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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BROOKLYN BOROUGH PRESIDENT

PUBLIC HEARINGS

UNIFORM LAND USE REVIEW PROCEDURE

NOTICE IS HEREBY GIVEN that, pursuant to Sections 82 and 197-C of the New York City Charter, the Brooklyn Borough President will hold a public hearing on the following matters in the **Borough President's Court Room, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 5:30 P.M. on Wednesday, February 6, 2013.**

CALENDAR ITEM 1

OCEANVIEW MANOR HOME FOR ADULTS ZONING SPECIAL PERMITS; CHAIR CERTIFICATION COMMUNITY DISTRICT 13 130107 ZSK; 130108 ZSK; 130109 ZSK; 130110 ZCK

IN THE MATTER OF applications submitted by Oceanview Manor Home for Adults pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits to Sections 74-90, 74-902; and 62-836 to allow the existing domiciliary care facility to be converted to a health related facility while expanding from 176 beds to 200 bed by enlarging an existing 5-story building located at 3010 West 33rd Street. These permits will facilitate the use of community facility floor area (up to sixty percent more than otherwise permitted), more coverage of the rear and front yards (recreation and storage uses on the ground floor extensions; additional office space and new bedrooms on the upper floors) and, maintaining the building's street wall height above what is now permitted.

Note: To request a sign language interpreter, or to request TTD services, call Mr. Kevin Parris at (718) 802-3856 at least five business days before the day of the hearing.

j31-f6

BRONX BOROUGH PRESIDENT

PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. for Thursday, February 7, 2013 at 10:00 A.M. in the office of the Borough President, 851 Grand Concourse, Room 206, The Bronx, New York 10451. The following matter will be considered at the hearing:

CD 4-ULURP APPLICATION NO: C 130064 ZMX-IN THE MATTER OF AN application submitted by NR Property 2

LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a:

- changing from an M1-2 District to an R7A District property bounded by a line 360 feet northerly of East 150th Street, a line midway between Gerard Avenue and Walton Avenue, East 150th Street, and Gerard Avenue; and
- establishing within the proposed R7A District a C2-4 District bounded by a line 360 feet northerly of East 150th Street, a line midway between Gerard Avenue and Walton Avenue, East 150th Street, and Gerard Avenue;

Borough of The Bronx, Community District 4, as shown on a diagram (for illustrative purposes only) dated November 13, 2012.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE ATTENTION OF THE BOROUGH PRESIDENT'S OFFICE (718) 590-6124.

j31-f6

STATEN ISLAND BOROUGH PRESIDENT

PUBLIC MEETING

Notice of Public Meeting, Staten Island Borough Board on Wednesday, February 6, 2013, Conference Room 122 at 5:30 P.M., Staten Island Borough Hall, Stuyvesant Place, Staten Island, New York 10301.

j31-f6

CITY COUNCIL

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearing on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing in the Council Committee Room, 16th Floor, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, February 12, 2013:

MAPLE LANES VIEWS

BROOKLYN CB - 12 C 090154 ZMK
Application submitted by Fairmont Lanes, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d, changing from an M1-1 District to an R6A District property bounded by the southerly boundary line of the Long Island Railroad right-of-way (Bay Ridge Division), 60th Street, 16th Avenue, and 61st Street, Borough of Brooklyn, Community District 12, as shown in a diagram (for illustrative purposes only) dated September 4, 2012, and subject to the conditions of CEQR Declaration E-289.

SPECIAL HUDSON SQUARE DISTRICT REZONING MANHATTAN CB - 2 C 120380 ZMM
Application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Sections 197-c and 201 of the New York City

Charter for the amendment of the Zoning Map, Section No. 12a:

- changing from an M1 -5B District to an M1 -6 District property bounded by the former centerline of the Avenue of the Americas and its southerly prolongation, Canal Street, and the Avenue of the Americas and its southerly centerline prolongation; and
- establishing a Special Hudson Square District bounded by West Houston Street, a line 100 feet easterly of Varick Street, Vandam Street, Avenue of the Americas, Spring Street, Avenue of the Americas and its southerly centerline prolongation, Canal Street, Hudson Street, Spring Street, and Greenwich Street;

as shown on a diagram (for illustrative purposes only) dated August 20, 2012, and subject to the conditions of CEQR Declaration E-288.

SPECIAL HUDSON SQUARE DISTRICT TEXT AMENDMENT MANHATTAN CB - 2 C 120381 (A) ZRM

Application submitted by The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to add Article VIII Chapter 8, establishing the Special Hudson Square District in Community District 2, Borough of Manhattan and to modify related Sections.

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

Article 1 General Provisions

Chapter 1 Title, Establishment of Controls and Interpretation of Regulations

11-12 Establishment of Districts

Establishment of the Special Hillside Preservation District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 9, the #Special Hillside Preservation District# is hereby established.

Establishment of the Special Hudson Square District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 8, the #Special Hudson Square District# is hereby established.

Establishment of the Special Hudson Yards District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 3, the #Special Hudson Yards District# is hereby established.

Chapter 2 Construction of Language and Definitions

12-10 Definitions

Special Hillside Preservation District (2/2/11)

The "Special Hillside Preservation District" is a Special Purpose District mapped in Staten Island designated by the letters "HS" in which special regulations set forth in Article XI, Chapter 9, apply.

Special Hudson Square District

The #Special Hudson Square District# is a Special Purpose District designated by the letters "HSQ", in which special regulations set forth in Article VIII, Chapter 8, apply.

Special Hudson Yards District (2/2/11)

The "Special Hudson Yards District" is a Special Purpose

District designated by the letters "HY" in which special regulations set forth in Article IX, Chapter 3, apply.

* * *

Article VII - Administration

* * *

Chapter 3 - Special Permits by the Board of Standards and Appeals

* * *

73-244

In C2, C3, C4*, C6-4**, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District

In C2, C3, C4*, C6-4**, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing, for a term not to exceed three years, provided that the following findings are made:

- that a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms. A plan shall be provided to the Board to ensure that the operation of the establishment will not result in the gathering of crowds or the formation of lines on the #street#;
- that the entrance to such #use# shall be a minimum of 100 feet from the nearest #Residence District# boundary;
- that such #use# will not cause undue vehicular or pedestrian congestion in local #streets#;
- that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhoods;
- that such #use# will not cause the sound level in any affected conforming #residential use#, #joint living-work quarters for artists# or #loft dwelling# to exceed the limits set forth in any applicable provision of the New York City Noise Control Code; and
- that the application is made jointly by the owner of the #building# and the operators of such eating or drinking establishment.

The Board shall prescribe appropriate controls to minimize adverse effects on the character of the surrounding area, including, but not limited to, location of entrances and operable windows, provision of sound-lock vestibules, specification of acoustical insulation, maximum size of establishment, kinds of amplification of musical instruments or voices, shielding of flood lights, adequate screening, curb cuts or parking.

Any violation of the terms of a special permit may be grounds for its revocation.

* In C4 Districts where such #use# is within 100 feet from a #Residence District# boundary

** In C6-4 Districts mapped within that portion of Community District 5, Manhattan, bounded by West 22nd Street, a line 100 feet west of Fifth Avenue, a line midway between West 16th Street and West 17th Street, and a line 100 feet east of Sixth Avenue

* * *

Article VIII - Special Purpose Districts

* * *

Chapter 8 Special Hudson Square District

88-00 GENERAL PURPOSES

The Special Hudson Square District established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- support the growth of a mixed residential, commercial and industrial neighborhood by permitting expansion and new development of residential, commercial and community facility uses while promoting the retention of commercial uses and light manufacturing uses;
- recognize and enhance the vitality and character of the neighborhood for workers and residents;
- encourage the development of buildings compatible with existing development;
- regulate conversion of buildings while preserving continued manufacturing or commercial use;
- encourage the development of affordable housing;
- promote the opportunity for workers to live in the vicinity of their work;
- retain jobs within New York City; and
- promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

88-01 Definitions

Definitions specifically applicable to this Chapter are set

forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

Qualifying building

For the purposes of this Chapter, a "qualifying #building#" shall be any #building# that contained at least 70,000 square feet of #floor area# on (date of referral).

88-02 General Provisions

In harmony with the general purposes and intent of this Resolution and the general purposes of the #Special Hudson Square District#, the provisions of this Chapter shall apply within the #Special Hudson Square District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

88-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Hudson Square District# Plan.

The District Plan includes the following map in the Appendix to this Chapter:

Map 1 Special Hudson Square District and Subdistrict

This map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

88-04 Subdistricts

In order to carry out the purposes and provisions of this Chapter, the following subdistrict is established:

Subdistrict A

The Subdistrict is specified on Map 1 (Special Hudson Square District and Subdistrict) in the Appendix to this Chapter.

88-05 Applicability of District Regulations

**88-051
Applicability of Article I, Chapter 5**
The conversion to #dwelling units# of non-#residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (Minor Modifications), paragraph (b), except as superseded or modified by the provisions of this Chapter.

88-052 Applicability of district bulk regulations to certain enlargements

Notwithstanding any of the provisions of Section 11-33 (Building Permits for Minor or Major Development or Other Construction Issued Before Effective Date of Amendment), for the #enlargement# of a #building# which is the subject of Department of Buildings application number 121326742 filed on December 3, 2012, to create a single commercial development, such #enlarged building# shall not be subject to the height and setback regulations of Section 88-33, paragraph (b), and may continue, provided that a building permit has been issued for such commercial development within two years of (date of adoption). In addition, should the #zoning lot# which is the subject of the above-referenced Department of Buildings application merge with an adjacent #zoning lot# containing #wide street# frontage on Sixth Avenue, such a #zoning lot# merger and the subsequent combining of adjacent #buildings# shall not be deemed to create a new #non-compliance#, nor an increase in the degree of #non-compliance# in regards to Section 88-33, paragraph (b)(4), (Maximum length of street wall).

88-10 SUPPLEMENTAL USE REGULATIONS

All permitted #uses# in the underlying districts, as set forth in Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall comply with the provisions set forth in this Section, inclusive.

88-11 Residential Use

#Residential use# shall be permitted in accordance with the provisions of this Section.

(a) Residential use as-of-right

#Residential use# shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# must be demonstrated to the satisfaction of the Department of Buildings.

(b) Residential use by certification

#Residential use# shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot#, as it existed on (date of referral), will contain at least the amount of non-#residential floor area# that existed within such qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the

requirements of this certification.

However, non-#residential floor area# converted to #residential# vertical circulation space and lobby space need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #residential#, or for any #development# containing #residences#.

88-12 Community Facility Use

The #community facility use# regulations applicable in M1 Districts shall not apply in the #Special Hudson Square District#. In lieu thereof, all #community facility uses# listed in Use Groups 3 and 4 shall be permitted, except that #community facilities# with sleeping accommodations shall only be permitted in accordance with paragraphs (a) or (b) of this Section, as applicable.

(a) #Community facilities# with sleeping accommodations shall be permitted as-of-right on any #zoning lot# that, on (date of referral), was not occupied by a qualifying #building#. As a condition to receiving a building permit, such absence of a qualifying #building# on the #zoning lot# shall be demonstrated to the satisfaction of the Department of Buildings.

(b) #Community facilities# with sleeping accommodations shall be permitted on a #zoning lot# that, on (date of referral), was occupied by one or more qualifying #buildings#, only upon certification by the Chairperson of the City Planning Commission that the #zoning lot# will contain at least the amount of non-#residential floor area# that existed within qualifying #buildings# on the zoning lot on (date of referral), subject to the following:

- non-#residential floor area# that is preserved within existing non-qualifying #buildings# on the #zoning lot# through restrictive declaration may count toward meeting the requirements of this certification; and
- #floor area# from #community facility uses# with sleeping accommodations shall not count toward meeting the requirements of this certification.

However, non-#residential floor area# converted to vertical circulation and lobby space associated with a #community facility# with sleeping accommodations need not be replaced as non-#residential floor area#.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to maintain the amount of non-#residential floor area# that existed within such qualifying #buildings# on (date of referral) on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from non-#residential# to #community facility uses# with sleeping accommodations, or for any #development# containing #community facility uses# with sleeping accommodations.

(c) Ground floor #community facility uses# shall be subject to the streetscape provisions set forth in Section 88-131 (Streetscape Provisions).

88-13 Commercial Use

The #commercial use# regulations applicable in M1 Districts shall apply in the #Special Hudson Square District#, except that:

- food stores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to the size of the establishment;
- #uses# listed in Use Group 6A, other than food stores, Use Groups 6C, pursuant to Section 42-13, 6E, 10 and 12B, shall be limited to 10,000 square feet of #floor area# at the ground floor level, per establishment. Portions of such establishments located above or below ground floor level shall not be limited in size;
- ground floor #commercial uses# shall be subject to special streetscape provisions set forth in Section 88-131 (Streetscape provisions);
- #commercial uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive;
- #transient hotels# shall be allowed, except that:
 - #development# or #enlargement# of

#transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11, shall only be allowed upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the "residential development goal" has been met for the #Special Hudson Square District# as set forth in this paragraph, (e)(1), or, where such "residential development goal" has not been met, by special permit pursuant to Section 88-132 (Special permit for large transient hotels):

Residential Development Goal

The residential development goal shall be met when at least 2,255 #dwelling units#, permitted pursuant to the provisions of Section 88-11 (Residential Use), within the #Special Hudson Square District# have received temporary or final certificates of occupancy subsequent to [date of enactment].

- (2) A change of #use# within a qualifying #building# to a #transient hotel# with greater than 100 sleeping units shall only be allowed by special permit, pursuant to Section 88-132;
- (f) eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244.

88-131 Streetscape provisions

For #zoning lots# with #street# frontage of 50 feet or more, the location of certain #uses# shall be subject to the following #use# requirements:

- (a) For #uses# located on the ground floor or within five feet of #curb level#, limited to Use Groups 6A, 6C, 7B, 8A, 8B, 9A, 10A, 12A and 12B, shall have a depth of at least 30 feet from the #building wall# facing the #street# and shall extend along a minimum of 50 percent of the width of the #street# frontage of the #zoning lot#.
- (b) The remainder of the #street# frontage of the #zoning lot# may be occupied by any permitted #uses#, lobbies or entrances to parking spaces, except that lobbies shall be limited to a total width of 40 feet per #street# frontage. The 30 foot minimum depth requirement shall not apply where a reduction in such depth is necessary in order to accommodate a #residential lobby# or vertical circulation core.
- (c) In Subdistrict A, for portions of a #building# bounding a #public park#, the ground floor #use# requirements of paragraph (a) of this Section shall apply to 100 percent of the width of the #street# frontage of the #zoning lot#, and #residential# lobbies and #schools# shall be permitted #uses# on the ground floor for purposes of compliance with paragraph (a) of this Section.

For #zoning lots# with #street frontage# of less than 50 feet, no special ground floor #use# requirements shall apply.

Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to occupy the ground floor provided they are located beyond 30 feet from the #building wall# facing the #street#.

Any ground floor #street wall# of a #development# or #enlargement# that contains #uses# listed in Use Groups 1 through 15, not including #dwelling units#, shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such ground floor #street wall# between a height of two feet, and 12 feet or the height of the ground floor ceiling, whichever is higher, as measured from the adjoining sidewalk. The lowest level of any transparency that is provided to satisfy the requirements of this Section shall not be higher than four feet above the #curb level#, with the exception of transom windows. In addition, the maximum width of a portion of the ground floor level #street wall# without transparency shall not exceed ten feet. However, where an entrance to a parking facility is provided, the requirements of this Section shall not apply to that portion of the ground floor #street wall# occupied by such an entrance.

88-132 Special permit for large transient hotels

- (a) Developments or enlargements

In the #Special Hudson Square District#, prior to the "residential development goal" set forth in paragraph (f) of Section 88-13 (Commercial Use) having been achieved, the City Planning Commission may permit #developments# or #enlargements# of #transient hotels# with greater than 100 sleeping units on #zoning lots# where #residential use# is permitted as-of-right, in accordance with paragraph (a) of Section 88-11

(Residential Use), provided the Commission finds that:

- (1) sufficient development sites are available in the area to meet the "residential development goal"; or
- (2) a harmonious mix of #residential# and non-#residential uses# has been established in the surrounding area, and such #transient hotel# resulting from a #development# or #enlargement# is consistent with the character of such surrounding area.
- (b) Changes of use

In the #Special Hudson Square District#, the City Planning Commission may permit the change of #use# of #floor area# within qualifying #buildings# to a Use Group 5 #transient hotel# with greater than 100 sleeping units provided that, at minimum, the amount of #floor area# changed to such #transient hotel# is:

- (1) preserved for Use Group 6B office #use# within a qualifying #building# located within the #Special Hudson Square District#, or
- (2) created for Use Group 6B office #use# within a #building developed# after (date of referral), or within the #enlarged# portion of a #building#, where such #enlargement# was constructed within one year of the date an application pursuant to this Section is filed with the Department of City Planning (DCP). Such #developed# or #enlarged buildings# may be located anywhere within the #Special Hudson Square District#, and shall have either temporary or final certificates of occupancy for Use Group 6B office #use#.

In order to permit such change of #use#, the Commission shall find that the proposed #transient hotel# is so located as not to impair the essential character, or the future use or development, of the surrounding area.

A restrictive declaration acceptable to the DCP shall be executed and recorded, binding the owners, successors and assigns to preserve an amount of Use Group 6B office #use# within a qualifying #building#, or created within a #development# or #enlargement#, as applicable. Such restrictive declaration shall be recorded in the Office of the City Register. A copy of such declaration shall be provided to the Department of Buildings upon application for any building permit related to a change in #use# from Use Group 6B office #use# to any other #use#.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

88-14 Manufacturing Use

In the #Special Hudson Square District#, #manufacturing uses# permitted in M1 Districts shall be subject to the modifications set forth in Section 123-22 (Modification of Use Groups 16, 17 and 18), inclusive.

88-20 SIGN REGULATIONS

In the #Special Hudson Square District#, #signs# are subject to the regulations applicable in C6-4 Districts, as set forth in Section 32-60, inclusive.

88-30 SPECIAL BULK REGULATIONS

Except as modified in this Chapter, the following bulk regulations shall apply:

- (a) For #developments#, #enlargements#, or changes of #use# containing #residences#, the #bulk# regulations of an R10 District, as set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) shall apply;
- (b) For #developments#, #enlargements#, or changes of #use# containing #manufacturing#, #commercial# or #community facility uses#, the #bulk# regulations set forth in Article IV, Chapter 3 (Bulk Regulations), shall apply.

For the purposes of applying the regulations of this Section, Greenwich Street shall be a #wide street#.

88-31 Floor Area Regulations

Except in Subdistrict A, the maximum #floor area# ratio for #zoning lots# that do not contain #residences# shall be 10.0; no #floor area# bonuses shall apply.

The maximum base #floor area ratio# for #zoning lots# that contain #residences# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only as set forth in Section 88-32 (Inclusionary Housing).

88-311 Special floor area regulations in Subdistrict A
For #zoning lots# in Subdistrict A that do not contain #residences#, the maximum #floor area# ratio shall be 10.0;

no #floor area# bonuses shall apply.

For #zoning lots# in Subdistrict A containing #residences#, the maximum #floor area ratio# shall be 9.0 plus an amount equal to 0.25 times the non-#residential floor area ratio# provided on the #zoning lot#, provided that such base #floor area ratio# does not exceed 10.0.

Any floor space designated for #use# as a #school# shall be exempted from the definition of #floor area# for the purposes of calculating the permitted #floor area ratio# for #community facility uses# and the total maximum #floor area ratio# of the #zoning lot#, provided that such school is either:

- (a) a public school, subject to the jurisdiction of the New York City Department of Education, pursuant to an agreement accepted by the School Construction Authority; or
- (b) a charter school, subject to the New York State Education Law, pursuant to an agreement with a charter school organization.

88-32 Inclusionary Housing

The #Special Hudson Square District#, except Subdistrict A, shall be an #Inclusionary Housing designated area#, and the provisions of Section 23-90 (INCLUSIONARY HOUSING) applicable to R10 Districts shall apply.

88-33 Height and Setback

In the #Special Hudson Square District#, the height and setback regulations of the underlying districts shall not apply. In lieu thereof, the provisions of this Section shall apply to all #buildings#.

- (a) Rooftop regulations

- (1) Permitted obstructions

The provisions of Section 33-42 shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or that the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

In addition, dormers may penetrate a maximum base height provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. For each foot of height above the maximum base height, the aggregate width of all such dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.

- (2) Screening requirements for mechanical equipment

For all #developments#, #enlargements# and #conversions# of non-#residential floor area# to #residences#, all mechanical equipment located on any roof of a #building# or other structure# shall be fully screened on all sides. However, no such screening requirements shall apply to water tanks.

- (b) Height and setback

- (1) #Street wall# location

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along the entire #street# frontage of the #zoning lot# up to the minimum base height or the height of the #building#, whichever is less. On #narrow streets# beyond 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line#. For the purposes of this paragraph, (b), portions of #street walls# located up to 18 inches from a #street line# shall be considered to be located on the #street line# where a vertical element of such #street wall# is located on the #street line# and rises without setback from ground level to the top of the second #story# at intervals of at least once every 15 feet in plan and, above the level of the second #story#, where a vertical element rises without setback to the applicable minimum base height at an interval of at least once every 30 feet in plan.

On the ground floor, recesses shall be permitted where required to provide access to the #building#, provided such recesses do not exceed three feet in depth as measured from the #street line#.

Above the level of the ground floor,

recesses shall be permitted beyond 20 feet of an adjacent #building# and beyond 30 feet of the intersection of two #street lines#, as follows:

- (i) Along #wide streets#
Recesses shall be provided at the level of each #story# entirely above a height of 60 feet, up to the maximum base height of the #building#. Such recesses shall have a minimum depth of five feet and a width between 10 and 40 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.
(ii) Along #narrow streets#
Above the level of the second #story#, recesses in #street walls# deeper than 18 inches shall be permitted. Such recesses may not exceed 30 percent of the #aggregate width of street wall# of the #building# at the level of any #story#.

(2) Base height

On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 125 feet and a maximum base height of 150 feet.

On #narrow streets#, beyond 50 feet of their intersection with a #wide street#, the #street wall# of a #building# shall rise without setback to a minimum base height of 60 feet, or the height of the #building#, whichever is less, up to a maximum base height of 125 feet.

As an alternative, the minimum and maximum base heights applicable to a #wide street# may apply along a #narrow street# to a distance of 100 feet from its intersection with a #wide street#.

(3) Required setbacks and maximum #building# heights

- (i) Along #wide streets#
The provisions of this paragraph, (b)(3)(i), shall apply to #buildings#, or portions thereof, located on #wide streets#, and on #narrow streets# within 100 feet from their intersection with a #wide street#. The portion of such #building# above a height of 150 feet shall be set back from the #street wall# of the #building# at least 10 feet along a #wide street# and at least 15 feet along a #narrow street#, except such dimensions may include the depth of any permitted recesses in the #street wall#. The maximum height of such #buildings# shall be 290 feet. In addition, the gross area of each of either the highest two or three #stories# of such #building# located entirely above a height of 230 feet, shall not exceed 80 percent of the gross area of the #story# directly below such highest two or three #stories#.
(ii) Along #narrow streets#
The provisions of this paragraph, (b)(3)(ii), shall apply to #buildings#, or portions thereof, located on #narrow streets# beyond 100 feet from their intersection with a #wide street#.
The portion of such #building# above a height of 125 feet shall be set back from the #street wall# of the #building# at least 15 feet, except such dimensions may include the depth of any permitted recesses in the #street wall#.
The maximum height of such #buildings# shall be 185 feet.
For #buildings# containing #residences#, no portion of such #building# exceeding a height of 125 feet shall be nearer to a #rear yard line# than ten feet.

(4) Maximum length of #street wall#

The maximum length of any #street wall# located entirely above a height of 150 feet shall not exceed 150 feet. Such length shall be measured in plan view by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a level of 150 feet. As an alternative, for #street walls# facing #wide streets# that provide vertical articulation, such maximum length may

be increased to 175 feet, provided that between 30 and 40 percent of the width of the #street wall# is recessed at least five feet from all adjacent #street walls# above a height of 150 feet.

(5) Vertical #enlargements#

- (i) Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section.
(ii) Existing #buildings# with #street walls# that rise without setback to a height of at least 80 feet may be vertically #enlarged# in excess of one #story# or 15 feet without regard to the #street wall# location requirements of paragraphs (b)(1) and (b)(2) of this Section, provided such #enlarged# portion is located at least 10 feet from a #wide street# and at least 15 feet from a #narrow street#.

88-331 Special height and setback regulations in Subdistrict A

For #zoning lots# in Subdistrict A, the regulations in paragraph (b) of Section 88-33 applicable to #wide streets# shall apply, except where modified or superseded by the regulations of this Section.

(a) Maximum #building# height

The maximum height of #buildings# shall be 430 feet.

(b) Lot coverage

Below a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 30 percent of the #lot area# of the #zoning lot#. Above a height of 290 feet, #buildings# shall have a minimum #floor area# coverage of at least 20 percent of the #lot area# of the #zoning lot#.

(c) Modification of #bulk# regulations for #zoning lots# bounding a #public park#

In the case of a #zoning lot line# #abutting# the boundary of a #public park#, such #zoning lot line# shall be considered to be a #wide street line# for the purposes of applying all #bulk# regulations of this Resolution except for #street wall# regulations. For the purposes of applying #street wall# regulations in the case of a #zoning lot line# #abutting# the boundary of a #public park#, a line no more than 45 feet west of and parallel to the nearest boundary line of the #public park# shall be considered a #wide street line#.

(d) #Street wall# location

The #street wall# provisions of this Chapter shall apply, except that, for the portion of a #building# bounding a #public park#, the #street wall# shall be located at the #street line# for at least 50 percent of the frontage bounding the #public park# and shall rise to the minimum base height, but not higher than the maximum base height.

88-332 Special permit to modify height and setback regulations on shallow block sites

The City Planning Commission may, by special permit, modify height and setback regulations for portions of #zoning lots# located beyond 100 feet of a #wide street#, where the maximum depth between #narrow streets# bordering the #block# is 180 feet or less. The provisions of Section 88-33, paragraph (b)(3)(ii), may be modified to permit a maximum #building# height of up to 210 feet, and a waiver of rear setback requirements at a height of 125 feet, provided that the #street wall# of the #building# shall be located on the #street line# and extend along the entire #narrow street# frontage of the #zoning lot# up to a minimum base height of 60 feet.

In granting such special permit, the Commission shall find that such modification is not inconsistent with the scale of the surrounding area.

The City Planning Commission may prescribe appropriate conditions and safeguards to ensure compatibility with the character of the surrounding area.

88-333 Courts

Those portions of #buildings# that contain #residences# shall be subject to the court provisions applicable in R10 Districts as set forth in Section 23-80 (Court Regulations, Minimum Distance between Windows and Walls or Lot Lines and Open Area Requirements), inclusive.

88-40 YARD REGULATIONS

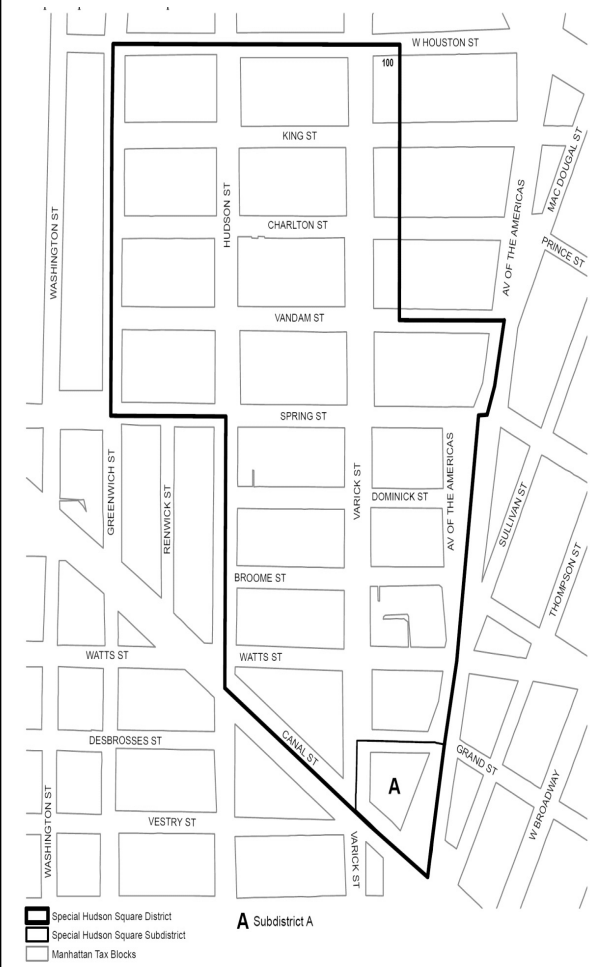
In the #Special Hudson Square District#, the yard provisions applicable in C6 Districts shall apply.

88-50 PARKING AND LOADING REGULATIONS AND CURB CUT LOCATIONS

In the #Special Hudson Square District#, the parking regulations applicable in C6-4 Districts, as set forth in Article III, Chapter 6, and as modified, pursuant to Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1,2,3,4,5,6,7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens) shall apply.

Appendix A

Map 1 - Special Hudson Square District and Subdistrict



APPENDIX F

Inclusionary Housing Designated Areas
The boundaries of #Inclusionary Housing designated areas# are shown on the maps listed in this Appendix F. The #Residence Districts# listed for such areas shall include #Commercial Districts# where #residential buildings# or the #residential# portion of #mixed buildings# are governed by the #bulk# regulations of such #Residence Districts#. Where #Inclusionary Housing designated areas# are mapped in #Commercial Districts#, the residential district equivalent has instead been specified for each map.

Table of Inclusionary Housing Designated Areas by Zoning Map

Table with 3 columns: Zoning Map, Community District, Maps of Inclusionary Housing Designated Areas. Rows include 9b, 9d, 12a, 12a, 12c, 12c, * * *

Manhattan

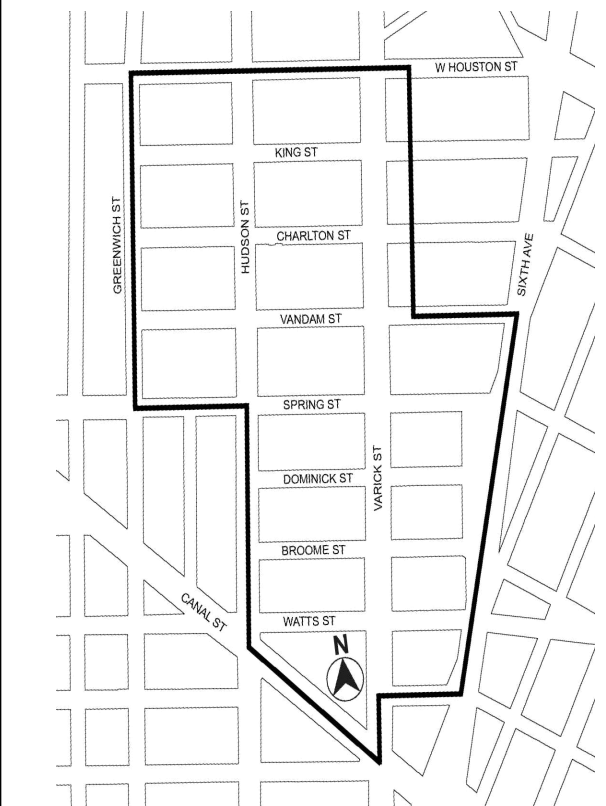
Manhattan Community District 1

Manhattan Community District 2

In the M1-6 Districts within the areas shown on the following Map 1:

Map 1

#Special Hudson Square District# - see Section 88-32



Portion of Community District 2, Manhattan

* * *

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing in the Council Committee Room, 16th Floor, 250 Broadway, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, February 12, 2013:

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matter in the Council Committee Room, 16th Floor, 250 Broadway, New York City, New York 10007, commencing at 1:00 P.M. on **Tuesday, February 12, 2013:**

PROLOGIS JFK SITE

QUEENS CB - 13 C 130023 PPQ
Application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property located in the JFK Industrial Business Zone, on the south side of 146th Avenue, between 153rd Court and 157th Street (Block 14260, p/o Lot 1), pursuant to zoning.

☛ #6-12

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, NY, on Wednesday, February 6, 2013 at 10:00 A.M.

BOROUGH OF BROOKLYN

No. 1

AQUADILLA CHILD CARE CENTER

CD 3 C 130018 PQK
IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 656 Willoughby Avenue (Block 1769, Lot 7) for continued use as a child care center.

BOROUGH OF MANHATTAN

Nos. 2, 3, 4 & 5

CORNELL NYC TECH CAMPUS

No. 2

CD 8 C 130007 MMM
IN THE MATTER OF an application submitted by Cornell University and the New York City Economic Development Corporation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of East Main Street, West Main Street, North Loop Road, South Loop Road, East Loop Road and West Loop Road; and
- the establishment of legal grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30241, dated October 11, 2012 and signed by the Borough President.

No. 3

CD 8 C 130076 ZMM
IN THE MATTER OF an application submitted by Cornell University and New York City Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 8d and 9b, by:

1. changing from and R7-2 District to a C4-5 District property bounded by North Loop Road* and its northwesterly and southeasterly prolongations, the U.S. Pierhead and Bulkhead Line, a line 1380 feet southwesterly of the centerline of North Loop Road* and its northwesterly and southeasterly prolongations, and the U.S. Pierhead and Bulkhead Line; and
2. establishing a Special Southern Roosevelt Island District (SRI) bounded by North Loop Road* and its northwesterly and southeasterly prolongations, the U.S. Pierhead and Bulkhead Line, a line 1380 feet southwesterly of the centerline of North Loop Road* and its northwesterly and southeasterly prolongations, and the U.S. Pierhead and Bulkhead Line; as shown on a diagram (for illustrative purposes only) dated October 15, 2012.

* Note: North Loop Road is proposed to be mapped under a concurrent related application (C 130007 MMM) for a change in the City Map.

No. 4

CD 8 N 130077 ZRM
IN THE MATTER OF an application submitted by Cornell University and NYC Economic Development Corporation pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article XIII, Chapter 3 (Special Southern Roosevelt Island District) establishing a special district in the Borough of Manhattan.

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

11-12 Establishment of Districts
* * *

Establishment of the Special Southern Hunters Point District
* * *

Establishment of the Special Southern Roosevelt Island District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 3, the #Special Southern Roosevelt Island District# is hereby established.
* * *

12-10 Definitions
* * *

Establishment of the Special Southern Hunters Point District
* * *

The "Special Southern Roosevelt Island District" is a Special Purpose District designated with the letters "SRI" in which regulations set forth in Article XIII, Chapter 3, apply. The #Special Southern Roosevelt Island District# appears on #zoning maps# superimposed on other districts and, where indicated, its regulations supplement, modify and supersede those of the districts on which it is superimposed.

* * *

Article XIII – Special Purpose Districts

Chapter 3 Special Southern Roosevelt Island District

* * *

133-00 GENERAL PURPOSES

The #Special Southern Roosevelt Island District# established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) providing opportunities for the development of an academic and research and development campus in a manner that benefits the surrounding community;
- (b) allowing for a mix of residential, retail, and other commercial uses to support the academic and research and development facilities and complementing the urban fabric of Roosevelt Island;
- (c) establishing a network of publicly accessible open areas that take advantage of the unique location of Roosevelt Island and that integrate the academic campus into the network of open spaces on Roosevelt Island and provide a community amenity;
- (d) strengthening visual and physical connections between the eastern and western shores of Roosevelt Island by establishing publicly accessible connections through the Special District and above grade view corridors;
- (e) encouraging alternative forms of transportation by eliminating required parking and placing a maximum cap on permitted parking;
- (f) providing flexibility of architectural design within limits established to assure adequate access of light and air to the street and surrounding waterfront open areas, and thus to encourage more attractive and innovative building forms; and
- (g) promoting the most desirable use of land in this area and thus conserving the value of land and buildings, and thereby protect the City's tax revenues.

133-01 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where matter in italics is defined both in Section 12-10 and in this Chapter, the definitions in this Chapter shall govern.

Base Plane

The definition of "base plane" is hereby modified to mean elevation 19.0, which elevation reflects the measurement in feet above Belmont Island Datum, which is 2.265 feet below the mean sea level at Sandy Hook, NJ.

Development Parcel

The "Development Parcel" shall mean all of the property located within the boundaries of the #Loop Road#, as shown on Map 1 in Appendix A of this Chapter. The #Development Parcel# shall be deemed a single #zoning lot# for the purpose of applying all regulations of this Resolution.

Loop Road

The "Loop Road" shall be comprised of the East Loop Road, the North Loop Road, the South Loop Road, and the West Loop Road, as shown on Map 1 in Appendix A of this Chapter. All such roads shall be deemed separate #streets# for the purposes of applying all regulations of this Chapter and shall not generate #floor area#.

133-02 General Provisions

The provisions of this Chapter shall apply within the #Special Southern Roosevelt Island District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

133-03 District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Southern Roosevelt Island# District Plan.

The District Plan includes the following maps:

Map 1 – Special Southern Roosevelt Island District,

Development Parcel, and Loop Road
Map 2 – Public Access Areas

The Maps are located in Appendix A of this Chapter and are hereby incorporated and made part of this Resolution. The Maps are incorporated for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

133-04 Applicability of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations)

The provisions of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations) shall not apply in the #Special Southern Roosevelt Island District#. In lieu thereof, a maximum of 500 #accessory# parking spaces shall be permitted, which may be made available for public use.

However, bicycle parking shall be provided in accordance with the provisions of Section 36-70 (BICYCLE PARKING).

133-05 Applicability of Special Regulations Applying in the Waterfront Area

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Southern Roosevelt Island District#. In lieu thereof, the area between the shoreline and the western #street line# of the #West Loop Road# and the area between the shoreline and the eastern #street line# of the #East Loop Road# shall be used exclusively for open recreational uses, and shall be accessible daily from 6am to 10pm between April 15th and October 31st and from 7:00 A.M. to 8:00 P.M. for the remainder of the year.

133-10 SPECIAL USE REGULATIONS

133-11 Additional Uses
Within the #Development Parcel#, the provisions of Section 32-10 (Uses Permitted As-Of-Right) are modified to permit Use Group 17B research, experimental or testing laboratories.

133-12 Location within buildings
Within the #Development Parcel#, the provisions of Section 32-422 (Location of floors occupied by commercial uses) shall not apply.

133-20 SPECIAL BULK REGULATIONS

Within the #Development Parcel#, the special #bulk# regulations of this Section 133-20, inclusive, shall apply.

133-21 Floor Area Ratio

The #floor area# provisions of Section 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio), shall be modified to permit a maximum #residential floor area ratio# of 3.44 without regard to #height factor#. In addition, the maximum permitted #floor area ratio# for a Use Group 17B research, experimental or testing laboratory shall be 3.40.

133-22 Lot Coverage

The #open space ratio# requirements of Section 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio), and the #lot coverage# requirements of Sections 23-14 (Minimum Required Open Space, Open Space Ratio, Maximum Lot Coverage and Maximum Floor Area Ratio) and 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) shall not apply. In lieu thereof, the aggregate #lot coverage# for all #buildings# shall comply with the following:

- (a) The maximum #lot coverage# from the #base plane# to a height that is 20 feet above the #base plane# shall be 70 percent.
- (b) The maximum #lot coverage# from a height that is more than 20 feet above the #base plane# to a height that is 60 feet above the #base plane# shall be 60 percent.
- (c) The maximum #lot coverage# from a height that is more than 60 feet above the #base plane# to a height that is 180 feet above the #base plane# shall be 45 percent.
- (d) The maximum #lot coverage# above a height of 180 feet above the #base plane# shall be 25 percent.

133-23 Height and Setback

The height and setback regulations of Sections 23-60, 24-50, and 33-40 shall apply except as modified by this Section. All heights shall be measured from the #base plane#.

133-231 Modification of height and setback controls
#Buildings or other structures# may exceed the underlying height and setback regulations for a percentage of the length of each #street line# of the #Loop Road# as follows:

- (a) #North Loop Road#: 65 percent
- (b) #East Loop Road#: 35 percent
- (c) #West Loop Road#: 35 percent
- (d) #South Loop Road#: 65 percent

Furthermore, the #street line# length percentage limitations set forth in paragraphs (a) through (d) of this Section may be exceeded by one percentage point for every two percentage points that the #lot coverage# within 50 feet of a #street line# is less than the following percentage:

- (1) #North Loop Road#: 50 percent
- (2) #East Loop Road#: 30 percent
- (3) #South Loop Road#: 50 percent
- (4) #West Loop Road#: 30 percent

All portions of #buildings or other structures# that exceed the underlying height and setback regulations in accordance with this Section shall comply with the height regulations of Section 133-232.

133-232

Height regulations

For the portion of any #building or other structure# exceeding the height and setback controls set forth in Section 133-231, the maximum height of such portion located within 500 feet of the #North Loop Road# shall be 320 feet, exclusive of permitted obstructions allowed by the underlying height and setback regulations, and the maximum height for any such portion on the remainder of the #Development Parcel# shall be 280 feet, exclusive of such permitted obstructions.

133-233

Maximum area of stories above a height of 180 feet

The gross area of any #story# located entirely above a height of 180 feet shall not exceed 15,000 square feet. Where a single #building# has multiple #stories# entirely above a height of 180 feet, each such #story# shall not exceed a gross area of 15,000 square feet.

133-234

Permitted Obstructions

Sections 23-62 (Permitted Obstructions), 24-62 (Permitted Obstructions) and 33-42 (Permitted Obstructions) shall be modified to allow #accessory# energy generating systems on the roof of a #building#, or any other structures supporting such systems, as permitted obstructions, without limitations.

133-24

Distance Between Buildings

The requirements of Sections 23-70 (Minimum Required Distance Between Two or More Buildings on a Single Zoning Lot) and 23-82 (Building Walls Regulated by Minimum Spacing Requirements) shall not apply, provided that if two or more #buildings# or portions of #buildings# are detached from one another at any level, such #buildings#, or such detached portions of #buildings# shall at no point be less than eight feet apart at or below a height of 180 feet, and shall at no point be less than 60 feet apart above a height of 180 feet.

133-25

Modification of Bulk Regulations

Within the #Special Southern Roosevelt Island District#, the City Planning Commission may authorize a modification of the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- (a) such modifications are necessary to achieve the programmatic requirements of the academic and research and development campus;
- (b) such distribution of #bulk# will result in better site planning and will thus benefit both the residents, occupants or users of the #Special Southern Roosevelt Island District# and the surrounding neighborhood;
- (c) such distribution of #bulk# will permit adequate access of light and air to surrounding public access areas, #streets# and properties; and
- (d) that such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Southern Roosevelt Island District#, to the detriment of the occupants or users of #buildings# in the #Special Southern Roosevelt Island District# or on nearby #blocks#.

133-30

PUBLIC ACCESS AREAS

At least 20 percent of the #lot area# of the #Development Parcel# shall be publicly accessible and shall include, but need not be limited to, a Central Open Area, a North-South Connection, and a Waterfront Connection Corridor, the size and location requirements for which are set forth in Section 133-31. Any supplemental public access areas provided in order to meet the minimum public access #lot area# requirements of this Section shall comply with the requirements of paragraph (d) of Section 133-31. Design and operational standards for such public access areas are set forth in Section 133-32.

133-31

Size and Location of Public Access Areas

a. Central Open Area

A Central Open Area shall front upon the #West Loop Road# for a minimum linear distance of 150 feet and be located at least 300 feet south of the #North Loop Road#, and at least 300 feet north of the #South Loop Road#. The Central Open Area shall be at least 30,000 square feet in area, with no portion having a dimension less than 20 feet in all directions counting towards such minimum area.

b.

A continuous pedestrian connection shall be provided through the #Development Parcel# from the #North Loop Road#, or from the #West Loop Road# or #East Loop Road# within 200 feet of the #North Loop Road#, to the #South Loop Road#, or to the #West Loop Road# or #East Loop Road# within 200 feet of the #South Loop Road#. Such North-South connection shall have a minimum width of 50 feet throughout its required length. The North-South Connection shall include at least one segment with a minimum length of 300 feet located more than 100 feet from both the #West Loop Road# and #East Loop Road#.

The North-South Connection shall connect to the Central Open Area either directly, or through a supplemental public access area having a minimum width of 30 feet. In the event that the North-South Connection traverses the Central Open Area, the

area within the North-South Connection, as determined by its length and minimum required width shall not be included in the 30,000 square foot minimum area of the Central Open Area.

There shall be at least one publicly accessible connection from each of the #East Loop Road# and the #West Loop Road# to the North-South Connection. Such connections shall have a minimum width of 30 feet, and shall be located a minimum of 300 feet south of the #North Loop Road# and a minimum of 300 feet north of the #South Loop Road#. In addition, such connections may be coterminous with the Waterfront Connection Corridor required by paragraph (c) of this Section.

c. Waterfront Connection Corridor

A Waterfront Connection Corridor shall be provided through the #Development Parcel# allowing for pedestrian access between the western boundary of the #East Loop Road# and either the eastern boundary of the #West Loop Road# or the eastern boundary of the Central Open Area. Such corridor shall be located in its entirety in the area located 300 feet south of the #North Loop Road# and 300 feet north of the #South Loop Road#. The Waterfront Connection Corridor shall have a minimum width of 30 feet.

d. Supplemental Public Access

Supplemental public access areas may be located anywhere within the #Development Parcel#, provided such areas have a minimum dimension of 20 feet in all directions and connect directly to one or more of the #Loop Roads#, the North-South Connection, the Central Open Space, and the Waterfront Connection Corridor.

133-32

Design Requirements for Public Access Areas

- (a) Level of public access areas and limits on coverage
At least 80 percent of publicly accessible areas shall be located at grade level, or within five feet of grade level, as such grade level may change over the #Development Parcel#, and shall be open to the sky. The remainder of such publicly accessible areas may be enclosed, covered by a structure, or located more than five feet above or below grade level, provided that such publicly accessible areas are directly accessible from public access areas that are at grade level or within five feet of grade level, and in all cases have a minimum clear height of 15 feet.

At least 50% of the linear #street# frontage for the Central Open Area required under Section 133-31(a) shall be located at the same elevation as the adjoining sidewalk of the West Loop Road. At least 80% of the area of the Central Open Area shall be open to the sky, and the remainder may be open to the sky or covered by a #building or other structure#. A minimum clear height of 30 feet shall be provided in any area of the Central Open Area covered by a #building or other structure#.

The northern and southern access points to the North-South Connection shall be located at the same elevation as the adjoining public sidewalk. The elevation of the North-South Connection may vary over the remainder of its length. At least 70 percent of the area of the North-South Connection shall be open to the sky, and the remainder may be open to the sky or covered by a #building or other structure#. A minimum clear height of 15 feet shall be provided in any area of the North-South Connection covered by a #building or other structure#.

Any portion of the Waterfront Connection Corridor that is covered by a #building# or located within a #building#, shall have a minimum clear height of 30 feet, provided that overhead walkways, structures and lighting occupying in the aggregate no more than 10 percent of the area of the Waterfront Connection Corridor, as determined by the minimum required width, shall be permitted within the required clear height.

- (b) Clear paths

The North-South Connection and the Waterfront Connection Corridor shall each have a clear path of 12 feet throughout their entire required lengths, including those connections required between the North-South Connection and the #East# and #West Loop Roads#. All such clear paths shall be accessible to persons with disabilities.

- (c) Permitted obstructions

Permitted obstructions allowed under paragraph (a) of Section 62-611 may be located within any required public access area, provided that no such permitted obstructions shall be located within a required clear path. Furthermore, kiosks may be up to 500 square feet in area, and open air cafes may occupy not more than five percent of any required public access area.

- (d) Seating

A minimum of one linear foot of seating shall be provided for each 200 square feet of required public access areas. Required seating types may be moveable seating, fixed individual seats, fixed benches with or without backs, and design-feature seating such as seat walls, planter edges or steps. All required seating shall comply with the following standards:

- (1) Seating shall have a minimum depth of 18 inches. Seating with 36 inches or more in depth may count towards two seats,

provided there is access to both sides. When required seating is provided on a planter ledge, such ledge must have a minimum depth of 22 inches.

- (2) Seating shall have a height not less than 16 inches nor greater than 20 inches above the level of the adjacent walking surface. However, as described in paragraph (5) of this Section, seating steps may have a height not to exceed 30 inches and seating walls may have a height not to exceed 24 inches.

- (3) At least 50 percent of the linear feet of fixed seating shall have backs at least 14 inches high and a maximum seat depth of 20 inches. Walls located adjacent to a seating surface shall not count as seat backs. All seat backs must either be contoured in form for comfort or shall be reclined from vertical between 10 to 15 degrees.

- (4) Moveable seating shall be credited as 24 inches of linear seating per chair. All moveable seats must have backs and a maximum seat depth of 20 inches. Moveable chairs shall not be chained, fixed, or otherwise secured while the public access area is open to the public.

- (5) Seating steps and seating walls may be used for required seating if such seating does not, in aggregate, represent more than 15 percent of the linear feet of all required seating. Seating steps shall not include any steps intended for circulation and must have a height not less than six inches nor greater than 30 inches and a depth not less than 18 inches. Seating walls shall have a height not greater than 18 inches; such seating walls, however, may have a height not to exceed 24 inches if they are located within 10 feet of an edge of a public access area.

Seating shall be provided in the Central Open Area in an amount equal to a minimum of one linear foot for every 100 square feet of the Central Open Area. Such seating shall include at least one moveable chair for every 500 square feet of the Central Open Area, and at least one other seating type. One table shall be provided for every four moveable chairs. At least 15 percent of the required seating shall be located within 20 feet of any #Loop Road#, and at least 10 percent of such required seating shall be located within 20 feet of the North-South Connection or any Supplemental Public Access Area that connects the Central Open Area to the North-South Connection.

Seating shall be provided in the North-South Connection in an amount equal to at least one linear foot for every 150 square feet of the North-South Connection. At least 20 linear feet of such seating shall be located within 20 feet of its northern entrance and an additional 20 linear feet of such seating shall be located within 20 feet of its southern entrance. There shall be at least two types of seating in the North-South Connection.

- (e) Planting

At least 20 percent of the required public access areas on the #Development Parcel# shall be comprised of planted areas, including planting beds and lawns.

At least 30 percent of the Central Open Area shall be planted with lawns, planting beds, or a combination thereof.

- (f) Hours

All required public access areas shall be open daily from 6:00 A.M. to 10:00 P.M. between April 15th and October 31st and from 7:00 A.M. to 8:00 P.M. for the remainder of the year. Signs stating that the North-South Connection is publicly accessible shall be posted at its northern and southern entrances. Signs indicating that the Central Open Space is publicly accessible shall be posted at its entrance from the West Loop Road and the North-South Connection.

133-40

BUILDING PERMITS

The Department of Buildings shall not approve any application for a building permit for a #development# or an #enlargement# unless such application shows the location of the Central Open Area, the North-South Connection and the Waterfront Connection Corridor, and any Supplemental Public Access Areas, for the purposes of demonstrating that the required amount of public access area, as set forth in Sections 133-30 and 133-31, is able to be accommodated on the #Development Parcel#.

133-50

PHASING

The public access areas required pursuant to Section 133-30, inclusive, may be built out in phases on the #Development Parcel# in accordance with this Section.

- a. Prior to obtaining a temporary or permanent certificate of occupancy for more than 300,000 square feet of #floor area# #developed# or #enlarged# on the #Development Parcel#, at least 25,000 square feet of public access area shall be substantially completed and shall be open to the public.
- b. Prior to obtaining a temporary or permanent certificate of occupancy for more than 500,000 square feet of #floor area# #developed# or

#enlarged# on the #Development Parcel#, at least 40,000 square feet of public access area shall be substantially completed and shall be open to the public. The Central Open Area shall be part of the public access area required to be substantially completed and open to the public under this paragraph.

c. Prior to obtaining a temporary or permanent certificate of occupancy for each additional 200,000 square feet of #floor area# #developed# or #enlarged# on the #Development Parcel#, an additional 12,000 square feet of public access area shall be substantially completed and open to the public. A portion of the North-South Connection connecting at least one of the #Loop Roads# and the Central Open Area shall be substantially completed and open to the public prior to obtaining a temporary or permanent certificate of occupancy for more than 750,000 square feet of #floor area# #developed# or #enlarged# on the #Development Parcel#. The Waterfront Connection shall be substantially completed and open to the public prior to obtaining a temporary or permanent certificate of occupancy for more than 900,000 square feet of #floor area# #developed# or #enlarged# on the #Development Parcel#.

d. Except as set forth above, the open space provided pursuant to this Section may include interim open space areas, provided that all of the Central Open Area, the North-South Connection, and the Waterfront Connection shall be substantially completed prior to the issuance of a temporary or permanent certificate of occupancy for more than 1,700,000 square feet of #floor area developed# or #enlarged# on the #Development Parcel#.

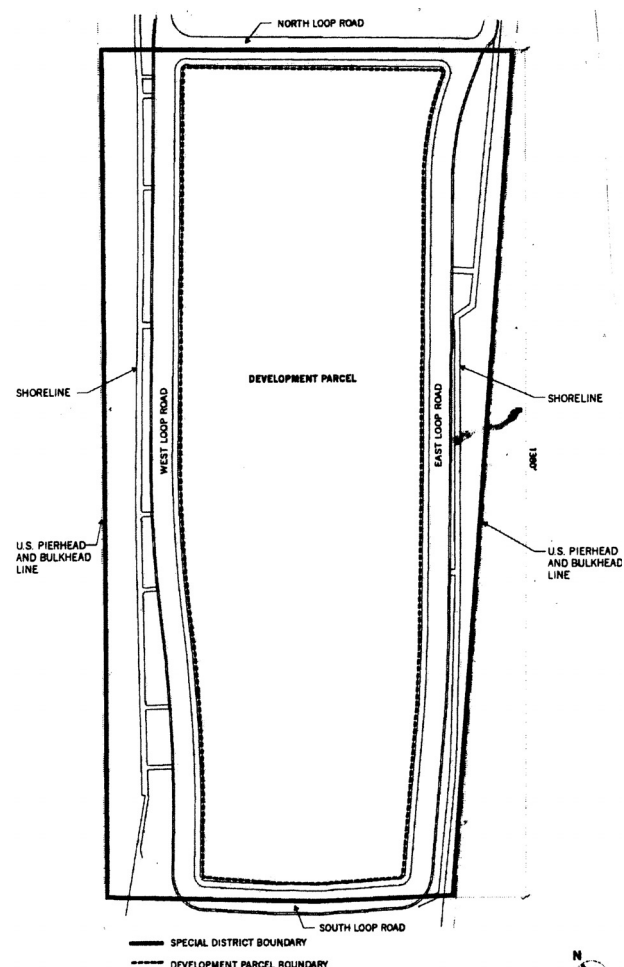
Not more than 20 percent of the #lot area# of the #Development Parcel# shall be required to be improved as public access areas, and the obligation to provide public access areas in accordance with paragraphs (a), (b), (c), and (d) of this Section shall terminate at such time as 20 percent of the #lot area# of the #Development Parcel# has been improved as public access areas and has been opened to the public.

133-60 MODIFICATION OF PUBLIC ACCESS AREAS Any public access area may be modified, eliminated, or reconfigured over time, provided that such modification, elimination, or reconfiguration does not reduce the amount of public access area required under Section 133-40 (Phasing) for the amount of #floor area# located on the #Development Parcel# at the time of such activity. Any modified or reconfigured public access area shall comply with the applicable provisions of Section 133-30 (PUBLIC ACCESS AREAS), inclusive.

133-70 NO-BUILD VOLUME A volume shall be established on the #Development Parcel# between a line that is 300 feet south of the #North Loop Road# and a line that is 300 feet north of the #South Loop Road#. Such volume shall extend from the #East Loop Road# to the #West Loop Road# along a line that is within 30 degrees of the line connecting true east and true west. The minimum width of such volume shall be 50 feet, with its lowest level 60 feet above the #base plane#. Such volume shall be open to the sky. No obstructions of any kind shall be permitted within such volume.

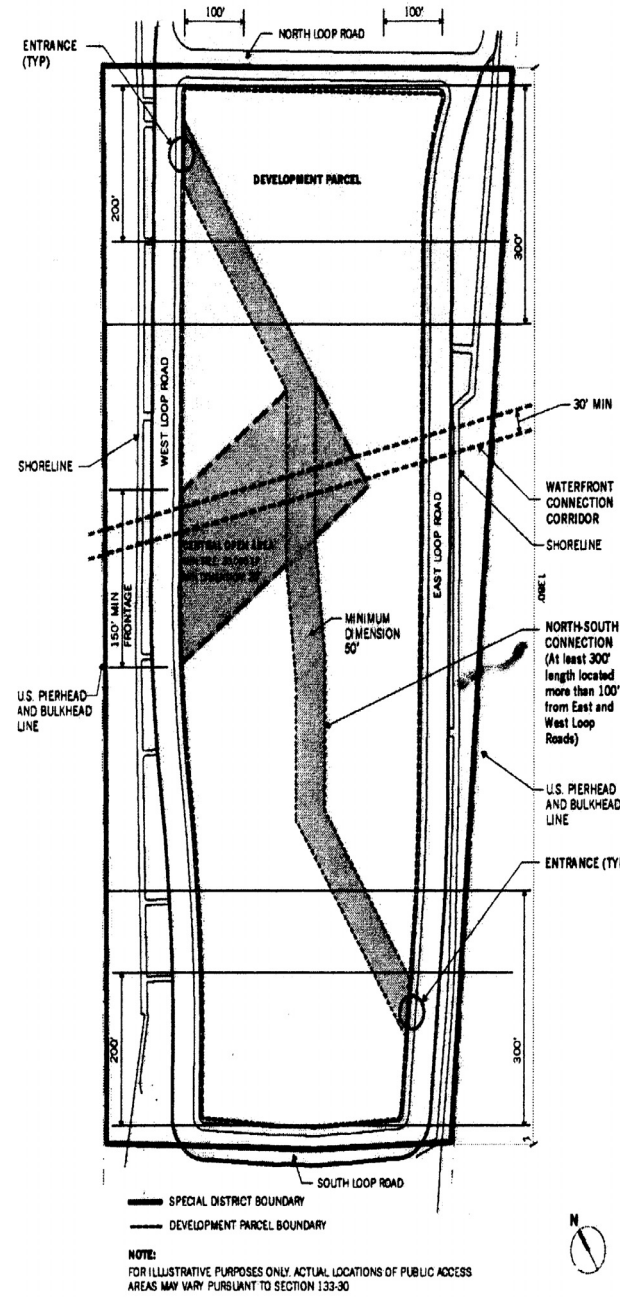
APPENDIX A #Special Southern Roosevelt Island District# Plan Map 1 - Special Southern Roosevelt Island District, Development Parcel and Loop Road

MAP 1 - SPECIAL SOUTHERN ROOSEVELT ISLAND DISTRICT, DEVELOPMENT PARCEL AND LOOP ROAD



Map 2 - Public Access Areas

MAP 2 - PUBLIC ACCESS AREAS



No. 5 CD 8 C130078 PPM IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition to the New York City Land Development Corporation (NYCLDC) of city-owned property located on Block 1373, Lot 20 and p/o Lot 1, pursuant to zoning.

NOTICE On Wednesday, February 6, 2013, 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 Office of the Deputy Mayor for Economic Development in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning disposition of City-owned property, approval of the lease and sale terms of the disposition parcels, amendment of the NYC Health and Hospitals Corporation operating agreement with the city in order to surrender a portion of the project site, zoning map changes and zoning text amendments, and a City map amendment to map a one-way loop road surrounding the project site and its connection to Main Street as a city street. Roosevelt Island Operating Corporation's actions as an involved agency may include amendment of the 1969 Master Lease originally between the City and the NYS Urban Development Corporation (RIOC's predecessor in interest) and related actions. It is also possible that an approval from the U.S. Environmental Protection Agency would be required with respect to a geothermal well system that may be part of the project. The proposed actions would facilitate an initiative by the Office of the Deputy Mayor for Economic Development to allow for the development of an applied science and engineering campus, Cornell NYC Tech, on Roosevelt Island by Cornell University of an approximately 1.8 million gross square feet (gsf) of building space, of which 620,000 gsf must be for academic use. The project site is located in Manhattan Community District 8 on the southern portion of Roosevelt Island, south of the Ed Koch Queensboro Bridge.

The zoning map amendment would rezone the project site and surrounding area from R7-2 to C4-5, and to map the Special Southern Roosevelt Island District over the same area. The zoning text amendments would create the Special Southern Roosevelt Island District and establish special use, bulk, and public access controls for the rezoning area. The Special District is intended to create a uniform, flexible framework for the ongoing development of the Cornell NYC Tech campus. The proposed C4-5/Special Southern Roosevelt Island District zoning designation would allow for the commercial uses anticipated with the project up to a maximum FAR of 3.4. Residential uses in the C4-5/Special Southern Roosevelt Island District would be permitted to a maximum FAR of 3.44, and community facility uses would be allowed to a maximum FAR of 6.5. Use Group 17B research labs would also be allowed under the C4-5/Special Southern Roosevelt Island District, to a maximum FAR of 3.4. Comments are

requested on the DEIS and will be accepted until Tuesday, February 19, 2013.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 12DME004M.

BOROUGH OF QUEENS No. 6 AIRTRAIN TEXT AMENDMENT CD 12 N 130096 ZRQ 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, relating to Article XI, Chapter 5 (Special Downtown Jamaica District) to modify the bulk and sidewalk regulations of the Special Downtown Jamaica District.

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

Article XI Special Purpose Districts Chapter 5 Special Downtown Jamaica District

115-30 Mandatory Improvements 115-31 Sidewalk Widening

The provisions of this Section shall apply to all #developments# fronting upon locations requiring sidewalk widenings as shown on Map 6 (Sidewalk Widening) in Appendix A of this Chapter. A sidewalk widening is a continuous, paved open area along the #street line# of a #zoning lot# having a depth of two feet or five feet or 10 feet, as set forth on Map 6. Such depth shall be measured perpendicular to the #street line#. Sidewalk widenings shall be improved as sidewalks to Department of Transportation standards, at the same level as the adjoining public sidewalk and directly accessible to the public at all times. No #enlargement# shall be permitted to decrease the depth of such sidewalk to less than such minimum required total sidewalk depth.

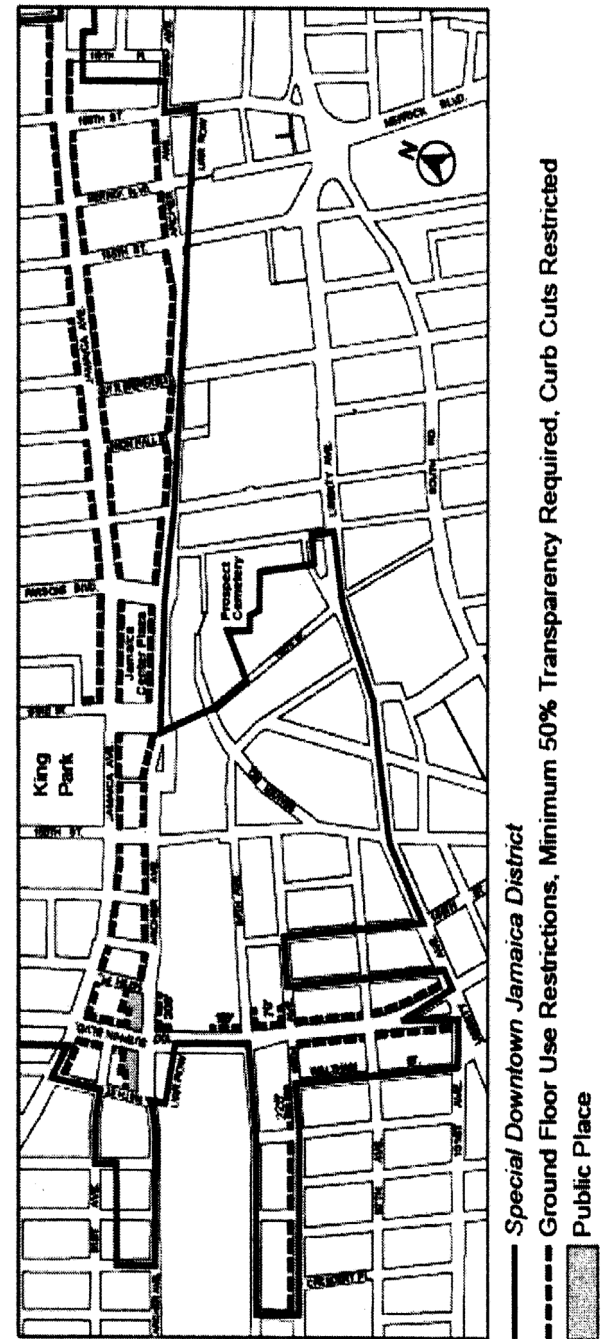
All mandatory sidewalk widenings must provide lighting in accordance with the requirements of Section 37-743, except that the minimum level of illumination shall be not less than two horizontal foot candles throughout the entire mandatory sidewalk widening.

Sidewalk widening of 10 feet or more must provide one linear foot of seating for every 150 square feet of mandatory sidewalk widening. In addition, the provisions of paragraphs (a) through (d) of Section 62-652 (Seating) shall apply.

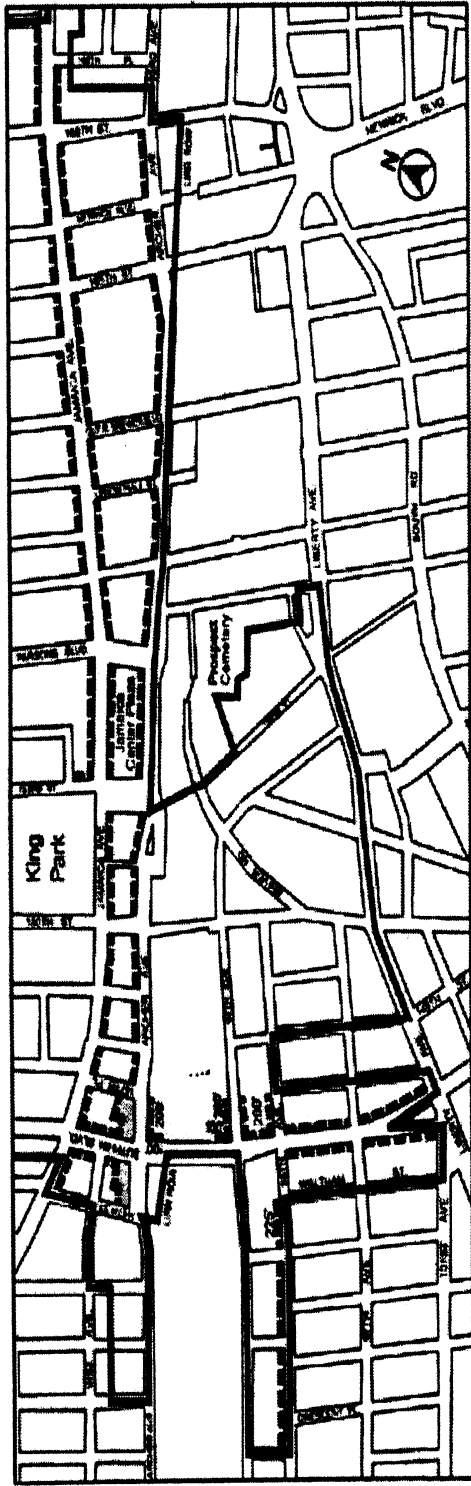
APPENDIX A Special Downtown Jamaica District Maps

Map 2. Ground Floor Use and Transparency and Curb Cut Restrictions

EXISTING MAP TO BE DELETED

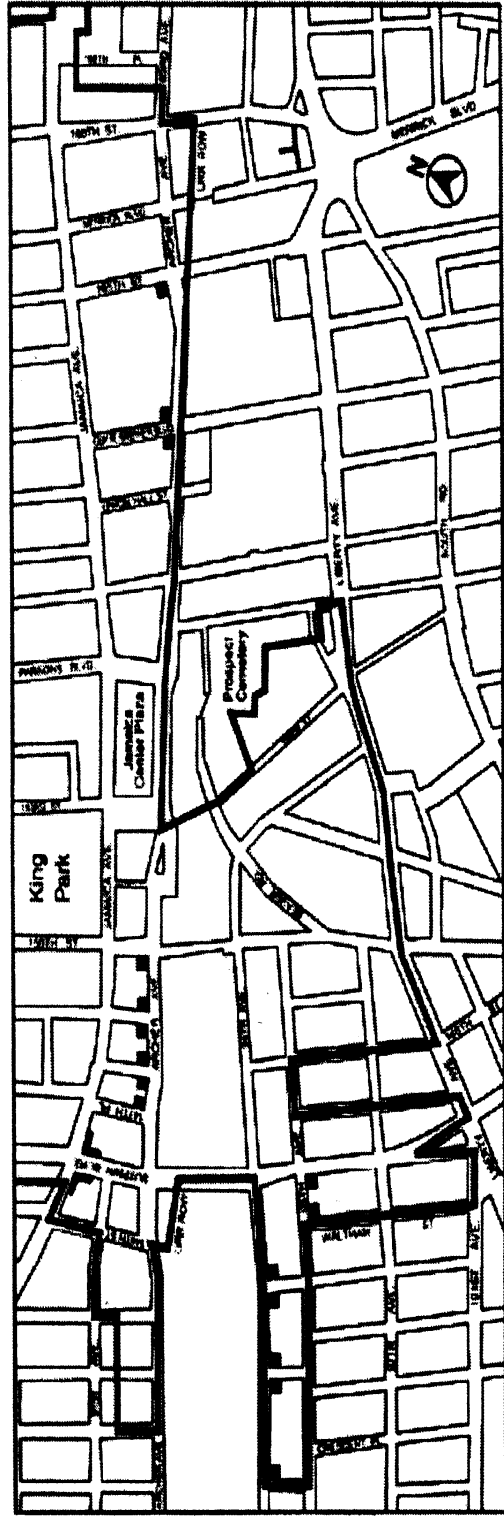


Special Downtown Jamaica District Ground Floor Use Restrictions, Minimum 50% Transparency Required, Curb Cuts Restricted Public Place



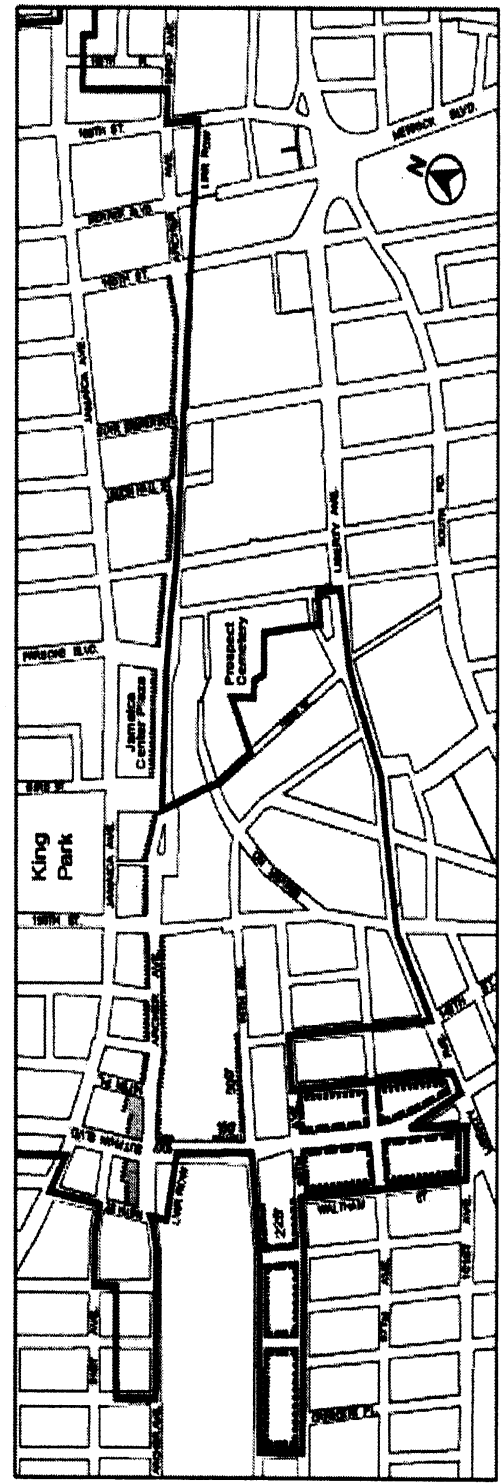
Map 3. Street Wall Location

EXISTING MAP TO BE DELETED



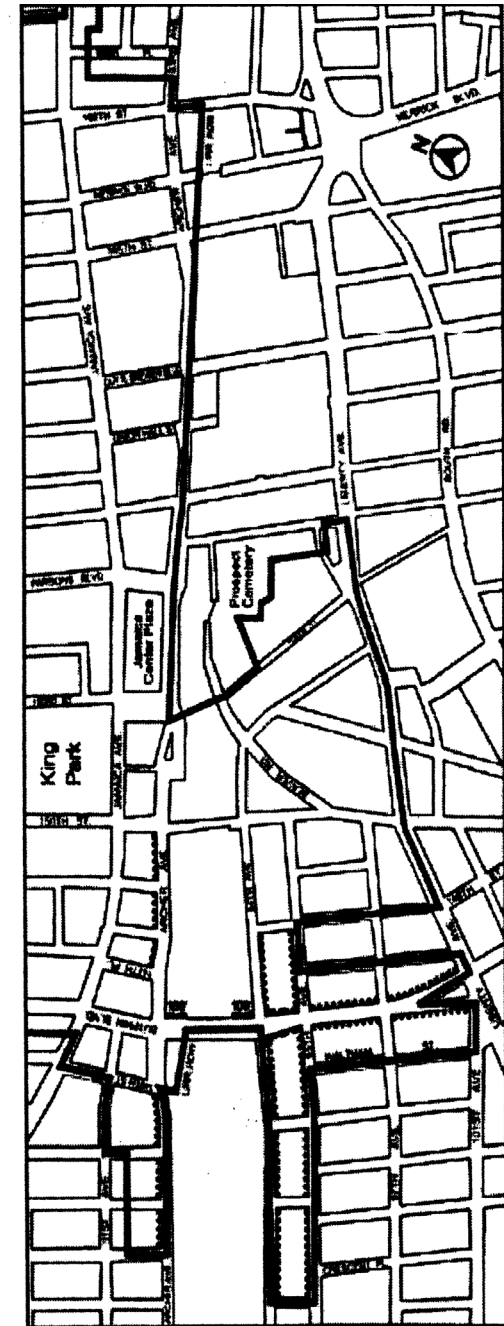
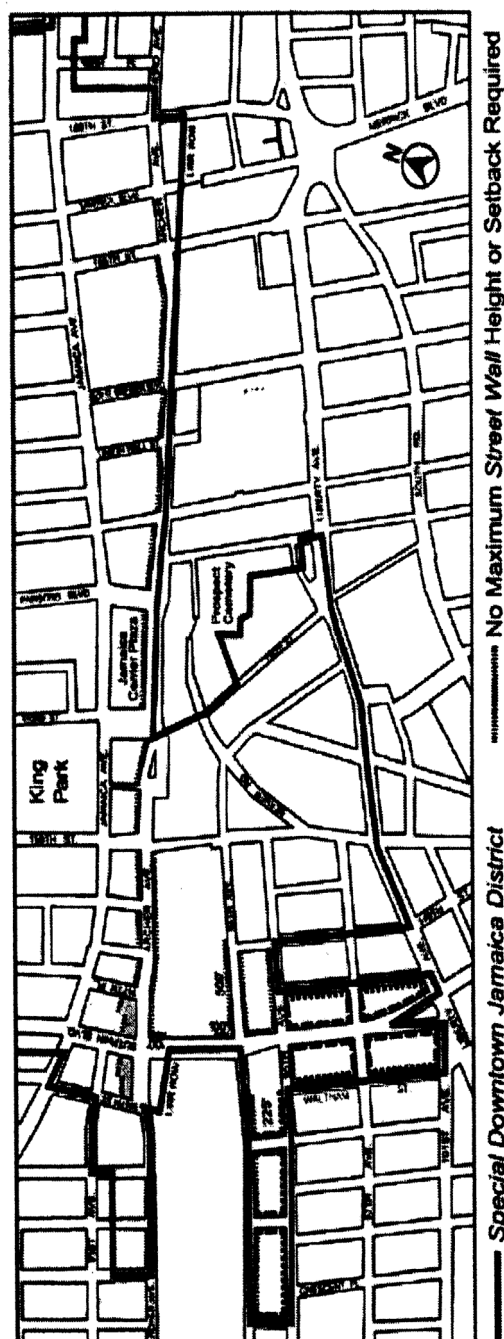
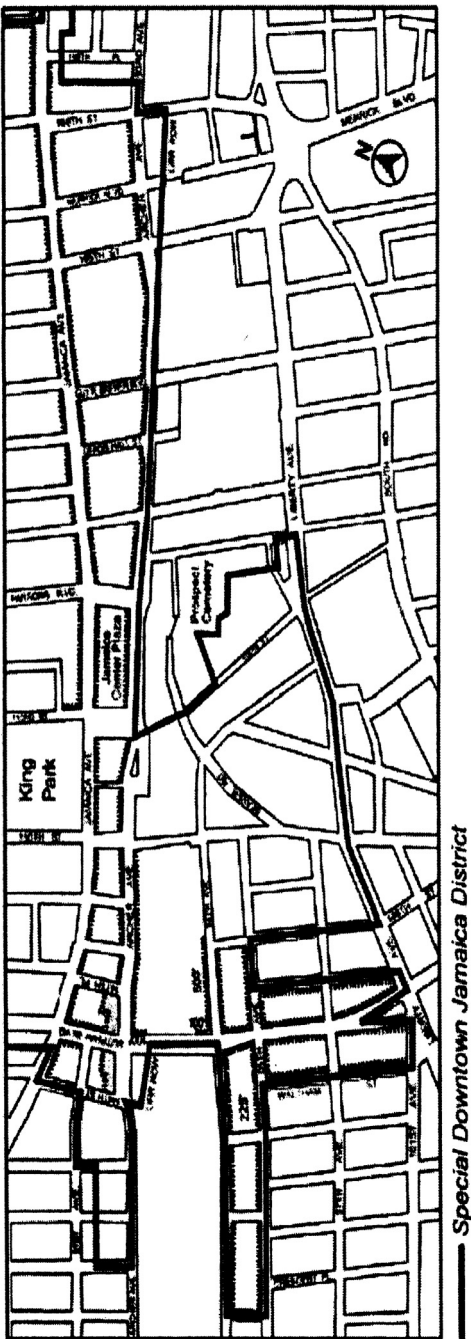
Map 4. Street Wall Height

EXISTING MAP TO BE DELETED



Map 6. Sidewalk Widening

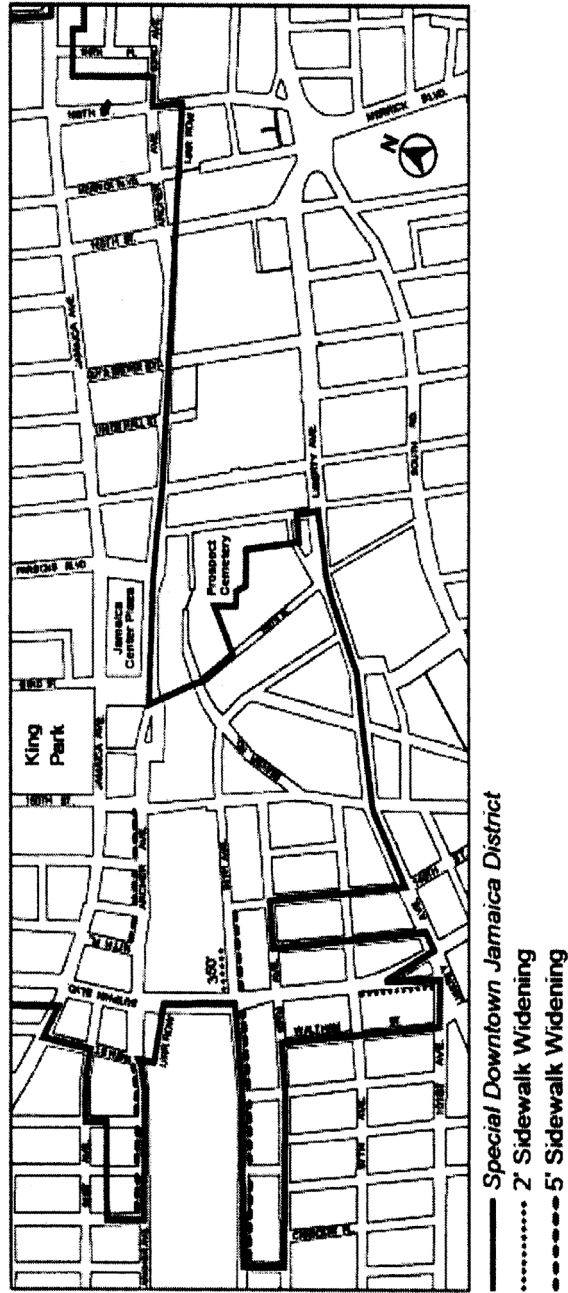
EXISTING MAP TO BE DELETED



The street wall location requirements of Section 115-232(b)(1) and (2) shall apply unless developed pursuant to the Jamaica Gateway Urban Renewal Plan, in which case no street wall location requirements shall apply

Special Downtown Jamaica District
No Maximum Street Wall Height or Setback Required
Public Place

Special Downtown Jamaica District
5' Sidewalk Widening
10' Sidewalk Widening



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

j23-f6

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, NY, on Wednesday, February 20, 2013 at 10:00 A.M.

BOROUGH OF MANHATTAN
 Nos. 1 & 2
150 WOOSTER STREET
 No. 1

CD 2 **N 120200 ZRM**
IN THE MATTER OF an application submitted by MTM Associates LLC pursuant to Section 201 of the New York City Charter, for an amendment to the Zoning Resolution of the City of New York, modifying Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts.

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

74-712
Developments in Historic Districts

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

- a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements# or has not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development# and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided that:
- (1) the #use# modifications meet the following conditions:
 - (i) that #residential development# complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;
 - (ii) that total #floor area ratio# on the #zoning lot# shall be limited to 5.0;
 - (iii) that the minimum #floor area# of each #dwelling unit# permitted by this Section shall be 1,200 square feet;
 - (iv) that all #signs# for #residential# or #commercial uses# permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and

- (v) that eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and
- (2) the Commission finds that such #use# modifications:
 - (i) have minimal adverse effects on the conforming #uses# in the surrounding area;
 - (ii) are compatible with the character of the surrounding area; and
 - (iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.
- b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for any #development# on a #zoning lot# that is vacant or is #land with minor improvements#, and in M1-5A and M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 40 percent of the #lot area# is occupied by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications:
 - (1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and
 - (2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

CD 2 **No. 2** **C 120201 ZSM**
IN THE MATTER OF an application submitted by MTM Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-712(a)*- to modify the use regulations of Section 42-00 (GENERAL PROVISIONS) and Section 42-14(D)(2)(a) to allow Use Group 2 uses (residential use); and
2. Section 74-712(b)*- to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks);

to facilitate the development of an 8-story mixed use building, on property located at 150 Wooster Street (Block 514, Lots 7 and 9), in an M1-5A District, within the SoHo Cast-Iron Historic District.

*Note: A zoning text amendment is proposed to modify Section 74-712 of the Zoning Resolution under a concurrent related application C 120200 ZRM.

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

BOROUGH OF STATEN ISLAND
 Nos. 3, 4 & 5
NORTHERLEIGH PARK
 No. 3

CD 1 **C 030409 MMR**
IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development and the NYC Department of Parks and Recreation pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of Harrower Street between North Avenue and Eldridge Avenue; and
- the elimination, discontinuance and closing of public places between Burnside Avenue and Eldridge Avenue; and
- the elimination, discontinuance and closing of a portion of Northerleigh Park adjacent to Burnside Avenue; and
- the establishment of a park addition between North Avenue and Burnside Avenue; and
- the establishment of a portion of Harrower Street north of Eldridge Avenue; and
- the adjustment of legal grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in the Borough of Staten Island, Community District 1, in accordance with Map No. 4187 dated June 3, 2003 and signed by the Borough President.

No. 4

CD 1 **C 030410 ZMR**
IN THE MATTER OF an application submitted by NYC Department of Housing Preservation & Development and the Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 20d and 21b by establishing within a former park an R3X district bounded by the boundary lines of Northerleigh Park and the southwesterly street line of Burnside Avenue, as shown on a diagram (for illustrative purposes only) dated December 17, 2012.

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

No. 5

CD 1 **C 030411 HAR**
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 84, 90, 94, 96, 100 and 104 Burnside Avenue (Block 301, part of Lot 128 and part of Lot 8900) as an Urban Development Action Area; and
 - b) an Urban Development Action Area

Project for such area; and

- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property.

to facilitate the disposition six single-family homes to purchasers to be selected by HPD through HPD's Tenant Ownership Program or Asset Sales Program.

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

f6-20

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. 01 - Tuesday, February 12, 2013 at 6:30 P.M., Swinging 60's Senior Citizen Center, 211 Ainslie Street (c/o Ainslie St.), Brooklyn, NY

Public Hearing on the FY 2014 Preliminary Budget.

f6-12

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 06 - Monday, February 11, 2013 at 7:00 P.M., Community Board 6, 866 United Nations Plaza (Suite 308), New York, NY

Public Hearing Agenda:
 Response to Mayor's Preliminary Budget
 Planning forum on NYC Department of Parks and Recreation budget.
 Old/New business

f5-11

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 09 - Tuesday, February 12, 2013 at 7:45 P.M., Kew Gardens Community Ctr. (Rm. 202), 80-02 Kew Gardens Road, Kew Gardens, NY

#N 130155PPQ
 USTA Expansion
IN THE MATTER OF an application submitted by the NYC Department of Parks and Recreation (DPR) and the USTA National Tennis Center Inc., pursuant to Section 197-c of the New York City Charter, for the disposition of a lease of city-owned property to the USTA National Tennis Center Inc.

f6-12

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 07 - Monday, February 11, 2013 at 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

BSA# 305-12-A
 5 Point Crescent, Malba, Queens
 Application seeking approval to permit proposed 2-story extension of the existing single family two-story home at premises, which will be partially in the mapped but unbuilt portion of Point Crescent when constricted and requires approval.

f5-11

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 08 - Tuesday, February 12, 2013 at 7:30 P.M., Riverside Presbyterian Church, 4763 Henry Hudson Parkway West, Bronx, NY

Report and comments on responses from City Agencies on the FY 2014 Capital and Expense Budget requests for the preliminary budget.

f6-12

COMPTROLLER

■ MEETING

The City of New York's Audit Committee meeting is scheduled for Wednesday, February 13, 2013 from 9:30 A.M. to 12:00 Noon at 1 Centre Street in Room 530. Meeting is open to the general public.

f6

DISTRICTING COMMISSION

■ PUBLIC MEETING

NOTICE IS HEREBY GIVEN THAT, in accordance with Section 51 of the New York City Charter, the City of New York 2012-2013 Districting Commission will hold a public meeting on February 6, 2013 at 6:00 P.M. at New York Law School, 185 West Broadway, New York, NY 10013. This meeting will be open to the public, but will not provide an opportunity for public testimony. The meeting location is fully accessible to those with physical disabilities.

j31-f6

ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to Title 5, Chapter 3, Subchapter 3 of the Administrative Code of the City of New York, a public hearing will be held at, 22 Reade Street, Borough of Manhattan on Wednesday, February 13, 2013, at 10:30 A.M. on the following:

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

NYC ID	County	Municipality	Type	Tax Lot ID	Acres (+/-)	
3804	Delaware	Andes	CE	p/o 257.-1-5	297.00	
2310		Andes	Fee	p/o 301.-1-22.111	161.90	
2630		Andes	Fee	p/o 259.-1-1.1	113.50	
8316		Andes	Fee	p/o 363.-1-14	15.35	
3573		Bovina	Fee	p/o 130.-4-18	273.67	
8029		Delhi	Fee	p/o 172.-1-16	46.77	
8408		Delhi	Fee	p/o 215.-1-42.1	173.54	
3804		Hamden	CE	236.-2-4	3.50	
5087		Hamden	Fee	p/o 190.-1-1.25 & 1.26	78.00	
4842		Meredith	Fee	p/o 64.-1-25.11	78.00	
8368		Middletown	Fee	p/o 285.-2-48.111	100.82	
8375		Middletown	Fee	287.-1-58	35.90	
8557		Middletown	Fee	220.-1-10.33	5.00	
5735		Tompkins	Fee	249.-1-32	56.98	
3172		Walton	Fee	251.-1-46 & 70; 273.-1-33	133.20	
2969		Greene	Lexington	Fee	p/o143.00-2-6.1 & p/o143.00-2-6.2	89.80
8359			Lexington	Fee	161.00-2-3 & p/o 4	29.90
3625			Prattsville	Fee	75.00-1-2.1 & p/o 19.1	213.11
8483			Prattsville	Fee	90.00-1-8	11.33
356			Windham	Fee	45.00-2-8	39.33
2946	Windham		Fee	p/o 63.00-4-55	51.50	
7395	Schoharie		Fee	p/o 202.-1-33.11	73.82	
1261	Sullivan		Fee	18.-1-1.2	30.01	
8565	Neversink		Fee	12.-1-1.5	7.31	
8509	Ulster		Denning	Fee	p/o 58.-1-24.1	31.33

REAL PROPERTY PUBLIC HEARING in the matter of the acquisition by the City of New York of fee simple (Fee) and easement interests on the following real estate in the Counties of Dutchess and Orange for the purposes of operating and maintaining the water supply of the City of New York:

County	Municipality	Type	Tax Lot ID	Acres (+/-)
Dutchess	Wappinger	Fee	6056-01-302882-0000	2.17
	Wappinger	Fee	6056-01-319891-0000	1.14
Orange	Newburgh	Easement	8.-2-26	0.019
	Newburgh	Easement	8.-2-25	0.173

A copy of the Mayor's Preliminary Certificates of Adoption and maps of the real estate to be acquired are available for public inspection upon request. Please call (845) 340-7810.

☛ f6

FINANCE

BANKING COMMISSION

■ MEETING

PLEASE TAKE NOTICE THAT THERE WILL BE A Meeting of the Banking Commission on Wednesday, February 13, 2013 at 11:30 A.M. in the Conference Room at 210 Joralemon Street, 5th Floor, Brooklyn, N.Y.

f1-8

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, February 13, 2013 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: 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 MEETING. TDD users should call Verizon relay service.

f4-13

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

LEGAL/FRANCHISE

■ PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING to be held on Monday, February 11, 2013 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan on the following items: 1) a proposed information services franchise agreement between the City of New York and Stealth Communications Services, LLC; 2) a proposed telecommunications services franchise agreement between the City of New York and Stealth Communications Services, LLC; 3) a proposed information services franchise agreement between the City of New York and United Federal Data of New York, LLC; and 4) a proposed telecommunications services franchise agreement between the City of New York and United Federal Data of New York, LLC. The proposed franchise agreements authorize the franchisees to install, operate and maintain facilities on, over and under the City's inalienable property to provide either information services or telecommunications services as defined in the respective franchise agreements. The proposed franchise agreements have a term ending June 30, 2020, subject to possible renewal to December 1, 2027, and compensation to the City will begin, at 20 cents per linear foot in Manhattan and 15 cents per linear foot in other boroughs, escalating two cents a quarter thereafter, subject to certain minimum payments.

A copy of the proposed franchise agreements may be viewed at The Department of Information Technology and

Telecommunications, 2 Metrotech Center, 4th Floor, Brooklyn, New York 11201, commencing January 18, 2013 through Monday, February 11, 2013, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of the proposed franchise agreements may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made payable to the New York City Department of Finance. The proposed franchise agreements may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers at (212) 788-6610 or by email at RChambers@doitt.nyc.gov.

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearing Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

The Hearing may be cablecast on NYCMedia channels.

j18-f11

LABOR RELATIONS

DEFERRED COMPENSATION PLAN

■ MEETING

The New York City Deferred Compensation Plan Board will hold its next meeting on Wednesday, February 6, 2013 from 10:00 A.M. to 12:00 P.M. The meeting will be held at 40 Rector Street, 4th Floor, NYC.

f4-6

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, February 12, 2013 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 MANHATTAN

PUBLIC HEARING ITEM NO.1

BIALYSTOKER HOME, 228-230 East Broadway, Manhattan. *Landmark Site:* Borough of Manhattan Tax Map Block 315, Lot 45 [Community District 3]

j28-f11

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, February 13, 2013. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 555 West 25th Street Associates, LLC to continue to maintain and use a stoop on the north side of West 25th Street, between Tenth and Eleven Avenues, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$ 991
 For the period July 1, 2013 to June 30, 2014 - \$1,019
 For the period July 1, 2014 to June 30, 2015 - \$1,047
 For the period July 1, 2015 to June 30, 2016 - \$1,075
 For the period July 1, 2016 to June 30, 2017 - \$1,103
 For the period July 1, 2017 to June 30, 2018 - \$1,131
 For the period July 1, 2018 to June 30, 2019 - \$1,159
 For the period July 1, 2019 to June 30, 2020 - \$1,187
 For the period July 1, 2020 to June 30, 2021 - \$1,215
 For the period July 1, 2021 to June 30, 2022 - \$1,243

the maintenance of a security deposit in the sum of \$2,500 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 In the matter of a proposed revocable consent authorizing Bruno Lane Homeowners Association Inc. to continue to maintain and use a force main, together with a manhole, under and along Joline Avenue, between Bruno Lane and Hylan Boulevard, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$10,105
 For the period July 1, 2013 to June 30, 2014 - \$10,387
 For the period July 1, 2014 to June 30, 2015 - \$10,669
 For the period July 1, 2015 to June 30, 2016 - \$10,951
 For the period July 1, 2016 to June 30, 2017 - \$11,233
 For the period July 1, 2017 to June 30, 2018 - \$11,515
 For the period July 1, 2018 to June 30, 2019 - \$11,797
 For the period July 1, 2019 to June 30, 2020 - \$12,079
 For the period July 1, 2020 to June 30, 2021 - \$12,361
 For the period July 1, 2021 to June 30, 2022 - \$12,643

the maintenance of a security deposit in the sum of \$20,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#3 In the matter of a proposed revocable consent authorizing Joshua Weinstein to continue to maintain and use a fenced-in area and a stair on the east sidewalk of West End Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$25/annum

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 In the matter of a proposed revocable consent authorizing Neal A. Shear and Jacqueline Shear to continue to maintain and use a fenced-in area on the north sidewalk of East 83rd Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among others terms and condition for compensation payable to the city according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$161
 For the period July 1, 2013 to June 30, 2014 - \$166
 For the period July 1, 2014 to June 30, 2015 - \$171
 For the period July 1, 2015 to June 30, 2016 - \$176
 For the period July 1, 2016 to June 30, 2017 - \$181
 For the period July 1, 2017 to June 30, 2018 - \$186
 For the period July 1, 2018 to June 30, 2019 - \$191
 For the period July 1, 2019 to June 30, 2020 - \$196
 For the period July 1, 2020 to June 30, 2021 - \$201
 For the period July 1, 2021 to June 30, 2022 - \$206

the maintenance of a security deposit in the sum of \$3,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#5 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use a pedestrian ramp on the south sidewalk of Stuyvesant Street, north of East 9th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among others terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$25/annum

The maintenance of a security deposit in the sum of \$4,000 and the insurance shall be in the amount of One Million

Dollars (\$1,000,000) per occurrence, and Two Million Dollars (2,000,000) aggregate.

#6 In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use two (2) conduits under, across and along East 12th Street, east of Fifth Avenue, and ducts in the existing facilities of the Empire City Subway Company, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among others terms and conditions for compensation payable to the city according to the following schedule:

- For the period July 1, 2012 to June 30, 2013 - \$33,647
- For the period July 1, 2013 to June 30, 2014 - \$34,568
- For the period July 1, 2014 to June 30, 2015 - \$35,525
- For the period July 1, 2015 to June 30, 2016 - \$36,464
- For the period July 1, 2016 to June 30, 2017 - \$37,403
- For the period July 1, 2017 to June 30, 2018 - \$38,342
- For the period July 1, 2018 to June 30, 2019 - \$39,281
- For the period July 1, 2019 to June 30, 2020 - \$40,220
- For the period July 1, 2020 to June 30, 2021 - \$41,159
- For the period July 1, 2021 to June 30, 2022 - \$42,098

The maintenance of a security deposit in the sum of \$44,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (2,000,000) aggregate.

j24-f13

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

CITYWIDE PURCHASING

NOTICE

The Department of Citywide Administrative Services, Office of Citywide Purchasing is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>. To begin bidding, simply click on 'Register' on the home page. There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more. Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Purchasing, 1 Centre Street, 18th Floor, New York, NY 10007.

jy24-d1

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

Pursuant to Section 1802(6)(j) of the NYC Charter, notice is hereby given that the Department of Housing Preservation and Development of the City of New York is proposing to sell the following Property to a designated sponsor for each project:

Address	Block	Lot	Price
MANHATTAN MULTIFAMILY PRESERVATION LOAN PROGRAM:			
272 Manhattan Avenue	1846	31	\$1,750,000
232-34 W. 149th Street	2034	52	\$4.00
304 W. 152nd Street	2046	41	
2797 Eighth Avenue	2045	74	
2472 Seventh Avenue	2029	35	

The appraisal and proposed approval documents are available for public examination at the Office HPD, 100 Gold Street, Room 5A1, New York, New York during its regular business on weekdays between the hours of 9:00 A.M. and 5:00 P.M.

PLEASE TAKE NOTICE that a Real Property Acquisition and Disposition Public Hearing will be held on Tuesday, March 12, 2013, commencing at 10:00 A.M. before the Mayor's Office of City Legislation Affairs, Spector Hall, 22 Reade Street, main floor, Borough of Manhattan, at which time and place those wishing to be heard will be given the opportunity to testify on a proposed document determining that the Mayor approves the disposition pursuant to Section 1802(6)(j) of the Charter.

INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, PUBLIC HEARINGS UNIT, 253 BROADWAY, ROOM 915, NEW YORK, NY, 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

rf6

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

"Compete To Win" More Contracts!
Thanks to a new City initiative - "Compete to Win" - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- Win More Contracts at nyc.gov/competetowin

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

CITYWIDE ADMINISTRATIVE SERVICES

SOLICITATIONS

Goods

ORGANIC WASTE RECYCLING CARTS AND BINS - NYDS – Competitive Sealed Bids – PIN# 8571300169 – DUE 02-28-13 AT 10:00 A.M. – A pre-solicitation conference for the above listed commodity will be held on February 28, 2013 at 10:00 A.M. at DCAS/OCP, 1 Centre Street, 18th Floor, Pre-Bid Conference Room, New York, NY 10007. Please review the attached specifications before you attend the conference. If you have any questions regarding this conference, please contact Lydia Sechter via phone at (212) 386-0468 or by email at lsechter@dcas.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services, 1 Centre Street, Municipal Building, 18th Floor, New York, NY 10007. Lydia Sechter (212) 386-0468; Fax: (212) 669-4867; lsechter@dcas.nyc.gov

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CITYWIDE PURCHASING

SOLICITATIONS

Services (Other Than Human Services)

PUBLIC SURPLUS ONLINE AUCTION – Other – PIN# 0000000000 – DUE 12-31-14.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services, 66-26 Metropolitan Avenue, Queens Village, NY 11379. Donald Lepore (718) 417-2152; Fax: (212) 313-3135; dlepor@dcas.nyc.gov

s6-f25

MUNICIPAL SUPPLY SERVICES

SOLICITATIONS

Goods

FORAGE – Competitive Sealed Bids – PIN# 8571300079 – DUE 02-22-13 AT 10:00 A.M. – A copy of the bid can be downloaded from the City Record Online site at <http://a856-internet.nyc.gov/nycvendronline/home.asp>. Enrollment is

free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov by telephone at (212) 669-8610 or by fax at (212) 669-7603.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Edith Fezzuoglio (212) 669-8589; Fax: (212) 313-3164; efezzu@dcas.nyc.gov

rf6

BABY FOOD, INFANT FORMULA, AND SNACKS ITEMS - ACS – Competitive Sealed Bids – PIN# 8571300200 – DUE 02-22-13 AT 10:00 A.M. – A copy of the bid can be downloaded from the City Record Online site at <http://a856-internet.nyc.gov/nycvendronline/home.asp>. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov by telephone at (212) 669-8610 or by fax at (212) 669-7603.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Edith Fezzuoglio (212) 669-8589; Fax: (212) 313-3164; efezzu@dcas.nyc.gov

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VENDOR LISTS

Goods

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: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j2-d31

COMPTROLLER

INFORMATION SYSTEMS

INTENT TO AWARD

Services (Other Than Human Services)

OAISIS/DISASTER RECOVERY MAINTENANCE – Negotiated Acquisition – Available only from a single source - PIN# 01513BIS001 – DUE 02-19-13 AT 5:00 P.M. – The New York City Office of the Comptroller is seeking to enter into negotiations with Northrop Grumman Systems Corporation to provide maintenance services on the agency's critical application, OAISIS, and its remote disaster recovery (DR) site and technical environment. The Comptroller's OAISIS and DR systems are currently maintained by Northrop Grumman Systems Corporation. Northrop created the OAISIS application and its highly customized modules, and provides the needed expertise to continue maintaining and managing its operation and replication. Contract term from January 1, 2013 through December 31, 2017.

Any firm which believes it can provide these required services in a future procurement is invited to express interest via email to BIS-Solicitations@comptroller.nyc.gov by February 19, 2013 at 5:00 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.
Comptroller's Office, 1 Centre Street, New York, NY 10007. Caroline Wisniewski (212) 669-8218; Fax: (212) 815-8507;

f1-7

DESIGN & CONSTRUCTION

CONTRACT

SOLICITATIONS

Construction/Construction Services

WATER MAIN REPLACEMENT IN HILLSIDE AVENUE BETWEEN 195TH STREET AND 199TH STREET, ETC., QUEENS – Competitive Sealed Bids – PIN# 85013B0042 – DUE 02-28-13 AT 11:00 A.M. – PROJECT NO.: QED1006/ DDC PIN: 8502013WWM0006C. Experience Requirements. Apprenticeship participation requirements apply to this contract. Bid documents are available at: <http://www.nyc.gov/buildnyc>

This bid solicitation includes M/WBE participation goal(s) for subcontracted work. For the M/WBE goals, please visit our website at www.nyc.gov/buildnyc see "Bid Opportunities." For more information about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified. Vendor Source ID#: 83258.

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. Bid Document Deposit - \$35.00 per set. Company check or money order only. No cash accepted. Late bids will not be accepted.
Department of Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2200; Fax: (718) 391-2615.

rf6

RECONSTRUCTION OF ROBERTO CLEMENTE PLAZA – Competitive Sealed Bids – PIN# 85013B0044 – DUE 03-05-13 AT 11:00 A.M. – Late bids will not be accepted. Project No.: HWXRCPLZ E-PIN: 85013B0044 DDC PIN: 8502012HW0007C NYSDOT PIN: X550.49

A deposit of \$35.00 made payable to New York City Dept. of Design and Construction is required to obtain contract plans and documents. The deposit must be made in the form of a company check, certified check or money order, no cash accepted. Refunds will be made only for contract documents that are returned with a receipt and in the original condition. Each bid submitted must be accompanied by a certified check for not less than 5 percent of the amount of the bid or a bid bond for not less than 10 percent of the amount of the bid.

This Project is Federally aided and is subject to the provision of Title 23, U.S. code, as amended, and applicable New York State Statutes. In compliance with these provisions, the minimum wages to be paid laborers and mechanics are included in wage schedules that are set in the bid documents.

Disadvantaged Business Enterprises (DBE) will be afforded full opportunity to submit bids and the City of New York hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the basis of race, color, sex, sexual orientation, national origin, age or place of residence. Prospective bidder's attention is directed to the requirements of Attachment "A" thru "Q" in Volume 3 of the contract. DBE goals can be found on Attachment "H" pages A2-H1 thru A2-H2. The schedule of proposed DBE participation is to be submitted by the apparent low bidder within 7 business days after the date of the opening of bids.

Non-compliance with the 7 day submittal requirement, the stipulations of Schedule "H" or submittal of bids in which any of the prices for lump sum or unit items are significantly unbalanced to the potential detriment of the Department may be cause for a determination of non-responsiveness and the rejection of the bid. The award of this contract is subject to the approval of the New York City Department of Design and Construction and the New York State Department of Transportation. DBE Goals: 13 percent

Agency Contact Person - Lorraine Holley (718) 391-2601
NOTE: Bid Documents are available for downloading at: <http://www.nyc.gov/buildnyc>

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 Design and Construction, 30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614; Fax: (718) 391-2615;

EDUCATION

CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods

SOLAR ENERGY ELECTRIC CAR PROGRAM KIT – Competitive Sealed Bids – PIN# Z2267040 – DUE 02-28-13 AT 4:00 P.M. – This is a requirements contract for furnishing, delivering Solar Energy Electric Car Program Kit to the School of Cooperative Technical Education under the jurisdiction of the Board of Education of the City of New York. If you cannot download this BID, please send an e-mail to VendorHotline@schools.nyc.gov with the BID Number and title in the subject line of your e-mail. For all questions related to this BID, please send an e-mail to bhamilton@schools.nyc.gov with the BID Number and title in the subject line of your e-mail.

Bid Opening: Friday, March 1st, 2013 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.
Department of Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov

■ INTENT TO AWARD

Services (Other Than Human Services)

NEGOTIATED SERVICES – Other – PIN# E1628040 – DUE 02-14-13 AT 5:00 P.M. – The Department of Education (DOE), Division of Contracts and Purchasing, has been asked for approval to enter into a contract with RCG IT (RCG), for a term of 3/1/13 through 6/30/13, at a total contract cost not-to-exceed \$100,000. RCG will provide the services of an Identity Management Security Specialist (IMSS) essential for the continuity of operations in the current environment. Other organizations interested in providing these services to the DOE are invited to indicate their ability to do so in writing to Jay. G. Miller at 65 Court Street, Room 1201, Brooklyn, New York, NY 11201.

Responses should be received no later than Thursday, February 14th, 2013.

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

EMPLOYEES RETIREMENT SYSTEM

LEGAL

■ AWARDS

Goods & Services

ANNUAL DISCLOSURE STATEMENT PRINTING AND DISTRIBUTION AGREEMENT – Request for Proposals – PIN# 0090130201301 – AMT: \$115,000.00 – TO: WorkFlowone, 220 East Monument Ave., Dayton, Ohio 45402.

ENVIRONMENTAL PROTECTION

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Services (Other Than Human Services)

PROCESSING AND BENEFICIAL REUSE OF NYC DEP BIOSOLIDS – Government to Government – PIN# 82613T0009 – DUE 02-19-13 AT 4:00 P.M. – DEP, Bureau of Water Supply intends to enter into a Government to Government procurement Agreement with Passaic Valley Sewerage Commissioners for 1361-PVSC for Processing and Beneficial Reuse of NYC DEP Biosolids. PVSC is in a unique position in that it has a dock to accommodate barging services and an existing dewatering facility with excess capacity. PVSC has performed this type of work for a number of governmental entities including NYCDEP. It has all the necessary permits in place for operation, sewer discharge and biosolids land application. It is the only entity capable of offering this level of service such as beneficial use of biosolids in the disposing of sewage sludge, dewatering and processing of NYCDEP biosolids to a Class A product and providing all required testing and regulatory reporting. Any firm which believes it can also provide the required service in the future is invited to so indicated by letter.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Debra Butlien (718) 595-3423; Fax: (718) 595-3208; dbutlien@dep.nyc.gov

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WASTEWATER TREATMENT

■ SOLICITATIONS

Construction / Construction Services

JOB ORDER CONTRACT FOR THE NORTH REGION, BRONX, QUEENS, AND WARDS ISLAND, N.Y. – Competitive Sealed Bids – DUE 02-27-13 AT 11:30 A.M. – PIN# 82613WPC1289 - Electrical Work
PIN# 82613WPC1291 - HVAC Work
CORRECTION: JOC-13-NE,NH. Document Fee: \$100.00 for JOC-13-NE, \$80.00 for JOC-13-NH. There will be a pre-bid conference, which is highly recommended, on 2/13/2013 at 10:00 A.M., 96-05 Horace Harding Expressway, 2nd Floor Conference Room #4, Flushing, NY 11373. Project Manager, Kavita Sazawal, (718) 595-5538. Bidders are hereby advised that this contract is subject to the Local Law 129 M/WBE requirements. This contract also is subject to a Project Labor Agreement.

● **JOB ORDER CONTRACT FOR THE SOUTH REGION, MANHATTAN, BROOKLYN AND STATEN ISLAND, N.Y.** – Competitive Sealed Bids – PIN# 82612WPC1289 – DUE 02-27-13 AT 11:30 A.M.
CORRECTION: JOC-13-SE. Document Fee: \$100.00. There will be a pre-bid conference, which is highly recommended, on 2/13/2013 at 10:00 A.M., 96-05 Horace Harding Expressway, 2nd Floor Conference Room #4, Flushing, NY 11373. Project Manager, Kavita Sazawal, (718) 595-5538. Bidders are hereby advised that this contract is subject to the Local Law 129 M/WBE requirements. This contract also is subject to a Project Labor Agreement.

● **JOB ORDER CONTRACT FOR THE EAST REGION, BROOKLYN AND QUEENS, N.Y.** – Competitive Sealed Bids – DUE 02-28-13 AT 11:30 A.M.
PIN# 82613WPC1287 - General Construction
PIN# 82613WPC1288 - Plumbing Work
CORRECTION: JOC-13-EG,EP. Document Fee: \$100.00 each. There will be a pre-bid conference, which is highly recommended, on 2/13/2013 at 10:00 A.M., 96-05 Horace Harding Expressway, 2nd Floor Conference Room #4, Flushing, NY 11373. Project Manager, Kavita Sazawal, (718) 595-5538. Bidders are hereby advised that this contract is subject to the Local Law 129 M/WBE requirements.

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

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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

HOUSING AUTHORITY

PURCHASING

■ SOLICITATIONS

Goods & Services

SCO FURNISHING VARIOUS ELECTRICAL ITEMS – Competitive Sealed Bids – RFQ# 59241,1 AS – DUE 02-14-13 AT 10:40 A.M.

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

f6

HUMAN RESOURCES ADMINISTRATION

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Human / Client Services

PROVIDE FUNDING FOR NYCCAH'S FOOD STAMP OUTREACH ENROLLMENT ASSISTANCE PROJECT – BP/City Council Discretionary – PIN# 06913H083521 – AMT: \$100,000.00 – TO: New York City Coalition Against Hunger, Inc., 50 Broad Street, NY, NY 10004-2500. Term: 7/1/2012-6/30/2013. E-PIN: 09613L0021001.

f6

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ SOLICITATIONS

Services (Other Than Human Services)

ENTERPRISE-WIDE STANDBY INFORMATION TECHNOLOGY AND TELECOMMUNICATION CONSULTING SERVICES (ITCS) – Negotiated Acquisition – DUE 02-11-13 AT 3:00 P.M. – PIN# 85811O0022001N002; PIN# 85811O0023001N002; PIN# 85811O0024001N002; PIN# 85811O0025001N002; PIN# 85811O0026001N002; PIN# 85811O0027001N002; PIN# 85811O0028001N002; PIN# 85811O0029001N002; PIN# 85811O0030001N002; PIN# 85811O0040001N003;

DoITT intends to enter into negotiations with the following ten (10) vendors to provide Enterprise-Wide Standby Information Technology and Telecommunication Consulting Services (ITCS):

Computer Task Group (CTG), Comsys, GCOM, Kforce, PruTech Solutions, PSI International, Inc., Trigyn Technologies, Inc., Universal Technologies, Rangan and CMA.

Any firm which believes it can provide the required service in the future is invited to express interest via email to acco@doitt.nyc.gov by February 11, 2013 at 3:00 P.M.

The services cannot be timely procured through competitive sealed bidding or competitive sealed proposals. DoITT is utilizing the Negotiated Acquisition Extension procurement source method to provide the services in order to continue to provide uninterrupted service.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Information Technology and Telecommunications, 255 Greenwich Street, 9th Floor, New York, NY 10007. Margaret Budzinska (212) 788-6510; Fax: (347) 788-4080; mbudzinska@doitt.nyc.gov

f1-7

PARKS AND RECREATION

■ AWARDS

Services (Other Than Human Services)

PARKS AND RECREATION NOTICES OF AWARD – Public Bid – PIN# CWB2013A AND 2012A/B – Unlimited Nuts, Inc.: \$77,000
Alexandru Calota: \$51,283.86
GSP Trade, Inc.: \$18,700.00
Faustino Vaquero: \$5,040.00
Krishna Sen: M10-W85-GL-C: \$462,540
Krishna Sen: M10-E90-C: \$476,600

f6

SCHOOL CONSTRUCTION AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

EXTERIOR MASONRY – Competitive Sealed Bids – PIN# SCA13-14620D-1 – DUE 02-22-13 AT 10:00 A.M. – P.S. 115 (Queens). Project Range: \$1,270,000.00 - \$1,350,000.00. Bid Document Charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be prequalified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue, Procurement Department, 1st Floor, Long Island City, NY 11101. Ekoko Omadeke (718) 752-5854; Fax: (718) 472-0477; eomadeke@nycsca.org

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CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

ROOF REPLACEMENT – Competitive Sealed Bids – PIN# SCA13-14527D-1 – DUE 02-25-13 AT 11:30 A.M. – JHS 8 (Queens). Non-refundable Document Fee: \$100.00. Project Range: \$3,180,000.00 to \$3,345,000.00.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101. Ricardo Forde (718) 752-5288; Fax: (718) 472-0477; rforde@nycsca.org

f6

ASPHALT IN PLAYGROUND AND TCU REMOVAL – Competitive Sealed Bids – PIN# SCA13-12883D-1 – DUE 02-26-13 AT 11:30 A.M. – PS 140 (Queens). Project Range: \$1,270,000.00 – \$1,342,000.00. Non-refundable Bid Document Charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Lily Persaud (718) 752-5852; Fax: (718) 472-0477; lpersaud@nycsca.org

TAXI AND LIMOUSINE COMMISSION

SOLICITATIONS

Services (Other Than Human Services)

HEALTHCARE AND DISABILITY INSURANCE SERVICES FOR MEDALLION TAXICAB DRIVERS – Request for Proposals – PIN# 15613P00180 – DUE 05-08-13 AT 2:00 P.M. – The Request for Proposals (RFP) document is available for download at: http://www.nyc.gov/html/dcas/html/about/cityrecord_editions.shtml. Click on "City Record On-Line" then click on "Start Searching." To search, enter "156 13P00180" in the PIN number field. You must register with the site in order to download the RFP.

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.
Taxi and Limousine Commission, 33 Beaver Street, 19th Floor, New York, NY 10004.
Jeremy Halperin (212) 676-1031; Fax: (212) 676-1206; jeremy.halperin@tlc.nyc.gov

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.

HEALTH AND MENTAL HYGIENE

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, February 14, 2013, in Spector Hall, 22 Reade Street, Main Floor, Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for Promise Zone Initiative - School Intervention Program. The term of this contract shall be from July 1, 2012 to June 30, 2015 and contain one three-year option to renew from July 1, 2015 to June 30, 2018.

CONTRACTOR/ADDRESS

Turnaround for Children, Inc.
25 West 45th Street, 6/F., New York, NY 10036

PIN 13AZ011301R0X00
E-PIN 81613R0003001
Amount \$636,930

The proposed contractor was selected by means of the Required Authorized Source Method, pursuant to Section 1-02(d)(2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 42-09 28th Street, 17th Floor, Long Island City, NY 11101, from February 6, 2013 to February 14, 2013, excluding Saturdays, Sundays and Holidays, between the hours of 10:00 A.M. and 4:00 P.M.

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for Promise Zone Initiative – School Intervention Program. The term of this contract shall be from July 1, 2012 to June 30, 2015 and contain one three-year option to renew from July 1, 2015 to June 30, 2018.

CONTRACTOR/ADDRESS

Visiting Nurse Service Of New York Home Care
107 East 70th Street, New York, NY 10021

PIN 13AZ011201R0X00
E-PIN 81613R0002001
Amount \$637,908

The proposed contractor was selected by means of the Required Authorized Source Method, pursuant to Section 1-02(d)(2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 42-09 28th Street, 17th Floor, Long Island City, NY 11101, from February 6, 2013 to February 14, 2013, excluding Saturdays, Sundays and Holidays, between the hours of 10:00 A.M. and 4:00 P.M.

YOUTH AND COMMUNITY DEVELOPMENT

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Thursday, February 21, 2013, at the Department of Youth and Community Development, 156 William Street, 2nd floor, Borough of Manhattan, commencing at 10:00 A.M. on the following items:

IN THE MATTER of the (3) proposed contracts between the Department of Youth and Community Development and the providers listed below to provide Out of School Time programs for Elementary and Middle School youth.

The Contractor's Pin number, Competition and contract amounts are indicated below. The term for the Out of School Time Program shall be from September 1, 2012 to August 31, 2015, with an option to renew for up to three additional years.

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

OST Programs for Middle School Students Target Zip Codes: Brooklyn

PROVIDER

School Settlement Association
120 Jackson Street, Brooklyn, New York 11211
PIN# 260130134243 **Amount** \$645,750.00

Children of Promise, NYC
600 Lafayette Avenue, 4th, Brooklyn, New York 11216
PIN# 260130134242 **Amount** \$1,214,820.00

OST Programs for Elementary School Students Target Zip Codes: Bronx

PROVIDER

Westhab, Inc.
85 Executive Boulevard, Elmsford, New York 10523
PIN# 260130124159 **Amount** \$604,500.00

A draft copy of the proposed contract may be inspected at the Department of Youth and Community Development, Office of the ACCO, 156 William Street, 2nd Floor, New York, NY 10038 on business days between the hours of 9:00 A.M. and 5:00 P.M., from February 6, 2013 to February 21, 2013, excluding weekends and holidays.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 days after publication of this notice. Written requests to speak should be sent to Ms. Dana Cantelmi, Deputy Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, dcoto@dycd.nyc.gov.

AGENCY RULES

BUSINESS INTEGRITY COMMISSION

NOTICE

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on the proposed amendment by the Business Integrity Commission of rules relating to trade waste broker regulations.

Date / Time: March 11, 2013 10:00 A.M.

Location: New York City Business Integrity Commission
100 Church Street, 20th Floor, Conference Room 1
New York, NY 10007

Contact: Joanna Weiss
Chief Program Officer
jweiss@bic.nyc.gov
(212) 676-6292

Proposed Rule Amendment

PURSUANT TO section 1043 of the New York City Charter and exercising the authority vested in the Business Integrity Commission by sections 1043(a) and 2101(b)(6) of the New York City Charter, the Business Integrity Commission intends to amend rules relating to trade waste brokers.

Instructions

- **Prior to the hearing, you may submit written comments about the proposed amendment to Ms. Weiss by mail or electronically through NYC RULES at www.nyc.gov/nycrules by March 8, 2013, 10:00 A.M.**
- **To request a sign language interpreter or other reasonable accommodation for a disability at the hearing, please contact Ms. Weiss no later than 5 business days prior to the hearing.**
- Written comments and a summary of oral

comments received at the hearing will be available for public inspection, within a reasonable time after receipt on week days between the hours of 9:30 A.M. and 4:30 P.M. at the New York City Business Integrity Commission, 100 Church Street, 20th Floor, New York, New York 10007.

Statement of Basis and Purpose of Proposed Rule

Under section §2101 of the New York City Charter, the Business Integrity Commission (BIC) is authorized to regulate the trade waste industry. To ensure trade waste businesses operate free of organized crime and corruption, BIC regulates both the providers of trade waste collection services and the trade waste brokers. As provided in Administrative Code Title 16-A, § 16-504(a), BIC regulates the issuance, suspension and revocation of registrations for trade waste brokers. Under § 16-504(i), BIC is authorized to promulgate rules the Commission deems necessary and appropriate to effectively regulate the waste removal industry, including the regulation of trade waste brokers.

These proposed rule amendments are designed to improve BIC's capacity to properly regulate the trade waste broker community and to ensure trade waste brokers are operating fairly and free of corruption. The proposed amendments will also ensure BIC's rules are fair across the trade waste industry, by making rules and requirements for trade waste brokers more consistent with those of licensed providers of trade waste removal collection or disposal services, as enumerated in Title 17 Subchapter E of the Rules of the City of New York.

Specifically, the proposed amendments will require trade waste brokers to follow BIC rules whether they are working with licensees or registrants.

The amendments will also require trade waste brokers to follow record keeping and record reporting requirements comparable to the requirements of licensees, including:

- Maintenance and production of accounting records, including cash receivable and cash disbursement journals, payroll records, general ledgers, customer subsidiary ledgers, accounts payable ledgers and other accounting records;
- Maintenance and production of customer information;
- Maintenance and production of annual financial statements;
- Maintenance and production of an annual report;
- Maintenance and production of the broker's Customer Register; and
- Maintenance and production of complaints made against the broker.

The amendments also define the requirements for agreements and contracts with customers for broker services. The proposed amendments address the information that must be included in contracts between brokers and customers, as well as the duration of such contracts. Specifically, contracts entered into after the effective date of this rule may not exceed two years in duration. Contracts entered into prior to the effective date of the rule will be deemed to terminate no later than two years following the rule's effective date. Additionally, any written contracts without a termination date will be deemed terminable at will by either party upon fourteen days written notice. Oral agreements between customers and a trade waste brokers must be deemed terminable at will by either party upon fourteen days written notice to the other party. In no instance may a broker terminate services or raise rates without at least fourteen days written notice to the customer.

Under the amendments, Commission approval will now be required before subcontracting or assigning broker services and before any sales, mergers or acquisitions of trade waste brokerages involving other businesses under BIC's jurisdiction.

In this proposed rulemaking, the Business Integrity Commission is also amending the fee for Commission review of any proposed asset sale, assignment of contract, merger, acquisition, or similar transaction by a licensee to reflect the most recent user cost analysis. The same fee structure will now be applied to transactions by registered trade waste brokers to ensure the marketplace is run fairly and free from criminal influence.

Nothing in these proposed amendments to subchapter F relating to trade waste brokers is intended to alter or affect the meaning or application of the requirements for licensees as provided in subchapter E of these rules as interpreted by the Commission.

"Shall" and "must" denote mandatory requirement and may be used interchangeably in the text below, unless otherwise specified or unless the context clearly indicates otherwise.

New text is underlined; deleted text is in [] brackets.

Section 1. Paragraph (3) of subdivision (b) of section 5-05 of subchapter E of Chapter 1 of Title 17 of the Rules of the City of New York is amended to read as follows:

(3) Investigation, inspection, and evaluation fee. The fee for investigation and review [of any proposed asset sale, assignment of contract, merger, acquisition, or similar transaction, shall be fifteen hundred dollars (\$1500) per principal and entity involved] of any proposed transaction described in paragraphs (1) and (2) of this subdivision shall be four thousand and five hundred dollars (\$4500) per entity involved and twelve hundred (\$1200) per principal involved. After submission to the Commission of an appropriate request for review of such a transaction, the Commission shall notify the parties to the transaction of the total fee amount due and owing, which shall be paid in full within ten days after such notification. The Commission, in its discretion, may waive or reduce fees upon written request in light of one or more of the following reason(s):
(i) specified persons or entities have recently undergone completed background investigations by the Commission;
(ii) the value of the transaction under review is minimal;
(iii) specified persons or entities need not undergo background investigations because of their attenuated

connection to the transaction;
 (iv) the transaction does not involve the sale, assignment, or other transfer of any accounts or customer contracts (e.g. trucks or other non-customer assets);
 (v) the transaction involves less than 5 customers;
 (vi) the transaction involves unique characteristics or other mitigating factors that would warrant a reduction or waiver of fees.

§ 2. Subchapter F of Chapter 1 of Title 17 of the Rules of the City of New York is amended to read as follows:

§ 6-01. Presentation of Registration to Customer; Posting of Registration.

A trade waste broker "broker" shall not conduct an evaluation or analysis of a business' trade waste stream or broker a transaction between a commercial establishment and a trade waste business required to be licensed or registered pursuant to this chapter, unless such broker has first presented a copy of his or her registration to such customer or prospective customer. A trade waste broker shall conspicuously post the registration issued by the Commission at the broker's place of business.

§ 6-02. Acceptance of Payment.

(a) A trade waste broker who conducts an evaluation or analysis of a trade waste stream shall not request or accept any payment in regard to such evaluation or analysis from a party other than the customer or prospective customer for whom such services are performed unless such broker has first disclosed to such customer or prospective customer in writing that the broker proposes to request or accept such payment. A copy of such notice to the customer or prospective customer shall be submitted to the Commission within fifteen (15) days of such disclosure.

(b) A trade waste broker who brokers a transaction between a customer or prospective customer of trade waste removal, collection or disposal services and a trade waste business required to be licensed or registered pursuant to this chapter shall not request or accept payment from such trade waste business. A trade waste broker shall not broker a transaction between a customer or prospective customer and a trade waste business owned by, operated by, or affiliated with the trade waste broker or any principal thereof.

(c) A trade waste broker who brokers a transaction between a customer or prospective customer of trade waste removal, collection or disposal services and a trade waste business required to be licensed or registered pursuant to this chapter shall state in writing to such customer or prospective customer that such broker has examined the rate schedules made available by the Commission pursuant to section 5-02 of this chapter.

§ 6-03. Collection of Fees Prohibited; Contract Duration.

(a) A trade waste broker shall not engage in the collection of fees from commercial establishments for trade waste removal by a trade waste business required to be licensed or registered pursuant to this chapter except where: (i) the contract for such fee collection complies with standards set forth in subdivision (b) of this section; (ii) such fee collection is upon the request of the customer; and (iii) such fee collection is part of an agreement providing for other services such as periodic waste evaluation and consulting with respect to source separation, recycling or other business practices relating to trade waste.

(b) A contract that includes provision for the collection by a trade waste broker of fees for trade waste removal shall be submitted to the Commission and shall set forth the fee charged for such collection, the rates charged by the trade waste removal business, the method of billing employed by the trade waste removal business and shall provide that the trade waste broker provide the customer with a monthly statement detailing the volume of trade waste removed.

(c) A contract for the provision of brokering services to a commercial establishment shall not exceed two years in duration.

§ 6-04. Records and Reporting Requirements.

[A trade waste broker shall maintain a complete and accurate set of books of account reflecting operation of the broker's business and documents, receipts, bills and other written records that concern such business. Such records shall be maintained for five years unless the Commission directs otherwise. The period for which records must be retained may be reduced only where the Commission so directs in a specific case in writing. The Commission may, in specific instances at its discretion, require more or less exacting record keeping and reporting requirements and may require the retention of identified records for a period exceeding five years. Such records shall be made available for inspection and audit by the Commission. The Commission may conduct such an inspection or audit at the trade waste broker's place of business or, at the Commission's discretion, at the offices of the Commission. The trade waste broker shall cooperate with the representatives conducting any such inspection or audit.

(a) A trade waste broker shall keep a register of customers in a form or in a computer format approved by the Commission. This register shall contain a list of all businesses that have been served by the trade waste broker during the period covered by such register and shall describe the services performed for each business, the fees charged to such business by the trade waste broker for such services, any fee collected from any other source in relation to such services, and the name of the business to which such fees were charged.

(b) In addition to the requirements for the customer ledger set forth in subdivision a of this section, where, pursuant to section 6-03 of this chapter, a trade waste broker collects fees from a commercial establishment for trade waste removal by a trade waste removal business required to be licensed pursuant to this chapter, such broker shall include in the customer register a description of the other services provided for the customer as required by paragraph (iii) of such

subdivision and shall retain for inspection by the Commission a copy of the customer's request for such collection service as required by paragraph (ii) of such subdivision and the contract governing the agreement to provide services.]

(a) Definitions. For the purposes of this subchapter, the following terms apply:

(1) The term "payor" shall mean any person who reimburses the broker for any purpose.

(2) The term "customer" means an entity who engages a trade waste broker to either represent the entity for the purpose of securing trade waste removal by a licensed or registered provider, or who analyzes the entity's waste stream to recommend a cost efficient means of waste disposal or other changes in related business practices.

(b) A trade waste broker shall maintain any records concerning its business including but not limited to: bills and purchase invoices (with notations identifying whether the bill or invoice was paid and, if so, the check number and date), deposit slips, copies of checks received from payors, bank statements, cancelled checks, tax returns (copies of Federal, State, and local returns with all supporting schedules), copies of accountants' work papers, insurance policies, petty cash disbursement records, IRS W-2 forms, IRS W-4 forms, IRS 1099 forms, I-9 forms, internal memoranda concerning the trade waste broker's finances or one or more customers or prospective customers of the broker, contracts, copies of cash receipts, documents reflecting electronic fund transfers, written correspondence, contract assignments, waste stream analyses, rate schedules, documents concerning route sales, discount rate lists, documents concerning mergers, acquisitions, subcontracts and asset sales, and all documents supporting, evidencing, or used to create the reports, books, journals, registers, and ledgers that the broker is required to maintain pursuant to this section.

(c) A trade waste broker must provide each payor with a written receipt for all cash payments. These receipts must include the name and address of the broker, the registration number of the broker, the date of the payment, the amount of the payment and the identity of the payor. The broker or the broker's authorized agent must sign the receipt. The broker must then keep a duplicate copy of the receipt as part of its books and records.

(d) A trade waste broker must not make any payment in excess of one thousand dollars (\$1,000) in cash or by check made payable to "Petty Cash". A trade waste broker must not make any check payable to "Cash".

(e) A trade waste broker must maintain a complete and accurate set of books of account reflecting the operation of the broker's business. Such books may be maintained on a computerized accounting system. The books must be in accordance with Generally Accepted Accounting Principles and be kept on either a cash or an accrual basis of accounting. The books should be kept on a quarterly or monthly basis and be brought up to date no later than thirty days after the end of each preceding quarter or month. The books shall include the following journals and ledgers:

(1) Cash Receipts Journal showing for each payment received:

(i) The date payment was received;

(ii) The identity of the payor;

(iii) The amount of the payment;

(iv) The check number; and

(v) A brief explanation of the purpose of the payment.

(2) Cash Disbursements Journal showing for each payment made:

(i) The date payment was made;

(ii) The identity of the payee;

(iii) The amount of the payment;

(iv) The check number; and

(v) A brief explanation of the purpose of the payment.

(3) Payroll Journal showing:

(i) The name of the employee;

(ii) Job title and position of the employee;

(iii) The home address of the employee;

(iv) The social security number of the employee;

(v) gross pay;

(vi) deductions; and

(vii) net pay.

(4) General Journal showing all non-cash transactions including adjusting entries, reversing entries, correcting entries, and reclassifying entries with explanations.

(5) General Ledger maintaining an account for each kind of asset, liability, capital, income and expense accounts. Each posting to an account must include date, folio page and amount. Balances of each account must be updated on a monthly basis.

(6) Customer Subsidiary Ledger including a separate account for each of the broker's customers, arranged alphabetically, showing:

(i) The name of the customer;

(ii) The customer's billing address;

(iii) Telephone number;

(iv) The name, billing address and phone number of any licensee or registrant who will be removing customer's waste;

(v) A description of the services provided to the customer;

(vi) Monthly charges to each customer;

(vii) Monthly collections from each customer;

(viii) The rate collected from customers (per cubic yard or ton where applicable);

(ix) The date, check number and amount of payments received;

(x) If the broker has arranged agreements between consumers and providers of trade waste removal, collection or disposal services, the name, billing address, and license or registration number of the provider of trade waste removal, collection or disposal who will serve the customer; and

(xi) If the broker has arranged agreements between consumers and providers of trade waste removal, collection or disposal services, the rate the provider of trade waste removal, collection or disposal is paid to remove, collect or dispose of customer's trade waste.

(7) Accounts Payable Subsidiary Ledger showing for each account:

(i) The date of purchase;

(ii) The name of the vendor or supplier;

(iii) The amount payable; and

(iv) A brief explanation of the accounts payable item.

(8) Other Subsidiary Ledgers must be kept for accounts that are not maintained elsewhere. This includes subsidiary ledgers for Loans and Notes Payable and Loans and Notes Receivable (which must include details of each loan and note including the date of the payment, the identity of the debtor or creditor, the form of the payment, and the check number, if applicable).

(f) (1) A trade waste broker must maintain an annual financial statement in a form or computer format prescribed by the Commission. The financial statements must include a balance sheet, an income statement, a statement of cash flows and a statement of retained earnings or (if the broker is a sole proprietorship or partnership) capital.

(2) The broker must retain the following records:

(i) The balance sheet, including the balance for each group or type of asset, liability, and capital amount at the end of the accounting period.

(ii) The income statement including the balance of each group or type of income and expense for the accounting period.

(3) The following schedules must be included in the financial statement in support of the balance sheet and income statement:

(i) A schedule of investments;

(ii) Allowances for doubtful accounts;

(iii) Prepaid expenses;

(iv) Miscellaneous current and other assets;

(v) Fixed assets, depreciation and accumulated depreciation;

(vi) Notes payable and receivable;

(vii) Taxes prepaid and accrued;

(viii) Miscellaneous current and accrued liabilities;

(ix) Capital stock;

(x) Additional paid-in capital;

(xi) Retained earnings;

(xii) Intangible assets and accumulated amortization; and

(xiii) Records related to any waste stream analysis performed

(4) Operating, administrative and general expenses must be summarized and shall include schedules as follows:

(i) A payroll analysis with details of employee wages;

(ii) A compensation schedule for officers, directors and owners;

(iii) A revenue analysis;

(iv) An analysis of interest paid and received; and

(v) An amortization expense analysis.

(g) No later than six (6) months following the end of the trade waste broker's fiscal year, all brokers must file a report on a form or computer format prescribed by the Commission. The Commission requires that the annual report include the financial statement described in subdivision (f) of this section and other information and documents concerning the broker's operations, including but not limited to: financial information reported on a calendar year basis, the management letter issued by the broker's auditor to the broker, information concerning affiliations with other licensees and brokers; organization and control of the broker; corporate control over the broker; corporations controlled by the broker; officers and directors of the broker; security holders of and voting powers within the trade waste broker's business; management, engineering and other contracts of the broker. The trade waste broker must certify, and the principal responsible for the broker's financial affairs must swear under oath upon penalty of perjury, that the financial statement accurately reflects the broker's accounts and financial operations.

(h) In the event that a revision of the report is required by the Commission subsequent to review by an auditor on the Commission's staff, an amended report must be submitted to the Commission no later than the date specified by the Commission.

(i) The Commission may require that the financial statements be audited by an independent certified public accountant. The certified public accountant must not be employed by or related to the trade waste broker or any principal of the broker and must not have any financial interest in the broker or any principal of the broker. The auditor shall render an opinion regarding: (1) the results of the broker's operations and cash flows for the broker's fiscal year end and (2) whether the financial statements accurately reflect the financial position of the broker as of the balance sheet date. The auditor need not opine on paragraphs (3) and (4) of subdivision (f). The auditor must also issue a supplemental opinion on the broker's compliance with the financial record-keeping and reporting requirements of the Commission. The supplemental opinion must detail every variance or deviation from the Commission's requirements noted during the auditor's examination of the broker's financial books and records. The trade waste broker must certify, and the principal responsible for the broker's financial affairs must swear under oath upon penalty of perjury, that the financial statement accurately reflects the broker's accounts and financial operations. At the completion of the audit, the broker must obtain from the auditor copies of the accountant's work papers.

(j) A trade waste broker must maintain a complete and accurate Customer Register on a form or in a computer format approved by the Commission, and file the Customer Register with the Commission as provided in paragraph (3).

(1) The Customer Register must contain a list of all customers currently served by the broker. This list must include the customer's name and the name of an authorized representative of the customer, any trade name, the address or addresses of service, the billing address, the telephone number, the date on which services commenced, the total charge per month, and such other information as may be specified by Commission directives. Where, pursuant to section 6-03 of this chapter, a trade waste broker collects fees from a commercial establishment for trade waste removal by a trade waste removal business required to be licensed pursuant to this chapter, such broker shall include in the customer register a description of the other services provided for the customer as required by section 6-03(a)(iii) and shall retain for inspection by the Commission a copy of the customer's request for such collection service as required by section 6-03(a)(ii) and the contract governing the agreement to provide services.

(2) If the broker has secured a contract or agreement between a customer and a provider of trade waste removal, collection or disposal services, the Customer Register shall state the name, billing address and license or registration number of the provider. Additionally, the Customer Register must include the date on which services commenced, the total charge per month, and such other information as may be specified by Commission directives.

(3) A complete and up-to-date Customer Register must be filed twice each year: on January 30 for the period from June 1 through December 31, and on July 31 for the period from January 1 through June 30, or as often as ordered by the Commission. In the event that the Commission grants a new registration, the newly registered trade waste broker must submit its first Customer Register to the Commission no later than 90 days after the granting of its registration, unless otherwise directed by the Commission.

(k) A trade waste broker must maintain a register of all complaints that such broker receives from customers, licensees or registrants.

(l) All records, receipts, documents, journals, ledgers, registers, and books, required by this section, must be maintained for five years unless the Commission directs otherwise. This period for record keeping will only be reduced if the Commission so directs in a specific case in writing. The Commission may in specific instances, in its discretion, require more or less exacting record-keeping and reporting requirements and may require the retention of identified records for a period of time exceeding five years.

(m) All records, receipts, documents, journals, ledgers, registers, and books that must be maintained pursuant to this section, must be made available for inspection and audit by the Commission. The Commission may conduct an inspection or audit at the trade waste broker's place of business or at the offices of the Commission. The broker shall cooperate with the representatives of the Commission conducting any such inspection or audit.

(n) If any due date under this section falls on a weekend or City holiday, the due date shall be deemed to be the first business day following such weekend or holiday.

§ 6-05. Compliance with Applicable Law and Regulation.

All trade waste brokers shall at all times comply with all the laws, rules and regulations of Federal, State and local governmental authorities having jurisdiction over any of the brokers' activities. Failure to comply with these laws, rules or regulations shall be grounds for suspension and/or revocation of the registration and, in addition to any other penalty provided by law, the imposition of penalties pursuant to section 1-04 of this chapter.

§ 6-06. Agreements and Contracts with Customers; Service to Customers.

(a) Trade waste removal providers. A trade waste broker may only arrange for trade waste removal services to be provided by haulers licensed or registered by the Commission, in accordance with §16-505 of the Administrative Code.

(b) Term and form of contract; requirements; service and discontinuation of service; increase of rates.

(1) A contract for the services of a trade waste broker entered into after the effective date of this rule shall not exceed two years in duration.

(2) A contract to provide the services of a trade waste broker entered into prior to the effective date of this rule shall terminate on the date provided therein or shall be deemed to terminate no later than two years following such effective date, whichever date is earlier.

(3) A written contract to provide the services of a trade waste broker that contains no provision regarding duration must be terminable at will by either party upon fourteen (14) days written notice to the other party.

(4) An oral agreement between a customer and a trade waste broker must be terminable at will by either party upon fourteen (14) days written notice to the other party.

(5) A trade waste broker must not discontinue service to any customer, or raise the rates charged to such customer, unless at least fourteen (14) days written notice is provided to the customer. No contract for trade waste broker services shall provide that the broker may discontinue service upon shorter notice.

(6) Where a broker is arranging for an agreement between a customer and provider of trade waste removal, collection or disposal services, a written contract shall provide that the broker will arrange for removal of the customer's waste from the location designated by the customer, and state the time the waste removal will begin and the rate the customer will pay the broker. Where the services to be provided by the broker include evaluation or analysis of the waste stream, the written contract shall provide a brief description of such evaluation or analysis the broker will perform and the rate the customer will pay to the broker. A sample standard contract form shall be submitted to the Commission at the time an application for a trade waste broker registration is submitted. Brokers registered prior to the effective date of this rule shall submit a sample standard contract form with their first renewal application submitted after such effective date. A broker must submit any subsequent changes in the standard form to the Commission thirty (30) days prior to implementing such change. Nothing in this provision should be construed to prevent a broker from negotiating terms at variance with the standard form contract, except that a broker shall not vary such contract in any manner inconsistent with Chapter 1 of Title 16-A of the Code or any provision of these rules.

(7) A trade waste broker must comply with the service and other terms set forth in the written contract or oral agreement with the customer. A contract agreed to in writing should not be altered without the written agreement of the customer or authorized representative. The broker must provide the customer with a copy of any contract or written agreement, and other additional informational notices required by the Commission throughout the term of service to the customer by the broker.

(c) Subcontracting, assignment of contracts, mergers and acquisitions.

(1) Subcontracting broker services.

(i) A trade waste broker shall apply for review by the Commission before subcontracting or assigning a contract and shall seek such review by the Commission thirty (30) days before such subcontract or assignment is proposed to take effect. A request for subcontracting or assignment of contract must be submitted on a form prescribed by the commission and must identify the customer(s) involved (including name, address, contact person, and contract terms), state the requested length of the arrangement, and describe the business justification for the arrangement. Copies of all affected contracts or proposed contracts must be submitted with the request.

The Commission will not approval such a transaction unless the Commission determines that the transaction is consistent with the purposes of Chapter 1 of Title 16-A of the Administrative Code. A trade waste broker may only subcontract or assign a contract to another trade waste broker registered by the Commission. A trade waste broker must not act as a subcontractee unless the

subcontractor broker has received express written approval for the subcontracting arrangement from the Commission.

(ii) Upon approval by the Commission, an assignee or subcontractor of broker contracts shall notify, within fifteen (15) days of the effective date of such assignment or subcontract, each party to the contract of such assignment or subcontract and of the right of such party to terminate such contract upon thirty days notice during the three months subsequent to receiving notice of such assignment or subcontract. Such notification shall be by certified mail with the receipt of delivery retained by the assignee or subcontractor and shall be upon a form approved by the Commission. Where no written broker contract exists with a customer, a trade waste broker that assumes responsibility for the broker services from another broker must provide such customer with notification, within fifteen (15) days of such assignment or subcontract, on a form approved by the Commission by certified mail with the receipt for delivery retained by the assignee or subcontractor, that a new company will be providing broker services and that the customer has the right to terminate such service.

(2) Mergers and acquisitions. A trade waste broker must apply for review by the Commission before acquiring, merging with, consolidating with, or exchanging any interest of any business that is subject to the Commission's jurisdiction pursuant to Title 16-A of the Administrative Code. Such application for review shall be submitted on a form prescribed by Commission's review no later than thirty (30) days before such acquisition, sale or merger is to take effect. The Commission will not approve such a transaction unless the Commission determines that the transaction is consistent with the purposes of Chapter 1 of Title 16-A of the Administrative Code. The Commission may, in its discretion, require that either the purchaser or seller post a bond or place money in escrow with the Commission in an amount that the Commission believes, in its discretion, is needed to cover any outstanding or potential fines or penalties owed or that may be owed to the Commission, any customer complaints that have been heard pursuant to section 1-03 of this chapter in regard to which a final determination has not been rendered, and any restitution ordered by the Commission which the selling or dissolving broker has failed to make to the customer. In the event that the seller fails to post such bond or place money in escrow as set forth in this paragraph, the Commission may seek from the purchaser any and all outstanding fines or penalties for violations of Chapter 1 of Title 16-A of the Code and this chapter, and any outstanding ordered customer restitution.

(3) Investigation, inspection, and evaluation fee. The fee for investigation and review of any proposed transaction described in paragraph 2 of this subdivision shall be four thousand and five hundred dollars (\$4500) per entity involved and twelve hundred (\$1200) per principal involved. After submission to the Commission of an appropriate request for review of such a transaction, the Commission shall notify the parties to the transaction of the total fee amount due and owing. This fee must be paid in full within ten days after such notification. The Commission, in its discretion, may waive or reduce fees upon written request in light of one or more of the following reason(s):

(i) Specified persons or entities have recently undergone completed background investigations by the Commission;

(ii) The value of the transaction under review is minimal;

(iii) Specified persons or entities need not undergo background investigations because of their attenuated connection to the transaction;

(iv) The transaction does not involve the sale, assignment, or other transfer of any accounts or customer contracts (e.g. trucks or other non-customer assets);

(v) The transaction involves fewer than 5 customers;

(vi) The transaction involves unique characteristics or other mitigating factors that would warrant a reduction or waiver of fees.

(4) Customer's thirty (30) day termination right during ninety (90) day post-assignment period. During the ninety (90) day period following a transaction for which Commission approval is required pursuant to this subdivision (c), the customer has the right to terminate its contract with the broker on thirty (30) days notice. All contracts signed by affected customers during the ninety (90) day period subsequent to such transaction remain terminable on thirty (30) days notice throughout the ninety (90) day period and any such contract signed during that ninety (90) day period must contain prominent notice of this fact.

(d) Written contract. At the time service to a customer is commenced, the trade waste broker must take all steps necessary to attempt to reach an agreement with the customer on the terms and conditions of the service to be provided, and within forty (40) days of the commencement of service shall prepare a written contract that clearly and legibly sets forth the terms and conditions of the agreement negotiated by the broker and the customer, and deliver such contract to the customer. This contract must provide that the

contract is only effective upon being dated and signed by the broker and the customer or authorized representative. Additionally, the contract must specify that a change of any term or condition of such contract must be made in writing, dated, signed by both the broker and the customer or authorized representative before such term or condition takes effect. The proposed contract offered by the trade waste broker must be accompanied by a notice that states: "You are not required to sign this contract. If you have any questions or complaints, call the Business Integrity Commission at 212-676-6300." The broker must provide one copy of such signed and dated contract and a copy of any signed and dated amendments to the customer or authorized representative.

(e) Customer's decision not to sign a written contract. A customer is not required to sign a written contract. In the event a customer fails or refuses to sign a contract that has been tendered to the customer pursuant to subdivision d of this section a broker will be deemed to have complied with such subdivision if the broker complies with the requirements in paragraphs (1) through (3) of this subdivision. However the broker must not discontinue service to the customer, or raise the rates charged, unless at least fourteen (14) days written notice of such discontinuance or rate increase have been given to the customer. Where a written contract with a customer has not been obtained by the trade waste broker, the broker shall:

(1) Demonstrate that a written contract has been tendered to the customer in accordance with subdivision d of this section, within 40 days of the commencement of service;

(2) Keep a copy of the contract tendered on file along with the signed returned postal receipt for a period of one year after the eventual discontinuance of service to the customer; and

(3) Make available to the Commission upon its request a copy of the contract and the return receipt.

(f) Liability for negligence. No contract or contract amendment between a broker and a customer may provide that the broker is exempt from liability for damage caused by the broker's negligence or the negligence of any of its agents.

(g) Standard bills, statements, invoices.

(1) A broker must provide a written bill, statement or invoice at least once every month to each customer to which such broker provides services. Such bill, statement or invoice must clearly contain all of the following:

(i) The trade waste broker's name, address, telephone number, registration number;

(ii) The customer's name and complete address;

(iii) The maximum rates in effect with a statement indicating that the rates so identified are maximum legal rates and that lower rates may be lawfully charged;

(iv) The negotiated rate per cubic yard or per 100 pounds on which the invoice is based;

(v) An itemized list of charges detailing the cubic yards or weight of putrescible waste removed, recyclables removed, and any additional charges;

(vi) Where the customer is being charged on a "flat" or "average" billing basis,

a. The total charges for waste removal for the billing period;

b. An itemized statement of the estimated volume or weight of the putrescible waste removed and the charge for the removal of such waste;

c. An itemized statement of the estimated volume or weight, if any, of the recyclable waste removed and the charge for the removal of such waste;

d. A statement as to the method by which the estimated volume or weight was determined; and

(vii) A separate statement of sales tax collected.

(2) When the trade waste broker has brokered an agreement between a consumers and provider of trade waste removal, collection or disposal services, the broker shall provide a notice to customers as follows, on a form approved by the Commission:

NOTICE TO CUSTOMERS - The New York City Business Integrity Commission regulates the maximum rate your licensed or registered trade waste hauler may charge. If you should have a question or a complaint concerning waste removal, contact the New York City Business Integrity Commission.

§ 6-07. Employee Information.

A trade waste broker shall provide to the Commission the names of any employees hired or to whom offers of employment are extended subsequent to the issuance of a registration and the information required in regard to employees and such prospective employees on the application for a trade waste broker registration.

§ 3. Effective Date: This rule shall take effect one hundred and eighty days after its final publication in the city record. A broker will be required to file its first financial statement form as described in §6-04(g) no later than six months after the date of the broker's fiscal year end that occurs immediately following the effective date of this rule, and then on an annual basis thereafter. A broker will be required to file its first Customer Register as described in §6-04(j) on the first January 30 or July 31 that occurs after the effective date of this rule, and then every six months thereafter.

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Amendment of Rules Governing Trade Waste Brokers

REFERENCE NUMBER: 2012 RG 080

RULEMAKING AGENCY: Business Integrity Commission

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
(ii) is not in conflict with other applicable rules;
(iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
(iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN Date: January 31, 2013
Acting Corporation Counsel

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Rules Governing Trade Waste Brokers

REFERENCE NUMBER: BIC-1

RULEMAKING AGENCY: Business Integrity Commission

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
(ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
(iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

Kelly Shultz
Mayor's Office of Operations

1/30/13
Date

SPECIAL MATERIALS

COLLECTIVE BARGAINING

NOTICE

NOTICE OF FILING OF PETITION

This notice acknowledges that the New York City Office of Collective Bargaining is in receipt of the petition described below:

DATE: January 22, 2013 DOCKET #: RU-1263-13

PETITIONER: HHC PBA, Inc.
141 North State Road, Suite 1-E,
Briarcliff Manor, NY 10510

RECEIVED: Petition for Certification

TITLES: Special Officer (Title Code No. 708100)

CURRENT BARGAINING REPRESENTATIVE:
City Employees Union, Local 237, International Brotherhood of Teamsters, 216 West 14th Street, New York, NY 10011

EMPLOYER: New York City Health and Hospitals Corporation, 125 Worth Street, New York, NY 10013

BOARD OF CERTIFICATION

Karine Spencer
DIRECTOR OF REPRESENTATION

OFFICE OF THE MAYOR

NOTICE

PROCLAMATION OF ELECTION

As a result of James Sanders, Jr. accepting a seat in the New York State Senate, effective January 1, 2013, and his resignation from the City Council, a vacancy has been created in the seat he has held as a Council Member for the thirty-first Council district. Accordingly, pursuant to the authority vested in me by Section 25(b)(1) and 25(b)(6) of the New York City Charter, I hereby proclaim that a special election shall be held in the thirty-first district on February 19, 2013 to elect a council member to serve until December 31, 2013. Pursuant to Section 25(b)(7) of the Charter, nomination of candidates in this election shall be by independent nominating petition.

DATED: January 3, 2013 s/s
Michael R. Bloomberg
Mayor

j7-f19

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 01/18/13

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists names of poll workers and their details.

Table with columns: NAME, TITLE, SALARY, ACTION, EFF DATE. Lists names of personnel and their details.