



# THE CITY RECORD

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## THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

EDNA WELLS HANDY, Commissioner, Department of Citywide Administrative Services.  
ELI BLACHMAN, Editor of The City Record.

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BOARD MEETINGS

#### NOTICE OF MEETINGS

#### City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

#### City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

#### Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

#### Civilian Complaint Review Board

Generally meets at 10:00 A.M. on the second Wednesday of each month at 40 Rector Street, 2nd Floor, New York, NY 10006. Visit <http://www.nyc.gov/html/crb/html/meeting.html> for additional information and scheduling changes.

#### Design Commission

Meets at 253 Broadway, 5th Floor, New York, New York 10007. For meeting schedule, please visit [nyc.gov/designcommission](http://nyc.gov/designcommission) or call (212) 788-3071.

#### Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

#### Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

#### Environmental Control Board

Meets at 40 Rector Street, OATH Lecture Room, 18th Floor, New York, NY 10006 at 9:15 A.M., once a month at the call of the Chairman.

#### Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

#### Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

#### Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

#### Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

#### Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

#### In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

#### Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor,

Manhattan, Monthly on Wednesdays, commencing 2:30 P.M., and other days, times and location as warranted.

#### Real Property Acquisition And Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

#### Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise notified by the Commission. For current meeting dates, times and agendas, please visit our website at [www.nyc.gov/landmarks](http://www.nyc.gov/landmarks).

#### Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

#### Housing Authority

Board Meetings take place every other Wednesday at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). For Board Meeting dates and times, please visit NYCHA's Website at [nyc.gov/nycha](http://nyc.gov/nycha) or contact the Office of the Secretary at (212) 306-6088. Copies of the Calendar are available on NYCHA's Website or can be picked up at the Office of the Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Copies of the Disposition are also available on NYCHA's Website or can be picked up at the Office of the Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting.

These meetings are open to the public. Pre-registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first. Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five business days before the Board Meeting. For additional information, please visit NYCHA's Website or contact (212) 306-6088.

#### Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

#### Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

#### Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

#### Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

## BROOKLYN BOROUGH PRESIDENT

### PUBLIC HEARINGS

#### UNIFORM LAND USE REVIEW PROCEDURE

Notice is hereby given that, pursuant to Sections 82 and 197-C and 201 of the New York City Charter, the Brooklyn Borough President will hold a public hearing on the following

matters in the Borough President's Conference Room, Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, New York 11201, commencing at 5:30 P.M. on Monday July 1, 2013.

#### CALENDAR ITEM 1

**FDNY JOINT EMS/SOC FACILITY  
SITE SELECTION - PROPERTY ACQUISITION  
COMMUNITY DISTRICT 18  
130307 PCK**

In the matter of an application submitted by the Fire Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and lease of space for property located at 10110 Foster Avenue for use as an ambulance station and Special Operations Command (office space and a warehouse facility).

#### CALENDAR ITEM 2

**BUSHWICK UNITED EARLY LEARNING CENTER  
PROPERTY ACQUISITION  
COMMUNITY DISTRICT 4  
130126 PJK**

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 seeks a lease renewal for property located at 200 Central Avenue for continued use as a child care center.

#### CALENDAR ITEM 3

**BUSHWICK UNITED EARLY LEARNING CENTER  
PROPERTY ACQUISITION  
COMMUNITY DISTRICT 4  
130162 PJK**

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 seeks a lease renewal for property located at 600 Hart Street for continued use as a child care center.

#### CALENDAR ITEM 4

**DISPOSITION OF CITY-OWNED PROPERTY  
PROPERTY ACQUISITION  
COMMUNITY DISTRICT 10  
130266 PPK**

In the matter of an application submitted by the NYC Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of two city-owned properties pursuant to zoning located at 621 86th Street and an interior lot between 85th and 86th Streets and between 13th and 14th Avenues.

#### CALENDAR ITEM 5

**BROOKLYN COLLEGE CAMPUS ROAD DEMAPPING  
ZONING MAP & TEXT AMENDMENT  
COMMUNITY DISTRICT 14  
120326 MMK; 130306 ZMK**

In the matter of applications submitted by the Dormitory Authority of the State of New York pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 of the New York City Administrative Code for: a) an amendment to the City Map involving the elimination, discontinuance and closing of Campus Road south of Avenue H and a narrowing of Avenue H between Campus Road and Nostrand Avenue; the discontinuance and closing of Amersfort Place between Avenue H and Nostrand Avenue; and the adjustment of grades; including authorization for any acquisition or disposition of real property and, b) changing a C8-2 District to an R6 District and establishing within the proposed District a C2-4 District to allow for a 12-story, mixed-use development with approximately 140,000 square feet of academic and support space, 72,500 square feet dormitory space and approximately 57 parking spaces.

#### CALENDAR ITEM 6

**RHEINGOLD REZONING  
ZONING MAP; TEXT; & CITY MAP AMENDMENT**

## COMMUNITY DISTRICT 4 070250 MMK; 080322 ZMK; 110179 ZRK

In the matter of applications submitted by Forrest Lots, LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 of the New York City Administrative Code for amendments to: the City Map to establish the section of Stanwix Street from Montieith Street to Forrest Street as mapped streets; the Zoning Map to change the zoning from M3-1 and M1-1 to M1-2, R6A and R7A with a C2-4 commercial overlay; and the Zoning Text to modify Sections 23-922 of the NYC Zoning Resolution to make the newly mapped R6A and R7A districts inclusionary housing designated areas for an approximate 6 block area. These actions will allow for a new residential development consisting of 977 units, of which 242 are affordable and 47 of the affordable would be for senior housing; approximately 54,000 square feet for local retail, and a total of 504 parking spaces.

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.

☛ j24-jy1

## QUEENS BOROUGH PRESIDENT

### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on **Thursday, June 27, 2013** at 10:30 A.M., in the Borough President's Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

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

**CD7 – BSA #615-57 BZ** - IN THE MATTER of an application submitted by Sheldon Lobel, PC on behalf of Cumberland Farms, Inc. pursuant to Section 11-411 of the New York Zoning Resolution to extend the terms of a variance previously granted by the BSA to allow continued operation of an existing automotive service station in an R5B/C1-3 district located at **154-11 Horace Harding Expressway**, Block 6731 Lot 1, Zoning Map 10d, Flushing, Borough of Queens.

**CD11 – BSA #723-84 BZ** - IN THE MATTER of an application submitted by Gerald J. Caliendo, RA, AIA on behalf of Alameda Project Partners Ltd/ Cristine Briguglio, pursuant to Section 11-411 of the NYC Zoning Resolution for an extension of term for a variance which expired on October 30, 2012 allowing a commercial building with conditions in an R1-2 district located at **241-02 Northern Boulevard**, Block 8178, Lot 1, Zoning Map 11a, Douglaston, Borough of Queens.

**CD13 – BSA #160-00 BZ** - IN THE MATTER of an application submitted by Vassalotti Associates Architects,LLP, on behalf of 243-02 South Conduit Avenue, LLC pursuant to Section 11-411 of the New York Zoning Resolution to reopen and extend the term of variance for an additional ten (10) years for the continued operation of an existing automotive service station in an R3-2/C1-3 district located at **244-04 Francis Lewis Boulevard**, Block 13599 Lot 25, Zoning Map 19b, Rosedale, Borough of Queens.

**CD6 – BSA #88-13 BZ** - IN THE MATTER of an application submitted by Lawrence M. Gerson, Esq. on behalf of Allied Austin LLC pursuant to Section 73-36 of the New York Zoning Resolution for a special permit to allow the legalization of a physical culture establishment occupying 5,835 sf on the ground floor in an existing commercial building in an R5D/C2-3 district located at **69-40 Austin Street**, Block 3234 Lot 150, Zoning Map 14a, Forest Hills, Borough of Queens.

**CD7 – BSA #90-13 BZ** - IN THE MATTER of an application submitted by Akerman Senterfitt, LLP, on behalf of Eleftherios Lagos pursuant to Section 72-21 of the New York Zoning Resolution for a variance to allow the construction of a single-family dwelling which would create a non-compliance with respect to rear yard requirement on the zoning lot in an R1-2 district located at **166-05 Cryders Lane**, Block 4611 Lot 1, Zoning Map 7d, Whitestone, Borough of Queens.

**CD11 - BSA# 339-12 BZ** - IN THE MATTER of an application submitted by Sheldon Lobel, P.C. on behalf of Lion Bee Equities, LLC, pursuant to Section 72-21 of the NYC Zoning Resolution for a variance to permit accessory community facility and commercial parking on the R2A portion of the zoning lot in an R2A/C1-2 and R3-1 district located at **252-29 Northern Boulevard**, Block 8129, p/o Lot 53, Zoning Map 11a, Bayside, Borough of Queens.

**CD02 – ULURP# 130191 ZSQ** - IN THE MATTER of an application submitted by G&M Realty, L.P. pursuant to sections 197-c and 201 of the NYC Charter for the grant of a special permit pursuant to Section 117-56 of the Zoning Resolution to allow an increase in the permitted floor area ratio of Section 117-522, from 5.0 to a maximum of 8.0, and to modify the street wall requirements of Section 117-531 (Street wall location) and the setback requirements of Section 117-532 (Setback regulations for buildings that exceed the minimum base height) in connection with a proposed mixed-use development on property located in an M1-5/R7-3 District, within the Queens Plaza Subdistrict, Area C of the Special Long Island City Mixed Use District at **22-44 Jackson Avenue**, Block 72, part of Lot 80, Zoning Map 9b, Long Island City, Borough of Queens.

**CD03 & 04 – ULURP #C 130344 ZMQ** - IN THE MATTER of an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for a zoning map amendment to all or portions of approximately 141 blocks of an area **generally bounded by the Grand Central Parkway to the north and east, 32nd Avenue to the south and to the west, by a line beginning at 91st Street and moving northwesterly to 80th Street at Astoria Boulevard. Additionally including the south side of Roosevelt Avenue generally bounded by Elmhurst Avenue and, 114th Street**, zoning map sections 9c, 9d, 10a, and 10b: East Elmhurst and Corona, Borough of Queens.

j21-27

## COMMUNITY BOARDS

### ■ PUBLIC HEARINGS

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. 12 - Thursday, June 27, 2013 at 6:00 P.M., Bronx Community Board 12, 4101 White Plains Road (c/o East 229th St.), Bronx, NY

#### BSA# 133-13 BZ

To gather the consensus/comments of the community regarding a request for a variance in order to permit the construction of a Use Group (UG) 4A house of worship at 1915 Bartow Avenue.

#### #N130331ZRY

The Department of City Planning proposal for a zoning text amendment to enable flood resilient building construction throughout designated flood zones.

j21-27

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

#### BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 05 - Wednesday, June 26, 2013 at 6:30 P.M., 127 Pennsylvania Avenue, Brooklyn, NY

#### #130375HUK / #130374ZMK / #130376HAK

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD), an Urban Development Action Area Project (UDAAP) designation, project approval and the disposition of city-owned property; zoning map amendment and an amendment to the East New York I Urban Renewal Plan to facilitate the development of city-owned properties located along the Livonia Avenue corridor.

j20-26

## EMPLOYEES RETIREMENT SYSTEM

### ■ INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, June 25, 2013 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

j18-24

## 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, July 10, 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 134 West 4th Street LLC to construct, maintain and use a stoop, steps and a fenced-in area on the south sidewalk of West 4th Street, west of MacDougal Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2024-\$25/annum

the maintenance of a security deposit in the sum of \$5,000 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.

**#2** In the matter of a proposed revocable consent authorizing 680 Residential Owner LLC to construct, maintain and use a snowmelt system in the north sidewalk of East 61st Street, west of Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the date of Approval to June 30, 2014 - \$1,657/annum

For the period July 1, 2014 to June 30, 2015 - \$1,703  
For the period July 1, 2015 to June 30, 2016 - \$1,749  
For the period July 1, 2016 to June 30, 2017 - \$1,795  
For the period July 1, 2017 to June 30, 2018 - \$1,841  
For the period July 1, 2018 to June 30, 2019 - \$1,887  
For the period July 1, 2019 to June 30, 2020 - \$1,933  
For the period July 1, 2020 to June 30, 2021 - \$1,979  
For the period July 1, 2021 to June 30, 2022 - \$2,025  
For the period July 1, 2022 to June 30, 2023 - \$2,071  
For the period July 1, 2023 to June 30, 2024 - \$2,117

the maintenance of a security deposit in the sum of \$5,800 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 Buckeye Pipe Line Company, L.P. to continue to maintain and use a pipeline under certain streets in the Boroughs of Staten Island, Brooklyn and Queens. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2013 to June 30, 2014 - \$1,440,832  
For the period July 1, 2014 to June 30, 2015 - \$1,481,031  
For the period July 1, 2015 to June 30, 2016 - \$1,521,230  
For the period July 1, 2016 to June 30, 2017 - \$1,561,429  
For the period July 1, 2017 to June 30, 2018 - \$1,601,628  
For the period July 1, 2018 to June 30, 2019 - \$1,641,827  
For the period July 1, 2019 to June 30, 2020 - \$1,682,026  
For the period July 1, 2020 to June 30, 2021 - \$1,722,225  
For the period July 1, 2021 to June 30, 2022 - \$1,762,424  
For the period July 1, 2022 to June 30, 2023 - \$1,802,623

the maintenance of a security deposit in the sum of \$258,500 and the insurance shall be the amount of Two Million Dollars (2,000,000) per occurrence, and Thirty Five Million Dollars (\$35,000,000) aggregate.

**#4** In the matter of a proposed revocable consent authorizing New York University to construct, maintain and use a conduit under, across and along First Avenue at intersection of East 25th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the approval date to June 30, 2014 - \$9,979/annum

For the period July 1, 2014 to June 30, 2015 - \$10,257  
For the period July 1, 2015 to June 30, 2016 - \$10,535  
For the period July 1, 2016 to June 30, 2017 - \$10,813  
For the period July 1, 2017 to June 30, 2018 - \$11,091  
For the period July 1, 2018 to June 30, 2019 - \$11,369  
For the period July 1, 2019 to June 30, 2020 - \$11,647  
For the period July 1, 2020 to June 30, 2021 - \$11,925  
For the period July 1, 2021 to June 30, 2022 - \$12,203  
For the period July 1, 2022 to June 30, 2023 - \$12,481  
For the period July 1, 2023 to June 30, 2024 - \$12,759

the maintenance of a security deposit in the sum of \$12,800 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 modification of revocable consent authorizing The Mount Sinai Hospital to construct, maintain and use a ramp and steps on the north sidewalk of East 98th Street, east of Fifth Avenue, in the Borough of Manhattan. The proposed modified revocable consent is for a term of three years from the date of approval by the Mayor to June 30, 2016 and provides among others terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2016 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

j19-jy10

## 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/nyedcas.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

**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):**

- \* Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- \* Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

**FOR ALL OTHER PROPERTY**

- \* Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906.
- \* 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](http://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."*

**AGING**

**AWARDS**

*Human / Client Services*

**CAREGIVER SERVICES** – Renewal – These vendors have been renewed a contract by the Department for the Aging for the provisions of caregiver services to seniors, 60 years of age and older. The contract terms shall be from July 1, 2013 to June 30, 2016.

Sunnyside Community Services, Inc.  
43-31 39th Street, Long Island City, NY 11104  
PIN#: 12514CARE4K1 - \$1,169,992

Heights and Hills, Inc.  
57 Willoughby Street, 4th Fl., Brooklyn, NY 11201  
PIN#: 12514CARE2K4 - \$1,170,001

Federation Employment and Guidance Services, Inc.  
315 Hudson Street, 2nd Fl., New York, NY 10013  
PIN#: 12514CARE1K3 - \$1,169,997

Jewish Association for Services for the Aged  
247 West 37th Street, 9th Fl., New York, NY 10018  
PIN#: 12514CARE2K2 - \$1,169,994

Jewish Community Center of Staten Island, Inc.  
1466 Manor Road, Staten Island, NY 10314  
PIN#: 12514CARE5K1 - \$1,169,996

Services Now for Adult Persons, Inc.  
80-45 Winchester Blvd., Bldg. #4, CBU29, Queens Village, NY 11427  
PIN#: 12514CARE4K3 - \$1,170,000

j24

**VARIOUS SENIOR SERVICES** – Negotiated Acquisition – Available only from a single source – These vendors have been awarded a contract by the Department for the Aging for the provisions of various senior services such as case assistance, transportation, information/referral, shopping assistance, health promotion and counseling. The contract terms shall be from July 1, 2013 to June 30, 2014.

Bronx Jewish Community Council, Inc.  
2930 Wallace Avenue, Bronx, NY 10467

PIN#: 12514VRNA12F - \$255,437  
New York Foundation for Senior Citizens, Inc.  
11 Park Place, Suite 1416, New York, NY 10007  
PIN#: 12514VRNA619 - \$402,282

New York Foundation for Senior Citizens, Inc.  
11 Park Place, Suite 1416, New York, NY 10007  
PIN#: 12514VRNA638 - \$279,536  
● **NATURALLY OCCURRING RETIREMENT COMMUNITIES (NORC) SERVICES** – Negotiated Acquisition – Available only from a single source. These vendors have been awarded a contract by the Department for the Aging for the provisions of Naturally Occurring Retirement Communities (NORC) services targeting low and moderate-income residents age 60 or over living with the NORC. The contract terms shall be from July 1, 2013 to June 30, 2014.

Bronx Jewish Community Council, Inc.  
2930 Wallace Avenue, Bronx, NY 10467  
PIN#: 12514NCNAN11 - \$189,461

Hamilton-Madison House  
253 South Street, New York, NY 10002  
PIN#: 12514NCNAN3C - \$142,322

Hamilton-Madison House  
253 South Street, New York, NY 10002  
PIN#: 12514NCNAN30 - \$202,677

Goddard Riverside Community Center  
593 Columbus Avenue, New York, NY 10024  
PIN#: 12514NCNAN38 - \$80,483

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**CITYWIDE ADMINISTRATIVE SERVICES**

**AWARDS**

*Goods*

**PREPARED MEALS - NYPD** – Competitive Sealed Bids – PIN# 8571300331 – AMT: \$196,800.00 – TO: Puttin On A Bagel Ltd, 714 Castleton Avenue, Staten Island, NY 10310.  
● **TRACTORS, UTILITY** – Competitive Sealed Bids – PIN# 8571200322 – AMT: \$421,963.05 – TO: Malvese Equipment Company, Inc., 1 Henrietta Street, Hicksville, NY 11801.

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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;  
[dlepore@dcas.nyc.gov](mailto:dlepore@dcas.nyc.gov)

s6-f25

**MUNICIPAL SUPPLY SERVICES**

**AWARDS**

*Goods*

**BAKED PRODUCTS/CANDIES/CHIPS/TORTILLAS/ OTHER ITEMS** – Competitive Sealed Bids – PIN# 8571100792 – AMT: \$555,837.50 – TO: H Schrier and Co., Inc., 4901 Glenwood Road, Brooklyn, NY 11234.  
● **BAKED PRODUCTS/CANDIES/CHIPS/TORTILLAS/ OTHER ITEMS** – Competitive Sealed Bids – PIN# 8571100792 – AMT: \$250,170.00 – TO: Cookies and More Inc., 145 Price Parkway, Farmingdale, NY 11735.

j24

**ENTERPRISE SYS INTERNATIONAL IBM-PARKS DEPT.** – Intergovernmental Purchase – PIN# 8571300472 – AMT: \$135,521.82 – TO: IBM, 80 State Street, Albany, NY 12207. OGS Contract #PT63994.  
● **PURCHASE OF 2 FTIR CHEMICAL ID SYSTEMS - NYPD** – Intergovernmental Purchase – PIN# 8571300481 – AMT: \$109,290.00 – TO: Thermo Scientific Portable Analytical Instruments Inc., 2 Radcliff Road. OGS Contract #PC62198.

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

j24

**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

**DESIGN & CONSTRUCTION**

**AWARDS**

*Construction / Construction Services*

**INSTALLATION OF COMPLEX PEDESTRIAN RAMPS AT DESIGNATED LOCATION, MANHATTAN AND THE BRONX** – Competitive Sealed Bids – PIN# 85013B0081001 –

AMT: \$2,534,095.00 – TO: JIJ IV Enterprises Inc., 213-19 99th Avenue, Queens Village, New York 11429.  
Project ID: HWP2013MX. DCC PIN#: 8502013HW0022C.  
● **INSTALLATION OF SIDEWALKS, ADJACENT CURBS AND PEDESTRIAN RAMPS AS NECESSARY IN VARIOUS LOCATIONS, THE BRONX** – Competitive Sealed Bids – PIN# 85013B0056001 – AMT: \$2,826,590.00 – TO: Rocco Agostino Landscape and General Contractor Corp., 53-46 97th Place, Corona, New York 11368.  
Project ID: HWS2013X. DDC PIN#: 8502013HW0030C.

j24

**CONTRACTS**

**SOLICITATIONS**

*Construction / Construction Services*

**NEW HUNTERS POINT/QUEENS WEST COMMUNITY BRANCH LIBRARY, QUEENS** – Competitive Sealed Bids – PIN# 85013B0113 – DUE 07-23-13 AT 2:00 P.M. – PROJECT NO.:LQD122-QW/DDC PIN: 8502013LQ0004C. There will be an Optional Pre-Bid Conference on Tuesday, July 9, 2013 at 2:00 P.M. at the Hunters Point/Queens West Community Branch Library located at 47-40 Center Boulevard (Vacant Lot) between North 47th Road and 48th Avenue (adjacent to Gantry State Park), Queens, NY 11101. Special Experience Requirements

This contract is subject to the Project Labor Agreement ("PLA") entered into between the City and the Building and Construction Trades Council of Greater New York ("BCTC") affiliated Local Unions. For Further Information, See Volume 2 of the Bid Documents.

This contract is part of a Multi-Agency Pilot Program in which the City's Standard Construction Contract provisions concerning Delay Damages have been revised altering the allocation of the risk of projects delays, to allow contractors appropriate compensation for certain delays that are reasonably considered to be the City's responsibility.

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](http://www.nyc.gov/buildnyc) see "Bid Opportunities". For more information about M/WBE certification, please call 311 or go to [www.nyc.gov/getcertified](http://www.nyc.gov/getcertified). Vendor Source ID#: 84550.

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..

j24

**ENVIRONMENTAL PROTECTION**

**PURCHASING MANAGEMENT**

**INTENT TO AWARD**

*Services (Other Than Human Services)*

**MAINTENANCE AND SUPPORT SERVICES** – Sole Source – Available only from a single source - PIN# 3030942 – DUE 07-05-13 AT 11:00 A.M. – DEP/Bureau of Wastewater Treatment intends to enter into a sole source agreement with Oracle America, Inc. for maintenance and support services. Any firms which believes it can provide the required services is invited to do so indicate by letter or e-mail.

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.  
Ira Elmore (718) 595-3259; Fax: (718) 595-3295;  
[ielmore@dep.nyc.gov](mailto:ielmore@dep.nyc.gov)

j24-28

**HEALTH AND HOSPITALS CORPORATION**

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

j1-d31

**SOLICITATIONS**

*Goods*

**STANDING ORDER FOR HUMAN ALBUMIN OCTAPARMA, AND RHOPHYLAC 300 MCC** – Competitive Sealed Bids – PIN# 2114003 – DUE 07-01-13 AT 11:00 A.M. – Standing order 7.1.13 to 6.30.14 pricing must be valid through the end of June 2014 with option to extend contract from six months to 2 years.

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.  
Jacobi Medical Center, Nurses Residence Building,  
7 South, Pelham Parkway S and Eastchester Road, Bronx, NY 10461. Rosemarie Miele (718) 918-3983;  
Fax: (718) 918-3999; [rosemarie.miele@nbhn.net](mailto:rosemarie.miele@nbhn.net)

j24



## HEALTH AND MENTAL HYGIENE

### AGENCY CHIEF CONTRACTING OFFICER

#### AWARDS

*Human / Client Services*

**JAMES BRYANT SUPPORTIVE HOUSING** – Required Method (including Preferred Source) – PIN# 14AZ006301R0X00 – AMT: \$815,214.00 – TO: Addicts Rehabilitation Center Foundation, Inc., 2015 Madison Avenue, New York, NY 10035.

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## HOUSING AUTHORITY

### SOLICITATIONS

*Construction / Construction Services*

**EXTERIOR BRICKWORK RESTORATION AND ROOFING REPLACEMENT AT KINGSBOROUGH HOUSES AND KINGSBOROUGH EXTENSION** – Competitive Sealed Bids – PIN# BW1313697 – DUE 07-16-13 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA. Documents can also be obtained by registering with I-supplier and downloading documents.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Housing Authority, 90 Church Street, New York, NY 10007. Vaughn Banks (212) 306-6727; Fax: (212) 306-5152; vaughn.banks@nycha.nyc.gov*

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## HUMAN RESOURCES ADMINISTRATION

### SOLICITATIONS

*Services (Other Than Human Services)*

**BUSINESS CONSULTANTS FOR HEALTH AND HUMAN SERVICES AGENCIES** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 09613P0005 – DUE 07-26-13 AT 2:00 P.M. – The New York City Human Resources Administration ("HRA"), on behalf of the Shared Services/Support, Accountability and Value-Enhancement Unit ("SAVE") within the Office of the Deputy Mayor for Health and Human Services ("HHS"), is seeking proposals from qualified firms to provide business consulting services to the City's HHS agencies, and possibly other City agencies, on an as-needed projects basis. The HHS agencies are: Administration for Children's Services, Department for the Aging, Department of Correction, Department of Health and Mental Hygiene, Department of Homeless Services, Department of Probation, and the Human Resources Administration.

The Request for Proposals may be downloaded at: [www.nyc.gov/hra/contracts](http://www.nyc.gov/hra/contracts). Hard copies may be obtained at the New York City Human Resources Administration, Office of Contracts RFP Unit, 180 Water Street, 14th Floor, New York, NY 10038.

Pre-Proposal Conference will be held on July 9, 2013 from 10:00 A.M. to 12:00 Noon at 492 First Avenue, between East 28th and East 29th Street, Children's Center Auditorium.

*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.*  
*Human Resources Administration, Office of Contracts - RFP Unit, 180 Water Street, 14th Floor, 6th Floor, NY, NY 10038. Anne Koenig (929) 221-5717; SAVERfp@hra.nyc.gov*

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### AGENCY CHIEF CONTRACTING OFFICER

#### AWARDS

*Human / Client Services*

**NON-EMERGENCY SCATTER SITE HOUSING** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06914H084603 – AMT: \$120,000.00 – TO: Project Hospitality, Inc., 100 Park Avenue, Staten Island, NY 10302-1440. Term: 7/1/2013-12/31/2013. E-PIN: 09611N0008003N005.

● **HOMEMAKING SERVICES** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06914H084503 – AMT: \$550,000.00 – TO: Jewish Care Services of Long Island, 97-77 Queens Blvd., Penthouse, Rego Park, NY 11374-2101. Term: 7/1/2013-12/31/2013. E-PIN: 06908X0040CNVN004.

● **SCATTER SITE HOUSING** – Renewal – PIN# 06914H046501 – AMT: \$5,584,335.00 – TO: CAMBA, Inc., 1720 Church Avenue, Brooklyn, NY 11226. Term: 7/1/2013-06/30/2016. E-PIN: 06907P0009CNVR002.

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### PROVISION OF HOMEMAKING SERVICES

Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06908X0035CNVN004 – AMT: \$600,000.00 – TO: Selfhelp Community Services, Inc., 520 Eighth Avenue, New York, NY 10018. Term: 7/1/2013 - 12/31/2013. Agency PIN: 06914H084505.

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## INVESTIGATION

### AGENCY CHIEF CONTRACTING OFFICER

#### INTENT TO AWARD

*Services (Other Than Human Services)*

**CORRECTION: ARRANGE FOR THE DISPLAY OF DOI'S MEDIA CAMPAIGN IN THE SUBWAYS AND ON THE BUSES THROUGHOUT THE CITY** – Sole Source – Available only from a single source - PIN# 2013281 – DUE 06-28-13 AT 9:00 A.M. – DOI intends to enter into negotiations for a sole source procurement with CBS Outdoor to arrange the display of our media campaign in the subways and on the buses throughout the City. Any vendor who

believes it can also provide these services is invited to submit an expression of interest.

Pursuant to Section 2-11 of the Procurement Policy Board Rules, anyone who wishes to speak at the public hearing for this procurement should request to do so in writing. The written request must be received by DOI within 5 business days after publication of this notice. Written requests to speak should be sent to Vicki C. Davie, ACCO, at Department of Investigation, Procurement Unit, 80 Maiden Lane, 25th Floor, New York, NY 10038, or email [vdavie@doi.nyc.gov](mailto:vdavie@doi.nyc.gov) or call (212) 825-2875. If DOI receives no written request to speak within the prescribed time, DOI reserves the right not to conduct the public hearing.

*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 Investigation, 80 Maiden Lane, 25th Floor, NY, NY 10038. Vicki Davie (212) 825-2875; Fax: (212) 825-2829; vdavie@doi.nyc.gov*

j21-27

## PARKS AND RECREATION

### REVENUE AND CONCESSIONS

#### SOLICITATIONS

*Services (Other Than Human Services)*

**OPERATION OF AN ETHNIC AND SPECIALTY FOOD MARKET** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B126-O-2013 – DUE 07-19-13 AT 3:00 P.M. – At Red Hook Park, Brooklyn.

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

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Parks and Recreation, 830 5th Avenue, Rm. 407, New York, NY 10065. Charlotte Hall (212) 360-1397; Fax: (212) 360-3434; charlotte.hall@parks.nyc.gov*

j14-27

**INSTALLATION, OPERATION, AND MANAGEMENT OF A SPECIALTY FOOD MARKET** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M101-O-2013 – DUE 07-23-13 AT 3:00 P.M. – At Worth Square, Manhattan.

There will be a recommended proposer meeting and site tour on Tuesday, July 9, 2013 at 11:00 A.M. We will be meeting at the proposed concession site, which is located at the intersection of Broadway, Fifth Avenue, West 24th Street, and West 25th Street. We will be meeting in front of the Worth Monument. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and site tour.

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*  
*Parks and Recreation, 830 5th Avenue, Rm. 407, New York, NY 10065. Alexander Han (212) 360-1397; Fax: (212) 360-3434; Alexander.Han@parks.nyc.gov*

j18-19

#### AWARDS

*Services (Other Than Human Services)*

**THE MANAGEMENT AND SCHEDULING OF WEDDING CEREMONIES, PHOTOGRAPHIC SET-UPS, AND OTHER PARKS-APPROVED USES** – Other – PIN# M10-O – The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Central Park Conservancy ("CPC") ("Licensee" or "Concessionaire") of 14 East 60th Street, New York, NY 10022, for the management and scheduling of wedding ceremonies, photographic set-ups, and other Parks-approved uses, at the North, South, and Central Gardens within the 6-acre footprint of Conservatory Garden in Central Park, Manhattan, New York. The concession, which was awarded through a different procedure, will operate pursuant to a license agreement that will provide for one (1) term of twenty (20) years. Compensation to the city is as follows: any revenue received by CPC in excess of the amount attributable to the additional maintenance and security of Conservatory Garden shall be paid to Parks for the City's General Fund.

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## TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

### PROCUREMENT

#### SOLICITATIONS

*Construction / Construction Services*

**MAINTENANCE OF TRAVELERS AT THE VERRAZANO-NARROWS AND BRONX-WHITESTONE BRIDGES** – Competitive Sealed Bids – PIN# VNM366000000 – DUE 07-09-13 AT 3:00 P.M. – Site tours are scheduled for 6/27/13 at 9:00 A.M. Please make reservations by contacting Douglas Reilly, Director, Core Capital Procurement at (646) 252-7821 or by email at [dreilly@mtabt.org](mailto:dreilly@mtabt.org)

*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.*  
*Triborough Bridge and Tunnel Authority, 2 Broadway, 23rd Floor, New York, NY 10004. Victoria Warren (646) 252-7092; Fax: (646) 252-7077; vprocure@mtabt.org*

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## YOUTH AND COMMUNITY DEVELOPMENT

### SOLICITATIONS

*Human / Client Services*

**RUNAWAY HOMELESS YOUTH SERVICES** – Competitive Sealed Proposals – Specifications cannot be made sufficiently definite - PIN# 26014RHRYFP – DUE 08-01-13 AT 2:00 P.M. – Through this RFP, the Department of Youth and Community Development (DYCD) is seeking appropriately qualified not-for-profit organizations to provide services in New York City (City) for runaway and homeless youth (RHY) and youth at risk for homelessness.

This RFP comprises four service options and eight competitions:

- Service Option I: Five Borough-based Drop-in Centers (Five competitions, one program per borough)
- Service Option II: Crisis Shelters Programs (One citywide competition)
- Service Option III: Transitional Independent Living (TIL) Programs (One citywide competition)
- Service Option IV: Street Outreach Services Program (One citywide competition for one program)

It is anticipated that the term of the contracts awarded from this RFP will be three years, starting July 1, 2014. DYCD will have an option to renew these contracts for up to three additional years at its discretion.

The RFP can be downloaded from DYCD's website at [www.nyc.gov/dycd](http://www.nyc.gov/dycd). The RFP package is also available for pickup at DYCD's Office of Contract Procurement, between the hours of 9:30 A.M. and 5:00 P.M., Monday through Friday, (excluding holidays), at 156 William Street, 2nd Floor, New York City. Organizations sending messengers to pick up the RFP package must ensure the messenger has the name, address, phone number, fax number and contact person (including e-mail) of the organization requesting the package. RFP packages will not be distributed without the above information.

A Pre-proposal Conference will be held on Thursday, July 11, 2013 at 10:00 A.M. at 156 William Street, 2nd Floor Auditorium, New York, NY 10038. Attendance is optional but recommended by DYCD.

If you have questions about this solicitation please send an email to [rpfquestions@dycd.nyc.gov](mailto:rpfquestions@dycd.nyc.gov) or call (212) 513-1820.

*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 Youth and Community Development, 156 William Street, 2nd Floor, New York, NY 10033. Dana Cantelmi (212) 442-5995; Fax: (212) 676-8129; dcoto@dycd.nyc.gov*

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## AGENCY RULES

## BUILDINGS

### NOTICE

#### NOTICE OF ADOPTION OF RULE

**NOTICE IS HEREBY GIVEN**, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendment to Section 101-03 and the addition of a new Section 102-03 to Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding potentially structurally compromised buildings.

This rule was first published on April 4, 2013 and a public hearing thereon was held on May 13, 2013.

Dated: 6/17/13 /s/  
New York, New York Robert D. LiMandri  
Commissioner

#### STATEMENT OF BASIS AND PURPOSE

This rule is promulgated pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter and section 28-216.12 of the New York City Administrative Code.

Section 28-216.12.1 of the Administrative Code created a requirement that potentially structurally compromised buildings be inspected regularly by a registered design professional.

Pursuant to Section 28-216.12.1, this rule:

- adds a filing fee for required reports of compromised buildings;
- expands on the definition of "potentially compromised" in section 28-216.12;
- specifies the inspection requirements for potentially structurally compromised buildings;
- sets out the items that need to be included in the inspection report; and
- creates civil penalties for failure to file a report.

New matter is underlined.

Section 1. Section 101-03 of Chapter 100 of Title 1 of the Rules of the City of New York is amended to add the following fee at the end of the table set forth in that section, to read as follows:

Filing structurally compromised building inspection report \$500

§2. Subchapter B of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new section 102-03 to read as follows:

§ 102-03 Potentially structurally compromised buildings

- (a) Potentially compromised. For the purposes of this section, "potentially compromised" means a building or structure that:
  - (1) has had an open roof for sixty days or longer, has been shored and braced or repaired pursuant to an emergency declaration issued by the commissioner pursuant to Article 215 of Title 28 of the Administrative Code,
  - (2) has been subject to a precept as a compromised structure under Article 216 of Title 28 of the Administrative Code,
  - (3) may have suffered structural damage by fire or by partial collapse of floors, interior or exterior walls or other cause as determined by the commissioner.
- (b) Inspections.
  - (1) Initial inspections. Beginning September 1, 2013, the owner of a building or structure that has become potentially compromised must have a structural condition inspection of such building or structure. The inspection must be performed by a registered design professional within sixty days from the date that the building or structure becomes potentially compromised. The design professional must file a report as described in subdivision d of this section with the department within thirty days after the date of the inspection.
  - (2) Periodic inspections. After the initial inspection and filing of the report, structural condition inspections must be performed and reports as described in subdivision d of this section must be filed annually, unless otherwise specified by the department. The periodic inspections must continue until a certification is filed with the department by the registered design professional stating that the building or structure is no longer potentially compromised and the department has audited the certification to ensure its accuracy.
- (c) Notifications to the department.
  - (1) Department notification by owner. An owner of a building or structure must notify the department in writing that such building or structure has become potentially compromised immediately after such owner knows or should have known of the condition.
  - (2) Department notification by registered design professional. If a structural condition inspection reveals that there is an immediate risk to the public or property due to a violation of any applicable law or rule or any unsafe condition, the registered design professional must immediately notify the department and the owner by both calling 311 and in writing.
- (d) Report. The registered design professional must sign, seal, and submit to the department the report of the inspection required by section 28-216.12.1 of the Administrative Code and subdivision b of this section. The registered design professional must also submit a filing fee as specified in section 101-03 of the department's rules, and must send a copy of the report to the owner. The report must include, but need not be limited to, the following information:
  - (1) the address of the property;
  - (2) the block and lot of the property;
  - (3) the owner's name and contact information, including an address for the receipt of notifications and service of process;
  - (4) the registered design professional's name and contact information, including an address for the receipt of notifications and service of process;
  - (5) the date of inspection or inspections;
  - (6) detailed description and location of the structural damage found;
  - (7) a comprehensive analysis of the structural condition of the building or structure as a result of the structural damage, based on probes and calculations;
  - (8) photographs of the condition;
  - (9) 8 1/2" x 11" sketches of the property showing its relationship to the adjacent properties;
  - (10) schematically sketched floor plans, sections and elevations of the building and adjacent buildings, roof to foundation, with notes relating to the existing description of the property;
  - (11) at least two different photographs of each of the following: street façades, side façades, rear façades, the roof and the condition of the interior of the property;
  - (12) a statement that the owner received the report;
  - (13) an estimate of how long the building will remain stable;
  - (14) a proposed schedule for monitoring and repairing the condition;
  - (15) 8 1/2" x 11" sketches showing the work required to stabilize the property, such as shoring and bracing and/or partial demolition; and
  - (16) any additional information requested by the commissioner.

- (e) Final report. After the condition that caused the building or structure to be potentially compromised has been repaired, the registered design professional must submit to the department a signed and sealed report certifying that the building or structure is no longer potentially compromised.
- (f) Civil penalties. In addition to any other penalties authorized by law, failure to file a report pursuant to the requirements of section 28-216.12.1 and this section will result in a civil penalty of \$3,000 for each violation of such section, payable to the department.

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NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of the Department of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter, that the Department of Buildings hereby adopts the amendment to Section 101-03 and the addition of a new Section 103-09 to Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, regarding retaining walls.

This rule was first published on April 25, 2013 and a public hearing thereon was held on May 28, 2013.

Dated: 6/17/13 /s/ Robert D. LiMandri  
New York, New York Commissioner

STATEMENT OF BASIS AND PURPOSE

This rule is promulgated pursuant to the authority of the Commissioner of Buildings under Sections 643 and 1043(a) of the New York City Charter and section 28-305.4 of the New York City Administrative Code.

Section 28-305.4 requires regular inspections of retaining walls that are 10 feet or higher, and that face a public right-of-way, such as a sidewalk or entrance. The section allows the Commissioner to 1) establish staggered assessment cycles for retaining walls, and 2) to promulgate rules specifying what constitutes a condition assessment, which is an examination conducted by a qualified retaining wall inspector to review the parts of the wall and its safety and maintenance conditions.

This rule enhances public safety by identifying conditions before they become hazards. The rule:

- Adds filing fees for required retaining wall inspection reports;
- Sets out who can perform a condition assessment;
- Specifies which elements of the wall must be assessed;
- Sets out what type of information must be in the report;
- Creates staggered reporting cycles by borough;
- Sets out the actions to take where there is an unsafe condition or a safe condition that needs repair; and
- Creates civil penalties for failure to file an acceptable condition assessment report.

New matter is underlined.

Section 1. Section 101-03 of Chapter 100 of Title 1 of the Rules of the City of New York is amended to add the following fees at the end of the table set forth in that section, to read as follows:

Retaining wall inspection reports

● Initial filing	\$355
● Amended filing	\$130
● Application for extension of time to complete repairs	\$260

§2. Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new section 103-09 to read as follows:

§103-09 Retaining Wall Inspections, Filing Requirements, Penalties and Waivers.

- (a) Definitions
  - (1) Acceptable report. A report of condition assessment filed by a qualified retaining wall inspector that meets the requirements of the Administrative Code and this rule as determined by the Department.
  - (2) Amended report. A report of condition assessment filed by a qualified retaining wall inspector who certifies that the unsafe conditions reported in the initial report have been repaired and that the retaining wall is no longer unsafe.
  - (3) Close-up inspection. A physical examination performed on a retaining wall for the purpose of performing a condition assessment.
  - (4) Condition assessment. An examination conducted to review a retaining wall and all parts of it to determine whether the retaining wall and its parts are either safe, unsafe, or safe with a repair and maintenance program and whether, in the judgment of a qualified retaining wall inspector, it requires remedial work.

- (5) Filed (in reference to a report). A report is deemed filed with the Department when it has been received by the Department.
- (6) Filing window. The one-year period during which an acceptable report for a particular retaining wall may be filed with the Department without penalty.
- (7) Fronting. The length of a retaining wall running parallel or near parallel to a public right-of-way.
- (8) Height (of retaining wall). The vertical distance, measured from the ground surface above the toe of the wall to the top of the wall, wall stem, or wall step for tiered walls, including any parapets or fencing intended for retaining material.
- (9) Maintenance. The cyclical or recurring upkeep of a retaining wall including, but not limited to, vegetation removal, weep holes, cleaning wall drains, removing debris from culverts, replacing dislodged chinking, painting soldier piles, cleaning and sealing concrete and wood facings.
- (10) Public right-of-way. A public highway, railroad, street, avenue, alley, public driveway, sidewalk, roadway or any other public place or public way.
- (11) Qualified Retaining Wall Inspector. An engineer as defined in section 28-101.5 of the administrative code with three years relevant experience as such experience is defined in section 101-07 of the rules of the Department.
- (12) Repair. The non-routine fixing and restoring of wall elements to their intended function, including, but not limited to, resetting dislodged stonework, repointing stone masonry, re-grading or reseeding adjacent slopes, patching concrete spalls, mending damaged wire baskets, and repair or replacement of the drainage system.
- (13) Report of condition assessment ("Report"). A written report filed with the Department by a qualified retaining wall inspector clearly documenting the conditions noted during the assessment; areas that need repair, maintenance, or engineering monitoring; a final wall rating; and any other requirements mandated by this rule.
- (14) Report filing cycle. The five-year time interval established by the Commissioner for the filing of each successive report for each successive condition assessment of every retaining wall subject to the requirements of Article 305 of Title 28 of the Administrative Code.
- (15) Retaining Wall. A wall that resists lateral or other forces caused by soil, rock, water or other materials, thereby preventing lateral displacement and the movement of the mass by sliding to a lower elevation. Such term does not include basement walls and vault walls that are part of a building, and underground structures, including but not limited to utility vault structures, tunnels, transit stations and swimming pools.
- (16) Safe. A final wall rating in which a retaining wall is determined to be fully functional with no action required at the time of assessment.
- (17) Safe with minor repairs or maintenance. A final wall rating in which a retaining wall is found at the time of assessment to be safe, but requires minor repair or routine maintenance within the next five years to correct minor deficiencies in order to minimize or delay further wall deterioration and remain safe.
- (18) Safe with repairs and/or engineering monitoring. A final wall rating in which a retaining wall is found at the time of assessment to be safe but requires repair within the next five years to correct minor to severe deficiencies in order to minimize or delay further wall deterioration and remain safe. In addition to repair, the qualified retaining wall inspector deems it necessary to regularly monitor and/or investigate further the retaining wall to determine the nature or cause of observed distresses and what action may be required.
- (19) Subsequent report. A technical examination report that is filed by a qualified retaining wall inspector after an acceptable report in order to change the status of a retaining wall for that reporting cycle to reflect changed conditions, except where an amended report should be filed.
- (20) Unsafe. A condition of a retaining wall and any appurtenances found at the time of assessment that is a hazard to persons or property and requires immediate abatement and/or public protection.

(b) Condition assessments.

- (1) In accordance with Article 305 of Title 28 of the Administrative Code, a condition assessment of all parts of retaining walls with any portion of the wall having a height of ten feet or more at any location and fronting a public right-of-way must be conducted by a qualified retaining wall inspector once every five (5) years. The

- results of the condition assessment must be submitted to the Department in the form of a report of condition assessment.
- (2) Before performing a condition assessment of a retaining wall, the qualified retaining wall inspector retained by or on behalf of the owner must review the most recent report and any available previous reports. The Department will maintain a file of such reports submitted in conformance with article 305 of Title 28 of the Administrative Code, and provide copies upon payment of fees set forth in the rules of the Department.
- (3) The qualified retaining wall inspector must design and implement an assessment program that is specific to the retaining wall to be assessed, including, but not limited to, observations, data collection and method of evaluation. The assessment program and methods to be employed must be based on the consideration of the wall construction type, wall function, year built, location and failure consequence. Consideration must be given to the retaining wall's history of maintenance and repairs as described in previous reports and submittals to the Department, if applicable. The assessment program must be provided to the Department for approval no fewer than 90 days prior to implementation. The Department reserves the right to object to the proposed program.
- (4) The methods used to assess the retaining wall in question must permit a complete condition assessment of the wall, including, but not limited to, selective probes, cores and measurements of wall dimensions, including, but not limited to, thickness.
- (5) The qualified retaining wall inspector must utilize a professional standard of care to assess the condition of the retaining wall and surrounding elements that impact the wall's stability. The following elements must be assessed as applicable:
- (i) Primary wall elements, including, but not limited to, piles and shafts, lagging, anchor heads, wire or geo-synthetic facing elements, bins or cribs, concrete, shotcrete, mortar, manufactured block or brick, placed stone and wall foundation material.
- (ii) Secondary wall elements and appurtenances, including, but not limited to, wall drains and water management systems, architectural facing, traffic barrier, fencing, roads, sidewalks, shoulders, upslope, downslope, lateral slope, vegetation, culverts, curbs, berms and ditches.
- (6) The qualified retaining wall inspector must amend the scope of the condition assessment and add additional testing and investigation as required to characterize wall distresses, overall performance or if distresses warrant additional investigations.
- (7) During the course of the condition assessment, photographs must be taken and sketches made to document the exact location of all distresses that require repair, maintenance, or monitoring, or that cause a retaining wall to have a final wall rating of unsafe.
- (8) Upon the discovery of an unsafe condition, the qualified retaining wall inspector must notify the Department by calling 311 and then calling the Department directly with the 311 complaint number within 24 hours of discovering the unsafe condition.
- (9) The condition assessment must include close-up inspections of the retaining wall. It is not acceptable to base a condition assessment on a drive-by inspection or a prior report without a close-up inspection of the retaining wall.
- (c) **Report requirements.**
- (1) The qualified retaining wall inspector must file with the Department and submit a copy to the owner of the retaining wall a written report of condition assessment. The report must clearly document all conditions noted during the assessment and state that the assessment was performed and completed in accordance with the Administrative Code and this rule. An acceptable report may be prepared and filed for multiple owners where a retaining wall which is required to comply with article 305 of Title 28 of the Administrative Code and this rule spans numerous blocks and lots.
- (2) Technical information in the report must adhere to and follow the sequence and the labeling of the report requirements as listed in paragraph (3) of this subdivision, and must be provided on such forms and in such format as the Department requires. Additional information may be provided. All items in subparagraphs (i) – (xiv) of paragraph (3) must be listed in the report. If a requirement is not applicable, this must be indicated on the report under the relevant number.
- (3) The report must include an executive overview that consists of a summary of findings and recommendations, a concise statement of the scope of the assessment and findings, the conclusions and recommendations and a final wall rating that categorizes the retaining wall as "safe," "safe with minor repairs or maintenance," "safe with repairs and/or engineering monitoring" or "unsafe." The report must also include, but not be limited to:
- (i) The address, any a.k.a. addresses, the Block and Lot number, the Building Identification Number ("BIN") for the block and lot on which the retaining wall is located, the location from the nearest cross street, and a copy of the Property Profile Overview from the Buildings Information System ("BIS") found on the Department's website;
- (ii) The name, mailing address and telephone number of the owner of the retaining wall, or, if the owner is not an individual, the name, mailing address, telephone number, and position/title of a principal of the owner;
- (iii) A detailed description of any maintenance, repairs, or the results of engineering monitoring performed to the retaining wall since the previous report;
- (iv) A detailed description of the scope and procedures used in making the condition assessment that should include:
- (A) The dates of start and completion of the condition assessment;
- (B) The extent and location of all physical examinations performed;
- (C) A location or plot plan of a discernible scale and with a north arrow that shows the entire earth-retaining length of the wall, all structures located on the block or lot and within the zone of influence of the wall, including the number of stories and the type of occupancy, and any and all public rights-of-way adjacent to the retaining wall; and
- (D) locations and dates of close-up inspections and tests performed;
- (v) At least one cross-section of the retaining wall with details adequate to indicate the following:
- (A) Retaining wall construction type;
- (B) Architectural finishes or surface treatment;
- (C) Maximum exposed wall height;
- (D) Height of earth on each side of the retaining wall;
- (E) Average vertical distance from the public right-of-way to cut wall toe or ground-line at the top of the fill wall;
- (F) Horizontal distance to wall face from the edge of the public right-of-way;
- (G) Wall face angle (batter) measured from the vertical;
- (H) Maximum earth retaining length of the wall;
- (I) Surcharges applied to the wall; and
- (J) Additional cross-sections when the wall geometry and/or plumbness changes;
- (vi) A description of each significant distress observed with supporting photographic documentation. Distresses must be mapped using gridlines enabling all distresses to be positively located;
- (vii) An analysis of the cause of each significant distress reported;
- (viii) A final wall rating that categorizes the retaining wall as "safe," "safe with minor repairs or maintenance," "safe with repairs and/or engineering monitoring" or "unsafe." A detailed description of the overall rating and factors attributing to the rating assigned must accompany the final wall rating.
- (ix) Where a retaining wall is categorized with a final wall rating of safe with repairs and engineering monitoring:
- (A) A plan detailing the proposed monitoring program;
- (B) The name of the engineer performing the monitoring; and
- (C) A stability analysis of the retaining wall that reports a "factor of safety" which shows that the wall is stable under current and expected loading conditions.
- (x) A comparison of currently observed conditions with conditions observed during the previous report filing cycle examinations, including the status of the repairs or maintenance performed with respect to the prior conditions. The following must be included and discussed:
- (A) Work permit numbers relating to repairs performed;
- (B) Job numbers, status and sign-off dates for any retaining wall related jobs, where applicable; and
- (C) Violation numbers of any open Environmental Control Board ("ECB") violations associated with the retaining wall and the status of the repairs of the conditions cited in the ECB violations.
- (xi) Detailed recommendations for repairs or maintenance for retaining walls with final wall ratings of "safe with minor repairs or maintenance" or "safe with repairs and/or engineering monitoring," including:
- (A) The recommended time frame for such repairs or maintenance to be performed, which must indicate the date by which the work will be performed (MM/YYYY) to prevent the conditions from becoming unsafe and not the date on which work is planned or scheduled;
- (B) Time frames of less than one (1) year, "ASAP," or "immediately," will not be accepted.
- (xii) A list and description of the work permits required to accomplish the necessary work. If no work permits will be required, the reason must be indicated;
- (xiii) Color photographs of the retaining wall and at least one view of the entire street front elevation for all reports regardless of the retaining wall's final wall rating. Photographs must be at least 3" x 5" (76mm x 127mm) in size, unless otherwise requested by the Department. The photographs must be dated and both the original photographs and all required copies shall be in color. The page/sheet size for attachments must not exceed 11" x 17" (280mm x 430mm).
- (xiv) The seal and signature of the qualified retaining wall inspector under whose direct supervision the condition assessment was performed.
- (4) All reports and supporting documents must be submitted to the Department in an electronic format.
- (d) **Report filing requirements.**
- (1) The requirements of this rule apply to owners of retaining walls with a height of ten feet or more and fronting a public right-of-way.
- (2) Owners of retaining walls who are required to file a report must do so once during each five-year report filing cycle established by the Department, depending on the borough, as described in subsection (5) below. The next complete report filing cycle runs from January 1, 2014 to December 31, 2018.
- (3) An acceptable report must be filed within the applicable one-year filing window to avoid a late filing penalty.
- (4) The report must be submitted to the Department along with a filing fee as specified in the rules of the Department. Beginning January 1, 2014 an acceptable report for each retaining wall to which this rule applies is due in accordance with the following filing windows:
- (i) For retaining walls located within the Borough of the Bronx, an acceptable report must be filed within the filing window starting January 1, 2014 and ending December 31, 2014.
- (ii) For retaining walls located within the Borough of the Manhattan, an acceptable report must be filed within the filing window starting January 1, 2015 and ending December 31, 2015.

- (iii) For retaining walls located within the Borough of Staten Island, an acceptable report must be filed within the filing window starting January 1, 2016 and ending December 31, 2016.
- (iv) For retaining walls located within the Borough of Queens, an acceptable report must be filed within the filing window starting January 1, 2017 and ending December 31, 2017.
- (v) For retaining walls located within the Borough of Brooklyn, an acceptable report must be filed within the filing window starting January 1, 2018 and ending December 31, 2018.
- (6) A report must be filed within sixty (60) days of the date on which the qualified retaining wall inspector completed the condition assessment, but not more than one (1) year after completion of the close-up inspection. If the report is not acceptable and is rejected by the Department, a revised report must be filed within forty-five (45) days of the date of the Department's rejection. Failure to submit a revised report addressing the Department's objections within one (1) year of the initial filing requires a new conditional assessment, including a new close-up assessment.
- (7) A subsequent report may be filed within a five-year report filing cycle to change a retaining wall's status for that cycle.
- (e) **Unsafe conditions.**
  - (1) If any retaining wall is found in an unsafe condition, the qualified retaining wall inspector or the person in charge of the retaining wall must notify the Department by calling 311 and then calling the Department directly with the 311 complaint number within 24 hours of discovering the unsafe condition.
  - (2) Upon discovery of an unsafe condition, the owner of the retaining wall, his or her agent, or the person in charge of the retaining wall must immediately commence such repairs or reinforcements and any other appropriate measures required to secure the safety of the public and to make the retaining wall safe.
  - (3) Within two weeks after repairs to correct the unsafe condition have been completed, the qualified retaining wall inspector must inspect the premises. The qualified retaining wall inspector must obtain permit sign-offs as appropriate and must promptly file with the Department a detailed amended report stating the revised report status of the retaining wall, along with a filing fee as specified in the rules of the Department. Protective measures must remain in place until an amended report is accepted; however, the qualified retaining wall inspector may request permission for the removal of the protective measures upon submission of a signed and sealed statement certifying that an assessment was conducted, the conditions were corrected, and the protective measures are no longer required. Permission may be granted at the Commissioner's sole discretion.
  - (4) The Commissioner may grant an extension of time of up to ninety (90) days to complete the repairs required to remove an unsafe condition upon receipt and review of an initial extension application submitted by the qualified retaining wall inspector on behalf of the owner, together with:
    - (i) A copy of the original report for that report filing cycle and all required documentation submitted with such report;
    - (ii) Notice that the retaining wall and surrounding area have been secured for public safety by means of a shed, bracing, or other appropriate measures as may be required;
    - (iii) A copy of the contract indicating scope of work to remedy unsafe conditions;
    - (iv) The qualified retaining wall inspector's estimate of length of time required for repairs;
    - (v) A statement of all applicable permit requirements;
    - (vi) A notarized affidavit by the owner of the retaining wall that work will be completed within the time of the qualified retaining wall inspector's stated estimate; and
    - (vii) a fee as specified in the rules of the Department.

- extension application, together with notice of:
  - (i) An unforeseen delay (e.g., weather, labor strike) affecting the substantially completed work; or
  - (ii) Unforeseen circumstances; or
  - (iii) The nature of the hazard that requires more than ninety (90) days to remedy (e.g., new retaining wall to be built).
- Financial considerations will not be accepted as a reason for granting an extension.
- (6) Notwithstanding any extensions granted to commence the repair of an unsafe condition, all work to repair an unsafe condition must be completed within 365 days of filing a report of an unsafe condition with the Department.
- (f) **Conditions classified as safe with repair and/or engineering monitoring.**
  - (1) The owner of the retaining wall is responsible for ensuring that the conditions described in the report of condition assessment as safe with repair and/or engineering monitoring are repaired, the wall is restored to a safe condition, and all actions recommended by the qualified retaining wall inspector are completed within the time frame recommended by the qualified retaining wall inspector, and are not left to deteriorate into unsafe conditions before the next condition assessment. It is the owner's responsibility to notify the Department of any deviation from the timeframe to make corrections as specified in qualified retaining wall inspector's report. Such notification must be accompanied by supporting documents from the qualified retaining wall inspector justifying the request for a new time frame. The Department may approve or disapprove such request.
  - (2) A report may not be filed describing the same condition and pertaining to the same location on the retaining wall as safe with repair and/or engineering monitoring for two consecutive report filing cycles.
  - (3) The qualified retaining wall inspector must certify the correction of each condition reported as requiring repair in the previous report filing cycle, or report conditions that were reported as safe with repair and/or engineering monitoring in the previous report filing cycle as unsafe if not corrected at the time of the current assessment.
- (g) **Civil Penalties.**
  - (1) Failure to file. An owner who fails to file the required acceptable condition assessment report will be liable for a civil penalty of one thousand dollars (\$1,000) per year immediately after the end of the applicable filing window.
  - (2) Late filing. In addition to the penalty for failure to file, an owner who submits a late filing will be liable for a civil penalty of two hundred fifty dollars (\$250.00) per month, commencing on the day following the filing deadline of the assigned filing window period and ending on the filing date of an acceptable initial report.
  - (3) In addition to the penalties provided in this section, an owner who fails to correct an unsafe condition will be liable for a civil penalty of one thousand dollars (\$1,000) per month, pro-rated daily, until the unsafe condition is corrected, unless the commissioner grants an extension of time to complete repairs pursuant to this section. This penalty will be imposed until the Department receives an acceptable amended report indicating the unsafe conditions were corrected, or until an extension of time is granted.
- (h) **Challenge of civil penalty.**
  - (1) An owner may challenge the imposition of any civil penalty authorized to be imposed pursuant to this subdivision by providing proof of compliance. Examples of such proof must include, but are not limited to, a copy of an acceptable initial report, a copy of the acceptable amended report, copies of approved extension of time requests while work was/is in progress, or written proof from a qualified retaining wall inspector that the unsafe conditions observed at the retaining wall were corrected and the violation was dismissed.
  - (2) Challenges must be made in writing within thirty (30) days from the date of service of the violation by the Department and must be sent to the office/unit of the Department that issued the violation. The decision to dismiss or uphold the penalty is at the sole discretion of the Department.
- (i) **Penalty waivers; eligibility and evidentiary**

- requirements. Owners may request a waiver of penalties assessed for violation of Article 305 of Title 28 of the Administrative Code, or rules enforced by the Department. Requests must be made in writing and must meet eligibility and evidentiary requirements as follows:
  - (1) **Owner status.**
    - (i) A new owner requesting a waiver due to change in ownership must submit proof of a recorded deed showing evidence of transfer of ownership to the current owner after penalties were incurred, as well as any other documentation requested by the Department. The new owner may only request a waiver in one of the following circumstances:
      - (A) The new owner has obtained full tax exemption status from the New York City Department of Finance; or
      - (B) The new owner took title of the property as part of an economic development program sponsored by a government agency.
    - (ii) A new owner of a government-owned property requesting a waiver due to change in ownership must submit official documentation from the government entity affirming that the premises was entirely owned by the government entity during the period for which a waiver is requested.
    - (iii) An owner may be granted a waiver of penalties upon submission of a copy of a bankruptcy petition, together with proof that either the Department or the New York City Law Department was served with a "Notice of Bar Date."
  - (2) **Retaining wall status.** An owner requesting a waiver because the wall was removed must submit city or Departmental records showing evidence of the removal of the retaining wall prior to the filing deadline.
  - (j) **Alternate report filing requirements for owners of more than 200 retaining walls in multiple boroughs.** Notwithstanding any other provisions of this section, the inspection and reporting requirements set forth above for retaining walls shall not apply to owners of 200 or more retaining walls in multiple boroughs with a height of ten feet or more and fronting on a public right-of-way who on the effective date of this rule (i) employ full-time professional engineers and (ii) have an established inspection procedure for such retaining walls acceptable to the Department. Such inspection procedure must comply with Article 305 of Title 28 of the Administrative Code. Such owners must file inspection reports for all such retaining walls in a form acceptable to the Department.

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**HUMAN RESOURCES ADMINISTRATION**

■ NOTICE

**HIV/AIDS SERVICES ADMINISTRATION**

**NOTICE OF INTENTION  
NOTICE OF PUBLIC HEARING**

**Subject:** Opportunity to comment on the proposed amendment to the rules of the Human Resources Administration HIV/AIDS Services Administration (formerly the Division of AIDS Services and Income Support ("DASIS")).

**Date/Time:** July 25, 2013 10:00 A.M.

**Location:** Human Resources Administration  
180 Water Street 12th floor  
NY, NY 10038

**Contact:** Angela Ferrell  
Executive Assistant to the Deputy Commissioner  
HIV/AIDS Services Administration  
12 West 14th Street  
New York, NY 10011  
Phone: (212) 620-4644  
Fax: (917) 639-0231

**Proposed Rule**

In compliance with §1043(b) of the New York City Charter (the "Charter") and pursuant to the authority granted to the Commissioner of the New York City Human Resources Administration in accordance with Social Services Law §§56 and 61(1) and Administrative Code §21-128(h), notice is hereby given of the proposed amendment to Title 68 of the Rules of the City of New York. This proposed rule was not included in the Human Resources Administration's most



recent regulatory agenda, because it was not anticipated at the time.

#### Instructions

- Prior to the hearing persons interested in pre-registering to speak should notify Ms. Ferrell by mail no later than 5:00 P.M. on **July 18, 2013**. Please include a telephone number where you may be reached during business hours. Registration will be accepted at the door until 9:30 A.M. however, preference will be given to those who pre-register.
- To request a sign language interpreter or other form of reasonable accommodation for disability at the hearing, or for language interpretation services, please notify Ms. Ferrell by phone or mail by **July 18, 2013**.
- Prior to the hearing you may submit written comments about the proposed amendment to Ms. Ferrell by mail, fax, or email at ferrella@hra.nyc.gov.
- All written comments and a summary of the oral comments from the public hearing will be published on HRA's website within a reasonable time after the hearing.

#### STATEMENT OF BASIS AND PURPOSE

The Commissioner of the New York City Human Resources Administration (HRA) in accordance with New York State Social Services Law §§56 and 61(1), and Administrative Code of the City of New York §21-128(h) proposes to amend Title 68 of the Rules of the City of New York.

HRA's HIV/AIDS Services Administration (HASA, formerly DASIS) provides access to benefits and services, and otherwise ensures the provision of benefits and services, to New York City residents living with clinical/symptomatic HIV illness or with AIDS. The New York State Department of Health AIDS Institute determines whether a person is living with clinical/symptomatic HIV illness. The federal Centers for Disease Control and Prevention determines, based on established definitions, whether a person is living with AIDS.

Under federal and state law, public assistance recipients are required to participate in work programs unless specifically exempt. Medically eligible clients of the HASA program are generally exempt from participating in the work program because they are "deemed to be disabled" or "work limited" under New York State Social Services Law § 332-b(1)(b). However, under New York State Social Services §§ 331 and 336 et. seq., other non-exempt adult members of the HASA public assistance household are required to comply with the work requirements unless they fall into a statutorily prescribed exemption to the work program.

HRA/HASA proposes to amend Chapter 5 of Title 68 of the Rules of the City of New York to provide employment activities and opportunities to those adults (known as Associated Case Members – ACM). The proposed ACM employment rule creates a process for the provision of employment opportunities for eligible ACMs residing in a HASA household. To foster their long-term self-sufficiency, all ACMs will be assessed for employability and those determined to be eligible will be linked to existing HRA employment services. If the ACM refuses or fails without good cause to cooperate with the process or to comply with the work requirements, the household will, under federal, state, or local law, be subject to a pro-rated reduction of the household's cash assistance benefits.

The proposed rule amendment also makes technical changes to reflect the change in name from DASIS to HASA.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

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

Section 1. Section 5-01 of Chapter 5 of Title 68 of the Rules of the City of New York is amended to read as follows:

#### §5-01 Rights of Persons With Clinical/Symptomatic HIV Illness or with AIDS.

(a) Rights of persons with clinical/symptomatic HIV illness or with AIDS. All persons with clinical/symptomatic HIV illness or persons with AIDS shall have the right to apply for benefits and services as defined in §21-128(b) of the Administrative Code of the City of New York, and the right to apply for information, referral and assessment services from the [Division of AIDS Services and Income Support ("DASIS")] HIV/AIDS Services Administration ("HASA"). In addition, such persons shall have the following rights:

- (1) With certain exceptions provided pursuant to applicable federal, state or local law, regulation or rule, you have the right to confidentiality. Your medical condition cannot be revealed to anyone without your permission. Information you give to [DASIS] HASA staff will not be released to any individual or organization without your permission except where required by law.
- (2) You have the right to receive information about and to apply for a variety of benefits and services including, but not limited to, medically appropriate transitional and permanent housing; Medicaid and other health related services; home care and home health services; personal care services; homemaker services; Food Stamps; transportation and nutrition allowances; housing subsidies, including, but not limited to, enhanced rental assistance; financial benefits; and intensive case management. You shall have the right to receive the benefits and services for which you are found eligible.
- (3) If you are homebound (i.e., with physical or mental

disabilities, confirmed by medical providers or home care agencies, which prevent you, permanently or temporarily, from visiting the local [DASIS] HASA service center), you have the right to a home or hospital visit from a case manager. These visits may be to determine your eligibility for benefits and services, to assist you in applying for benefits and services, or to maintain eligibility for benefits and services.

- (4) You have the right to refuse any service.
- (5) You have the right to be referred to a community based organization for any service not provided by [DASIS] HASA.
- (6) You have the right to contact a [DASIS] HASA staff member whenever you need services.
- (7) You have the right to receive services from [DASIS] HASA staff without the payment of gratuities in any form.
- (8) You have the right to initiate complaints against [DASIS] HASA staff.
- (9) If you feel that you are being unlawfully discriminated against in any way, you have the right to file a complaint of discrimination with the New York State Division of Human Rights Bias Hotline at (212) 662-2427 or the New York City Commission on Human Rights AIDS Hotline at 1-800-523-AIDS.
- (10) You have the right to be treated fairly and with respect and courtesy.

(b) Additional rights and responsibilities of [DASIS] HASA clients. All persons who are deemed eligible pursuant to §21-128, subsection (a)(3) of the Administrative Code of the City of New York, have, in addition to all of the rights of persons with clinical/symptomatic HIV illness or with AIDS, the following additional rights and responsibilities:

(c) [DASIS] HASA client rights. (1) You have the right to have benefits and services provided in a timely manner after your applications for specific benefits and services have been approved. Once applications for benefits and services are complete, the time frames for the delivery of benefits and services are determined by:

- (i) Federal law or regulations;
- (ii) New York State Social Services Law or regulations; or
- (iii) Local Law and the Rules of the City of New York.

If none of the above apply, provision of the benefit or service will be no later than twenty (20) business days following submission of all information or documentation required to determine eligibility.

(2) If accepted for Public Assistance or Food Stamps, you have the right to review your budget. If accepted or rejected for Public Assistance, Food Stamps, Medicaid, home care, or homemaking service, you have a right to an agency conference and to a New York State Fair Hearing with respect to actions taken to deny, reduce, discontinue, or restrict your benefits. Please consult the back of the notice which advises you of the determination of the agency with respect to your request for benefits and please follow the guidelines on the back of the notice with respect to requesting an agency conference or New York State Fair Hearing.

(3) If you are a [DASIS] HASA client with one or more children in your care or custody, you have the right to receive information and program referrals on child care options, custody planning, and transitional supports, including the availability of standby guardianship, and referral to legal assistance programs.

(4) You have the right to participate with [DASIS] HASA staff in the development of a service plan.

(5) You have the right to be notified in writing of any change in your case status or in benefits or services provided to you.

(6) You have the right to review your [DASIS] HASA case record and to dispute any information contained therein.

(7) You have the right to be treated fairly and with respect and courtesy.

(d) [DASIS] HASA client responsibilities. (1) You have the responsibility to apply for all benefits for which you may qualify, including, but not limited to, Public Assistance, Medicaid, Food Stamps, Supplemental Security Income ("SSI"), and Social Security Disability ("SSD"), to provide documentation and information necessary to establish eligibility for such benefits, and to comply with application requirements.

(2) You have the responsibility to maintain your benefits by providing information for recertification, and by reporting changes in your income, address, household composition, or any other aspect of your status that may be a factor in determining your eligibility. You have the responsibility to provide information concerning any members of your household, including, but not limited to, any Associated Case Member (ACM) in your household.

(3) ACM Employability Assessment and Employment Plan. (i) The ACM will receive an appointment notice to report for an Employability Assessment to determine whether the ACM is required to engage in work or other activities.

(ii) The ACM is responsible for appearing at the scheduled appointment and providing proof of employment income, school attendance or verification of another work activity, if applicable. The ACM is responsible for cooperating with the Employability Assessment process.

(iii) HASA will determine whether the ACM is required to engage in work or other related activities under federal, state, or local law, regulations, or rules. If HASA determines that the ACM is required to engage in work or other related activities, HASA will provide the ACM with an Employment Plan and refer the ACM to the appropriate work activities, employment opportunities, training, or other necessary services for the ACM to achieve self sufficiency. The ACM is responsible for complying with all the work or other related activities required in the Employment Plan.

(iv) If an ACM refuses or fails without good cause to cooperate or to comply with the Employability Assessment process or with any activities required in the Employment Plan, the household will be subject to a pro-rated reduction of the household's cash assistance benefit(s) as provided in applicable federal, state, or local law, regulations, or rules.

NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028

#### CERTIFICATION PURSUANT TO CHARTER §1043(d)

**RULE TITLE:** Amendment of HIV/AIDS Services Rules

**REFERENCE NUMBER:** 2013 RG 44

**RULEMAKING AGENCY:** Human Resources Administration

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  
Acting Corporation Counsel

Date: June 7, 2013

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 HIV/AIDS Services Rules

**REFERENCE NUMBER:** HRA-1

**RULEMAKING AGENCY:** HRA

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) If it establishes or modifies a violation or penalty, provides a cure period.

/s/ *Andrea M. Bender*  
Mayor's Office of Operations

*June 7, 2013*  
Date

☛ j24

#### INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

##### NOTICE

#### NOTICE OF PUBLIC HEARING

**Subject:** Opportunity to comment on proposed rules authorizing and regulating "microtrenching" by the City's telecommunications franchisees.

**Date / Time:** July 26, 2013

**Location:** Board Room, DoITT, 255 Greenwich Street, 9th Floor, Manhattan

**Contact:** Tanessa Cabe  
Telecommunications Counsel  
Department of Information Technology and Telecommunications  
255 Greenwich Street, 9th Floor  
New York, New York 10007

#### Proposed Rules

Pursuant to the authority vested in the Commissioner of the Department of Information Technology and Telecommunications by section 1043 of the Charter, the Department of Information Technology and Telecommunications proposes to amend Title 67 of the Rules of the City of New York. The rule was not included in the agency's most recent regulatory agenda because it was not anticipated at the time the agenda was created.

#### Instructions

- Prior to the hearing, you may submit written comments about the proposed amendment to DoITT by mail or electronically through the NYC Rules website at [www.nyc.gov/nycrules](http://www.nyc.gov/nycrules) by **7/25/2013**.
- To request a sign language interpreter or other reasonable accommodation for a disability at the hearing, please contact DoITT by **7/8/2013**.
- Written comments and a summary of oral comments received at the hearing will be available until **8/26/2013** between the hours of 9:00 A.M. and 4:00 P.M. at Department of Information Technology and Telecommunications, 255 Greenwich Street, 9th floor, New York, New York 10007.



## STATEMENT OF BASIS AND PURPOSE OF PROPOSED RULES

These rules revise the rules of the Department of Information Technology and Telecommunications (DoITT) by adding a chapter authorizing and regulating the use of microtrenching by the City's telecommunications franchisees.

Microtrenching is a technique for installing fiber-optic cable to provide telecommunications services. By contrast to conventional trenching, microtrenching involves a shallower and narrower cut that can be made either in the expansion joint between the sidewalk and the curb or within the roadway. Because microtrenching is a faster and less expensive method to install cable conduit, as demonstrated by the pilot program described below, microtrenching will support the City's goal of expanding broadband access to all of the City's neighborhoods.

Starting in November 2012, DoITT and the Department of Transportation conducted a pilot program with Verizon New York Inc. to test the viability of microtrenching as an alternative to conventional trenching. DoITT was interested in determining whether microtrenching would be faster and cost less than conventional microtrenching, and whether microtrenched fiber-optic cable would perform as well as fiber-optic cable installed by conventional trenching. The Department of Transportation was interested in determining whether microtrenching would be less disruptive to pedestrian and vehicular traffic and less destructive to the structural integrity of the streets.

During the pilot program, Verizon performed microtrenching in varied neighborhoods of all five boroughs. The pilot program demonstrated that microtrenching can be considerably faster and significantly less expensive than conventional trenching. The pilot program produced no indication of reduced fiber-optic cable performance. Based on the results of the pilot program, DoITT has decided to authorize microtrenching as an alternative to conventional trenching. The Department of Transportation has determined that microtrenching is less disruptive to traffic and requires less extensive restoration work, and therefore has also decided to authorize microtrenching as an alternative to conventional trenching. The Department of Transportation will issue separate rules for microtrenching permits.

These rules authorize telecommunications franchisees to perform microtrenching in compliance with Department of Transportation permits. The rules:

- specify the procedural requirements for microtrenching,
- provide for DoITT's monitoring of microtrenching after it is installed, and
- provide for penalties for violations of these rules.

In addition, the rules require the installation of "excess capacity" – extra ducts capable of housing fiber-optic cable owned by the City or by other telecommunications franchisees. The Verizon pilot program similarly required Verizon to install excess capacity and make the extra ducts available to the City and to other telecommunications franchisees. DoITT has determined that retention of the pilot program's requirement to install excess capacity will serve DoITT's interest in expanding residential and commercial access to broadband without undue cost to the telecommunications franchisee that performed the original microtrenching.

The rules also provide for DoITT to maintain an inventory of excess capacity, and it is DoITT's intention that the inventory will ultimately be posted on the City's web site.

These rules are promulgated pursuant to DoITT's rulemaking authority under section 1043 of the Charter of the City of New York.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Title 67 of the rules of the City of New York is amended by adding a new chapter 1, to read as follows:

### Chapter 1 – Microtrenching

#### Section 1-01 Definitions

The following terms are defined for purposes of this chapter:

- (a) "Conduit" means equipment installed by means of microtrenching to house fiber-optic cabling in multiple enclosed pathways or pipes.
- (b) "Department" means the Department of Information Technology and Telecommunications.
- (c) "Duct" means one enclosed pathway or pipe within a conduit.
- (d) "Excess capacity" means ducts within a conduit that may not be used by the owner or for the owner's business. Each excess capacity duct must be no smaller than the largest duct within the conduit that is reserved for use by the owner, but in any event each excess capacity duct must have the capacity to house at least 96 strands of fiber-optic cable.
- (e) "Low density residential block" means the side of a street on a City block that consists entirely of residential buildings with no more than three residential units each.
- (f) "Microtrenching" means a technique for installing conduit to house fiber-optic cable to provide telecommunications services, utilizing a shallower and narrower cut that can be made in the expansion joint between the sidewalk and the curb as well as within the roadway.

- (g) "Owner" means the holder of a current telecommunications franchise pursuant to section 1072(c) of the New York City Charter, that proposes to install or has installed conduit. A franchise is not "current" if the term of the franchise agreement has expired and the franchise is in holdover status.

- (h) "Telecommunications franchisee" means the holder of a current franchise pursuant to section 1072(c) of the New York City Charter, or of a revocable consent from the City of New York for installation of telecommunications equipment above, below or on any of the streets within the City. A franchise is not "current" if the term of the franchise agreement has expired and the franchise is in holdover status.

#### Section 1-02 Microtrenching permitted; notifications to the Department

- (a) An owner may perform microtrenching to the extent allowed by a permit issued by the Department of Transportation. New microtrenching will not be permitted where sufficient excess capacity is available in existing microtrenching. Before applying to the Department of Transportation for such a permit, the owner must obtain a certification from the Department that no excess capacity is available in the location the owner proposes for microtrenching. The owner must submit that certification to the Department of Transportation as part of the owner's application for a permit.
- (b) Microtrenching will be permitted only in full-block or half-block segments. A full block segment is one side of a street, from corner to corner. A half-block segment is one side of a street, from one corner to the midpoint between two corners.
- (c) Microtrenching will be permitted only for fiber-optic service to private property within the following zoning districts as defined pursuant to the New York City Zoning Resolution: R1, R2, R2A, R2X, R3, R3-1, R3-2, R3-A, R3-X, R4, R4-1, R4A, R4B, R5, R5-A, R5-B, R5-D, C1-1, C1-2, C1-4, C1-5, C2-1, C2-2, C2-3, C2-4, C2-5, C-3, C4 (but only to premises with a commercial floor area ratio of 2.0 or less), M-1 (but only to premises with a manufacturing floor area ratio of 2.0 or less), M-2, M-3, and special purpose districts (but only to premises with a floor area ratio of 2.0 or less).
- (d) After obtaining a permit for microtrenching from the Department of Transportation, but before beginning microtrenching construction, an owner must notify DoITT of the intended dates of the start and completion of microtrenching construction. Notification must be made on a form and in a format prescribed by the Department. The owner must submit the following documents with the notification:
  - a. *Proof of security.* "Proof of security" means proof that the issuer of any bond, insurance, letter of credit or other security issued in connection with the owner's telecommunications franchise agreements has agreed to extend the coverage of such security to the owner's microtrenching, without change to any other terms and conditions of such security that are for the benefit of the Department or the City. The Department will have the right to draw on the security to cover any unpaid fines assessed pursuant to section 1-07(c) of this chapter, or to cover any unmet obligation to remove conduit pursuant to section 1-06 of this chapter.
  - b. *Indemnification.* "Indemnification" means an agreement to indemnify the Department and the City in the form that appears in appendix A to this chapter.
- (e) Promptly after completion of microtrenching construction, and at most within 40 days after the Department of Transportation issued the permit for microtrenching, the owner must file a document with the Department, in a format to be prescribed by the Department, containing the following information:
  - a. An "as-built" drawing of the conduit installed. The "as-built" drawing will be treated as proprietary and confidential, to the extent permitted by law.
  - b. A map showing the street location of the conduit including the side of the street the conduit is on, the beginning and ending points of the conduit, the number of ducts in the conduit, and the number of ducts of excess capacity in the conduit. The map must accurately reflect the addresses of buildings that are passed by the conduit. The map may be made public, by itself or in aggregation with other maps, at the discretion of the Department.

#### Section 1-03 Requirement to install excess capacity

- (a) The owner must use microtrenching materials and equipment that will facilitate the use of excess capacity by telecommunications franchisees.
- (b) On a low density residential block, all conduit must have excess capacity of at least four ducts.
- (c) In any other location, all conduit must have excess capacity of at least six ducts.

#### Section 1-04 Ownership and maintenance of conduit

Except as provided in section 1-08(b) of this chapter, the owner must retain title to the conduit and must maintain the

conduit in working order and good repair, and in compliance with the rules of this chapter. The owner must comply with all requirements, directives and orders of the Department of Transportation regarding microtrenching.

#### Section 1-05 Use and management of excess capacity

- (a) The owner must make one duct of the excess capacity available without charge or fee to the City for installation of fiber-optic cable for use by the City for the City's direct benefit. The "City" includes any agency or office of New York City government, and any City-related public institution such as the New York City Housing Authority, the Health and Hospitals Corporation, the New York City Department of Education, and the Metropolitan Transportation Authority.
- (b) The owner must make all other ducts of the excess capacity available without charge or fee to any telecommunications franchisee for installation of fiber-optic cable to serve the telecommunications franchisee's business or customers.
- (c) Inquiries about the availability and ownership of excess capacity may be submitted to the Department.
- (d) A City request to use excess capacity may be submitted to the owner only by the Department.
- (e) A telecommunications franchisee's request to use excess capacity must be submitted by the telecommunications franchisee to the owner. The telecommunications franchisee must submit a copy of the request to the Department simultaneously with submission of the request to the owner.
- (f) The owner must respond to a request to use excess capacity within five business days of the owner's receipt of the request. The owner's response must either approve or deny the request, and if the owner denies the request the owner must state the reasons for the denial. If the request is a City request, the owner must submit its response to the Department. If the request is by a telecommunications franchisee, the owner must submit its response to the telecommunications franchisee and simultaneously submit a copy of its response to the Department.
- (g) The owner must make excess capacity available to telecommunications franchisees on a first-come, first-served basis. However, the owner is not obligated to provide excess capacity to a telecommunications franchisee other than for the actual use for the telecommunications franchisee's business or customers. That is, a telecommunications franchisee may not reserve or use excess capacity for the possibility of future use or for hoarding. Also, the telecommunications franchisee may not sublease excess capacity.
- (h) The owner must make excess capacity available to a telecommunications franchisee no later than 30 calendar days of the owner's receipt of the telecommunications franchisee's request, unless the owner denies the request as provided by paragraph (f) or (g) of this section.
- (i) Making excess capacity available to the City and to telecommunications franchisees include making available the opportunity to enter and connect to the conduit at the nearest manhole or similar utility access space.
- (j) No later than ten days after the end of each calendar quarter, the owner must submit a report to the Department, in a format to be prescribed by the Department, stating:
  - a. The name of each telecommunications franchisee that took occupancy of excess capacity during the previous quarter, and, for each such telecommunications franchisee, the location of the beginning and ending points of each length of duct the telecommunications franchisee occupied; and
  - b. The name of each telecommunications franchisee that vacated excess capacity during the previous quarter, and, for each such telecommunications franchisee, the location of the beginning and ending points of each length of duct the telecommunications franchisee vacated.
- (k) No later than January 20 of each year, the owner must submit a report to the Department, in a format to be prescribed by the Department, stating the location of each conduit repair and service outage that occurred in the owner's microtrenching during the previous year.

#### Section 1-06 The owner's obligation to remove or otherwise dispose of conduit

- (a) If an owner no longer intends to maintain conduit in working order and good repair, the owner must either remove the conduit at its own expense, or, at the Department's option, transfer the conduit to another owner, or otherwise dispose of the conduit as directed by the Department.
- (b) If an owner's telecommunications franchise or microtrenching permit is terminated or revoked by the Department of Transportation, or if an owner's right to own microtrenching is revoked by the Department, the owner must either remove the conduit at its own expense, or, at the Department's option, transfer the conduit to another owner, or otherwise dispose of the conduit as directed by the Department.
- (c) If the Department determines that microtrenching is unsuitable or unsafe, either entirely or under specified conditions, the owner must remove the conduit and fiber-optic cable at the owner's expense, or, at the Department's option, transfer title to the conduit and fiber-optic cable to the City without fee or cost.

Section 1-07 Enforcement

- (a) Telecommunications franchisees may submit complaints about owners' compliance with the rules of this chapter to the Department.
- (b) The Department may audit or otherwise investigate or review an owner's use of microtrenching and compliance with the rules of this chapter. The owner and any telecommunications franchisee that uses or has applied to use the owner's excess capacity must cooperate with the Department in the conduct of such an audit, investigation or review, and must cooperate with any other governmental entity lawfully authorized to conduct such an audit, investigation or review. The owner must provide access to individuals, documents, records and information as may be reasonable and appropriate to such audit, investigation or review.
- (c) In the event of a violation of the rules of this chapter, the Department may initiate proceedings before the Office of Administrative Trials and Hearings (IOATH) to seek the imposition of penalties on an owner, including fines or revocation or other limitation of the owner's right to engage in microtrenching. The rules of OATH will apply to such proceedings. Those rules are set forth in title 48, chapter 1 of the Rules of the City of New York.
  - a. Following a hearing, an administrative law judge will issue a report and recommendation to the Commissioner of the Department or his or her designee. The report and recommendation will state proposed findings of fact and conclusions of law, and a recommended disposition. The responding party will have ten days from the date of the report and recommendation to submit comments on the report and recommendation to the Commissioner. The Commissioner will issue a final decision, subject only to judicial review.
  - b. Penalties may include fines no less than \$100 and no more than \$25,000 per violation, termination of the owner's right to engage in additional microtrenching, and revocation of the owner's right to own microtrenching. Factors relevant to the determination of the penalty may include the severity of the offense; whether the offense was willful or inadvertent; whether the offense furthered the owner's evasion of oversight and monitoring; the degree of the cost, disadvantage or inconvenience imposed on others by the offense; and the owner's history of offenses, if any.
  - c. Violations may include the following. (Descriptions are for informational purposes only; the text of the rule itself determines the scope and meaning of the rule.)
    - i. Section 1-02(a): Performing microtrenching without or beyond the scope of a Department of Transportation-issued microtrenching permit.
    - ii. Section 1-02(c): Providing fiber-optic service by microtrenching where prohibited.
    - iii. Section 1-02(d): Failure to notify the Department, or to timely notify the Department, of the intended dates of microtrenching construction.
    - iv. Section 1-02(e): Failure to file, or to timely file, drawings as required after conclusion of microtrenching construction.
    - v. Section 1-03: Failure to install required excess capacity.
    - vi. Section 1-04: Failure to maintain conduit in good repair, in compliance with these rules, or in compliance with requirements of the Department of Transportation.
    - vii. Section 1-05: Failure to make excess capacity available; failure to make excess capacity available timely; attempt to overcharge for excess capacity; failure to respond or respond timely to a request for excess capacity; failure to offer excess capacity on a first-come, first-served basis.
    - viii. Section 1-05(j): Failure to report to the Department as required.
    - ix. Section 1-06: Failure to remove or dispose of conduit as directed.
    - x. Section 1-07(b): Failure to cooperate with an audit, investigation or review.
    - xi. Any other violation of the rules of this chapter.

Section 1-08 Miscellaneous provisions

- (a) Conduit that was installed before the effective date of this chapter, in compliance with the terms of a microtrenching pilot program, will be allowed to remain in place despite any non-compliance with sections 1-02 or 1-03 of this chapter. All of the other rules of this chapter apply to such conduit.
- (b) An owner may transfer ownership of conduit to another entity that would be an "owner" as defined by section 1-01(g) of this chapter. A transfer may not be made effective before the submission to the Department of the contract or other document effectuating the transfer.
- (c) To the extent that any applicable federal or state law or regulation might require an owner to make

excess capacity available to a person or entity more expeditiously or on any other term more favorable to that person or entity than a term provided for by the rules of this chapter, then the applicable federal or state law or regulation applies with respect to such persons or entities instead of the term provided for by the rules of this chapter.

APPENDIX A

INDEMNIFICATION

1. The Owner's Indemnification Obligations: The Owner agrees to indemnify, defend and hold the City, its officers, agents and employees (the "Indemnitees") harmless from any and all liabilities, suits, damages, claims and expenses (including, without limitation, reasonable attorneys' fees and disbursements) ("Damages") that may be imposed upon or asserted against any of the Indemnitees arising out of the Owner's performance of, or its failure to perform, its obligations under Title 67, Chapter 1, of the Rules of the City of New York ("Rules") and/or its undertaking of activities or provision of services thereunder, provided, however, that the foregoing liability and indemnity obligation of the Owner pursuant to this Section 1 shall not apply to any Damages to the extent arising out of any willful misconduct or gross negligence of an Indemnitee. Insofar as the facts and law relating to any Damages would preclude the City from being completely indemnified by the Owner, the City shall be partially indemnified by the Owner to the fullest extent provided by law, except to the extent such Damages arise out of any willful misconduct or gross negligence of any Indemnitee. This indemnification is independent of the Owner's obligations to obtain insurance as provided under the Rules.

2. Defense of Claim, Etc.: If any claim, action or proceeding is made or brought against any of the Indemnitees by reason of any event to which reference is made in Section 1 of this Appendix, then upon demand by the City, the Owner shall either resist, defend or satisfy such claim, action or proceeding in such Indemnitee's name, by the attorneys for or approved by the Owner's insurance carrier (if the defense of such claim, action or proceeding is provided by the insurance carrier) or by the Owner's attorneys. The foregoing notwithstanding, in the event an Indemnitee believes additional representation is needed, such Indemnitee may engage its own attorneys to assist such Indemnitee's defense of such claim, action or proceeding, as the case may be, at its sole cost and expense. The Owner shall not settle any claim with respect to which the Owner is required to indemnify the Indemnitees pursuant to Section 1 of this Appendix without the prior written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed.

3. No Claims Against Officers, Employees, or Agents: the Owner agrees not to make any claim against any officer or employee of the City or officer or employee of an agent of the City, in their individual capacity, for, or on account of, anything done or omitted in connection with the Owner's performance of, or its failure to perform, its obligations under the Rules, to the extent that such officer or employee of the City or officer or employee of an agent of the City was acting within the lawful course and scope of his employment or agency. Nothing contained in the Rules or in this Appendix shall be construed to hold the City liable for any lost profits, or any consequential damages incurred by the Owner or any person acting or claiming by, through or under the Owner.

4. Limitation on Indemnification: As between the City and the Owner, the indemnification obligations of the Owner pursuant to Section 1 above shall not apply to any Damages arising out of the distribution of programming over the Governmental/Educational Access Channels, the Institutional Network available to and used by the City, and/or the Public Access Channels, as such terms are defined pursuant to other agreements between the Owner and the City, to the extent that such claim does not arise out of an act or failure to act by Owner.

Execution by the Owner

Dated:

**NEW YORK CITY LAW DEPARTMENT**  
 100 CHURCH STREET  
 NEW YORK, NY 10007  
 212-788-1087

**CERTIFICATION PURSUANT TO CHARTER §1043(d)**

**RULE TITLE:** Use of Microtrenching in Telecommunications Services

**REFERENCE NUMBER:** 2013 RG 053

**RULEMAKING AGENCY:** Department of Information Technology and Telecommunications

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: June 19, 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:** Use of Microtrenching in Telecommunications Services

**REFERENCE NUMBER:** DOITT-2

**RULEMAKING AGENCY:** DOITT

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 the rule provides various steps within the enforcement process where a condition may be corrected before a violation is issued.

/s/ Francisco Navarro June 19, 2013  
 Mayor's Office of Operations Date

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**SPECIAL MATERIALS**

**COMPTROLLER**

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Room 629, New York, NY 10007 on 6/20/13, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
25	15968	65
26&28	15968	42
29	15968	41
30	15968	39
33	15968	35
34	15968	33
35	15968	32
36	15968	31

Acquired in the proceeding, entitled: BEACH 46TH STREET. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN C LIU  
 NEW YORK CITY COMPTROLLER

j20-jy5

**HEALTH AND MENTAL HYGIENE**

■ NOTICE

**NOTICE OF THE ESTABLISHMENT OF MOBILE FOOD VENDOR PERMIT WAITING LISTS BY THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

On Monday, August 12, 2013, the Department of Health and Mental Hygiene (DOHMH) will establish, utilizing a random selection process, three (3) separate waiting lists for Green Cart permits — two-year, full-term mobile food vendor unit permits authorizing the holders thereof to sell only raw, whole fresh fruits and vegetables within designated areas of the City — for the Bronx, Brooklyn, and Staten Island.

Application packages with detailed instructions for inclusion in the selection process for the Green Cart permit waiting lists may be obtained via the internet at [www.nyc.gov/greencarts](http://www.nyc.gov/greencarts), by calling 311, or in person at the New York City Department of Consumer Affairs Licensing Center, located at 42 Broadway, 5th Floor, New York, New York 10004, Monday through Friday from 9:00 A.M. to 5:00 P.M.

In order to be eligible for inclusion in the selection process to establish these waiting lists,

- the applicant must have a valid mobile food vendor license (ID badge) issued by the Department of Health and Mental Hygiene on or before Friday, August 2, 2013, and - the applicant must submit a completed waiting list application form by mail only to the address listed on the application form with a postmark dated on or before Friday, August 2, 2013.

All eligible waiting list applications will secure a waiting list position.

In accordance with Local Law No. 9 of 2008, preference or priority for a waiting list position will be given to those applicants who are members of a "preference category" listed in Local Law No.9. This preference or priority will be established by the giving of additional points to those applicants who are:

- already on an existing DOHMH mobile food vending permit waiting list
● United States veterans
● disabled persons

Applicants who do not belong to a preference category/priority group will secure a waiting list position after those who belong to a preference category/priority group.

For each borough list, all applications will be randomly assigned a number on each waiting list. Preference category/priority group applicants will be randomized separately and prioritized accordingly. If the applicant secures a waiting list position based upon a claim of being in one or more of the preference categories/priority groups mentioned above, the applicant will have to provide proof of such claim when the applicant is notified to apply for the Green Cart permit. If an applicant fails to do so, he or she will be disqualified from all Green Cart waiting lists.

Mobile Food Vendor License Applications: Application packages for a mobile food vendor operator's license (ID badge) may also be obtained via the internet at www.nyc.gov/greencarts, by calling 311, or in person at the New York City Department of Consumer Affairs Licensing Center, located at 42 Broadway, 5th Floor, New York, New York 10004, Monday through Friday from 9:00 A.M. to 5:00 P.M. Interested persons should allow at least twenty-five (25) business days to receive the necessary tax documentation and register for and pass the Department's "Mobile Food Vendor Food Protection Course", both of which are required prior to applying for a mobile food vending license.

HUMAN RESOURCES ADMINISTRATION

NOTICE

Notice of Concept Paper

The New York City Human Resources Administration (HRA) intends to issue a Request for Proposals (RFP) for Home Care Services.

New York State is in the process of restructuring its Medicaid Program, including how non-institutional long term care services are provided. In advance of the release of the RFP, HRA is issuing a concept paper which outlines the program model that HRA developed in light of the significant reductions in the HRA home care client population due to New York State Medicaid Redesign. This will affect approximately 4,000 to 5,000 HRA Home Care Services Program clients who are currently exempt from enrollment in mandatory managed care and managed long term care programs.

The concept paper has been posted on the Agency's website at www.nyc.gov/hra/contracts

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CHANGES IN PERSONNEL

Table with columns: NAME, DEPT OF PARKS & RECREATION, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for various departments including Parks & Recreation, Design & Construction, and others.

Table with columns: NAME, DEPT OF DESIGN & CONSTRUCTION, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Department of Design & Construction.

j24

## READER'S GUIDE

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

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc). To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

### SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit [www.nyc.gov/html/sbs/nycbiz](http://www.nyc.gov/html/sbs/nycbiz) and click on Summary of Services, followed by Selling to Government.

### PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc).

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit [www.nyc.gov/mocs](http://www.nyc.gov/mocs).

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

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc)

### COMMON ABBREVIATIONS USED IN THE CR

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

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

### KEY TO METHODS OF SOURCE SELECTION

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

CSB	Competitive Sealed Bidding including multi-step <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	
CP/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition <i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors

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

### HOW TO READ CR PROCUREMENT NOTICES

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

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

*Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.*

*NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.*

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