areas shown on the following Maps 1 and 2:



Map 1. Portion of Community District 7, Bronx



Map 2. Portion of Community District 7, Bronx

NOTICE

On Wednesday, January 5, 2011, 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 Webster Avenue Rezoning Draft Environmental Impact Statement (DEIS) concerning Amendments to the Zoning Map and the text of the Zoning Resolution (ZR) within the Bedford Park and Norwood neighborhoods of the Bronx. The zoning map amendment changes portions of 18 blocks currently zoned from C8-2, R7-1, R7-1/C1-3, and R7-1/C2-3 to R7D/C2-4, generally located along Webster Avenue north of East 193rd Street and south of East 205th Street; changes a portion of one block currently zoned C8-2 to C4-5D, generally located along Webster Avenue, north of East 195th Street and south of Bedford Park Boulevard; changes portions of four blocks from C8-2 to C4-4 and R7B generally located along Webster Avenue, north of East 210th Street and south of East 213th Street; changes portions of 71 blocks from R7-1, R7-1/C1-3, R7-1/C2-3, R8, R8/C2-3, and C4-4 to contextual districts R4A, R5A, R5B, R5D/C1-4, R6B, R7B, R7B/C1-3, R7B/C2-4, R7A, R7A/C1-3, R7A/C1-4, R7A/C2-4, and R8/C2-4 generally located northwest of Webster Avenue, North of Fordham Road, southeast of Valentine Avenue, east of Rochambeau Avenue, and south of East Gun Hill Road. The zoning text amendment will establish the Inclusionary Housing program in the R7D and C4-5D districts within the proposed rezoning area in Community District 7. The proposed action will rezone 80 blocks (known as "Webster Avenue Rezoning") generally bounded by the Metro-North Railroad Harlem Line right-of-way to the southeast, Fordham Road and East Kingsbridge Road to the southwest, the Grand Concourse and Jerome Avenue to the northwest, and East Gun Hill Road to the northeast located in Bronx Community Districts 7 and 12.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 10DCP035X.

BOROUGH OF BROOKLYN No. 3 WHYTHE AVENUE REZONING

CD 1 C 070245 ZMK
IN THE MATTER OF an application submitted by JBJ, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

- changing from an M3-1 District to an M1-4/R6A District property bounded by South 2nd Street, Wythe Avenue, South 3rd Street, and a line 210 feet northwesterly of Wythe Avenue; and
- establishing a Special Mixed Use District (MX-8) bounded by South 2nd Street, Wythe Avenue, South 3rd Street, and a line 210 feet northwesterly of Wythe Avenue;

as shown on a diagram (for illustrative purposes only) dated September 13, 2010 and subject to the conditions of CEQR Declaration E-261.

BOROUGH OF MANHATTAN No. 4 SOHO BID

CD 2 N 110128 BDM
IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the SoHo Business Improvement District pursuant to Section 25-405 of the Administrative Code of the City of New York, as amended, concerning the formation of the SoHo Business Improvement District.

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

d22-j5

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 16 - Tuesday, December 28, 2010 at 7:00 P.M., 444 Thomas S. Boyland Street, Brooklyn, NY

BSA# 218-10-BZ

123 East 98th Street

An application to the New York City Board of Standards and Appeals to allow a community facility, Use Group 3 school to occupy the first, second, third and fourth floors to a newly altered building in a C8-2 zoning district.

#C 070579ZMK

IN THE MATTER OF an application submitted by S&H Glazer Bros., Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, changing from a C8-2 district to an R6A district property.

d22-28

EDUCATIONAL CONSTRUCTION FUND

■ MEETING

The Trustees and Executive Director of the New York City Educational Construction Fund hereby provide notice of its Meeting to be held on **Thursday, December 23, 2010**. This meeting will take place at the offices of the New York City Office of Management and Budget, 75 Park Place, New York, NY, in Conference Room 6M-4. The meeting time is 2:00 P.M.

For information contact Juanita Rosillo at (718) 472-8285.

d21-23

HEALTH AND MENTAL HYGIENE

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise Concession Review Committee and the New York City Department of Health and Mental Hygiene ("DOHMH") to be held on Monday, January 10, 2011 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession the right to use the City Seal, City names and logos in connection with the development, operation and promotion of the New York City Drug Discount Card Program in accordance with Local Law 19 of 2005 ("Program") for one (1) three-year term, with options to renew for a term or terms not to exceed an aggregate of three (3) years, to HealthTran, LLC (d/b/a HealthTrans). Under the Program, HealthTrans will develop a prescription discount card that all City residents may present to a pharmacist in order to receive discounted prescription medication. The City shall receive no monetary compensation from the Concessionaire, however, the concessionaire shall be responsible for developing, operating and promoting the Program and for covering all costs pertaining to the same, including all advertising and publicity costs.

LOCATION: A draft of the Concession Agreement may be reviewed or obtained at no cost, commencing on Monday, January 3, 2011 through Monday, January 10, 2011, between the hours of 9:00 A.M. to 5:00 P.M., excluding weekends and holidays at the NYC Department of Health and Mental Hygiene, located at 93 Worth Street, Room 812, New York, NY 10013.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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

d23

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, January 11, 2011 at 9:30 AM**, at the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmark and Landmark Site. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no

later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARD

BOROUGH OF MANHATTAN

LP-2435
FREE PUBLIC BATH OF THE CITY OF NEW YORK, 344 East 54th Street (aka 324-348 East 54th Street), Manhattan. *Landmark Site:* Borough of Manhattan Tax Map Block 1346, Lot 32

d23-j11

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, January 4, 2011 at 9:30 A.M.**, at the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmark and Landmark Site. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEM TO BE HEARD

BOROUGH OF BROOKLYN

PUBLIC HEARING ITEM NO. 1

LP-2465

FRANKLIN BUILDING, 186 Remsen Street (aka 184-188 Remsen Street), Brooklyn.

Landmark Site: Borough of Brooklyn Tax Map Block 255, Lot 42

d16-j3

NOTICE IS HEREBY GIVEN THAT pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on **Tuesday, January 4, 2011 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 11-1140 - Block 8051, lot 61-223 Ridge Road - Douglaston Historic District
A free-standing Colonial Revival style home designed by Dorothy W. Chapman and built in 1921. Application is to construct an addition and modify the entrance. Zoned R1-1. Community District 11.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 11-3455 -Block 2101, lot 51 - 238 Cumberland Street - Fort Greene Historic District
A Greek Revival style rowhouse built in the 1850s. Application is to legalize windows installed in non-compliance with Permit for Minor Work 04-2027. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 11-3162 - Block 286, lot 33 - 140 Court Street - Cobble Hill Historic District
A building built between 1915 and 1917 with a store at the ground floor. Application is to construct a rear yard addition. Zoned R6 in C2-3. Community District 6.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 11-4331 - Block 149, lot 75-9 Dekalb Avenue-Dime Saving Bank-Individual Landmark-Interior Landmark
A neo-Classical style bank building with a designated banking hall built in 1906-08 and enlarged and altered in 1931-32. Application is to replace exterior ATM's, and alter the facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 11-4239 - Block 1165, lot 17-268 Park Place - Prospect Heights Historic District
A Renaissance Revival style rowhouse with Romanesque Revival style elements designed by William H. Reynolds and built c. 1897. Application is to install rooftop skylights and solar panels, alter the areaway and modify the rear facade. Zoned R6B. Community District 8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 11-0828 - Block 5237, lot 142-69 Dekoven Court, aka 700 East 17th Street - Fiske Terrace-Midwood Park Historic District
A Queen Anne style house designed by Benjamin Driesler and built in 1903. Application is to legalize the construction of a garage addition commenced without Landmarks Preservation Commission permits. Zoned R1-2. Community District 14.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-4081 - Block 474, lot 15 - 51 Mercer Street - SoHo-Cast Historic District
A garage built in 1940. Application is to install new storefront infill and an HVAC pipe at the front facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 11-3308 - Block 231, lot 30-459 Broadway - SoHo-Cast Iron Historic District
A store and loft building built in 1861. Application is to legalize and modify work completed in non-compliance with

Certificate of Appropriateness 07-3733, Certificate of No Effect 07-4039 and Miscellaneous/Amendment 09-0875. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4242 - Block 485, lot 34-454 Broome Street, aka 65-67 Mercer Street - SoHo - Cast Iron Historic District
A store building designed by Samuel Warner and built in 1879-80. Application is to replace granite sidewalk slabs with concrete paving. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3020 - Block 635, lot 11-753 Washington Street - Greenwich Village Historic District
A Greek Revival style residence built in 1842 and later altered with a ground floor storefront. Application is to install new storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4284 - Block 823, lot 76-62 West 22nd Street - Ladies' Mile Historic District
A converted dwelling, built in 1849. Application is to install storefront infill and signage. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3352 - Block 697, lot 31-259 10th Avenue - West Chelsea Historic District
An Industrial Modern style warehouse building designed by Cass Gilbert and built in 1927-28. Application is to alter the ground floor, construct rooftop additions, and install mechanical equipment. Zoned C6-3. Community District 4.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 11-3525 - Block 697, lot 31-259 West 10th Avenue - West Chelsea Historic District
An Industrial Modern style warehouse building designed by Cass Gilbert and built in 1927-28. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned C6-3. Community District 4.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4327 - Block 1183, lot 2-515-523 West 26th Street - West Chelsea Historic District
A vernacular style factory building designed by Abraham Ratner and built in 1921. Application is to replace windows. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4240 - Block 1185, lot 25-333 West End Avenue - West End Collegiate Historic District
A neo-Venetian Gothic style apartment building designed by Emery Roth and built in 1925. Application is to legalize the installation of AC condensers without Landmarks Preservation Commission permits. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3719 - Block 1127, lot 25-11 West 74th Street - Upper West Side/Central Park West Historic District
A Queen Anne style rowhouse with neo-Grec style elements designed by Daniel Burgess and built in 1889-90. Application is to modify a fence and install a barrier-free access lift. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4989 - Block 1128, lot 18-25 West 75th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by George M. Walgrove and built in 1892-93. Application is to alter the basement entrance and the areaway. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4892 - Block 1211, lot 63-180 West 81st Street - Upper West Side/ Central Park West Historic District
A Renaissance/Romanesque Revival style apartment building built in 1889-90 designed by A.B. Odgen & Son. Application is to legalize painting limestone without Landmarks Preservation Commission permits. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-1047 - Block 1416, lot 8-215 East 61st Street - Treadwell Farm Historic District
A rowhouse designed by A. & S. Bussell and built in 1875 and later altered. Application is to construct a rear yard addition, replace windows and alter the facade. Zoned R8B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3388 - Block 1380, lot 69-4 East 66th Street - Upper East Side Historic District
A neo-Italian Renaissance style apartment building designed by J.E.R. Carpenter and built in 1919-20. Application is to install new masonry chimneys at the roof. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3001 - Block 1404, lot 67-110 East 70th Street - Upper East Side Historic District
A residence originally built in 1869 and altered by Robertson & Potter in 1905 in the simplified Beaux-Arts style. Application is to create an areaway. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8643 - Block 1399, lot 20-851 Lexington Avenue - Upper East Side Historic District Extension
A altered neo-Grec style rowhouse designed by Robert H. Coburn, and built in 1880-81. Application is to legalize the installation of storefront infill without Landmarks Preservation Commission permits. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4128 - Block 1523, lot 9-

123 East 94th Street - Expanded Carnegie Hill Historic District
A neo-Grec style rowhouse, designed by F.S. Barus and built in 1878-79, and altered in 1946-47. Application is to construct rear yard addition and alter the main entrance and areaway. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-4201 - Block 2067, lot 10-469 West 152nd Street - Hamilton Heights/Sugar Hill Northwest Historic District
A Renaissance Revival style apartment house designed by John P. Leo and built in 1895. Application is to legalize the installation of windows and alterations to the cornice and parapet without Landmarks Preservation Commission permits. Community District 9.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3372 - Block 2067, lot 5-479 West 152nd Street - Hamilton Heights/Sugar Hill Northwest Historic District
A Renaissance Revival style apartment house designed by John P. Leo and built in 1897. Application is to legalize the installation of windows without Landmarks Preservation Commission permits. Community District 9.

d20-j4

NYC & COMPANY

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Small Business Services, acting through NYC & Company, to be held on Monday, January 10, 2011 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession a limited, revocable non-exclusive license to use the trademarks and service marks of the City of New York in connection with the manufacture, advertising, promotion, sale and offering for sale of plush products for an initial term beginning upon issuance of a written Notice to Proceed and ending on June 30, 2014, with one (1) three-year renewal option, exercisable at the City's sole discretion, to Bronx Toys, NYC, LLC (Bronx Toys). In each License Year, Bronx Toys shall pay to NYC & Company a royalty equal to fifteen percent (15%) of net sales of plush products. In addition, Bronx Toys shall pay to NYC & Company Annual Advance payments and Guaranteed Minimum Royalties in the amounts and on the dates set forth in the License Agreement.

LOCATION: A draft copy of the agreement may be reviewed or obtained at no cost, commencing January 3, 2011 through January 12, 2011 between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays at the NYC & Company offices, 810 Seventh Ave., Third Floor, New York, NY 10019.

Individuals requesting Sign language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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

d23

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee (FCRC) and the New York City Department of Parks and Recreation (Parks) to be held on Monday, January 10, 2011 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession the construction, renovation, operation and maintenance of a marina and food service facility at Clason Point, 3 Soundview Avenue, Bronx, New York (Licensed Premises), for one (1) twenty-year term, to B.B.'s Marina & Restaurant LLC, whose address is 49-03 Brownvale Lane, Little Neck, New York 11362. Compensation to the City will consist of the higher of the minimum annual fee (Year 1: \$18,000; Year 2: \$18,000; Year 3: \$18,540; Year 4: \$18,540; Year 5: \$18,540; Year 6: \$19,096; Year 7: \$19,096; Year 8: \$19,096; Year 9: \$19,669; Year 10: \$19,669; Year 11: \$19,669; Year 12: \$20,259; Year 13: \$20,259; Year 14: \$20,259; Year 15: \$20,867; Year 16: \$20,867; Year 17: \$20,867; Year 18: \$21,493; Year 19: \$21,493; Year 20: \$21,493) or eight percent (8%) of the annual gross receipts derived from the operation of the Licensed Premises.

LOCATION: A draft copy of the license agreement may be reviewed or obtained at no cost, commencing Monday, January 3, 2011 through Monday, January 10, 2011, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays at the NYC Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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

d23

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Parks and Recreation to be held on Monday, January 10, 2011 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession the operation and maintenance of food and beverage and/or merchandise concessions at various locations on and/or under the High Line in Manhattan, for one (1) approximately ten-year term, to Friends of the High Line, Inc (FHL). FHL shall make the following annual payments to the City: FHL shall retain the first \$200,000 in annual revenues; if annual revenues exceed \$200,000, 20% of subsequent annual revenues shall be paid to Parks until total annual revenues reach \$1,000,000; if annual revenues exceed \$1,000,000, 50% of annual revenues shall be paid to Parks; and after FHL has recouped their costs under the Maintenance and Operation agreement between FHL and Parks, dated May 26, 2009, all annual revenues derived from the Licensed Premises shall be paid to the City's General Fund.

LOCATION: A draft copy of the license agreement may be reviewed or obtained at no cost, commencing on Monday, January 3, 2011 through Monday, January 10, 2011, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays at the NYC Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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

d23

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ SALE BY AUCTION

PUBLIC AUCTION SALE NUMBER 11001-K

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, January 5, 2011 (SALE NUMBER 11001-K). 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.

d8-j5

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."

CITY UNIVERSITY

SOLICITATIONS

Goods

19 STATION ADVANCED FIBRE OPTICS AND OPTICAL NETWORKS TEACHING LABORATORY – Sole Source – Available only from a single source - PIN# 041004121004 – DUE 01-06-11 AT 3:00 P.M. – New York City College of Technology will be entering into a purchase order contract with OPTOSCI Limited for the purchase of a 19 Station Fibre Optics and Optical Networks Teaching Laboratory. OPTOSCI offers a fully integrated photonics laboratory teaching package that includes all of the optical, optomechanical and optoelectronic hardware required to perform experiments, as well as providing an extensive literature support package which comprises detailed student and instructor manuals, comprehensive lecture notes, tutorials with solutions, design exercises and case studies. This notice is not an invitation for competition or interest, but is intended to meet the requirement to give public notice of a Sole Source purchase without a formal competitive process in certain circumstances.

Vendor shall provide: 19 Station Fibre Optics and Optical Networks Teaching Laboratory, which includes: 3 Reflection and Retraction Module, 3 Optical Waveguiding Module, 1 Fibre Optic Communications, 1 Eye Diagrams and BER Ext for ED-COM, 3 Optical Network Analysis (w/out OTDR), 3 Erbium Doped Fibre Amplifiers, 3 Principles of Lasers, 3 WDM Component Characterisation, 3-1310/1550 WDM System Ext., 3 DWDM Systems Ext., 3 Bragg Gratings Ext., 3 Eye Diagrams and BER Ext. for WDM Systems, 3 Optical Filter Module (for ED-AMP), 1 SWAN Multi-user Optical Waveguide Analysis Software, 12 Laser Safety Specs OD3 plus at1550nm (for ED-AMP and LASE).

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.
New York City College of Technology, 11th Fl., 25 Chapel Street, Brooklyn, NY 11201.
Paula Morant (718) 473-8960; Fax: (718) 473-8997,
pmorant@citytech.cuny.edu

d23-30

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

AWARDS

Goods

LIFE SUPPORT PRODUCTS FOR FDNY – Competitive Sealed Bids – PIN# 85701000428 – AMT: \$219,000.00 – TO: G E Pickering Inc., 263 Glen Cove Avenue, P.O. Box 356, Sea Cliff, NY 11579-0356.

d23

NYS CONTR FOR SECURITY SYSTEMS AND SOLUTIONS - NYPD – Intergovernmental Purchase – PIN# 8571100356 – AMT: \$229,100.00 – TO: Morphotrak Inc., 3 Washington Square, Washington Avenue Extension, Albany, NY. NYS Contract #PT64062.

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

d23

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

EMPLOYEES' RETIREMENT SYSTEM

AWARDS

Services (Other Than Human Services)

IT CONSULTANT CONTRACT – Intergovernmental Purchase – PIN# 0091216101 – AMT: \$140,000.00 – TO: Donia Associates, 128 Newton Street, Unit 6A, Brooklyn, NY 11222. IT Consultant Contract for Business Analyst Consultant bid off from OGS Consultant Backdrop.

d23

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 & Services

NERVE REPAIR GRAFT – Competitive Sealed Bids – PIN# 000011110045 – DUE 12-30-10 AT 3:00 P.M.

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

d23

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00-R – DUE 03-22-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or fax to (212) 219-5865. All proposals must be hand delivered at the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, no later than March 22, 2012.

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, 93 Worth Street, Room 812
New York, NY 10013. Huguette Beauport (212) 219-5883,
fax: (212) 219-5890, hbeauport@health.nyc.gov

o1-m21

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human / Client Services

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

Goods & Services

RE-BID: GSD MAINTENANCE PAINTING OF APARTMENTS – Competitive Sealed Bids – DUE 01-14-11 – PIN# 27660 - St. Nicholas Houses - Manhattan Due at 10:00 A.M.
PIN# 27661 - Richmond Terrace/Cassidy-Lafayette Houses - Staten Island Due at 10:05 A.M.
Re-bid. Term one (1) year; six month renewal extension. Pre-qualification: Bidder must be established "approved" supplier via NYCHA - Technical Services Paint Program and appear on the active approved vendor list; non-compliance will result in the bid/bidder being deemed non-responsive. Please ensure that bid response includes documentation as required and attached/included in electronic bid proposal submittal. Failure to comply will result in your bid being deemed non-responsive.
● **RE-BID: GSD MAINTENANCE PAINTING OF APARTMENTS** – Small Purchase – DUE 01-07-11.
PIN# 27657 - Smith Houses - Manhattan Due at 10:00 A.M.
PIN# 27658 - Samuel (City) Houses - Manhattan Due at 10:05 A.M.
PIN# 27659 - Ingersoll Houses - Brooklyn Due at 10:10 A.M.
Re-bid. Small Procurement. Term one (1) year; Pre-qualification: Bidder must be established "approved" supplier via NYCHA - Technical Services Paint Program and appear on the active approved vendor list; non-compliance will result in the bid/bidder being deemed non-responsive. Please ensure that bid response includes documentation as required and attached/included in electronic bid proposal submittal. Failure to comply will result in your bid being deemed non-responsive.

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 your 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

d23

HOUSING PRESERVATION & DEVELOPMENT

INTENT TO AWARD

Services (Other Than Human Services)

CONSULTANT SERVICES FOR LITIGATION MANAGEMENT SYSTEM – Sole Source – Available only from a single source - PIN# 80611S0003 – DUE 01-10-11 AT 5:00 P.M. – The Department of Housing Preservation and Development (HPD) of the City of New York intends to enter into sole source negotiations for consulting services to provide enhancements and maintenance of the Litigation Management System (LMS), a system that provides a comprehensive document production, case tracking and accounting/collections solution for HPD's Housing Litigation Division (HLD), Landlord Tenant Litigation Division (LTLTD) and Mortgage Enforcement Litigation Division (MELD) currently provided by i3 Solutions, Inc. (a proprietary software support system).

The contractor selected as a result of this proposal would provide HPD with an experienced consultant in the area of Legal case Software Management. The maintenance and enhancements of the Litigation Management System (LMS, a system that provides a Comprehensive document production, case tracking and accounting/collections solution for HLD, LTLTD and MELD) would be performed on an hourly basis.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Preservation and Development, 100 Gold Street,
Room 8-S6 New York, NY 10038.
Darylynn P. Lewis (212) 863-6140, dl@hpd.nyc.gov

d22-29

JUVENILE JUSTICE

■ SOLICITATIONS

Human/Client Services

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 5:00 P.M. – ACS Division of Youth and Family 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 5:00 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, 150 William Street, 9th Floor, New York, NY 10038. Patricia Chabla (212) 341-3505, fax: (212) 341-3625, Patricia.chabla@dffa.state.ny.us

d15-j29

POLICE

■ SOLICITATIONS

Goods & Services

BID EXTENSION: PROCUREMENT AND MANAGEMENT OF AUTO PARTS – Request for Proposals – PIN# 05610000697 – DUE 01-10-11 AT 2:00 P.M. – BID EXTENSION: The New York Police Department (NYPD) is seeking an appropriately qualified vendor for the provision and implementation of a true just-in-time automotive parts room operation service and parts/supplies procurement, including warehouse storage and distribution in two phases. The contractor will replace all NYPD - owned automotive parts with its own and issue the parts on an as-needed basis to auto mechanics responsible for the repair of NYPD vehicles. The service component will include all contractor personnel, management and reporting systems. NYPD is not seeking auto repair services through this solicitation. In Phase I (6 month Pilot Project), up to two contracts will be awarded - if two contractors are selected, one contractor will assume control of Service Shop #4 and another contractor will assume control of Service Shop #7. Upon completion of Phase I, the Department anticipates awarding one contract to the selected pilot phase contractor for the full implementation of Phase II to the remaining Services Shops. Phase II will be 5 years in length.

EPIN: 05610P0008.

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.
Police Department, 51 Chambers Street, Room 310, New York, NY 10007. Sheridan Ameer (646) 610-5221, sheridan.ameer@nypd.org

d23

TRANSPORTATION

■ SOLICITATIONS

Services (Other Than Human Services)

PAY-AS-YOU-DRIVE INSURANCE – Request for Information – PIN# 84111RFEI – DUE 02-18-11 AT 4:00 P.M. – The New York City Department of Transportation (NYCDOT) is pleased to issue this Request for Expressions of Interest (RFEI), inviting you to submit information about pay-as-you-drive insurance policy options. NYCDOT seeks this information to inform development of policies and programs aimed at reducing vehicle miles traveled and traffic congestion in New York City.

Details on background, technical and operational specifications and requirements may be found in the enclosed RFEI document, which is also available on NYCDOT's website at <http://nyc.gov/html/dot/html/about/rfpintro.shtml>.

Depending on responses to the RFEI, NYCDOT may engage one or more respondents in follow-up fact-finding discussions of the issues surrounding PAYDI in New York.

Any inquiries concerning this RFEI should be directed by e-mail to PAYDI-RFEI@dot.nyc.gov or by hard copy to the address below, under the subject line "PAYDI RFEI Q and A." NYCDOT will post answers to questions received through 4:00 P.M., January 7, 2011, to this webpage no later than January 21. Hard copies of the responses will be made available upon request.

Please submit five (5) hard copies of your submission, printed on both sides (double-sided) on paper with no less than 20 percent post-consumer material content.
Vendor Source ID#: 72105.

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, Polly Horton, Office of the ACCO, 55 Water Street, 8th Floor, New York, NY 10041. Heather Richardson (212) 839-6688, PAYDI-RFEI@dot.nyc.gov

d23

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 6, 2011, 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 Housing Preservation and Development and the Contractor listed below, for the provision of Legal Services. The contract term shall be from July 1, 2010 to June 30, 2011.

Contractor/Address

MFY Legal Services Inc.
299 Broadway, 4th Floor, New York, NY 10007

Amount \$194,975 **E-PIN#** 80611L0006001
Boro/CD Manhattan/CDs 4 & 7

The proposed contractor was selected by Line Item Appropriations/Discretionary Funds, pursuant to Section 1-02(e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from December 23, 2010 to January 6, 2011, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer at Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038, (212) 863-6657.

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development and the Contractor listed below, for the provision of Legal Services/Anti-Eviction Services including the SRO Law Project. The contract term shall be from July 1, 2010 to June 30, 2011.

Contractor/Address

Goddard Riverside Community Center
593 Columbus Avenue, New York, NY 10024

Amount \$322,629 **E-PIN#** 80611L0004001
Boro/CD Manhattan/CDs 4 & 7

The proposed contractor was selected by Line Item Appropriations/Discretionary Funds, pursuant to Section 1-02(e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from December 23, 2010 to January 6, 2011, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer at Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038, (212) 863-6657.

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development and the Contractor listed below, for the provision of Legal Services/Anti-Eviction Services. The contract term shall be from July 1, 2010 to June 30, 2011.

Contractor/Address

Legal Aid Society/Civil Division-Bronx
199 Water Street, New York, NY 10038

Amount \$124,643 **E-PIN#** 80611L0042001
Boro/CD Bronx/All CDs

The proposed contractor was selected by Line Item Appropriations/Discretionary Funds, pursuant to Section 1-02(e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from December 23, 2010 to January 6, 2011, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer at Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038, (212) 863-6657.

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development and the Contractor listed below, for the provision of Legal Services/Anti-Eviction Services. The contract term shall be from July 1, 2010 to June 30, 2011.

Contractor/Address

Legal Aid Society/Civil Division-Brooklyn
199 Water Street, New York, NY 10038

Amount \$163,963 **E-PIN#** 80611L0043001
Boro/CD Brooklyn/All CDs

The proposed contractor was selected by Line Item Appropriations/Discretionary Funds, pursuant to Section 1-02(e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from December 23, 2010 to January 6, 2011, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer at Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038, (212) 863-6657.

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development and the Contractor listed below, for the provision of Legal Services/Anti-Eviction Services. The contract term shall be from July 1, 2010 to June 30, 2011.

Contractor/Address

Legal Aid Society/Civil Division-Community Law Office
199 Water Street, New York, NY 10038

Amount \$262,782 **E-PIN#** 80611L0044001
Boro/CD Manhattan/CDs 7,9,10 & 12

The proposed contractor was selected by Line Item Appropriations/Discretionary Funds, pursuant to Section 1-02(e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from December 23, 2010 to January 6, 2011, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer at Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038, (212) 863-6657.

d23

HUMAN RESOURCES ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 6, 2011, 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 Human Resources Administration of the City of New York and the Contractor listed below, for the provision of Non-Residential Services for victims of domestic violence. The contract term shall be from October 1, 2010 to September 30, 2011.

Contractor/Address

New York Asian Women's Center (Brooklyn)
39 Bowery, PMB 375, New York, N.Y. 10002

PIN# 06906X0072CNVN002 **Amount** \$264,987.00

The proposed contractor has been selected by means of Negotiation Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration (HRA) in Room 1420, 180 Water Street, New York, NY 10038 on business days, excluding Holidays, from December 23, 2010 to January 6, 2011, from 10:00 A.M. to 4:00 P.M.

d23

RECORDS AND INFORMATION SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 6, 2011, 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 multi-agency use contract between the Department of Records and Information Services (DORIS) and DocuData Software Corporation, located at No. 1 Van Horne Avenue, Montreal, PQ, Canada H2T 2J1, for the provision of records management software and related professional services. The contract amount of the initial five-agency deployment is \$241,100.00 to be funded from a combination of grant funding (New York State Local Government Records Management Improvement Fund, \$112,016.00), New York City Capital funding (\$102,108.99) and New York City Expense funding (\$26,975.00). As a multi-agency use contract, there is no limit on the amount of funding eventually committed. The contract start date is November 30, 2010. The contract term shall be for five years from November 30, 2010, with two options to renew, one for three years and the other for two years. PIN#: 86011P00001001.

The proposed contractor was selected via the Competitive Sealed Proposal method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract shall be available for inspection at the New York City Department of Records and Information Services, 31 Chambers Street, Room 305, New York, NY, on business days, from December 23, 2010 through January 6, 2011, between the hours of 10:00 A.M. and 4:00 P.M., excluding holidays.

d23

AGENCY RULES

FINANCE

■ NOTICE

Notice of Opportunity to Comment on Proposed Amendments to Filing Rules for New York City Income and Excise Taxes

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of Finance by section 11-132 of the New York City Administrative Code, and sections 389(b) and 1043 of the New York City Charter, and in accordance with the requirements of section 1043 of the New York City Charter, that the New York City Department of Finance intends to adopt the following proposed Amendments to the Filing Rules for New York City Income and Excise Taxes, which are necessary to carry out the powers and duties delegated to the Commissioner of Finance by section 11-132 of the New York City Administrative Code.

Written comments regarding these proposed rule amendments must be submitted to the office of Beth Goldman, Deputy Commissioner for Legal Affairs, 345 Adams Street, 3rd Floor, Brooklyn, New York 11201 on or before January 24, 2011. Comments may be submitted electronically to

GoldmanBeth@Finance.nyc.gov or to the NYC Rules website at www.nyc.gov/rules.

A hearing for public comment shall be held on January 24, 2011 at 345 Adams Street, 3rd Floor, Brooklyn, New York at 10:30 A.M. Persons seeking to testify are requested to notify Joan Best at (718) 403-3669 at least three business days prior to the date scheduled for the hearing. Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify the above named person at the foregoing address no later than two weeks prior to the hearing.

Written comments and an audio tape recording of oral comments received at the hearing will be available for public review within a reasonable time after receipt, by appointment between the hours of 9:00 A.M. and 5:00 P.M. on weekdays at the office of Robert Dauman, Office of Legal Affairs, 345 Adams Street, 3rd Floor, Brooklyn, New York 11201, telephone number (718) 403-3600.

Note: New matter underscored; old matter in brackets [] to be deleted.

Proposed Amendments to the Filing Rules for New York City Income and Excise Taxes

Section 1. Section 17-03 of chapter 17 of title 19 of the Rules of the City of New York (Filing Rules for New York City Income and Excise Taxes) is amended to read as follows:

§17-03 Electronic Filing and Payment.

(a) **General rule.** Notwithstanding anything to the contrary in any other section of these rules, in addition to requiring the electronic filing of returns under section 17-04 of these rules, the Commissioner of Finance may establish programs or systems whereby taxpayers or other persons required to file any return, report, or other form required to be filed with the Commissioner under Chapters 5, 6, 7, 9, 11, 12, 14, 21, 24 and 25 of Title 11 of the Administrative Code of the City of New York or the rules relating thereto, may elect to file any designated return through electronic means. As used in this section, the term "designated return" shall mean any return, report or other form required to be filed under such chapters or rules that the Commissioner has designated for filing through electronic means.

For purposes of Chapters 5, 6, 7, 9, 11, 12, 14, 21, 24, and 25 of Title 11 of the Administrative Code and these rules, an electronically filed designated return will be deemed to be filed on the date of issuance of a confirmation number or other evidence of filing, by the Commissioner, to the person filing the return. The issuance of such a confirmation number or other evidence of filing by the Commissioner shall be prima facie evidence that the person filed a return, as required under such Chapters or rules.

Any designated return filed electronically must be signed electronically by the same natural person or persons who are required to sign or certify the return under any provision of Title 11 of the Administrative Code or under these rules. The required person or persons will be deemed to have electronically signed the return upon the entry of each such person's identifying information in accordance with the instructions set forth by the Commissioner.

(b) **Electronic payment.** Notwithstanding anything to the contrary in any other section of these rules, in addition to requiring the electronic payment of tax under section 17-04 of these rules, the Commissioner of Finance may authorize a taxpayer, or other person required to collect and pay over any tax, to pay any tax due or moneys collected by means of an electronic funds transfer (EFT) from the person's cash account. Prior to making a payment of tax or moneys due, a taxpayer, or other person required to collect and pay over any tax, must be authorized by the Department of Finance to make EFT payments. To receive authorization, the taxpayer, or other person required to collect and pay over any tax, must execute an agreement on a form prepared by the Department of Finance in which the taxpayer, or other person required to collect and pay over any tax, furnishes the Department with all the account information requested by the Department to enable it to complete the EFT transaction. Such information shall include, but not be limited to, the name, location and number of the account from which an EFT shall be authorized. Where a taxpayer or other person has been authorized to make payment electronically, any such payment shall be deemed to have been made on a timely basis provided that, on or before midnight of the due date of such payment, the person authorizes the Commissioner to initiate payment and the payer's cash account is properly identified and contains sufficient funds to enable the successful completion of the EFT. For any such payment made electronically, the Commissioner shall debit the payer's account no less than 48 hours from the close of business on the due date of such payment.

§2. A new section 17-04 is added to chapter 17 of title 19 of the Rules of the City of New York (Filing Rules for New York City Income and Excise Taxes) to read as follows:

§17-04. Mandatory Electronic Filing and Payment.

(a) **Definitions.** For purposes of this section:

(1) "Authorized tax documents" means the (i) New York City General Corporation Tax Forms NYC-4S, NYC-4SEZ and NYC-3L, (ii) New York City Unincorporated Business Tax Forms NYC-204 and NYC-204EZ, and (iii) Form NYC-EXT, when filed to request an extension for filing any of the aforementioned forms.

(2) "Electronic" means computer technology.

(3) "Original tax document" means a tax document that is filed during the calendar year for which that tax document is required or permitted to be filed. Such term includes extensions, amended returns, returns for prior years, returns for estimated tax payments and any other New York City tax documents regardless of whether such documents are defined in this subdivision as authorized tax documents.

(4) "Tax" means any tax or other matter administered by the Commissioner of Finance pursuant to the Administrative Code or any other provision of law.

(5) "Tax document" means a return, report or any other document relating to a tax or other matter administered by the Commissioner of Finance.

(6) "Tax return preparer" means any person who prepares for compensation, or who employs or engages one or more persons to prepare for compensation, any authorized tax document. For purposes of this section, the term "tax return preparer" also includes a payroll service.

(7) "Tax software" means any computer software program intended for tax return preparation purposes. The term "tax software" includes, but is not limited to, an off-the-shelf

software program loaded onto a tax return preparer's or taxpayer's computer, an online tax preparation application, or a tax preparation application hosted by the Department of Finance.

(b) Who must file and pay electronically. Notwithstanding anything to the contrary in this title, for filings made during any calendar year beginning on or after January 1, 2011,

- (1) tax return preparers as described in subdivision (c) of this section, and
- (2) entities who meet the criteria specified in subdivision (d) of this section,

are required to file authorized tax documents electronically. In any case in which authorized tax documents are required to be filed electronically, the taxpayer shall pay any tax liability or other amount due shown on, or required to be paid with, an authorized tax document, by means of an electronic funds transfer.

(c) Filing by a tax return preparer. (1) A tax return preparer who (i) prepared more than one hundred original tax documents during any calendar year beginning on or after January 1, 2009, and (ii) prepares one or more authorized tax documents using tax software in any succeeding calendar year shall file electronically all authorized tax documents prepared by such tax return preparer for that succeeding calendar year (other than the calendar year beginning on January 1, 2010) and for each subsequent calendar year thereafter.

(2) For purposes of paragraph (1) of this subdivision, the number of original tax documents that have been prepared by the tax return preparer shall be the sum of the number of original tax documents prepared by the tax return preparer and, if the tax return preparer is a member of a firm, all of the members of the firm. If the firm has multiple locations, the combined total of original tax documents prepared by members of the firm at all locations shall be included in the calculation.

(d) Filing by a taxpayer. A corporation subject to tax under Chapter 6 of Title 11 of the Administrative Code of the City of New York or an unincorporated entity subject to tax under Chapter 5 of Title 11 of the Administrative Code of the City of New York that (1) does not utilize a tax return preparer to prepare an authorized tax document during any calendar year beginning on or after January 1, 2010, and (2) prepares that document itself using tax software shall file electronically all authorized tax documents prepared by such taxpayer using tax software for that calendar year and for each subsequent calendar year thereafter.

(e) Failure to file or pay electronically. With respect to authorized tax documents that are filed in any calendar year that begins on or after January 1, 2011:

- (1) Tax return preparer. If a tax return preparer is required to file authorized tax documents electronically pursuant to this section, and that preparer fails to file one or more of those documents electronically, then that preparer shall be subject to a penalty of fifty dollars for each failure to file electronically an authorized tax document, unless it is shown that the failure is due to reasonable cause and not due to willful neglect. For purposes of this paragraph, reasonable cause shall include, but not be limited to, a taxpayer's election not to file electronically the authorized tax document.
- (2) Taxpayer. If a taxpayer is required to pay electronically any tax liability or other amount due shown on, or required to be paid with, an authorized tax document required to be filed electronically pursuant to this section, and that taxpayer fails to pay electronically one or more of those liabilities or other amounts due, then that taxpayer shall be subject to a penalty of fifty dollars for each failure to pay electronically.
- (3) Assessment and collection of penalties. The penalties provided for by this subdivision shall be paid upon notice and demand, and shall be assessed, collected and paid in the same manner as the tax to which the electronic transaction relates.

Basis and Purpose of Proposed Amendments

Chapter 201 of the Laws of 2009 enacted section 11-132 of the Administrative Code of the City of New York, which authorizes the New York City Commissioner of Finance to require by rule that, in certain circumstances, City tax returns must be filed, and taxes must be paid, by electronic means. These proposed amendments to the Filing Rules for New York City Income and Excise Taxes require that tax preparers who have filed more than one hundred of certain types of documents relating to the general corporation tax and/or to the unincorporated business tax using tax software in a previous year, must now file these types of documents electronically. In addition, taxpayers who themselves prepare such documents using tax software are required to file these documents electronically.

S/S

David M. Frankel
Commissioner of Finance

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HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Promulgation of Rules Governing the Inclusionary Housing Provisions of the New York City Zoning Resolution

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Housing Preservation and Development by §1802 (6)(c) and in accordance with the requirements of §1043 of the New York City Charter that the Department of Housing Preservation and Development hereby promulgates rules governing inclusionary housing under §23-90, inclusive of the New York City Zoning Resolution. Additions to the rules are underlined and proposed deletions are [bracketed].

A public hearing was held on November 23, 2010, at 100 Gold Street, 9th floor, Room 9Z-3, New York, New York 10038.

Section one. Title 28 of the Rules of the City of New York is amended by adding a new chapter 41 to read as follows.

CHAPTER 41

INCLUSIONARY HOUSING

§ 41-01 **Definitions.** As used in this chapter, the following terms shall have the following meanings. Capitalized terms

not specifically defined in this chapter, shall have the meanings set forth in the Zoning Resolution.

Administering Agent Agreement. "Administering Agent Agreement" shall mean an agreement between HPD and an Administering Agent concerning the rights, responsibilities and compensation of such Administering Agent.

Administering Agent Reserve Account. "Administering Agent Reserve Account" shall mean an account that is separate from a Building's reserve accounts and is held as determined by HPD, and which shall be used, with HPD approval, to pay the Building's Administering Agent for services rendered in accordance with the Program.

Annual Household Income. "Annual Household Income" shall mean the total income as specified by HUD in 24 CFR 5.609, including all net income from Assets with a cash value in excess of \$5,000, to be received by the Household, from all sources for the twelve month period prior to the Income Qualification Date.

Application Deadline. "Application Deadline" shall mean the date by which HPD must receive an application to purchase a Homeownership Affordable Housing Unit.

Appreciation Index At Resale. "Appreciation Index At Resale" shall mean the quotient of the Appreciation Index on the Contract Date and the Appreciation Index on the previous Sale Date.

Asset. "Asset" shall mean property real or personal, tangible or intangible, which may produce financial gain.

Capital Reserve Account. "Capital Reserve Account" shall mean an account that is separate from a Building's capital reserve account(s) and held as determined by HPD and shall be used, with HPD approval, to pay for all or part of a Homeownership Affordable Housing Unit's proportionate share of such Building's capital expenses.

Commissioner. "Commissioner" shall mean the Commissioner of HPD or his or her designee.

Common Expenses. "Common Expenses" shall mean and include for a Condominium Association, all expenses of operation thereof and all sums designated common expenses in accordance with Article 9-B, Section 339-e of the Real Property Law and for a Cooperative Corporation all expenses of operation thereof and all sums designated common expenses pursuant to the provisions of the by-laws and proprietary lease for such Cooperative Corporation.

Community Board. "Community Board" shall mean a local district advisory board created pursuant to Section 2800 of the New York City Charter that, in part, consults, assists and advises legislative bodies or borough presidents with respect to any matter relating to the welfare of the district and its residents.

Contract Date. "Contract Date" shall mean the date a contract to purchase a Homeownership Affordable Housing Unit is executed.

Council Member. "Council Member" shall mean an elected member of the New York City Council.

CPI. "CPI" shall mean the Consumer Price Index for all urban consumers, as defined by the United States Bureau of Labor Statistics, for the twelve months ended on June 30th.

DHCR. "DHCR" shall mean the Division of Housing and Community Renewal of the State of New York or any successor agency.

Family Member. "Family Member" shall have the meaning set forth by DHCR in 9 NYCRR § 2520.6.

First Time Homebuyer Preference. "First Time Homebuyer Preference" shall mean a priority to purchase a Homeownership Affordable Housing Unit which is provided to an Eligible Buyer who is purchasing a Dwelling Unit for the first time.

Flip Tax. "Flip Tax" shall mean 7% of net profits from the sale of a Homeownership Affordable Housing Unit.

HDC. "HDC" shall mean the New York City Housing Development Corporation.

HHF. "HHF" shall mean the Household Factor established by HPD, based on the family size adjustment percentages established by HUD.

HUD. "HUD" shall mean the United States Department of Housing and Urban Development or any successor agency.

Income Marketing Band. "Income Marketing Band" shall mean that, except as permitted in the Zoning Resolution, the Monthly Housing Costs of a particular Homeownership Affordable Housing Unit represents not less than 25% and not more than 35% of such Household's Annual Household Income.

Income Qualification Date. "Income Qualification Date" shall mean the date upon which the Administering Agent verifies that a potential Homeowner's Annual Household Income complies with the Eligible Buyer requirements for a particular Homeownership Affordable Housing Unit.

Internal Transfer Preference. "Internal Transfer Preference" shall mean a priority to purchase a Homeownership Affordable Housing Unit which is provided to an Eligible Buyer who (i) already owns a Homeownership Affordable Housing Unit in the same Building or in the development containing such Building, and (ii) agrees to sell his or her existing Homeownership Affordable Housing Unit on or before the date upon which he or she acquires the new Homeownership Affordable Housing Unit.

Minimum Quality Standards. "Minimum Quality Standards" shall mean livability standards that are in compliance with 24 CFR 982.401 or any superseding regulations established by HUD.

Monthly Housing Costs. "Monthly Housing Costs" shall mean, for a Household, the sum of Monthly Fees, monthly utility allowances, Mortgage Payments and monthly property taxes, if applicable.

Operating Reserve Account. "Operating Reserve Account" shall mean an account that is separate from a Building's operating account(s) and is held as determined by HPD, and which shall be used, with HPD approval, to pay for all or part of a Homeownership Affordable Housing Unit's proportionate share of such Building's Common Expenses, in the form of Monthly Fees.

Partial Inclusionary Building. "Partial Inclusionary Building" shall mean a Building that consists of both Affordable Housing and Dwelling Units that are not restricted, in accordance with the Program, to occupancy by Low Income Households, Moderate Income Households or Middle Income Households.

Prevailing Interest Rate. "Prevailing Interest Rate" shall mean the single family mortgage rate for a thirty-year fixed rate loan established by the Federal Home Loan Mortgage Association and the Federal National Mortgage Association that is quoted, for Sale or Resale, in the month that the Homeownership Affordable Housing Unit is marketed for Sale or Resale.

Program. "Program" shall mean the Zoning Resolution, Regulatory Agreement and this Chapter.
Rent Guidelines Board. "Rent Guidelines Board" shall mean the New York City Rent Guidelines Board established pursuant to Chapter 4 of Title 26 of the New York City Administrative Code.

Reserve Accounts. "Reserve Accounts" shall mean, for Generating Sites containing at least one Homeownership Affordable Housing Unit, an Operating Reserve Account, a Capital Reserve Account and an Administering Agent Reserve Account.

Successor. "Successor" shall mean a Family Member that inherits, by either intestate succession or testamentary disposition, a Homeownership Affordable Housing Unit.

Zoning Resolution. "Zoning Resolution" shall mean the Zoning Resolution of the City of New York.

§ 41-02 Administering Agents.

(a) **General Provisions For Rental and Homeownership Affordable Housing.**
(1) By the close of financing for the Generating Site, the owner of the Affordable Housing shall enter into an agreement with an Administering Agent, for such Administering Agent to perform the duties as specified in the Program. At no time during the term of the Regulatory Agreement shall the Affordable Housing be without an Administering Agent.

(2) All affidavits from the Administering Agent shall be submitted to HPD by March 31st of the year in which such affidavits are due.
(3) Administering Agents shall retain records that form the basis of any affidavit submitted to HPD for the duration of the homeowner's ownership of an Affordable Housing Unit, plus six (6) years after such homeowner no longer owns such Affordable Housing Unit.

(b) **Administering Agent Selection Process For Rental and Homeownership Affordable Housing.** Administering Agents for Affordable Housing will be selected by the owner and must be approved by HPD based on criteria including, but not limited to:
(1) Sponsor Review (i.e., a background investigation of the principals of the Administering Agent);
(2) Determination that the Administering Agent is a not-for-profit;
(3) Implementation by the Administering Agent of satisfactory procedures for relocating renters, when applicable; and
(4) Determination that the Administering Agent is not an owner, affiliate of owner or managing agent of the Generating Site, unless HPD determines that the Generating Site is participating in a federal, state or local program that has procedures for performing paragraphs one through three of this subdivision or the owner and any such managing agent or affiliate are not-for-profit entities with adequate safeguards to ensure that such entities comply with the Program.

(c) **Renting or Selling Homeownership Affordable Housing.**
(1) Initial rental, re-rental and Sale of Affordable Housing must proceed in accordance with HPD's marketing guidelines.
(2) The following procedures shall apply to the Resale of Homeownership Affordable Housing:
(i) Homeowner Notice of Intent to Sell. A Homeowner, using an HPD-approved notice of intent to sell form, shall notify the applicable Administering Agent of the intent to sell his and/or her Homeownership Affordable Housing Unit.
(ii) Administering Agent Notification to HPD of Homeowner's Intent to Sell a Homeownership Affordable Housing Unit. Within fourteen (14) business days from receipt of an HPD-approved notice of intent to sell form from a Homeowner, the Administering Agent must, using an HPD-approved form, give HPD information concerning:
(A) the date upon which the Administering Agent received the Homeowner's notice of intent to sell form;
(B) the address of the Homeownership Affordable Housing Unit and the Community Board(s) in which such unit is located;
(C) the unit size of the Homeownership Affordable Housing Unit (including square footage and number of rooms);
(D) the unit type—cooperative or condominium—of the Homeownership Affordable Housing Unit;
(E) the last Sale Date and the price at which the Homeownership Affordable Housing Unit was sold on such date;
(F) the estimated Monthly Housing Costs for the Homeownership Affordable Housing Unit;
(G) the Maximum Resale Price of the Homeownership Affordable Housing Unit;
(H) the Down Payment required to purchase the Homeownership Affordable Housing Unit;
(I) the Income Marketing Band for the Homeownership Affordable Housing Unit; and
(J) the Flip Tax applicable to the Homeownership Affordable Housing Unit.

(iii) **Marketing of the Homeownership Affordable Housing Unit.**
(A) Listing the Homeownership Affordable Housing Unit. Within fourteen (14) business days from its receipt of the notice of intent to sell from a Homeowner, the Administering Agent must list the availability of such Homeownership Affordable Housing Unit for sale on the Administering Agent's website and send a copy of such listing to the Community Board(s) in which the Homeownership Affordable Housing Unit is located and to the Council Member(s) that represent(s) the council district(s) in which the Homeownership Affordable Housing Unit is located. Such listing must include:
(1) the address of the Homeownership Affordable Housing Unit and Community Board(s) in which such unit is located;
(2) the unit size of the Homeownership Affordable Housing Unit (including square footage and number of rooms);
(3) the unit type—cooperative or condominium—of the Homeownership Affordable Housing Unit;
(4) the last Sale Date and the price at which the Homeownership Affordable Housing Unit was sold on such date;
(5) the estimated Monthly Housing Costs for the

Homeownership Affordable Housing Unit;
(6) the Maximum Resale Price of the Homeownership Affordable Housing Unit;
(7) the Down Payment required to purchase the Homeownership Affordable Housing Unit;
(8) the Income Marketing Band for the Homeownership Affordable Housing Unit;
(9) the Flip Tax applicable to the Homeownership Affordable Housing Unit;
(10) an HPD-approved application form for potential buyers, on which potential buyers are directed to return such application form with supporting documentation to HPD and potential buyers are informed that the Administering Agent is prohibited from charging an application fee; and
(11) the Application Deadline.

(iv) **The Lottery Process.** HPD will create a list of potential buyers randomly-ordered from the applications received on or before the Application Deadline and will forward such list to the Administering Agent. The Administering Agent will select Eligible Buyers, beginning with the first name on the potential buyer list. The first potential buyer who meets the requirements of the Program will be offered an opportunity to: (A) at least two weeks prior to the closing date for the Homeownership Affordable Housing Unit, inspect the Homeownership Affordable Housing Unit, and (B) purchase the Homeownership Affordable Housing Unit.
(v) **Closings.** Homeowners shall enter into a performance or enforcement mortgage agreement with HPD and shall agree to all Program restrictions concerning the ownership and Sale or Resale of the Homeownership Affordable Housing Unit.
(vi) **Homeownership Education.** The Administering Agent must either provide HPD approved classes for homebuyers concerning the responsibilities attending Homeownership or direct potential buyers to HPD-approved providers of such classes.

§ 41-03 Calculating the Maximum Resale Price for Homeownership Affordable Housing Units.

(a) The Maximum Resale Price for a Homeownership Affordable Housing Unit is the lesser of the Appreciated Price or Appreciation Cap.

(b) Except as otherwise provided in Section 23-962(f)(3) of the Zoning Resolution, the Appreciated Price is calculated by multiplying the Resale price of a Homeownership Affordable Housing Unit on the previous Sale Date by the Appreciation Index At Resale.

(c) Only full calendar years from the previous Sale Date will be considered in calculating the Appreciated Price of a Homeownership Affordable Housing Unit. Notwithstanding the foregoing, if a Homeowner submits a notice of intent to sell form to the Administering Agent on a date that is no more than three (3) months prior to the anniversary of the previous Sale Date, a full calendar year may be utilized in calculating the Appreciation Index At Resale for such Affordable Housing Unit's Appreciated Price.

§ 41-04 First Time Homebuyer Requirement. To qualify as a first time homebuyer, no member of the qualifying Household shall have owned any interest in a home, including any interest in a Cooperative Corporation or a residential condominium unit, for the five (5) year period immediately prior to the Application Deadline.

§ 41-05 First Time Homebuyer Education Requirement. Prior to qualification as an Eligible Buyer, each applicant for a Homeownership Affordable Housing Unit shall attend a first-time homebuyer course given by a provider that is approved by HPD, and must provide evidence of completion of such course to the Administering Agent. Approved providers of first-time homebuyer courses are listed on HPD's web site.

§ 41-06 Marketing Preferences. In addition to the preference categories stated in HPD's marketing guidelines, Homeownership Affordable Housing Units shall be marketed in accordance with the Internal Transfer Preference and the First Time Homebuyer Preference. The Internal Transfer Preference shall (i) take priority over the First Time Homebuyer Preference, and (ii) only be made available for the purpose of replacing an existing Homeowner's Homeownership Affordable Housing Unit, and not for the purpose of acquiring an additional Homeownership Affordable Housing Unit, whether for occupancy by the Eligible Buyer, his or her Household members, non-resident Family Members, or any other person.

§ 41-07 Primary Residence Requirement.

(a) Owners of Homeownership Affordable Housing Units must occupy such Homeownership Affordable Housing Units as their primary residences, as determined by the Administering Agent, in accordance with DHCR's criteria for primary residence occupancy for rental units in Rent Stabilization.

(b) The Administering Agent will mail an owner occupancy letter to each Homeowner on an annual basis and such Homeowner shall annually certify under penalty of perjury the Homeowner's use of such Homeownership Affordable Housing Unit as his or her primary residence by signing and returning to the Administering Agent, within ten (10) business days from receipt, a notarized copy of such owner occupancy letter, with any supporting documentation.

(c) HPD may conduct audits of Homeownership Affordable Housing Units to ensure that all such units are being used as the primary residences of their respective Homeowners.

§ 41-08 Subletting. Notwithstanding the provisions of Section 23-962 of the Zoning Resolution, in a Generating Site that is a Partial Inclusionary Building, the Administering Agent may approve a Homeowner's request to sublet only if such subletting meets the subletting requirements in effect for all units at such Generating Site.

§ 41-09 Title Changes.

A Homeowner may (i) transfer title to a Homeownership Affordable Housing Unit upon Resale, or (ii) with the prior written approval of the Administering Agent, modify title to a Homeownership Affordable Housing Unit in order to add or delete a person from title due to marriage, domestic partnership, divorce, death or succession, provided that such Homeowner does not receive anything of value in connection with such modification of title, or (iii) with the prior written approval of the Administering Agent, modify title to a Homeownership Affordable Housing Unit for any other purpose approved in writing by HPD, provided that such Homeowner does not receive anything of value in connection with such modification of title. Before approving any title modifications, the Administering Agent must receive a written notarized notification from the Homeowner of his or her intent to modify title, along with documentation

supporting any such proposed modification and an affirmation that no consideration in connection with such proposed modification has been or will be received.

§ 41-10 Successors.

(a) A Successor who qualifies as an Eligible Buyer may own a Homeownership Affordable Housing Unit in accordance with the requirements of the Program.

(b) If a Successor either: (1) qualifies as an Eligible Buyer but does not want to own the Homeownership Affordable Housing Unit, or (2) does not qualify as an Eligible Buyer, the Homeownership Affordable Housing Unit must be sold to another Eligible Buyer and the net proceeds from such sale shall be given to such Successor.

(c) The Administering Agent shall determine whether a Successor is an Eligible Buyer.

(d) Within three (3) months of inheriting a Homeownership Affordable Housing Unit, the Successor who wants to qualify as an Eligible Buyer must provide the Administering Agent with a valid death certificate, a valid will, if any, and other such proof of succession and the Successor's Annual Household Income.

(e) If a Successor is not determined on a date on or before two years from a Homeowner's death, the Homeownership Affordable Housing Unit shall be sold to an Eligible Buyer and the proceeds deposited in the estate of the deceased Homeowner.

(f) A Successor need not have occupied the Homeownership Affordable Housing Unit with the Homeowner. Notwithstanding the foregoing, a person who had been occupying the Homeownership Affordable Housing Unit with the Homeowner and who claims to be a Successor may remain in occupancy in the Homeownership Affordable Housing Unit, so long as all obligations, including Monthly Fees, are current, for a period that ends on the earlier to occur of: (1) a date that is two years from the death of the Homeowner, or (2) the date upon which a Successor is determined.

(g) Once a Successor has qualified as an Eligible Buyer, the Successor shall, under the Administering Agent's supervision, assume the Homeowner's interest in and obligations towards the Homeownership Affordable Housing Unit under the terms of the legal documents pertaining to such unit that were executed at the previous Sale Date. All loan documents must also be amended, at the Successor's expense, to reflect any changes to the title documents for the Homeownership Affordable Housing Unit.

§ 41-11 Refinancing.

(a) Homeowners may refinance existing Mortgages, subject to the following limitations:

(1) the value of the new loan must not exceed ninety percent (90%) of the Maximum Resale Price, calculated as of the date that a Homeowner notifies the Administering Agent of an intent to refinance;

(2) the new loan must be at a fixed interest rate;

(3) the new loan must be from an approved institutional lender; and

(4) the Administering Agent must approve such refinancing.

(b) If a proposed new loan will increase the amount of Mortgage Payments, the Administering Agent shall require the Homeowner to show that the Monthly Housing Costs are affordable to such Homeowner in accordance with the Program.

(c) A Homeowner that seeks to refinance an existing Mortgage must first submit an HPD-approved notice of intent to refinance form to the Administering Agent for approval.

(d) Within seven (7) business days from receipt of a notice of intent to refinance form, the Administering Agent must notify the Homeowner of the Maximum Resale Price and the permissible Mortgage, which is ninety percent (90%) of the Maximum Resale Price, as calculated pursuant to paragraph one of subdivision a of this section.

(e) Before the Homeowner accepts any refinancing product, such Homeowner must obtain the Administering Agent's approval of the refinancing product. The Administering Agent will review the refinancing product after a Homeowner has submitted, to the Administering Agent, a request for approval of the refinancing product form, along with information concerning the term of the refinancing product, the applicable interest rate and the lender.

(f) Within five (5) business days of receipt of a request for approval of a refinancing product form, the Administering Agent must approve or disapprove the proposed refinancing product.

(g) Prior to execution, all loan documents for the refinancing of a Homeownership Affordable Housing Unit must be reviewed by the Administering Agent for compliance with the above requirements. The Administering Agent shall review and make a determination as to whether such loan documents comply with the requirements of this section within ten (10) business days of receipt of such loan documents, and the Administering Agent shall inform the Homeowner and HPD of such determination within fourteen (14) business days of receipt of the loan documents. All loans must be subordinated to all Program requirements.

§ 41-12 Minimum Quality Standards.

(a) Each Homeowner shall be obligated to maintain each Homeownership Affordable Housing Unit in accordance with Minimum Quality Standards and, to the extent required by law, the New York City Building Code and the New York City Housing Maintenance Code. Prior to any Resale, HPD or its designee shall inspect the Homeownership Affordable Housing Unit and shall:

(1) offer the Homeowner an opportunity before the Sale Date, to remedy any condition that violates such Minimum Quality Standards, or
(2) require retention of a portion of the Resale proceeds equal to the repair cost estimates established by HPD for remedying such condition(s).

(b) The Administering Agent shall ensure that a Homeownership Affordable Housing Unit meets the Minimum Quality Standards prior to its occupancy by any new Homeowner.

§ 41-13 Monthly Fees and Special Assessments.

(a) Prior to Initial Occupancy, HPD must approve the Monthly Fees charged to Homeowners. The total amount of increases in Monthly Fees charged to a Homeownership Affordable Housing Unit over a twelve month period, shall be

the lesser of:

- (1) the increase in Monthly Fees required to cover Common Expenses for such twelve month period; and
- (2) a percentage increase in Monthly Fees equal to the percentage increase in rents approved by the Rent Guidelines Board for two (2) year rent stabilized leases, for such twelve month period.

(b) The combined cost of Monthly Fees and special assessments charged to a Homeownership Affordable Housing Unit in any given twelve month period shall not exceed thirty-five percent (35%) of the Homeowner's Annual Income.

(c) In Partial Inclusionary Buildings, increases in Monthly Fees and/or the levy of special assessments may be charged to Homeownership Affordable Housing Units only if increases in Monthly Fees and/or the levy of special assessments are simultaneously charged to all other Dwelling Units in the Building, for the same purposes as such Monthly Fees and special assessments are charged to such Homeownership Affordable Housing Units.

§ 41-14 Reserve Accounts for Homeownership Generating Sites.

(a) General. Each Homeownership Generating Site must have Reserve Accounts. Reserve Accounts will be held as blocked reserves at HDC unless HPD permits such accounts to be held in accordance with requirements of another City, State, or Federal housing program.

(b) Funding Reserve Accounts.

(1) Operating Reserve Accounts for Homeownership Generating Sites must be funded by the date of issuance of the Completion Notice in an amount equal to at least six (6) months of projected operating costs for the Homeownership Affordable Housing Units.

(2) Capital Reserve Accounts for Homeownership Generating Sites must be funded by the date of issuance of the Completion Notice in the amount of two dollars and twenty-five cents (\$2.25) per square foot of Homeownership Affordable Housing.

(3) Administering Agent Reserve Accounts for Homeownership Generating Sites must be funded by the date of the Completion Notice in the following manner:

- (i) An initial payment by the developer of the Affordable Housing as specified in the Regulatory Agreement;
- (ii) A surcharge, to be to be applied as part of the applicable Monthly Fees for Homeownership Affordable Housing Units; and
- (iii) A Flip Tax imposed upon the seller of a Homeownership Affordable Housing Unit at Resale.

(c) Using Reserve Funds.

(1) Operating Reserve Accounts.

(i) In Partial Inclusionary Buildings, when permitted increases to Monthly Fees charged to Homeownership Affordable Housing Units do not cover their proportionate share of the Homeownership Generating Site's operating costs, requests for drawdowns from the Operating Reserve Account may be made to HPD to cover the documented increases in the following costs if they are part of Common Expenses: fuel, electricity, water, sewer, Building staff salaries and taxes.

(ii) In Generating Sites that consist entirely of Affordable Housing, when permitted increases to Monthly Fees charged to Homeownership Affordable Housing Units do not cover their proportionate share of the Homeownership Generating Site's Common Expenses, funds from the Operating Reserve Account may be used to cover operating deficits.

(2) Capital Reserve Accounts.

(i) In Partial Inclusionary Buildings, funds from the Capital Reserve Account may be used, with HPD approval, to pay for all or part of the Homeownership Affordable Housing Units' proportionate share of the Generating Site's Building-wide special assessments for the repair or replacement of Capital Elements.

(ii) In Generating Sites that consist entirely of Affordable Housing, funds from the Capital Reserve Account may be used, with HPD approval, to pay for all or part of the repairs or replacements of Capital Elements in the Generating Site.

(iii) In addition, HPD may approve the use of funds from the Capital Reserve Account to pay for repairs to Homeownership Affordable Housing Units.

(3) Administering Agent Reserve Accounts. HPD will use Administering Agent Reserve Accounts to pay Administering Agents for services rendered in accordance with the Program and the Administering Agent Agreement.

(d) Drawdown Process for Reserve Accounts.

(1) Operating and Capital Reserve Accounts. With the authorization of the Condominium Association or the board of the Cooperative Corporation, the Administering Agent will submit to HPD a request for a drawdown, with supporting information. If HPD approves the request, HPD will submit the request to HDC for a drawdown from the appropriate Reserve Accounts.

(2) Administering Agent Reserve Account. In order to receive funds from the Administering Agent Reserve Account, a Homeownership Generating Site must submit payment requests to HPD, along with proof of Administering Agent services rendered. If the payment request is satisfactory to HPD, HPD will request a drawdown from the Administering Agent Reserve Account for payment to the Administering Agent.

§ 41-15 Measuring Affordable Floor Area.

(a) In order to determine the amount of Floor Area of an Affordable Housing Unit in a Generating Site, the square footage within the inside face of the walls enclosing such Affordable Housing Unit, (which is all floor surfaces within the Affordable Housing Unit, including closets, and the partitions that separate rooms that are within the same Affordable Housing Unit), shall be measured. Such measurement must exclude (i) the thickness of exterior walls, (ii) the thickness of partitions separating such Affordable Housing Unit from any other Dwelling Units, Rooming Units or other spaces, and (iii) the portions of such Affordable Housing Unit that do not qualify as Floor Area.

(b) Floor Area of a Dwelling Unit or Rooming Unit in a Generating Site that is not an Affordable Housing Unit, other than any Superintendent's Unit, must be measured in the same manner.

§ 41-16 Housing Standards.

(a) Except where the layout is altered, HPD may exempt Preservation Affordable Housing and Substantial Rehabilitation Affordable Housing from the requirement that such Affordable Housing be free of Housing Maintenance Code A and B non-hazardous violations.

(b) Upon Resale, Homeownership Affordable Housing Units

must have the same number and size of rooms as existed at Sale.

(c) In order to qualify as Substantial Rehabilitation Affordable Housing, the scope of work for a Generating Site must include items that will cost at least one hundred thousand dollars (\$100,000) per Dwelling Unit in 2010 dollars adjusted annually in accordance with the change in CPI. Such costs must be approved by HPD. HPD also must approve the scope of work for the Generating Site, which must include, but is not limited to, the following items, where such items constitute at least 75% of the scope of work:

- (1) Beam Replacement (to the extent required by HPD)
- (2) New Sub flooring
- (3) New Partition Framing
- (4) New Sheetrock walls and settings
- (5) New windows
- (6) New finish flooring, roofing and insulation
- (7) New kitchen cabinets
- (8) New baths with ceramic tile finishes
- (9) New interior and exterior doors
- (10) New finish carpentry
- (11) New plumbing
- (12) New heating systems
- (13) New electrical systems
- (14) New elevators or elevator modernization (where applicable)
- (15) Masonry repairs (to the extent required by HPD)
- (16) New fire escapes (to the extent required by HPD)

§ 41-17 Commencement Date for New Construction Homeownership Affordable Housing. "Commencement Date" shall mean for a Generating Site that is New Construction Homeownership Affordable Housing, the date upon which (a) written contracts to purchase at least fifty percent (50%) of the Homeownership Affordable Housing Units in such Generating Site have been signed with separate Households of Eligible Buyers, and (b) a bona fide Eligible Buyer who is not purchasing a Homeownership Affordable Housing Unit as an accommodation to the Generating Site has closed on the purchase of such Homeownership Affordable Housing Unit.

§ 41-18 Rent-up Date for New Construction Rental Affordable Housing. "Rent-up Date" shall mean when at least ten percent (10%) of the New Construction rental Affordable Housing Units have been leased to tenants in accordance with the Program.

§ 41-19 Grandfathered Tenants in Homeownership Affordable Housing. A rental Building that qualifies for Preservation Homeownership Affordable Housing or Substantial Rehabilitation Homeownership Affordable Housing may convert to Homeownership Affordable Housing. Upon conversion to Homeownership Affordable Housing, tenants in legal occupancy in such a Building who do not wish to purchase a Homeownership Affordable Housing Unit will be treated the same as Grandfathered Tenants in rental Affordable Housing. Such Grandfathered Tenants will also retain the right to purchase their Dwelling Unit. When a Grandfathered Tenant chooses to vacate a Homeownership Affordable Housing Unit, such unit must be sold to an Eligible Buyer.

§41-20 Renters In New Construction Homeownership Affordable Housing.

New Construction Homeownership Affordable Housing Units that are not purchased by Eligible Buyers may be rented in accordance with the rental provisions of the Program on or after the date of issuance of a Completion Notice for New Construction Affordable Housing containing such unit. In addition, for Households that meet the requirements of Section 23-962(f)(1) of the Zoning Resolution, New Construction Homeownership Affordable Housing Units may be rented in accordance with the rental provisions of the Program on or after either (a) the date of issuance of a Completion Notice for New Construction Affordable Housing containing such unit, or (b) the date that such New Construction Homeownership Affordable Housing Unit is issued a temporary or permanent certificate of occupancy.

§ 41-21 Distribution of Affordable Housing Units. Where there are insufficient rental and Homeownership New Construction Affordable Housing Units to distribute on not less than sixty-five (65%) of the Residential Stories, as specified Section 23-96 (b)(1) of the Zoning Resolution, New Construction Affordable Housing Units shall be distributed on as many Residential Stories as possible.

§ 41-22 HPD approval. Wherever the Zoning Resolution states that HPD's approval is required, such approval must be in writing and signed by the Commissioner.

Statement of basis and purpose. Section 23-90 (Inclusionary Housing), of the New York City Zoning Resolution ("Section 23-90") was enacted to provide floor area compensation to developers in return for the creation or preservation of permanently affordable income rental housing. Section 23-90 was amended, effective July 29, 2009 (the "2009 Amendments"), to provide an option to develop, in return for such floor area compensation, permanently affordable homeownership housing for low, moderate and/or middle income purchasers. The 2009 Amendments set the income eligibility requirements for purchasers of homeownership units as well as the cost and financing parameters for the purchase of such homeownership units. The 2009 Amendments also simplified the floor area compensation ratios for R10 districts and conformed the inclusionary housing provisions for R10 districts to inclusionary housing for other districts in Section 23-90 by: (1) permitting housing created or preserved therein to be financed with a range of public financing programs; (2) permitting debt and other liens on such housing after initial occupancy and (3) basing eligibility for the preservation option on the average rents in the entire building rather than each individual unit's rent. Finally, the 2009 Amendments contained modifications that reflect current practices concerning the administration of inclusionary housing created pursuant to Section 23-90.

The 2009 Amendments also provided that inclusionary housing created pursuant to Section 23-90 comply with such additional criteria as may be specified by HPD in guidelines. The proposed rules reflect such additional criteria including, but not limited to, the role of administering agents in conducting the sale and resale of homeownership units; the eligibility requirements for purchasers of homeownership units and the creation and use of reserves for homeownership units.

Commissioner Rafael E. Cestero
December 23, 2010

PARKS AND RECREATION

■ NOTICE

Notice of Opportunity to Comment on Proposed Rule

Revision of §§2-09 and 2-14 of Title 56 of the Official Compilation of Rules of the City of New York

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Parks & Recreation ("Parks") by Sections 389 and 533(a) (9) of the New York City Charter and in accordance with the requirement of Section 1043 of the New York City Charter, that Parks proposes to amend §§2-09 and 2-14 of Title 56 of the Official Compilation of Rules of the City of New York.

Written comments regarding the proposed rules may be sent to Alessandro G. Olivieri, General Counsel, Department of Parks & Recreation, The Arsenal, Central Park, 830 Fifth Avenue, New York, New York 10065, or electronically through NYC RULES at www.nyc.gov/nycrules on or before January 25, 2011. A public hearing shall be held on January 25, 2011 at Chelsea Recreation Center, 430 West 25th Street, New York, NY 10010 at 11:00 A.M. Persons seeking to testify are requested to notify Laura LaVelle at (212) 360-1335 or email at laura.lavelle@parks.nyc.gov. Persons who request that a sign language interpreter or other reasonable accommodation be provided at the hearing are asked to notify Laura LaVelle at the foregoing address by January 11, 2011. Written comments and a tape recording of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:00 a.m. and 5:00 p.m. at The Arsenal, Room 313, telephone number (212) 360-1313.

These amendments were not included in the Parks regulatory agenda because the Department was not aware of the necessity for amendments at the time the regulatory agenda was prepared.

New material is indicated by underlining. Deletions are indicated by brackets.

Section 1. Section 2—09 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:

(a) *All boroughs.*

Permit	Fees
TENNIS	
Adult (18 years to 62 years)	\$[100.00]200.00
Senior (62 years and above)	\$ 20.00
Junior	\$ 10.00
Adult Duplicate	\$ 5.00
Junior Duplicate	\$ 6.00
Single Play	\$ [7.00]15.00
Reservation Ticket	\$ [7.00]15.00
Lockers	\$ 20.00
LAWN BOWLING	\$ 30.00
CROQUET	\$ 30.00
MODEL YACHT STORAGE	\$ 20.00
KAYAK/CANOE	\$ 15.00
POOL PERMITS (Groups of 10 or more supervised individuals)	\$ 25.00 plus \$1.00 for each individuals in a group
Special Event Permit	\$ 25.00
USE OF BOARDWALK SPACE BY RESTAURANTS	
Self-serve Restaurants	\$ 55.00/ linear foot
Table Service Restaurants	\$ 110.00/ linear foot

[(b) *Borough-Wide fees.*

Brooklyn Kate Wollman Rink	
Children and Seniors	\$ 3.00
Adults	\$ 5.00]

[(c) (b) *Schedule of Permit Fees.*

Field Lights (18 yrs & over)	\$ [32.00/session] 25.00/per hour
Cricket, football, lacrosse, rugby and ultimate Frisbee fields (18 yrs & over)	\$ [20.00/session] 16.00/per hour
Baseball, softball and volleyball, Turf/Soft surface fields (18 yrs & over)	\$ [16.00/session] 12.50/per hour
Basketball, baseball, softball, roller hockey and volleyball, Hardtop playing surfaces (18 yrs & over)	\$ [10.00/session] 8.00/per hour

[A session is defined as 2 hours, with the exception of week days after 4:00 P.M. on Manhattan fields, when session length is 90 minutes due to the high demand for fields.]

[(d)(c) *Ages*
Day Camp Programs - Age 6-13 \$100 per child (Public Assistance Families are exempt)

§ 2. Section 2-14 of Title 56 of the Official Compilation of the Rules of the City of New York is amended to read as follows:

(a) For purposes of this section, the following terms shall have the following meanings:

Recreation Center. "Recreation Center" shall mean a building or structure located within property under the jurisdiction of the Department, with the primary purpose of providing recreational programming and other community activities.

Adult Membership Fee. "Adult Membership Fee" shall mean the membership fee for use of recreation centers in a particular class (i.e. Recreation Center With an Indoor Pool,

Recreation Center Without Indoor Pool) for all patrons who are [between] eighteen (18) to [and] sixty-two ([54]62) years of age, not including session fees, except for patrons who otherwise qualify for the Senior Citizen Membership Fee.

Senior Citizen Membership Fee. "Senior Citizen Membership Fee" shall mean the membership fee for use of recreation centers in a particular class (i.e. Recreation Center With an Indoor Pool, Recreation Center Without Indoor Pool) for all patrons [fifty-five (55)] sixty-two (62) years of age and over, not including session fees.

Child Membership Fee. "Child Membership Fee" shall mean the membership fee for use of recreation centers in a particular class (i.e. Recreation Center With an Indoor Pool, Recreation Center Without Indoor Pool) for all patrons under eighteen (18) years of age, not including session fees.

Recreation Center Without Indoor Pool. "Recreation Center Without Indoor Pool" shall include all recreation centers without indoor pools, including, but not limited to the following recreation centers: Hunts Point Recreation Center, Hamilton Fish Recreation Center, Thomas Jefferson Recreation Center, Von King Recreation Center, Sunset Recreation Center, Red Hook Recreation Center, J.H. Wright Recreation Center, Jackie Robinson Recreation Center, Al Smith Recreation Center, Pelham Fritz Recreation Center, Lost Battalion Hall Recreation Center, Sorrentino Recreation Center, [Cromwell Recreation Center,] Williamsbridge Oval Recreation Center, St. James Recreation Center, Faber Recreation Center, Lyons Recreation Center, Al Oerter Recreation Center, and Owen Dolan Recreation Center.

Recreation Center With Indoor Pool. "Recreation Center With Indoor Pool" shall include all recreation centers with indoor pools, including, but not limited to the following recreation centers: St. Mary's Recreation Center, Brownsville Recreation Center, Metropolitan Pool Recreation Center, St. John's Recreation Center, Asser Levy Recreation Center, Hansborough Recreation Center, Recreation Center 54, Recreation Center 59, Tony Dapolito Recreation Center, Flushing Meadows Corona Park Aquatic Center, Chelsea Recreation Center, and Roy Wilkins Recreation Center.

Session Fees. "Session Fees" shall mean all fees associated with specific instructor-led courses including, but not limited to the following activities: aerobic classes, martial arts instruction, music lessons, and yoga classes.

(b) No person shall use any recreation center and/or participate in activities requiring the payment of a session fee as defined in this section unless such person has paid the applicable annual membership fee set forth in subdivision (c) of this section in addition to any applicable session fees.

(c) Recreation Center Membership Fee Schedules. The Commissioner shall charge a recreation center member subject to these provisions the amount set forth in the following schedule for an annual membership. Such annual membership does not include session fees.

Table with 4 columns: Type of Recreation Center, Child Membership fee, Adult Membership fee, Senior Citizen Membership Fee. Rows include Recreation Center with Indoor Pool and Recreation Center without Indoor Pool.

(d)(1) Session fees will be set pursuant to the following schedule:

Table with 2 columns: Type of Recreation Center, Session Fee (Maximum). Rows include Recreation Center with Indoor Pool and Recreation Center without Indoor Pool.

(2) Factors for Determination of Session Fees. In determining the amount of the session fees pursuant to the schedule above, the following factors shall be taken into consideration:

- (i) the length of the course.
(ii) the number of scheduled classes.
(iii) the skill required for the instructor.
(iv) the expected number of participants.
(v) such other information as the Commissioner deems relevant.

STATEMENT OF BASIS AND PURPOSE

These rules are promulgated pursuant to the authority of the Commissioner of the Department of Parks and Recreation (the "Commissioner") under sections 389, 533(a) (9) and 1043 of the New York City Charter.

The proposed increased fees are designed to help defray the costs for the Department to maintain fields, courts and Recreation Centers. The change to an hourly fee from a session fee is designed to establish a clearer and more understandable basis for assessing charges for field usage. The definition of senior citizen for the purpose of determining the appropriate Recreation Center Membership fee has been changed to make it uniform with the definition of senior citizen in other areas of the Department's rules.

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

NOTICE

OFFICIAL FUEL PRICE SCHEDULE NO. 6593 FUEL OIL AND KEROSENE

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists various fuel contracts and prices for items like #1DULS, #2DHS, etc.

OFFICIAL FUEL PRICE SCHEDULE NO. 6594 FUEL OIL, PRIME AND START

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists fuel contracts for F & S PETROLEUM CORP., METRO FUEL OIL CORP., etc.

OFFICIAL FUEL PRICE SCHEDULE NO. 6595 FUEL OIL AND REPAIRS

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists fuel contracts for PACIFIC ENERGY.

OFFICIAL FUEL PRICE SCHEDULE NO. 6596 GASOLINE

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists fuel contracts for SPRAGUE ENERGY CORP., METRO TERMINALS, etc.

d23

TRANSPORTATION

NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF PEDESTRIAN PLAZAS LOCATED AT ASTOR PLACE, LAFAYETTE STREET, EAST 9TH STREET AND 4TH AVENUE, 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 pedestrian plazas located at Astor Place, Lafayette Street, East 9th Street, and 4th Avenue in Manhattan ("Licensed Plaza").

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 Village Alliance District Management Association, Inc. 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.

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 January 10, 2011.

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.

d17-j10

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.

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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 or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

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