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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, NY, on Wednesday, June 8, 2016 at 10:00 A.M.

BOROUGH OF MANHATTAN No. 1



EAST HOUSTON STREET REZONING

CD 3 **C 160137 ZMM**
IN THE MATTER OF an application submitted by SMBRO Rivington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

- eliminating from an existing R8A District, a C1-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and a line midway between Suffolk Street and Clinton Street; and
- establishing within an existing R8A District, a C2-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and Norfolk Street;

as shown on a diagram (for illustrative purposes only) dated February 22, 2016.

No. 2 70 VESTRY STREET PARKING FACILITY

CD 1 **C 160145 ZSM**
IN THE MATTER OF an application submitted by Bridge Land Vestry, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) of the Zoning Resolution to allow an accessory off-street parking garage with a maximum capacity of 42 spaces on portions of the ground floor, cellar and sub-cellar of a proposed mixed-use building on property, located at 70 Vestry Street (Block 223, Lots 3, 13 & 20), in C6-3A and C6-2A Districts, within the Special Tribeca Mixed Use District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

BOROUGH OF QUEENS No. 3 227TH STREET REZONING

CD 13 **C 160070 ZMQ**
IN THE MATTER OF an application submitted by Idlelots LLC pursuant to Sections 197-c and 201 of the New York City Charter for

an amendment to the Zoning Map, Section No. 19b, changing from an R3-1 District to an M1-1 District property bounded by 227th Street, a line 90 feet northerly of 145th Road, a line 120 feet easterly of 227th Street and 145th Road, as shown on a diagram (for illustrative purposes only) dated February 22, 2016.

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

← m24-j8

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, May 25, 2016 at 10:00 A.M.

**BOROUGH OF MANHATTAN
DOB OFFICES - 55 CHAMBERS STREET
No. 4**

CD 1 **N 160303 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 55 Chambers Street (Block 153, Lot 1001) (Department of Buildings offices).

This item is to be heard at the CPC public hearing scheduled for May 25, 2016.

**BOROUGH OF QUEENS
NYPD OFFICES - 118-35 QUEENS BOULEVARD
No. 5**

CD 6 **N 160304 PXQ**
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 118-35 Queens Boulevard (Block 2270, Lot 41) (NYPD Queens South Task Force offices).

This item is to be heard at the CPC public hearing scheduled for May 25, 2016.

**BOROUGH OF THE BRONX
LAWOCME OFFICES - 260 EAST 161ST STREET
No. 6**

CD 4 **N 160305 PXX**
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 260 East 161st Street (Block 2443, Lot 100) (Law Department and Office of the Chief Medical Examiner offices).

This item is to be heard at the CPC public hearing scheduled for May 25, 2016.

m12-25

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, May 25, 2016 at 10:00 A.M.

**BOROUGH OF BROOKLYN
No. 1
2700 STILLWELL AVENUE**

CD 13 **C 160093 ZSK**
IN THE MATTER OF an application submitted by L & E Building Materials Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 106-32(c) of the Zoning Resolution to modify the yard regulations of Section 106-34 (Special Yard Regulations) to facilitate the development of a one-story warehouse building on property, located at 2700 Stillwell Avenue (Block 6997, Lot 69), in an M1-2 District, within the Special Coney Island Mixed Use District.

Plans for this proposal are on file with the City Planning Commission and may be seen at 120 Broadway, 31st Floor, New York, NY 10271-0001.

Resolution for adoption scheduling May 25, 2016 for a public hearing.

**BOROUGH OF MANHATTAN
Nos. 2 & 3
BROADWAY SHERMAN AVENUE REZONING
No. 2**

CD 12 **C 150438 ZMM**
IN THE MATTER OF an application submitted by Acadia Sherman Avenue LLC pursuant to Section 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 3a:

1. changing from R7-2 District to an R9 District property bounded by a line perpendicular to the easterly street line of

Broadway distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Broadway and the southerly street line of Dongan Place, a line 270 feet southwesterly of Arden Street, Sherman Avenue, and Broadway; and

2. establishing within a proposed R9 District a C2-4 District bounded by a line perpendicular to the easterly street line of Broadway distant 100 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Broadway and the southerly street line of Dongan Place, a line 270 feet southwesterly of Arden Street, a line 100 feet northwesterly of Sherman Avenue, and Broadway;

as shown on a diagram (for illustrative purposes only) dated January 19, 2016.

Resolution for adoption scheduling May 25, 2016 for a public hearing.

No. 3

CD 12 **N 160164 ZRM**
IN THE MATTER OF an application submitted by Acadia Sherman Avenue LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to establish a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

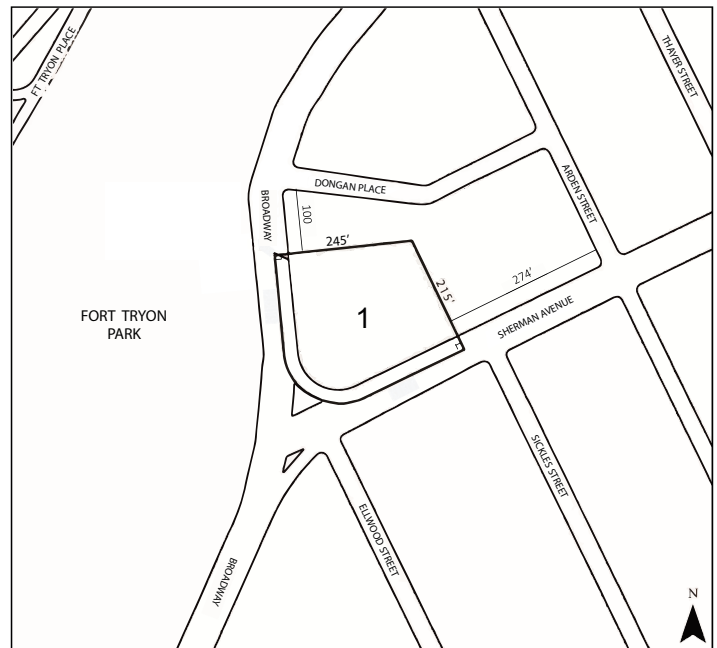
* * *

Manhattan Community District 12

In the R9 District within the area shown on the following Map 1:

Map 1 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Area (MIHA)
1 [date of adoption] MIH Program Option 2 [Section 23-154(d)(3)]
Portion of Community District 12, Manhattan

* * *

Resolution for adoption scheduling May 25, 2016 for a public hearing.

m11-25

CITY UNIVERSITY

■ PUBLIC HEARINGS

The Annual Bronx Borough Hearing will take place on Monday, June 20, 2016 at 5:00 P.M., Hostos Community College, 3rd Floor, at 450 Grand Concourse, Bronx, NY 10451.

• m24

ENVIRONMENTAL PROTECTION

■ NOTICE

PLEASE TAKE NOTICE that in accordance with Sections 201-204 of the New York State Eminent Domain Procedure Law, a Public Hearing will be held by the Department of Environmental Protection ("DEP") on behalf of the City of New York, in connection with the acquisition of approximately 13.6 acres in the South Beach watershed area, in the Borough of Staten Island, City and State of New York, approximately 28.8 acres in the New Creek (Midland Beach) watershed area, in the Borough of Staten Island, City and State of New York, and approximately 6.0 acres in the Oakwood Beach watershed area, in the Borough of Staten Island, City and State of New York.

The time and place of the hearing are as follows:

DATE: June 9, 2016
TIME: 7:30 P.M.
LOCATION: Staten Island Community Board 2,
 Sea View Hospital,
 Lou Caravone Community Service Building
 460 Brielle Avenue, Staten Island, NY 10314

The purpose of the hearing is to inform and solicit comments from the public concerning a proposed acquisition of the properties listed below for the conveyance and storage of stormwater in connection with the DEP Bluebelt Program. The purpose is also to review the public use served by the project and its impact on the environment and local residents.

The properties affected for site selection and acquisition in fee simple absolute in the South Beach watershed area are: Block 3404, Lot 50; Block 3405, Lot 100; Block 3413, Lots 3, 4, 5, 7, 9, 14, 18, 35, 37, 65, and 75; Block 3414, Lots 30, 51, 52, and 53; Block 3415, Lots 1 and 3; Block 3416, Lots 10, 15, and 19; Block 3417, Lot 236; Block 3427, Lots 10 and 100; Andrews Street from Quincy Avenue to Oceanside Avenue; the unpaved portion of Mallory Avenue between Vulcan Street and Lava Street; the unpaved portion of McLaughlin Street between Oceanside Avenue and Father Capodanno Boulevard; Oceanside Avenue between Vulcan Street and McLaughlin Street; the unpaved portion of Oceanside Avenue between McLaughlin Street and Sand Lane; Patterson Avenue between Winfield Street and Pearsall Street; Quincy Avenue between Andrews Street and Wills Place; Quincy Avenue between Pearsall Street and McLaughlin Street; Quincy Avenue between Quintard Street and Vulcan Street; Quintard Street between Patterson Avenue and Father Capodanno Boulevard; Reynaud Street between Vulcan Street and a point about 180 feet west of McLaughlin Street; the unpaved portion of South Beach Lane from Lansing Street to the end; the unpaved portion of Vulcan Street from Father Capodanno Boulevard to Patterson Avenue; Wentworth Avenue between Oceanside Avenue and Quincy Avenue; Wills Place from Quincy Avenue to Oceanside Avenue; and the unpaved portion of Winfield Street between Patterson Avenue and Father Capodanno Boulevard.

The properties affected for site selection and acquisition in fee simple absolute in the New Creek watershed area are: Block 3751, Lots 1 and 2; Block 3755, Lots 22, 25, 26, 28, 29, 30, 31, 33, 35, 36, 37, 38, 42, 44, 47, 51, 53, 54, 55, 56, 57, 58, 61, and 63; Block 3756, Lots 23 and 35; Block 3757, Lot 7; Block 3761, Lots 1, 3, 4, 19, and 21; Block 3762, Lots 1, 6, 8, 10, 12, 13, 15, 17, 23, 42, 43, 45, and 60; Block 3763, Lots 39 and 42; Block 3767, Lots 11, 13, 16, 31, 33, 35, and 37; Block 3768, Lot 16; Block 3792, Lot 29; Block 3793, Lot 34; Block 3794, Lots 16, 19, 20, 21, 28, 31, 33, and 53; Block 3824, Lot 12; Block 3834, Lot 51; Block 3835, Lot 1; Block 3842, Lots 8, 27, 29, 31, 35, and 37; Block 3856, Lots 5, 7, and 19; Block 3861, Lots 1, 14, 19, 24, 27, 39, 41, and 42; Block 3864, Lots 12, 13, 14, 15, 16, 17, 18, 103, 107, 108, 110, and 111; the unpaved portion of Baden Place between Graham Boulevard and Seaver Avenue; the unpaved portion of Baden Place between Hunter Avenue and Graham Boulevard; the unpaved portion of Buel Avenue between Olympia Boulevard and Quincy Avenue; the unpaved portion of Canal Street between Canoe Place South and Quincy Avenue; Canoe Place between Canoe Place South and Father Capodanno Boulevard; Canoe Place South between Graham Boulevard and Slater Boulevard; Canoe Place South between Jefferson Avenue and Graham Boulevard; Canoe

Place South between Liberty Avenue and Slater Boulevard; Colony Avenue between Graham Boulevard and Seaver Avenue; the unpaved portion of Colony Avenue between Hunter Avenue and Graham Boulevard; Dongan Hills Avenue between Quincy Avenue and a point about 340 feet south of Patterson Avenue; the unpaved portion of Dongan Hills Avenue between Patterson Avenue and Quincy Avenue; the unpaved portion of Iona Street between Canoe Place South and Quincy Avenue; Jay Street between Hunter Avenue and Jefferson Avenue; Jefferson Avenue between Olympia Boulevard and Patterson Avenue; Lola Street between Canoe Place South and Quincy Avenue; Naughton Avenue between a point about 320 feet south of Patterson Avenue and a point about 160 feet north of Quincy Avenue; the bed of New Creek between Graham Boulevard and Liberty Avenue; the bed of New Creek between Naughton Avenue and Father Capodanno Boulevard; the bed of New Creek between Olympia Boulevard and Jefferson Avenue; the bed of New Creek between Patterson Avenue and Graham Boulevard; Patterson Avenue between Dongan Hills Avenue and Buel Avenue; Patterson Avenue between Graham Boulevard and Seaver Avenue; Patterson Avenue between Jefferson Avenue and Hunter Avenue; Patterson Avenue between Seaver Avenue and Slater Boulevard; Quincy Avenue between Jefferson Avenue and Graham Boulevard; the unpaved portion of Quincy Avenue between Dongan Hills Avenue and Liberty Avenue; Seaver Avenue between Olympia Boulevard and Canoe Place; and the unpaved portion of Sioux Street between Canoe Place and Quincy Avenue.

The properties affected for site selection and acquisition in fee simple absolute in the Oakwood Beach watershed area are: Block 4693, Lots 9, 11, 15, and 22; Block 4694, Lots 11, 13, 15, 18, 21, 25, 28, and 34; Block 4746, Lots 48, 49, 54, 58, 59, 62, 66, 69, 70, 71, 73, 75, 77, 78, 81, and 83; Amherst Avenue between Fairbanks Avenue to a point about 51 feet to the west of Dugdale Street; Emmet Avenue between Riga Street and a point about 200 feet to the north of Mill Road; the unpaved portion of Fairbanks Avenue between Brook Avenue and Merkel Place; and the unpaved portion of Riga Street between Emmet Avenue and a point about 100 feet to the west of Dugdale Street. There are no proposed alternative locations.

Any person in attendance at the hearing shall be given a reasonable opportunity to present an oral or written statement and to submit other documents concerning the proposed acquisition and public use. Each speaker will have a maximum of five (5) minutes. In addition, written statements may be submitted to the DEP Bureau of Legal Affairs at the address below, provided the comments are received by 5:00 P.M. on June 23, 2016, which is fourteen (14) days after the public hearing date. Only statements delivered on or before 5:00 P.M. on June 23, 2016 will be considered in the making of a determination and findings. Questions and statements regarding this hearing should be directed to:

New York City Department of Environmental Protection
 Bureau of Legal Affairs
 59-17 Junction Boulevard, 19th Floor
 Flushing, NY 11373
 Attn: DEP Bluebelt Program – Condemnation for Mid-Island
 Watersheds

Note: Those property owners who may subsequently wish to challenge the condemnation of their property via judicial review may do so only on the basis of issues, facts and objections raised at the public hearing.

m23-27

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ PUBLIC HEARINGS

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

Notice of a Franchise and Concession Review Committee (FCRC) Public Hearing on Agency Annual Concession Plans for Fiscal Year 2017, pursuant to Section 1-10 of the Concession Rules of the City of New York (Concession Rules), to be held on Monday, June 6, 2016, commencing at 2:30 P.M., and located at 253 Broadway, 14th Floor Conference Room, Manhattan. At this hearing, the FCRC will further solicit comments about the provisions of the Concession Rules from the vendor community, civic groups and the public at large. The FCRC shall consider the issues raised at the Public Hearing in accordance with the procedures set forth in the New York City Charter under the City Administrative Procedure Act.

The following agencies submitted an Annual Concession Plan for Fiscal Year 2017: the Department of Parks and Recreation; the Department of Citywide Administration Services; the Department of Environmental Protection; the Department of Homeless Services; the Department of

Corrections; the Department of Health and Mental Hygiene; the Department of Transportation; the Department of Sanitation; the New York City Fire Department; the Department of Housing Preservation and Development; the NYC & Company on behalf of the Department of Small Business Services; the New York City Economic Development Corporation on behalf of the Department of Small Business Services; and the New York City Police Department.

The portfolio of Agency Annual Concession Plans covers significant and non-significant concessions expiring, continuing and anticipated for solicitation or initiation in Fiscal Year 2017. Furthermore, the portfolio covers, *inter alia*:

- Department of Parks and Recreation: mobile food units, food service facilities, golf courses, driving ranges, marinas, tennis professionals, athletic facilities, Christmas trees, parking lots, markets, fairs, restaurants, concerts, newsstands, stables, gas stations, amusement venues, ice skating rinks, carousels, ferry services, bike rentals, circus, sailboat rentals, souvenirs and gifts, beach equipment, and event programming.
- Department of Citywide Administrative Services: maritime/non-maritime occupancy permits, and vending machines.
- Department of Environmental Protection: gas purification.
- Department of Homeless Services: athletic facilities.
- Department of Corrections: food services, mobile food units, vending machines and cell tower.
- Department of Health and Mental Hygiene: drug discount card program.
- Department of Transportation: vending machines, pedestrian plazas, food courts, café, market, and dispatch booth/pick-up area for car service.
- Department of Sanitation: advertising.
- New York City Fire Department: fire museum and collections.
- Department of Housing Preservation and Development: vending machines, and café.
- NYC & Company on behalf of the Department of Small Business Services: marketing, advertising, intellectual property and trademark merchandising.
- New York City Economic Development Corporation on behalf of the Department of Small Business Service: parking lots, maritime and non-maritime occupancy permits.
- New York City Police Department: vending machines, ATMs and cafeteria.

Interested parties may obtain a copy of the Agency Annual Concession Plans by contacting Stephanie Ruiz by phone at (212) 676-3069. Hard copies will be provided at a cost of \$.25 per page by check or money order made payable to the New York City Department of Finance. Upon request, a PDF version of the Agency Annual Concession Plans is available free of cost.

m20-j6

HOUSING AUTHORITY

MEETING

The next Audit Committee Meeting of the New York City Housing Authority is scheduled for Tuesday, May 24, 2016 at 2:00 P.M., in the Board Room on the 12th Floor, of 250 Broadway, New York, NY. Copies of the agenda are available on NYCHA's website or can be picked up at the Office of the Audit Director, at 250 Broadway, 3rd Floor, New York, NY, no earlier than 24 hours before the upcoming Audit Committee meeting. Copies of the minutes are also available on NYCHA's website or can be picked up at the Office of the Audit Director, no earlier than 3:00 P.M. on the Monday after the Audit Committee 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. For additional information, please visit NYCHA's website or contact (212) 306-3441.

m18-24

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, May 25, 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.

m11-25

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, 25-319, 25-320) on Tuesday, June 7, 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.

114 Noble Street - Greenpoint Historic District

181461 - Block 2569 - Lot 19 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

A wood frame house built in 1852. Application is to replace the stoop.

218 Guernsey Street - Greenpoint Historic District

183466 - Block 2569 - Lot 58 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

A frame house built c. 1870 and later altered. Application is to alter the front façade.

192 Bergen Street - Boerum Hill Historic District

183851 - Block 386 - Lot 37 - Zoning: 16C
CERTIFICATE OF APPROPRIATENESS

A factory building built in the 1920s. Application is to install HVAC equipment at the roof.

190 Columbia Heights - Brooklyn Heights Historic District

180868 - Block 208 - Lot 317 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1856. Application is to legalize windows and to modify HVAC units installed without Landmarks Preservation Commission permit(s).

34 Grace Court - Brooklyn Heights Historic District

181772 - Block 252 - Lot 22 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built between 1861 and 1879. Application is to remove a bay window and to construct a rear yard addition.

89 Joralemon Street - Brooklyn Heights Historic District

180715 - Block 253 - Lot 13 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

An Anglo-Italianate style rowhouse built in 1861-79. Application is to replace windows, alter the rear façade, excavate the rear yard and install rooftop mechanical equipment and a bulkhead.

264 Clermont Avenue - Fort Greene Historic District

179146 - Block 2091 - Lot 63 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

An Italianate style residence built in 1864. Application is to reconfigure the fire escape and enlarge windows at the rear.

7 South Portland Avenue - Fort Greene Historic District

169312 - Block 2100 - Lot 29 - Zoning: R6B
CERTIFICATE OF APPROPRIATENESS

A transitional Second Empire/Neo-Grec style mansion designed by Horace Moody and built in 1876. Application is to install a platform and fencing.

14 Old Fulton Street - Fulton Ferry Historic District

182255 - Block 200 - Lot 6 - Zoning: MX-2
CERTIFICATE OF APPROPRIATENESS

A one-story gas station. Application is to construct a mechanical shed addition, and install new infill, signage, lighting, awnings, rooftop mechanical equipment, and paving.

181 Lincoln Place - Park Slope Historic District

168867 - Block 1059 - Lot 64 - Zoning: R7B

CERTIFICATE OF APPROPRIATENESS

A complex of school buildings including the original Neo-Jacobean style Berkeley Institute designed by Walker and Morris and built in 1896, and a gymnasium designed by John Burke and built in 1937-38. Application is to construct a rooftop addition.

97 Park Place - Park Slope Historic District

184731 - Block 939 - Lot 70 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A French Neo-Grec style house designed by J. J. Gilligan and built in 1882-1883. Application is to alter the areaway.

815 Prospect Place - Crown Heights North Historic District II

177428 - Block 1227 - Lot 73 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style semi-attached house designed by Axel S. Hedman and built c. 1907. Application is to construct rooftop and rear yard additions, alter window openings and perform excavation.

75 Spring Street, aka 75-77 Crosby Street - SoHo-Cast Iron Historic District Extension

174918 - Block 496 - Lot 40 - Zoning: M1-5B

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style store building, designed by Robert Lyons and built in 1898. Application is to replace windows.

11-19 Jane Street - Greenwich Village Historic District

185336 - Block 616 - Lot 32 - Zoning: C1-6

CERTIFICATE OF APPROPRIATENESS

A garage building constructed in 1921. Application is to demolish the existing building and construct a new building.

34 Dominick Street - Individual Landmark

172251 - Block 578 - Lot 63 - Zoning: M1-6

CERTIFICATE OF APPROPRIATENESS

A Federal style rowhouse built in 1826. Application is to construct a rear yard addition, excavate the rear yard, and construct a rooftop bulkhead, deck and railings.

60 West 22nd Street - Ladies' Mile Historic District

179537 - Block 823 - Lot 75 - Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

A converted dwelling built in 1853 and redesigned in a late 19th century commercial style by Jordan & Giller in 1891. Application is to remove vault covers and install paving.

1 East 28th Street, aka 251-253 Fifth Avenue - Madison Square North Historic District

181366 - Block 858 - Lot 1 - Zoning: C5-2

CERTIFICATE OF APPROPRIATENESS

A Queen Anne style flats building with ground floor stores designed by George B. Post and built in 1872-1874, and later altered in 1948. Application is to legalize the installation of signage without Landmarks Preservation Commission permit(s) and install awnings.

230 Park Avenue - Individual Landmark

186049 - Block 1300 - Lot 1 - Zoning: C5-3

CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style office building designed by Warren & Wetmore and built in 1927-29. Application is to replace signage.

473 West End Avenue, aka 300-308 West 83rd Street - Riverside - West End Historic District Extension I

180722 - Block 1245 - Lot 25 - Zoning: R10A

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment house designed by Gaetan Ajello and built in 1923-24. Application is to install a rooftop bulkhead with canopy.

327 Central Park West - Upper West Side/Central Park West Historic District

185667 - Block 1206 - Lot 7501 - Zoning: R10A

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style apartment building designed by Nathan Korn and built in 1928-29. Application is to replace windows.

7 West 87th Street - Upper West Side/Central Park West Historic District

172990 - Block 1201 - Lot 23 - Zoning: R7-2

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse designed by Henry F. Cook and built in 1894. Application is to alter the basement level entrance.

252 West 71st Street - West End - Collegiate Historic District Extension

177750 - Block 1162 - Lot 55 - Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style rowhouse designed by Thom & Wilson and built in 1892. Application is to construct rooftop and rear yard additions and alter the fenestration.

733 Park Avenue - Upper East Side Historic District

184815 - Block 1405 - Lot 73 - Zoning: R10

CERTIFICATE OF APPROPRIATENESS

An apartment building designed by Kahn & Jacobs and built in 1969.

Application is to install an exhaust flue.

30 East 68th Street, aka 809-811 Madison Avenue - Upper East Side Historic District

178237 - Block 1382 - Lot 49 - Zoning: C5-1

CERTIFICATE OF APPROPRIATENESS

A Neo-Renaissance style apartment building designed by F.B. and A. Ware and built in 1924-25. Application is to create and enlarge masonry openings.

145 East 72nd Street - Upper East Side Historic District Extension

182237 - Block 1407 - Lot 22 - Zoning: R10A

CERTIFICATE OF APPROPRIATENESS

An altered Neo-Grec style brownstone rowhouse designed by Sillman & Farnsworth and built c. 1881-82. Application is to legalize the installation of a box awning without Landmarks Preservation Commission permit(s).

← m24-j7

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, 25-319, 25-320) on Tuesday, May 24, 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.

179 Bergen Street - Boerum Hill Historic District

182505 - Block 195 - Lot 45 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1868-69. Application is to construct a rear yard addition.

39 South Elliott Place - Fort Greene Historic District

175212 - Block 2099 - Lot 20 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A vacant lot. Application is to construct a new building.

36 Schermerhorn Street - Brooklyn Heights Historic District

178134 - Block 270 - Lot 44 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

A house built in 1852 and altered prior to 1940. Application is to construct a rear yard addition and alter the front and rear façades.

143 St. Felix Street - Brooklyn Academy of Music Historic District

183629 - Block 2112 - Lot 3 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1858-59. Application is to construct a rear yard addition.

332 Macon Street - Bedford-Stuyvesant/Expanded Stuyvesant Heights Historic District

180959 - Block 1669 - Lot 6 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built c. 1873. Application is to legalize the installation of entrance infill without Landmarks Preservation Commission permit(s).

815 Prospect Place - Crown Heights North Historic District II

177428 - Block 1227 - Lot 73 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style semi-attached house designed by Axel S. Hedman and built c. 1907. Application is to construct rooftop and rear yard additions, alter window openings and perform excavation.

183 West 10th Street - Greenwich Village Historic District

184120 - Block 611 - Lot 1 - Zoning: C2-6

CERTIFICATE OF APPROPRIATENESS

An apartment building with a commercial base, built in 1897 and remodeled in a California Mission style in 1927. Application is to install storefront infill.

247 West 12th Street - Greenwich Village Historic District

184253 - Block 615 - Lot 86 - Zoning: R6

CERTIFICATE OF APPROPRIATENESS

A commercial style garage building built in 1911 and altered in 1923. Application is to install a canopy.

341 West 11th Street - Greenwich Village Historic District

182415 - Block 634 - Lot 17 - Zoning: C1-6A/R6

CERTIFICATE OF APPROPRIATENESS

A Classic style warehouse building with Romanesque Revival details designed by C. Abbott Frence and built in 1905. Application is to replace windows.

16 East 94th Street - Carnegie Hill Historic District

183594 - Block 1505 - Lot 63 - Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

A rowhouse built in 1891-92 and altered in the Neo-Federal style c.

1925. Application is to alter the Neo-Federal style front façade, and construct rear yard additions

m11-24

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

JUNE 21, 2016, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, June 21, 2016, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

APPEALS CALENDAR

108-110-15-A

APPLICANT – Rothkrug Rothkrug & Spector, LLP, for Glebe Partners LLC, owners.

SUBJECT – Application May 13, 2015 – Appeal seeking determination that property owner has acquired common law vested right to complete construction of three, three-family residential buildings commenced under prior zoning district regulations. R6A zoning district.

PREMISES AFFECTED – 2317, 2319, 2321 Glebe Avenue, Block 3971, Lot(s) 167, 166, 165, Borough of Bronx.

COMMUNITY BOARD #10BX

264-15-A thru 268-15-A

APPLICANT – Diffendale & Kubec, for Leonello Savo, owner.

SUBJECT – Application December 7, 2015 – Proposed construction of two family detached residence not fronting on a legally mapped street, contrary to General City Law 36. R3X (SSRD) zoning district.

PREMISES AFFECTED – 5, 11, 17, 23 Herbert Street and 14 Holteine Avenue, Block 6681, Lot(s) 30, 31, 40, 41, 34, Borough of Staten Island.

COMMUNITY BOARD #3SI

2016-1218-A

APPLICANT – Rothkrug Rothkrug & Spector LLP, for Georgiana L. DiMauro Living Trust, owner; FAS Building Corp., lessee.

SUBJECT – Application February 10, 2016 – To permit the proposed development consisting of a two-story building with warehouse use (UG 16) on the ground floor and office use (UG 6) on the upper floor contrary Article 3 Section 36 of the General City Law. M1-1 (SRD) zoning district.

PREMISES AFFECTED – 97 Storer Avenue, Block 7311, Lot 15, Borough of Staten Island.

COMMUNITY BOARD #3SI

JUNE 21, 2016, 1:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, June 21, 2016, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

ZONING CALENDAR

216-15-BZ

APPLICANT – Eric Palatnik, P.C., for Gaseteria Oil Corp., owner.

SUBJECT – Application September 2, 2015 – Special Permit (§73-211) to permit the construction of an Automotive Service Station (UG 16B) with accessory convenience store. C2-4 zoning district.

PREMISES AFFECTED – 205 West Fordham Road, Block 3236, Lot 220, Borough of Bronx.

COMMUNITY BOARD #7BX

219-15-BZ

APPLICANT – Eric Palatnik, P.C., for Alvin Berger, owner; Zhang Ming Wu, lessee.

SUBJECT – Application September 10, 2015 – Special Permit (§73-36) to permit a physical culture establishment (*Kings Spa*) on the second floor of a two-story building. M1-1 zoning district.

PREMISES AFFECTED – 945 61st Street, between Fort Hamilton and Ninth Avenue, Block 5715, Lot 39, Borough of Brooklyn.

COMMUNITY BOARD #12BK

251-15-BZ

APPLICANT – Law Office of Fredrick A. Becker, for JAR Realty Company, LP, owner; Naturopathica Holistic Health, Inc., lessee.

SUBJECT – Application November 2, 2015 – Special Permit (73-36) to allow the operation of a physical culture establishment (*Naturopathica Holistic Health*) spa in a portion of the first floor at the subject premises. M1-6 zoning district.

PREMISES AFFECTED – 127 West 26th Street, Block 802, Lot 22, Borough of Manhattan.

COMMUNITY BOARD #4M

Margery Perlmutter, Chair / Commissioner

☛ m24-25

JUNE 2, 2016, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, June 2, 2016, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

SPECIAL ORDER CALENDAR

173-04-BZ

APPLICANT – Eric Palatnik, P.C., for 365 Park South LLC, owner. SUBJECT – Application January 16, 2015 – Extension of Term of a previously approved Special Permit (§73-36) which permitted the operation of a Physical Culture Establishment use in the cellar of an existing twelve-story building which expired on November 23, 2014; Waiver of the Rules. M1-6 zoning district.

PREMISES AFFECTED – 5 West 37th Street aka 5-9 West 37th Street, Block 839, Lot 34, Borough of Manhattan.

COMMUNITY BOARD #5M

80-05-BZ

APPLICANT – Aura Wellness Spa Corp., for Erol Devli, owner; Rockford Chun, lessee.

SUBJECT – Application December 15, 2015 – Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of physical culture establishment (Aura Wellness Spa Corp.) which expired on November 15, 2015. C6-6 and C6-4.5 zoning district.

PREMISES AFFECTED – 49 West 33rd Street, Block 835, Lot 9, Borough of Manhattan.

COMMUNITY BOARD #5M

238-07-BZ

APPLICANT – Kramer Levin Naftalis & Frankel, LLP, for Graduate Center Foundation Housing Corporation, LLC, owner.

SUBJECT – Application March 14, 2016 – Extension of Time to Complete Construction of a previously approved Variance (§72-21)

permitting the construction of a 12 story mixed use residential/commercial building and a 6 story graduate student and faculty housing building, contrary to use and bulk set to expire on September 23, 2016. M1-4 and M1-4/R6A (LIC).

PREMISES AFFECTED – 5-17 47th Avenue, Block 28, Lot(s) 12, 15, 17, 18, 21, Borough of Queens.

COMMUNITY BOARD #2Q

Margery Perlmutter, Chair / Commissioner

☛ m24-25

JUNE 14, 2016, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, June 14, 2016, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

SPECIAL ORDER CALENDAR

114-02-BZ

APPLICANT – David L. Businelli, R.A., for Jerry Campitiello, owner.

SUBJECT – Application November 13, 2015 – Extension of Term of a previously approved Variance (72-21) which permitted the development of two-story building with retail on the first floor and offices on the second floor with accessory parking which expired on May 20, 2013; Waiver of the Rules. R2 zoning district.

PREMISES AFFECTED – 2493 Richmond Road, Block 947, Lot 1, Borough of Staten Island.

COMMUNITY BOARD #1SI

220-04-BZ

APPLICANT – Sheldon Lobel, P.C., for Marjay Realty, LLC c/o Avenue Management Group, Ltd., owner.

SUBJECT – Application May 8, 2015 – Extension of Term of a previously approved Special Permit (§73-36) which permitted a physical culture establishment, to occupy a portion of the second floor, of an existing six story building, which expired on January 1, 2015; Waiver of the Rules. M1-2/R6A zoning district.

PREMISES AFFECTED – 500 Driggs Avenue, Block 3205, Lot 18, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEALS CALENDAR

260-261-15-A

APPLICANT – Eric Palatnik, P.C., for Whitewell Properties, LLC, owner.

SUBJECT – Application November 24, 2015 – GCL36 to permit two, two family homes that do not have frontage on a legally mapped street, contrary to Article 3, Section 36 of the NYS General City Law. RA3X zoning district.

PREMISES AFFECTED – 122 & 130 Bard Avenue, Block 138, Lot(s) 108 & 111, Borough of Staten Island.

COMMUNITY BOARD #1SI

JUNE 14, 2016, 1:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, June 14, 2016, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

ZONING CALENDAR

139-15-BZ

APPLICANT – Eric Palatnik, P.C., for Merrissa Management Holdings, owner; Life Sports Club, LLC, lessee.
 SUBJECT – Application July 1, 2015 – Special Permit (73-36) to allow the operation of a physical culture establishment (*Life Health Fitness*) in the cellar within a two-story building with a C2-2 commercial overlay. R3-1/C2-2 zoning district.
 PREMISES AFFECTED – 10-24 154th Street, Block 4539, Lot 61, Borough of Queens.

COMMUNITY BOARD #7Q

204-15-BZ

APPLICANT – Rothkrug Rothkrug & Spector, LLP, for Caledonia Retail Associates LLC, owner.
 SUBJECT – Application August 31, 2015 – Special Permit 73-36: to allow a (*SoulCycle*) physical culture establishment within portion of an existing twenty-four story mixed use building in a C6-3 (WCH) zoning district.
 PREMISES AFFECTED – 98-100 10th Avenue, aka 450 West 17th Street, Block 714, Lot 7501, Borough of Manhattan.

COMMUNITY BOARD #4M

Margery Perlmutter, Chair/Commissioner

☛ m24-25

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945, commencing at 2:00 P.M. on Wednesday, June 8, 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, 9th Floor South West, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing 134-136 East 74th Street LLC to construct, maintain and use a fenced-in planted areas and steps on the south sidewalk of East 74th Street, west of Lexington Avenue, in the Borough of Manhattan. 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:

From the Approval Date to the Expiration Date - \$25/per annum

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

#2 IN THE MATTER OF a proposed revocable consent authorizing 380 Development, LLC to construct, maintain and use force mains, together with manholes, under, across and along Gulf Avenue and Glen Street, between Edward Curry Avenue, Staten Island Expressway and South Avenue, in the Borough of Staten Island. 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:

- From the Approval Date to June 30, 2017 - \$43,719/per annul.
- For the period July 1, 2017 to June 30, 2018 - \$44,838
- For the period July 1, 2018 to June 30, 2019 - \$45,957
- For the period July 1, 2019 to June 30, 2020 - \$47,076
- For the period July 1, 2020 to June 30, 2021 - \$48,195
- For the period July 1, 2021 to June 30, 2022 - \$49,314
- For the period July 1, 2022 to June 30, 2023 - \$50,433
- For the period July 1, 2023 to June 30, 2024 - \$51,552
- For the period July 1, 2024 to June 30, 2025 - \$52,670
- For the period July 1, 2025 to June 30, 2026 - \$53,790
- For the period July 1, 2026 to June 30, 2027 - \$54,909

the maintenance of a security deposit in the sum of \$55,000 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 825 Fifth Avenue Corporation to construct, maintain and use two planted areas on the east sidewalk of Fifth Avenue, south of East 64th 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 - \$1,438/per annum

the maintenance of a security deposit in the sum of \$8,000 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per

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

#4 IN THE MATTER OF a proposed revocable consent authorizing 1211 6th Avenue Property Owner, LLC, to continue to maintain and use twelve (12) lampposts, together with electrical conduits, on the south sidewalk of West 48th Street, west of Avenue of the Americas and on the west sidewalk of Avenue of the Americas, between West 47th and West 48th Streets, in the Borough of Manhattan. 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, 2026 - \$1,800/annum

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

#5 IN THE MATTER OF a proposed revocable consent authorizing Amboy Properties Corporation to continue to maintain and use a bridge over and across Amboy Street, south of Hegeman Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

- For the period July 1, 2015 to June 30, 2016 - \$20,671
- For the period July 1, 2016 to June 30, 2017 - \$21,200
- For the period July 1, 2017 to June 30, 2018 - \$21,729
- For the period July 1, 2018 to June 30, 2019 - \$22,258
- For the period July 1, 2019 to June 30, 2020 - \$22,787
- For the period July 1, 2020 to June 30, 2021 - \$23,316
- For the period July 1, 2021 to June 30, 2022 - \$23,845
- For the period July 1, 2022 to June 30, 2023 - \$24,374
- For the period July 1, 2023 to June 30, 2024 - \$24,903
- For the period July 1, 2024 to June 30, 2025 - \$25,432

the maintenance of a security deposit in the sum of \$25,500 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

#6 IN THE MATTER OF a proposed revocable consent authorizing CBS Broadcasting Inc. to continue to maintain and use a conduit under and across West 57th Street west of Tenth Avenue, in the Borough of Manhattan. 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 - \$ 8,396
- For the period July 1, 2017 to June 30, 2018 - \$ 8,611
- For the period July 1, 2018 to June 30, 2019 - \$ 8,826
- For the period July 1, 2019 to June 30, 2020 - \$ 9,041
- For the period July 1, 2020 to June 30, 2021 - \$ 9,256
- For the period July 1, 2021 to June 30, 2022 - \$ 9,471
- For the period July 1, 2022 to June 30, 2023 - \$ 9,686
- For the period July 1, 2023 to June 30, 2024 - \$ 9,901
- For the period July 1, 2024 to June 30, 2025 - \$10,116
- For the period July 1, 2025 to June 30, 2026 - \$10,331

the maintenance of a security deposit in the sum of \$10,400 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 Texas Eastern Transmission, LP to continue to maintain and use a pipeline under and across Arthur Kill, Old Place Creek, Forest Avenue and Washington Avenue, in the Borough of Staten Island. 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 - \$ 9,663
- For the period July 1, 2017 to June 30, 2018 - \$ 9,910
- For the period July 1, 2018 to June 30, 2019 - \$10,157
- For the period July 1, 2019 to June 30, 2020 - \$10,404
- For the period July 1, 2020 to June 30, 2021 - \$10,651
- For the period July 1, 2021 to June 30, 2022 - \$10,898
- For the period July 1, 2022 to June 30, 2023 - \$11,145
- For the period July 1, 2023 to June 30, 2024 - \$11,392
- For the period July 1, 2024 to June 30, 2025 - \$11,639
- For the period July 1, 2025 to June 30, 2026 - \$11,886

the maintenance of a security deposit in the sum of \$11,900 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#8 IN THE MATTER OF a proposed revocable consent authorizing Vertical Industrial Park Associates to continue to maintain and use a retaining wall, light poles, together with electrical conduits, snow melting pipes, stairways and planted areas on and in Metropolitan Avenue, east of 65th Lane, in the Borough of Queens. 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 - \$59,806
- For the period July 1, 2017 to June 30, 2018 - \$61,089
- For the period July 1, 2018 to June 30, 2019 - \$62,372
- For the period July 1, 2019 to June 30, 2020 - \$63,655
- For the period July 1, 2020 to June 30, 2021 - \$64,938
- For the period July 1, 2021 to June 30, 2022 - \$66,221
- For the period July 1, 2022 to June 30, 2023 - \$67,504
- For the period July 1, 2023 to June 30, 2024 - \$68,787
- For the period July 1, 2024 to June 30, 2025 - \$70,070
- For the period July 1, 2025 to June 30, 2026 - \$71,353

the maintenance of a security deposit in the sum of \$71,400 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#9 IN THE MATTER OF a proposed revocable consent authorizing VNO 100 West 33rd Street LLC to continue to maintain and use a tunnel under and across West 32nd Street, west of Avenue of the Americas, in the Borough of Manhattan. 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 - \$8,897
- For the period July 1, 2017 to June 30, 2018 - \$9,125
- For the period July 1, 2018 to June 30, 2019 - \$9,353
- For the period July 1, 2019 to June 30, 2020 - \$9,581
- For the period July 1, 2020 to June 30, 2021 - \$9,809
- For the period July 1, 2021 to June 30, 2022 - \$10,037
- For the period July 1, 2022 to June 30, 2023 - \$10,265
- For the period July 1, 2023 to June 30, 2024 - \$10,493
- For the period July 1, 2024 to June 30, 2025 - \$10,721
- For the period July 1, 2025 to June 30, 2026 - \$10,949

the maintenance of a security deposit in the sum of \$12,051.25 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#10 IN THE MATTER OF a proposed revocable consent authorizing Vornado Eleven Penn Plaza LLC to continue to maintain and use a tunnel under and across West 32nd Street, east of Seventh Avenue, in the Borough of Manhattan. 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 - \$4,141
- For the period July 1, 2017 to June 30, 2018 - \$4,247
- For the period July 1, 2018 to June 30, 2019 - \$4,353
- For the period July 1, 2019 to June 30, 2020 - \$4,459
- For the period July 1, 2020 to June 30, 2021 - \$4,565
- For the period July 1, 2021 to June 30, 2022 - \$4,671
- For the period July 1, 2022 to June 30, 2023 - \$4,777
- For the period July 1, 2023 to June 30, 2024 - \$4,883
- For the period July 1, 2024 to June 30, 2025 - \$4,989
- For the period July 1, 2025 to June 30, 2026 - \$5,095

the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

m18-j8

**COMMUTER VAN SERVICE AUTHORITY APPLICATION
Brooklyn/Queens**

NOTICE IS HEREBY GIVEN that the Department of Transportation has received an application for an expansion of vans and territory for an existing commuter van service authority in the Boroughs of Brooklyn and Queens. The existing territory is from a residential area bounded on the north by 99th Avenue from Farmers Boulevard to Francis Lewis Boulevard, bounded on the east by Francis Lewis Boulevard from 99th Avenue to North Conduit Avenue, along North Conduit Avenue from Francis Lewis Boulevard to 225th Street, along 225th Street from North Conduit Avenue to South Conduit Avenue along South Conduit Avenue from 225th Street to 232nd Street, along 232nd Street from Conduit Avenue to 148th Avenue, bounded on the south by 148th Avenue from 232nd Street to 225th Street, along 225th Street from 148th Avenue to 147th Avenue, along 147th Avenue, from 225th Street to Farmers Boulevard, bounded on the west by Farmers Boulevard from 147th Avenue, to 99th Avenue to and from mass transit facilities located on Parsons Boulevard, between Jamaica South Avenue and Archer Avenue, and the Long Island Railroad Station located on Sutphin Boulevard and Archer Avenue, and the shopping area located on 165th Street between Jamaica Avenue and Archer Avenue to and from a residential area in Brooklyn bounded on the north by Church Avenue, from Ocean Avenue, to Utica Avenue, bounded on the east by Utica Avenue, from Church Avenue to Avenue K, bounded on the south by Avenue K from Utica Avenue to Ocean Avenue, bounded on the west by Ocean Avenue from Avenue K to Church Avenue, to and from mass transit facilities in the area of Brooklyn bounded on the north by Joralemon Street from Henry Street to Court Street, along Fulton Street from Court Street to Nevins Street, bounded on the east by Nevins Street from Fulton Street to Bergen Street, bounded on the south from Bergen Street from Nevins Street to Henry

Street, bounded on the west by Henry Street from Bergen Street to Joralemon to Henry Street, bounded on the west by Henry Street from Bergen Street to Joralemon. The applicant is Community Transportation Systems, Inc., 159-05 Hillside Avenue, Jamaica, NY 11432. The applicant has 45 currently authorized vans and is proposing to add 15 van(s) daily to provide this service 24 hours a day.

There will be a public hearing on Thursday, June 9, 2016 at the Brooklyn Borough Commissioner's Office, 16 Court Street (corner of Montague Street) 16th Floor, Large Conference Room 1605, New York, NY 11241 from 2:00 P.M. - 4:00 P.M. and on Thursday, June 23, 2016, at Queens Borough Hall, 120-55 Queens Boulevard, Room 213, Part 2, Kew Gardens, NY 11424 from 2:00 P.M. - 4:00 P.M. so that you may have an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Transportation Planning & Management, 55 Water Street, 6th Floor, New York, NY 10041, no later than June 23, 2016. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed additional van service will not meet present and/or future public convenience and necessity.

m23-27

**COMMUTER VAN SERVICE AUTHORITY
Brooklyn**

NOTICE IS HEREBY GIVEN that the Department of Transportation is conducting a hearing on the expansion of a van authority currently authorized in the Borough of Brooklyn to expand their commuter van service in Brooklyn. The van company requesting this expansion is: Royal Rose Transportation. The address is 839 Troy Avenue, Brooklyn, NY 11203. The applicant currently utilizes 15 vans daily and is requesting 10 additional vans to provide daily service 24 hours a day.

There will be a public hearing held on Thursday, June 9, 2016, at the Brooklyn Borough Commissioner's Office, 16 Court Street (corner of Montague Street), 16th Floor, Room 1620, New York, NY 11241, from 2:00 P.M. - 4:00 P.M. for an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Transportation Planning & Management, 6th Floor, 55 Water Street, New York, NY 10041, no later than June 9, 2016. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed service will not meet present and/or future public convenience and necessity.

m23-27

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

a28-06

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

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

"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

ADMINISTRATION FOR CHILDREN'S SERVICES

■ AWARD

Human Services/Client Services

CURE THE VIOLENCE - BP/City Council Discretionary - PIN#06816L0035001 - AMT: \$50,000.00 - TO: Getting Out and Staying Out, 75 East 118th Street, New York, NY 10029.

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CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

■ AWARD

Goods

LAB SUPPLIES, REAGENTS AND SCIENTIFIC EQUIPMENT - Competitive Sealed Bids - PIN#8571500529 - AMT: \$436,161.15 - TO: AB Sciex LLC, 1201 Radio Road, Redwood City, CA 94065.
 ● **VEHICLE: ALL PURPOSE UTILITY, ATV** - Competitive Sealed Bids - PIN#8571500500 - AMT: \$5,162,275.30 - TO: Chief Equipment Inc, 400 West Old Country Road, Hicksville, NY 11801.

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■ SOLICITATION

Goods

MILLING MACHINE (COLD PLANNER)-DOT - Competitive Sealed Bids - PIN#8571600273 - Due 6-20-16 at 10:30 A.M.

A copy of the bid can be downloaded from The City Record Online site at www.nyc.gov/cityrecord. Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone at (212) 386-0044 or by fax at (212) 669-7603.

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

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Kirklival Henry (212) 386-0438; Fax: (212) 313-3447; mrudina@dcas.nyc.gov

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ENVIRONMENTAL PROTECTION

AGENCY CHIEF CONTRACTING OFFICE

■ INTENT TO AWARD

Services (other than human services)

BPS-1602: X-RAY SCREENING EQUIPMENT MAINTENANCE FOR THE BUREAU OF POLICE AND SECURITY - Sole Source

- Available only from a single source - PIN#82616S0010 - Due 6-7-16 at 4:00 P.M.

DEP intends to enter into a Sole Source agreement with American Science and Engineering Inc., for BPS-1602: Screening Equipment Maintenance for the bureau of Police and Security. As part of the high security at the CAT/DEL UV Plant, these systems are a critical part of the security for the facility for which ongoing maintenance is required to ensure they are functioning properly. Any firm which believes it can also provide the required service IN THE FUTURE is invited to do so, indicated by letter which must be received no later than June 7, 2016, 4:00 P.M. at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Boulevard, 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 Boulevard, 17th Floor, Flushing, NY 11373. Glorivee Roman (718) 595-3226; Fax: (718) 595-3208; glroman@dep.nyc.gov

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HEALTH AND MENTAL HYGIENE

■ AWARD

Services (other than human services)

LABORATORY TESTS SERVICES - Government to Government - PIN# 16TB040801R0X00 - AMT: \$4,543,961.10 - TO: North Shore LIJ Health System Laboratories, 10 Nevada Drive, Lake Success, NY 11042.

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HOUSING AUTHORITY

PROCUREMENT

■ SOLICITATION

Goods and Services

SMD PERFORMANCE MANAGEMENT SYSTEM - Small Purchase - PIN#63721 - Due 6-8-16 at 2:00 P.M.

The New York City Housing Authority (NYCHA), by issuing this Solicitation, seeks proposals from human capital solution firms to provide NYCHA with a performance management system, on a software as a service basis, and installation, maintenance, and

technical support with respect thereto, as detailed more fully within Section II of the Solicitation.

Prospective Proposers may submit, via e-mail, written questions concerning this Solicitation to NYCHA's Coordinator, meddy.ghabae@nycha.nyc.gov by 12:00 P.M. on May 27, 2016. Questions submitted in writing must include the Proposer's name, the name, title, address, telephone number and email address of the individual to whom responses to the Proposer's question should be provided.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the Bid number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFP PIN/solicitation number.

Proposers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFP documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; solicitation package will be generated at the time of request.

Each Proposer is required to submit one (1) signed original and six (6) copies of its Proposal package. In addition to the paper copies of the Proposal, Proposers shall submit one (1) complete and exact copy of the Proposal on CD-ROM or Flash drive in Microsoft Office (2010 version or later) or Adobe pdf format.

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

Housing Authority, 90 Church Street, New York, NY 10007. Meddy Ghabae (212) 306-4539; meddy.ghabae@nycha.nyc.gov

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SUPPLY MANAGEMENT

■ SOLICITATION

Services (other than human services)

IT - VOICE OVER INTERNET PROTOCOL REMOTE MANAGED SERVICES - Request for Proposals - PIN# RFP 63726 - Due 6-24-16 at 3:00 P.M.

NYCHA, by issuing this RFP, seeks proposals ("Proposals") from qualified firms (the "Proposers") to provide NYCHA with remote managed services and maintenance for NYCHA's voice over internet protocol ("VoIP"), specifically with respect to its IPT and IPCC (each as defined in Section I (3) of this RFP) entities and associated gateways, peripherals and applications, and expert-level professional services for the VoIP infrastructure on an as-needed basis (collectively, the "Project"). NYCHA is seeking a Proposal to provide these services for the Project, as detailed more fully within Section II of this RFP (collectively, the "Services").

NYCHA intends to enter into an agreement (the "Agreement") with the selected Proposer (the "Selected Proposer" or the "Consultant") to provide the Services. The term ("Term") of the awarded Agreement shall be three years (the "Initial Term"), with up to two additional one-year optional renewal periods (each a "Renewal Period"), exercisable at NYCHA's sole discretion by written notice to the Consultant.

In the event that a Proposer has any questions concerning this Solicitation: they should be submitted to the Solicitation Coordinator, Jieqi Wu via e-mail Jieqi.Wu@nycha.nyc.gov (c: Robert.Algozini@nycha.nyc.gov) no later than 2:00 P.M. EST, on May 31, 2016. The subject name of the e-mail must clearly denote the title of the Solicitation for which questions are being asked. All questions and answers will be shared with all the Proposers receiving this Solicitation by June 7, 2016. In order to be considered, each proposer must demonstrate experience in performing the same or similar scope of Services as those outlined in the referenced Scope of Work, Section II and the selected proposer must satisfy the minimum required qualifications as outlined in Sections V. The proposal should contain sufficient details to enable NYCHA to evaluate it in accordance with the criteria set forth in Section V; Evaluation Criteria of this Solicitation. Proposers electing to request hard copies of the bid documents (paper document), rather than downloading online from NYCHA iSupplier portal, will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of Solicitation documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and

present it to 6th Floor/Supply Management Procurement Group. A Solicitation package will be generated at time of request. Proposers should refer to Section IV; Proposal Submission Procedure and Proposal Content Requirements of this Solicitation for details on the submission procedures and requirements. **ELECTRONIC SUBMISSION OF PROPOSAL IS NOT ALLOWED FOR THIS JOB.** Each proposer is required to submit one (1) signed original; five (5) additional copies and also another copy in PDF format in a Flash Drive or in a CD, which all includes all items required by Section IV to NYCHA, Supply Management Procurement Department, 90 Church Street, 6th Floor, by 3:00 P.M. on June 24, 2016.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007.
Jieqi Wu (212) 306-8278; Fax: (212) 306-5109; jieqi.wu@nycha.nyc.gov

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HUMAN RESOURCES ADMINISTRATION

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Human Services/Client Services

PROVISION OF SHELTER SERVICES FOR FAMILIES - Renewal - Due 5-27-16 at 5:00 P.M.

PIN# 07111P0002001R001, PIN# 07111P0002002R001,
PIN# 07111P0002003R001, PIN# 07111P0003001R001,
PIN# 07111P0002065R001, PIN# 07111P0002004R001,
PIN# 07111P0003003R001, PIN# 07111P0002006R001,
PIN# 07111P0002028R001, PIN# 07111P0002005R001,
PIN# 07111P0002026R001

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

The Human Resources Administration on behalf of the Department of Homeless Services plans to renew eleven (11) contracts with the contractors listed below for the provision of Tier II Shelter Services for Families.

The renewal term shall be as set forth below. Anyone having comments on the Contractor's performance on the proposed renewal of the contracts may contact Vincent Pullo at (929) 221-6347.

Women's Prison Association and Home Inc.
110 Second Avenue, New York, NY 10003
Site Location:
Huntington House
347 East 10th Street, New York, NY 10003
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$4,197,880.00
EPIN: 07111P0002001R001

Tolentine Zeiser Community Life Center, Inc.
2345 University Avenue, Bronx, NY 10468
Site Location:
Sammon Build
2294-96 Grand Avenue, Bronx, NY 10468
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$2,936,254.00
EPIN: 07111P0002002R001

Tolentine Zeiser Community Life Center, Inc.
2345 University Avenue, Bronx, NY 10468
Site Location:
Siena House
85 West 168th Street, Bronx, NY 10452
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$4,900,078.00
EPIN: 07111P0002003R001

The Salvation Army
120 West 14th Street, New York, NY 10011
Site Location:
The Briarwood
80-20 134th Street, Jamaica, NY 11435
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$10,119,212.00
EPIN: 07111P0003001R001

Highland Park Community Development Corp.
3236 Fulton Street, Brooklyn, NY 11208
Site Location:
Tilden Hall
2520 Tilden Avenue, Brooklyn, NY 11226
Contract Term: 7/1/2016 to 6/30/2017

Contract Amount: \$6,302,903.00
EPIN: 07111P0002065R001

Concourse House
2751 Grand Concourse, Bronx, NY 10468
Site Location:
Concourse House
2751 Grand Concourse, Bronx, NY 10468
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$6,846,896.00
EPIN: 07111P0002004R001

HELP Social Service Corporation
5 Hanover Square, New York, NY 10004
Program Site/Address
Blake Avenue Family Shelter
515 Blake Avenue, Brooklyn, NY 11207
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$20,658,816.00
EPIN: 07111P0003003R001

Msgr. Robert Fox Memorial Fox House
111 East 117th Street, New York, NY 10035
Site Location:
Fox House
111 East 117th Street, New York, NY 10035
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$2,381,772.00
EPIN: 07111P0002006R001

Camba, Inc.
1720 Church Avenue, Brooklyn, NY 11226
Site Location:
Flagstone Family Center
196 Amboy Street, Brooklyn, NY 11212
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$30,088,940.00
EPIN: 07111P0002028R001

St. John's Place Family Center HDPC
1630 St. John's Place, Brooklyn, NY 11233
Site Location:
Tier II/St. John's Place Family Center
1630 St. John's Place, Brooklyn, NY 11233
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$13,272,084.00
EPIN: 07111P0002005R001

Children's Rescue Fund East, LLC
4 East 28th Street
New York, NY 10016
Site Location:
Icahn House East
4 East 28th Street, New York, NY 10016
Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$40,013,504.00
EPIN: 07111P0002026R001

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

Human Resources Administration, 150 Greenwich Street (4WTC), 37th Floor, New York, NY 10007. Donna Wilson (929) 221-6353;
Fax: (221) 331-3457; wilsond@hra.nyc.gov

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PROVISION OF SHELTER SERVICES FOR ADULTS - Renewal - Due 5-27-16 at 5:00 P.M.

PIN# 07111P0002058R001, PIN# 07111P0002023R001,
PIN# 07111P0002020R001, PIN# 7110P0002017R001,
PIN# 07111P0002025R001, PIN# 07111P0002024R001,
PIN# 07111P0002053R001, PIN# 07111P0004001R002

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

The Human Resources Administration on behalf of the Department of Homeless Services plans to renew eight (8) contracts with the contractors listed below for the provision of Shelter Services for Adults.

The renewal term shall be as set forth below. Anyone having comments on the Contractor's performance on the proposed renewal of the contracts may contact Vincent Pullo at (929) 221-6347.

Christian Herald HDPC
132 Madison Avenue, New York, NY 10016
Site Location:
Bowery Mission Adult Shelter
45-51 Avenue D, New York, NY 10009
Contract Term: 7/1/2016 to 6/30/2019
Contract Amount: \$1,767,128.00
EPIN: 07111P0002058R001

SEBCO Development Inc.
 885 Bruckner Boulevard, Bronx, NY 10459
 Site Location:
 Father Smith Residence
 1214-18 Hoe Avenue, Bronx, NY 10459
 Contract Term: 7/1/2016 to 6/30/2020
 Contract Amount: \$14,587,164.00
 EPIN: 07110P0002023R001

Bushwick Economic Development Corp.
 61 Cooper Street, Brooklyn, NY 11207
 Site Location:
 Adults Shelter Next Step/174th Street Plaza
 555 West 174th Street, New York, NY 10037
 Contract Term: 7/1/2016 to 6/30/2020
 Contract Amount: \$16,802,844.00
 EPIN: 07110P0002020R001

SCO Family of Services, Inc.
 1 Alexander Place, Glen Gove, NY 11542
 Site Location:
 Bob's Place Colonial
 88-55 161st Street, Jamaica, NY 11432
 Contract Term: 7/1/2016 to 6/30/2020
 Contract Amount: \$18,825,628.00
 EPIN: 7110P0002017R001

Bowery Residents Community Inc.
 131 West 25th Street, New York, NY 10001
 Site Location:
 McGuinness Boulevard Shelter
 400 McGuinness Boulevard, Brooklyn, NY 11222
 Contract Term: 7/1/2016 to 6/30/2020
 Contract Amount: \$31,827,220.00
 EPIN: 07110P0002025R001

Samaritan Daytop Village, Inc
 138-02 Queens Boulevard, Briarwood, NY 11435
 Site Location:
 Van Sicten Shelter
 645 Van Sicten Avenue, Brooklyn, NY 11207
 Contract Term: 7/1/2016 to 6/30/2020
 Contract Amount: \$28,762,272.00
 EPIN: 07110P0002024R001

Institute for Community Living
 125 Broad Street, 3rd Floor, New York, NY 10004
 Site Location:
 200 Tillary Street, Brooklyn, NY 11201
 Contract Term: 12/22/2015 to 12/21/2018
 Contract Amount: \$22,532,879.00
 EPIN: 07110P0002053R001

Interfaith Medical Center
 1545 Atlantic Avenue, Brooklyn, NY 11213
 Site Location:
 Atlantic Men's Shelter, 1322 Bedford Avenue (Shelter)
 Brooklyn, NY 11216

1545 Atlantic Avenue (Hospital)
 Brooklyn, NY 11213
 Contract Term: 7/1/2015 to 12/31/2016
 Contract Amount: \$1,446,036.00
 EPIN: 07111P0004001R002

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

Human Resources Administration, 150 Greenwich Street (4WTC), 37th Floor, New York, NY 10007. Donna Wilson (929) 221-6353; Fax: (221) 331-3457; wilsond@hra.nyc.gov

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OFFICE OF CONTRACTS

■ AWARD

Human Services/Client Services

PROVISION OF LEGAL SERVICES FOR VETERANS LIVING THROUGHOUT NYC - BP/City Council Discretionary - PIN#09616L0052001 - AMT: \$200,000.00 - TO: New York Legal Assistance Group, 7 Hanover Square, 18th Floor, New York, NY 10004. Term: 7/1/2015 - 6/30/2016

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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/nycvendoronline/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; dmbwbe.capital@parks.nyc.gov.

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■ SOLICITATION

Goods and Services

WILDNYC MEDIA ADVERTISING IN SUBWAYS AND BUSES

- Sole Source - Available only from a single source - PIN#84616S0008
 - Due 6-10-16 at 5:00 P.M.

The Department of Parks and Recreations intends to enter into sole source negotiations with OUTFRONT MEDIA GROUP, LLC., 405 Lexington Avenue, 14th Floor, New York, NY 10174 to provide advertisement on NYC subways and buses for WildNYC Media advertising in the borough of Staten Island approved by the Metropolitan Transportation Authority (MTA). Any firm that would like to express their interest in providing services for similar projects in the future, may do so by phone and joining the city bidders list by filling out the NYC-FMS Vendor enrollment form at <https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService/> to enroll your organization with the City of New York.

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, 24 West 61st Street, 3rd Floor, New York, NY 10023. Laverne Andrews (212) 830-7982; Fax: (917) 849-6451; laverne.andrews@parks.nyc.gov

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TRANSPORTATION

LEGAL AFFAIRS/ROADWAY REPAIR AND MAINTENANCE

SOLICITATION

Services (other than human services)

MEDIAN LANDSCAPING MAINTENANCE - Competitive Sealed Bids - PIN#84116MBAD970 - Due 6-22-16 at 11:00 A.M.

THIS PROCUREMENT IS SUBJECT TO PARTICIPATION GOALS FOR MINORITY OWNED BUSINESS ENTERPRISES (MBEs) AND/OR WOMEN OWNED BUSINESS ENTERPRISES (WBEs) AS REQUIRED BY SECTION 6-129 OF THE NEW YORK CITY ADMINISTRATIVE CODE. The M/WBE goal for this project is 30 percent. A printed copy of the bid can also be purchased. A deposit of \$50.00 is required for the contract in the form of a Certified Check or Money Order payable to: New York City Department of Transportation. NO CASH ACCEPTED. Company address, telephone and fax numbers are required when picking up proposal documents. Entrance is located on the South Side of the Building facing the Vietnam Veterans Memorial. Proper government issued identification is required for entry to the building (driver's license, passport, etc.). The Pre-Bid Meeting will be held on June 7, 2016 at 10:00 A.M., at 55 Water Street, Ground Floor Conference Room, New York, NY 10041. For additional information, please contact Nicole Collins at (212) 839-9405.

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.

Transportation, Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041. Bid Window (212) 839-9435

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AGENCY RULES

CONSUMER AFFAIRS

NOTICE

Notice of Adoption of Rule

Notice of Adoption of Chapter 9 of Title 6 of the Rules of the City of New York.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer Affairs by Section 6-130(d)(1) of Chapter 1 of Title 6 of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter, of the adoption by the Department of an amendment to Title 6 of the Rules of the City of New York by adding Chapter 9 to clarify certain provisions of Section 6-130 of Chapter 1 of Title 6 of the Administrative Code of the City of New York (as added by Local Law 27 for the year 2012), which establishes a prevailing wage for building service employees in city leased or financially assisted facilities, to establish requirements to carry out the law and meet its goals pursuant to authority delegated therein, and to provide guidance to covered employers and protected employees.

The rule was proposed and published on March 1, 2016. The required public hearing was held on April 8, 2016.

Statement of Basis and Purpose of Rules

Section 6-130¹ of the Administrative Code of the City of New York (the Prevailing Wage Law), added by Local Law 27 of 2012, requires certain developers receiving City financial assistance and certain lessors leasing commercial office space or commercial office facilities to the City to pay their building service employees the prevailing wage.

These rules clarify provisions in the Prevailing Wage Law, establish requirements to implement the law and meet its goals, and provide guidance to employers and employees. Specifically, these rules:

- Establish that covered employers must require all building service contractors to pay the prevailing wage to their building service employees;
Set forth the distribution and posting requirements for employee notices required by the Prevailing Wage Law;
Set forth the recordkeeping requirements under the Prevailing Wage Law;
Clarify the Prevailing Wage Law's definition of "covered developer" and "building service work;"
Outline the Department's enforcement steps, including how a covered employer may cure a violation of the Prevailing Wage Law, how the Department will commence a case, and how the Department may settle a complaint;
Clarify that the Office of Administrative Trials and Hearings (OATH) will issue a decision on the record in all cases;
Provide guidance on how an OATH administrative law judge may calculate back wages for a building service employee;
Clarify that if one or more building service employees start or have a civil action pending, it does not preclude the Department from commencing, prosecuting, or settling a case based on some or all of the same violations; and
Clarify what other appropriate relief may be imposed for a violation of the Prevailing Wage Law, in addition to the penalties set forth in the law.

The authority for the Department of Consumer Affairs to issue these rules is found in Section 6-130(d)(1) of Chapter 1 of Title 6 of the Administrative Code of the City of New York.

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

"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.

Rule

Section 1. A new Chapter 9 of Title 6 of the Rules of the City of New York is added to read as follows:

CHAPTER 9

PREVAILING WAGE LAW

- Subchapter A General
Subchapter B Construction
Subchapter C Enforcement

SUBCHAPTER A GENERAL

§9-01 Definitions.

- (a) For purposes of this chapter, the following terms mean: Building Service Contractor. The term "Building Service Contractor" means any partnership, association, joint venture, limited liability company, corporation or any other form of doing business providing Building Service Work for a Covered Lessor or Covered Developer. Building Service Employee. The term "Building Service Employee" has the same meaning as set forth in the Prevailing Wage Law. Building Service Work. The term "Building Service Work" has the same meaning as set forth in the Prevailing Wage Law. Case. The term "Case" means an enforcement proceeding commenced by the Department before OATH based upon an alleged violation of the Prevailing Wage Law. City. The term "City" means the City of New York or any City Economic Development Entity. City Economic Development Entity. The term "City Economic Development Entity" has the same meaning as set forth in the Prevailing Wage Law. City Development Project. The term "City Development Project" has the same meaning as set forth in the Prevailing Wage Law. Commissioner. The term "Commissioner" means the

1 There are two Sections 6-130 in the Administrative Code of the City of New York.

Commissioner of the Department or his or her designee. Comptroller. The term "Comptroller" means the Office of the Comptroller of the City of New York. Covered Employer. The term "Covered Employer" means any Covered Lessor or Covered Developer. Covered Developer. The term "Covered Developer" has the same meaning as set forth in the Prevailing Wage Law. Covered Lessor. The term "Covered Lessor" has the same meaning as set forth in the Prevailing Wage Law. Department. The term "Department" means the New York City Department of Consumer Affairs. Financial Assistance. The term "Financial Assistance" has the same meaning as set forth in the Prevailing Wage Law. Lease. The term "Lease" has the same meaning as set forth in the Prevailing Wage Law. Payroll Records. The term "Payroll Records" means all time cards, cancelled checks, cash receipts, books, documents, schedules, forms, reports, receipts or other evidence that reflect job assignments, work schedules by days and hours, and the disbursement of funds to an employee by cash, check, or in any other form or manner. Person. The term "Person" means any individual, sole proprietorship, partnership, association, joint venture, limited liability company, corporation or any other form of doing business. Prevailing Wage. The term "Prevailing Wage" has the same meaning as set forth in the Prevailing Wage Law. Prevailing Wage Law. The term "Prevailing Wage Law" means Section 6-130 of Chapter 1 of Title 6 of the New York City Administrative Code, entitled "Prevailing Wage for Building Service Employees in City Leased or Financially Assisted Facilities."

- (b) Other Terms. The terms "Administrative Law Judge," "OATH," "Petitioner," "Petitioner," and "Respondent" have the same meanings as set forth in Section 1-01 of Chapter 1 of Title 48 of the Rules of the City of New York.

§9-02 Compliance by Building Service Contractors.

Every Covered Employer must require that all Building Service Contractors pay no less than the prevailing wage to all such Building Service Contractors' employees performing Building Service Work at the premises to which a lease pertains or in connection with a City Development Project.

§9-03 Employee Notices.

- (a) Within 15 days after the City provides copies of the adjusted employee notices required by the Prevailing Wage Law. Covered Employers must post the notices in a prominent and accessible location and deliver the notices to all Building Service Employees at each work location. Prominent and accessible locations for posting of the notice include areas frequented by employees such as break rooms, pantries and employee lounges. Covered Employers must promptly replace any posted notice that is damaged, defaced, illegible or removed for any reason.
- (b) The notices must be delivered to employees in a manner that reasonably ensures that employees receive the notice, including delivery by the Covered Employer by hand, electronic mail or certified mail, return receipt requested.
- (c) Covered Employers must post and deliver versions of the notices in English, Spanish and any other languages that are spoken by Building Service Employees at each work location if the City has prepared forms of the notice in those languages and provided them to the Covered Employer. The City may make copies of the notice available to Covered Employers on one or more websites maintained by the City.

§9-04 Records.

- (a) Employee Notices. Covered Employers must maintain written records of their delivery of the employee notices required by the Prevailing Wage Law. Acceptable records include logs with signed employee acknowledgments, and/or email receipts reflecting delivery of the notices. Failure to maintain these records shall create a rebuttable presumption that the Covered Employer did not deliver the required notices to the Building Service Employees.
- (b) Building Service Contracts. Covered Employers must maintain copies of all agreements with Building Service Contractors.
- (c) Employee Claims. Covered Employers must maintain all records related to any complaint or any pending, threatened, or resolved legal action or grievance by or from any employee concerning the Prevailing Wage Law.
- (d) Termination or Adverse Employment Action. Covered Employers must maintain all records related to the discharge, demotion, suspension, reduction of hours, or other adverse employment action against any employee subject to

the Prevailing Wage Law. Failure to maintain these records shall create a rebuttable presumption that any adverse employment action was in retaliation for the applicable employee exercising his or her rights under the Prevailing Wage Law.

- (e) Obligation to Produce on Demand. Covered Employers must furnish copies of any of the records specified in this section to the City within 15 days of a request by the City.
- (f) Retention Period. Covered Employers must retain all records specified in this section for six years after the applicable Building Service Work is performed.

§9-05 Employee Addresses.

Covered Employers must provide the Department with the name and last known address of all employees subject to the Prevailing Wage Law within 15 days of a request by the Department.

SUBCHAPTER B CONSTRUCTION

§9-10 Successors and Assignees.

The definition of the term "Covered Developer" set forth in Section 8 of subdivision a of the Prevailing Wage Law shall be construed to include any successor in interest, whether through merger, pledge, transfer, assignment, operation of law or otherwise, of any Covered Developer.

§9-11 Building Service Work.

For purposes of the Prevailing Wage Law, "Building Service Work" shall be construed to include occupations relating to the collection of garbage or refuse, the transportation of office furniture and equipment, and the delivery of fossil fuel.

SUBCHAPTER C ENFORCEMENT

§9-20 Cure Notice.

- (a) Prior to commencing a Case, the Department shall deliver a written notice to the applicable Covered Employer informing the Covered Employer that the Department may commence a Case unless the Covered Employer demonstrates, to the reasonable satisfaction of the Department, within 30 days, that the Covered Employer has cured its violations of the Prevailing Wage Law. The notice shall indicate that the Covered Employer may contact the Department if it wishes to settle the alleged violation(s) of the Prevailing Wage Law, and note that any settlement is at the discretion of the Department.
- (b) Cure may be in the form of (1) payment of back wages or the monetary value of health benefits withheld, including interest from the date of the underpayment to the Building Service Employee; (2) payment of civil penalties pursuant to the Prevailing Wage Law; (3) filing or disclosure of any records that were not filed or made available to the public; (4) reinstatement or other appropriate relief for any employee subjected to retaliation or discrimination in violation of the Prevailing Wage Law; or (5) any other relief reasonably calculated to remedy the violation of the Wage Laws. The Department may, in its discretion, extend the time for the Covered Employer to cure.

§9-21 Petition.

- (a) Charges in Petition. The Department shall commence Cases by service and filing of a Petition in accordance with Section 1-23 of Chapter 1 of Title 48 of the Rules of the City of New York. The Department shall concurrently serve a copy of the Petition on any employee complainants.
- (b) Delivery of Complaint. Concurrent with service of a Petition, the Department shall deliver copies to the Respondent of any employee complainants concerning the Respondent's alleged non-compliance with the Prevailing Wage Law.

§9-22 Settlements.

- (a) General. The Department may settle a complaint at any time after it is referred to the Department. The Department is authorized to determine the terms of settlement, taking into account (1) the facts of the complaint, (2) the interests of the City in ensuring compliance with the Prevailing Wage Law, (3) the interests of the complainant(s), (4) the Covered Employer's history of compliance with the Prevailing Wage Law, (5) the size of the Covered Employer, (6) the good faith of the Covered Employer, (7) the Covered Employer's compliance with record-keeping and notice requirements, and (8) any other factors relevant to achieving a fair and reasonable settlement. Prior to settling any complaint, the Department shall provide each complainant with notice of the proposed settlement.
- (b) Filing of Settlement Agreements. Every agreement settling a Case, complaint or investigation shall be in writing and shall be deemed an "order" for purposes Section 7 of subdivision d of the Prevailing Wage Law.

- (c) Complainants. The Department may settle a complaint or Case with a Covered Employer with or without the consent of the applicable complainant(s). The Department may dismiss a Case in the event the complainant refuses to accept the relief in a proposed settlement, but such dismissal shall not preclude a complainant from commencing a civil action.
- (d) Private Settlements. A complainant and a Covered Employer may resolve a complaint through a private settlement without authorization from the Department, but the settlement shall not preclude (1) the Department from commencing, prosecuting or settling a Case concerning the complaint or other potential violations by the Covered Employer of the Prevailing Wage Law, or (2) the City or City Economic Development Entity from enforcing its remedies under any agreement or lease with the Covered Employer.

§9-23 Order and Determination.

- (a) Decision on the Record. Notwithstanding any provision to the contrary in Section 1-51.1 of Chapter 1 of Title 48 of the Rules of the City of New York, Administrative Law Judges shall issue a decision on the record in all Cases. Provided that no party has commenced a challenge to the decision pursuant to Article 78 of the Civil Practice Law and Rules of New York, and the time to commence such a challenge shall have expired, the decision shall constitute an "order" for purposes of this chapter and Section 7 of subdivision d of the Prevailing Wage Law.
- (b) Judicial Challenge. If a party commences a timely challenge to a decision on the record, then the final, non-appealable disposition of the appeal, whether by order of a court of competent jurisdiction or settlement, shall constitute an "order" for purposes of this chapter and Section 7 of subdivision d of the Prevailing Wage Law.
- (c) Entry of Order. If an order (including any settlement deemed to be an order for purposes of this chapter) sustains some or all of the charges in the Petition, and provided that (1) the Person found violating the Prevailing Wage Law has failed to comply with the payment or other terms of the order, and (2) no proceeding for judicial review is pending and the time for initiation of such proceeding has expired, the Department shall, as soon as is practicable, file a copy of the order with the clerk of the county of residence or place of business of the Respondent.

§9-24 Calculation of Back Wages.

If a Covered Employer has failed to maintain original Payroll Records as required by the Prevailing Wage Law, an Administrative Law Judge may determine the amount of the unpaid wages and benefits based on the Payroll Records and other evidence that are available, making reasonable inferences based upon the customary staffing practices of, and wages and benefits paid by, the Covered Employer.

§9-25 Private Right of Action.

The commencement or pendency of a civil action by one or more employees of a Covered Employer for violation of the Prevailing Wage Law shall not preclude the Department from commencing, prosecuting or settling a Case against the Covered Employer based upon some or all of the same violations.

§9-26 Other Appropriate Relief.

For purposes of Section 4 of subdivision d of the Prevailing Wage Law, "other appropriate relief" shall include an order to (i) reinstate an employee or offer the employee a position comparable to their former position, (ii) reverse any adverse employment action, including demotion, reassignment or reduction in hours, (iii) cease retaliatory practices and institute measures to prevent such conduct in the future, (iv) pay the wages and, if applicable, the monetary equivalent of the benefits that the employee subjected to retaliation or discrimination would have been granted or paid but for the adverse employment actions by the Covered Employer, or (v) pay additional amounts to the extent necessary to compensate employees for additional tax liability resulting from a lump sum payment of back wages in a single year.

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TAXI AND LIMOUSINE COMMISSION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Taxi and Limousine Commission is considering changing its rules. The change would align TLC's rules with recently enacted provisions of local law.

When and where is the hearing? The Commission will hold a public

hearing on the proposed rule. The public hearing will take place at 10:00 A.M. on June 23, 2016. The hearing will be in the hearing room at 33 Beaver Street – 19th Floor, New York, NY 10004.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22nd Floor, New York, NY 10004.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at (212) 676-1102.
- **Email.** You can email written comments to tlcrules@tlc.nyc.gov.
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules website at www.nyc.gov/nycrules.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 676-1135. You can also sign up in the hearing room before the hearing begins. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by June 23, 2016.

Do you need assistance to participate in the hearing? You must tell the Office of Legal Affairs 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 (212) 676-1135. You must tell us by Friday, June 17, 2016.

Can I review the comments made on the proposed rules? A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Office of Legal Affairs.

What authorizes the Commission to make this rule? Sections 1043 and 2303 of the City Charter and Section 19-503 of the City Administrative Code authorize the Commission to make this proposed rule. This proposed rule was not included in the Commission's regulatory agenda for this Fiscal Year because it was not contemplated when the Commission published the agenda.

Where can I find the Commission's rules? The Commission's rules are in Title 35 of the Rules of the City of New York.

What rules govern the rulemaking process? The Commission must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

On April 21, 2016, New York City Mayor Bill De Blasio signed four bills which were enacted into law as Local Laws numbers 43, 49, 50 and 52 of 2016. These local laws amended provisions of the Administrative Code of the City of New York governing the New York City Taxi and Limousine Commission ("TLC"). The rule amendments proposed here bring TLC's Rules into alignment with the changes made by these local laws. Specifically, these proposed rules:

- Eliminate the vehicle retirement requirement for Black Cars
- Increase penalties for illegal pickups made by for-hire vehicles within the Hail Exclusionary Zone
- Require all Black Car and Luxury Limousine Bases to provide a fare estimate on request
- Prohibit Black Car and Luxury Limousine Bases from charging more than 120 percent of any fare estimate they give to a passenger
- Require all TLC licensees and authorized service or equipment providers that collect a passenger's personal information or geolocation information, including FHV bases, TPEP and LPEP Providers, E-Hail Providers, and Dispatch Service Providers, to file with the TLC an Information Security and Use of Personal Information Policy and comply with that policy.

The Commission's authority for these rules is found in Section 2303 of the New York City Charter and Sections 19-507, 19-544, 19-545, and 19-546 of the Administrative Code. These proposed rules are exempt for the Law Department and Mayor's Office of Operations review and certification process pursuant to Section 1043(d)(4)(iv) of the New York City Charter.

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

Section 1. Subdivision (a) of Section 55-19 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (a) *Limitations on Driver Solicitation of Passengers.*

- (1) A Driver, other than a Driver of a Street Hail Livery as defined in Subdivision (c) of Section 82-03 of these Rules, must not solicit or pick up Passengers other than by prearrangement through a licensed Base of the class that can dispatch the Driver's For-Hire Vehicle or Dispatch Service Provider, or by dispatch of an Accessible Vehicle.

§55-19(a)(1)	Fine: First Violation: \$500 Second Violation in 24 months: \$1500 Third Violation in 36 months: Revocation	Appearance REQUIRED
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- (2) Hail Exclusionary Zone. If a Driver other than a Driver of a Street Hail Livery as defined in Subdivision (c) of Section 82-03 of these Rules solicits or picks up Passengers other than by prearrangement through a licensed Base of the class that can dispatch the Driver's For-Hire Vehicle or Dispatch Service Provider, or by dispatch of an Accessible Vehicle in Manhattan south of East 96th Street and West 110th Street or at the New York City Airports, the Driver will be subject to the below enhanced penalties.

§55-19(a)(2)	Fine: \$2,000 for the first violation; \$4,000 for the second violation in 24 months; \$10,000 and revocation for third violation in 120 months	Appearance REQUIRED
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Section 2. Subdivision (b) of Section 59A-25 of Title 35 of the Rules of the City of New York, relating to compliance by black car owners with black car retirement requirements, is REPEALED.

Section 3. Subdivision (d) of Section 59A-28 of Title 35 of the Rules of the City of New York, relating to required black car retirement, is REPEALED.

Section 4. Subdivision (g) of Section 59B-21 of Title 35 of the Rules of the City of New York is amended, Subdivision (h) is relettered as subdivision (i) and amended, and a new Subdivision (h) is added, to read as follows:

- (g) [Privacy and Security Policies] Information Security and Use of Personal Information Policy. If the Base collects [and] or maintains passenger "[Private] Personal Information," as defined by New York General Business Law §899-aa(1)(b)(a), [of] or if the Base collects [and] or maintains passenger geolocation data, the Base Owner must file with the Commission a current detailed [privacy and security policies meeting industry best practices] information security and use of personal information policy. Such policy must include, a minimum:

- (1) a statement of internal access policies relating to passenger and driver personal information for employees, contractors, and third party access, if applicable;
- (2) a statement that, except to the extent necessary to provide credit, debit, and prepaid card services and services for any application that provides for electronic payment, personal information will only be collected and used with such passenger's affirmative express consent and that such personal information will not be used, shared, or disclosed, except for lawful purposes;
- (3) procedures for notifying the Commission and affected parties of any breach of the security of the system, pursuant to Section 899-aa of the General Business Law;
- (4) a statement that any credit, debit, or prepaid card information collected by the Base or a credit, debit, or prepaid card services provider is processed by the Base or such provider in compliance with applicable payment card industry standards, and;
- (5) a statement of the Base's policies regarding the use of passenger geolocation information, which must include, at a minimum, a prohibition on the use, monitoring, or disclosure of trip information, including the date, time, pick-up location, drop-off location, and real-time vehicle location and any retained vehicle location records, without such passenger's affirmative express consent.

- (h) Compliance with Information Security and Use of Personal Information Policy. Any Base that files with the TLC an information security and use of personal information policy must comply with the terms of such policy.

- (i) Security Breach: If the Base is required to make disclosures under New York State or Federal law regarding security breaches, including the New York State Information Security Breach and Notification Act (General Business Law §899-aa), the Base Owner must inform the Commission immediately following such disclosure(s).

§59B-21(h) and (i)	Penalty: \$1,000 [fine per day and suspension until compliance]	Appearance REQUIRED
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Section 5. Section 59B-23 of Title 35 of the Rules of the City of New York is amended to add a new Subdivision (g) to read as follows:

- (g) For Black Car and Luxury Limousine Bases: Fare Estimates. Each time a prospective Passenger contacts a Base for transportation, regardless of the means by which the Passenger contacts the Base, the Base must provide, upon request, an estimate of the total fare in dollars and cents, inclusive of all fees and any price multiplier, for the specific trip requested, prior to dispatching the trip, subject to the following requirements:

- (1) Each Passenger requesting service must be notified of the passenger's right to receive a fare estimate.
- (2) A Base must ask any Passenger requesting a fare estimate to specify a destination.
- (3) The fare estimate may be expressed in a range in dollar and cents, provided that the higher price in such range shall not be more than 150 percent of the lower price in such range.
- (4) A Base may not charge a Passenger a fare that is more than 120 percent of the fare estimate unless the Passenger takes any action to alter the estimated route, including, but not limited to, changing the location of the pick-up, destination, number of stops, or the vehicle type requested, or requests a route change requiring the payment of a toll.
- (5) If the fare estimate is expressed in a range, a Base may not charge the Passenger more than 120 percent of the highest price included in that range.
- (6) The provisions of this subdivision shall not apply to Black Car Bases while providing line work, as that term is defined in Section 19-545 of the Administrative Code.
- (7) Affirmative Defense. A Base can offer an affirmative defense to a summons issued under Paragraphs (3) or (4) of this subdivision if the Base can demonstrate that the Base reimbursed the Passenger the portion of the fare charged that exceeded 120 percent of the given fare estimate within 10 business days of receiving a request for reimbursement from the Passenger.

§59B-23(g)	Fine: \$500	Appearance NOT REQUIRED
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Section 6. Subdivision (i) of Section 59B-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (i) For Black Car and Luxury Limousine Bases: Price Multipliers. If a price multiplier or variable pricing policy is in effect at the time at which a customer requests Black Car service or Luxury Limousine service, [the following requirements apply:

 - (1) A Base must provide, upon request, an estimate of the total fare in dollars and cents for the specific trip requested, inclusive of all fees and any price multiplier.
 - (2) A Base must require the customer to affirmatively acknowledge and accept the price multiplier or variable pricing policy prior to dispatching a Vehicle to the customer.

Section 7. Subparagraph (i) of Paragraph (2) of Subdivision (b) of Section 75-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (2) Security Testing Documentation
 - (i) [A security test plan that uses information technology industry testing tools, techniques, and methodologies designed to comprehensively test whether the TPEP and related services comply with all of the requirements set forth in §75-25(f) and §76-03 of these Rules, or as such requirements may be waived or modified by the Commission pursuant to Subdivision (g) of this section] An information security and use of personal information policy that includes, at a minimum, the following information:
 - (A) a statement of internal access policies relating to passenger and driver Personal Information for employees, contractors, and third party access, if applicable;
 - (B) a statement that, except to the extent necessary to provide credit, debit, and prepaid card services and services for any application that provides for electronic payment, personal information will only be collected and used with such passenger's affirmative express consent and that such personal

information will not be used, shared, or disclosed, except for lawful purposes;

- (C) procedures for notifying the Commission and affected parties of any breach of the security of the system, pursuant to Section 899-aa of the General Business Law;
- (D) a statement that any credit, debit, or prepaid card information collected by the TPEP Provider or a credit, debit, or prepaid card services provider is processed by the TPEP Provider or such provider in compliance with applicable payment card industry standards, and
- (E) a statement of the TPEP Provider's policies regarding the use of passenger geolocation information, which must include, at a minimum, a prohibition on the use, monitoring, or disclosure of trip information, including the date, time, pick-up location, drop-off location, and real-time vehicle location and any retained vehicle location records, without such passenger's affirmative express consent.

Section 8. Subdivision (a) of Section 75-23 of Title 35 of the Rules of the City of New York is amended to read as follows:

[(a)]The TPEP Provider must collect, use, and process Personal Information [provided to it or to which it has access in connection with the activities authorized under this Chapter solely for the purposes of performing such authorized activities and in compliance with all applicable privacy and data protection laws] in accordance with the information security and use of personal information policy it has on file with the TLC pursuant to §75-05(b)(2)(i). [

- (b) Except to the extent necessary to provide Credit, Debit, and Prepaid Card Services and services for any E-Hail App that provides for E-Payment, and any Digital Wallet Application, the TPEP Provider must not collect any Personal Information on any Passenger without such Passenger's express, informed and documented consent. Such prohibition includes but is not limited to collecting Personal Information through any cookie, applet, web bug, beacon or similar technology.
- (c) The TPEP Provider must ensure that Personal Information collected by a credit/debit/prepaid card services provider engaged by the TPEP Provider is stored in database management systems maintained and administered by the credit/debit/prepaid card services provider or its processing agent in compliance with the applicable PCI Standards.
- (d) Except as may be permitted in the contract between a Medallion Owner and the TPEP Provider or as otherwise required by law, a TPEP Provider must not disseminate, and must not permit its agents to disseminate, to any other person or entity any Taxicab location-based information regarding a Taxicab while it is off-duty.]

Section 9. Subdivision (f) of Section 75-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

(f) *Security.*

[(1)]All features of the TPEP, including the collection, transmission and maintenance of data by the TPEP Provider, required by this section must conform to the following security standards:

- [(i)] (1) Applicable PCI Standards;
- [(ii)] (2) Department of Information Technology and Telecommunications Citywide Information Security Policy for Service Providers and Encryption Standards ("DOITT Standards"), currently located on the web at <http://www.nyc.gov/html/doitt/html/business/security.shtml>; and
- [(iii)] (3) The information security and use of personal information policy the TPEP Provider has on file with the TLC pursuant to §75-05(b)(2)(i) [All security standards contained in Chapter 76 of the TLC Rules.

- (2) Access to all data required to be collected, transmitted and maintained by this section must be by log-in identification and password controls or other equivalent security measures, all of which must be approved by the Commission].

Section 10. Paragraph (1) of Subdivision (p) of Section 75-25 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (1) Firmware updates and security patches must be regression tested against the existing TPEP functionality to ensure no disruption in service, as required in Chapter 76 of these Rules];

Section 11. Chapter 76 of Title 35 of the Rules of the City of New York, relating to information security rules for taxicab technology service providers, is REPEALED.

Section 12. Subdivision (l) of Section 77-03 of Title 35 of the Rules of the City of New York is relettered Subdivision (m), and a new Subdivision (l) is added, to read as follows:

- (l) Personal Information has the same meaning as the term as it is defined in New York General Business Law §899-aa(1)(a) and includes such information pertaining to passengers and drivers.

Section 13. Subdivision (d) of Section 77-05 of Title 35 of the Rules of the City of New York is amended to read as follows:

- (d) [Privacy] Information Security and Use of Personal Information Policy. The Applicant must submit with its License application [a current detailed privacy policy meeting industry best practices] an information security and use of personal information policy that includes, at a minimum, the following information:
 - (1) a statement of internal access policies relating to passenger and driver Personal Information for employees, contractors, and third party access, if applicable;
 - (2) a statement that, except to the extent necessary to provide credit, debit, and prepaid card services and services for any application that provides for electronic payment, personal information will only be collected and used with such passenger's affirmative express consent and that such personal information will not be used, shared, or disclosed, except for lawful purposes;
 - (3) procedures for notifying the Commission and affected parties of any breach of the security of the system, pursuant to Section 899-aa of the General Business Law;
 - (4) a statement that any credit, debit, or prepaid card information collected by the Applicant or a credit, debit, or prepaid card services provider is processed by the Applicant or such provider in compliance with applicable payment card industry standards, and
 - (5) a statement of the Applicant's policies regarding the use of passenger geolocation information, which must include, at a minimum, a prohibition on the use, monitoring, or disclosure of trip information, including the date, time, pick-up location, drop-off location, and real-time vehicle location and any retained vehicle location records, without such passenger's affirmative express consent.

Section 14. Subdivision (e) of Section 77-05 of Title 35 of the Rules of the City of New York, relating to the security policy of an applicant for a dispatch service provider license, is REPEALED, and Subdivisions (f) through (j) are relettered Subdivisions (e) through (i).

Section 15. The introductory paragraph of Section 77-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

No Dispatch Service Provider will be approved by the Commission pursuant to this Chapter unless the manner in which it provides Dispatch Service complies with the all of the requirements set forth in this section or as such requirements may be waived or modified by the Commission pursuant to §77-05(j)(i) of these Rules.

Section 16. Subdivision (f) of Section 77-20 of Title 35 of the Rules of the City of New York is amended to read as follows:

(f) *Security.*

- (1) If the Dispatch Service Provider accepts credit card, debit card, or pre-paid card payment, the Dispatch Service Provider must conform to applicable PCI Standards.
- (2) The Dispatch Service Provider must comply with the [security standards outlined in the Security Policy] Information Security and Use of Personal Information Policy filed with the TLC pursuant to §77-05(e)(d) of these Rules.

§77-20(f)	Penalty: \$[500] <u>1,000</u> fine and/ or suspension up to 60 days or revocation	Appearance REQUIRED
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Section 17. Subdivisions (q) through (s) of Section 78-03 of Title 35 of the Rules of the City of New York are relettered Subdivisions (r) through (t), and a new subdivision (q) is added, to read as follows:

- (q) Personal Information has the same meaning as the term as it is defined in New York General Business Law §899-aa(1)(a) and includes such information pertaining to passengers and drivers.

Section 18. Subdivisions (b) and (c) of Section 78-05 of Title 35 of the Rules of the City of New York are amended to read as follows:

- (b) Documentation for E-Hail Application Approval. The Applicant must submit with its License application a detailed description of its E-Hail Application's functionality and its compliance with the

requirements set forth in §78-21 [and §78-22] of these Rules, as well as a list of all third-party designees the E-Hail Provider will use in offering E-Hail or E-Payment services. If the Application includes E-Payment, the Applicant must submit with its License application the documentation described in Paragraphs (1) through (4) of this subdivision. All documentation pertaining to an independent third party must be accompanied by a signed authorization from the Applicant authorizing the Commission to contact the independent third party directly and authorizing the independent third party to respond to inquiries from the Commission.

- (1) An acceptance test plan that uses information technology industry testing tools, techniques and methodologies designed to comprehensively test whether the E-Hail Application and related services comply with all of the requirements set forth in §78-21 of these Rules, or as such requirements may be waived or modified by the Commission pursuant to Subdivision (f) of this section;
- (2) Documentation demonstrating that an independent third party that is accredited by the American National Standards Institute-American Society of Quality National Accreditation Board ("ANAB") to perform International Organization for Standardization ("ISO") 9001 certifications has performed acceptance testing consistent with the acceptance test plan, and the successful results of the acceptance testing; and
- (3) Documentation, to be renewed and resubmitted to the TLC every twelve (12) months, demonstrating that an independent third party that is a Qualified Security Assessor ("QSA") company has performed security testing of the E-Hail Application and related services to determine compliance with the security standards set forth in §78-21(f) of these Rules, or as such standards may be waived or modified by the Commission pursuant to Subdivision (f) of this section, and the successful results of the security testing; and
- (4) Documentation, to be renewed and resubmitted to the TLC every twelve (12) months, demonstrating that an independent third party that is either a QSA company or a company accredited by ANAB to certify ISO 27001 has performed security testing of the E-Hail Application and related services to determine compliance with the security standards set forth in §78-22 of these Rules, or as such standards may be waived or modified by the Commission pursuant to Subdivision (f) of this section, and the successful results of the security testing;]

(c) Privacy Information Security and Use of Personal Information Policy. The Applicant must submit with its License application [a detailed privacy policy meeting industry best practices that describes the specific privacy risks associated with the Applicant's E-Hail Application and mitigations the Applicant has developed to address those risks.] an information security and use of personal information policy that includes, at a minimum, the following information:

- (1) a statement of internal access policies relating to passenger and driver Personal Information for employees, contractors, and third party access, if applicable;
- (2) a statement that, except to the extent necessary to provide credit, debit, and prepaid card services and services for any application that provides for electronic payment, Personal Information will only be collected and used with such passenger's affirmative express consent and that such personal information will not be used, shared, or disclosed, except for lawful purposes;
- (3) procedures for notifying the Commission and affected parties of any breach of the security of the system, pursuant to Section 899-aa of the General Business Law;
- (4) a statement that any credit, debit, or prepaid card information collected by the Applicant or a credit, debit, or prepaid card services provider is processed by the Applicant or such provider in compliance with applicable payment card industry standards, and
- (5) a statement of the Applicant's policies regarding the use of passenger geolocation information, which must include, at a minimum, a prohibition on the use, monitoring, or disclosure of trip information, including the date, time, pick-up location, drop-off location, and real-time vehicle location and any retained vehicle location records, without such passenger's affirmative express consent.

Section 19. Section 78-22 of Title 35 of the Rules of the City of New York, relating to information security requirements for e-hail app providers, is REPEALED.

Section 20. Section 83-05 of Title 35 of the Rules of the City of New York is amended to add a new Subdivision (h) to read as follows:

(h) Information Security and Use of Personal Information Policy. The Applicant must submit with its License application an information security and use of personal information policy that includes, at a minimum, the following information:

- (1) a statement of internal access policies relating to passenger and driver Personal Information for employees, contractors, and third party access, if applicable;
- (2) a statement that, except to the extent necessary to provide credit, debit, and prepaid card services and services for any application that provides for electronic payment, Personal Information will only be collected and used with such passenger's affirmative express consent and that such personal information will not be used, shared, or disclosed, except for lawful purposes;
- (3) procedures for notifying the Commission and affected parties of any breach of the security of the system, pursuant to Section 899-aa of the General Business Law;
- (4) a statement that any credit, debit, or prepaid card information collected by the Applicant or a credit, debit, or prepaid card services provider is processed by the Applicant or such provider in compliance with applicable payment card industry standards, and
- (5) a statement of the Applicant's policies regarding the use of passenger geolocation information, which must include, at a minimum, a prohibition on the use, monitoring, or disclosure of trip information, including the date, time, pick-up location, drop-off location, and real-time vehicle location and any retained vehicle location records, without such passenger's affirmative express consent.

Section 21. Section 83-16 of 35 of the Rules of the City of New York is amended to add a new subdivision (c) to read as follows:

(c) Security Breach. The Applicant must inform the Commission if they are required to make disclosures under State or Federal law regarding security breaches including the New York State Information Security Breach and Notification Act (General Business Law §899-aa).

§83-16(c)	Penalty: \$1,000	Appearance REQUIRED
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Section 22. Subdivision (a) of Section 83-26 of Title 35 of the Rules of the City of New York is amended to read as follows:

[(a)] The LPEP Provider must collect, use, and process Personal Information [provided to it or to which it has access in connection with the activities authorized under this Chapter solely for the purposes of performing such authorized activities and in compliance with all applicable privacy and data protection laws] in accordance with the information security and use of personal information policy it has on file with the TLC pursuant to §83-05(h). [

- (b) Except to the extent necessary to provide Credit, Debit, and Prepaid Card Services, the LPEP Provider must not collect any Personal Information on any Passenger without such Passenger's express, informed and documented consent. Such prohibition includes but is not limited to collecting Personal Information through any cookie, applet, web bug, beacon or similar technology.
- (c) The LPEP Provider must ensure that Personal Information collected by a credit/debit/prepaid card services provider engaged by the LPEP Provider is stored in database management systems maintained and administered by the credit/debit/prepaid card services provider or its processing agent in compliance with the applicable PCI Standards.
- (d) Except as may be permitted in the contract between a Street Hail Livery Licensee and the LPEP Provider or as otherwise required by law, an LPEP Provider must not disseminate, and must not permit its agents to disseminate, to any other person or entity any Street Hail Livery location-based information regarding a Street Hail Livery while it is off-duty.]

§83-26[(a)-(d)]	Penalty: \$500-\$1,000 fine and suspension for each subdivision violated	Appearance REQUIRED
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Section 23. Subdivision (f) of Section 83-31 of Title 35 of the Rules of the City of New York is amended to read as follows:

(f) Security.

[(1)] All features of the LPEP, including the collection, transmission and maintenance of data by the LPEP Provider, required by this section must conform to the following security standards:

- [(i)] (1) Applicable PCI Standards;

(ii) (2) Department of Information Technology and Telecommunications Citywide Information Security Policy for Service Providers and Encryption Standards (“DOITT Standards”) at <http://www.nyc.gov/html/doitt/html/business/security.shtml>; and

(iii) (3) The information security and use of personal information policy the TPEP Provider has on file with the TLC pursuant to §83-05(h). [All security standards contained in Chapter 84 of these Rules.

- (2) Access to all data required to be collected, transmitted and maintained by this section must be by log-in identification and password controls or other equivalent security measures.]

Section 26. Chapter 84 of Title 35 of the Rules of the City of New York, relating to information security rules for street hail livery technology system providers, is REPEALED.

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Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Taxi and Limousine Commission (TLC) is considering changing its rules to reduce the risks of fatigued driving by its licensed drivers.

When and where is the hearing? The Commission will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M. on June 23, 2016. The hearing will be in the hearing room at 33 Beaver Street – 19th Floor, New York, NY 10004.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22nd Floor, New York, NY 10004.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at (212) 676-1102.
- **Email.** You can email written comments to tlcrules@tlc.nyc.gov.
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC rules website at www.nyc.gov/nycrules.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 676-1135. You can also sign up in the hearing room before the hearing begins. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by Thursday, June 23, 2016.

Do you need assistance to participate in the hearing? You must tell the Office of Legal Affairs 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 (212) 676-1135. You must tell us by Friday, June 17, 2016.

Can I review the comments made on the proposed rules? A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Office of Legal Affairs.

What authorizes the Commission to make this rule? Sections 1043 and 2303 of the City Charter and Section 19-503 of the City Administrative Code authorize the Commission to make this proposed rule. This proposed rule was not included in the Commission’s regulatory agenda for this Fiscal Year because it was not contemplated when the Commission published the agenda.

Where can I find the Commission’s rules? The Commission’s rules are in Title 35 of the Rules of the City of New York.

What rules govern the rulemaking process? The Commission must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

STATEMENT OF BASIS AND PURPOSE OF RULES

Commercial drivers’ long work hours make them more susceptible than others to fatigued driving. An existing Taxi and Limousine Commission (TLC) rule addresses driver fatigue by limiting the number of consecutive hours that a taxi driver can drive for hire to 12 hours. But the restriction does not apply to for-hire vehicle drivers and is difficult to enforce because a break of any length could reset the clock and allow a driver to comply with TLC rules while working excessive hours. Consistent with Mayor de Blasio’s Vision Zero Initiative’s emphasis on traffic safety, TLC reviewed the research on fatigued driving with the goal of developing new rules that would apply across its service sectors.

Research conducted by the Centers for Disease Control, the National

Highway Traffic Safety Administration (NHTSA), the National Sleep Foundation, and the US Federal Highway Administration concludes that long work hours lead to acute fatigue and reduced sleep, and compounded over a period of days and weeks, may lead to chronic fatigue. For drivers, this means slowed reaction times and a reduced ability to assess situations quickly, potentially leading to driver errors and a higher risk of crashing. In addition to longer working hours being associated with fewer hours of sleep, research has shown that being awake for 18 hours results in impairment equal to blood alcohol concentrations (BAC) of 0.05 (considered driving while under the influence of alcohol in New York State), and being awake for 24 hours results in impairment equal to a BAC of 0.10 (1.25 times the 0.08 threshold for driving while intoxicated). Although the vast majority of TLC-licensed drivers are not driving an excessive number of hours, there is a small segment of drivers who do. Indeed, TLC has heard concerns from passengers that their drivers may have fallen asleep behind the wheel.

The proposed rule seeks to reduce the serious safety risks of fatigued driving by:

- Prohibiting a driver of a taxi or for-hire vehicle from picking up passengers for hire for more than 12 hours in any 24-hour period;
- Prohibiting a driver of a taxi or for-hire vehicle from picking up passengers for hire for more than 72 hours in any seven-day period;
- Resetting the 12-hour clock for a driver after any period in which he or she has gone at least eight consecutive hours without pickups (e.g., a driver who works 10:00 A.M. – 10:00 P.M. on Monday can begin a 12-hour shift on Tuesday as early as 6:00 A.M.); and
- Prohibiting a base from dispatching a driver to do pickups in more than 12 hours in any 24-hour period (unless that base has stopped dispatching the driver to do pickups for eight or more consecutive hours) and prohibiting a base from dispatching a driver to do pickups in more than 72 hours in any seven-day period.

Unlike the current rule, the proposed rule:

- **Addresses acute fatigue.** By prohibiting drivers from operating for hire for more than 12 hours in any 24-hour period, while also accounting for adequate downtime of at least 8 hours, this rule reduces the likelihood that drivers will work more hours than may be safe within one day.
- **Addresses chronic fatigue.** By prohibiting drivers from operating for hire for more than 72 hours in any seven-day period, the rule reduces the likelihood that drivers and the public will face additional safety risks associated with working long hours over many days without time for the body to recuperate. Drivers who like long shifts could work up to six 12-hour shifts in a week but would need to rest one day a week. Most drivers do not work full 12-hour shifts and work shorter shifts. These drivers could still work every day so long as the total number of hours worked per week does not exceed 72.
- **Provides flexibility for different shift types.** The proposed rule maintains the ability for drivers to work twelve-hour shifts, a standard shift length in the taxi industry for decades, while also creating a standard that is flexible enough for drivers of any vehicle type who work less regular or “split shift” schedules.
- **Fights fatigue in both taxi and for-hire vehicle sectors.** By applying to both taxi and for-hire vehicle drivers, this rule ensures the public and drivers have the same protections regardless of the service sector.
- **Reflects cross-sector driver mobility.** This rule applies uniformly across sectors to address drivers who move back and forth between taxis and for-hire vehicles, a practice that may become more common as TLC implements a new “universal” driver’s license for use in both taxis and for-hire vehicles.

The proposed daily and weekly limits fall within a range of limits in place for professional drivers in other jurisdictions:

- In any 24-hour period, Chicago and Nevada taxi drivers may drive no more than 12 hours; Philadelphia taxi and limousine drivers may drive no more than 14 hours; and Los Angeles for-hire drivers may drive no more than 10 hours. Nationally, interstate truck and bus drivers may drive no more than 11 and 10 hours, respectively.
- In any seven-day period, interstate truck and bus drivers may drive no more than 60 hours; Los Angeles for-hire drivers may drive no more than 70 hours; Minneapolis taxi drivers may drive no more than 72 hours; and Philadelphia and Chicago for-hire drivers may drive no more than 84 hours.

The limits on driver hours are supported by data on TLC-licensed drivers, as well as by best practices and scientific research. Over 2014 and 2015, the crash rate of taxi drivers working more than 12 hours in a day was 23.8 percent higher than for those who worked 12 or fewer hours in a day. Over the same two-year period, the crash rate of taxi drivers working more than 72 hours in a week was 8.6 percent higher

than for those who worked 72 or fewer hours in a week. Moreover, the Institute of Medicine classifies transportation as a safety-sensitive industry, and work hours for professional drivers (e.g., truck drivers, aviation workers) have been regulated by the US Department of Transportation since the 1930s. NHTSA reports that fatigue impairs performance of repetitive tasks, such as driving, by reducing vigilance, slowing reaction time and creating deficits in information processing. Engineers at the University of North Florida studied bus drivers and found that more collisions occurred with an increase in weekly driving hours. The American Automobile Association Foundation reports that fatigued drivers are involved in 20 percent of fatal crashes nationally.

The population of TLC-licensed drivers affected by the limits in the proposed rule is small: only three percent of drivers for hire in New York City typically drive more than 12 hours per day and less than seven percent typically drive more than 72 hours in a week. Therefore most drivers would not need to modify their working hours to comply with these rules. There is a small population of drivers whose current hours put them most at risk for fatigued driving and for whom it is particularly important to reduce working hours: the roughly one percent of drivers who drive more than 14 hours in a day and the three percent who exceed 80 hours in a week.

To enforce the proposed rule, TLC will review trip records submitted by Medallion and Boro Taxis, as well as for-hire vehicle bases, to calculate the hours in which a driver is picking up passengers in any 24-hour or seven-day period. Trips by a driver who accepts dispatches from multiple bases, or who operates both taxis and for-hire vehicles, will be combined to determine the total number of hours worked. Bases will only be responsible for trips that they dispatch, not dispatches that their affiliated drivers accept through other bases or street hails accepted by Boro Taxis (e.g., if Base A dispatches a driver to do pickups for nine hours in a 24-hour period and Base B dispatches a driver to do pickups for an additional six hours in the same 24-hour period, then only the driver is in violation of the daily limit, not the two bases).

Given the wide range of driving schedules among the more than 140,000 TLC-licensed drivers in New York City, it is important to create clear, consistent, and enforceable rules. This proposed rule will serve as one of many tools for the TLC to combat the complex challenge of driver fatigue. In addition to broad-based outreach to licensees to explain these rules, TLC will expand its current driver education and training materials to include strategies to combat driver fatigue, including the benefits of breaks and the importance of getting adequate rest. By drawing on all of these tools, TLC seeks to ensure that drivers have enough time to rest prior to transporting passengers for hire and thus help move the city a step closer to achieving Vision Zero.

This rule is authorized by Section 2303 of the New York Charter and Section 19-503 of the Administrative Code.

New material is underlined.
[Material inside brackets indicates deleted material.]

Section 1. Section 51-03 of Title 25 of the Rules of the City of New York is amended by adding by the definition of "Associated Base", in alphabetical order, to read as follows:

Associated Base is a For-Hire Base using the same name or trade, business, or operating name as another For-hire Base.

Section 2. Subdivision (d) of Section 54-14 of Title 25 of the Rules of the City of New York is amended to read as follows:

(d) Limits on [Consecutive] Hours of Driving. [A Driver must not operate a Vehicle for more than 12 consecutive hours.]

- (i) A Driver must not pick up passengers for hire in more than 12 hours in total in any 24-hour period. EXCEPTION: If a Driver picks up no passengers for hire for at least eight consecutive hours, the 12-hour clock resets and such Driver may resume picking up passengers for hire.
- (ii) A Driver can pick up passengers for hire in no more than 72 hours in total in any seven-day period.

§54-14(d)	<u>[\$25] Hours above daily or weekly limit:</u> <u>1-2: \$75</u> <u>3-4: \$175 if plead guilty before hearing; and \$250 if found guilty following a hearing.</u> <u>5 or more: \$300 if plead guilty before hearing; and \$400 if found guilty following a hearing.</u> <u>If guilty of two or more violations during the past year for exceeding the daily or weekly limit by three or more hours, penalty shall also include a suspension of 15 days.</u>	Appearance NOT REQUIRED
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Note: For purposes of determining whether a Driver is in violation of this Rule, any pickups that a Driver makes while operating a Vehicle pursuant to this Chapter will be combined with any pickups such Driver makes while operating a Vehicle pursuant to Chapter 55.

Section 3. Section 55-14 of Title 35 of the Rules of the City of New York is amended by adding a new Subdivision (i), to read as follows:

- (i) Limits on Hours of Driving.
- (i) A Driver must not pick up passengers for hire in more than 12 hours in total in any 24-hour period. EXCEPTION: If a Driver picks up no passengers for hire for at least eight consecutive hours, the 12-hour clock resets and such Driver may resume picking up passengers for hire.
- (ii) A Driver can pick up passengers for hire in no more than 72 hours in total in any seven-day period.

§55-14(i)	<u>Hours above daily or weekly limit:</u> <u>1-2: \$75</u> <u>3-4: \$175 if plead guilty before hearing; and \$250 if found guilty following a hearing.</u> <u>5 or more: \$300 if plead guilty before hearing; and \$400 if found guilty following a hearing.</u> <u>If guilty of two or more violations during the past year for exceeding the daily or weekly limit by three or more hours, penalty shall also include a suspension of 15 days.</u>	Appearance NOT REQUIRED
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Note: For purposes of determining whether a Driver is in violation of this Rule, any pickups that a Driver makes while operating a Vehicle pursuant to this Chapter will be combined with any pickups such Driver makes while operating a Vehicle pursuant to Chapter 54.

Section 4. Section 59B-18 of Title 35 of the Rules of the City of New York is amended by adding a new subdivision (e), to read as follows:

- (e) Limits on Hours of Driving.
- (i) A Base or Associated Base must not dispatch a Driver to pick up passengers for hire in more than 12 hours in total in any 24-hour period. EXCEPTION: If a Base or Associated Base does not dispatch a Driver to pick up passengers in at least eight consecutive hours, the 12-hour clock resets and such Base or Associated Base can resume dispatching such Driver to pick up passengers for hire.
- (ii) A Base or Associated Base must not dispatch a Driver to pick up passengers for hire in more than 72 hours in total in any seven-day period.

§59B-18(e)	\$200	Appearance NOT REQUIRED
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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: Driver Fatigue Rule
REFERENCE NUMBER: TLC-93
RULEMAKING AGENCY: Taxi and Limousine Commission

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because a cure period is not practicable under the circumstances.

/s/ Francisco X. Navarro May 20, 2016
 Mayor's Office of Operations 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: Driver Fatigue Rule
REFERENCE NUMBER: 2016 RG 047
RULEMAKING AGENCY: Taxi and Limousine Commission

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: May 20, 2016

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SPECIAL MATERIALS

CITY PLANNING

■ NOTICE

**NOTICE OF A PUBLIC COMMENT PERIOD
PROPOSED ANNUAL PERFORMANCE REPORT (APR)
2015 CONSOLIDATED PLAN PROGRAM YEAR**

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

The Department of City Planning is announcing a **15 day public comment period from May 13, 2016 until May 27, 2016** for the *Proposed 2015 Consolidated Plan Annual Performance and Evaluation Report (CAPER)*. This document is required by the United States Department of Housing and Urban Development (HUD). The *Proposed CAPER* describes the City's performance concerning the statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy and the City's use of Federal funds for the four HUD Office of Community Planning and Development entitlement programs: Community Development Block Grant (CDBG), HOME Investment Partnership, Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). This document reports on the accomplishments and commitments of these funds during the 2015 calendar year, January 1, 2015 to December 31, 2015.

As of **May 13, 2016**, copies of the *Proposed 2015 Consolidated Plan CAPER* can be obtained at the Department of City Planning Bookstore 120 Broadway, 31st Floor, New York, NY 10271 (Mondays 10:00 A.M. until 12:00 NOON with walk-ins from 10:00 A.M. until 11:00 A.M., and Wednesdays from 1:00 P.M. until 3:00 P.M. with walk-ins from 2:00 P.M. until 3:00 P.M.), and the respective Department of City Planning Borough Offices. In addition, the report will be posted in Adobe PDF format for free downloading on City Planning's website at: www.nyc.gov/planning. Furthermore, copies of the Proposed APR will be available for review at the main public library in each of the five boroughs. Please call (212) 720-3337 for information on the closest library.

The public comment period ends close of business May 27, 2016. Written comments on the *Proposed 2015 Consolidated Plan Annual Performance and Evaluation Report* should be sent to Mr. Sorrentino at the Department of City Planning, 120 Broadway, 31st Floor, New York, NY 10271, email: Con-PlanNYC@planning.nyc.gov.

The City of New York: Bill de Blasio, Mayor
Carl Weisbrod, Director, Department of City Planning

m13-27

ENVIRONMENTAL PROTECTION

■ NOTICE

**Determination and Findings of the Department of
Environmental Protection**

Pursuant to Section 204 of the Eminent Domain Procedure Law

The following constitutes the Determination and Findings of the City of New York ("City") by its Department of Environmental Protection ("DEP") with respect to the proposed acquisition of property, located at the intersection of 73rd Place and South Railroad Avenue, which is identified on the New York City Tax Map as Block 2448, Lot 60, Borough of Queens, (the "Property") for construction of, and access to, a water supply shaft known as Shaft 18B-2 for City Water Tunnel No. 3, Stage 4 (the "Proposed Acquisition").

A public hearing was held on February 24, 2016 in accordance with the provisions of Article 2 of the New York State Eminent Domain Procedure Law ("EDPL"), which provides a uniform procedure for condemnation by municipalities and others throughout New York State. The hearing was held in connection with the proposed acquisition of approximately 56,000 square feet of property in fee simple absolute for Shaft 18B-2 of City Tunnel 3, Stage 4.

As provided by Section 202 of the EDPL, notices were published in The City Record and the New York Post advising the public that a hearing would be held on February 24, 2016 and comments would be received concerning the public use, benefits, and purposes to be served by the Proposed Acquisition and other pertinent facts. The hearing notices also informed the public that they would be given a reasonable opportunity to comment on the Proposed Acquisition. The hearing provided an opportunity for the public to comment on the project.

The record of the February 24, 2016 hearing remained open for written comments until the close of business on March 9, 2016. No member of the public submitted comments at the hearing and no written comments were received after the hearing. The City made available for public inspection copies of the hearing transcript, and the exhibits introduced at the hearing, such as the notice of public hearing, affidavits of service and publication of the notice, the proposed acquisition map, the authority upon which the Proposed Acquisition is based, and the environmental review record.

Pursuant to 204(B)(1) of the EDPL, and having given due consideration to the complete hearing record, which includes all documents submitted, the City makes the following Determination and Findings:

1. The public use, benefit, and purpose to be served by the proposed project [EDPL § 204(B)(1)]

Shaft 18B-2 is a proposed water supply shaft along the Bronx/Queens leg (Stage 4) of City Water Tunnel No. 3, an underground water tunnel. The proposed project is being constructed to supplement and augment City Water Tunnel Nos. 1 and 2 by increasing the capacity of the New York City water supply system; enhancing peak flow capacity; improving pressure in outlying areas; permitting the inspection and repair of City Water Tunnel No. 1, City Water Tunnel No. 2, and City Water Tunnel No. 3, Stage 1; and providing back-up service in the event of a system failure. Shaft 18B-2 will allow water to be conducted from City Tunnel No. 3 to the surface distribution system, thereby improving water pressure and reliability.

There are two sources of authority for the acquisition of the proposed site. The first is a report entitled "The Board of Water Supply[,] City of New York[,] to the Board of Estimate on City Tunnel No. 3, Stage 2," which was presented to, and approved by, the Board of Estimate on July 19, 1973, Calendar Number 19. The second is the City Planning Commission's approval on June 15, 1994, Calendar Number 43, report C 930322 PCQ, of an application filed on January 26, 1993, pursuant to Sections 197-c and 199 of the New York City Charter, for the acquisition by condemnation of a parcel of land that is comprised of what was formerly known as Block 2448, Lot 60, and is currently known as Lots 30 and 60.

2. The approximate project location for the proposed project and the reasons for the selection of that location [EDPL § 204(B)(2)]

On February 8, 2008, the City acquired title by eminent domain to the property now known as Queens Block 2448, Lot 30 for the City's Water Tunnel No. 3's Shaft 18B. The proposed project involves the acquisition of property located on Queens Block 2448, Lot 60, in Woodside, to construct a vertical water supply shaft to connect to City Water Tunnel No. 3. There are no proposed alternative locations. The

reason for the selection of the Property is its proximity to Shaft 18B, which is a water supply shaft along the Queens/Brooklyn leg (Stage 2) of City Water Tunnel No. 3. Shaft 18B-2 is proposed to be constructed 250 feet away from Shaft 18B. Large interconnecting overland pipes running between Shaft 18B and Shaft 18B-2 are planned for construction, as well as large distribution supply piping running from the proposed shafts to the distribution system.

3. The general effect of the proposed project on the environment and the residents of the locality [EDPL § 204(B)(3)]

The proposed project was reviewed in accordance with 6 NYCRR Part 617 of the New York State Environmental Quality Review Act ("SEQRA") and in accordance with the City Environmental Quality Review, which was established by Executive Order 91 of 1977. Based on that review, DEP issued a Type II determination on May 15, 1992 which explained that the use of the Proposed Acquisition is an excluded action: one that is undertaken, funded or approved prior to the effective dates set forth in SEQRA. Since the acquisition of Block 2448, Lot 60 was originally authorized as part of the original Shaft 18B project and associated Uniform Land Use Review Procedure approval, no further environmental review is required for this acquisition that is for the same purpose. DEP issued a memorandum, dated September 14, 2006, which details the updated environmental assessment that was conducted to determine any potential significant adverse impacts, and explains that there will be no negative effect on the environment once construction of the water tunnel shaft begins. Thereafter, DEP issued a memorandum, dated February 19, 2016, which explains that, pursuant to SEQRA, the property that is proposed as part of this proceeding is an exempt Type II action because it was authorized by the original Shaft 18B City Water Tunnel 3 project.

4. Other considerations [EDPL § 204(B)(4)]

No comments were received from the public at the February 24, 2016 public hearing, and no comments were received subsequent to the public hearing.

Determination

Based on due consideration of the record and the foregoing findings, it is determined that the City should exercise its power of eminent domain to acquire the Property to permit the purposes of the City Water Tunnel No. 3, Stage 4 to be achieved.

Copies of this Determination and Findings by the City are available and will be forwarded without cost, and upon written request to:

New York Department of Environmental Protection
Office of General Counsel
59-17 Junction Boulevard, 19th Floor
Flushing, NY 11373-5108
Attention: Shaft 18B-2 Acquisition

PLEASE TAKE NOTICE THAT:

PURSUANT TO SECTION 207 OF THE EMINENT DOMAIN PROCEDURE LAW, ANY PERSON WHO WISHES TO SEEK JUDICIAL REVIEW OF THIS DETERMINATION AND FINDINGS, OR WHO CLAIMS TO BE AGGRIEVED BY SUCH DETERMINATION AND FINDINGS AND WISHES TO CHALLENGE THE SAME, MUST DO SO, IF AT ALL, BY DULY COMMENCING A LEGAL PROCEEDING IN THE APPELLATE DIVISION, SECOND JUDICIAL DEPARTMENT, NO LATER THAN THIRTY (30) DAYS AFTER THE COMPLETION OF THE PUBLICATION OF THIS DETERMINATION AND FINDINGS. SINCE PUBLICATION WILL TAKE PLACE ON MAY 23, 2016 AND MAY 24, 2016, ANY SUCH PROCEEDING MUST BE COMMENCED ON OR BEFORE JUNE 23, 2016.

UNDER SECTIONS 207 AND 208 OF THE EMINENT DOMAIN PROCEDURE LAW, THE EXCLUSIVE VENUE FOR ANY CHALLENGE TO THIS DETERMINATION AND FINDINGS IS THE APPELLATE DIVISION, SECOND JUDICIAL DEPARTMENT. ANYONE WISHING TO CHALLENGE THIS DETERMINATION AND FINDINGS IS ADVISED TO CONSULT AN ATTORNEY PROMPTLY.

m23-24

CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: CITY COUNCIL FOR PERIOD ENDING 05/06/16. Rows include AMPRY-SAMUEL, ANSART, CAMPANHA, GERMAN, GROSS, JOHNSON, OGALDES-WIGGINS, SANCHEZ.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: DEPARTMENT FOR THE AGING FOR PERIOD ENDING 05/06/16. Rows include ALSTON.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: CULTURAL AFFAIRS FOR PERIOD ENDING 05/06/16. Rows include ANDRADE, CAMPBELL, CHAE, CYNTJE, EDOMY, EMERAN, GIBSON, GUNRAJ, KERR, PARK, PAYNE, PORTOCARRERO, READER-PAZANT, ROBERTS, RODRIGUEZ, RODRIGUEZ, SANTOS, TAYLOR, WATSON, YOUNG, ZHENG.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: FINANCIAL INFO SVCS AGENCY FOR PERIOD ENDING 05/06/16. Row: LOEWY.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: OFF OF PAYROLL ADMINISTRATION FOR PERIOD ENDING 05/06/16. Rows include FRANK, MORRISON, ROBERSON, ROBERSON, SILVESTRY.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: INDEPENDENT BUDGET OFFICE FOR PERIOD ENDING 05/06/16. Rows include RICHOLTZ, ENG, ENG, SIMMONDS-COBB, STEINBERGER, WANG.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: CIVIL SERVICE COMMISSION FOR PERIOD ENDING 05/06/16. Row: ORGEL.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: LANDMARKS PRESERVATION COMM FOR PERIOD ENDING 05/06/16. Rows include KRAUT, LEEP.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: TAXI & LIMOUSINE COMMISSION FOR PERIOD ENDING 05/06/16. Rows include ABUGHAZE, COFFER, DUTTA, HARTWELL, MACK, PAYNE, SANTIAGO.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: PUBLIC SERVICE CORPS FOR PERIOD ENDING 05/06/16. Rows include FERNANDEZ, FONTENELLE, LAWRENCE, ROUQUE.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: OFFICE OF LABOR RELATIONS FOR PERIOD ENDING 05/06/16. Rows include ACHILLE, DIXON-MURRAY, NOEL, SPASOJEVICH.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Section: HUMAN RIGHTS COMMISSION FOR PERIOD ENDING 05/06/16. Rows include AYBAR-JACOBS, BROWNE.

Table with columns: NAME, LAST NAME, AGENCY, SALARY, ACTION, DATE, etc. listing various employees and their details.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 05/06/16

Table listing Board of Election Poll Workers with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 05/06/16

Table listing Board of Election Poll Workers (continuation) with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.

Table listing various employees with columns: NAME, LAST NAME, AGENCY, SALARY, ACTION, DATE, etc.

MANHATTAN COMMUNITY BOARD #5 FOR PERIOD ENDING 05/06/16

Table listing Manhattan Community Board #5 employees with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.

BRONX COMMUNITY BOARD #4 FOR PERIOD ENDING 05/06/16

Table listing Bronx Community Board #4 employees with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.

QUEENS COMMUNITY BOARD #8 FOR PERIOD ENDING 05/06/16

Table listing Queens Community Board #8 employees with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.

GUTTMAN COMMUNITY COLLEGE FOR PERIOD ENDING 05/06/16

Table listing Guttman Community College employees with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.

COMMUNITY COLLEGE (BRONX) FOR PERIOD ENDING 05/06/16

Table listing Community College (Bronx) employees with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.

COMMUNITY COLLEGE (BRONX) FOR PERIOD ENDING 05/06/16

Table listing Community College (Bronx) employees (continuation) with columns: NAME, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY.