



# THE CITY RECORD

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## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BOROUGH PRESIDENT - QUEENS

#### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Borough President of Queens, Melinda Katz, on **Thursday, March 31, 2016** at 10:30 A.M., in the Borough President's Conference Room, located at 120-55 Queens Boulevard, Kew Gardens, NY 11424, on the following items:



#### CD Q11- BSA #240-55 BZ

**IN THE MATTER OF** an application submitted by Rothkrug Rothkrug & Spector, LLP on behalf of DLC Properties LLC, pursuant to Section 11-411 of the NYC Zoning Resolution, seeks to extend the term of a variance permitting an auto repair shop (UG16) with sales, exchange of vehicles and products, to amend the grant to permit a change in use to automobile sales (UG9) and to extend the time to obtain a Certificate of Occupancy in R6B/C2-2 and R4 zoning districts, located at **207-22 Northern Boulevard**, Block 7305, Lot 19, Zoning Map 11b, Bayside, Borough of Queens.

#### CD Q11 - BSA #716-82 BZ

**IN THE MATTER OF** an application submitted by Rothkrug Rothkrug & Spector, LLP on behalf of Cigarette Realty Co, LLC, pursuant to Sections 72-21 and 72-22 of the New York City Zoning Resolution, seeks to extend the term of a variance allowing change in use from auto repair and showroom to permitted retail stores and offices and accessory parking at the rear of the building within R6B/C2-2 and R4 districts, located at **209-30 Northern Boulevard**, Block 7309 Lot 15, Zoning Map 11b, Bayside, Borough of Queens.

#### CD Q02 - BSA# 173-93 BZ

**IN THE MATTER OF** an application submitted by Eric Palatnik, P.C. on behalf of the YMCA, pursuant to Section 72-21 of the NYC Zoning Resolution, to reopen and amend a previously granted variance for a community facility to allow construction of a hotel with available unused development rights on a site in a M1-4 District located at **32-23 Queens Boulevard/43-11 32<sup>nd</sup> Place**, Block 244, Lot 24, Zoning Map 9b, Long Island City, Borough of Queens.

#### CD Q07 - ULURP #C 160138 ZMQ

**IN THE MATTER OF** an application submitted by the City of New York Department of Housing Preservation and Development ("HPD"), pursuant to Section 197(c) of the NYC Charter, for a zoning map amendment to rezone from a C4-2 district to a C4-5X district, **Block 5037, Lots 60, 61, 62, 63, 64 and 65 and part of 5** on 41<sup>st</sup> Avenue between Main Street and College Point Boulevard, Zoning Map 10b, Flushing, Borough of Queens. (Related: ULURP #N 160139 ZRQ, #C 160140 ZSQ, #C160141 ZSQ, #C 160143 HAQ)

#### CD Q07 - ULURP #C 160139 ZRQ

**IN THE MATTER OF** an application submitted by the City of New

York Department of Housing Preservation and Development ("HPD"), pursuant to Section 197(c) of the NYC Charter, for a zoning text amendment to map the project area as a Mandatory Inclusionary Housing Area, Block 5037, Lots 60, 61, 62, 63, 64 and 65 and part of 5 on 41<sup>st</sup> Avenue between Main Street and College Point Boulevard, Zoning Map 10b, Flushing, Borough of Queens. (Related: ULURP #C160138 ZMQ, #C 160140 ZSQ, #C160141 ZSQ, #C 160143 HAQ)

**CD Q07 - ULURP #C 160140 ZSQ**

**IN THE MATTER OF** an application submitted by the City of New York Department of Housing Preservation and Development ("HPD"), pursuant to Section 197(c) of the NYC Charter, for a special permit to allow an attended parking garage with a maximum capacity of 229 spaces in a high-density central area pursuant to ZR Section 74-52, Block 5037, Lots 64 and 65 on 41<sup>st</sup> Avenue between Main Street and College Point Boulevard, Zoning Map 10b, Flushing, Borough of Queens. (Related: ULURP #C160138 ZMQ, #C 160139 ZRQ, #C160141 ZSQ, #C 160143 HAQ)

**CD Q07 - ULURP #C 160141 ZSQ**

**IN THE MATTER OF** an application submitted by the City of New York Department of Housing Preservation and Development ("HPD"), pursuant to Section 197(c) of the NYC Charter, for a special permit to allow development within or over a railroad right-of-way, pursuant to Section 74-681, Block 5037, Lots 64 and 65 on 41<sup>st</sup> Avenue between Main Street and College Point Boulevard, Zoning Map 10b, Flushing, Borough of Queens. (Related: ULURP #C160138 ZMQ, #C 160139 ZRQ, #C160140 ZSQ, #C 160143 HAQ)

**CD Q07 - ULURP #C 160143 HAQ**

**IN THE MATTER OF** an application submitted by the City of New York Department of Housing Preservation and Development ("HPD"), pursuant to Section 197(c) of the NYC Charter, for a designation and project approval of an Urban Development Action Area Project and disposition of City-Owned property:

- Designation of the Development Site as an Urban Development Action Area;
- Approval of the Proposed Development as an Urban Development Action Area Project;
- Disposition of the Development site to a developer selected by HPD;

to facilitate the development of a 10-story, mixed-use, 100% affordable multi-family housing project on Block 5037, Lots 64 and 65 on 41<sup>st</sup> Avenue between Main Street and College Point Boulevard, Zoning Map 10b, Flushing, Borough of Queens. (Related: ULURP #C160138 ZMQ, #N 160139 ZRQ, #C 160140 ZSQ, #C160141 ZSQ)

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.

☛ m25-31

**CITY PLANNING COMMISSION**

**■ PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, NY, on Wednesday, March 30, 2016 at 10:00 A.M.

**BOROUGH OF THE BRONX  
No. 1  
3276 JEROME AVENUE**

**CD 7 C 160064 ZMX**

**IN THE MATTER OF** an application submitted by Mosholu Petrol Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 1d, changing from an R8 District to a C8-2 District property bounded by Risse Street, a line 150 feet northerly of Van Cortlandt Avenue, a line perpendicular to the southeasterly street line of Jerome Avenue distant 180 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jerome Avenue and the westerly street line of Risse Street, and a line 100 feet southeasterly of Jerome Avenue, as shown on a diagram (for illustrative purposes only) dated December 14, 2015.

**BOROUGH OF BROOKLYN  
Nos. 2, 3 & 4**

**OXFORD NURSING HOME  
No. 2**

**CD 6 C 150361 ZMK**

**IN THE MATTER OF** an application submitted by the Conover King Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16a:

1. changing from an M2-1 District to an M1-4/R6 District

property bounded by King Street, a line 100 feet northwesterly of Van Brunt Street, Sullivan Street, a line 200 feet northwesterly of Van Brunt Street, a line midway between King Street and Sullivan Street, and Conover Street; and

2. establishing a Special Mixed Use District (MX-5) bounded by King Street, a line 100 feet northwesterly of Van Brunt Street, Sullivan Street, a line 200 feet northwesterly of Van Brunt Street, a line midway between King Street and Sullivan Street, and Conover Street;

as shown in a diagram (for illustrative purposes only) dated November 30, 2015.

**No. 3**

**CD 6**

**C 150362 ZSK**

**IN THE MATTER OF** an application submitted by Conover King Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to modify the requirements of Section 24-111 (Maximum floor area ratio for certain community facility uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a proposed 200-bed nursing home on property located at 141 Conover Street (Block 555, Lot 5), in an M1-4/R6<sup>\*</sup> District, within a Special Mixed Use District (MX-5)\*.

\*Note: The site is proposed to be rezoned by changing from an M2-1 District to an M1-4/R6 and by establishing a Special Mixed Use District (MX-5), under a concurrent related application C 150361 ZMK.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3054, 120 Broadway, New York, NY 10271-0001

**No. 4**

**CD 6**

**N 160081 ZRK**

**IN THE MATTER OF** an application submitted by Conover King Realty, LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York modifying Appendix F (Inclusionary Housing Designated Areas) and a related section in Article XII, Chapter 3 (Special Mixed Use District) to apply Inclusionary Housing regulations.

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

\* \* \*

**Article XII - Special Purpose Districts**

**Chapter 3**

**Special Mixed Use District**

\* \* \*

**123-63**

**Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing only Residential Buildings in R6, R7, R8 and R9 Districts**

\* \* \*

#Special Mixed Use District#	Designated #Residence District#
MX 2 - Community District 2, Brooklyn	R7A R8A
<u>MX 5 - Community District 6, Brooklyn</u>	<u>R6</u>
MX 8 - Community District 1, Brooklyn	R6 R6A R6B R7A
MX 11 - Community District 6, Brooklyn	R7-2
MX 14 - Community District 6, The Bronx	R7A R7X

\* \* \*

**APPENDIX F**

\* \* \*

**BROOKLYN**

\* \* \*

**Brooklyn Community District 6**

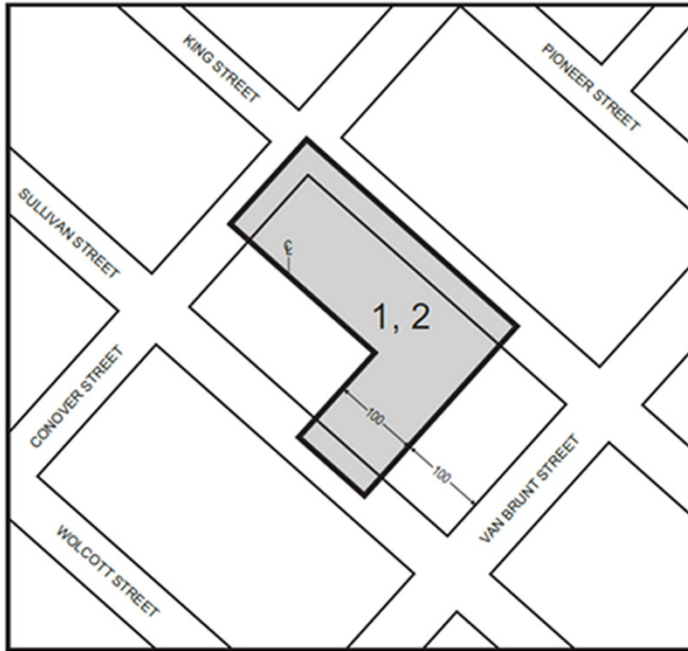
In the R6 and R7-2 Districts within the areas shown on the following Maps 1 and 2:

Map 1 - (3/11/09)

\* \* \*

Map 2 - [date of adoption]

[Proposed Map]



■ Mandatory Inclusionary Housing Area (MIHA)  
 1, 2 MIH Program Option 1 and Option 2 [Section 23-154(d)(3)]

\* \* \*

**BOROUGH OF MANHATTAN**  
**No. 5**  
**375 PEARL STREET OFFICE SPACE**

**CD 1** **N 160195 PXM**  
**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 375 Pearl Street (Block 113, Lot 7501) (Human Resources Administration offices).

**No. 6**  
**WATER STREET UPGRADES TEXT AMENDMENT**

**CD 1** **N 160166 ZRM**  
**IN THE MATTER OF** an application submitted by the Alliance for Downtown New York, the New York City Economic Development Corporation, and the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 1 (Special Lower Manhattan District) and related sections concerning arcades, plazas, and urban plazas within Community District 1, Borough of Manhattan.

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

**Article III - Commercial District Regulations**

**Chapter 7**  
**Special Urban Design Regulations**

\* \* \*

**37-625**  
**Design changes**

Except as otherwise provided in Sections 74-41 (Arenas, Auditoriums, Stadiums or Trade Expositions), 91-83 (Retail Uses Within Existing Arcades), and 91-841 (Authorization for retail uses within existing arcades), design changes to existing #plazas#, #residential plazas# or #urban plazas# may be made only upon certification by the Chairperson of the City Planning Commission that such changes would result in a #plaza#, #residential plaza# or #urban plaza# that is in greater accordance with the standards set forth in Section 37-70 (PUBLIC PLAZAS), inclusive. The provisions of Section 37-78 (Compliance), other than paragraph (e) (Special regulations for an #urban plaza# in the #Special Lower Manhattan District#), shall be made applicable to such #plaza#, #residential plaza# or #urban plaza#.

\* \* \*

**37-73**  
**Kiosks and Open Air Cafes**

Kiosks and open air cafes may be placed within a #publicly accessible

open area# upon certification, pursuant to this Section. Such features shall be treated as permitted obstructions. Only #uses# permitted by the applicable district regulations may occupy #publicly accessible open areas# or front on #publicly accessible open areas#.

\* \* \*

(c) Certification

Kiosks and open air cafes may be placed within the area of a #publicly accessible open area# upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings, that:

- (1) such #use# promotes public use and enjoyment of the #publicly accessible open area#;
- (2) such #use# complements desirable #uses# in the surrounding area;
- (3) the owner of such #use# or the #building# owner shall be responsible for the maintenance of such kiosk or open air cafe, which shall be located within areas designated on building plans as available for occupancy by such #uses# and no encroachment by a kiosk or open air cafe outside an area so designated shall be permitted;
- (4) such #use# does not adversely impact visual and physical access to and throughout the #publicly accessible open area#;
- (5) such #use#, when located within a #public plaza#, is provided in accordance with all the requirements set forth in this Section;
- (6) for kiosks and open air cafes located within an existing #publicly accessible open area#, such #use# is proposed as part of a general improvement of the #publicly accessible open area# where necessary, including as much landscaping and public seating as is feasible, in accordance with the standards for #public plazas#;
- (7) a #sign# shall be provided in public view within the cafe area indicating the days and hours of operation of such cafe; and
- (8) for kiosks that are in operation less than 225 days per year, an off-season plan has been submitted to the Chairperson showing that such kiosks will be completely removed from the #publicly accessible open area# when not in operation, that the area previously occupied by the kiosk is returned to public use and such area is in compliance with the applicable #publicly accessible open area# design standards.

\* \* \*

(d) Process

An application for certification shall be filed with the Chairperson of the City Planning Commission, and the Chairperson shall furnish a copy of the application for such certification to the affected Community Board at the earliest possible stage. The Chairperson will give due consideration to the Community Board's opinion as to the appropriateness of such a facility in the area and shall respond to such application for certification within 60 days of the application's receipt.

The Chairperson shall file any such certification with the City Council. The Council, within 20 days of such filing, may resolve by majority vote to review such certification. If the Council so resolves, within 50 days of the filing of the Chairperson's certification, the Council shall hold a public hearing and may approve or disapprove such certification. If, within the time periods provided for in this Section, the Council fails to act on the Chairperson's certification, the Council shall be deemed to have approved such certification.

Such certification shall be effective for a period of three years.

All applications for the placement of kiosks or open air cafes shall include a detailed site plan or plans indicating compliance with the provisions of this Section, including the layout and number of tables, chairs, restaurant equipment and heating lamps, as well as the storage location for periods when the kiosk or open air cafe is closed. Where a kiosk or open air cafe is to be located within an existing #publicly accessible open area#, each kiosk or open air cafe application must be accompanied by a compliance report in accordance with the requirements of Section 37-78, paragraph (c).

Where design changes to #publicly accessible open areas# are necessary in order to accommodate such kiosk or open air cafe, or to comply with paragraph (c)(6) of this Section, a certification pursuant to Section 37-625 (Design changes) shall be required, except that within the #Special Lower Manhattan District#, design changes to a #publicly accessible open area# pursuant to the provisions of Section 91-832 (Plazas) as part of a certification pursuant to Section 91-83 (Retail Uses Within Existing Arcades), an authorization pursuant to Section 91-841 (Authorization for retail uses within existing arcades), or a certification pursuant to

Section 91-837 (Additional design changes) may satisfy the requirements in paragraph (c)(6) of this Section.

All such plans for kiosks or open air cafes, once certified, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument providing notice of the certification for the kiosk or open air cafe, pursuant to this Section. The form and contents of the legal instrument shall be satisfactory to the Chairperson, and the filing and recording of such instrument shall be a precondition for the placement of the kiosk or open air cafe within the #publicly accessible open area#.

\* \* \*

Article IX - Special Purpose Districts

Chapter 1 Special Lower Manhattan District

\* \* \*

91-00 GENERAL PURPOSES

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

- (a) encourage development of a 24-hour community through the conversion of older commercial buildings to residential use;
(b) facilitate maximum design flexibility of buildings and enhance the distinctive skyline and streetscape of Lower Manhattan;
(c) improve public use and enjoyment of the East River waterfront by creating a better physical and visual relationship between development along the East River and the waterfront area, public access areas and the adjoining upland community;
(d) enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities;
(e) restore, preserve and assure the use of the South Street Seaport Subdistrict as an area of small historic and restored buildings, open to the waterfront and having a high proportion of public spaces and amenities, including a South Street Seaport Environmental Museum, with associated cultural, recreational and retail activities;
(f) establish the Historic and Commercial Core to protect the existing character of this landmarked area by promoting development that is harmonious with the existing scale and street configuration; and
(g) establish the Water Street Subdistrict to improve the urban design relationship between existing buildings and open areas by promoting retail activities and the enhancement of existing public spaces with new amenities in this area; and
(g)(h) promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

\* \* \*

91-03 District Maps

District maps are located in Appendix A of this Chapter and are hereby incorporated and made an integral part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

- Map 1 Special Lower Manhattan District
Map 2 Street Wall Continuity Types 1, 2A, 2B & 3
Map 3 Street Wall Continuity Types 4 & 5
Map 4 Designated Retail Streets
Map 5 Curb Cut Prohibitions
Map 6 South Street Seaport Subdistrict (Section 91-63)
Map 7 Subway Station Improvement Areas
Map 8 Public Access Modification Areas:
Map 9 Water Street Subdistrict.

\* \* \*

91-80 PUBLIC ACCESS AREAS

[ALL NEW TEXT (91-80 THROUGH 91-843) FOLLOWS - DELETED TEXT (91-80 THROUGH 91-821) IS LOCATED AFTER APPENDIX MAPS]

The following regulations shall apply to arcades and #publicly accessible open areas# existing on [effective date of amendment] located within the Water Street Subdistrict as shown on Map 8 in Appendix A of this Chapter except for the #plaza# that was the subject of special permit application CP-20518, approved by the City Planning Commission on November 27, 1968.

For the purposes of this Section, inclusive, "arcade" shall refer to an #arcade# or #through block arcade# provided in accordance with the provisions of Section 12-10 (DEFINITIONS) and Section 37-80 (ARCADES), or any other arcade that generated a #floor area# bonus as evidenced by plans approved by the Department of Buildings.

A horizontal #enlargement# permitted by Section 91-83 (Retail Uses Within Existing Arcades) or Section 91-841 (Authorization for retail uses within existing arcades) shall not be included as #floor area#, and such additional area shall not result in a reduction of the permitted floor area.

No arcade may be eliminated or reduced in size pursuant to paragraph (a) of Section 33-124 (Existing public amenities for which floor area bonuses have been received). In lieu thereof, the provisions of Sections 91-83 and 91-841 shall apply. The provisions of paragraph (d) of Section 33-124 shall be modified to also permit the reduction or elimination of an arcade for which a #floor area# bonus has been utilized pursuant to the provisions of Sections 91-83 or 91-841.

For any #zoning lot# that was the subject of application C810325ZSM, C810506ZSM or C841070ZSM, a certification pursuant to Section 91-83 or an authorization pursuant to Section 91-841 shall not result in a departure from the findings and conditions specified in the applicable special permit, and such certification or authorization shall not require modification of the applicable special permit unless such a modification is required pursuant to a related restrictive declaration. For the #zoning lot# that was the subject of application C810325ZSM, the existing #through block arcade# shall not be eliminated, but may be modified in size and configuration provided that the standards for #through block arcades# set forth in Section 12-10 are met.

Public events may take place within a #publicly accessible open area# or arcade pursuant to the provisions of Section 91-81 (Events Within Public Access Areas). Publicly accessible tables, chairs, shade umbrellas and heating lamps may be located within a #publicly accessible open area# or arcade pursuant to the provisions of Section 91-82 (Amenities Within Public Access Areas). An outdoor cafe may be located within an arcade pursuant to Section 91-821 (Certification for outdoor cafes within arcades). A horizontal #enlargement# of the ground floor and second floor levels may be permitted within arcades, or portions thereof, located within Area A in Map 9 of Appendix A of this Chapter pursuant to the provisions of Section 91-83, and within Area B pursuant to the provisions of Section 91-841. In no event shall an #enlargement# be permitted within arcades, or portions thereof, located within Area C on Map 9 in Appendix A of this Chapter.

91-81 Events Within Public Access Areas

The provisions of Article III, Chapter 7 restricting the temporary placement or storage of event-related amenities or equipment within a #publicly accessible open area# or arcade shall be modified by the provisions of this Section. The temporary placement or storage of event-related equipment or amenities in accordance with the provisions of this Section shall not constitute a design change pursuant to the provisions of Section 37-625 (Design changes) or Section 91-837 (Additional design changes).

Events including, but not limited to, farmers' markets, holiday markets, concerts and performances, art and cultural exhibitions and festivals are permitted within all #publicly accessible open areas# and arcades. The utilization of a #publicly accessible open area# or arcade for the promotion of products or services shall not itself qualify as an event permitted under this Section.

Events shall be open to the public, provide free and unticketed admission and only be permitted to use amplified sound between the hours of 9:00 A.M. and 10:00 P.M. All #publicly accessible open areas# and arcades shall continue to be publicly accessible at all times. Event-related amenities and equipment shall be considered temporary permitted obstructions provided that sufficient circulation space connecting all #streets# and #building# entrances exists. All #publicly accessible open areas# and arcades shall be restored to their approved condition within 24 hours of the conclusion of an event.

The storage of equipment or materials outside of an event's scheduled hours, excluding time required for set up and clean up, shall not be permitted within a #publicly accessible open area# or arcade, except that for events taking place over multiple days or weeks, large temporary equipment that require assembly and will be actively used during the event, such as stages, kiosks and sound and video entertainment systems, may remain in the #publicly accessible open area# or arcade outside of the event's scheduled hours.

91-82 Amenities Within Public Access Areas

The provisions of Article III, Chapter 7 restricting the placement of tables, chairs, shade umbrellas and heating lamps within a #publicly accessible open area# or arcade shall be modified by the provisions of this Section. The placement of tables, chairs, shade umbrellas or heating lamps in accordance with the provisions of this Section, inclusive, shall not constitute a design change pursuant to the provisions of Section 37-625 (Design changes) or Section 91-837 (Additional design changes).

Publicly accessible tables and chairs, as well as shade umbrellas and heating lamps, shall be permitted obstructions within a #publicly accessible open area# or arcade, provided that such obstructions comply with the provisions of Section 91-822 (Requirements for furnishings), as applicable. Tables, chairs, shade umbrellas and heating lamps provided pursuant to this Section may be used by the public without restriction. Outdoor cafes may be placed within an arcade by certification pursuant to Section 91-821 (Certification for outdoor cafes within arcades).

#### **91-821 Certification for outdoor cafes within arcades**

An outdoor cafe may be permitted within an arcade upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that, in addition to the provisions of this Section, the provisions of Section 91-822 (Requirements for furnishings) are met. An outdoor cafe that is permitted by this Section shall be a permanently unenclosed restaurant or eating or drinking place, which may have waiter or table service.

No portion of an outdoor cafe that is permitted by this Section may extend into a #publicly accessible open area# except where an open air cafe has been permitted by a certification pursuant to Section 37-73 (Kiosks and Open Air Cafes).

In order to certify that the proposed modification to an existing arcade is consistent with the provisions of this Section, the applicant shall submit to the Chairperson a site plan and other detailed plans demonstrating that the proposed obstructions within the existing arcade and, where applicable pursuant to paragraph (a)(2) of Section 91-822, the adjacent #publicly accessible open area#, will comply with the provisions of this Section. The placement of publicly accessible tables and chairs within a #publicly accessible open area# pursuant to paragraph (a)(2) of Section 91-822 shall not constitute a design change pursuant to the provisions of Section 37-625 (Design changes).

All plans for arcades or other #publicly accessible open areas# that are the subject of a certification pursuant to this Section shall be filed and duly recorded in the Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Chairperson, providing notice of the certification of the arcade, pursuant to this Section. Such filing and recording of such instrument shall be a precondition to certification. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

#### **91-822 Requirements for furnishings**

The following provisions shall apply to all furnishings, including tables, chairs, shade umbrellas and heating lamps, permitted by Section 91-82 (Amenities Within Public Access Areas) and Section 91-821 (Certification for outdoor cafes within arcades).

##### (a) Size, location and other requirements

###### (1) Requirements for all furnishings

All furnishings shall be moveable. Permanent fixtures may be installed in the ground of a #publicly accessible open area# or arcade for the purposes of supporting shade umbrellas or heating lamps provided that such fixtures are flush-to-grade.

No furnishings shall be permitted within five feet of any #building# entrance, nor shall they be permitted within any required circulation paths.

###### (2) Additional requirements for outdoor cafes located within arcades

Where an outdoor cafe is provided pursuant to Section 91-821, a minimum of four tables and 16 chairs shall be provided and made available to the public without restriction, which may be located within an arcade or within a #publicly accessible open area# and shall be outside of the permitted cafe boundary.

Outdoor cafes shall be located at the same elevation as the adjoining sidewalk area or #publicly accessible open area#, except that they may be located no more than six inches below or on a platform no more than six inches above such adjoining sidewalk area or #publicly accessible open area#. The outdoor cafe shall be permanently marked in accordance with the applicable standards for open air cafes set forth in

paragraph (b) of Section 37-73.

Fences, planters, walls, fabric dividers or other barriers that separate outdoor cafe areas from other portions of the arcade or adjacent sidewalks or #publicly accessible open areas# shall be prohibited. No kitchen equipment shall be installed within an outdoor cafe.

##### (3) Circulation requirements for outdoor cafes located within arcades

For arcades with a depth of 10 feet or less, as measured from the column face furthest from the #street line# or #publicly accessible open area# to the #street wall#, an unobstructed path not less than three feet shall be provided. For arcades with a depth greater than 10 feet, as measured from the column face furthest from the #street line# or #publicly accessible open area# to the #street wall#, such unobstructed pedestrian way shall be increased to at least six feet. For #through block arcades#, an unobstructed pedestrian way, except for approved doorways, of at least eight feet shall be provided connecting each #street# on which the #through block arcade# fronts.

##### (b) Operation

###### (1) Requirements for all tables and chairs

Except as otherwise provided in paragraph (b)(2) of this Section, tables, chairs, shade umbrellas and heating lamps may be stored or secured within an arcade between the hours of 9:00 P.M. and 7:00 A.M., but may not be stored or secured within a #publicly accessible open area#.

###### (2) Additional requirements for outdoor cafes located within arcades

Publicly accessible tables and chairs that are required by paragraph (a)(2) of this Section may not be removed or secured while the cafe is in active use.

All furnishings of within the boundary of an outdoor cafe, including tables, chairs, shade umbrellas, bussing stations and heating lamps, shall be completely removed from the arcade when the outdoor cafe is not in active use, except that tables and chairs may remain in such arcade if they are unsecured and may be used by the public without restriction.

Litter receptacles shall be provided in accordance with the standards for #public plazas# set forth in Section 37-744 (Litter receptacles).

#### **91-83 Retail Uses Within Existing Arcades**

A horizontal #enlargement# of the ground floor and second floor levels within an arcade located within Area A on Map 9 in Appendix A of this Chapter may be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that such #enlargement# complies with the provisions of this Section, and the following conditions are met:

- the horizontal #enlargement# meets the requirements of Section 91-831 (Ground floor requirements);
- a compensating amenity is provided pursuant to the provisions of Section 91-832 for plazas, Section 91-834 for indoor public spaces, or Section 91-835 for alternative improvements; and
- the additional requirements of Section 91-836, as applicable.

For #zoning lots# with one or more #publicly accessible open areas#, unless an alternative improvement has been identified in Section 91-835, an improvement to all #publicly accessible open areas# pursuant to the provisions of Section 91-832 shall be required as the compensating amenity required by condition (b) of this Section, and a certification for design changes pursuant to Section 37-625 (Design changes) shall not be required. Where a #publicly accessible open area# was improved and is fully compliant with a prior certification pursuant to Section 37-625 that was granted before [date of referral], the improvement of such #publicly accessible open area# shall not be required.

The provision of a compensating amenity as part of a prior certification pursuant to this Section or a prior authorization pursuant to Section 91-841 (Authorization for retail uses within existing arcades) may satisfy the requirements of condition (b) of this Section for a compensating amenity.

As part of the certification, a horizontal #enlargement# of the ground floor level may be permitted within the area between a #street wall# and an arcade that did not generate a #floor area# bonus prior to [effective date of amendment]. The provisions of Section 91-831 (Ground floor requirements) shall not apply to such portion of the horizontal #enlargement#.

As part of the certification, a horizontal #enlargement# of the ground floor level may be permitted along existing #building# walls that do not face an arcade. The locational requirements of paragraph (a)(1) of

Section 91-831 and the #use# prohibitions of paragraph (b)(1)(ii) of Section 91-831 shall apply to such #enlargement#. Where the #enlargement# takes place along a #publicly accessible open area#, the #use# and transparency requirements of Section 91-831 for new #building# walls facing a #publicly accessible open area# shall apply.

**91-831  
Ground floor requirements**

The provisions of this Section shall apply to the #street wall# of the ground floor level #enlargement#. For the purposes of this Section, a #building# wall that faces a #publicly accessible open area# or #through block arcade# shall also be considered a #street wall#, and the provisions herein for new #building# walls fronting on a #publicly accessible open area# shall also apply to new #building# walls fronting on a #through block arcade#, except as otherwise specified.

(a) Location of #enlargement#

(1) Location of new #building# walls

All new #building# walls shall extend to the full height of the arcade. New #building# walls may only be located between the column face closest to an existing #street wall# and the column face furthest from an existing #street wall# or the #street wall# location of the floor above, except that new #building# walls within an existing #through block arcade# that do not face a #street# may extend past the column face furthest from the existing #street wall# provided that the standards for #through block arcades# set forth in Section 12-10 (DEFINITIONS) and all other provisions of this Section are met. New #building# walls within an existing #through block arcade# that do not face a #street# shall not be required to extend for the full height of the #through block arcade#.

(2) Length of new #building# walls

An #enlargement# shall extend for the full length of the #street wall#, except for the locations specified on Map 9 in Appendix A of this Chapter and except if a corner arcade that adjoins the Water Street #street line# and another #street line# or #publicly accessible open area# is provided in accordance with the provisions of paragraph (c) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces) which may provide a clear path 10 feet wide. However, an #enlargement# shall not be required along the length of the #street wall# occupied by an existing parking or loading entrance. Where an #enlargement# within an arcade extends along two or more #street walls#, the #enlargement# shall also include the area where the arcade areas intersect, except as otherwise provided in this Section, and the location of new #building# walls in such area shall be subject to the provisions of paragraph (a)(1) of this Section.

(b) Permitted #uses# within an #enlargement#

(1) Requirements for all frontages

(i) Retail #uses#

The #street# frontage or frontage along a #publicly accessible open area# of the #enlarged# portion of the ground floor level shall be allocated exclusively to the #uses# permitted by Section 91-12 (Uses on Designated Retail Streets) and indoor public spaces that are provided in accordance with the provisions of Section 91-834.

All #uses# permitted by this paragraph shall occupy a height no less than that of the ground floor level, and shall occupy a depth no less than that of the existing arcade where the #enlargement# is taking place.

(ii) Parking, loading and mechanical equipment

No garage entrances, driveways, parking spaces or loading berths shall be permitted within an #enlargement#. No exhaust vents or mechanical equipment shall be permitted on any new #building# wall unless such exhaust vents are more than 15 feet above the level of the curb.

(2) Additional #use# requirement for a #publicly accessible open area# or #through block arcade#

At least 50 percent of the total frontage of all new #building# walls fronting on a #publicly accessible open area# or #through block arcade#, excluding such frontage occupied by #building# lobbies, shall be occupied by retail or service establishments permitted by paragraph (b)(1) of this Section. As an alternative, the amount of frontage required by this paragraph for occupancy by retail or service establishments may be partially or fully located along existing #building# walls fronting on the #publicly accessible open area# or #through block arcade# and the transparency requirements of paragraph (c)(3) of this Section shall apply to such frontage.

Libraries, museums and art galleries are permitted #uses#

that may front on a #publicly accessible open area#. Banks shall not be a permitted #use# on any #publicly accessible open area# or #through block arcade#. #Uses# required by this paragraph shall be directly accessible from the #publicly accessible open area# or #through block arcade#.

(c) Frontage

(1) Number of establishments

The provisions of this paragraph shall apply when the second floor level within an arcade is #enlarged#.

Along the longest #street wall# of the ground floor level #enlargement#, at least two establishments permitted by paragraph (b) of this Section shall be provided on the ground floor level. Frontage that is solely dedicated to access a #use# on a level other than the ground floor level shall not constitute an establishment for the purposes of this paragraph.

(2) Access, entrances and lobbies

Along each #street wall# where an #enlargement# takes place, the length of the total aggregate frontage of new and existing #building# walls that may be occupied by a #primary entrance# for the principal #use# of the #building# shall not exceed 40 feet or 25 percent of the total #street wall# length, whichever is less, except that along Water Street a #primary entrance# may occupy a maximum of 50 feet of #street wall# length regardless of the total aggregate frontage of new and existing #building# walls along such #street#. For a #primary entrance# that fronts on a #publicly accessible open area#, such entrance shall occupy a minimum frontage length of 20 feet or a length equal to the distance between the two closest columns adjacent to the #publicly accessible open area#, whichever is less. A #primary entrance# to the principal #use# of the #building# may front on a #through block arcade# or indoor public space provided in accordance with Section 91-834 (Indoor public spaces), but may only occupy a maximum frontage length of 25 feet.

Where more than 50 percent of the length of the arcade #enlargement# is occupied by a #primary entrance# permitted by this paragraph, retail or service establishments with an aggregate frontage length equal to at least 50 percent of the length of the #enlargement# shall be required along new or existing #building# walls along the same #street# frontage as the #enlargement#, and the transparency requirements of paragraph (c)(3) of this Section shall apply to such frontage along existing #building# walls.

(3) Transparency and flood resilience

At least 70 percent of the #street wall# surface area exclusive of existing columns between two feet and either 14 feet above grade or the ceiling level of the ground floor of the #building#, whichever is lower, shall be treated with clear, untinted transparent material.

Permanent fixtures for temporary flood control devices and associated emergency egress systems that are assembled prior to a storm and removed thereafter and are affixed to a column may obstruct any transparent portion of a new #building# wall. Such permanent fixtures shall not be considered a non-transparent portion of a new #building# wall. Additionally, such permanent fixtures shall be encased in a decorative material. Temporary flood control devices and associated emergency egress systems shall be permitted in front of any new #building# wall for a reasonable period of time prior to and after a storm event, as determined by the Department of Buildings.

**91-832  
Plazas**

A #publicly accessible open area# shall be improved in full accordance with the provisions of Section 37-70 (PUBLIC PLAZAS) as modified by this Section, and as further modified by Section 91-833 (Special regulations for plazas less than 40 feet in depth) for #publicly accessible open areas# with a maximum depth of less than 40 feet, as measured perpendicular to any #street line#. Subsequent design changes to any #publicly accessible open area# pursuant to the provisions of such Sections may only be permitted pursuant to Section 91-837 (Additional design changes). The City Planning Commission may authorize a modification of the provisions of this Section and Section 91-833 pursuant to Section 91-842 (Authorization to modify design requirements).

(a) For the purposes of applying the provisions of this Section, any area or #street# frontage of the #publicly accessible open area# occupied by a garage entrance, driveway, loading berth or gratings for electrical vaults may be excluded from the calculation of the total area or total #street# frontage of the #publicly accessible open area#. Such area shall remain open and accessible to the public at all times.

- (b) The area dimension requirements of Section 37-712, the locational restrictions of Section 37-713, the orientation restrictions of Section 37-714 and the requirements for major and minor portions of #public plazas# set forth in Sections 37-715 and 37-716, respectively, shall not apply.
- (c) The #through block public plaza# provisions of Section 37-717 that require a setback along any #building# wall or walls that adjoin a #through block public plaza# or through #block# portion of a #publicly accessible open area# shall not apply.
- (d) The sidewalk frontage provisions of Section 37-721 shall be modified as follows:
- (1) The requirement for 50 percent of the area within 15 feet of a #street line# or sidewalk widening line to be free of obstructions may be reduced to the minimum extent necessary to allow existing walls or structures within such area to remain provided that such walls or structures do not increase in height or length, and all portions of the #publicly accessible open area# are accessible from a #street#, arcade or other portion of the #publicly accessible open area#.
  - (2) Paragraph (b) shall be modified to allow planters with bounding walls that exceed a height of two feet that are permitted by paragraph (g) of this Section to be located in such area.
  - (3) For #corner public plazas#, where there is a change in elevation permitted by paragraph (e) of this Section for the area within 15 feet of the intersection of any two or more #streets# on which the #publicly accessible open area# fronts, such area shall not be required to be at the same elevation as the adjoining public sidewalk, but must be free of obstructions except as may otherwise be provided in paragraph (d)(1) of this Section.
- (e) The provisions of Section 37-722 (Level of plaza) shall be modified to permit any elevation of the #publicly accessible open area# existing on [effective date of amendment] to remain.
- (f) The provisions of Section 37-726 (Permitted obstructions) shall be modified as follows:
- (1) Paragraph (c) shall be modified to allow awnings above retail and service establishments that do not project into the #publicly accessible open area# more than three feet when measured perpendicular to the #building# facade. There shall be no limitation on the area or height of an awning, but in no event shall an awning for a retail or service establishment contain vertical supports.
  - (2) Paragraph (d) shall be modified to allow garage entrances, driveways or loading berths fronting on a #publicly accessible open area# and existing on [effective date of amendment] to remain, provided that they are separated from the remainder of the #publicly accessible open area# by a barrier sufficient to substantially conceal these facilities and any vehicles therein when viewed from any point in the #publicly accessible open area#. A #building# trash storage facility may be accessed or serviced through the portion of a #publicly accessible open area# that is occupied by a garage entrance, driveway or loading berth.
- (g) The provisions of Section 37-742 (Planting and trees) may be modified where the Chairperson of the City Planning Commission has been furnished with materials sufficient to establish that subsurface conditions do not allow the required soil depth for shrubs or trees to be provided below grade or within a planter with bounding walls no higher than 18 inches in height above an adjacent walking surface or the highest adjacent surface where the bounding wall of such planter adjoins two or more walking surfaces with different elevations. A raised planter may be provided with bounding walls up to three feet for shrubs, or three feet six inches for trees, provided that fixed seating with backs is integrated into the planter for at least 50 percent of the perimeter of the planter that is adjacent to a walking surface. If such planter, or any portion thereof, is located within 10 feet of a #street line#, fixed seating with backs shall be integrated into at least 75 percent of the perimeter of the planter that is adjacent to a walking surface. Where it is demonstrated that no required trees can be planted flush-to-grade or planted at grade within planting beds with no raised curbs or railings, the Chairperson may allow all trees to be planted within raised planters.
- (h) The calculation of the minimum number of entry plaques required by paragraph (a) of Section 37-751 (Public space signage systems) may be modified for #publicly accessible open areas# that occupy more than one #street# frontage to alternatively require a minimum of one entry plaque at each #street# frontage of the #publicly accessible open area#, and to further require one additional entry plaque at each #street# frontage that measures 80 feet or more in length.
- (i) The provisions of paragraphs (a) and (d) of Section 37-753 (Accessory signs) shall not apply. Each establishment fronting on the #publicly accessible open area# shall be permitted to have one or more #signs# with an aggregate area not to exceed the product of 12 square feet and the length of the establishment along the #publicly accessible open area# in linear feet, divided by 40 linear feet. In no event shall a #sign# exceed 16 square feet in area. #Signs# may be affixed to the #building# wall, awnings, or banners provided that such banners are located a minimum of 10 feet above the level of the #publicly accessible open area# and project no more than 18 inches when measured perpendicular to the #building# facade.
- (j) The provisions of paragraphs (a) and (b) of Section 37-76 (Mandatory Allocation of Frontages for Permitted Uses) shall not apply. The provisions of Section 91-831 (Ground floor requirements) shall apply to all new #building# walls fronting on the #publicly accessible open area#, and the following shall also apply:
- (1) The #use# requirements of paragraph (b)(1) of Section 91-831 shall apply to all new establishments located along existing #building# walls fronting on a #publicly accessible open area#; and
  - (2) The provisions of paragraph (c) of Section 37-76 for existing #building# walls that are non-transparent shall apply except for frontage occupied by active loading and parking entrances.
- (k) The provisions of Section 37-78 (Compliance) shall be modified as follows:
- (1) Paragraph (a) shall not apply; and
  - (2) Paragraph (b) shall be modified to require that the periodic compliance report document compliance with the provisions of Section 37-70 as modified by Sections 91-832 to 91-833, as applicable.
- 91-833**  
**Special regulations for plazas less than 40 feet in depth**
- A #publicly accessible open area# with a maximum depth less than 40 feet measured perpendicular to any #street line# shall be improved in full accordance with the provisions of Section 37-70 (PUBLIC PLAZAS) as modified by Section 91-832 (Plazas) and further modified by this Section. Where a #publicly accessible open area# may be considered a #corner public plaza#, the maximum depth shall be measured from a #street line# to a #street wall#. The City Planning Commission may authorize a modification of the provisions of this Section pursuant to Section 91-842 (Authorization to modify design requirements).
- (a) The provisions of Section 37-721 (Sidewalk frontage) shall not apply. In lieu thereof, the provisions of this paragraph (a) of this Section shall apply to the area of the #publicly accessible open area# located within 10 feet of a #street line# or sidewalk widening line:
- (1) At least 40 percent of such area shall be free of obstructions, and in addition:
    - (i) to facilitate pedestrian access at least 40 percent of the frontage along each #street line# or sidewalk widening line of the #publicly accessible open area# shall be free of obstructions; and
    - (ii) such unobstructed access area shall extend to a depth of 10 feet measured perpendicular to the #street line#. The width of such access area need not be contiguous provided that no portion of such area shall have a width of less than five feet measured parallel to the #street line#, and at least one portion of such area shall have a width of at least eight feet measured parallel to the #street line#.

The requirement of this paragraph for unobstructed access may be reduced to the minimum extent necessary to allow existing walls or structures within such area to remain provided that such walls or structures do not increase in height or length, and all portions of the #publicly accessible open area# are accessible from a #street#, arcade or other portion of the #publicly accessible open area#.
  - (2) In the remaining 60 percent or more of such area, the provisions of paragraph (b) of Section 37-721 shall apply, except that no more than 40 continuous linear feet of any #street# frontage occupied by a #publicly accessible open area# may be obstructed. Furthermore, planters with bounding walls that exceed a height of two feet that are permitted by paragraph (g) of Section 91-832 may be located in such area.
  - (3) For #corner public plazas#, the requirements of this paragraph (a) shall apply separately to each #street# frontage, and the area within 10 feet of the intersection of any #street# on which the #publicly accessible open area# fronts and Water Street or Wall Street shall be at the same elevation as the adjoining public sidewalk, except where there is a change in

elevation permitted by paragraph (e) of Section 91-832, and such area shall be free of obstructions except as may otherwise be provided in paragraph (a)(1) of this Section.

- (b) The provisions of Section 37-723 (Circulation paths) shall be modified so that the required circulation path of at least eight feet clear width shall be located adjacent to the #street wall# and shall extend for at least 80 percent of the length of such #street wall#. Where there are multiple #street walls#, the provisions of this paragraph shall apply separately to each frontage. In addition to the obstructions that are permitted within circulation paths, moveable tables and chairs, fixed seating and planting beds not exceeding six inches above any adjacent walking surface shall also be considered permitted obstructions provided that a path of at least five feet clear width that is free of obstructions is provided.

Where an open air cafe pursuant to Section 37-73 (Kiosks and Open Air Cafes) is provided adjacent to a #building# wall, such open air cafe may occupy a portion of the required circulation path provided that there is a minimum of six feet clear width between the #building# wall and any furnishings of the open air cafe. The clear path shall be included in the calculation of the area occupied by the open air cafe.

- (c) The provisions of Section 37-741 (Seating) that require seating within 15 feet of the #street line# shall not apply to #street# frontages that measure less than 40 feet in length.
- (d) The provisions of Section 37-742 (Planting and trees) shall further be modified as follows:
  - (1) For #publicly accessible open areas# with an area less than 2,000 square feet, the number of required trees shall be reduced to two, and only one tree shall be required to be planted flush-to-grade or planted at grade within planting beds with no raised curbs or railings, except as may be modified by paragraph (g) of Section 91-832.
  - (2) The total area of required planting beds may not be concentrated within one continuous planter or planting bed, except when a #publicly accessible open area# has an area of 1,000 square feet or less.
- (e) The provisions of Section 37-746 (Drinking fountains) shall be modified to require only #publicly accessible open areas# containing an area of 2,000 square feet or more to provide a minimum of one drinking fountain.

**91-834  
Indoor public spaces**

Indoor public spaces are enclosed, climate-controlled areas on a #zoning lot# intended for public use and enjoyment. The standards contained within this Section are intended to serve the same purposes outlined for #public plazas# in Section 37-70. The City Planning Commission may authorize a modification of the provisions of this Section pursuant to Section 91-842 (Authorization to modify design requirements).

- (a) Indoor public spaces shall contain an area of not less than 2,000 square feet and a minimum width and depth, at any point, of 20 feet. Indoor public spaces may only be located on the ground floor level, shall be directly accessible from all #streets# or #publicly accessible open areas# that the space fronts, and shall extend, at a minimum, for the full height of the ground floor level.
- (b) Indoor public spaces shall be enclosed in whole, and the transparency requirements of paragraph (c) of Section 91-831 (Ground floor requirements) shall apply to all #street walls# or #building# walls facing a #publicly accessible open area#. The space shall be heated or air-conditioned, and the standards for heating, ventilating and air-conditioning shall be at least equal to those of the lobby for the principal #use# of the #building#.
- (c) Public access to the indoor public space shall be provided between, at a minimum, the hours of 6:00 A.M. to 12:00 A.M. The hours of access shall be included on all required entry plaques and information plaques in accordance with the provisions of Section 37-751 (Public space signage systems) and paragraph (i) of this Section.
- (d) The provisions of Sections 37-718 (Paving), 37-722 (Level of plaza), 37-728 (Standards of accessibility for persons with disabilities), 37-744 (Litter receptacles), 37-745 (Bicycle parking), 37-746 (Drinking fountains), 37-748 (Additional amenities), 37-752 (Prohibition signs), 37-753 (Accessory signs) and 37-77 (Maintenance) shall apply.
- (e) The provisions of Section 37-723 (Circulation paths) for #through block public plazas# shall apply to #through block arcades# except as otherwise provided in Section 91-821 (Certification for outdoor cafes within arcades) when a cafe is provided. Trees planted flush-to-grade that measure less than four caliper inches at the time of planting, as permitted by paragraph (h) of this Section, shall not be considered permitted obstructions within circulation paths.

- (f) The provisions of paragraphs (a) and (b) of Section 37-726 (Permitted obstructions) shall apply. A kiosk shall be a permitted obstruction provided that the requirements of paragraph (a) of Section 37-73 (Kiosks and Open Air Cafes) are met. A certification pursuant to Section 37-73 shall not be required to locate a kiosk within an indoor public space. A cafe shall be a permitted obstruction within an indoor public space, may not occupy more than 20 percent of the indoor public space area, and may be permitted by certification pursuant to Section 91-821. Where the indoor public space is not located within an arcade, it shall be considered an arcade for the purposes of that cafe certification.
- (g) The provisions of Section 37-741 for seating shall apply, except as modified as follows:
  - (1) The requirements for seating within 15 feet of a #street line# shall not apply.
  - (2) All of the linear seating capacity may be in moveable seats. Any moveable seats that are provided must remain in the indoor public space during the hours of operation.
  - (3) The requirement that seats which face walls must be a minimum of six feet from such wall shall only apply to fixed seating.
- (h) The requirements of Section 37-742 for planting and trees shall apply, except that the surface area of any vertical planting may be included in the calculation of the total area of planting beds that are provided, and trees shall not be required.
- (i) Public space signage shall be provided in accordance with the provisions of Section 37-751, except as modified as follows:
  - (1) An information plaque shall be provided at each point of pedestrian entry to the indoor public space. Furthermore, a minimum of one additional information plaque shall be provided within the indoor public space.
  - (2) Paragraph (c) shall not apply.
- (j) All indoor public spaces shall be illuminated with a minimum level of illumination of not less than five horizontal foot candles (lumens per foot) throughout the space. The requirements of Section 37-743 for a lighting schedule, a diagram of light level distribution and electrical power shall apply.
- (k) The #use# requirements of paragraph (b) and the lobby requirements of paragraph (c)(2) of Section 91-831 shall apply to all #building# walls fronting on an indoor public space that do not face a #street# or #publicly accessible open area#. The provisions of paragraph (c) of Section 37-76 for new or existing #building# walls that are non-transparent shall apply.
- (l) The provisions of Section 37-78 (Compliance) shall apply except as modified as follows:
  - (1) Paragraph (a) shall not apply.
  - (2) Paragraph (b) shall be modified to require that the periodic compliance report document compliance with the provisions of this Section.

Subsequent design changes to any indoor public space that was subject to the provisions of this Section may only be permitted pursuant to Section 91-837 (Additional design changes).

**91-835  
Alternative improvements**

A permanent amenity other than the improvement of an existing #publicly accessible open area# pursuant to the provisions of Section 91-832 or the provision of an indoor public space pursuant to the provisions of Section 91-834 may be provided for the properties listed in this Section. The City Planning Commission may authorize an improvement not listed in this Section pursuant to Section 91-843 (Authorization to modify requirements for alternative improvements)

Building Address	Required Compensating Amenity
175 Water Street	Area C on Map 9 in Appendix A of this Chapter, the open area along John Street and the open area along Front Street with a minimum depth of 15 feet measured perpendicular to the Front Street #street line# shall be improved in accordance with the provisions of Sections 91-832 and 91-833. Such open area and remaining arcade area shall be considered one contiguous public space and shall be accessible to the public at all times.
100 Wall Street	Maintenance of Manahatta Park between Water Street and Front Street for the life of the #building#.



110 Wall Street

Maintenance of Manahatta Park between Front Street and South Street for the life of the #building#.

### 91-836

#### Additional requirements

##### (a) Legal requirements

All plans for arcades, #publicly accessible open areas#, required open areas, and indoor public spaces that are the subject of a certification pursuant to Section 91-83 (Retail Uses Within Existing Arcades) shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Chairperson of the City Planning Commission, providing notice of the certification pursuant to Section 91-83. The filing and recording of such instrument shall be a precondition to certification. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date. Where a compensating amenity required by condition (b) of Section 91-83 is located on the same #zoning lot# as an #enlargement#, no temporary or final certificate of occupancy shall be issued for such #enlargement# until the compensating amenity has been substantially completed in accordance with the approved plans, as certified by the Department of City Planning to the Department of Buildings.

Where a compensating amenity is located within a #street# or #public park# pursuant to Section 91-835 (Alternative improvements), the application pursuant to Section 91-83 shall be accompanied by a written agreement between the owner of the #zoning lot# and the City of New York for the provision and maintenance of the amenity. Such agreement shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Chairperson. The filing and recording of such instrument shall be a precondition to certification. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date. Modifications to the agreement required by this paragraph may only be allowed upon certification by the Chairperson.

##### (b) Existing approvals by the Board of Standards and Appeals

Where a #zoning lot# is subject to a variance or special permit that was granted by the Board of Standards and Appeals, the application pursuant to Section 91-83 shall be referred for thirty (30) days to the Board of Standards and Appeals who shall certify that such application will not result in a departure from the findings and conditions specified in the original approval.

### 91-837

#### Additional design changes

Design changes to any #publicly accessible open area#, required open area or indoor public space improved pursuant to the provisions of Sections 91-832 (Plazas) or 91-834 (Indoor public spaces) may only be made upon certification by the Chairperson of the City Planning Commission that such changes would result in a #publicly accessible open area# or indoor public space that is compliant with the Section under which it was previously approved. As part of the certification, a horizontal #enlargement# on the ground floor level may be permitted along existing #building# walls that face the #publicly accessible open area# and do not face an arcade. The locational requirements of paragraph (a)(1) of Section 91-831 (Ground floor requirements) and the #use# and transparency requirements of Section 91-831 for new #building# walls facing a #publicly accessible open area# shall apply. The legal requirements of paragraph (a) of Section 91-836 shall apply.

### 91-84

#### Authorizations

### 91-841

#### Authorization for retail uses within existing arcades

The City Planning Commission may authorize a horizontal #enlargement# of the ground floor and second floor levels within an arcade located within Area B on Map 9 in Appendix A of this Chapter.

In order to grant the authorization, the Commission shall find that:

- the requirements of Section 91-831 (Ground floor requirements) are met;
- a compensating amenity is provided pursuant to the provisions of Section 91-832 for plazas, Section 91-834 for indoor public spaces or Section 91-835 for alternative improvements;
- sufficient unobstructed space exists adjacent to the proposed #enlargement# to facilitate pedestrian circulation; and
- the #enlargement# will maintain a visual or physical connection to Water Street from another #street#, #public park# or #publicly accessible open area#.

As part of the authorization, the Commission may modify the requirements for the location of new #building# walls of paragraph (a) of Section 91-831 (Ground floor requirements).

For #zoning lots# with one or more #publicly accessible open areas#, unless an alternative improvement has been identified in Section 91-835, an improvement to all #publicly accessible open areas# pursuant to the provisions of Section 91-832 shall be required as the compensating amenity required by finding (b) of this Section, and a certification for design changes pursuant to Section 37-625 (Design changes) shall not be required. Where a #publicly accessible open area# was improved as part of a prior certification pursuant to Section 37-625 that was granted and fully implemented before [date of referral], the improvement of such #publicly accessible open area# shall not be required.

The provision of a compensating amenity as part of a prior certification pursuant to Section 91-83 (Retail Uses Within Existing Arcades) or a prior authorization pursuant to this Section may satisfy the requirement of finding (b) of this Section for a compensating amenity.

As part of the authorization, a horizontal #enlargement# of the ground floor level may be permitted within the area between a #street wall# and an arcade that did not generate a #floor area# bonus prior to [effective date of amendment]. The provisions of Section 91-831 (Ground floor requirements) shall not apply to such portion of the horizontal #enlargement#.

As part of the authorization, a horizontal #enlargement# of the ground floor level may be permitted along existing #building# walls that do not face an arcade. The locational requirements of paragraph (a)(1) of Section 91-831 and the #use# prohibitions of paragraph (b)(1)(ii) of Section 91-831 shall apply to such #enlargement#. Where the #enlargement# takes place along a #publicly accessible open area#, the #use# and transparency requirements of Section 91-831 for new #building# walls facing a #publicly accessible open area# shall apply.

All plans for arcades, #publicly accessible open areas#, required open areas and indoor public spaces, once authorized, shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Commission, providing notice of the authorization pursuant to this Section. The filing and recording of such instrument shall be a precondition to the issuance of a building permit. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date. Where a compensating amenity required by condition (b) of Section 91-83 is located on the same #zoning lot# as an #enlargement#, no temporary or final certificate of occupancy shall be issued for any #enlargement# unless and until the compensating amenity has been substantially completed in accordance with the approved plans, as verified by the Department of City Planning to the Department of Buildings.

Where a compensating amenity is located within a #street# or #public park# pursuant to Section 91-835 (Alternative improvements), the applicable legal requirements of Section 91-836 (Additional requirements) shall apply.

Where a #zoning lot# is subject to a variance or special permit that was granted by the Board of Standards and Appeals, the requirements of paragraph (b) Section 91-836 shall apply.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

### 91-842

#### Authorization to modify design requirements

The City Planning Commission may authorize a modification of the requirements of Section 91-831 (Ground floor requirements), the provisions of Sections 91-832 (Plazas) and 91-833 (Special regulations for plazas less than 40 feet in depth) for #publicly accessible open areas# and the provisions of Section 91-834 for indoor public spaces. In no event shall an #enlargement# be permitted within a #publicly accessible open area# or other required open area unless specified on Map 9 of Appendix A of this Chapter.

In order to grant the authorization, the Commission shall make the following findings:

- that the location, #use#, access, size, and treatment of the #enlargement# would result in a superior urban design relationship with the surrounding #streets#, #buildings# and open areas; and
- that the usefulness and attractiveness of the #publicly accessible open area#, required open area or indoor public space will be assured by the proposed layout and design, and that such modification will result in a superior urban design relationship with surrounding #streets#, #buildings# and open areas.

The Commission may prescribe appropriate conditions and controls to enhance the relationship of the #enlargement#, #publicly accessible open area#, required open area or indoor public space to surrounding #streets#, #buildings# and open areas.

91-843

**Authorization to modify requirements for alternative improvements**

The City Planning Commission may authorize an alternative improvement not listed in Section 91-835 provided that the Commission finds that the new amenity will better serve the purpose of the Water Street Subdistrict described in Section 91-00 (GENERAL PURPOSES).

As a condition of the authorization, for an amenity that is located within a #street# or #public park#, the Commission shall be in receipt of a written agreement between the owner of the #zoning lot# and the City of New York for the provision and maintenance of the amenity. Such agreement shall be filed and duly recorded in the Borough Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Commission. The filing and recording of such instrument shall be a precondition to the issuance of a building permit. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

The Commission may prescribe appropriate conditions and safeguards in connection with the grant of such authorization.

\* \* \*

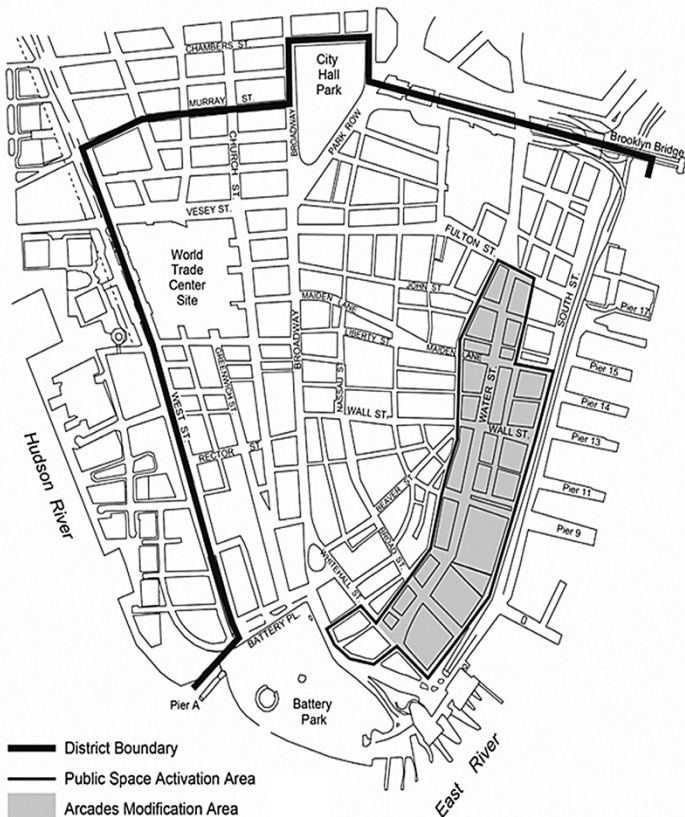
**Appendix A**

**Lower Manhattan District Plan Maps**

\* \* \*

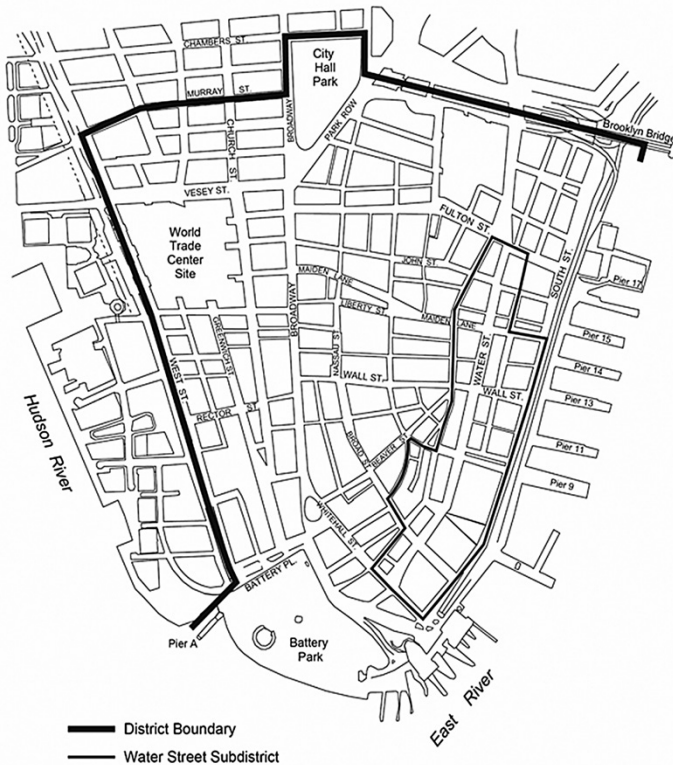
[EXISTING]

Map 8. Public Access Modification Areas

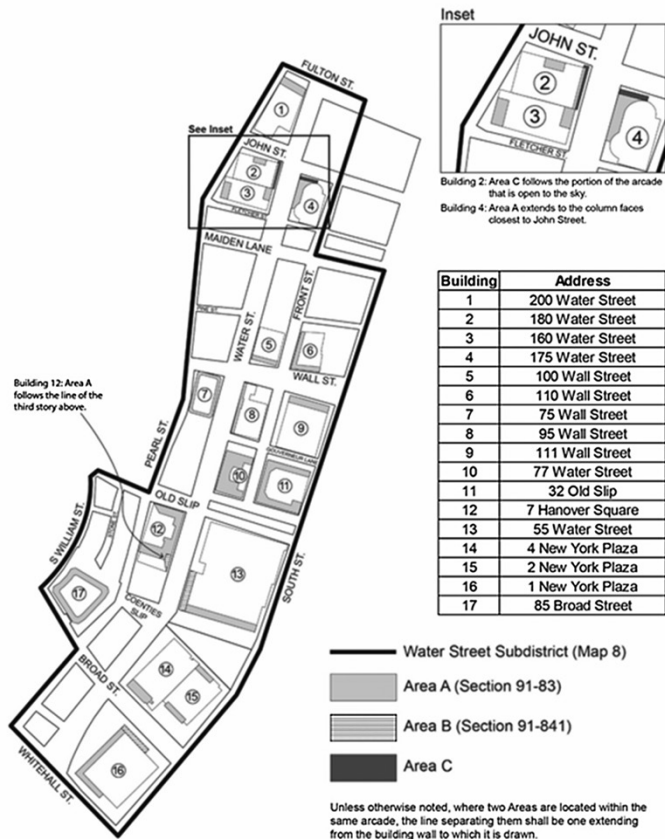


[PROPOSED]

Map 8. Public Access Modification Areas



Map 9. Water Street Arcades



## 91-80 PUBLIC ACCESS AREAS

### 91-81 Certification to Modify Existing Arcades in Certain Areas

For the purposes of this Section, "arcade" shall refer to an #arcade# or #through block arcade# provided in accordance with the provisions of Sections 12-10 (DEFINITIONS) and 37-80 (ARCADES); or an arcade provided in accordance with paragraph (a) of Section 37-53 (Design Standards for Pedestrian Circulation Spaces); or an open space provided on a #zoning lot# between the #building street wall# and the #street line# where tables and chairs would otherwise not be allowed as permitted obstructions:

The provisions of this Section shall apply to existing #buildings# providing an arcade within the boundary designated by Map 8 in Appendix A of this Chapter.

Any underlying provisions restricting the placement of tables and chairs within such arcades may be modified where the Chairperson of the City Planning Commission certifies to the Commissioner of Buildings that such modifications are consistent with the provisions of this Section, as follows:

#### (a) Tables and chairs

— Publicly accessible tables and chairs and outdoor cafes, as well as shade umbrellas and other furnishings, shall be permitted obstructions within an arcade, provided that such obstructions comply with the provisions listed in paragraphs (a) and (b) of this Section, as applicable.

— Tables or chairs provided within an arcade shall be moveable and shall not contain any plastic material.

— Where an outdoor cafe is provided, it shall be a permanently unenclosed establishment and may have waiter or table service.

##### (1) Number and size of tables and chairs

— A minimum of four tables and sixteen chairs shall be provided within an arcade.

##### (i) Publicly accessible tables and chairs

— Publicly accessible tables, and related chairs, shall constitute a minimum of 40 percent of the total number of tables provided within an arcade. Fractions equal to or greater than one-half resulting from such calculation shall result in one additional table. Every publicly accessible table required by such calculation shall be required to have four chairs.

— All tables shall have a minimum diameter of two feet. All publicly accessible chairs shall have seat backs, and the seats shall have a minimum depth of 12 inches and a maximum depth of 20 inches.

##### (ii) Outdoor cafe

— Outdoor cafe tables, and related chairs, shall constitute a maximum of 60 percent of the total number of tables provided within an arcade. Fractions equal to or greater than one-half resulting from such calculation shall result in one additional table.

##### (2) Location restrictions and other prohibitions

— Tables or chairs shall not be permitted within five feet of any #building# entrance. For arcades with a depth of ten feet or less, as measured from the column face furthest from the #street line# to the #street wall#, a clear pedestrian circulation pathway not less than three feet shall be provided. For arcades with a depth greater than ten feet, such required clear pedestrian pathway shall be increased to at least six feet. In addition, for #through block arcades#, a continuous clear path of ten feet shall be provided, connecting each #street# on which the public access area fronts:

##### (i) Publicly accessible tables and chairs

— For arcades located on a #zoning lot# with frontage along Water Street, at least half of all publicly accessible tables and chairs shall be located within 25 feet of the Water Street #street line#.

##### (ii) Outdoor cafe

— Outdoor cafes shall be located at the same elevation as the adjoining sidewalk area or #publicly accessible open area#, except that platforms that do not exceed a height of six inches may be provided.

Fences, planters, walls, fabric dividers or other barriers that separate outdoor cafe areas from other portions of the arcade or adjacent sidewalks or #publicly accessible open areas# shall be prohibited. No kitchen equipment shall be installed within an outdoor cafe.

##### (3) Hours of operation

##### (i) Publicly accessible tables and chairs

— Tables and chairs shall not be chained, fixed or otherwise secured during the hours of 7:00 am to 9:00 pm. However, during the hours of 9:00 pm to 7:00 am, such tables and chairs may be removed or secured within the arcade.

— Where publicly accessible tables and chairs and outdoor cafes are provided within an arcade, such publicly accessible tables and chairs shall be subject to the hours of operation of an outdoor cafe, as set forth in paragraph (a)(3)(ii) of this Section.

##### (ii) Outdoor cafe

— Outdoor cafes must be in operation and provide service a minimum of 225 days per year.

— All furnishings of an outdoor cafe, including tables, chairs, bussing stations and heating lamps, shall be completely removed from the arcade when the outdoor cafe is not in active use, except that tables and chairs may remain in such arcade if they are unsecured and may be used by the public without restriction.

##### (4) Locating publicly accessible tables and chairs within an adjacent #publicly accessible open area#

— Where tables and chairs are provided in an arcade located on the same #zoning lot# as an existing #publicly accessible open area# that fronts upon Water Street, the Chairperson of the City Planning Commission may certify that publicly accessible tables and chairs, provided pursuant to paragraph (a)(2)(i) of this Section, may be located within such a #publicly accessible open area#.

— The area within such #publicly accessible open area# occupied by publicly accessible tables and chairs provided pursuant to this paragraph, (a)(4), shall not be included in calculating the maximum #lot coverage# which permitted obstructions may occupy within such #publicly accessible open area#, where applicable.

— Such publicly accessible tables and chairs shall not constitute a design change pursuant to the provisions of Section 37-62 (Changes to Existing Publicly Accessible Open Areas); provided the Chairperson finds that:

(i) no more than 50 percent of the publicly accessible tables and chairs required to be within 25 feet of the Water Street #street line#, pursuant to paragraph (a)(2)(i), shall be located within such #publicly accessible open area#. However, where the entirety of an arcade is located beyond 25 feet of the Water Street #street line#, the entirety of the publicly accessible tables and chairs required to be within 25 feet of such #street line#, pursuant to paragraph (a)(2)(i), may be located within such #publicly accessible open area#;

(ii) such publicly accessible tables and chairs shall in no event constitute required seating for such existing #publicly accessible open area#; and

(iii) such publicly accessible tables and chairs comply with the hours of operation provisions of paragraph (a)(3) of this Section.

Any proposed design change to an existing #publicly accessible open area# beyond the findings permitted in this Section shall be subject to the requirements of Section 37-62.

##### (b) Litter receptacles

Litter receptacles shall be permitted obstructions within an arcade pursuant to the provisions set forth in Section 37-744.

In order to certify that the proposed modification to an existing arcade is consistent with the provisions of this Section, the applicant shall submit, to the Chairperson, a site plan demonstrating the proposed obstructions within the existing arcade and, where applicable, the adjacent #publicly accessible open area#, and a detailed seating plan illustrating compliance with paragraph (a) of this Section.

All plans for arcades or other #publicly accessible open areas# that are the subject of a certification pursuant to this Section shall be filed and duly recorded in the Office of the City Register of the City of New York, indexed against the property in the form of a legal instrument, in a form satisfactory to the Chairperson, providing notice of the certification of the arcade, pursuant to this Section. Such filing and

recording of such instrument shall be a precondition to certification. The recording information shall be included on the certificate of occupancy for any #building#, or portion thereof, on the #zoning lot# issued after the recording date.

**91-82 Existing Publicly Accessible Open Areas**

The purpose of this Section is to facilitate temporary programmatic changes to existing public spaces to:

- (a) help address the short-term challenges facing the Water Street corridor as a result of Hurricane Sandy by encouraging increased economic activity, reinforcing community connections, creating a lively and engaging experience and improving the corridor's pedestrian environment; and
- (b) explore new types of #uses# and amenities within public spaces intended to draw residents, workers and visitors, thereby increasing the utilization and activation of the existing public spaces.

This Section, inclusive, shall be effective until January 1, 2014, at which time the provisions of this Section shall automatically expire and all #publicly accessible open areas#, as defined in Section 91-821, shall be returned to their compliant state and all temporary obstructions shall be removed.

**91-821 Special provisions for publicly accessible open areas**

For the purposes of this Section, the definition of #publicly accessible open area# shall also include any #arcade#, #through block arcade#, or other public amenity, open or enclosed, for which a #floor area# bonus has been granted.

The provisions of this Section shall apply to all #publicly accessible open areas# existing on June 12, 2013, within the area designated as a public space activation area on Map 8 (Public Access Modification Areas) in Appendix A of this Chapter.

Any underlying provisions, including Section 91-81 of this Chapter, restricting the placement of obstructions within #publicly accessible open areas# or restricting their use for events may be modified, as follows:

- (a) Temporary permitted obstructions
  - Amenities that shall be considered temporary permitted obstructions for cultural, entertainment and #commercial uses# including, but not limited to, tables, chairs, moveable planters, stages, kiosks, food trucks, artwork, and shade structures are allowed, provided that they:
    - (1) are not permanently affixed to the ground and do not cause damage to any surface of the #publicly accessible open area#;
    - (2) are not located within five feet of any #building# entrance; and
    - (3) do not, in combination, occupy more than 60 percent of the #publicly accessible open area#.
- (b) Events
  - Events including, but not limited to, farmers markets, holiday markets, concerts and performances, art and cultural exhibitions, and festivals are permitted. Such events may be sponsored by non-profit or for-profit entities, without limitation, and may include the sale of food, refreshments and other event-related items, for the benefit or enjoyment of event participants. The use of a #publicly accessible open area# for the promotion of products or services shall not itself qualify as an event permitted under this Section. Such events shall:
    - (1) be open to the public; and
    - (2) only be permitted to use amplified sound between the hours of 9:00 A.M. and 10:00 P.M.

Nothing herein shall authorize the use of city #streets# or sidewalks in connection with an event permitted under this Section, and any such use shall be subject to all applicable provisions of law and regulation governing the use of city #streets# or sidewalks including, where applicable, the requirement to obtain a street activity permit from the Street Activity Permit Office of the Office of Citywide Events Coordination and Management. No event shall be permitted pursuant to this Section unless, no later than fourteen (14) days prior to the scheduled date, the sponsor notifies the Street Activity Permit Office of the nature, size and location of the event upon a form prescribed by the Street Activity Permit Office for such purpose.

YVETTE V. GRUEL, Calendar Officer  
City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
Telephone (212) 720-3370

m16-30

**COMMUNITY BOARDS**

■ PUBLIC HEARINGS

**PUBLIC NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

**BOROUGH OF THE BRONX**

COMMUNITY BOARD NO. 1 - Thursday, March 31, 2016 at 6:00 P.M., Bronx Community Board 1, 3024 Third Avenue, Bronx, NY.

Public Hearing: proposed Fiscal Year 2017 Capital Budget priorities.

☛ m25-31

**EMPLOYEES' RETIREMENT SYSTEM**

■ NOTICE

Please be advised that the next Special Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Friday, April 1, 2016 at 9:30 A.M. to be held at the New York City Employees Retirement System, 335 Adams Street, Suite 2300, Brooklyn, NY 11201.

☛ m25

**HOUSING AUTHORITY**

■ MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, March 30, 2016 at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY (unless otherwise noted). Copies of the calendar are available on NYCHA's website or can be picked up at the Office of the Corporate Secretary at 250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are also available on NYCHA's website or can be picked up at the Office of the Corporate 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 at <http://www1.nyc.gov/site/nycha/about/board-calendar.page> to the extent practicable at a reasonable time before the meeting.

The meeting is 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 Corporate 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.

m16-30

**LANDMARKS PRESERVATION COMMISSION**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, April 05, 2016, a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**81 Atlantic Avenue - Brooklyn Heights Historic District**

181343 - Block 274 - Lot 18 - Zoning: R6, C 1-3

**CERTIFICATE OF APPROPRIATENESS**

A 20th century commercial building. Application is to install a marquee and signage at the front façade and fences at the roof.

**150 Montague Street - Brooklyn Heights Historic District**

182030 - Block 249 - Lot 36 - Zoning: R7-1

**CERTIFICATE OF APPROPRIATENESS**

An altered Anglo-Italianate style house built between 1861 and 1879. Application is to install signage.

**45 Monroe Place - Brooklyn Heights Historic District**

182844 - Block 237 - Lot 1 - Zoning: R7-1

**BINDING REPORT**

A Classical Revival style courthouse designed by Slee &amp; Bryson and built in 1937. Application is to install rooftop mechanical equipment and a sound attenuation enclosure.

**230 Washington Avenue - Clinton Hill Historic District**

181511 - Block 1917 - Lot 30 - Zoning: R6B

**CERTIFICATE OF APPROPRIATENESS**

A French Second Empire style rowhouse built in 1872. Application is to construct a stair bulkhead, install rooftop railings and a cornice, construct a deck at the rear yard, and legalize the removal of a bluestone sidewalk without Landmarks Preservation Commission permit(s).

**135 Plymouth Street, aka 20-38 Pearl Street, 12-20 John Street - DUMBO Historic District**

182443 - Block 18 - Lot 1 - Zoning: M1-4/R8A

**CERTIFICATE OF APPROPRIATENESS**

An altered Vernacular style factory building designed by J. Irving Howard and built c. 1886. Application is to install storefront infill and ramp.

**158 Court Street - Cobble Hill Historic District**

179497 - Block 292 - Lot 33 - Zoning: R6/C2-3

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style house built in 1848. Application is to install a stoop gate.

**185 Pacific Street - Cobble Hill Historic District**

179448 - Block 286 - Lot 7502 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A factory building with a garage built in the early 20th century. Application is to install flagpoles and a banner, a painted wall sign, and light fixtures; and legalize the installation of a door and a stair, and the painting of the bulkhead, all without Landmarks Preservation Commission permit(s).

**624 11th Street - Park Slope Historic District**

165631 - Block 1097 - Lot 34 - Zoning: R6B

**CERTIFICATE OF APPROPRIATENESS**

An apartment house designed by Axel S. Hedman and built in 1912. Application is to legalize the installation of windows without Landmarks Preservation Commission permit(s).

**1700 Fulton Avenue - Individual Landmark**

183019 - Block 2941 - Lot 1 - Zoning: Park

**BINDING REPORT**

An Art Moderne style pool complex designed by architects Henry Magoon and Aymar Embury II, landscape architects Gilmore D. Clarke and Allyn R. Jennings, and civil engineers W. Earle Andrews and William H. Latham, and built in 1934-36. Application is to demolish a portion of the perimeter wall, alter an entrance and pathways.

**22 Barclay Street - Individual and Interior Landmark**

181045 - Block 88 - Lot 11 - Zoning: C5-3

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style church designed by John R. Haggerty and Thomas Thomas and built in 1840. Application is to replace windows and install a barrier-free access ramp and mechanical equipment.

**175 Franklin Street - Tribeca West Historic District**

165008 - Block 181 - Lot 19 - Zoning: C6-5A

**CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival style store and loft building designed by Martin V.B. Ferdon and built in 1889-90. Application is to legalize a rooftop bulkhead constructed in non-compliance with Certificate of NO Effect 11-4477.

**43-45 Wooster Street - SoHo-Cast Iron Historic District**

182684 - Block 475 - Lot 7509 - Zoning: M1-5B

**CERTIFICATE OF APPROPRIATENESS**

A store building designed by Joseph Dunn built in 1884-85. Application is to alter a loading dock and replace doors.

**541 Broadway - SoHo-Cast Iron Historic District**

176011 - Block 498 - Lot 18 - Zoning: M1-5B

**CERTIFICATE OF APPROPRIATENESS**

A store building designed by Charles Mettam and built in 1869. Application is to legalize the removal of vault lights, the installation of diamond plate, and the installation of push plates and intercoms in cast iron columns, all without Landmarks Preservation Commission

permits; and to install a ramp.

**875 Washington Street - Gansevoort Market Historic District**

182829 - Block 646 - Lot 27 - Zoning: M1-5

**CERTIFICATE OF APPROPRIATENESS**

A Queen Anne style market building designed by James W. Cole and built in 1887. Application is to establish a Master Plan governing the future installation of painted murals on a rooftop bulkhead.

**11 Fifth Avenue, aka 1-11 East 8th Street, 2-10 East 9th Street - Greenwich Village Historic District**

177985 - Block 566 - Lot 1 - Zoning: R10 R7-2

**CERTIFICATE OF APPROPRIATENESS**

An apartment house built in 1953. Application is to replace cladding and storefront infill and install signage.

**86 Bedford Street - Greenwich Village Historic District**

174465 - Block 588 - Lot 3 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A house and stable built in 1831 and altered in the 20th century. Application is to legalize alterations at the roof completed in non-compliance with Certificate of Appropriateness 08-8732.

**20 East 10th Street - Greenwich Village Historic District**

175791 - Block 567 - Lot 16 - Zoning: R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse with Italianate Renaissance style details built in 1846. Application is to alter the front stoop and areaway, construct rooftop and rear yard additions, and excavate the rear yard.

**353 6th Avenue - Greenwich Village Historic District**

180436 - Block 592 - Lot 22 - Zoning: R7-2

**CERTIFICATE OF APPROPRIATENESS**

A house built in 1829 and altered in the late 19th century. Application is to replace storefront infill, modify the rear yard extension and construct a rooftop addition.

**1 Horatio Street - Greenwich Village Historic District**

168348 - Block 487 - Lot 16 - Zoning: C1-6

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in 1847-1848. Application is to install a painted wall sign.

**27 Christopher Street - Greenwich Village Historic District**

181733 - Block 610 - Lot 75 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A Georgian Revival style institutional building designed by Joseph Duke Harrison and built in 1911. Application is to replace entrance infill, install a flag pole, alter the rear façade, excavate the cellar, and construct a rooftop addition.

**41 West 11th Street - Greenwich Village Historic District**

182699 - Block 575 - Lot 70 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in the mid-1840s. Application is to excavate the cellar.

**128 MacDougal Street - South Village Historic District**

181572 - Block 540 - Lot 13 - Zoning: R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Queen Anne style tenement building, built in 1893. Application is to install storefront infill.

**92 West Houston Street - South Village Historic District**

169554 - Block 525 - Lot 58 - Zoning: R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Federal style rowhouse built c. 1828 and altered in 1925. Application to install an awning.

**75 Rockefeller Plaza - Individual Landmark**

181012 - Block 1267 - Lot 22 - Zoning: C5-2.5

**CERTIFICATE OF APPROPRIATENESS**

An office tower, designed by Robert Carson and Earl Lundin, with Wallace Harrison, and built in 1946 as part of an Art Deco-style office, commercial and entertainment complex. Application is to construct an addition at the 10th and 11th floors.

**275 Madison Avenue - Individual Landmark**

172897 - Block 869 - Lot 54 - Zoning: C5-3, C5-2.5

**CERTIFICATE OF APPROPRIATENESS**

An Art Deco style skyscraper designed by Kenneth Franzheim and built in 1930-31. Application is to replace a door.

**322 Central Park West - Upper West Side/Central Park West Historic District**

168907 - Block 1206 - Lot 29 - Zoning: R10A

**CERTIFICATE OF APPROPRIATENESS**

A neo-Renaissance style apartment building with Gothic style elements designed by George and Edward Blum and built in 1926. Application is to install planting beds in the areaway.

**326 West 77th Street - West End - Collegiate Historic District**

**180672** - Block 1185 - Lot 88 - **Zoning:** R8B  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style rowhouse designed by Charles T. Mott and built in 1891-92, and altered in 1923. Application is to install a stoop, alter the areaway, construct rooftop and rear additions, and excavate the rear yard.

**25 Central Park West - Individual Landmark**

**181529** - Block 1115 - Lot 7501 - **Zoning:** R10A, C4-7  
**CERTIFICATE OF APPROPRIATENESS**

An Art Deco style apartment building designed by Irwin S. Chanin and built in 1931. Application is to install a through-window louver.

**27 East 92nd Street - Carnegie Hill Historic District**

**181363** - Block 1504 - Lot 15 - **Zoning:** R10  
**CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival/Queen Anne style rowhouse designed by A.B. Ogden & Son and built in 1889, and altered by Glick & Gelbman in 1954-55. Application is to install storefront infill, awning, signage, lighting and a through-wall louver.

**1511 3rd Avenue - Individual Landmark**

**178834** - Block 1531 - Lot 1 - **Zoning:** C2-A8 R8B  
**CERTIFICATE OF APPROPRIATENESS**

An Italian Renaissance Revival style bank building designed by Robert Maynicke and built in 1905; and expanded by P. Gregory Stadler in 1923-24. Application is to install a barrier-free access ramp.

**210 East 62nd Street - Treadwell Farm Historic District**

**181027** - Block 1416 - Lot 43 - **Zoning:** R8B  
**CERTIFICATE OF APPROPRIATENESS**

A rowhouse designed by F. S. Barns and built in 1870, and altered in the 20<sup>th</sup> century. Application is to construct rooftop and rear yard additions, replace windows, and alter the façade and areaway.

**11-15 East 75th Street - Upper East Side Historic District**

**180406** - Block 1390 - Lot 12 - **Zoning:** R8B  
**CERTIFICATE OF APPROPRIATENESS**

Two Queen Anne style rowhouses designed by William E. Mowbray and built in 1887-89; and one rowhouse originally built in the Queen Anne style in 1887-89 and redesigned in the neo-Federal style by Henry Polhemus in 1923. Application is to replace the front facade of 11 East 75th Street; and alter the areaway and rear facades, remove party walls, construct rooftop additions, excavate the cellars and yards, and create green walls in the rear yard at all three houses.

**394 West 145th Street - Hamilton Heights Historic District Extension**

**174106** - Block 2050 - Lot 131 - **Zoning:** C1-4 in R7-2  
**CERTIFICATE OF APPROPRIATENESS**

A neo-Classical style apartment building designed by Thain & Thain and built in 1907. Application is to legalize the installation of signage and security cameras without Landmarks Preservation Commission permit(s), and to modify storefront installed without Landmarks Preservation Commission permit(s).

**801 Riverside Drive - Audubon Park Historic District**

**181765** - Block 2134 - Lot 7501 - **Zoning:** R8  
**CERTIFICATE OF APPROPRIATENESS**

An Arts and Crafts style apartment house designed by George F. Pelham and built in 1919. Application is to alter the entrance courtyard and install a barrier-free access ramp, steps, planting beds, and lighting.

**39-54 48th Street - Sunnyside Gardens Historic District**

**180907** - Block 148 - Lot 63 - **Zoning:** R4  
**CERTIFICATE OF APPROPRIATENESS**

A rowhouse with Colonial Revival style details, designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1925. Application is to legalize replacement of roofing, the installation of a deck, and paving without Landmarks Preservation Commission permit(s), and to alter the entrance.

**82-10 Queens Boulevard - Individual and Interior Landmark**

**182959** - Block 2475 - Lot 12 - **Zoning:** R6B  
**CERTIFICATE OF APPROPRIATENESS**

A neo-Classical style club building designed by Ballinger Company and built in 1923-24. Application is to replace windows, install through-window air conditioners and signage.

m23-a5

**PARKS AND RECREATION**

■ PUBLIC HEARINGS

**NOTICE OF A JOINT PUBLIC HEARING** of the Franchise and Concession Review Committee and the New York City Department of

Parks and Recreation to be held on Monday, April 11, 2016 at 2 Lafayette Street, 14<sup>th</sup> Floor Auditorium, Borough of Manhattan, at 2:30 P.M. relative to:

**INTENT TO AWARD** as a concession the operation and maintenance of a food, beverage, and merchandise concession related to the presentation of live events at SummerStage, Rumsey Playfield, Central Park, Manhattan, for a potential term of approximately seven (7) years, to the City Parks Foundation, Inc. ("CPF"). Compensation to the City will be as follows: In lieu of a license fee, CPF shall use any revenue it receives from the operation of this concession to offset the cost of free events at Rumsey Playfield and the cost of operation and maintenance of Rumsey Playfield.

A draft copy of the agreement may be reviewed or obtained at no cost, commencing Monday, March 28, 2016, through Monday, April 11, 2016, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays at the New York City Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) (212) 504-4115

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**NOTICE OF A JOINT PUBLIC HEARING** of the Franchise and Concession Review Committee and the New York City Department of Parks and Recreation to be held on Monday, April 11, 2016 at 2 Lafayette Street, 14th Floor Auditorium, Borough of Manhattan, commencing at 2:30 P.M. relative to:

**INTENT TO AWARD** as a concession the renovation, operation and maintenance of three (3) snack bars and the operation of up to fifteen (15) mobile food units at Orchard Beach, Pelham Bay Park, Bronx ("Permitted Premises"), for an eight (8) year term, to TAC Food Services, Inc. Compensation to the City will be as follows: for each operating year, TAC Food Services, Inc. shall pay to the City a license fee consisting of a flat guaranteed annual fee (Year 1: \$203,000; Year 2: \$214,500; Year 3: \$226,000; Year 4: \$237,500; Year 5: \$248,000; Year 6: \$264,500; Year 7: \$280,000; Year 8: \$283,900).

A draft copy of the agreement may be reviewed or obtained at no cost, commencing Monday, March 28, 2016, through Monday, April 11, 2016, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays at the New York City Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) (212) 504-4115

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**NOTICE OF A JOINT PUBLIC HEARING** of the Franchise and Concession Review Committee and the New York City Department of Parks and Recreation to be held on Monday, April 11, 2016 at 2 Lafayette Street, 14th Floor Auditorium, Borough of Manhattan, commencing at 2:30 P.M. relative to:

**INTENT TO AWARD** as a concession the development, operation, and maintenance of an indoor tennis facility and clubhouse at Bensonhurst Park, Brooklyn ("Licensed Premises"), for a fifteen (15) year term, to MatchPoint Group, LLC. Compensation to the City will be as follows: for each operating year, MatchPoint Group LLC shall pay to the City a license fee consisting of the greater of the annual minimum fee (Year 1: \$100,000; Year 2: \$105,000; Year 3: \$110,250; Year 4: \$116,865; Year 5: \$123,877; Year 6: \$131,310; Year 7: \$140,501; Year 8: \$150,336; Year 9: \$160,860; Year 10: \$172,120; Year 11: \$185,890; Year 12: \$200,761; Year 13: \$216,822; Year 14: \$234,167; Year 15: \$252,901) vs. 15% of gross receipts.

A draft copy of the agreement may be reviewed or obtained at no cost, commencing Monday, March 28, 2016, through Monday, April 11, 2016, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays at the New York City Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) (212) 504-4115

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## 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, 9<sup>th</sup> Floor, Room 945, commencing at 2:00 P.M. on Wednesday, April 6, 2016. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9<sup>th</sup> Floor South West, New York, NY 10041, or by calling (212) 839-6550.

**#1 IN THE MATTER OF** a proposed revocable consent authorizing Adria Operating Corporation to continue to maintain and use a conduit under and across 221<sup>st</sup> Street, north of Northern Boulevard, in the Borough of Queens. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2017 - \$2,513  
 For the period July 1, 2017 to June 30, 2018 - \$2,576  
 For the period July 1, 2018 to June 30, 2019 - \$2,639  
 For the period July 1, 2019 to June 30, 2020 - \$2,702  
 For the period July 1, 2020 to June 30, 2021 - \$2,765  
 For the period July 1, 2021 to June 30, 2022 - \$2,828  
 For the period July 1, 2022 to June 30, 2023 - \$2,891  
 For the period July 1, 2023 to June 30, 2024 - \$2,954  
 For the period July 1, 2024 to June 30, 2025 - \$3,017  
 For the period July 1, 2025 to June 30, 2026 - \$3,080

the maintenance of a security deposit in the sum of \$3,100 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#2 IN THE MATTER OF** a proposed revocable consent authorizing HP Marcus Garvey Preservation Housing Company to continue to maintain and use conduit banks under and across Chester Street, Dumont Avenue, Bristol Street, Livonia Street, Riverdale Avenue and under the sidewalk of Chester Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2017 - \$19,383  
 For the period July 1, 2017 to June 30, 2018 - \$19,879  
 For the period July 1, 2018 to June 30, 2019 - \$20,375  
 For the period July 1, 2019 to June 30, 2020 - \$20,871  
 For the period July 1, 2020 to June 30, 2021 - \$21,367  
 For the period July 1, 2021 to June 30, 2022 - \$21,863  
 For the period July 1, 2022 to June 30, 2023 - \$22,359  
 For the period July 1, 2023 to June 30, 2024 - \$22,855  
 For the period July 1, 2024 to June 30, 2025 - \$23,351  
 For the period July 1, 2025 to June 30, 2026 - \$23,847

the maintenance of a security deposit in the sum of \$24,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate

**#3 IN THE MATTER OF** a proposed revocable consent authorizing Prince Lower Fifth Realty Corporation to install, maintain and use planters on the southwest sidewalk of Prince Street, southeast of West Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to the Expiration Date - \$125/per annum.

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

**#4 IN THE MATTER OF** a proposed revocable consent authorizing Prince Street SPE LLC to install, maintain and use planters one (1) on the northeast sidewalk of Prince Street, west of Greene Street and six (6) on the west sidewalk of Greene Street, north of Prince 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 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to the Expiration Date - \$175/per annum  
 the maintenance of a security deposit in the sum of \$500 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#5 IN THE MATTER OF** a proposed revocable consent authorizing Richemont North America, Inc. to install, maintain and use a planter on the west sidewalk of Greene Street, between Prince and Spring 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 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to the Expiration Date - \$25/per annum.  
 the maintenance of a security deposit in the sum of \$500 and the insurance shall be the amount of Two Million Dollars (2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#6 IN THE MATTER OF** a proposed revocable consent authorizing Space NK Holdings, Inc. to install, maintain and use planters on the west sidewalk of Greene Street, between Prince and Spring 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 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to the Expiration Date - \$50/per annum.  
 the maintenance of a security deposit in the sum of \$500 and the insurance shall be the amount of Two Million Dollars (2,000,000) per occurrence, and Two Million Dollars (2,000,000) aggregate.

**#7 IN THE MATTER OF** a proposed revocable consent authorizing Teliman Holding Corporation to install, maintain and use a planter on the east sidewalk of Greene Street, between Prince and Spring Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to the Expiration Date - \$25/per annum.  
 the maintenance of a security deposit in the sum of \$500 and the insurance shall be the amount of One Million Dollars (1,000,000) per occurrence, and Two Million Dollars (2,000,000) aggregate.

**#8 IN THE MATTER OF** a proposed revocable consent authorizing Tiffany and Company to install, maintain and use planters on the west sidewalk of Greene Street, between Prince and Spring Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to the Expiration Date - \$50/per annum.  
 The maintenance of a security deposit in the sum of \$500 and the insurance shall be the amount of Two Million Dollars (2,000,000) per occurrence, and Two Million Dollars (2,000,000) aggregate.

# PROPERTY DISPOSITION

## CITYWIDE ADMINISTRATIVE SERVICES

### ■ SALE

The City of New York, in partnership with PropertyRoom.com, posts vehicle and heavy machinery auctions online every week at: <http://www.propertyroom.com/s/7300>

All auctions are open to the general public, and registration is free.

Vehicles can be viewed in person by appointment at: KenBen Industries, 364 Maspeth Avenue, Brooklyn, NY 11211. Phone: (718) 802-0022

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## OFFICE OF CITYWIDE PROCUREMENT

### ■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

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

j4-d30

## HOUSING PRESERVATION AND DEVELOPMENT

### ■ PUBLIC HEARINGS

Pursuant to Section 695(2)(b) of the General Municipal Law and Section 1802(6)(j) of the Charter, notice is hereby given that the Department of Housing Preservation and Development ("HPD") of the City of New York ("City") has proposed the sale of the following City-Owned property (collectively, "Disposition Area") in the Borough of Bronx:

Address	Block/Lot(s)
439 East 163 <sup>rd</sup> Street	2384/20
925 Brook Avenue	2384/25
--- Brook Avenue	2384/28
915 Brook Avenue	2384/32
913 Brook Avenue	2384/33
911 Brook Avenue	2384/34
--- East 162 <sup>nd</sup> Street	2384/38
433 East 162 <sup>nd</sup> Street	2384/48
--- East 163 <sup>rd</sup> Street	2384/ARO23
--- East 163 <sup>rd</sup> Street	2384/8901

Portion of demapped street-bed of Melrose Crescent between East 162 and East 163 Streets (including former Lot 8900); Demapped portion of Brook Avenue between East 163 Street and Elton Avenue; Demapped portion of East 162 Street at Elton Avenue.

Under HPD's Mixed Income Program: Mix and Match, sponsors purchase City-Owned or privately owned land or vacant buildings and construct multifamily buildings in order to create affordable rental housing units with a range of affordability in which at least half of the units are affordable to low income households earning up to 60 percent of the Area Median Income ("AMI") and the remaining units are affordable to other low income households. Construction and permanent financing is provided through loans from private institutional lenders and from public sources including HPD, the New

York City Housing Development Corporation, the State of New York, and the Federal government. Additional funding may also be provided from the syndication of low-income housing tax credits.

Under the proposed project, the City will sell the Disposition Area to Bronx Commons Housing Development Fund Corporation ("Sponsor") for the nominal price of one dollar per tax lot, and Sponsor will convey beneficial ownership to Bronx Commons LLC (the "LLC") (the Sponsor and the LLC are collectively known as "Owner"). The Sponsor will also deliver an enforcement note and mortgage for the remainder of the appraised value ("Land Debt"). The Owner will then construct approximately one building containing a total of approximately 302 rental dwelling units, plus one unit for a superintendent and approximately 38,595 square feet of commercial space and/or community facility space on the Disposition Area.

The Owner will enter into a regulatory agreement providing that, for a term of at least 40 years, approximately 10% of the units will be set aside for homeless families with incomes up to 30% area median income (AMI) and their rents will be set at 30% of 30% of AMI for a period of not less than 30 years. For the remaining 10 years of the regulatory term these units will no longer be set aside for homeless families, however, they will remain affordable for families with incomes up to 30% of AMI and their rents will be set at 30% of 30% of AMI. Not less than 50% of the units will be rented to families and individuals whose incomes do not exceed approximately 60% of AMI, approximately 20% of the units will be rented to families and individuals whose incomes do not exceed approximately 80% of AMI, approximately 15% of the units will be rented to households whose incomes do not exceed 90% of AMI, and the remainder of the units will be rented to families and individuals whose incomes do not exceed approximately up to 110% of AMI.

The Land Debt will be repayable out of resale or refinancing profits for a period of at least thirty (30) years following completion of construction. The remaining balance, if any, may be forgiven at the end of the term.

The appraisal and the proposed Land Disposition Agreement and Project Summary are available for public examination at the office of HPD, 100 Gold Street, Room 5-A4, New York, NY on business days during business hours.

PLEASE TAKE NOTICE that a public hearing will be held on April 27, 2016 at 1 Centre Street, Manhattan, Mezzanine at 10:00 A.M., or as soon thereafter as the matter may be reached on the calendar, at which time and place those wishing to be heard will be given an opportunity to be heard concerning the proposed sale of the Disposition Area pursuant to Section 695(2)(b) of the General Municipal Law and Section 1802(6)(j) of the Charter.

Individuals requesting sign language interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, NY 10007, (212) 788-7490, no later than five (5) business days prior to the public hearing. TDD users should call Verizon relay services.

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## POLICE

### ■ NOTICE

### 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:

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.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

### 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

j4-d30

## 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."**

### HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), vendors must first complete and submit an electronic prequalification application using the City's Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

### Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

Administration for Children's Services (ACS)  
 Department for the Aging (DFTA)  
 Department of Consumer Affairs (DCA)  
 Department of Corrections (DOC)  
 Department of Health and Mental Hygiene (DOHMH)  
 Department of Homeless Services (DHS)

Department of Probation (DOP)  
 Department of Small Business Services (SBS)  
 Department of Youth and Community Development (DYCD)  
 Housing and Preservation Department (HPD)  
 Human Resources Administration (HRA)  
 Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit [www.nyc.gov/hhsaccelerator](http://www.nyc.gov/hhsaccelerator)

## ADMINISTRATION FOR CHILDREN'S SERVICES

### SOLICITATION

*Services (other than human services)*

**CLINICAL CONSULTATION SERVICES** - Request for Proposals - PIN# 06815P0003 - Due 5-3-16 at 3:00 P.M.

The New York City Administration for Children's Services ("ACS") is issuing a Request for Proposals (RFP), EPIN #06815P0003, for Clinical Consultation teams within the child welfare system at ACS clinical sites.

The Agency is seeking (an) appropriately qualified vendor(s) to provide teams that present child welfare caseworkers and supervisors with enhanced access to individuals having expertise in mental health, domestic violence, and substance use, providing the ACS staff with training, technical assistance, case consultation and other programmatic and consulting support. There are 5 competition pools (Service Areas) in this Request for Proposal and awards will be made separately for each service area; the areas include one award for each borough with multiple locations per area.

A non-mandatory, but recommended Pre-Proposal Conference is scheduled for 10:00 A.M. on Monday, April 11, 2016 at 150 William Street, 8th Floor, New York, NY 10038. Proposers must register at the ACS website to obtain a copy of the proposal. Go to [www.nyc.gov/acs](http://www.nyc.gov/acs) and select Respond to RFP from "How Do I" menu, then scroll down page and select Go to RFP Online, then RFPs in next screen.

For additional information, send all e-mail requests to [hazel.harber@acs.nyc.gov](mailto:hazel.harber@acs.nyc.gov) and [doron.pinchas@acs.nyc.gov](mailto:doron.pinchas@acs.nyc.gov). Please type the PIN above and type of service into the subject line. If all else fails, you may call Hazel Harber at (212) 676-8811 or Doron Pinchas at (212) 341-3488 to make arrangements to pick up a proposal in person.

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

*Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. Hazel Harber (212) 676-8811; Fax: (212) 341-9830; [hazel.harber@acs.nyc.gov](mailto:hazel.harber@acs.nyc.gov)*

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## CITYWIDE ADMINISTRATIVE SERVICES

### SOLICITATION

*Goods*

**MARTELLO, BOLLARDS- BRAND SPECIFIC** - Competitive Sealed Bids - PIN#8571600286 - Due 4-12-16 at 10:30 A.M.

A copy of the bid can be downloaded from The City Record online site at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord). Enrollment is free. Vendors may also request the bid by contacting vendor relations via email at [dcasdmssbids@dcas.nyc.gov](mailto:dcasdmssbids@dcas.nyc.gov), by telephone at (212) 386-0044 or by fax at (212) 669-7585.

*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.*

*Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Vincent Edwards (212) 386-0431; [vedwards@dcas.nyc.gov](mailto:vedwards@dcas.nyc.gov)*

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## OFFICE OF CITYWIDE PROCUREMENT

### SOLICITATION

*Goods*

**KOSHER AND PASSOVER FOODS** - Competitive Sealed Bids - PIN# 8571600320 - Due 4-8-16 at 10:00 A.M.

A copy of the bid can be downloaded from The City Record Online site at [www.nyc.gov/cityrecord](http://www.nyc.gov/cityrecord). Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at [dcasdmssbids@dcas.nyc.gov](mailto:dcasdmssbids@dcas.nyc.gov), by telephone (212) 386-0044, or by fax at (212) 669-7585.

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.  
 Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Mirta A Jarret (212) 386-6345; [mjarrett@dcas.nyc.gov](mailto:mjarrett@dcas.nyc.gov)

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**COMPTROLLER**

**ASSET MANAGEMENT**

■ AWARD

*Services (other than human services)*

**GENERAL INVESTMENT CONSULTANT AGREEMENT/ EMERGING MARKETS** - Request for Proposals - PIN# 01515816403ZC - AMT: \$1,112,724.00 - TO: Wilshire Associates Inc., 1299 Ocean Avenue, Suite 700, Santa Monica, CA 90401.  
**● GENERAL INVESTMENT CONSULTANT AGREEMENT/ EMERGING MARKETS** - Request for Proposals - PIN# 01515816401ZC - AMT: \$2,585,000.00 - TO: Callan Associates Inc., 600 Montgomery Street, Suite 800, San Francisco, CA 94111.

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**DISTRICT ATTORNEY - NEW YORK COUNTY**

**PURCHASING**

■ SOLICITATION

*Human Services/Client Services*

**SATURDAY NIGHT LIGHTS** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 20160600072 - Due 4-25-16 at 3:00 P.M.

The District Attorney's Office of New York County (DANY) is seeking proposals from qualified organizations to provide high quality skill-development activities (e.g., sports, dance, or other fitness activities) to young people in Brooklyn and the Bronx on Saturday nights.

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.  
 District Attorney - New York County, One Hogan Place. Mallorie Thomas (212) 335-3150; [thomasma@dany.nyc.gov](mailto:thomasma@dany.nyc.gov)

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**EDUCATION**

**CONTRACTS AND PURCHASING**

■ INTENT TO AWARD

*Goods and Services*

**LITERACY PROFESSIONAL DEVELOPMENT AND COACHING SERVICES - TEACHERS COLLEGE READING AND WRITING PROJECT (TCRWP)** - Other - PIN#E1760040 - Due 4-4-16 at 4:00 P.M.  
 Notice of Intent to Award (Negotiated Service)

The schools listed below are asking for approval to enter into contracts with Teachers College, Columbia University for the Reading and Writing Project (TCRWP) for a term of 7/1/2015 through 6/30/2016. TCRWP will provide literacy professional development and coaching services.

Other organizations interested in providing these services to the NYCDOE in the future are invited to indicate their ability to do so in writing to Albert Hu at 65 Court Street, Room 1201, Brooklyn, NY 11201.

Responses should be received no later than April 4, 2016.

#	Loc Code	School	Total Amount(\$)
1	01M034	PS 34 Franklin D. Roosevelt	\$ 32,500.00
2	01M020	PS 020 Anna Silver	\$ 34,000.00
3	01M063	PS 63 STAR Academy (formerly William McKinley)	\$ 35,200.00
4	02M212	PS 212 Midtown West	\$ 28,300.00
5	02M347	PS 347 American Sign Language School	\$ 32,650.00
6	02M077	PS 77 Lower Lab School	\$ 35,650.00
7	02M116	PS 116 Mary Lindley Murray	\$ 37,000.00
8	02M059	PS 59 Beekman Hill International	\$ 37,750.00
9	03M333	PS 333 Manhattan School for Children	\$ 31,000.00
10	03M165	PS 165 Robert E. Simon	\$ 34,200.00
11	03M084	PS 84 Lillian Weber	\$ 37,000.00
12	03M149	PS 149	\$ 38,200.00
13	04M206	PS 206 Jose Celso Barbosa	\$ 31,000.00
14	04M072	PS 72 Lexington Academy	\$ 34,000.00
15	04M112	PS 112 Jose Celso Barbosa	\$ 40,900.00
16	05M161	PS 161 Pedro Albizu Campus	\$ 34,300.00
17	06M528	IS 528 Bea Fuller Rodgers School	\$ 30,250.00
18	06M322	MS 322	\$ 35,650.00
19	07X154	PS 154 Jonathan D. Hyatt	\$ 31,000.00
20	07X277	PS 277	\$ 36,700.00
21	07X223	MS 223 The Laboratory School of Finance and Technology	\$ 37,000.00
22	07X001	PS 1 Courtlandt School	\$ 46,150.00
23	07X369	PS 369 Young Leaders Elementary School	\$ 48,400.00
24	09X042	PS 42 Claremont	\$ 31,000.00
25	09X204	PS 204 Morris Heights	\$ 31,200.00
26	09X449	PS 449 Grant Avenue Elementary	\$ 34,000.00
27	09X109	PS 109 Sedgwick	\$ 38,500.00
28	09X070	PS 70 Max Schoenfeld	\$ 41,050.00
29	09X236	PS 236 Langston Hughes	\$ 44,500.00
30	10X459	PS 459/East Fordham Academy for the Arts	\$ 29,500.00
31	10X246	PS 246 Poe Center	\$ 33,900.00
32	10X344	AmPark Neighborhood School PS 344X	\$ 34,000.00
33	10X307	PS 307 Eames Place	\$ 35,950.00
34	10X059	PS 59 The Community School of Technology	\$ 37,000.00
35	10X008	PS 8 Issac Varian	\$ 39,500.00
36	10X447	MS 447 Creston Academy	\$ 44,500.00
37	10X386	PS 386	\$ 50,150.00
38	10X279	PS/MS 279	\$ 50,150.00
39	11X272	MS 272 Globe School For Environmental Research	\$ 30,600.00
40	11X567	PS 567 Linden Tree Elementary	\$ 31,000.00

41	12X691	PS 691 The Bronx Little School	\$ 31,000.00
42	12X271	MS 271 East Bronx Academy for the Future	\$ 31,200.00
43	12X314	PS 314 Fairmont Neighborhood School	\$ 33,850.00
44	12X006	PS 6	\$ 38,800.00
45	12X044	PS 44 David C. Farragut	\$ 47,500.00
46	13K307	PS 307 Daniel Hale Williams	\$ 33,625.00
47	13K054	PS 54 Samuel C. Barnes	\$ 34,000.00
48	13K009	PS 9 Teunis G. Bergen	\$ 43,300.00
49	13K282	PS/MS 282	\$ 44,500.00
50	14K147	PS 147 Issac Remsen	\$ 31,000.00
51	14K414	PS 414 Brooklyn Arbor Elementary School	\$ 34,600.00
52	15K154	PS 154 Magnet School for Science and Technology	\$ 31,000.00
53	15K131	PS 131	\$ 34,000.00
54	15K039	PS 39 Henry Bristow	\$ 34,000.00
55	15K230	PS 230 Doris L. Cohen	\$ 34,900.00
56	15K821	MS 821 Sunset Park Prep	\$ 35,500.00
57	15K088	MS 88	\$ 37,000.00
58	15K295	PS 295	\$ 37,000.00
59	15K058	PS 58 The Carroll	\$ 37,250.00
60	15K032	PS 32 Samuel Mills	\$ 41,150.00
61	15K442	MS 442 Carroll Gardens School for Innovation	\$ 46,925.00
62	15K335	PS 335 Granville T. Woods	\$ 32,950.00
63	17K249	PS 249 The Caton School	\$ 65,350.00
64	17K532	PS 532 New Bridges Elementary	\$ 36,250.00
65	18K115	PS 115 The Daniel Mucatel School	\$ 29,500.00
66	18K581	East Flatbush Community Research School	\$ 33,700.00
67	19K007	PS 7 Abraham Lincoln	\$ 31,000.00
68	19K452	MS 452 Frederick Douglass Academy VIII Middle School	\$ 32,100.00
69	19K346	PS 346 Abe Stark	\$ 34,750.00
70	19K13	PS 13 Roberto Clemente	\$ 39,400.00
71	19K306	PS 306 Ethan Allen	\$ 55,300.00
72	20K163	PS 163 Bath Beach	\$ 31,000.00
73	20K164	PS 164 Caesar Rodney	\$ 31,750.00
74	20K503	PS 503 The School of Discovery	\$ 46,900.00
75	20K048	PS 48 Mapleton	\$ 39,550.00
76	20K682	PS 682 Talented Scholars	\$ 40,150.00
77	20K192	PS 192 The Magnet School for Math and Science Inquiry	\$ 44,200.00
78	20K176	PS 176 Ovington	\$ 44,750.00
79	21K153	PS 153 Homecrest	\$ 31,000.00
80	21K199	PS 199	\$ 43,450.00
81	21K095	PS 95 The Gravesend	\$ 51,900.00
82	21K177	PS 177 The Marlboro	\$ 53,850.00

83	22K245	PS 245	\$ 31,000.00
84	22K152	PS 152 School of Science and Technology	\$ 33,850.00
85	22K206	PS 206 Joseph F Lamb	\$ 34,000.00
86	22K361	PS 361 East Flatbush Early Childhood School	\$ 37,000.00
87	22K134	PS 134	\$ 37,000.00
88	22K197	PS 197 Brooklyn	\$ 37,000.00
89	22K139	PS 139 Alexine A. Fenty	\$ 44,500.00
90	23K298	PS 298 Dr. Betty Shabazz	\$ 34,000.00
91	23K446	PS 446 Riverdale Avenue Community	\$ 38,250.00
92	24Q110	PS 110	\$ 31,000.00
93	24Q068	PS 68 Cambridge	\$ 32,200.00
94	24Q089	PS 89 Elmhurst	\$ 37,000.00
95	24Q199	PS 199 Maurice A. Fitzgerald	\$ 41,200.00
96	25Q237	IS 237 Rachel Carson	\$ 29,500.00
97	25Q169	PS 169 Bay Terrace	\$ 31,000.00
98	25Q079	PS 79 Francis Lewis School	\$ 32,500.00
99	25Q029	PS 29	\$ 34,100.00
100	25Q107	PS 107 Thomas A Dooley	\$ 34,300.00
101	25Q242	PS 242 Leonard P. Stavisky Early Childhood School	\$ 35,200.00
102	25Q499	PS 499 The Queens College School for Math	\$ 30,550.00
103	25Q032	PS 32 State Street School	\$ 37,000.00
104	25Q022	PS 22 Thomas Jefferson	\$ 39,650.00
105	25Q021	PS 21 Edward Hart	\$ 39,850.00
106	25Q219	PS/MS 219 Paul Klapper	\$ 48,100.00
107	25Q024	PS 24 Andrew Jackson	\$ 49,000.00
108	26Q159	PS 159	\$ 31,000.00
109	26Q046	PS 46	\$ 34,000.00
110	26Q18	PS 18 Winchester	\$ 38,050.00
111	26Q173	PS 173 Fresh Meadows	\$ 41,050.00
112	26Q186	PS 186 Castlewood	\$ 42,400.00
113	27Q317	PS 317 Waterside Childrens Studio School	\$ 42,250.00
114	28Q101	PS 101 School in the Gardens	\$ 31,000.00
115	28Q144	PS 144 Col Jeromus Remsen	\$ 31,000.00
116	28Q161	PS 161 Arthur Ashe School	\$ 31,000.00
117	28Q139	PS 139 Rego Park	\$ 32,500.00
118	28Q050	PS 50 Talfourd Lawn Elementary School	\$ 32,900.00
119	28Q117	PS 117 J. Keld / Briarwood School	\$ 33,700.00
120	28Q182	PS 182 Samantha Smith	\$ 34,000.00
121	28Q220	PS 220 Edward Mandel	\$ 34,000.00
122	29Q295	PS/IS 295	\$ 40,600.00
123	30Q017	PS 17 Henry David Thoreau	\$ 31,000.00
124	30Q280	PS 280	\$ 37,000.00
125	30Q230	IS 230	\$ 38,050.00

126	31R029	PS 29 Bardwell	\$ 31,000.00
127	31R060	PS 60 Alice Austen	\$ 31,000.00
128	31R048	PS 48 William C. Wilcox	\$ 32,000.00
129	31R036	PS 36 John C Drumgoole School	\$ 34,000.00
130	31R038	PS 38 George Cromwell	\$ 34,000.00
131	31R075	IS 75	\$ 37,000.00
132	31R045	PS 45 John Tyler	\$ 40,300.00
133	31R022	PS 22 Graniteville	\$ 42,700.00
134	23K668	Riverdale Middle School	\$ 42,510.00

The New York City Department of Education (DOE) strives to give all businesses, including Minority and Women-Owned Business Enterprises (MWBEs), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including MWBEs, from all segments of the community. The DOE works to enhance the ability of MWBEs to compete for contracts. DOE is committed to ensuring that MWBEs fully participate in the procurement process.

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.  
 Education, 65 Court Street, 12th Floor, Brooklyn, NY 11201. Vendor Hotline (718) 935-2300; vendorhotline@schools.nyc.gov

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**ENVIRONMENTAL PROTECTION**

**AGENCY CHIEF CONTRACTING OFFICE**

■ INTENT TO AWARD

*Services (other than human services)*

**HANSEN-16: CONSULTING AND MAINTENANCE 3 YEAR CONTRACT** - Sole Source - Available only from a single source - PIN# 82616INF0R16 - Due 4-7-16 at 4:00 P.M.

DEP intends to enter into a Sole Source agreement with Infor Public Sector Inc., for HANSEN-16: Maintenance and Consulting Services for DEPs Hansen Application. NYC Department of Environmental Protection (DEP) has, since March of 1999 utilized Hansen modules in different areas of the organization. Hansen is a commercial off the shelf (COTS) application environment that is used by DEP to track all of its calls to the 311 call center; to dispatch inspectors; to issue work orders and to manage its assets. It is one of the major enterprise systems at DEP, used by many of the bureaus including BWSO, BWS, and Facilities. Any firm which believes it can also provide the required service IN THE FUTURE is invited to so, indicated by letter which must be received no later than April 7, 2016, 4:00PM at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd, 17th Floor, Flushing, NY 11373, ATTN: Ms. Glorivee Roman, glroman@dep.nyc.gov, (718) 595-3226.

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.  
 Environmental Protection, 59-17 Junction Blvd, 17th Floor, Flushing, NY 11373. Glorivee Roman (718) 595-3226; Fax: (718) 595-3208; glroman@dep.nyc.gov

m22-28

**HEALTH AND MENTAL HYGIENE**

**FAMILY HEALTH SERVICES**

■ SOLICITATION

*Services (other than human services)*

**DIGITAL TOOL/APP** - Negotiated Acquisition - Other - PIN# 81616N0004 - Due 4-11-16 at 12:00 P.M.

The New York City Department of Health and Mental Hygiene (DOHMH) is seeking a qualified vendor to develop a digital tool that will be a first-of-its-kind "mobile-first" resource for parents and caregivers of children in New York City. The tool will offer information on programs, resources and activities that are available to children throughout the City. The tool will serve as a one-stop-shop, integrating and curating content around City resources from a diverse set of government agencies, covering health, education, child development and safety, and recreation. Users will have the opportunity to refine content to meet the specific ages, needs and interests of the children in their family.

DOHMH anticipates launching the first version of the tool in the summer of 2016, providing content for children ages 0-12. Future iterations may expand the age range up to 24 and allow for continued refinement based on user feedback.

DOHMH seeks a digital design and development partner providing user experience and visual design, user testing, digital development, documentation creation, system and performance testing, and security accreditation. DOHMH anticipates requiring one or more Application Program Interface (API) integration from an existing API and possibly need to do database development work.

If you are interested in partnering with DOHMH, please submit an expression of interest with a short plan for the work described above and include a time line and team structure.

All expressions of interest must be submitted in writing via email to swillia9@health.nyc.gov no later than April 11, 2016 by 12:00 P.M.

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

Health and Mental Hygiene, 42-09 28th Street, Long Island City, NY 11101. Shamecka Williams (347) 396-6656; Fax: (347) 396-6758; swillia9@health.nyc.gov

m24-30

**HOMELESS SERVICES**

■ AWARD

*Human Services/Client Services*

**SHELTER SERVICES FOR HOMELESS SINGLES** - Renewal - PIN#07109P0010CNVR001 - AMT: \$5,469,534.00 - TO: Bronx Works, Inc., 2054 Morris Avenue, Bronx, NY 10453. Shelter, located at 1241 Lafayette Avenue, Bronx, NY 10474

● **SUPPORTIVE HOUSING FOR FORMERLY HOMELESS ADULTS** - Required/Authorized Source - Other - PIN#0711R0002003 - AMT: \$554,880.00 - TO: Services for the Underserved, 305 7th Avenue, 10th Floor, New York, NY 10001. Site, located at 21 Truxton Street, Brooklyn, NY 11233

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**HUMAN RESOURCES ADMINISTRATION**

**OFFICE OF CONTRACTS**

■ AWARD

*Human Services/Client Services*

**PROVISION OF LESBIAN, GAY, BISEXUAL AND TRANSGENDER YOUTH OF COLOR POVERTY REDUCTION INITIATIVE** - BP/City Council Discretionary - PIN# 09616L0001001 - AMT: \$200,000.00 - TO: Lesbian and Gay Community Services Center, Inc., 208 West 13th Street, New York, NY 10011. Term: 7/1/2015 - 6/30/2016

● **PROVISION OF HOMELESSNESS PREVENTION LAW PROJECT (HPLP) ANTI EVICTION LEGAL SERVICES IN MANHATTAN** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 09615I0014013 - AMT: \$1,937,058.00 - TO: Legal Services - NYC, 40 Worth Street, 6th Floor, New York, NY 10013-2904. Term: 10/1/2015 - 9/30/2018

● **PROVISION OF HOMELESSNESS PREVENTION LAW PROJECT (HPLP) ANTI EVICTION LEGAL SERVICES IN BROOKLYN** - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# 09615I0014007 - AMT: \$1,641,492.00 - TO: Legal Services - NYC, 40 Worth Street, 6th Floor, New York, NY 10013-2904. Term: 10/1/2015 - 9/30/2018

● **PROVISION OF UNIVERSAL LEGAL REPRESENTATION FOR DETAINED IMMIGRANTS IN NYC AS PART OF NY IMMIGRANT FAMILY UNITY PROJECT** - BP/City Council Discretionary - PIN# 09616L0018001 - AMT: \$1,551,000.00 - TO:

Brooklyn Defender Services, 177 Livingston Street, Brooklyn, NY 11201. Term: 7/1/2015 - 6/30/2016

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## MAYOR'S OFFICE OF CRIMINAL JUSTICE

### ■ INTENT TO AWARD

*Human Services/Client Services*

**SUMMONS/COURT ASSISTANCE PROGRAM IN HIGH-NEED SCHOOLS** - Demonstration Project - Testing or experimentation is required - PIN#00216D0002 - Due 4-29-16 at 3:00 P.M.

The Mayor's Office of Criminal Justice (MOCJ) seeks to enter into negotiations with Youth Represent in connection with a demonstration project for a newly developed program to address school-based summons clearances. The proposed vendor, Youth Represent, seeks to reduce the number of summons and warrants held by New York City youth by offering a combination of legal representation and educational services to students related to the criminal summons process. The initial phase of the demonstration project will be for a period of 16 months.

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.

Mayor's Office of Criminal Justice, 1 Centre Street, Room 1012 North, New York, NY 10007. Martina Colaizzi (646) 576-3495; Fax: (212) 788-6815; mcolaizzi@cityhall.nyc.gov

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## PARKS AND RECREATION

### ■ VENDOR LIST

*Construction/Construction Services*

**PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION - NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS**

DPR is seeking to evaluate and pre-qualify a list of general contractors (a"PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construction its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)\*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE\*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

\*Firms that are in the process of becoming a New York City-certified M/WBE may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained on-line at: <http://a856-internet.nyc.gov/nycvendonline/home.asap.>; or <http://www.nycgovparks.org/opportunities/business>

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, Olmsted Center, Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6781; [dmbwe.capital@parks.nyc.gov](mailto:dmbwe.capital@parks.nyc.gov).

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### ■ SOLICITATION

*Goods and Services*

**BIDS FOR MOBILE FOOD CONCESSIONS AT CENTRAL PARK, MANHATTAN** - Public Bid - PIN#CWB2016A - Due 4-7-16 at 11:00 A.M.

In accordance with Section 1-12 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a Request for Bids for the sale of food from mobile food units at various locations at Central Park, Manhattan.

Hard copies of the RFB can be obtained, at no cost, commencing on Wednesday, March 16, 2016 through Thursday, April 7, 2016, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is located at, 830 Fifth Avenue, Room 407, New York, NY 10065. All bids submitted in response to this RFB must be submitted no later than Thursday, April 7, 2016 at 11:00 A.M.

The RFB is also available for download, commencing Wednesday, March 16, 2016 through Thursday, April 7, 2016 on Parks' website. To download the RFB, visit [www.nyc.gov/parks/businessopportunities](http://www.nyc.gov/parks/businessopportunities), click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the "download" link that appears adjacent to the RFB's description.

For more information, contact Glenn Kaalund at (212) 360-1397 or via email at [Glenn.Kaalund@parks.nyc.gov](mailto:Glenn.Kaalund@parks.nyc.gov). Thank you.

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

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

Parks and Recreation, The Arsenal, 830 Fifth Avenue, Room 407, New York, NY 10065. Glenn Kaalund (212) 360-1397; Fax: (212) 360-3434; [glenn.kaalund@parks.nyc.gov](mailto:glenn.kaalund@parks.nyc.gov)

m16-29

**MOBILE FOOD CONCESSIONS CITYWIDE** - Public Bid - PIN#CWB2016B - Due 4-7-16 at 11:00 A.M.

In accordance with Section 1-12 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a Request for Bids ("RFB") for the sale of food from mobile food units at various park locations Citywide.

Hard copies of the RFB can be obtained, at no cost, commencing Wednesday, March 16, 2016 through Thursday, April 7, 2016 between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is located at, 830 Fifth Avenue, Room 407, New York, NY 10065. All bids submitted in response to this RFB must be submitted no later than Thursday, April 7, 2016 at 11:00 A.M.

The RFB is also available for download, Wednesday, March 16, 2016 through Thursday, April 7, 2016 on Parks' website. To download the RFB, visit [www.nyc.gov/parks/businessopportunities](http://www.nyc.gov/parks/businessopportunities), click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the "download" link that appears adjacent to the RFB's description.

For more information related to the RFB contact Zoe Piccolo (for Bronx and Staten Island Parks) at (212) 360-1397 or via email: [zoe.piccolo@parks.nyc.gov](mailto:zoe.piccolo@parks.nyc.gov); Eric Weiss (for Brooklyn Parks) at (212) 360-1397 or via email: [eric.weiss@parks.nyc.gov](mailto:eric.weiss@parks.nyc.gov); Joseph Conforti (for Queens Parks) at (212) 360-1397 or via email: [joe.conforti@parks.nyc.gov](mailto:joe.conforti@parks.nyc.gov); or Glenn Kaalund (Manhattan Parks) at (212) 360-1397 or via email: [glenn.kaalund@parks.nyc.gov](mailto:glenn.kaalund@parks.nyc.gov).

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other

information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, The Arsenal, 830 Fifth Avenue, Room 407, New York, NY 10065. Glenn Kaalund (212) 360-1397; Fax: (212) 360-3434; glenn.kaalund@parks.nyc.gov

m16-29

CONTRACTS

SOLICITATION

Construction / Construction Services

RECONSTRUCTION OF PATHS, SITE FURNISHINGS, AND LANDSCAPING AT CRESCENT BEACH PARK - Competitive Sealed Bids - PIN# 84616B0079 - Due 4-18-16 at 10:30 A.M.

Located at Tennyson Drive between Armstrong and Wiman Avenues, Borough of Staten Island, Contract #: R135-113MA

This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 1 of 2013.

The Cost Estimate Range is under \$1,500,000.00 for this project.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of New York, Parks and Recreation. A separate check/money order is required for each project. The company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid 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.

Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows-Corona Park, Flushing, NY 11368. Michael Shipman (718) 760-6705; michael.shipman@parks.nyc.gov

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REVENUE

AWARD

Services (other than human services)

PROCESSING MOBILE FOOD TRUCK AT WATSON GLEASON PLAYGROUND - Competitive Sealed Bids - PIN# X124-2-MT

The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Ronald Baretela of 25-67 125th Street, Flushing, NY 11354 for the operation of one (1) processing mobile food truck at Watson Gleason Playground: Along Gleason Avenue, Rosedale Avenue, Watson Avenue and Noble Avenue, Bronx, NY. The concession, which was solicited by a Request for Bids, will operate pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: in each operating year of the permit, permittee shall pay the City a minimum annual fee (Year 1: \$1,000.00, Year 2: \$1,100.00, Year 3: \$1,200.00, Year 4: \$1,500.00, Year 5: \$2,000.00).

PROCESSING MOBILE FOOD TRUCK AT SOUNDVIEW PARK - Competitive Sealed Bids - PIN# X118-MT

The City of New York Department of Parks and Recreation ("Parks") has awarded a concession to Ronald Baretela of 25-67 125th Street, Flushing, NY 11354 for the operation of one (1) processing mobile food truck at Soundview Park-Morrison and Lafayette Avenue, Bronx, NY. The concession, which was solicited by a Request for Bids, will operate pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: in each operating year of the permit, permittee shall pay the City a minimum annual fee (Year 1: \$1,000.00, Year 2: \$1,100.00, Year 3: \$1,200.00, Year 4: \$1,500.00, Year 5: \$2,000.00).

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POLICE

CONTRACT ADMINISTRATION

SOLICITATION

Goods

BELT TRAUMA KITS - Sole Source - Available only from a single source - PIN#05616S0002 - Due 4-11-16 at 5:00 P.M.

The NYPD intends to enter into a Sole Source Agreement with Z-Medica LLC, located at 4 Fairfield Boulevard, Wallingford, CT 06492, for the purchase of Belt Trauma Kits (BTK's), associated supplies and

training aids. Any Vendor who is capable of providing these Belt Trauma Kits may express their interest in writing by letter to the address listed in this advertisement to Pulikeezhu Thomas or by e-mail to pulikeezhu.thomas@nypd.org on or before 5:00 P.M., on April 11, 2016.

The NYPD has determined that this is a Sole Source solicitation pursuant to Section 3-05(b) of the City's Procurement Policy Board Rules.

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

Police, 90 Church Street, Suite 1206, New York, NY 10007. Pulikeezhu Thomas (646) 610-5223; Fax: (646) 610-5224; pulikeezhu.thomas@nypd.org

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TRANSPORTATION

TRAFFIC

AWARD

Construction / Construction Services

INSTALLATION OF TRAFFIC SIGNAL SAFETY, CITYWIDE

- Competitive Sealed Bids - PIN#84115MBTR908 - AMT: \$19,758,445.00 - TO: Hellman Electric, 855 Brush Avenue, Bronx, NY 10465.

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AGENCY RULES

HEALTH AND MENTAL HYGIENE

NOTICE

Notice of Adoption of Amendments to Articles 201, 203, 205 and 207 of the New York City Health Code

In compliance with §1043(b) of the New York City Charter (the "Charter") and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Articles 201, 203, 205 and 207 of the New York City Health Code (the "Health Code") was published in the City Record on September 21, 2015 and a public hearing was held on October 23, 2015. No one testified and no written comments were submitted. On its own initiative, the New York City Department of Health and Mental Hygiene (the "Department") made minor changes to these rules for the purposes of clarification as detailed below. At its meeting on March 15, 2016, the Board of Health adopted the following resolution.

Statement of Basis and Purpose

Statutory Authority

These amendments to the New York City Health Code ("the Health Code") are promulgated pursuant to Sections 558 and 1043 of the New York City Charter ("the Charter"). Section 558(b) and (c) of the Charter empowers the Board of Health ("the Board") to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rulemaking authority.

Statement of Basis and Purpose

Background and New Requirements

- 1. Section 201.07(a) of Article 201 (Confidential medical report of birth; not subject to compelled disclosure or inspection), Section 203.07(a) of Article 203 (Confidential medical report of spontaneous termination of pregnancy and certificate of induced termination of pregnancy; not subject to compelled disclosure or inspection), Sections 205.07(a) and 205.07(c) of Article 205 (Confidential medical report of death; not subject to compelled disclosure or inspection)

The Department amends Section 201.07(a) of Article 201, Section 203.07(a) of Article 203, and Sections 205.07(a) and 205.07(c) of Article 205 of the Health Code, to authorize, in addition to the Commissioner,

the Commissioner's designee to approve inspection of confidential medical reports of birth, spontaneous terminations of pregnancy (miscarriages), and death. This will ensure greater consistency among Health Code provisions requiring the approval of the Commissioner or the Commissioner's designee to grant requests to inspect these documents and make it easier to process requests requiring the Commissioner's approval.

2. Section 207.01(a) and 207.01(c) (Correction of records; application and approval; accompanying documents)

The Department amends Section 207.01(a) of Article 207 of the Health Code to authorize the Department, consistent with its current ability to correct confidential medical reports of death, to correct confidential medical reports of birth and confidential medical reports of spontaneous terminations of pregnancy (miscarriages) based on new or corrected information it receives from medical facilities. Furthermore, the Department removes the reference to deaths occurring on or after January 1, 2010, to be consistent with Section 205.07(a).

The Department also amends Section 207.01(c) of Article 207 of the Health Code to allow funeral directors, undertakers, or the Office of Chief Medical Examiner (OCME) to make certain corrections to death certificates using the Electronic Death Registration System (EDRS) without first obtaining the Department's approval. This will expedite the processing of death records and burial permits. Funeral directors, undertakers, or the OCME will be able to correct only the name of the funeral establishment or the method, place (e.g., cemetery or crematory), location (e.g., city, state, or foreign country), or date of disposition (e.g., burial, cremation or transport out of the city). To maintain record integrity, the EDRS will not allow funeral directors, undertakers, or the OCME to change fields like date of birth, usual residence (e.g., state, county, city, town, or street number of residence) and Social Security number.

3. Section 207.13 (Fees for vital statistics services)

The Department amends Section 207.13 of Article 207 of the Health Code to provide specific processes for verifying information contained in birth certificates, death certificates, and certificates of spontaneous termination of pregnancy (miscarriages). This will enable authorized users of the National Association for Public Health Statistics and Information Systems (NAPHSIS) Electronic Verification of Vital Events (EVVE) System, such as agencies of the City or State of New York, other government bodies, annuity companies, medical providers and attorneys representing estates, to verify facts contained in the Department's records.

#### Statutory Authority

These amendments to the New York City Health Code ("the Health Code") are promulgated pursuant to Sections 558 and 1043 of the New York City Charter ("the Charter"). Section 558 of the Charter empowers the Board of Health ("the Board") to amend the Health Code and to include in the Health Code all matters to which the authority of the New York City Department of Health and Mental Hygiene ("the Department") extends. Section 1043 grants the Department rulemaking authority.

"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 material is underlined.

[Deleted material is in brackets.]

**RESOLVED**, that subdivision (a) of Section 201.07 of Article 201 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby amended, to be printed together with explanatory notes, to read as follows:

(a) The confidential medical report of birth shall be confidential and not subject to compelled disclosure or to inspection by persons other than the Commissioner or authorized personnel of the Department, except in a criminal action or criminal proceeding, or for official purposes by a federal, state, county or municipal agency charged by law with the duty of detecting or prosecuting crime. The Commissioner or the Commissioner's designee may, however, approve the inspection of such medical reports for scientific purposes.

*Notes:* By resolution adopted on March 15, 2016, the Department amended subdivision (a) of Section 201.07 of Article 201 to authorize the Commissioner's designee to approve the inspection of confidential medical reports of birth for scientific purposes.

**RESOLVED**, that subdivision (a) of Section 203.07 of Article 203 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby amended, to be printed together with explanatory notes, to read as follows:

(a) The confidential medical report of a spontaneous termination of pregnancy shall be confidential and not subject to compelled disclosure or to inspection by persons other than the Commissioner or authorized personnel of the Department, except in a criminal action or criminal proceeding, or for official purposes by a Federal, State, County or Municipal agency charged by law with the duty of detecting or prosecuting crime. The Commissioner or the Commissioner's designee

may, however, approve the inspection of such medical reports for scientific purposes.

*Notes:* By resolution adopted on March 15, 2015, the Department amended subdivision (a) of Section 203.07 of Article 203 to authorize the Commissioner's designee to approve the inspection, for scientific purposes, of confidential medical reports of spontaneous terminations of pregnancy.

**RESOLVED**, that subdivisions (a) and (c) of Section 205.07 of Article 205 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby amended, to be printed together with explanatory notes, to read as follows:

(a) The confidential medical report of death shall be confidential and not subject to compelled disclosure or to inspection by persons other than the Commissioner or authorized personnel of the Department, except in a criminal action or criminal proceeding, or for official purposes by a Federal, State, county or municipal agency charged by law with the duty of detecting or prosecuting crime, or by researchers authorized and approved by the National Death Index of the National Center for Health Statistics of the federal Centers for Disease Control and Prevention, or successor agency. The Commissioner or the Commissioner's designee may, however, approve the inspection of such confidential medical reports for scientific purposes and by the spouse, domestic partner, parent, child, sibling, grandparent or grandchild of the deceased or by the individual identified on the death certificate filed with the Department as the person in control of disposition.

\* \* \* \* \*

(c) Notwithstanding subsection (a), upon application of an individual licensed to practice medicine, the Commissioner or the Commissioner's designee may release a certified copy of the confidential medical report of death, or, in his or her sole discretion, provide abstracts of such information, when, and to the extent that:

(1) a need for the family medical history has been demonstrated, to the satisfaction of the Commissioner or the Commissioner's designee, in order to counsel or to diagnose and/or treat an illness or condition in an individual; and

(2) the information contained in the confidential medical report of death has been demonstrated to the satisfaction of the [commissioner] Commissioner or the Commissioner's designee, to be otherwise unavailable.

\* \* \* \* \*

*Notes:* By resolution adopted on March 15, 2016, the Department amended subdivision (a) of Section 205.07 of Article 205 to authorize the Commissioner's designee to approve inspections of confidential medical reports for scientific purposes and by persons listed on death certificates filed with the Department. The Department also amended subdivision (c) of Section 205.07 to authorize the Commissioner's designee to release certified copies of confidential medical reports of death to physicians.

**RESOLVED**, that subdivisions (a) and (c) of Section 207.01 of Article 207 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby amended, to be printed together with explanatory notes, to read as follows:

(a) The Commissioner or the Commissioner's designee may approve the amendment of a birth, termination of pregnancy or death certificate, or of a confidential medical report of birth, spontaneous termination of pregnancy or death [for deaths occurring on or after January 1, 2010]. Application shall be made on a form furnished by the Department. Application for amendment of a birth certificate shall be made by the parents or surviving parent, or by the legal guardian of the person whose birth certificate is to be corrected or by the person if such person is 18 years of age or over. Application for amendment of a spontaneous termination of pregnancy certificate shall be made by the parents or surviving parent. Application for amendment of a death certificate[,] or [of a] confidential medical report of death shall be made by the person in control of disposition as defined in Article 205 of this Code or by the person identified on the death certificate as providing the personal particulars pursuant to Article 205 of this Code.

\* \* \* \* \*

(c) No application shall be approved unless the Commissioner or the Commissioner's designee is satisfied that the evidence submitted shows the true facts and that an error or omission was made at the time of preparing and filing of the certificate or confidential medical report of birth, spontaneous termination of pregnancy or death, or that the name of a person named in a birth certificate has been changed pursuant to court order. However, a funeral director, undertaker or the Office of Chief Medical Examiner who has taken control of human remains may, without approval by the Commissioner or the Commissioner's designee, use the Electronic Death Registration System to amend a certificate or confidential medical report of death if the funeral director, undertaker or the Office of Chief Medical Examiner is amending the name of the funeral establishment or the method, place, location, or date of disposition.

*Notes:* By resolution adopted on March 15, 2016, the Department

amended subdivision (a) of Section 207.01 of Article 207 to authorize the Department to correct confidential medical reports of birth and confidential medical reports of spontaneous terminations of pregnancy, and to remove the reference to deaths occurring on or after January 1, 2010 consistent with Health Code Section 205.07(a). The Department also amended subdivision (c) of Section 207.01 to authorize funeral directors and undertakers or the Office of Chief Medical Examiner using the Electronic Death Registration System to make certain corrections without first obtaining Departmental approval.

**RESOLVED**, that subdivision (e) of Section 207.13 of Article 207 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby amended, to be printed together with explanatory notes, to read as follows:

(e) The Department may [issue without charge verifications of] verify information contained on birth, spontaneous termination of pregnancy or death certificates filed with the Department when such [information is provided and a] verification is requested by [an agency of the City or State of New York. The Department may issue such verifications for a negotiated and agreed-upon fee, and in a manner it describes, to: other governmental agencies, whether] authorized users of the National Association for Public Health Statistics and Information Systems (NAPHSIS) Electronic Verification of Vital Events (EVVE) System who are foreign or domestic [;] governments, agencies of the City or State of New York, benefit-paying parties such as annuity companies and pension plans that demonstrate a need for such information to determine whether the benefits they are paying should be terminated[;], a physician licensed to practice in the United States who demonstrates that such information is needed to determine whether a patient he or she is treating has died[;], a hospital that demonstrates that such information is needed to determine whether a patient it is treating has died[; and] or an attorney licensed to practice in the United States who demonstrates that the information is necessary to administer an estate.

*Notes:* By resolution adopted on March 15, 2016, the Department amended subdivision (e) of Section 207.13 of Article 207 to provide authorized users of the National Association for Public Health Statistics and Information Systems (NAPHSIS) Electronic Verification of Vital Events (EVVE) System with a means of verifying information contained in birth certificates, death certificates, and certificates of spontaneous termination of pregnancy.

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### Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to the New York City Health Code

**What are we proposing?** The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 13 of the New York City Health Code, requiring non-clinical laboratories that work with certain biological agents to register with the Department and to report incidents involving the loss, theft, unintentional release or exposure to such agents.

**When and where is the hearing?** The Department will hold a public hearing on the proposed Health Code amendments on April 26, 2016 at 9:30 A.M. to 11:30 A.M. at

New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28th Street, 3rd Floor, Room 3-32  
Long Island City, NY 11101-4132

**How do I comment on the proposed amendments to the Health Code?** Anyone can comment on the proposed amendments by:

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us/>
- **Email.** You can email written comments to [resolutioncomments@health.nyc.gov](mailto:resolutioncomments@health.nyc.gov)
- **Mail.** You can mail written comments to  
New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28th Street, CN 31  
Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to New York City Department of Health and Mental Hygiene at (347) 396-6088
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078. You can also sign up in the hearing room before or during the hearing on April 26, 2016. You can speak for up to five minutes.

**Is there a deadline to submit written comments?** Written comments must be received on or before 5:00 P.M. on April 26, 2016.

**Do you need assistance to participate in the hearing?** You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by April 12, 2016.

### Can I review the comments made on the proposed amendments?

You may review the comments made online at <http://rules.cityofnewyork.us/> on the proposed amendments by going to the website at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time by the Department's Office of the General Counsel.

### What authorizes the Board of Health to make these amendments?

Section 558 of the City Charter authorizes the Board of Health to adopt and amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 556 of the Charter authorizes the Department to supervise matters affecting public health, including the reporting and control of diseases and conditions hazardous to life and health. This proposed amendment was not included in the Department's regulatory agenda for this Fiscal Year because it was not deemed necessary until after the agenda was published.

**Where can I find the Health Code and the Department's rules?** The Health Code and the rules of the Department of Health and Mental Hygiene are in Title 24 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Board of Health must meet the requirements of §1043 of the City Charter when creating or changing the Health Code. This notice is made according to the requirements of City Charter §1043.

### Statement of Basis and Purpose

#### Background

The Charter provides the Department of Health and Mental Hygiene (the Department) with jurisdiction over all matters concerning health in the City of New York. The Department conducts disease surveillance and control activities for diseases reportable pursuant to Article 11 of the New York City Health Code (Health Code). The Department is also required to comply with various provisions of Part 2 of the New York State Sanitary Code, found in Title 10 of the Codes, Rules and Regulations of the State of New York (NYCRR), with respect to control of communicable diseases.

"High containment research laboratories" are facilities that store and handle infectious microorganisms or hazardous biological material and operate at biosafety level (BSL) 3 or 4, as defined by the US Centers for Disease Control and Prevention (CDC) and National Institutes for Health (NIH), in *Biosafety in Microbiological and Biomedical Laboratories* (BMBL), which delineates four BSLs based on the potential risks of working with infectious or hazardous agents.

Biosafety level 1 (BSL-1) is the basic level of protection and is appropriate for agents that are not known to cause disease in normal, healthy humans. Biosafety level 2 (BSL-2) is appropriate for handling moderate-risk agents that cause human disease of varying severity by ingestion or through percutaneous or mucous membrane exposure. Biosafety level 3 (BSL-3) is appropriate for agents with a known potential for aerosol transmission, for agents that may cause serious and potentially lethal infections and that are indigenous or exotic in origin. Exotic agents that pose a high individual risk of life-threatening disease by infectious aerosols and for which no treatment is available are restricted to high containment laboratories that meet biosafety level 4 (BSL-4) standards.<sup>1</sup>

Since 2001, hundreds of new high-containment research laboratories have been established in the United States. According to the U.S. Government Accountability Office (GAO), 1,495 BSL-3 and BSL-4 laboratories were registered with the Federal Select Agent Program (FSAP) in 2010 compared to 415 in 2004. This was considered an under-estimate, because it only addressed laboratories required to register with the FSAP.<sup>2</sup> With respect to those operating in New York City, the Department does not know when such facilities were or are being established, the total number operating in the City at any time, and the hazardous agents they store or handle.

Recent laboratory accidents, none of which occurred in New York City, have focused the Department's attention on this issue. In June and July 2014, CDC disclosed two potentially serious incidents

- 1 CDC (US) and NIH (US). *Biosafety in Microbiological and Biomedical Laboratories*. 5th ed. Washington (DC): Centers for Disease Control and Prevention (US) and National Institutes of Health (US). 2007; 409 p. Available from <http://www.cdc.gov/biosafety/publications/bmbl5/BMBL.pdf>
- 2 GAO (US). *High-Containment Laboratories: Assessment of the Nation's Need is Missing*. Washington (DC): Government Accountability Office (US). 2013 Feb 25; 13 p. Report No.: GAO-13-466R. Available from <http://www.gao.gov/products/GAO-13-466R>



involving H5N1 avian influenza<sup>3</sup> and *Bacillus anthracis*,<sup>4</sup> the bacterium that causes anthrax. A third incident at CDC involving an Ebola virus sample occurred in December 2014.<sup>5</sup> In 2007, another potentially serious incident occurred at CDC when the main and backup power supplies failed during a lightning storm, shutting down the negative pressure system in a newly constructed, but not yet operational, BSL-4 laboratory.<sup>6</sup>

Two incidents in the past two years involving high-containment laboratories further demonstrate the potential public health risks stemming from research conducted in BSL-3 and BSL-4 laboratories. In November 2014, two primates in the Tulane National Primate Research Center were diagnosed with melioidosis, a severe disease of animals and humans caused by a potential biological threat agent, *Burkholderia pseudomallei*. The strain infecting the animals was identical to the strain used in a Tulane University laboratory registered with the FSAP. In March 2015, CDC and the U.S. Department of Agriculture's (USDA) Animal Plant Health Inspection Service (APHIS) concluded that a number of biosafety deficiencies could have led to transmission of *B. pseudomallei* from the laboratory to the animals in the primate center.<sup>7</sup>

In May 2015, CDC started an investigation of a report that a U.S. Department of Defense high-containment laboratory might have inadvertently shipped live *B. anthracis* spores (the causative agent of anthrax) to a laboratory that was anticipating only deactivated spores. Ultimately, CDC concluded that this laboratory unknowingly shipped live *B. anthracis* spores on 575 separate occasions to laboratories worldwide over the course of a decade.<sup>8</sup>

As serious as these incidents have been, of even greater concern have been laboratory incidents over past decades that have caused outbreaks of contagious virus diseases, including smallpox, SARS, and foot and mouth disease.<sup>9</sup> The Department is concerned that an accident in a NYC-based high-containment research laboratory could have catastrophic consequences, given the population density of nearly 70,000 per square mile in Manhattan and the many other areas of high population density throughout the City.

Work performed in a BSL-3 or BSL-4 facility would present the greatest potential risk to public health if an incident occurs. Research laboratories that handle biological agents and toxins and hold government contracts or grants are required to adhere to the BMBL. Most, but not all, of the agents that are stored and handled in high-containment research laboratories and that represent potential public health risks are regulated by the FSAP. Federal regulations require reporting of certain incidents involving select agents to the CDC and Local, State and Federal law enforcement agencies only; timely notification to local public health authorities of these incidents is not always required by the federal regulations. Federal agencies are also constrained from disclosing to Local or State health departments which laboratories within a local jurisdiction are registered to handle and work with select agents. The Department has been informed by the CDC that, with the proper safeguards, information identifying the registered laboratories can be made available to the Department. However, no other information about these laboratories or the biological agents they work with would be regularly available from CDC.

Several federal agencies exercise varying degrees of oversight over

- 3 CDC (US). Report on the Inadvertent Cross-Contamination and Shipment of a Laboratory Specimen with Influenza Virus H5N1. 2014 August 15. <http://www.cdc.gov/about/pdf/lab-safety/investigationcdch5n1contaminationeventaugust15.pdf>
- 4 CDC (US). Report on the Potential Exposure to Anthrax. 2014 July 11. [http://www.cdc.gov/about/pdf/lab-safety/Final\\_Anthrax\\_Report.pdf](http://www.cdc.gov/about/pdf/lab-safety/Final_Anthrax_Report.pdf)
- 5 CDC (US). Report on the Potential Exposure to Ebola Virus. 2015 February 4. <http://www.cdc.gov/about/pdf/lab-safety/investigation-into-dec-22-2014-cdc-ebola-event.pdf>
- 6 Government Accountability Office (US). High Containment Laboratories — National Strategy for Oversight is Needed. Washington (DC): Government Accountability Office (US); 2009 Sep. 99 p. Report No.: GAO-09-574. Available from <http://www.gao.gov/products/GAO-09-574>
- 7 CDC (US). Conclusion of select agent inquiry into Burkholderia pseudomallei release at Tulane National Primate Research Center. 2015 Mar 13. Available from <http://www.cdc.gov/media/releases/2015/s0313-burkholderia-pseudomallei.html>
- 8 HHS (US). Testimony of Daniel M. Sosin, MD, MPH, FACP, before the Subcommittee on Oversight and Investigations, Committee on Energy and Commerce, U.S. House of Representatives. Review of Department of Defense Anthrax Specimens. 2015 Jul 28. Available from <http://docs.house.gov/meetings/IF/IF02/20150728/103816/HHRG-114-IF02-Wstate-SosinD-20150728.pdf>
- 9 Furmanski M. Threatened pandemics and laboratory escapes: self-fulfilling prophecies. Bulletin of the Atomic Scientists. 2014 Mar 31. Available from <http://thebulletin.org/threatened-pandemics-and-laboratory-escapes-self-fulfilling-prophecies7016>

academic and private high-containment research laboratories. CDC and USDA APHIS regulate laboratories working with certain biological agents and toxins that have the potential to pose a severe threat to public health and safety, known as "select agents," pursuant to 42 CFR Part 73 (CDC regulations), and 9 CFR Part 121 and 7 CFR Part 331 (USDA regulations).

According to the GAO, "While some federal agencies do have a mission to track a subset of BSL-3 and -4 laboratories that work with select agents and know the number of those laboratories, no single regulatory agency has specific responsibility for biosafety in all high-containment laboratories in the United States."<sup>6</sup> If a laboratory is not working with a select agent or not operating with government funding or under a government contract, it is not bound by the federal regulatory scheme, and, unless there is applicable state or local law, a laboratory may be totally unregulated.

Because of this regulatory structure, the Department does not have a means to know the number of high-containment research laboratories operating in New York City, their location, or the potentially hazardous biological agents that are stored and/or handled within them. Although clinical laboratories hold permits issued by the State Department of Health,<sup>10</sup> non-clinical research laboratories storing and/or handling biological agents are not currently regulated by the City or State. They do not currently need to hold permits, to notify local authorities of their existence, or to report incidents of public health concern to the Department, such as loss or theft of agents or suspected transmission of diseases caused by agents stored and/or handled in the laboratories. Unless high-containment research laboratories are required to register with the Department, pre-event planning between the Department and laboratories to mitigate the public health risks and to protect public health cannot take place.

Several State and Local US jurisdictions currently regulate research laboratories working with biological agents. In 1996, Connecticut, which had already required all laboratories to register and be inspected before conducting any examination, determination, or test, enacted additional reporting requirements specifically applicable to BSL-3 laboratories, requiring reporting of any infection or injury relating to work with such agents or resulting in recommendations that employees or members of the public be tested or monitored for potential public health problems.<sup>11</sup> Since 2002, Maryland has had a Biological Agent Registration Program, which is nearly identical to the FSAP. The Boston Public Health Commission adopted its Biological Laboratory Regulations in 2006. These regulations establish operational biosafety requirements and require permitting, inspections and reporting of human exposures and other incidents to the Commission. In 2009, Cambridge, Massachusetts adopted biosafety laboratory regulations and formed the Cambridge Biosafety Committee to enforce them.

The Department proposes that the Board amend Article 13 to require registration of and reporting by research laboratories that have BSL-3 and BSL-4 facilities. A registration form will require identification and contact information of owners, operators, and other persons responsible for biosafety and a list of the biological agents stored and/or handled onsite. The amendment will also require immediate reporting by such facilities to the Department of any exposures of persons, losses, thefts, or unintentional releases of such agents so that the Department can, if necessary, investigate and limit public health risks from these agents. Laboratories that are currently operating solely as clinical laboratories, blood and tissue banks and those that conduct recombinant DNA experiments pursuant to Title 5 of Article 5, or Articles 43-B or 32-A, of the New York Public Health Law would be excluded from these registration and reporting requirements.

#### Statutory Authority

These amendments to the Health Code are promulgated pursuant to §§558 and 1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board to amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. Section 1043 grants the Department rule-making authority. Section 556(c)(2) of the Charter authorizes the Department to "supervise the reporting and control of communicable and chronic disease and conditions hazardous to life and health..."

The proposal is as follows:

"Shall" and "must" denote mandatory requirements and may be used interchangeably unless otherwise specified or unless the context clearly indicates otherwise.

New material is underlined.  
[Deleted material is in brackets.]

RESOLVED, that Section 13.01 of the New York City Health Code, set forth in Title 24 of the Rules of New York City is amended, to be printed together with explanatory notes, effective 180 days after adoption, to read as follows:

10 See, e.g., New York Public Health Law Article 5-Laboratories.

11 CONN. GEN. STAT. §19A-31A; CONN. AGENCIES REGS. §§ 19A-36-A1 TO A56.

**§13.01 [Definition] Definitions.**

When used in this article ["laboratory"]:

(a) "Laboratory" or "clinical laboratory" [shall mean] means a facility, including a blood bank, regulated pursuant to Title 5 of Article 5 of the Public Health Law [Title V, Article 5.] holding a permit issued by the New York State Department of Health, and operating in the City or testing a specimen taken from a City resident.

(b) "Research laboratory" means a facility used primarily for research, development, storage, examination or testing of one or more biological agents by or under the direct supervision of a technically qualified individual, but does not include: (i) clinical laboratories and blood banks holding permits issued pursuant to Title 5 of Article 5 of the Public Health Law; (ii) laboratories where recombinant DNA experiments are conducted pursuant to Article 32-A of the Public Health Law; (iii) tissue or organ banks holding permits issued pursuant to Article 43-B of the Public Health Law; and (iv) laboratory facilities operated by New York State or Federal governments.

(c) "Biological agent" means an infectious microorganism or hazardous biological material, such as a bacterium, virus, fungus, parasite, or biological toxin that is associated with human or animal disease.

(d) "High-containment research laboratory" means any research laboratory that operates a biosafety level 3 or biosafety level 4 facility, as defined by the Centers for Disease Control and Prevention and National Institutes for Health in *Biosafety in Microbiological and Biomedical Laboratories*, or successor document available at <http://www.cdc.gov/biosafety/publications/bmbl5/BMBL.pdf>.

Notes: Section 13.01 was amended by resolution adopted by the Board of Health at its meeting on XXX, to be effective 180 days after adoption, to add definitions applicable to certain high-containment research laboratories.

RESOLVED, that Article 13 of the New York City Health Code, set forth in Title 24 of the Rules of New York City, is hereby amended, to add new sections 13.11 and 13.13, effective 180 days after adoption, to be printed together with explanatory notes, to read as follows:

**§13.11 High-containment research laboratories; registration.**

(a) Registration. Every person operating a high-containment research laboratory in the City of New York must register such laboratory with the Department. Registrations will expire and must be renewed every two years. An entity or person registering with the Department must provide all the information requested by the Department on the registration form, including but not limited to:

- (1) Name, address and other contact information for the officers or persons in control of the operating entity;
- (2) Locations and biosafety level rating or ratings for each research laboratory operated by the registering entity;
- (3) Name, title and contact information of at least two designated persons who are individuals at the research laboratory designated to submit to the Department the reports required by §13.13 of this Article, provided that one such designated person is the manager or other person in control of the research laboratory biosafety committee; and
- (4) A listing of all biological agents kept or used in each high-containment research laboratory.

(b) New facilities. Any person intending to operate a new high-containment research laboratory must register such laboratory according to this section before such laboratory commences operation.

(c) Changes in registration information. The registrant must notify the Department within thirty (30) calendar days of any changes to the information provided on the registration form.

Notes: Section 13.11 was added to Article 13 by resolution adopted by the Board of Health at its meeting on XXX to be effective 180 days after adoption, to require registration by high-containment research laboratories keeping or working with certain biological agents that pose a risk to public health. High-containment research laboratories in operation on the effective date of the resolution must register with the Department no later than one hundred eighty (180) calendar days after the effective date.

**§13.13 High-containment research laboratories; required reports.**

(a) Loss or theft of a biological agent. Within one hour of discovering the theft or loss of a biological agent from a high-containment research laboratory, the laboratory operator or a person designated on the registration form of such laboratory must notify the Department of such theft or loss at a telephone number designated by the Department. Any theft or loss must be reported even if the lost or stolen biological agent is subsequently recovered and/or the responsible parties are identified. The following information must be provided:

- (1) The name of the biological agent and any and all of its identifying information (e.g., strain or other characterization information);

- (2) The quantity or an estimate of the quantity of the biological agent that was lost or stolen;
- (3) The time or an estimate of the time during which the theft or loss occurred;
- (4) The location (building, room) from which the theft or loss occurred.

(b) Exposure to or unintentional release of biological agents. Within one hour of discovering that a person may have been exposed to any biological agent maintained in or by a high-containment research laboratory, or of any unintentional release of a biological agent, the laboratory operator or a person designated on the registration form of such laboratory must notify the Department of the actual or potential exposure at a telephone number designated by the Department. The following information must be provided:

- (1) The name of the biological agent and any and all of its identifying information (e.g., strain or other characterization information);
- (2) An estimate of the number of persons potentially exposed to the biological agent in or by the research laboratory and within the entity;
- (3) An estimate of the quantity of biological agent that was released;
- (4) An estimate of the time and duration of the release of the biological agent;
- (5) The environment into which the biological agent was released (e.g., within vs. outside building, into a waste system);
- (6) The location (building, room) from which the release of the biological agent occurred;
- (7) Identification and contact information for all persons known to be exposed to the biological agent;
- (8) Actions taken to respond to the release of the biological agent; and
- (9) Hazards posed by the release of the biological agent.

(c) No requirement of this section affects any other obligation under any other law or regulation for a high-containment laboratory to report the loss, theft or release of a biological agent to any other law enforcement or regulatory agency.

Notes: Section 13.13 was added to Article 13 by resolution of the Board of Health adopted at its meeting on XXX, to be effective 180 days after adoption. The section requires reporting of incidents involving theft, loss, release of certain biological agents or exposure of persons to such agents.

RESOLVED, that the list of section titles in Article 13 of the New York City Health Code be, and the same hereby is, amended to be effective 180 days after adoption of this resolution, to be printed together with explanatory notes to read as follows:

ARTICLE 13  
LABORATORIES

- §13.01 [Definition] Definitions.
- §13.03 Report of positive findings.
- §13.05 Testing for tuberculosis.
- §13.07 Reporting of Hemoglobin A1C.
- §13.09 Neonatal herpes simplex specimens.
- §13.11 High-containment research laboratories; registration.
- §13.13 High-containment research laboratories; required reports.

Notes: Article 13 was amended by resolution of the Board of Health adopted at its meeting on XXX, to be effective 180 days after adoption of the resolution, to add new Sections 13.11 and 13.13, requiring registration of high-containment research laboratories that work with certain biological agents and reporting of incidents involving loss or theft of, or exposures to such agents.

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 Health Code Article 13 (Reporting of Exposure to Certain Biological Agents)

REFERENCE NUMBER: DOHMH-62

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;

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

/s/ [Stephen Narloch]  
Mayor's Office of Operations

[3/7/16]  
Date

**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 Health Code Article 13 (Reporting of Exposure to Certain Biological Agents)

**REFERENCE NUMBER:** 2015 RG 016

**RULEMAKING AGENCY:** Department of Health and Mental Hygiene

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: March 7, 2016

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**Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Article 161 of the New York City Health Code**

**What are we proposing?** The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 161 (Animals) of the New York City Health Code to restore references to regulated pet shops, and to amend Article 5 of such Code addressing the corresponding permit fees and expiration dates.

**When and where is the hearing?** The Department will hold a public hearing on the proposed Health Code amendments on May 10, 2016 at 2:00 P.M. to 4:00 P.M. at

New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28th Street, 3rd Floor, Room 14-43  
Long Island City, NY 11101-4132

**How do I comment on the proposed amendments to the Health Code?** Anyone can comment on the proposed amendments by:

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email written comments to [resolutioncomments@health.nyc.gov](mailto:resolutioncomments@health.nyc.gov)
- **Mail.** You can mail written comments to  
New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28th Street, CN 31  
Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to the New York City Department of Health and Mental Hygiene at 347-396-6088
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078. You can also sign up in the hearing room before or during the hearing on May 10, 2016. You can speak for up to five minutes.

**Is there a deadline to submit written comments?** Written comments must be received on or before 5:00 P.M. on May 10, 2016.

**Do you need assistance to participate in the hearing?** You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by April 26, 2016.

**Can I review the comments made on the proposed amendments?** You may review the comments made online at

<http://rules.cityofnewyork.us/> on the proposed amendments by going to the website at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time by the Department's Office of the General Counsel.

**What authorizes the Board of Health to make these amendments?** Sections 558 and 1043(a) of the City Charter authorize the Board of Health to adopt and amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. This proposed amendment was not included in the Department's regulatory agenda for this fiscal year because it was not contemplated when the Department published the agenda.

**Where can I find the Health Code and the Department's rules?** The Health Code and the rules of the Department of Health and Mental Hygiene are in Title 24 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Board of Health must meet the requirements of §1043 of the City Charter when creating or changing the Health Code. This notice is made according to the requirements of City Charter §1043.

**Statement of Basis and Purpose**

**Statutory Authority**

These amendments to the New York City Health Code (the Health Code) are authorized by Sections 558 and 1043 of the New York City Charter (the Charter). Sections 558(b) and (c) of the Charter empower the Board of Health (the Board) to amend the Health Code and to include in the Health Code all matters to which the authority of the New York City Department of Health and Mental Hygiene (the Department) extends. Section 1043 grants the Department rulemaking authority.

**Background**

The Department's Bureau of Veterinary and Pest Control Services enforces Health Code Article 161 pertaining to the control of animals in the City. Article 161 currently requires pet shops other than those selling dogs and cats to have permits and to comply with other provisions of the Health Code. The NY State Agriculture and Markets Law Article 26-A ("Care of Animals by Pet Dealers") formerly prohibited local regulation of "pet dealers," defined in such State law as an entity that sells more than nine animals (dogs and/or cats) to the public per year. See Agriculture and Markets Law §§400 subdivisions (1) and (4) and 400-a. Effective January 10, 2014, this law was amended and a new §407 authorizes local regulation of these entities, provided that the local law is no less stringent than Article 26-A or effectively results in banning of all sales of dogs or cats "raised and maintained in a healthy and safe manner."

On January 17, 2015, Local Law 5 of 2015 was enacted, and on June 2, 2015 was further amended by Local Law 53. Read together, Title 17 of the New York City Administrative Code now authorizes the Department to regulate pet shops selling dogs and cats. As a result, Administrative Code § 17-372 requires such pet shops to hold permits issued by the Commissioner of the Department. The law was supposed to have become effective June 1, 2015, but was stayed on that date as a result of a challenge in the U.S. Court for the Eastern District of New York by certain pet shops and animal dealers. On October 20, 2015 it was upheld by the court and is therefore now in effect.

**Amendments to Health Code Articles 5 and 161**

The Department is requesting that the Board of Health amend those provisions of Article 161 that currently explicitly state that they are not applicable to sales of dogs and cats by pet dealers regulated under Article 26-A of the Agriculture and Markets Law, since pet shops selling these animals are again regulated by the Department. Pet shops selling only animals other than dogs and/or cats continue to be regulated by the Department and none of the proposed changes would substantively affect those pet shops. In conjunction with these amendments, the Department is proposing that the permit fees and expiration dates set forth in Health Code Article 5 also be amended to be consistent with the fees set forth in the new Administrative Code §17-374.

The resolution is as follows.

Shall and must denote mandatory requirements and may be used interchangeably.

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

RESOLVED, that the definition of "pet shop" in §161.02 of Article 161 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, is amended, to be printed together with explanatory notes to read as follows:

**§161.02 Definitions.**

**Pet shop** means a facility other than an animal shelter where live animals are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail for profit. [A pet shop shall not mean a pet dealer exclusively selling dogs and cats that is subject to Article 26-A of the Agriculture and Markets Law. However, a pet shop where animals other than, or in addition to, dogs and cats are sold

shall hold a pet shop permit issued by the Commissioner and shall comply with all other applicable provisions of this Code and other applicable law.]

Notes: The definition of "pet shop" was amended by resolution adopted by the Board of Health at its \_\_\_\_\_, 2016 meeting to delete exclusion of "pet dealers" previously exclusively regulated under Article 26-A of the Agriculture and Markets Law.

RESOLVED, that paragraph (1) of subdivision (a) and subdivision (f) of §161.09 of Article 161 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, are amended, to be printed together with explanatory notes to read as follows:

§161.09 Permits to keep certain animals.

(a) Permit required.

(1) No person shall operate a pet shop, grooming parlor, boarding kennel or training establishment for small animals whose possession is not prohibited by §161.01 of this Article, without a permit issued by the Commissioner [except that a pet shop that exclusively sells dogs and cats and is regulated by Article 26-A of the Agriculture and Markets Law, or successor law, shall not require a permit issued by the Commissioner].

\*\*\*

(f) Small animal handling course required. No person who is charged with the supervision of a pet shop or business for the sale or offer for sale of dogs, cats or other small animals, or the boarding or grooming of small animals, or animal training, or similar type of operations, shall engage or be employed in such capacity unless he or she obtains a certificate indicating the successful completion of a course, acceptable to the Department, in the care and handling of such animals. [Such certificate shall not be required for persons who are pet dealers who exclusively sell dogs and cats, in accordance with Article 26-A of the Agriculture and Markets Law.]

Notes: Paragraph (1) of subdivision (a) and subdivision (f) were amended by resolution of the Board adopted at its meeting on \_\_\_\_\_, 2016 to delete exclusion of "pet dealers" previously exclusively regulated under Article 26-A of the Agriculture and Markets Law.

RESOLVED, that the table of permits and permit fees in subdivision (a) of §5.07 of Article 5 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, are amended, to be printed together with explanatory notes to read as follows:

§5.07 Expiration dates; fees.

(a) Applications for permits and for renewal thereof shall be accompanied by payment of fees prescribed by the following table. Permits shall expire and be renewed in accordance with the expiration date, if any, prescribed by such table:

Description of Activity [Under] <u>under</u> permit	Health Code or other Law Section Reference	Fee	Date Expiration
<b>ANIMALS:</b>			
Permit to operate a pet shop <u>without dogs and/or cats</u> , boarding kennel, training establishment for small animals or grooming parlor, where animals are kept overnight.	161.09(a)	\$70.00	December 31
<u>ANIMALS:</u> Permit to operate a pet shop <u>with dogs and/or cats</u> .	<u>Admin. Code</u> § 17-374	\$300	<u>Two years</u> <u>from date</u> <u>issued</u>

\*\*\*

Notes: Subdivision (a) was amended by Board of Health resolution adopted at its \_\_\_\_\_, 2016 meeting to add a new permit fee for pet shops that sell dogs and/or cats pursuant to NYC Administrative Code §17-374.

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 to the Health Code Provisions Relating to Pet Stores

REFERENCE NUMBER: DOHMH 65

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ Norma Ponce  
Mayor's Office of Operations

Date: November 30, 2015

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 to the Health Code Provisions Relating to Pet Stores

REFERENCE NUMBER: 2015 RG 135

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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: November 30, 2015

• m25

Notice of Public Hearing and Opportunity to Comment on  
Proposed Amendments to the New York City Health Code

What are we proposing? The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 131 of the New York City Health Code to lower the level at which perchloroethylene ("PERC") vapors from dry cleaning facilities is defined as a nuisance. When PERC is measured at the nuisance level in areas adjacent to dry cleaning facilities, the Department requires dry cleaners using PERC to take measures to reduce excess emissions.

When and where is the hearing? The Department will hold a public hearing on the proposed Health Code amendments on April 27, 2016 from 10:00 A.M. to 12:00 P.M. at:

New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28th Street, 3rd Floor, Room 3-32  
Long Island City, NY 11101-4132

How do I comment on the proposed amendments to the Health Code? Anyone can comment on the proposed amendments on or before April 27, 2016 by:

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us/>
- **Email.** You can email comments to [resolutioncomments@health.nyc.gov](mailto:resolutioncomments@health.nyc.gov)
- **Mail.** You can mail comments to

New York City Department of Health and Mental Hygiene  
Gotham Center, 42-09 28th Street, CN 31  
Long Island City, NY 11101-4132

- **Fax.** You can fax comments to New York City Department of Health and Mental Hygiene at (347) 396-6087
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling at (347) 396-6078. You can also sign up in the hearing room before or during the hearing on April 27, 2016. You can speak for up to five minutes.

Is there a deadline to submit written comments? Written comments must be received on or before 5:00 P.M. on April 27, 2016.

Do you need assistance to participate in the hearing? You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You

can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by April 13, 2016.

**Can I review the comments made on the proposed amendments?** You may review the comments made online at <http://rules.cityofnewyork.us/> on the proposed amendments by going to the website at <http://rules.cityofnewyork.us/>. All written comments and a summary of the oral comments received by the Department will be made available to the public within a reasonable period of time by the Department's Office of the General Counsel.

**What authorizes the Board of Health to make these amendments?** Section 558 of the City Charter authorizes the Board of Health to adopt and amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. This proposed amendment was not included in the Department's regulatory agenda for this fiscal year because it was not contemplated when the Department published the agenda.

**Where can I find the Health Code and the Department's rules?** The Health Code and the rules of the Department of Health and Mental Hygiene are in Title 24 of the Rules of the City of New York.

**What rules govern the rulemaking process?** The Board of Health must meet the requirements of §1043 of the City Charter when creating or changing the Health Code. This notice is made according to the requirements of City Charter §1043.

**Statement of Basis and Purpose**

**Background**

When the Department receives a complaint of persistent perchloroethylene (PERC) odors from occupants of residential and other premises adjacent to or near dry cleaners, an inspection and measurements of PERC are made at the premises. If the level exceeds the nuisance level defined in Health Code §131.17 ("Dry cleaning facilities"), the Department will order the owners of the dry cleaning business and/or the owner of the premises in which the dry cleaner is located to find the cause and abate the nuisance by providing proper exhaust ventilation, adjusting operation of dry cleaning equipment and installing barriers, if necessary, to prevent fumes from escaping.

The Department proposes that the Board amend Health Code §131.17 to reduce the nuisance level for emissions of PERC vapors found in residential, child-occupied and other occupied buildings emanating from dry cleaning facilities located in the same or adjacent buildings. The amendment would lower the current nuisance level from 100 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) to 30  $\mu\text{g}/\text{m}^3$ . The reduction of the nuisance level is based on studies by the US Environmental Protection Administration (EPA), which classifies PERC as "likely to be carcinogenic in humans by all levels of exposure" and a recently revised New York State Department of Health guideline for PERC air levels.<sup>1</sup>

EPA's rules prohibit using PERC dry cleaning machines in residential buildings after December 21, 2020.<sup>2</sup> Until then, dry cleaning facilities that use PERC must control emissions in accordance with EPA rules.

**Statutory Authority**

This amendment to the New York City Health Code (the Health Code) is promulgated pursuant to Sections 558 and 1043 of the New York City Charter (the Charter). Section 558(b) and (c) of the Charter empowers the Board of Health (the Board) to amend the Health Code and to include in the Health Code all matters to which the authority of New York City Department of Health and Mental Hygiene (the Department) extends. Section 1043 grants the Department rule-making authority.

The proposal is as follows:

"Shall" and "must" denote mandatory requirements and may be used interchangeably unless otherwise specified or unless the context clearly indicates otherwise.

New material is underlined.  
[Deleted material is in brackets.]

RESOLVED, that subdivision (b) of Section 131.17 of the New York City Health Code, set forth in Title 24 of the Rules of the City of

1 See <http://www.health.ny.gov/environmental/chemicals/tetrachloroethene/>  
2 See 40 CFR §63.322 (o); see also discussion in Federal Register of EPA intent to phase out PERC equipment by 2020, available at <https://federalregister.gov/a/06-6447>

New York, is hereby amended, to be printed together with explanatory notes, to read as follows:

**§131.17 Dry cleaning facilities.**

\* \* \*

(b) *Nuisance level.* Detection of perchloroethylene vapors from dry cleaning facilities in dwellings, child-occupied facilities, or other occupied premises at levels at or above [100] 30 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) shall constitute a nuisance.

\* \* \*

*Notes:* Subdivision (b) of §131.17 was amended by resolution of the Board of Health adopted at its meeting on XXX, reducing the nuisance level for perchloroethylene from 100 to 30 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ), reflecting current State Department of Health and US Environmental Protection Administration determinations on its health effects.

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

**CERTIFICATION/ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE:** Reduction of Permissible PERC Air Levels (Health Code Article 131)

**REFERENCE NUMBER:** DOHMH-64

**RULEMAKING AGENCY:** Department of Health and Mental Hygiene

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

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

/s/ Francisco X. Navarro  
Mayor's Office of Operations

March 9, 2016  
Date

**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:** Reduction of Permissible PERC Air Levels (Health Code Article 131)

**REFERENCE NUMBER:** 2015 RG 131

**RULEMAKING AGENCY:** New York City Department of Health and Mental Hygiene

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: March 9, 2016

**SPECIAL MATERIALS**

**CITYWIDE ADMINISTRATIVE SERVICES**

■ NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 7685  
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE		VENDOR	CHANGE	PRICE EFF. 3/21/2016
3187251	11.0	#1DULS	>=80%	CITY WIDE BY TW	SPRAGUE	.0624 GAL. 1.9922 GAL.
3187251	12.0	B100	B100 <=20%	CITY WIDE BY TW	SPRAGUE	.0624 GAL. 3.2580 GAL.
3187251	13.0	#1DULS	>=80%	P/U	SPRAGUE	.0624 GAL. 1.9079 GAL.
3187251	14.0	B100	B100 <=20%	P/U	SPRAGUE	.0624 GAL. 3.1736 GAL.
3387022	15.1	#2DULS		BARGE MTF III & ST.	SPRAGUE	.0125 GAL. 1.4813 GAL.
3587137	1.1	#2DULS		CITY WIDE BY DELIVERY	SPRAGUE	.0125 GAL. 1.3854 GAL.
3587137	2.1	#2DULS		P/U	SPRAGUE	.0125 GAL. 1.3439 GAL.
3587137	3.1	#2DULS	WINTERIZED	CITY WIDE BY DELIVERY	SPRAGUE	.0125 GAL. 1.4009 GAL.
3587137	4.1	#2DULS	WINTERIZED	P/U	SPRAGUE	.0125 GAL. 1.3639 GAL.
3587137	7.1	#2DULS	>=80%	CITY WIDE BY DELIVERY	SPRAGUE	.0125 GAL. 1.3932 GAL.
3587137	8.1	B100	B100<=20%	CITY WIDE BY DELIVERY	SPRAGUE	.0125 GAL. 1.5304 GAL.
3587137	9.1	#2DULS	>=80%	P/U	SPRAGUE	.0125 GAL. 1.3539 GAL.
3587137	10.1	B100	B100<=20%	P/U	SPRAGUE	.0125 GAL. 1.4874 GAL.
3387090	1.1	JET		FLOYD BENNETT	SPRAGUE	.0064 GAL. 1.9060 GAL.
3587289	2.0	#4B5		MANHATTAN	UNITED METRO	.0016 GAL. 1.3884 GAL.
3587289	5.0	#4B5		BRONX	UNITED METRO	.0016 GAL. 1.3872 GAL.
3587289	8.0	#4B5		BROOKLYN	UNITED METRO	.0016 GAL. 1.3814 GAL.
3587289	11.0	#4B5		QUEENS	UNITED METRO	.0016 GAL. 1.3867 GAL.
3587289	14.0	#4B5		RICHMOND	UNITED METRO	.0016 GAL. 1.4721 GAL.
3687007	1.0	#2B5		MANHATTAN	SPRAGUE	.0081 GAL. 1.3984 GAL.
3687007	4.0	#2B5		BRONX	SPRAGUE	.0081 GAL. 1.3874 GAL.
3687007	7.0	#2B5		BROOKLYN	SPRAGUE	.0081 GAL. 1.4041 GAL.
3687007	10.0	#2B5		QUEENS	SPRAGUE	.0081 GAL. 1.4003 GAL.
3687007	13.0	#2B5		RICHMOND	SPRAGUE	.0081 GAL. 1.5647 GAL.
3687007	16.0	#2B10		CITY WIDE BY TW	SPRAGUE	.0100 GAL. 1.5971 GAL.
3687007	17.0	#2B20		CITY WIDE BY TW	SPRAGUE	.0138 GAL. 1.6992 GAL.

**NOTE:**

3587137	#2DULSB5	95% ITEM 7.1 & 5% ITEM 8.1		CITY WIDE BY TW	SPRAGUE	.0125 GAL. 1.4001 GAL.
3587137	#2DULSB20	80% ITEM 7.1 & 20% ITEM 8.1		CITY WIDE BY TW	SPRAGUE	.0125 GAL. 1.4206 GAL.
3587137	#2DULSB5	95% ITEM 9.1 & 5% ITEM 10.1		P/U	SPRAGUE	.0125 GAL. 1.3606 GAL.
3587137	#2DULSB20	80% ITEM 9.1 & 20% ITEM 10.1		P/U	SPRAGUE	.0125 GAL. 1.3806 GAL.
3187251	#1DULSB20	80% ITEM 11.0 & 20% ITEM 12.0		CITY WIDE BY TW	SPRAGUE	.0624 GAL. 2.2454 GAL.
3187251	#1DULSB20	80% ITEM 13.0 & 20% ITEM 14.0		P/U	SPRAGUE	.0624 GAL. 2.1610 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 7686  
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE		VENDOR	CHANGE	PRICE EFF. 3/21/2016
3487119	1.0	#2B5		MANHATTAN	PACIFIC ENERGY	.0145 GAL 1.5829 GAL
3487119	79.0	#2B5		BRONX & MANH CD 10	PACIFIC ENERGY	.0145 GAL 1.5829 GAL
3487119	157.0	#2B5		BKLYN, QUEENS, SI	PACIFIC ENERGY	.0145 GAL 1.5829 GAL
3487120	235.0	#4B5		CITY WIDE BY DELIVERY	F & S PETROLEUM Corp.	.0022 GAL 1.5980 GAL

**OFFICIAL FUEL PRICE SCHEDULE NO. 7687  
FUEL OIL AND REPAIRS**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 3/21/2016
3487034	1.0	#2B5	MANHATTAN & BRONX	0.0145 GAL	1.3257 GAL
3487034	80.0	#2B5	BKLYN, QUEENS, SI	0.0145 GAL	1.4607 GAL
3487034	156.0	#4B5 HEATING OIL	CITY WIDE BY DELIVERY	0.0022 GAL	1.3487 GAL

**OFFICIAL FUEL PRICE SCHEDULE NO. 7688  
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 3/21/2016
3187093	2.0	PREM UL	CITY WIDE BY TW	.1823 GAL	1.5589 GAL
3187093	4.0	PREM UL	P/U	.1823 GAL	1.4798 GAL
3187093	1.0	REG UL	CITY WIDE BY TW	.0380 GAL	1.2989 GAL
3187093	3.0	REG UL	P/U	.0380 GAL	1.2228 GAL
3187093	5.0	E70	CITY WIDE BY DELIVERY	.0169 GAL	1.4905 GAL

**NOTE:**

The National Oilheat Research Alliance (NORA) will resume full operations in 2015 with the fee expanding to #4 heating oil. This fee will apply to heating oil invoices only. The fee collections began January 1, 2015. All other terms and conditions of these awards remain the same. Please contact this office if you have any questions.

The Bio-Diesel Blender Tax Credit was reinstated for 2014. As of January 1, 2015, the Bio-Diesel Blender Tax Credit has been rescinded for \$1.00 per gallon on B100. Therefore, for deliveries after January 1, 2015, the contractor will be collecting additional fees which will be shown as a separate line item on the invoice. The additional fee for items will range from \$0.05 for B5 to \$0.20 for B20 per gallon, varying on the percentage of biodiesel to be used. Should the tax credit be extended, this additional fee will be discontinued and removed from the invoice.

Federal excise taxes are imposed on taxable fuels, (i.e., gasoline, kerosene, and diesel), when removed from a taxable fuel terminal. This fuel excise tax does not include Leaking Underground Storage Tank (LUST) tax. LUST tax applies to motor fuels for both diesel and gasoline invoices. Going forward, LUST Tax will appear as an additional fee at the rate of \$0.001 per gallon and will be shown as a separate line item on your invoice.

**REMINDER FOR ALL AGENCIES:**

Please send inspection copy of receiving report for all gasoline (E70, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

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**OFFICE OF MANAGEMENT AND BUDGET**

■ NOTICE

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CD)  
PROPOSED HISTORIC PROGRAMMATIC AGREEMENT FOR  
DEMOLITION ACTIVITIES**

TO ALL INTERESTED AGENCIES, COMMUNITY BOARDS, GROUPS AND PERSONS:

The New York City (NYC) Department of Housing Preservation and Development uses CD funds to conduct demolition activities Citywide. Certain activities under the Demolition Program constitute an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470f, and its implementing regulations, 36 C.F.R. Part 800. The NYC Office of Management and Budget as the Responsible Entity for environmental reviews undertaken with CD funds, the NYC Department of Housing Preservation and Development, the NYC Department of Buildings, the NYC Landmarks Preservation Commission, the New York State Office of Parks, Recreation and Historic Preservation, and the Shinnecock Indian Nation propose to enter into a Programmatic Agreement in order to comply with these requirements. Approximately five sites annually are determined to have historic significance.

The proposed Programmatic Agreement may be viewed at: <http://www.nyc.gov/OMBCD>. A description of the Demolition Program's activities may be found in the Appendix of the Programmatic Agreement.

**PUBLIC COMMENTS**

The NYC Office of Management and Budget is inviting all interested agencies, Community Boards, groups and persons to provide comments on the Programmatic Agreement. All written comments should be directed to John Leonard, Director of Community Development, Office of Management and Budget, 255 Greenwich Street, 8<sup>th</sup> Floor, New York, NY 10007. All comments received by April 8, 2016 will be considered.

City of New York: Bill de Blasio, Mayor.  
Dean Fuleihan, Director, Office of Management and Budget.

Date: March 24, 2016

m24-30

**MAYOR'S OFFICE OF CONTRACT SERVICES**

■ NOTICE

Notice of Intent to Extend Contract(s) Not Included in FY 2016 Annual Contracting Plan and Schedule

**NOTICE IS HEREBY GIVEN** that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2016 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Department of Design and Construction  
Description of services sought: Design Services for Requirements Contract for Professional Land Surveying Services for Various Capital Project, Citywide

Start date of the proposed contract: December 1, 2016  
End date of the proposed contract: December 1, 2019  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: None  
Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
Description of services sought: Construction Management for Requirements Contract for Professional Land Surveying Services for Various Capital Project, Citywide

Start date of the proposed contract: December 1, 2016  
End date of the proposed contract: December 1, 2019  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: None  
Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
Description of services sought: Resident Engineering Inspection Services for Requirements Contract for Professional Land Surveying Services for Various Capital Project, Citywide

Start date of the proposed contract: December 1, 2016  
End date of the proposed contract: December 1, 2019  
Method of solicitation the agency intends to utilize: RFP  
Personnel in substantially similar titles within agency: None  
Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
Description of services sought: Consultant Contract Administration: research, training, data analysis, and expert testimony, including

services related to damages for delay claims, for Requirements Contract for Professional Land Surveying Services for Various Capital Project, Citywide  
 Start date of the proposed contract: December 1, 2016  
 End date of the proposed contract: December 1, 2019  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
 Description of services sought: Construction Support Services: asbestos, boring, testing, monitoring, sampling, site safety, inspections and environmental, for Requirements Contract for Professional Land Surveying Services for Various Capital Project, Citywide  
 Start date of the proposed contract: December 1, 2016  
 End date of the proposed contract: December 1, 2019  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
 Description of services sought: Contract Administration: fiscal audit, reconciliation of accounts, preparation of change orders, analyzing and finalizing financial transactions and contract close out, for Requirements Contract for Professional Land Surveying Services for Various Capital Project, Citywide  
 Start date of the proposed contract: December 1, 2016  
 End date of the proposed contract: December 1, 2019  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

◀ m25

Notice of Intent to Extend Contract(s) Not Included in FY 2016 Annual Contracting Plan and Schedule

**NOTICE IS HEREBY GIVEN** that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2016 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Department of Design and Construction  
 Description of services sought: Design Services Office of Chief Medical Examiner (OCME) – Hirsch Center – Evidence Area Indoor Air Quality (IAQ) Remediation  
 Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
 Description of services sought: Construction Management Office of Chief Medical Examiner (OCME) – Hirsch Center – Evidence Area Indoor Air Quality (IAQ) Remediation  
 Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
 Description of services sought: Resident Engineering Inspection Services Office of Chief Medical Examiner (OCME) – Hirsch Center – Evidence Area Indoor Air Quality (IAQ) Remediation  
 Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
 Description of services sought: Consultant Contract Administration: research, training, data analysis, and expert testimony, including services related to damages for delay claims, Office of Chief Medical Examiner (OCME) – Hirsch Center – Evidence Area Indoor Air Quality (IAQ) Remediation  
 Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
 Description of services sought: Construction Support Services: asbestos, boring, testing, monitoring, sampling, site safety, inspections and environmental, Office of Chief Medical Examiner (OCME) – Hirsch Center – Evidence Area Indoor Air Quality (IAQ) Remediation  
 Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: None  
 Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction  
 Description of services sought: Contract Administration: fiscal audit, reconciliation of accounts, preparation of change orders, analyzing and finalizing financial transactions and contract close out, Office of Chief Medical Examiner (OCME) – Hirsch Center – Evidence Area Indoor Air Quality (IAQ) Remediation

Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: Administrative Accountant, Management Auditor, Associate Investigator, Investigator, Accountant, Administrative Construction Program Manager, Administrative Project Manager, Administrative Engineer, Associate Project Manager, Assistant Civil Engineer, Construction Project Manager, Mechanical Engineer, Supervisor Mechanics & Maintenance, Senior Estimating Mechanic, Senior Estimator-General Construction  
 Headcount of personnel in substantially similar titles within agency: 30

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Notice of Intent to Extend Contract(s) Not Included in FY 2016 Annual Contracting Plan and Schedule

**NOTICE IS HEREBY GIVEN** that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2016 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Agency: Department of Design and Construction  
 Description of services sought: Design Services for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Micro Projects with an estimated professional fee less than \$50,000 per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys citywide.

Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: Project Manager, Administrative Engineer, Civil Engineer, Mechanical Engineer, Electrical Engineer, Assistant Civil Engineer, Assistant Mechanical Engineer, Landscape Engineer  
 Headcount of personnel in substantially similar titles within agency: 208

Agency: Department of Design and Construction  
 Description of services sought: Construction Management for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Micro Projects with an estimated professional fee less than \$50,000 per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys citywide.

Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: Project Manager, Administrative Engineer, Civil Engineer, Mechanical Engineer, Assistant Landscape Architect, Assistant Civil Engineer, Assistant Mechanical Engineer, Highway and Sewer Inspector  
 Headcount of personnel in substantially similar titles within agency: 198

Agency: Department of Design and Construction  
 Description of services sought: Resident Engineering Inspection Services For Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Micro Projects with an estimated professional fee less than \$50,000 per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys citywide.

Start date of the proposed contract: June 1, 2016  
 End date of the proposed contract: May 31, 2017  
 Method of solicitation the agency intends to utilize: RFP  
 Personnel in substantially similar titles within agency: Project Manager, Administrative Engineer, Civil Engineer, Mechanical Engineer, Electrical Engineer, Assistant Civil Engineer, Assistant Mechanical Engineer, Assistant Electrical Engineer, Landscape Engineer, Highway and Sewer Inspector  
 Headcount of personnel in substantially similar titles within agency: 210

Agency: Department of Design and Construction  
 Description of services sought: Consultant Contract Administration: research, training, data analysis, and expert testimony, including services related to damages for delay claims, for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Micro Projects



with an estimated professional fee less than \$50,000 per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction

Description of services sought: Construction Support Services: asbestos, boring, testing, monitoring, sampling, site safety, inspections and environmental, for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Micro Projects with an estimated professional fee less than \$50,000 per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction

Description of services sought: Contract Administration: fiscal audit, reconciliation of accounts, preparation of change orders, analyzing and finalizing financial transactions and contract close out, for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Projects with an estimated professional fee less than \$50,000 per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction

Description of services sought: Design Services for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Large Projects with an estimated construction cost of \$5,000,000 and more per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys, etc. citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Project

Manager, Administrative Engineer, Civil Engineer, Mechanical Engineer, Electrical Engineer, Assistant Civil Engineer, Assistant Mechanical Engineer, Landscape Engineer

Headcount of personnel in substantially similar titles within agency: 208

Agency: Department of Design and Construction

Description of services sought: Construction Management for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Large Projects with an estimated construction cost of \$5,000,000 and more per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys, etc. citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Project

Manager, Administrative Engineer, Civil Engineer, Mechanical Engineer, Assistant Landscape Architect, Assistant Civil Engineer, Assistant Mechanical Engineer, Highway and Sewer Inspector

Headcount of personnel in substantially similar titles within agency: 198

Agency: Department of Design and Construction

Description of services sought: Resident Engineering Inspection Services for Requirements Contracts for Preparation of Preliminary And Final Design Plans, Specifications and Estimates for Various Infrastructure Large Projects with an estimated construction cost of \$5,000,000 and more per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys, etc. citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Project Manager, Administrative Engineer, Civil Engineer, Mechanical Engineer, Electrical Engineer, Assistant Civil Engineer, Assistant Mechanical Engineer, Assistant Electrical Engineer, Landscape Engineer, Highway and Sewer Inspector

Headcount of personnel in substantially similar titles within agency: 210

Agency: Department of Design and Construction

Description of services sought: Consultant Contract Administration: research, training, data analysis, and expert testimony, including services related to damages for delay claims, for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Large Projects with an estimated construction cost of \$5,000,000 and more per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys, etc. citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction

Description of services sought: Construction Support Services: asbestos, boring, testing, monitoring, sampling, site safety, inspections and environmental, for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Large Projects with an estimated construction cost of \$5,000,000 and more per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys, etc. citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

Agency: Department of Design and Construction

Description of services sought: Contract Administration: fiscal audit, reconciliation of accounts, preparation of change orders, analyzing and finalizing financial transactions and contract close out, for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Large Projects with an estimated construction cost of \$5,000,000 and more per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys, etc. citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: None

Headcount of personnel in substantially similar titles within agency: 0

◀ m25

#### Notice of Intent to Extend Contract(s) Not Included in FY 2016 Annual Contracting Plan and Schedule

**NOTICE IS HEREBY GIVEN** that the Mayor will be entering into the following extension(s) of (a) contract(s) not included in the FY 2016 Annual Contracting Plan and Schedule that is published pursuant to New York City Charter § 312(a):

Department of Design and Construction

Description of services sought: Design Services for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Medium Projects with an estimated construction cost between \$1,000,000 and \$5,000,000 per project, including but not limited to design of: street grades and drainage study, sewer and water mains, tree inventory and tree planting, design of landscaping areas including urban design, performing topographic surveys, etc. citywide.

Start date of the proposed contract: June 1, 2016

End date of the proposed contract: May 31, 2017

Method of solicitation the agency intends to utilize: RFP

Personnel in substantially similar titles within agency: Project

Manager, Administrative Engineer, Civil Engineer, Mechanical Engineer, Electrical Engineer, Assistant Civil Engineer, Assistant Mechanical Engineer, Landscape Engineer

Headcount of personnel in substantially similar titles within agency: 208

Agency: Department of Design and Construction

Description of services sought: Construction Management for Requirements Contracts for Preparation of Preliminary and Final Design Plans, Specifications and Estimates for Various Infrastructure Medium Projects with an estimated construction cost between \$1,000,000 and \$5,000,000 per project, including but not limited to





DEPARTMENT OF INVESTIGATION  
FOR PERIOD ENDING 03/11/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees of the Department of Investigation.

TEACHERS RETIREMENT SYSTEM  
FOR PERIOD ENDING 03/11/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists teachers in the retirement system.

CIVILIAN COMPLAINT REVIEW BD  
FOR PERIOD ENDING 03/11/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists members of the Civilian Complaint Review Board.

POLICE DEPARTMENT  
FOR PERIOD ENDING 03/11/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police officers.

POLICE DEPARTMENT  
FOR PERIOD ENDING 03/11/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police officers.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police officers.

POLICE DEPARTMENT  
FOR PERIOD ENDING 03/11/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists police officers.





Table with columns: Name, Title, Salary, Action, Prov, Eff Date, Agency. Rows include DENISE C 10124, WERKES PHILLORN P 56056, WILKINS TIANA R 56056, etc.

DEPT. OF HOMELESS SERVICES FOR PERIOD ENDING 03/11/16

Table with columns: Name, Title, Salary, Action, Prov, Eff Date, Agency. Rows include AHMOUCH DRISS 56057, ALDANO ANTHONY 56057, ARIAS JOHANNA M 56057, etc.

DEPT. OF HOMELESS SERVICES FOR PERIOD ENDING 03/11/16

Table with columns: Name, Title, Salary, Action, Prov, Eff Date, Agency. Rows include ROBERTS CHRISTIN M 52275, ROBINSON EDITH 52275, ROSADO YOLANDA 56057, etc.

DEPARTMENT OF CORRECTION FOR PERIOD ENDING 03/11/16

Table with columns: Name, Title, Salary, Action, Prov, Eff Date, Agency. Rows include ACKWOOD EARL W 90210, ADUTWUM YVETTE 50910, AGUNWA ONYEMKA 70467, etc.

Table with columns: Name, Title, Salary, Action, Prov, Eff Date, Agency. Rows include BOOKER CHERYL 70467, CANTY YOLANDA C 70488, CARELLI MICHAEL 70410, etc.



ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

SOLICITATION

Goods and Services

FIVE BOROUGH LABOR SERVICES CONSULTANT SERVICES - Request for Proposals - PIN#23570003 - Due 4-29-16 at 4:00 P.M.

New York City Economic Development Corporation (NYCEDC) is seeking a not-for-profit consultant to provide on-site training, supervision and labor for general maintenance services including, but not limited to, graffiti removal, vacant lot cleanup, cleaning out and/or securing of City-Owned buildings, debris removal from City streets, litter removal from City-Owned properties, snow removal and other general maintenance services at locations designated by NYCEDC throughout the City of New York.

The majority of consultant staff providing these services will be assigned to NYCEDC's Graffiti Free NYC program (GFNYC). GFNYC is the City's first ever street-by-street graffiti removal service. GFNYC provides services to both public and private properties Citywide. GFNYC employs unique, state-of-the-art spray painting and pressure washing equipment that is placed on small NYCEDC-Owned vehicles, which enable the mobility and flexibility for crews to easily address areas marred by graffiti.

NYCEDC plans to select a consultant on the basis of factors stated in the RFP which include, but are not limited to: the quality of the proposal, demonstrated successful experience in performing services similar to those encompassed in the RFP and the proposed fee. The consultant must be a non-profit organization that provides training and solicits employment for rehabilitated individuals as well as low to low-moderate income individuals.

Non-profit organizations who have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises ("M/WBE") are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC's M/WBE program, please visit www.nycedc.com/mwbeprogram.

An optional, informational session will be held on Friday, April 1, 2016 at 2:00 P.M. at NYCEDC. Those who wish to attend should RSVP by email to lsrfp@edc.nyc on or before Wednesday, March 30, 2016.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Friday, April 8, 2016. Questions regarding the subject matter of this RFP should be directed to lsrfp@edc.nyc. Answers to all questions will be posted by Friday, April 15, 2016, to www.nycedc.com/RFP. Please submit five (5) sets of your proposal.

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.

Economic Development Corporation, 110 William Street, 4th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; lsrfp@edc.nyc

# 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 Special Case Solicitations/Summary of Circumstances:
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	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	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 (Client Services/CSB or CSP only)
WA1	Preventing loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only) anti-apartheid preference
OLB/a	local vendor preference
OLB/b	recycled preference
OLB/c	other: (specify)
OLB/d	

## HOW TO READ CR PROCUREMENT NOTICES

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

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

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

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

## SAMPLE NOTICE

## POLICE

### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

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

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

◀m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN #056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 A.M.	Bid submission due 4-21-03 by 11:00 A.M.; bid opening date/time is the same.
<i>Use the following address unless otherwise specified or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency
◀	Indicates New Ad
m27-30	Date that notice appears in The City Record