



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD U.S.P.S. 0114-660
Printed on paper containing 30% post-consumer material

VOLUME CXLIII NUMBER 115

WEDNESDAY, JUNE 15, 2016

Price: \$4.00

TABLE OF CONTENTS

PUBLIC HEARINGS AND MEETINGS

Borough President - Manhattan	2305
Borough President - Queens	2305
City Planning Commission	2305
Community Boards	2307
Comptroller	2307
Consumer Affairs	2307
Educational Construction Fund	2308
Board of Education Retirement System	2308
Equal Employment Practices Commission	2309
Housing Authority	2309
Independent Budget Office	2309
Landmarks Preservation Commission	2309
Rent Guidelines Board	2310
Transportation	2310

PROPERTY DISPOSITION

Citywide Administrative Services	2312
Office of Citywide Procurement	2312
Police	2312

PROCUREMENT

Administration for Children's Services	2313
Borough President - Queens	2313
Citywide Administrative Services	2313
Office of Citywide Procurement	2313
Correction	2313

Central Office of Procurement	2313
Education	2314
Contracts and Purchasing	2314
Health and Mental Hygiene	2314
Housing Authority	2314
Procurement	2314
Risk Finance	2315
Supply Management	2315
Housing Preservation and Development	2315
General Services	2315
Maintenance	2315
Neighborhood Preservation	2315
Human Resources Administration	2316
Agency Chief Contracting Officer	2316
Parks and Recreation	2316
Revenue	2316
Small Business Services	2316
Procurement	2316

CONTRACT AWARD HEARINGS

Law Department	2317
----------------	------

AGENCY RULES

Health and Mental Hygiene	2317
---------------------------	------

SPECIAL MATERIALS

Aging	2330
Housing Preservation and Development	2330
Changes in Personnel	2331

LATE NOTICE

Small Business Services	2332
Procurement	2332

THE CITY RECORD

BILL DE BLASIO

Mayor

LISETTE CAMILO

Commissioner, Department of Citywide Administrative Services

ELI BLACHMAN

Editor, The City Record

Published Monday through Friday except legal holidays by the New York City Department of Citywide Administrative Services under Authority of Section 1066 of the New York City Charter.

Subscription \$500 a year, \$4.00 daily (\$5.00 by mail). Periodicals Postage Paid at New York, N.Y. POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, 17th Floor, New York, N.Y. 10007-1602

Editorial Office/Subscription Changes: The City Record, 1 Centre Street, 17th Floor, New York, N.Y. 10007-1602 (212) 386-0055

Visit The New City Record Online (CROL) at www.nyc.gov/cityrecord for a searchable database of all notices published in the City Record.

PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - MANHATTAN

■ PUBLIC HEARINGS

The Manhattan Borough Board will meet Thursday, June 16, 2016, at 8:30 A.M., in the Office of Manhattan Borough President, 1 Centre Street, 19th Floor South, New York, NY 10007.

The Borough Board will conduct a public hearing and vote on a resolution concerning a zoning text amendment, the Theater

Subdistrict Fund Text Amendment (N 160254 ZRM). The amendment would change how the portion of the proceeds deposited into the Theater Subdistrict Fund from the transfer of development rights of a listed theater is calculated.

j19-16

BOROUGH PRESIDENT - QUEENS

■ MEETING

The Queens Borough Board will meet Monday, June 20, 2016, at 5:30 P.M., in the Queens Borough President Conference Room, 120-55 Queens Boulevard, 2nd Floor, Kew Gardens, NY 11424.

- Proposed Amended District Plan for the Long Island City Business Improvement District – Vote to be taken

j14-20

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 22, 2016 at 10:00 A.M.

BOROUGH OF THE BRONX

Nos. 1-5

LA CENTRAL

No. 1

CD 1

IN THE MATTER OF an application submitted by the NYC Department of Housing Preservation and Development pursuant to

C 160267 ZMX

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

- changing from a M1-1 District to an C6-2 District property bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue, the centerline of a Rail Road Right Of Way, and the northwesterly prolongation of the northerly street line of former 150th Street; and
- changing from a C4-4 District to an C6-2 District property bounded by Bergen Avenue, the northwesterly prolongation of the northerly street line of former 150th Street, the centerline of a Rail Road Right Of Way, and a line 90 feet northeasterly of East 149th Street;

as shown on a diagram (for illustrative purposes only) dated April 11, 2016.

No. 2

CD 1 **C 160268 HAX**
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD).

- pursuant to Article 160 of the General Municipal Law of New York State for:
 - the designation of properties located at Bergen Avenue and Westchester Avenue (Block 2361, Lots 1, 25, 26 and 50 and Block 2294, Lot 32), and 503 East 153 Street (Block 2363, Lot 1)
 - as an Urban Development Action Area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to be selected by HPD;

to facilitate development of five mixed use buildings containing approximately 831 affordable dwelling units, 160 supportive housing units, commercial space and community facility space.

No. 3

CD 1 **N 160269 ZRX**
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing 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

* * *

The Bronx

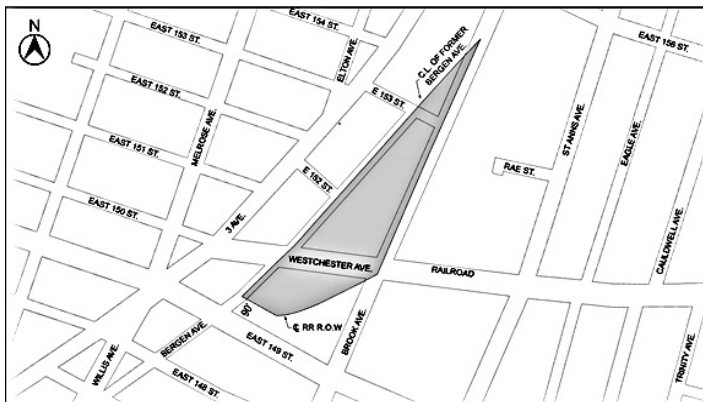
The Bronx Community District 1

In the #Special Harlem River Waterfront District# (see Section 87-20) and in the R7A, R7X, R8 and R8A Districts within the areas shown on the following Maps 1:

* * *

Map 2 - (date of adoption)

[PROPOSED MAP]



 **Mandatory Inclusionary Housing Area (MIHA)** see Section 23-154(d) (3)

Area 1 (date of adoption) – MIH Program Option 1

Portion of Community District 1, The Bronx

* * *

No. 4

CD 1 **C 160270 ZSX**
IN THE MATTER OF an application submitted by Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

- Section 74-743(a)(1) - to allow the distribution of required open space without regard to zoning lot lines; and
- Section 74-743(a)(2) - to allow the location of buildings without regard to applicable yard requirements of Sections 23-47 and 35-50 and height and setback regulations of Sections 23-62, 23-64 and 33-43;

in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149th Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, & 50, Block 2363, Lot 1), in a C6-2* District, within a Large-Scale General Development.

*Note: The site is proposed to be rezoned by changing from C4-4 and M1-1 Districts to a C6-2 District under a concurrent related application for a Zoning Map change (C 160267 ZMX).

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.

No. 5

CD 1 **C 160271 ZSX**

IN THE MATTER OF an application submitted by Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(b) of the Zoning Resolution to modify the use location requirements of Section 32-422 (Location of floors occupied by commercial uses) to allow Use Group 10 (television studios offices) on portions of the 2nd floor of the proposed building (Building B) on Parcel A, in connection with a proposed mixed-use development, on property generally bounded by Bergen Avenue and its northeasterly centerline prolongation, Brook Avenue and East 149th Street (Block 2294, Lot 32, Block 2361, Lots 1, 25, 26, & 50, Block 2363, Lot 1), in a C6-2* District, within a Large-Scale General Development.

*Note: The site is proposed to be rezoned by changing from C4-4 and M1-1 Districts to a C6-2 District under a concurrent related application for a Zoning Map change (C 160267 ZMX).

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.

NOTICE

On Wednesday, June 22, 2016, at 10:00 A.M., in Spector Hall, located at 22 Reade Street in Lower Manhattan, a public hearing is being held by the City Planning Commission to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the City of New York - Department of Housing Preservation & Development (HPD) on behalf of the project sponsor, La Central Manager LLC, for approval of several discretionary actions including the disposition of City-Owned property and designation/ approval of an Urban Development Action Area Project (UDAAP), zoning map and text amendments, and special permits to establish a Large-Scale General Development (LSGD). These actions are intended to provide affordable and supportive housing, local retail and other commercial uses, community facility uses, and open space on an assemblage of City-Owned properties (Block 2361, Lots 1, 25, 26 and 50; Block 2363, Lot 1; and Block 2294, Lot 32 and portions of Lots 30, 55, and 60), generally bounded by Bergen Avenue to the west, Brook Avenue to the east, a line approximately 90 feet north of East 149th Street to the south, and the Metropolitan Transit Authority elevated rail line for the 2 and 5 trains, in the Melrose neighborhood of the Bronx, Community District 1. Written comments on the DEIS are requested and will be received and considered by HPD, the Lead Agency, until Tuesday, July 5, 2016.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 15HPD041X.

No. 6

1775 GRAND CONCOURSE TEXT AMENDMENT

CD 5 **N 160179 ZRX**

IN THE MATTER OF an application submitted by 1775 Grand Concourse, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying Article XII, Chapter 2 (Special Grand Concourse Preservation District) to permit indirectly illuminated signs on the Grand Concourse street frontage of specified commercial infill sites.

For consideration.

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

**Article XII
 SPECIAL PURPOSE DISTRICTS**

**Chapter 2
 Special Grand Concourse Preservation District**

**122-20
 SPECIAL SIGN REGULATIONS**

In order to enhance the visual quality of the Special District, the applicable #sign# regulations of the underlying districts are modified, as follows:

- (a) Within the Limited Commercial Areas, only one #sign#, other than an #advertising sign#, with a surface area not exceeding 12 square feet, shall be permitted per #commercial use#. Such #signs# shall be located in a #sign band#, on the flap of a canopy, or as allowed under paragraph (d) of this Section. The height of such #signs# shall be not more than 24 inches and the letter sizes shall be restricted to a height of 12 inches. Except as provided in paragraph (d), all such #signs# may not project from the vertical surface of a #building# more than 18 inches.
- (b) Within the Commercial Extension Areas, no #signs# and no #display windows# shall be permitted on a #building or other structure# within 50 feet of the Grand Concourse. #Commercial uses# which are located on a cross-street beyond a distance of 50 feet from the Grand Concourse #street line#, shall comply with the #sign# regulations applicable to the underlying #Commercial District#.
- (c) On Commercial Infill Sites, the maximum surface area to be occupied by a #sign#, other than an #advertising sign#, shall be three square feet for every five feet of store frontage or 12 square feet, whichever is greater. Such #signs# shall be located in a #sign band# or on the flap of a canopy, or as allowed under paragraph (d). On portions of Commercial Infill Sites more than 50 feet from the Grand Concourse, the signage regulations of a C1 District shall apply.
- (d) Except in C1 Districts, no #sign# may be located so as to obscure any decorative lintel, cornice or other architectural detail. In the event that compliance with this requirement does not provide adequate surface area for the allowable #sign#, as defined in paragraph (a) of this Section, a projecting #sign# may be permitted by the Commissioner of Buildings provided that no such #sign# shall project from the vertical surface of a #building# more than 18 inches.
- (e) Except in C1 Districts, no banners, pennants, #flashing# or #illuminated signs# shall be permitted anywhere within the Special District. In addition, within Commercial Infill Sites north of the Cross Bronx Expressway, as shown on the map in Appendix A of this Chapter, #signs with indirect illumination# shall be permitted on the Grand Concourse #street# frontage of a #building#.
- (f) Within the Limited Commercial Areas, Commercial Infill Sites, and Commercial Extension Areas within 50 feet of the Grand Concourse, window graphics shall occupy not more than 20 percent of a window. Display lettering more than three inches high shall be considered as a #sign#.
- (g) All lawfully existing #non-conforming signs# located within the Special District shall be terminated one year after September 28, 1989.

**BOROUGH OF MANHATTAN
 No. 7
 ADORAMA**

CD 5 C 160082 ZSM
IN THE MATTER OF an application submitted by 42 West 18th Realty Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the height and setback requirements of Sections 23-633, 35-24 & 23-692, the rear yard requirements of Section 23-532, the permitted obstructions in rear yards requirements of Section 33-23, and the minimum distance between buildings requirements of Section 23-711, to facilitate a mixed-use development on property, located at 38-42 West 18th Street (Block 819, Lots 14, 15 & 66), in a C6-4A District, within the Ladies Mile Historic District.

**BOROUGH OF QUEENS
 No. 8**

**LONG ISLAND CITY BUSINESS IMPROVEMENT DISTRICT
 CD 1, 2 N 160322 BDQ**
IN THE MATTER OF an application submitted by the Department of Small Business Services on behalf of the Long Island City Business Improvement District (originally Queens Plaza/ Court

Square) pursuant to Section 25-405(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York, as amended, concerning amending of the Long Island City Business.

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

j8-22

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, June 15, 2016 at 7:00 P.M., 1097 Bergen Avenue, Brooklyn, NY.

IN THE MATTER OF an application by HASC Center Inc., (Hebrew Academy for Special Children), 5601 First Avenue, Brooklyn, NY 11220, under the auspices of the New York State Office for People With Developmental Disabilities (OPWDD) pursuant to Section 41.34 of the Mental Hygiene Law, to establish an Individualized Residential Alternative (IRA) home, at 1427 East 65th Street, a two-family detached corner house, for eight (8) male, autism spectrum children, 11-16 years of age.

j9-15

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 10 - Wednesday, June 15, 2016 at 7:00 P.M., Knights of Columbus, 1305 86th Street, Brooklyn, NY.

Proposed zoning text amendment to remove Community Board 10 from ZR 73-622 - a Board of Standards and Appeals special permit, allowing enlargements of single and two-family detached and semi-detached residences.

j9-15

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 02 - Wednesday, June 15, 2016 at 6:00 P.M., NYU Tandon School of Engineering-Room LC400, Dibner Building, 5 MetroTech Center (off of the Commons), Brooklyn, NY.

420 Albee Square, Brooklyn Center
 #M040173(A) HUK

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development and the New York City Economic Development Corporation seeking a minor change to Section C(3)b of the Brooklyn Center Urban Renewal Plan modifying Site 19B's supplementary building bulk controls, located in downtown Brooklyn, Community District 2.

j9-15

COMPTROLLER

■ MEETING

The City of New York Audit Committee Meeting is scheduled for Wednesday, June 22, 2016, from 9:30 A.M. to 12:00 NOON at 1 Centre Street, Room 1005, North. Meeting is open to the general public.

• j15-22

CONSUMER AFFAIRS

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the New York City Department of Consumer Affairs will hold a Public Hearing on

Wednesday, June 22, 2016, at 2:00 P.M., at 42 Broadway, 5th Floor, in the Borough of Manhattan, on the following petitions for sidewalk café revocable consent:

- 1. 138 West Fordham Road Food Corp.
138 West Fordham Road in the Borough of Bronx
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)

◀ j15

NOTICE IS HEREBY GIVEN, pursuant to law, that the New York City Department of Consumer Affairs will hold a Public Hearing on Wednesday, June 22, 2016, at 2:00 P.M., at 42 Broadway, 5th Floor, in the Borough of Manhattan, on the following petitions for sidewalk café revocable consent:

- 1. Broadway Marshall Corp.
3503 Broadway in the Borough of Queens
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 2. Don Restaurant Group Inc
4206 30th Avenue in the Borough of Queens
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 3. Dough Joe LLC
3318 Ditmars Boulevard in the Borough of Queens
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 4. Joyful Eats Two LLC
380 Broome Street in the Borough of Manhattan
(To establish, maintain, and operate a regular unenclosed/small unenclosed sidewalk café for a term of two years.)
- 5. Moonblu Inc.
631 6th Avenue in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 6. Sixty Hospitality LLC
14 East 60th Street in the Borough of Manhattan
(To establish, maintain, and operate a small unenclosed sidewalk café for a term of two years.)
- 7. Sole Di Capri LLC
165 Church Street in the Borough of Manhattan
(To establish maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 8. Ali Baba's Terrace Inc.
862 2nd Avenue in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)

◀ j15

EDUCATIONAL CONSTRUCTION FUND

■ PUBLIC HEARINGS

NOTICE OF PUBLIC SCOPING

Draft Scope of Work for an Environmental Impact Statement (EIS) ECF East 96th Street Project

NOTICE IS HEREBY GIVEN that a public scoping meeting will be held on Wednesday, June 29, 2016, beginning at 5:30 P.M., at the Park East High School, 230 East 105th Street, New York, NY.

The purpose of the scoping meeting is to provide the public with the opportunity to comment on the Draft Scope of Work proposed to be used to develop an Environmental Impact Statement (EIS) for the proposed ECF East 96th Street project. Comments on the Draft Scope of Work are invited and may be presented at the public scoping meeting and/or may be submitted in writing to the NYC Educational Construction Fund (ECF) until Monday, July 10, 2016, at the email and contact addresses below.

Directing that an Environmental Impact Statement be prepared, the Environmental Assessment, Positive Declaration, and Draft Scope of Work were issued by ECF on June 8, 2016, and are available for review from the contact person listed below and on the ECF website at <http://schools.nyc.gov/community/facilities/ecf/default.htm>.

The co-applicants, ECF and AvalonBay Communities, Inc., (AvalonBay), are seeking a rezoning and other actions to allow the construction of a mixed-use building, a replacement facility for the existing School of Cooperative Technical Education (SCTE), a new facility for the relocation of two existing neighborhood public high schools, and relocation of an existing jointly-operated playground on Block 1668, Lot

1, in the East Harlem neighborhood of Manhattan. The proposed project involves the construction of a mixed-use tower on Second Avenue containing a 135,000-gross square foot (gsf) public technical school — a replacement facility for the existing SCTE on the project site — as well as approximately 25,000 gsf of retail space, and approximately 1,015,000 gsf of residential floor area (1,100-1,200 units), of which 70 percent will be market rate and 30 percent will be permanently affordable. Following the demolition of the existing SCTE, the co-applicants will construct a 135,000 gsf building on First Avenue that will house two public high schools. The jointly-operated playground currently on the western portion of the project site would be relocated to the center of the project block. It is anticipated that site preparation and construction for the project would commence in 2018 and is expected it would be complete and operational in 2023.

The proposed project will require several discretionary actions, including: a zoning map amendment to change the portion 100 feet east of 2nd Avenue from R10A and R7-2 to a C2-8 District and the remainder of Block 1668 from R7-2 and R10A districts to a R10 district; amendments to the Zoning Resolution to allow distribution of lot coverage and to establish a Mandatory Inclusionary Housing designated area; a special permit to allow distribution of lot coverage and waiver of height and setback restrictions; a special permit to reduce parking requirements applicable to non-income restricted residences; certifications to modify restrictions on location of curb cuts; and a certification that a transit easement is not required. The proposed project also will require approval of a home rule message by the New York City Council and legislation by the New York State Legislature to authorize the alienation and disposition to ECF of the existing jointly-operated playground, and its replacement with an equivalent amount of jointly-operated playground. The project also involves a transfer of the City-Owned property (the site) to ECF, which would lease a portion of the property to the designated developer, AvalonBay. ECF would convey the schools to the City (acting through the NYC Department of Education (DOE) and re-convey control of the jointly-operated playground to DOE and the NYC Department of Parks and Recreation. To facilitate construction of the schools, ECF would issue tax-exempt bonds.

Contact: Jennifer Maldonado, Executive Director
New York City Educational Construction Fund
RE: COOP Tech at East 96th Street,
30-30 Thomson Avenue, First Floor,
Long Island City, NY 11101
E96thStreet@schools.nyc.gov

SEQRA/CEQR Classification: Type I

Location of Action: The project site is Block 1668, Lot 1, the full block bounded by East 96th and 97th Street and First and Second Avenues in the East Harlem neighborhood of Manhattan. It is located in Manhattan Community District 11. The western portion of the project site is currently occupied by the Marx Brothers Playground, which is jointly operated by DOE and DPR. The playground area facing Second Avenue is currently in use by MTA as a staging area for Second Avenue Subway construction. The eastern portion of the project site is occupied by a 4-story school building, currently in use by SCTE, a DOE facility for high school students.

This Notice of Public Meeting has been prepared pursuant to Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act (SEQRA)), its implementing regulations found at 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review, found at 62 RCNY Chapter 5, and Mayoral Executive Order 91 of 1977, as amended (CEQR).

◀ j15-29

BOARD OF EDUCATION RETIREMENT SYSTEM

■ MEETING

The Board of Trustees of the Board of Education Retirement System of the City of New York, will be meeting at 5:00 P.M. on June 22, 2016 at M.S. 131 (100 Hester Street, New York, NY 10002).

j13-22

EQUAL EMPLOYMENT PRACTICES COMMISSION

MEETING

The next meeting of the Equal Employment Practices Commission will be held in the Commission's Conference Room/Library, at 253 Broadway, (Suite 602), on Thursday, June 16, 2016 at 9:00 A.M.

j9-16

HOUSING AUTHORITY

MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, June 29, 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.

• j15-29

The next Audit Committee Meeting of the New York City Housing Authority is scheduled for Thursday, June 16, 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., three business days 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.

j2-16

INDEPENDENT BUDGET OFFICE

MEETING

The New York City Independent Budget Office Advisory Board will hold a meeting on Tuesday, June 21, beginning at 8:30 A.M., at the IBO office, 110 William Street, 14th Floor. There will be an opportunity for the public to address the advisory board during the public portion of the meeting.

j10-20

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, June 21, 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.

CERTIFICATE OF APPROPRIATENESS

11 Fulton Street - South Street Seaport Historic District
186476 - Block 96 - Lot 1

A contemporary market building designed by Benjamin Thompson and Associates and built in 1983. Application is to amend Commission Binding Report 16-3334 for the installation of signage.
Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

11 Hubert Street - Tribeca West Historic District
185468 - Block 214 - Lot 12

A garage designed by Dietrich Wortmann and built in 1946, with a two-story addition built in 1989-90. Application is to alter the facades and construct additions.
Zoning: C6-2A TMU

CERTIFICATE OF APPROPRIATENESS

73 Worth Street - Tribeca East Historic District
186327 - Block 173 - Lot 7502

An Italianate style store and loft building built in 1859-60. Application is to install an entry canopy and barrier-free access ramps.
Zoning: C6-2A

CERTIFICATE OF APPROPRIATENESS

51 Wooster Street - SoHo-Cast Iron Historic District
181632 - Block 475 - Lot 18

A dwelling built in 1822 and altered in 1888. Application is to install storefront infill.
Zoning: M1-5B

CERTIFICATE OF APPROPRIATENESS

85-89 Jane Street - Greenwich Village Historic District
181551 - Block 642 - Lot 70, 72

A stable and carriage house built c. 1885, now a garage and factory building; and a garage building built in 1919. Application is to alter the facades and construct rooftop additions.
Zoning: C4-4A, R6

CERTIFICATE OF APPROPRIATENESS

303 Bleecker Street - Greenwich Village Historic District
154045 - Block 591 - Lot 3

A building built after 1965. Application is to install a storefront.
Zoning:

CERTIFICATE OF APPROPRIATENESS

11-19 Jane Street - Greenwich Village Historic District
185336 - Block 616 - Lot 32

A garage building constructed in 1921. Application is to demolish the existing building and construct a new building.
Zoning: C1-6

CERTIFICATE OF APPROPRIATENESS

21 West 17th Street and 16 West 18th Street - Ladies' Mile Historic District
186335 - Block 819 - Lot 26, 55 Zoning: C6-4A

A mid-20th century Commercial style converted dwelling built 1850, and modified by Irving Kay in 1949, and altered in 1999; and a Utilitarian style converted stable built in 1867, and altered in 1910. Application is to demolish the existing buildings and to construct a new building.

CERTIFICATE OF APPROPRIATENESS

23-27 West 17th Street - Ladies' Mile Historic District
186334 - Block 819 - Lot 56

A Neo-Renaissance style store and loft building designed by George H. Anderson and built in 1906. Application is to install storefront infill and signage.
Zoning: C6-4A

CERTIFICATE OF APPROPRIATENESS

1 East 28th Street, aka 251-253 Fifth Avenue - Madison Square North Historic District
181366 - Block 858 - Lot 1

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. Zoning: C5-2

CERTIFICATE OF APPROPRIATENESS

32 West 75th Street - Upper West Side/Central Park West Historic District
181775 - Block 112 - Lot 50
A Romanesque Revival style rowhouse designed by George H. Budlong and built 1889-90. Application is to construct rooftop and rear yard additions and alter the facade.
Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

347 West End Avenue - West End - Collegiate Historic District
184951 - Block 118 - Lot 70
An Eclectic Renaissance style rowhouse designed by Lamb and Rich and built in 1891. Application is to construct rear yard and rooftop additions.
Zoning: R10A R8B

CERTIFICATE OF APPROPRIATENESS

252 West 71st Street - West End - Collegiate Historic District Extension
177750 - Block 116 - Lot 55
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.
Zoning: R8B

CERTIFICATE OF APPROPRIATENESS

108 West 123rd Street - Mount Morris Park Historic District Extension
185199 - Block 190 - Lot 139
A vacant lot. Application is to construct a new building.
Zoning: R7-2

CERTIFICATE OF APPROPRIATENESS

111 West 122nd Street - Mount Morris Park Historic District Extension
186161 - Block 190 - Lot 25
A Queen Anne style rowhouse designed by Thom & Wilson and built c. 1887. Application is to install a rooftop bulkhead and railing, and to raise the existing chimney.
Zoning: R7-2

CERTIFICATE OF APPROPRIATENESS

153 West 121st Street - Mount Morris Park Historic District Extension
178074 - Block 190 - Lot 8 Zoning: R7-2
A Neo-Grec style rowhouse designed by Cleverdon & Putzel and built in 1886. Application is to construct rooftop and rear yard additions.

CERTIFICATE OF APPROPRIATENESS

267 West 139th Street
181740 - Block 202 - Lot 1
An Eclectic Italianate style apartment house designed by McKim Mead and White and built in 1891-92. Application is to replace fire escapes.
Zoning: R7-2

j8-21

RENT GUIDELINES BOARD

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the New York City Rent Guidelines Board will hold a public hearing on **June 20, 2016** at The Great Hall at Cooper Union, 7 East 7th Street, at corner of 3rd Avenue, New York, NY from 2:00 P.M. to 8:00 P.M. to consider public comments concerning proposed rent adjustments for renewal leases for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses) and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2016 through September 30, 2017.

Registration of speakers is required and Pre-Registration is now being accepted and is advised. Pre-Registration requests for the hearing must be received before 12:00 P.M. one business day **prior** to the public hearing date. Speakers may also register the day of the hearing until 8:00 P.M. For further information and to Pre-Register for the public hearing call the Board at (212) 669-7480 or write to the NYC Rent Guidelines Board, 1 Centre Street, Suite 2210, New York, NY 10007. A Spanish interpreter will be provided. Persons who request that a sign language interpreter, language interpreter or other form of reasonable accommodation for a disability be provided at a hearing are requested to notify the RGB by June 14, 2016 at 4:30 P.M.

Proposed rent guidelines for all of the above classes of stabilized housing units were adopted on **May 3, 2016** and published in the City Record on **May 10, 2016**. Copies of the proposed guidelines are available from the NYC Rent Guidelines Board office at the above

listed address, at the Board's website nycrgb.org, or at rules.cityofnewyork.us.

j8-17

NOTICE IS HEREBY GIVEN that the New York City Rent Guidelines Board will hold a public hearing on **June 21, 2016**, at the Oberia D. Dempsey Multi Service Center Auditorium, 127 West 127th Street, New York, NY from 5:00 P.M. to 8:00 P.M. to consider public comments concerning proposed rent adjustments for renewal leases for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses) and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2016 through September 30, 2017.

Registration of speakers is required and pre-registration is now being accepted and is advised. Pre-Registration requests for the hearing must be received before 12:00 P.M. one business day **prior** to the public hearing date. Speakers may also register the day of the hearing until 8:00 P.M. For further information and to pre-register for the public hearing, call the Board at (212) 669-7480 or write to the New York City Rent Guidelines Board, 1 Centre Street, Suite 2210, New York, NY 10007. A Spanish interpreter will be provided. Persons who request that a sign language interpreter, language interpreter or other form of reasonable accommodation for a disability be provided at a hearing, are requested to notify the RGB by June 14, 2016 at 4:30 P.M.

Proposed rent guidelines for all of the above classes of stabilized housing units were adopted on **May 3, 2016** and published in the City Record on **May 10, 2016**. Copies of the proposed guidelines are available from the New York City Rent Guidelines Board office at the above listed address, at the Board's website, nycrgb.org, or at rules.cityofnewyork.us.

j9-20

NOTICE IS HEREBY GIVEN that the New York City Rent Guidelines Board will hold a public hearing on **June 16, 2016** at Bronx Museum of Art, Lower Gallery, 1040 Grand Concourse, Bronx, NY, from 5:00 P.M. to 8:00 P.M., to consider public comments concerning proposed rent adjustments for renewal leases for apartments, lofts, hotels (including class A and class B hotels, SROs, rooming houses and lodging houses) and other housing units subject to the Rent Stabilization Law of 1969 and the Emergency Tenant Protection Act of 1974. These adjustments will affect renewal leases commencing between October 1, 2016 through September 30, 2017.

Registration of speakers is required and pre-registration is now being accepted, and is advised. Pre-Registration requests for the hearing must be received before 12:00 P.M. one business day **prior** to the public hearing date. Speakers may also register the day of the hearing until 8:00 P.M. For further information and to pre-register for the public hearing call the Board at (212) 669-7480 or write to the New York City Rent Guidelines Board, 1 Centre Street, Suite 2210, New York, NY 10007. A Spanish interpreter will be provided. Persons who request that a sign language interpreter, language interpreter or other form of reasonable accommodation for a disability be provided at a hearing are requested to notify the RGB by June 10, 2016 at 4:30 P.M.

Proposed rent guidelines for all of the above classes of stabilized housing units were adopted on **May 3, 2016** and published in the City Record on **May 10, 2016**. Copies of the proposed guidelines are available from the New York City Rent Guidelines Board office at the above listed address, at the Board's website nycrgb.org, or at rules.cityofnewyork.us.

j6-15

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 22, 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 55 Water Street Condominium to construct, maintain and use planters on the east sidewalk of Water Street, south of Old Slip, in the Borough of Manhattan. 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, 2025 - \$325/annum
the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 IN THE MATTER OF a proposed revocable consent authorizing Albert Einstein College of Medicine, Inc., to continue to maintain and use pipes and conduit under and across Morris Park Avenue, west of Eastchester Road, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2025, by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2015 to June 30, 2016 - \$11,000
For the period July 1, 2016 to June 30, 2017 - \$11,282
For the period July 1, 2017 to June 30, 2018 - \$11,564
For the period July 1, 2018 to June 30, 2019 - \$11,846
For the period July 1, 2019 to June 30, 2020 - \$12,128
For the period July 1, 2020 to June 30, 2021 - \$12,410
For the period July 1, 2021 to June 30, 2022 - \$12,692
For the period July 1, 2022 to June 30, 2023 - \$12,974
For the period July 1, 2023 to June 30, 2024 - \$13,256
For the period July 1, 2024 to June 30, 2025 - \$13,538

the maintenance of a security deposit in the sum of \$13,000 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 Amicable Holdings LLC to construct, maintain and use a stoop and a fenced-in area, together with planted area and trash enclosure, on the south sidewalk of Amity Street, east of Clinton Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule:

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

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 IN THE MATTER OF a proposed revocable consent authorizing Esplanade Venture Partnership to continue to maintain and use four benches on the west sidewalk of West End Avenue, between West 74th Street and West 75th Street, 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 - \$600/annum

the maintenance of a security deposit in the sum of \$1,000 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 Harbor Hill Housing Development Fund Corporation to continue to maintain and use fenced-in planted areas on the east sidewalk of Second Avenue, north of 57th Street and on the north sidewalk of 57th Street, east of Second Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From July 1, 2016 to June 30, 2026 - \$1,870/per annum

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

#6 IN THE MATTER OF a proposed revocable consent authorizing Jean Marcel Rouff to construct, maintain and use a fenced-in area, together with steps, on the north sidewalk of East 64th Street, between Lexington Avenue and Third Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor 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 - \$100/per annum

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

#7 IN THE MATTER OF a proposed revocable consent authorizing Rosa Parks Condominium to continue to maintain and use eight planters on the north sidewalk of West 118th Street, west of St. Nicholas 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, 2026 - \$200/per annum

the maintenance of a security deposit in the sum of \$1,600 and the insurance shall be the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#8 IN THE MATTER OF a proposed revocable consent authorizing the New York Community Hospital of Brooklyn, Inc. to continue to maintain and use a ramp on the south sidewalk of Avenue O, west of Kings Highway, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2026 - \$25/annum

the maintenance of a security deposit in the sum of \$15,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#9 IN THE MATTER OF a proposed revocable consent authorizing United Cerebral Palsy Housing Development Fund Corporation to continue to maintain and use a conduit under and along the south sidewalk of Lawrence Avenue near Seton Place, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2017 - \$1,142
For the period July 1, 2017 to June 30, 2018 - \$1,171
For the period July 1, 2018 to June 30, 2019 - \$1,200
For the period July 1, 2019 to June 30, 2020 - \$1,229
For the period July 1, 2020 to June 30, 2021 - \$1,258
For the period July 1, 2021 to June 30, 2022 - \$1,287
For the period July 1, 2022 to June 30, 2023 - \$1,316
For the period July 1, 2023 to June 30, 2024 - \$1,345
For the period July 1, 2024 to June 30, 2025 - \$1,374
For the period July 1, 2025 to June 30, 2026 - \$1,403

the maintenance of a security deposit in the sum of \$1,400 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#10 IN THE MATTER OF a proposed revocable consent authorizing United Cerebral Palsy of New York City, Inc. to continue to maintain and use a pedestrian bridge over and across Lawrence Avenue, north of Seton Place, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026, and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2016 to June 30, 2017 - \$10,102
For the period July 1, 2017 to June 30, 2018 - \$10,361
For the period July 1, 2018 to June 30, 2019 - \$10,620
For the period July 1, 2019 to June 30, 2020 - \$10,879
For the period July 1, 2020 to June 30, 2021 - \$11,138
For the period July 1, 2021 to June 30, 2022 - \$11,397
For the period July 1, 2022 to June 30, 2023 - \$11,656
For the period July 1, 2023 to June 30, 2024 - \$11,915
For the period July 1, 2024 to June 30, 2025 - \$12,174
For the period July 1, 2025 to June 30, 2026 - \$12,433

the maintenance of a security deposit in the sum of \$12,500 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

#11 IN THE MATTER OF a proposed revocable consent authorizing Wayne Golden and Sylvia Golden to continue to maintain and use a fenced-in area on the south sidewalk of East 70th Street, west of Lexington 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:

From July 1, 2016 to June 30, 2026 - \$100/per 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.

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-o6

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

COMMUNITY PARTNERSHIP PROGRAM - Renewal -
 PIN# 06810P0045009R002 - AMT: \$909,614.04 - TO: Community Mediation Services, Inc., 89-64 163rd Street, Jamaica, NY 11432.

• j15

BOROUGH PRESIDENT - QUEENS

■ SOLICITATION

Services (other than human services)

QUEENS TECH ZONE STRATEGIC PLAN - Request for Proposals
 - PIN#6302016 - Due 6-30-16 at 2:00 P.M.

The Office of the Queens Borough President, in collaboration with the New York Department of State, Coalition for Queens, and a stakeholder Task Force have been working to create a Tech Zone Strategic Plan for the East River waterfront of Western Queens. The Strategic Plan will consider critical issues of the local economy, land use and the environment, transportation, infrastructure, urban design, and workforce development, in order to support tech innovation industry growth, entrepreneurship, and revitalization of an underutilized waterfront.

To this end, the Office of the Queens Borough President is seeking a consultant in areas of expertise including, but not limited to, urban planners, community economic developers, research and advocacy firms, and management experts to provide outreach, analysis, and planning services in conjunction with the preparation of a Tech Zone Strategic Plan for the Western Queens East River waterfront (the "Queens Tech Strategic Plan"). The RFP and summary information is available on <http://www.queensbp.org/techplan/> and the RFP can be found at this direct link <http://www.queensbp.org/wp-content/uploads/2016/06/RFP-Queens-Tech-Strategic-Plan.pdf>.

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.
 Borough President - Queens, 120-55 Queens Boulevard, Room 250, Kew Gardens, NY 11424. Yoni Bokser (718) 286-2668; ybokser@queensbp.org

j13-17

CITYWIDE ADMINISTRATIVE SERVICES

■ SOLICITATION

Goods

A W CHESTERTON MECHANICAL SEALS AND WATER SYSTEM - Competitive Sealed Bids - PIN#8571600284 - Due 7-11-16 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) 669-7585.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Vincent Edwards (212) 386-0431; vedwards@dcas.nyc.gov

• j15

GRP: SETTLING TANK SLUDGE COLLECTION SYSTEM - Competitive Sealed Bids - PIN#8571600368 - Due 7-11-16 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) 669-7585.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007. Vincent Edwards (212) 386-0431; vedwards@dcas.nyc.gov

• j15

OFFICE OF CITYWIDE PROCUREMENT

■ AWARD

Goods

AWD POLICE SEDAN - NYPD - Competitive Sealed Bids - PIN#8571600140 - AMT: \$11,220,475.00 - TO: Major World Chrysler Dodge Jeep RAM LLC Db a Major, 50-30 Northern Boulevard, Long Island City, NY 11101.

• j15

TREATMENT, DUST MOP - Competitive Sealed Bids - PIN#8571500633 - AMT: \$27,617.73 - TO: Circle Janitorial Supplies Inc., 5 East 12th Street, Paterson, NJ 07524.

• j15

■ SOLICITATION

Goods

BOMB SQUAD K-9 TRAILERS - Competitive Sealed Bids - PIN#8571600365 - Due 7-18-16 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 (212) 386-0044, or by fax at (212) 669-7585.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 Citywide Administrative Services, 1 Centre Street, 18th Floor South, New York, NY 10007. Michael Ransom (212) 386-0466; mransom@dcas.nyc.gov

• j15

CORRECTION

CENTRAL OFFICE OF PROCUREMENT

■ INTENT TO AWARD

Human Services/Client Services

PROVIDING REENTRY SERVICES TO VETERANS AND ADULT MALES DURING INCARCERATION AND POST RELEASE - Negotiated Acquisition - Judgment required in evaluating proposals - PIN# 072201641APC - Due 6-20-16 at 5:00 P.M.

The New York City Department of Correction (DOC) intends to engage "FedCap" for a consulting contract to provide jail-based services to 900 male inmates during their incarceration and post-release. The program will serve 900 adults with primary needs focused on veterans services, vocational training and job placement, moderate substance use disorder and criminogenic factors. To expand existing programming, this program will provide integrated, evidence-based pre and post release services addressing substance abuse's link to incarceration, including but not limited to, psychoeducation, relapse prevention, evidence-based assessments, methadone maintenance, dual-diagnosis needs, criminogenic factors, veteran's specific substance use needs, residential and day treatment referrals, employment training and career development and housing assistance. DOC is also considering Expressions of Interest from other vendors for evaluation. Expression of Interest can be emailed to Lilliana Alvarez-Cano at: lilliana.cano@doc.nyc.gov

The solicitation can be downloaded at the Department's home page: <http://www1.nyc.gov/site/doc/contracts/contracts.page>

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.

Correction, The Bulova Corporate Center, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370. Lilliana Alvarez-Cano (718) 546-0686; Fax: (718) 278-6218; lilliana.cano@doc.nyc.gov

j10-16

EDUCATION

CONTRACTS AND PURCHASING

INTENT TO AWARD

Goods and Services

NEGOTIATED SERVICE - ART EDUCATION - Other - PIN#E1811040 - Due 6-24-16 at 5:00 P.M.

The NYCDOE, Division of Contracts and Purchasing, has been asked for approval to enter into a contract with Rush Philanthropic Arts Education Inc., to provide art education for Virgil I. Grissom Junior High School 226. The program is supported by sponsorship from Rush Philanthropic with artists from all over the world. Artists collaborate with teachers to develop curriculum aligned to the Common Core State Standards. The students who engage in these programs have demonstrated progress in all areas: interim assessments, attendance, and progress in meeting the statewide standards in ELA and Mathematics.

Other organizations interested in providing these services to the NYCDOE in the future, are invited to indicate their ability to do so in writing to Daniel Gonzalez, at 65 Court Street, Room 1201, Brooklyn, NY 11201. Responses should be received no later than June 24, 2016, at 5:00 P.M.

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

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

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

j15

HEALTH AND MENTAL HYGIENE

AWARD

Human Services/Client Services

MENTAL HYGIENE SERVICES - BP/City Council Discretionary - PIN#16AO020601R0X00 - AMT: \$150,000.00 - TO: Astor Services for Children and Families, 6339 Mill Street, Rhinebeck, NY 12572.

MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN#14AZ004201R1X00 - AMT: \$1,064,331.00 - TO: Encore Community Services, 239 West 49th Street, New York, NY 10019.

j15

HOPWA PERMANENT HOUSING POPULATION "D" #1S

- Request for Proposals - PIN#13AE000322R1X00 - AMT: \$1,275,000.00 - TO: Harlem United Community Aids Center, Inc., 306 Lenox Avenue, New York, NY 10027.

MENTAL HYGIENE SERVICES - BP/City Council Discretionary - PIN#16AZ022001R0X00 - AMT: \$1,000,000.00 - TO: Hetrick-Martin Institute, 6339 Mill Street, Rhinebeck, NY 12572.

MENTAL HYGIENE SUPPORTED SRO HOUSING - Required Method (including Preferred Source) - PIN#17AZ006801R0X00 - AMT: \$2,507,244.00 - TO: Postgraduate Center for Mental Health, 158 East 35th Street, New York, NY 10016.

MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN#08PO076350R1X00 - AMT: \$2,233,200.00 - TO: Postgraduate Center for Mental Health, 153 East 35th Street, New York, NY 10016.

MENTAL HYGIENE SERVICES - Required Method (including Preferred Source) - PIN#14AZ005101R1X00 - AMT: \$736,653.00 - TO: The Jericho Project, 245 West 29th Street, New York, NY 10001.

MENTAL HYGIENE SERVICES - Request for Proposals - PIN#08PO076329R2X00 - AMT: \$1,305,600.00 - TO: The Jericho Project, 245 West 29th Street, New York, NY 10001.

SUPPORTED HOUSING POPULATION "E" - Request for

Proposals - PIN#13AE000303R1X00 - AMT: \$1,350,000.00 - TO: Unique People Services, Inc., Bronx, NY 10470.

SUPPORTED HOUSING POPULATION "B" - Request for Proposals - PIN#13AE000311R1X00 - AMT: \$1,350,000.00 - TO: Volunteers of America Greater New York, Inc., 340 West 85th Street, New York, NY 10024.

j15

HOUSING AUTHORITY

PROCUREMENT

SOLICITATION

Goods and Services

SMD- STORAGE AND AUCTION SERVICES IN CONNECTION WITH THE DISPOSITION OF SURPLUS NYCHA PERSONAL PROPERTY, INCLUDING VEHICLES - Request for Proposals - PIN#63149 - Due 7-13-16 at 2:00 P.M.

The New York City Housing Authority (NYCHA), by issuing this RFP, seeks proposals from qualified firms to provide auction services, including professional coordination and processing of designated surplus NYCHA vehicles and other NYCHA equipment, materials or other personal property which NYCHA has previously determined it no longer needs and decided to dispose of. The NYCHA Property will never include real estate. The selected Proposer will be expected to store and safeguard the NYCHA Property, hold auctions as-needed by NYCHA (on at least a monthly basis unless directed by NYCHA to hold auctions on a more or less frequent basis), maintain an inventory documenting the receipt and sale of NYCHA Property (including the sale price and date of sale), select the method of sale which it has reasonably determined will yield the highest price, and dispose of NYCHA Property pursuant to NYCHA procedures once attempts to sell have been exhausted, as detailed more fully within Section II of this RFP. The Services shall also include transportation of all NYCHA Property to the auction facility, storage of the NYCHA Property and performance of customary auction-related duties, including, but not limited to, pre-sale advertising to the general public, and conducting the auction with appropriate personnel, security, accounting, insurance and post-sale organization and reporting and in accordance with applicable laws, rules and regulations, including NYCHA's Standard Procedures.

A non-mandatory Proposers Conference will be held on June 28, 2016, at 11:00 A.M., in Room 8060, located on the 8th Floor at 250 Broadway, New York, NY 10007. Although attendance is not mandatory at the Proposers Conference, it is strongly recommended that all interested Proposers attend.

Those attending must notify Theresa Hunter at Theresa.Hunter@nycha.nyc.gov and cc: Meddy Ghabaee at meddy.ghabaee@nycha.nyc.gov by 12:00 P.M. on June 27, 2016, of their intent to attend.

NYCHA additionally recommends that Proposers submit, via email, written questions in advance of the Proposers Conference to NYCHA's Coordinator, Meddy Ghabaee at meddy.ghabaee@nycha.nyc.gov and cc: Jacques Barbot at Jacques.barbot@nycha.nyc.gov by no later than 12:00 P.M. on June 22, 2016. Questions submitted in writing must include the firm name and the name, title, address, telephone number, fax number and email address of the individual to whom responses to the Proposer's questions should be given. Proposers will be permitted to ask additional questions at the Proposers' Conference. All questions and answers will be posted on iSupplier.

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 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. The original signed hard-copy must be clearly labeled as such. If there are any differences between the original and any of the copies (or the electronic copy of the Proposal), the material in the hard copy original will prevail.

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

• j15

SMD UTILITY MANAGEMENT INFORMATION SYSTEM AND UTILITY INVOICE PROCESSING SERVICES - Request for Proposals - PIN#63403 - Due 7-15-16 at 2:00 P.M.

The New York City Housing Authority (NYCHA), by issuing this RFP, seeks proposals from qualified firms to provide a web-based Utility Management Information System and services for the management and processing of NYCHA's Utility Invoices, as detailed more fully within Section II of this RFP.

A non-mandatory Proposers Conference will be held on June 24, 2016, at 10:00 A.M., in Room 6C, located on the 6th Floor at 90 Church Street, New York, NY 10007. Although attendance is not mandatory at the Proposers Conference, it is strongly recommended that all interested Proposers attend.

Those attending must notify Theresa Hunter at Theresa.Hunter@nycha.nyc.gov and cc: Jacques Barbot at jacques.barbot@nycha.nyc.gov by 12:00 P.M. on June 23, 2016, of their intent to attend.

NYCHA additionally recommends that Proposers submit, via email, written questions in advance of the Proposers Conference to NYCHA's Coordinator, Jacques Barbot at jacques.barbot@nycha.nyc.gov by no later than 2:00 P.M. on June 22, 2016. Questions submitted in writing must include the firm name and the name, title, address, telephone number, fax number and email address of the individual to whom responses to the Proposer's questions should be given. Proposers will be permitted to ask additional questions at the Proposers Conference. All questions and answers will be posted on iSupplier.

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 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. The original signed hard-copy must be clearly labeled as such. If there are any differences between the original and any of the copies (or the electronic copy of the Proposal), the material in the hard copy original will prevail.

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. Jacques Barbot (212) 306-3265; jacques.barbot@nycha.nyc.gov

• j15

RISK FINANCE

■ SOLICITATION

Services (other than human services)

INVITATION FOR BIDS FOR PROPERTY AND TERRORISM INSURANCE - Negotiated Acquisition - Specifications cannot be made sufficiently definite - PROPTERR 2016 - Due 7-22-16 at 3:00 P.M.

New York City Housing Authority requests quotations from qualified

Insurance Company to provide Primary/Excess Property and Terrorism Insurance through its broker, Edgewood Partners Insurance Center.

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, Edgewood Partners Insurance Center, 3 Landmark Square, 4th Floor, Stamford, CT 06901-2515 Brendan Osean (203) 658-0520; Fax: (203) 363-1990; brendan.osean@epicbrokers.com; shaun.conrad@epicbrokers.com

j10-16

SUPPLY MANAGEMENT

■ SOLICITATION

Goods

REFRIGERATORS, 14.6" CU. FT ENERGY STAR - Competitive Sealed Bids - PIN#RFQ 63779 AS - Due 6-23-16 at 10:30 A.M.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. Once on that page, 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 Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers 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 RFQ 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; RFQ package will be generated at time of request.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Atul Shah (212) 306-4553; atul.shah@nycha.nyc.gov

• j15

HOUSING PRESERVATION AND DEVELOPMENT

GENERAL SERVICES

■ AWARD

Human Services/Client Services

PROFESSIONAL SERVICES - Competitive Sealed Bids/Pre-Qualified List - Other - PIN#806141000577 - AMT: \$570,000.00 - TO: Hill International Inc., One Commerce Square, 2005 Market Street, 17th Floor, Philadelphia, PA 19103. Labor Law Compliance software.

• j15

MAINTENANCE

■ AWARD

Construction/Construction Services

EMERGENCY DEMOLITION - Emergency Purchase - Other - PIN#80616E0008001 - AMT: \$245,787.00 - TO: Granite Environmental Services Inc., 847 Shepherd Avenue, Brooklyn, NY 11208.

E-4457R2-Emergency Demolition-668 Nostrand Avenue Demo/Grade/Install fence to enclose front.

• j15

NEIGHBORHOOD PRESERVATION

■ AWARD

Human Services/Client Services

COMMUNITY CONSULTANT - Line Item Appropriation or Discretionary Funds - Other - PIN#80616L0083001 - AMT: \$280,000.00 - TO: Urban Justice Center, 40 Rector Street, 19th Floor,

New York, NY 10006-1732. Provision of tenant counseling outreach and referral services.

• j15

HUMAN RESOURCES ADMINISTRATION

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Human Services/Client Services

PROVISION OF SHELTER SERVICES FOR ADULTS - Renewal - PIN#07110P0002024R001X - Due 6-20-16 at 5:00 P.M.

Samaritan Daytop Village, Inc. (revised), 138-02 Queens Boulevard, Briarwood, NY 11435.

Site Location: Van Sicken Shelter, 645 Van Sicken Avenue, Brooklyn, NY 11207.

Contract Term: 7/1/2016 to 6/30/2020
Contract Amount: \$77,065,628.00

EPIN: 07110P0002024R001

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

• j15

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 began 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; dmuwbe.capital@parks.nyc.gov.

j4-d30

REVENUE

■ SOLICITATION

Services (other than human services)

OPERATION OF A MARINA - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN# B166-D-M - Due 7-21-16 at 3:00 P.M.

In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a significant Request for Proposals ("RFP") for the operation, renovation, and maintenance of a full-service marina in Mill Basin, Brooklyn.

There will be a recommended site visit on June 29, 2016, at 12:00 P.M. We will be meeting at the corner of Avenue Y and East 69th Street in Brooklyn. If you are considering responding to this RFP, please make every effort to attend this recommended site visit.

Hard copies of the RFP can be obtained, at no cost, commencing on June 9, 2016 through July 21, 2016, between the hours of 9:00 A.M. and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is located at 830 Fifth Avenue, Room 407, New York, NY 10065.

The RFP is also available for download, commencing on June 9, 2016 through July 21, 2016, on Parks' website. To download the RFP, visit www.nyc.gov/parks/businessopportunities, click on the link for "Concessions Opportunities at Parks" and, after logging in, click on the "download" link that appears adjacent to the RFP's description.

For more information or to request to receive a copy of the RFP by mail, prospective proposers may contact Eitan Adler, Senior Project Manager, at (212) 360-3454 or at eitan.adler@parks.nyc.gov.

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

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

Parks and Recreation, The Arsenal, Central Park, 830 Fifth Avenue, Room 407, New York, NY 10065. Eitan Adler (212) 360-3454; Fax: (917) 849-6642; eitan.adler@parks.nyc.gov

j10-23

SMALL BUSINESS SERVICES

PROCUREMENT

■ SOLICITATION

Services (other than human services)

PROCESSING TRAINING VOUCHER PAYMENTS FOR "INDIVIDUAL TRAINING GRANT" AND "TRADE ADJUSTMENT ASSISTANCE ACT" - Competitive Sealed Bids - PIN# 801SBS160213 - Due 6-28-16 at 3:00 P.M.

The New York City Department of Small Business Services ("Agency," "SBS," "Department") is seeking an appropriately qualified Contractor to act as the Payment Agent to disburse Training Voucher Payments to approved training providers for the Individual Training Grant and Trade Adjustment Act program. The vendor will carry out all requisite fiduciary data maintenance and reporting tasks in a timely manner.

The Competitive Sealed Bid (CSB) package may be obtained in person beginning Thursday, June 9, 2016 to Tuesday, June 28, 2016, Monday through Friday, between the hours of 9:00 A.M. to 5:00 P.M., excluding government holidays and weekends, at the New York City Department of Small Business Services, Procurement Unit, 110 William Street, 7th Floor, New York, NY 10038.

This solicitation is being issued pursuant to New York City Procurement Policy Board Rules, in accordance with Section 3-02, Competitive Sealed Bidding.

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.

Small Business Services, 110 William Street, 7th Floor, New York, NY 10038. Daryl Williams (212) 513-6300; Fax: (212) 618-8867; procurementhelpdesk@sbs.nyc.gov

j9-15

CONTRACT AWARD HEARINGS

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, PUBLIC HEARINGS UNIT, 253 BROADWAY, 9TH FLOOR, NEW YORK, N.Y. 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICES.

LAW DEPARTMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that Contract Public Hearings will be held Wednesday, June 29, 2016, at the Offices of the New York City Law Department ("Department"), located at 100 Church Street, Borough of Manhattan, commencing at 2:00 P.M.

PUBLIC HEARING is held in the matter of the following contract for the provision of Energy Counsel Legal Services. The contract is in an amount not to exceed \$1,000,000. The contract term of the contract shall be from July 1, 2016 through December 31, 2016.

Contractor	Address	PIN	E-PIN
1 Couch White, LLP	540 Broadway Albany, NY 12201	02516X005232	02510N0064001N001

The proposed contractors have been selected for award by the negotiated acquisition extension method of source selection, pursuant to Section 3-04(b)(2)(iii) of the New York City Procurement Policy Board Rules.

Draft copies of the proposed contract is available for public inspection at the New York City Law Department, 100 Church Street Messenger Center, 100 Church Street, New York, NY 10007, from June 15, 2016 through June 29, 2016, excluding Saturdays, Sundays and holidays, from 9:30 A.M. to 5:00 P.M.

• j15

AGENCY RULES

HEALTH AND MENTAL HYGIENE

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Articles 139, 153 and 181 of the New York City Health Code

What are we proposing? The New York City Department of Health and Mental Hygiene ("the Department") is proposing that the Board of Health ("the Board") repeal the following New York City Health Code ("Health Code") provisions: Sections 139.05 and 139.07 of Article 139, Section 153.01 of Article 153, and Section 181.03 of Article 181. These provisions of the Health Code are redundant, no longer enforced, or no longer needed.

When and where is the hearing? The Department will hold a public hearing on the proposed rules. The public hearing will take place from 10:00 A.M. to 12:00 P.M. on July 20, 2016. The hearing will be at:

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

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

- **Website.** You may submit comments to the Department through the NYC Rules website at <http://rules.cityofnewyork.us>.
- **Email.** You may email comments to resolutioncomments@health.nyc.gov
- **Mail.** You may mail comments to:

New York City Department of Health and Mental Hygiene
Gotham Center – 42-09 28th Street, CN 31
Long Island City, NY 11101-4132
- **Fax.** You may fax comments to the Department at (347) 396-6087.
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You may sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078. You may also sign up in the hearing room before or during the hearing on July 20, 2016. You may speak for up to five minutes.

Is there a deadline to submit written comments? Written comments must be received on or before July 20, 2016 at 5:00 P.M.

Do you need assistance to participate in the hearing? You must tell us if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by July 6, 2016.

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

What authorizes the Department to make this rule? Section 556(c)(1) of the New York City Charter ("Charter") grants the Department jurisdiction to supervise and control the registration of deaths. Section 558(b), (c), and (g) of the Charter empowers the Board of Health to amend the Health Code and to include in the Health Code all matters to which the Department's authority extends. Section 1043(a) of the Charter grants rulemaking powers to the Department.

The proposed repeal of these rules was not included in the Department's regulatory agenda for this fiscal year because it was not contemplated when the Department published the agenda.

Where can I find the Health Code? The Health Code is located in Title 24 of the Rules of the City of New York.

What rules govern the rulemaking process? The Department must satisfy the requirements of Section 1043 of the Charter when adding or amending rules. This notice is made according to the requirements of Section 1043(b) of the Charter.

Statement of Basis and Purpose

Background

The Department is proposing to repeal as redundant, no longer needed, or no longer enforced, the following provisions of the New York City Health Code (the "Health Code"): Sections 139.05 (Littering prohibited) and 139.07 (Smoking prohibited) of Article 139; Sections 153.01 (Littering prohibited) of Article 153; and Section 181.03 (Spitting prohibited) of Article 181, all of Title 24 of the Rules of the City of New York.

Repeal Sections 139.05 (Littering prohibited) and 153.01 (Littering prohibited)

Section 139.05 of the Health Code prohibits littering or the creation of an insanitary condition in or on a public transportation facility. The New York City Administrative Code ("Administrative Code") prohibits littering in the City generally. Specifically, Administrative Code §16-118(1) prohibits littering in public spaces. Originally, when promulgated in 1991, Health Code §139.05 was intended to encompass littering in "any public transportation facility which may not be a 'public place' within the meaning of the local law" to distinguish it from the more general Administrative Code §16-118(1). However, Health Code §139.05 is redundant as it is duplicative of Administrative Code §16-118(1) inasmuch as a public transportation facility can be considered a "public space" within the meaning of Administrative Code §16-118(1).

Similarly, Health Code §153.01 prohibiting littering by a person or an employee is duplicative of Administrative Code §16-118(1) which also prohibits littering by persons or their employees “upon any street or public place, vacant lot, air shaft, areaway, backyard court or alley.”

Repeal Section 139.07 (Smoking prohibited)

Health Code §139.07(a) prohibiting smoking or the carrying of “an open flame or a lighted match, cigar, cigarette or pipe in or on a public transportation facility” is duplicative of Administrative Code §17-503 of the City’s Smoke-Free Air Act which prohibits smoking in public transportation facilities. In addition, New York City Fire Code (“Fire Code”) Section 308(3) makes it unlawful to “place or discard, or cause to be placed or discarded, an open flame, lighted match...where it can cause the ignition of combustible material or combustible waste...” The plain meaning of Fire Code §308(3) would cover public transportation facilities.

Similarly, Health Code §139.07(b) allowing owners or persons in charge of public transportation facilities to designate areas where smoking is permitted is not necessary as Administrative Code § 17-503 and the New York State Health Law § 1399-o prohibit smoking in all areas of public transportation facilities.

Repeal Section 181.03 (Spitting prohibited)

Health Code §181.03(a) and (b) prohibiting spitting in common public areas or in any public transportation facility and requiring the posting of signs prohibiting spitting at public transportation facilities is no longer enforced and no longer needed as there are rules prohibiting spitting in public transportation facilities and conveyances servicing the city such as Metropolitan Transportation Authority conveyances and facilities (21 NYCRR § 1050.7(a)), Staten Island Rapid Transportation Authority facilities (21 NYCRR § 1040.7(a)), Metro-North facilities and trains (21 NYCRR § 1085.7(a)), and Long Island Railroad terminals, stations, and trains (21 NYCRR § 1097.7(a)). In addition, it is expected that the City Council will amend Administrative Code § 16-118 to prohibit spitting in common areas of private and public buildings and in public transportation facilities.

Statutory Authority

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

The proposal is as follows:

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

New material is underlined.

[Deleted material is in brackets.]

RESOLVED, that Section 139.05 of Article 139 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby REPEALED.

RESOLVED, that Section 139.07 of Article 139 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby REPEALED.

RESOLVED, that Section 153.01 of Article 153 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby REPEALED.

RESOLVED, that Section 181.03 of Article 181 of the New York City Health Code, as set forth in Title 24 of the Rules of the City of New York, is hereby REPEALED.

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: Repeal of Certain Health Code Provisions
REFERENCE NUMBER: DOHMH-63
RULEMAKING AGENCY: DOHMH

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and

- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

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

November 25, 2015
Date

NEW YORK CITY LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Repeal of Certain Health Code Provisions
REFERENCE NUMBER: 2015 RG 130
RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: November 25, 2015

• j15

Notice of Adoption of
Amendments to Article 13 of the New York City Health Code

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 13 of the New York City Health Code (the “Health Code”) was published in the City Record on March 25, 2016, and a public hearing was held on April 26, 2016. No one testified at the hearing, but five written comments were received. At its meeting on June 7, 2016, the Board of Health adopted the following resolution.

Statement of Basis and Purpose

Background

The Charter provides the Department of Health and Mental Hygiene (the Department) with jurisdiction over all matters concerning health in the City of New York. The Department conducts disease surveillance and control activities for diseases reportable pursuant to Article 11 of the New York City Health Code (Health Code). The Department is also required to comply with various provisions of Part 2 of the New York State Sanitary Code, found in Title 10 of the Codes, Rules and Regulations of the State of New York (NYCRR), with respect to control of communicable diseases. Health Code Article 13 (“Clinical Laboratories”) requires clinical laboratories to report results of tests performed on human specimens to confirm or rule out a diagnosis. Clinical laboratories in New York State operate within parameters set by State Public Health Law and State Health Department rules, and are generally distinguishable from research laboratories, although both kinds of laboratories may be operated by institutions that both offer clinical care and conduct medical research.

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

Biosafety level 1 (BSL-1) is the basic level of protection and is appropriate for agents that are not known to cause disease in normal, healthy humans. Biosafety level 2 (BSL-2) is appropriate for handling moderate-risk agents that cause human disease of varying severity by ingestion or through percutaneous or mucous membrane exposure. Biosafety level 3 (BSL-3) is appropriate for agents with a known potential for aerosol transmission, for agents that may cause serious and potentially lethal infections and that are indigenous or exotic in origin. Exotic agents that

pose a high individual risk of life-threatening disease by infectious aerosols and for which no treatment is available are restricted to high containment laboratories that meet biosafety level 4 (BSL-4) standards.¹

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

Recent laboratory accidents, none of which occurred in New York City, have focused the Department's attention on this issue. In June and July 2014, CDC disclosed two potentially serious incidents involving H5N1 avian influenza³ and *Bacillus anthracis*,⁴ the bacterium that causes anthrax. A third incident at CDC involving an Ebola virus sample occurred in December 2014.⁵ In 2007, another potentially serious incident occurred at CDC when the main and backup power supplies failed during a lightning storm, shutting down the negative pressure system in a newly constructed, but not yet operational, BSL-4 laboratory.⁶

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

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

As serious as these incidents have been, of even greater concern have been laboratory incidents over past decades that have caused

- 1 CDC (US) and NIH (US). Biosafety in Microbiological and Biomedical Laboratories. 5th ed. Washington (DC): Centers for Disease Control and Prevention (US) and National Institutes of Health (US). 2007; 409 p. Available from <http://www.cdc.gov/biosafety/publications/bmlb5/BMBL.pdf>
- 2 GAO (US). High-Containment Laboratories: Assessment of the Nation's Need is Missing. Washington (DC): Government Accountability Office (US). 2013 Feb 25; 13 p. Report No.: GAO-13-466R. Available from <http://www.gao.gov/products/GAO-13-466R>
- 3 CDC (US). Report on the Inadvertent Cross-Contamination and Shipment of a Laboratory Specimen with Influenza Virus H5N1. 2014 August 15. <http://www.cdc.gov/about/pdf/lab-safety/investigationcdc5n1contaminationeventaugust15.pdf>
- 4 CDC (US). Report on the Potential Exposure to Anthrax. 2014 July 11. http://www.cdc.gov/about/pdf/lab-safety/Final_Anthrax_Report.pdf
- 5 CDC (US). Report on the Potential Exposure to Ebola Virus. 2015 February 4. <http://www.cdc.gov/about/pdf/lab-safety/investigation-into-dec-22-2014-cdc-ebola-event.pdf>
- 6 Government Accountability Office (US). High Containment Laboratories—National Strategy for Oversight is Needed. Washington (DC): Government Accountability Office (US); 2009 Sep. 99 p. Report No.: GAO-09-574. Available from <http://www.gao.gov/products/GAO-09-574>
- 7 CDC (US). Conclusion of select agent inquiry into Burkholderia pseudomallei release at Tulane National Primate Research Center. 2015 Mar 13. Available from <http://www.cdc.gov/media/releases/2015/s0313-burkholderia-pseudomallei.html>
- 8 HHS (US). Testimony of Daniel M. Sosin, MD, MPH, FACP, before the Subcommittee on Oversight and Investigations, Committee on Energy and Commerce, U.S. House of Representatives. Review of Department of Defense Anthrax Specimens. 2015 July 28. Available from <http://docs.house.gov/meetings/IF/IF02/20150728/103816/HHRG-114-IF02-Wstate-SosinD-20150728.pdf>

outbreaks of contagious virus diseases, including smallpox, SARS, and foot and mouth disease.⁹ The Department is concerned that an accident in a New York City-based high-containment research laboratory could have catastrophic consequences, given the population density of nearly 70,000 per square mile in Manhattan and the many other areas of high population density throughout the City.

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

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

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

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

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

- 9 Furmanski M. Threatened pandemics and laboratory escapes: self-fulfilling prophecies. Bulletin of the Atomic Scientists. 2014 Mar 31. Available from <http://thebulletin.org/renewed-pandemics-and-laboratory-escapes-self-fulfilling-prophecies7016>

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

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

The Board of Health is amending Article 13 to require registration of and reporting by all high-containment research laboratories in New York City. The registration form will identify and provide the contact information of owners, managers, operators, and other persons responsible for biosafety and list the biological agents stored and/or used onsite. The amendment also requires registered laboratories to report to the Department any loss or theft of, or exposure by a person to, the biological agents of concern so that the Department can, if necessary, investigate and limit public health risks from these agents. Registered laboratories will also be required to report changes in the information in their registration forms that pertain to any select agent or high-risk agent of public health concern.

Laboratories that are currently operating solely as clinical laboratories, blood and tissue banks and those that conduct recombinant DNA experiments pursuant to Title 5 of Article 5, or Articles 43-B or 32-A, of the New York Public Health Law are excluded from these registration and reporting requirements.

Statutory Authority

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

The proposal is as follows:

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

New material is underlined.

[Deleted material is in brackets.]

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

§13.01 [Definition] Definitions.

When used in this article ["laboratory"]:

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

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

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

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

(e) "High-risk agent" means Middle East respiratory coronavirus (MERS-CoV), all *Mycobacterium tuberculosis* strains and any other biological agent that the Commissioner, upon notice, determines would be a severe risk to public health if released into the environment and could result in severe morbidity or high mortality.

(f) "Select agent" means a biological agent or toxin listed in 42 CFR §§ 73.3 or 73.4 or 9 CFR § 121.4, or any successor provisions, which requires laboratories that possess, use or transfer such agent to register with the Federal Select Agent Program, as described in 42 CFR Part 73, 9 CFR 121 and 7 CFR Part 331.

(g) "Exposure" means the ingestion, inhalation, inoculation, or contamination of skin or mucous membranes with a biological agent.

Notes: Section 13.01 was amended by resolution adopted by the Board of Health at its meeting on June 7, 2016, to be effective 180 days after adoption, to add definitions applicable to certain high-containment research laboratories.

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

§13.11 High-containment research laboratories: registration.

(a) Registration. Every person operating a high-containment research

laboratory in the City of New York must register such laboratory with the Department. Registrations will expire and must be renewed every three years. An entity or person registering with the Department must provide all the information requested by the Department on the registration form, including but not limited to:

- (1) Name, address and other contact information for the officers or persons in control of the operating entity;
- (2) Locations and biosafety level rating or ratings for each research laboratory operated by the registering entity;
- (3) Name, title and contact information of at least two designated persons who are individuals at the research laboratory designated to submit to the Department the reports required by §13.13 of this Article, provided that one such designated person is the manager or other person in control of the research laboratory biosafety committee; and
- (4) A listing of all biological agents stored or used in each high-containment research laboratory at the time of registration. The listing must include the parent strain of the agent and any derivative strains identified by the high-containment research laboratory as having unique virulence or pathogenic potential.

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

(c) Changes in registration information. The registrant must notify the Department within thirty (30) calendar days of any changes to the information provided on the registration form that pertains to any select agent or high-risk agent.

Notes: Section 13.11 was added to Article 13 by resolution adopted by the Board of Health at its meeting on June 7, 2016, to be effective 180 days after adoption, to require registration by high-containment research laboratories keeping or working with certain biological agents that pose a risk to public health. High-containment research laboratories in operation on the effective date of the resolution must register with the Department no later than one hundred eighty (180) calendar days after the effective date.

§13.13 High-containment research laboratories: required reports.

(a) Loss or theft of a biological agent. No later than four hours after determining that there has been a theft or loss of a biological agent from a high-containment research laboratory, the laboratory operator or a person designated on the registration form of such laboratory must notify the Department of such theft or loss at a telephone number designated by the Department. Any theft or loss must be reported even if the lost or stolen biological agent is subsequently recovered and/or the responsible parties are identified. The following information must be provided:

- (1) The name of the biological agent and any and all of its identifying information (e.g., strain or other characterization information);
- (2) The quantity or an estimate of the quantity of the biological agent that was lost or stolen;
- (3) The time or an estimate of the time during which the theft or loss occurred;
- (4) The location (building, room) from which the theft or loss occurred.

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

- (1) The name of the biological agent and any and all of its identifying information (e.g., strain or other characterization information);
- (2) An estimate of the number of persons potentially exposed to the biological agent in or by the research laboratory and within the entity;
- (3) An estimate of the quantity of biological agent that was released;
- (4) An estimate of the time and duration of the release of the biological agent;
- (5) The environment into which the biological agent was released (e.g., within vs. outside building, into a waste system);

- (6) The location (building, room) from which the release of the biological agent occurred;
- (7) Identification and contact information for all persons known to be exposed to the biological agent;
- (8) Actions taken to respond to the release of the biological agent; and
- (9) Hazards posed by the release of the biological agent.

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

(d) All information, records and reports required by this section shall be kept confidential, provided that the Commissioner may disclose to a city, state or federal agency information necessary to respond to an emergency after determining such an emergency exists.

Notes: Section 13.13 was added to Article 13 by resolution of the Board of Health adopted at its meeting on June 7, 2016, to be effective 180 days after adoption. The section requires reporting of incidents involving theft, loss, release of certain biological agents or exposure of persons to such agents.

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

ARTICLE 13
LABORATORIES

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

Notes: Article 13 was amended by resolution of the Board of Health adopted at its meeting on June 7, 2016, to be effective 180 days after adoption of the resolution, to add new Sections 13.11 and 13.13, requiring registration of high-containment research laboratories that work with certain biological agents and reporting of incidents involving loss or theft of, or exposures to such agents.

◀ j15

Notice of Adoption of Amendments to New York City Health Code Article 131

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 131 of the New York City Health Code (the “Health Code”) was published in the City Record on March 25, 2016 and a public hearing was held on April 27, 2016. One person testified and two written comments were received. No changes have been made to the resolution in response to the comments. At its meeting on June 7, 2016, the Board of Health adopted the following resolution.

Statement of Basis and Purpose

Background

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

The Board of Health is amending Health Code §131.17 to reduce the nuisance level for emissions of PERC vapors found in residential, child-occupied and other occupied buildings emanating from dry cleaning facilities located in the same or adjacent buildings. The amendment lowers the current nuisance level from 100 micrograms per cubic meter (µg/m³) to 30 µg/m³. The reduction of the nuisance level is based on studies by the US Environmental Protection Administration (EPA), which classifies PERC as “likely to be carcinogenic in humans by all

levels of exposure” and a recently revised New York State Department of Health guideline for PERC air levels.¹

EPA’s rules prohibit using PERC in dry cleaning facilities located in residential buildings after December 21, 2020.² Until then, dry cleaning facilities that use PERC must control emissions in accordance with EPA rules.

Statutory Authority

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

The proposal is as follows:

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

New material is underlined.

[Deleted material is in brackets.]

RESOLVED, that Subdivision (b) of Section 131.17 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, is hereby amended, to be printed together with explanatory notes, to read as follows:

§131.17 Dry cleaning facilities.

* * *

(b) *Nuisance level.* Detection of perchloroethylene vapors from dry cleaning facilities in dwellings, child-occupied facilities, or other occupied premises at levels at or above [100] 30 micrograms per cubic meter (µg/m³) shall constitute a nuisance.

* * *

Notes: Subdivision (b) of §131.17 was amended by resolution of the Board of Health adopted at its meeting on June 7, 2016, reducing the nuisance level for perchloroethylene from 100 to 30 micrograms per cubic meter (µg/m³), reflecting current State Department of Health and US Environmental Protection Administration determinations on its health effects.

◀ j15

Notice of Adoption of Amendments to Article 161 of the New York City Health Code

In compliance with §1043(b) of the New York City Charter and pursuant to the authority granted to the Board of Health by §558 of said Charter, a notice of intention to amend Article 161 of the New York City Health Code was published in the City Record on March 25, 2016 and a public hearing was held on May 10, 2016. No testimony or comments were received. At its meeting on June 7, 2016 the Board of Health adopted the following resolution.

Statement of Basis and Purpose

Statutory Authority

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

Background

The Department’s Bureau of Veterinary and Pest Control Services enforces Health Code Article 161 pertaining to the control of animals in the City. Article 161 currently requires pet shops other than those selling dogs and cats to have permits and to comply with other provisions of the Health Code. The New York State Agriculture and Markets Law Article 26-A (“Care of Animals by Pet Dealers”) formerly prohibited local regulation of “pet dealers,” defined in such State law as an entity that sells more than nine animals (dogs and/or cats) to the public per year. See Agriculture and Markets Law §§400 subdivisions (1) and (4) and 400-a. Effective January 10, 2014, this law was

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

amended and a new §407 authorizes local regulation of these entities, provided that the local law is no less stringent than Article 26-A or effectively results in banning of all sales of dogs or cats "raised and maintained in a healthy and safe manner."

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

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

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

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

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

§161.02 Definitions.

Pet shop means a facility other than an animal shelter where live animals are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail for profit. [A pet shop shall not mean a pet dealer exclusively selling dogs and cats that is subject to Article 26-A of the Agriculture and Markets Law. However, a pet shop where animals other than, or in addition to, dogs and cats are sold shall hold a pet shop permit issued by the Commissioner and shall comply with all other applicable provisions of this Code and other applicable law.]

Notes: The definition of "pet shop" was amended by resolution adopted by the Board of Health at its June 7, 2016 meeting to delete exclusion of "pet dealers" previously exclusively regulated under Article 26-A of the Agriculture and Markets Law.

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

§161.09 Permits to keep certain animals.

(a) *Permit required.*

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

* * *

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

Notes: Paragraph (1) of subdivision (a) and subdivision (f) of §161.09 were amended by resolution of the Board adopted at its meeting on June 7, 2016 to delete exclusion of "pet dealers" previously exclusively regulated under Article 26-A of the Agriculture and Markets Law.

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

§5.07 Expiration dates; fees.

(a) Applications for permits and for renewal thereof shall be

accompanied by payment of fees prescribed by the following table. Permits shall expire and be renewed in accordance with the expiration date, if any, prescribed by such table:

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

* * *

Notes: Subdivision (a) was amended by Board of Health resolution adopted at its June 7, 2016 meeting to add a new permit fee for pet shops that sell dogs and/or cats pursuant to NYC Administrative Code §17-374.

• j15

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Article 43 of the New York City Health Code

What are we proposing? The Department of Health and Mental Hygiene (the Department) is proposing that the Board of Health (the Board) amend Article 43 (School-Based Programs for Children Ages Three through Five) of the New York City Health Code to enhance certain safety requirements in such services.

When and where is the hearing? The Department will hold a public hearing on the proposed rules. The public hearing will take place from 10:00 A.M. to 12:00 P.M. on July 25, 2016. The hearing will be at:

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

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

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email written comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail written comments to
New York City Department of Health and Mental Hygiene
Gotham Center, 42-09 28th Street, CN 31
Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to New York City Department of Health and Mental Hygiene at (347) 396-6087
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078. You can also sign up in the hearing room before or during the hearing on July 25, 2016. You can speak for up to five minutes.

Is there a deadline to submit written comments? Written comments must be received on or before 5:00 P.M. on July 25, 2016.

Do you need assistance to participate in the hearing? You must tell us if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by July 11, 2016.

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

What authorizes the Board of Health to make these amendments? Section 558 of the City Charter authorizes the Board of Health to adopt and amend the Health Code and to include in the Health Code all matters to which the authority of the Department extends. This proposed amendment was not included in the Department's regulatory

agenda for this Fiscal Year because it was not contemplated when the Department published the agenda.

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

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

Statement of Basis and Purpose

The Department's Bureau of Child Care enforces Article 47 of the Health Code which regulates non-residential-based child care centers (for children under six years of age) in accordance with Article 47 of the Health Code, and Article 43 (School-Based Programs for Children Ages Three through Five) which regulates health and safety aspects of school-based programs for children ages three through five.

The Department is proposing that the Board amend Article 43 of the Health Code as follows to enhance the health, safety and supervision of children under six years of age attending school-based programs.

Physical facilities: testing drinking water supplies for lead; installing window guards

Health Code §47.43, applicable to non-school based freestanding child care centers, currently requires that "Drinking water from faucets and fountains shall be tested for lead content and the permittee shall investigate and take remedial action if lead levels at or above 15 parts per billion (ppb) are detected."¹ There is no similar requirement in Article 43 or in Article 45 (General Provisions Governing Schools and Children's Institutions). Although schools may be testing lead levels in water voluntarily, there is no general requirement that schools test potable water supplies for lead. While no water supplies should have lead levels above 15 ppb, the youngest children are most at risk for lead poisoning resulting from any environmental lead source. The Department is requesting the Board to amend Article 43 to require testing by school-based programs for children ages three through five of potable water supplies for lead.

In addition, the Department is requesting the Board to amend this article to require that window guards or other Department approved limiting devices be installed in windows in all areas of a school accessible to children under six years of age. Since 1976, Chapter 12 of the Department's rules has required window guards to be installed in all multiple dwelling units in which children 10 years of age and younger reside. Section 47.41 (e) of Article 47 similarly requires window guards to be installed in child care services that are not located in school buildings. The Department believes that the same protections should be afforded the children of the same age attending schools.

Teacher immunizations

A new Recommended Adult Immunization Schedule was approved by the Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices and published in February, 2016. The Department is requesting that the Board amend the immunization requirements for child care teachers and volunteers in Article 47 and for staff teaching early childhood education programs who are covered by Article 43 to be consistent with these recommendations. The major change is that having a history of measles and mumps will not be allowed to substitute for the vaccines for measles and mumps – the vaccines must still be administered even if a health care provider indicates that an individual has a history of these diseases. Vaccinations are not needed if there is laboratory proof of immunity.

Statutory Authority

The authority for these proposed amendments is found in §§ 556 and 558 of the New York City Charter (the "Charter"). Sections 558(b) and (c) of the Charter empower the Board of Health (the "Board") to amend the New York City Health Code (the "Health Code") and to include all matters to which the Department's authority extends. Section 1043 grants the Department rule-making authority.

Section 556 of the Charter provides the New York City Department of Health and Mental Hygiene (the "Department") with jurisdiction to protect and promote the health of all persons in the City of New York.

Statement pursuant to Charter §1043

This proposal was not included in the Department's Regulatory Agenda for FY '16 since the need for the proposal was not known at the time the Regulatory Agenda was promulgated.

1 This is the federal action level for lead in public drinking water supplies. See, US Environmental Protection Agency, "Lead and Copper Rule," 40 CFR Part 141 Subpart I.

The proposal is as follows:

Note-matter in brackets [] to be deleted

Matter underlined is new

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

RESOLVED, that Subdivision (c) of §43.11 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§43.11 Health; staff.

* * *

(c) *Staff immunizations.* [Health care providers shall certify that each staff or volunteer] Each staff person and volunteer shall obtain a report from a health care provider who is a licensed physician, nurse practitioner, physician's assistant, or doctor of osteopathy certifying that such person has been immunized against measles; mumps; rubella; varicella (chicken pox); and [tetanus and diphtheria (Td) or] tetanus, diphtheria and acellular pertussis (Tdap) in accordance with recommendations of the CDC Advisory Committee on Immunization Practices (ACIP). Persons born on or before December 31, 1956 [who have a history of measles or mumps disease shall not require such] are not required to have measles, mumps or rubella vaccines. A history of having health care provider documented varicella [, measles or mumps] or herpes zoster disease shall be accepted in lieu of varicella[, measles or mumps vaccines] vaccine. A history of having measles, mumps or rubella disease shall not be substituted for the measles, mumps, or rubella vaccine. A laboratory test demonstrating detectable varicella, measles, mumps, or rubella antibodies shall also be accepted in lieu of varicella, measles, mumps and rubella vaccine. An employee may be exempted from this immunization requirement for ACIP-recognized medical contraindications upon submission of appropriate documentation from a licensed physician. Each staff person and volunteer shall submit such report of immunization to the person in charge of a school where he or she is employed or volunteers. Reports of immunizations shall be confidential and shall be kept by the person in charge of a school in a paper or electronic file with other staff and volunteer health information, except that such reports shall be made available to the Department upon request.

* * *

Notes: Subdivision (c) was amended by resolution adopted XXX to incorporate recommendations of the CDC Advisory Committee on Immunization Practices issued in February, 2016.

RESOLVED, that Article 43 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, adding a new §43.24, to be printed together with explanatory notes to read as follows:

§43.24 Physical facilities.

(a) *Drinking water.* Drinking water from faucets and fountains must be tested for lead content by persons in charge of a school upon the effective date of this provision or by persons in charge of a new school program within 30 days of filing the notice required by §43.05 of this article and every five years thereafter using a method approved by the Department. Copies of test results must be sent to the Department by mail, email or fax on receipt and the persons in charge of a school must investigate and take remedial action if lead levels at or above 15 parts per billion (ppb) are detected. Remedial action must be described in a corrective action plan to be submitted to the Department with reports of elevated test results. Until remedial action is completed, the persons in charge of a school must provide and use bottled potable water from a source approved by the Department or the State Department of Health.
(b) *Window guards.* Department approved window guards or other window opening limiting devices must be installed on all windows in all rooms, hallways, and stairwells, except windows giving access to fire escapes used as a secondary means of egress, if children under six years of age have access to such areas.

Notes: Section 43.24 was added by resolution adopted XXX to require drinking water to be tested for lead, and that approved window guards or other limiting devices be installed in windows in all areas accessible to children under six years of age, mirroring similar requirements for children attending child care services regulated by Article 47 of the Health Code.

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

CERTIFICATION/ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Rules Governing School-Based Programs for Children Ages Three through Five (Health Code Article 43)

REFERENCE NUMBER: DOHMH-70

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

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

June 2, 2016
Date

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

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

RULE TITLE: Amendment of Rules Governing School-Based Programs for Children Ages Three through Five (Health Code Article 43)

REFERENCE NUMBER: 2016 RG 052

RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: June 2, 2016

• j15

**Notice of Public Hearing and Opportunity to Comment
on Proposed Amendments to Article 47 of the New York City
Health Code**

What are we proposing? The Department of Health and Mental Hygiene (the Department) is proposing that the Board of Health (the Board) amend Article 47 (Child Care Services) of the New York City Health Code to enhance certain safety requirements in such services.

When and where is the hearing? The Department will hold a public hearing on the proposed rules. The public hearing will take place from 10:00 A.M. to 12:00 P.M. on July 27, 2016. The hearing will be at:

New York City Department of Health and Mental Hygiene
Gotham Center
42-09 28th Street, 14th Floor, Room 14-34
Long Island City, NY 11101-4132

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

- **Website.** You can submit comments to the Department through the NYC rules website at <http://rules.cityofnewyork.us>
- **Email.** You can email written comments to resolutioncomments@health.nyc.gov
- **Mail.** You can mail written comments to
New York City Department of Health and Mental Hygiene
Gotham Center, 42-09 28th Street, CN 31
Long Island City, NY 11101-4132
- **Fax.** You can fax written comments to New York City Department of Health and Mental Hygiene at (347) 396-6087
- **Speaking at the hearing.** Anyone who wants to comment on the proposed amendments at the public hearing must sign up to speak. You can sign up before the hearing by calling Svetlana Burdeynik at (347) 396-6078. You can also sign up in the hearing

room before or during the hearing on July 27, 2016. You can speak for up to five minutes.

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

Do you need assistance to participate in the hearing? You must tell us if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (347) 396-6078. You must tell us by July 13, 2016.

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

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

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

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

Statement of Basis and Purpose

The Department's Bureau of Child Care enforces Article 47 of the Health Code, which regulates non-residential-based child care centers for children under six years of age.

The Department is proposing that the Board amend Article 47 of the Health Code as follows to enhance the health, safety and supervision of children in regulated child care services.

Educational directors

Department experience has shown that the consistent presence of an educational director is an important factor in providing quality, safe child care. The educational director is charged with developing a child care service's curriculum, implementing teacher training and ensuring that all staff are aware of and compliant with the child care service's written safety plan and the requirements of the Health Code. When there is no educational director present, or there is constant turnover in the educational director position, child care quality is diminished.

The Department attempts to routinely inspect all the 2,000+ child care services annually. When it finds on inspection that there is no educational director present, it is often told that the person holding the position is "temporarily absent," a statement which the Department cannot always corroborate. The Health Code requires that a fully qualified State-certified group teacher be designated as an acting educational director when the educational director is temporarily absent. The Department has no way of knowing, however, how long the educational director's absence has been or will last. To address these concerns, the Department is requesting that the Board amend Health Code §§ 47.13, 47.15 and 47.17 to require that child care service permittees notify the Department when educational directors are terminated or resign. Notification means that Department staff can timely follow up with the child care service to determine if the educational director has been replaced, and whether there is an appropriate certified teacher supervising other teachers and assuming the duties required of the educational director. When there is a temporary absence of an educational director, the Department is asking the Board to require that the permittee communicate in writing to teaching staff that there will be a temporary substitute educational director, and make such communication available for Department inspection.

Teacher and trainer qualification verification

All teaching staff in Article 47 programs are required to hold certain educational credentials and certifications, and many teaching staff in current child care programs present foreign and domestic education institution credentials and teacher certifications that require Department staff to spend a great deal of time checking and verifying such credentials and certifications. Equally important are the qualifications of trainers. The Department is proposing that the Board amend Health Code §§47.13, 47.15, 47.17 and 47.37 to require child care permittees to submit teachers' and trainers' documentation and certifications for review to an agency designated by the Department. The agent would review teaching staff certifications, diplomas, educational transcripts and trainers' credentials to determine that

education and training are in compliance with the Health Code.

Teacher immunizations

A new Recommended Adult Immunization Schedule was approved by the Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices and published in February 2016. The Department's requirements for child care staff and volunteer immunizations in Health Code §47.33(c) are being amended to be consistent with these recommendations. The major change is that having a history of measles and mumps will not be allowed to substitute for the vaccines for measles and mumps – the vaccines must still be administered even if a health care provider indicates that an individual has a history of these diseases. Vaccinations are not needed if there is laboratory proof of immunity. Vaccinations are also not needed for people born on or before December 31, 1956, regardless of their vaccination history, as such old vaccination histories are unreliable and most people were already exposed to these diseases.

Permit suspensions and revocations

These amendments also clarify circumstances that may result in suspension and revocation of child care service permits, provide child care services with more concrete information about the Department's expectations and describe how the Department evaluates performance.

The Department evaluates a child care service's performance by comparing it to that of other child care services. Child care services found performing below standards may voluntarily enroll in a Department program to improve performance. As part of this program, Department staff help permittees identify and address administrative and other factors that compromise child safety. Department staff also work with the permittee to create a corrective action plan to remedy these factors. The Department proposes that this currently voluntary improvement process be made mandatory, amending §§47.21 and 47.77 and that failure to make required changes would result in a child care service being required to defend its permit at a hearing at the Office of Administrative Trials and Hearings (OATH).

The Department also requests that the Board amend Health Code §47.77 to provide that, in addition to actions authorized by other provisions of the Health Code, the Commissioner may revoke a child care service permit in certain circumstances, including but not limited to:

- having a history of prior or current child care permit, license or registration suspensions,
- revocations or suspensions (whether by the Commissioner or other government agencies) or
- failing to implement required corrective action plans.

It is also proposed that Section 47.77 be amended to add that when a child care service permit is revoked by the Commissioner, any application for a new permit by any of the service's individual or corporate managers or directors will not be accepted for at least five years following the date of revocation.

These measures would enable the Department to take expedited action against unsafe facilities and clarify the bases for taking regulatory actions.

Fraud prevention

Individuals who work or volunteer in or are in control of any child care service must be fingerprinted in accordance with Health Code §47.19. Fingerprints are forwarded by the City Department of Investigation (DOI) to the New York State Division of Criminal Justice Services (DCJS). DCJS then reports on the individual's criminal history to DOI, and DOI informs the permittee of the individual's relevant criminal background. In recent years, there have been a number of incidents where permittees claimed as staff members people who did not work in a child care service. Several permittees fraudulently submitted credentials of qualified persons or created false documents and certifications to show the Department that they have a full complement of cleared and/or qualified staff. One permittee allowed an otherwise unidentified individual to assume the identity and credentials of another person and passed her off as a qualified group teacher for many years. In these cases, the fraud eventually results in revocation of the permits, in accordance with Health Code §5.13. The Department would like to be able to require permittees to include identification numbers assigned to fingerprints (the New York State Identification or "NYSID" number) by DCJS when applications for permits and staff qualifications are submitted for approval, so that it can more easily verify individuals' identities. Accordingly, the Department requests that the Board amend Health Code § 47.09 (a) to authorize the Department to require provision of NYSID numbers by persons with ownership and other interests in child care services, and persons whose credentials the Department is being asked to approve.

Early Intervention and CPSE services for disabled children

Health Code §47.19 requires that all staff, volunteers, contractors and others in child care services obtain clearances every two years from the State Central Register of Child Abuse and Maltreatment (SCR), be fingerprinted and have employment

references checked unless "such person is working under the direct supervision and within the line of sight of a screened employee of the child care service." The Department has been asked to exempt from these requirements persons conducting assessments of or providing services to individual children who are disabled or at risk for disability under the Department's Early Intervention (EI) program (children under three years of age) or the City Department of Education's committee on preschool special education (CPSE) (ages three through five). These individuals are already cleared and the Department would like to avoid unnecessary delay by requiring that child care service permittees also clear them. The Department is asking the Board to amend this provision accordingly.

Lead in water

The Department is requesting that the Board amend Health Code §47.43(a) (requiring child care service permittees to test water for lead) to specify that such testing must be done every five years and to require that test results be sent to the Department. Elevated test results would have to be accompanied by a plan for remediation and until remediation is completed alternate sources of potable water provided.

Fire alarms and sprinklers

Health Code §47.59 (c) requires that all child care services attended by 30 or more children have fire alarms. The Department is proposing that the Board amend this provision to require all newly permitted child care facilities and those undergoing extensive renovation (i.e., material alterations requiring a revised certificate of occupancy) to have fire alarms approved by the Fire Department, and to incorporate in the Health Code a requirement of the current Building Code that all new infant-toddler child care services and those undergoing material alterations be fitted with sprinkler systems. The Department believes that these requirements will significantly enhance safety.

Permit posting

Health Code §47.73 currently requires that a child care service permit must be posted "in a conspicuous place near its public entrance where staff, parents and others may review" it. The Department is requesting that the Board amend this to specify that the permit be posted in a location where it will be more readily visible to parents and caregivers dropping off and picking up children. It is critical that parents know that a service has a Department permit and is not operating illegally and without oversight.

Statutory Authority

The authority for these proposed amendments is found in §§ 556 and 558 of the New York City Charter (the "Charter"). Sections 558(b) and (c) of the Charter empower the Board of Health (the "Board") to amend the New York City Health Code (the "Health Code") and to include all matters to which the Department's authority extends. Section 1043 grants the Department rule-making authority.

Section 556 of the Charter provides the New York City Department of Health and Mental Hygiene (the "Department") with jurisdiction to protect and promote the health of all persons in the City of New York.

Statement pursuant to Charter §1043

This proposal was not included in the Department's Regulatory Agenda for FY '16 since the need for the proposal was not known at the time the Regulatory Agenda was promulgated.

The proposal is as follows:

Note-matter in brackets [] to be deleted
Matter underlined is new

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

RESOLVED, that subdivisions (a) and (f) of §47.09 of Article 47 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended to be printed together with explanatory notes, to read as follows:

§47.09 Applications for permits.

A person or entity that has never held a permit issued by the Commissioner to operate a child care service and that proposes to operate a child care service subject to such permit, shall attend a pre-permit orientation session held by the Department and shall thereafter submit an application for a permit to the Department.

(a) *New application.* An application for a new permit shall be submitted on forms approved or provided by the Department and shall include, but not be limited to the following:

* * *

- (5) [Certifications and other documentation required by this Code for teaching staff health training; qualifications, health examinations.] Proof that teachers' credentials required by

this Code have been submitted for review to and have been verified by an agent designated by the Department; and that the permit applicant has documentation of all teachers' and volunteers' health examinations and immunizations.

* * *

(9) Names, including aliases, and other identifying and contact information for all individual owners, managers, or other persons with a controlling interest in the child care service, officers, directors and board members of a permittee corporation, members of an LLC, partners, educational directors, executive and administrative director, if any. Identifying information must include the New York State Identification or NYSID number assigned to these individuals when they were fingerprinted by the New York State Division of Criminal Justice Services, in accordance with §47.19 of this Article.

* * *

(f) Applications to be complete. No permit shall be issued until the Department has received and has approved all documentation, records, reports, or other information required by this Code. The Commissioner may reject any incomplete application for a new or renewal permit and order an existing child care service closed and its permit suspended if the permit application contains misleading information, or information is omitted.

Notes: Paragraphs (5) and (9) of Subdivision (a) and Subdivision (f) were amended by resolution adopted XXX. Subdivision (a) requires additional current and background information from applicants for child care service permits so that an informed decision may be made by the Commissioner on whether to issue such permits. Subdivision (f) authorizes the Commissioner to reject an application for a new permit and close and suspend an existing child care service if its application for a renewal permit if information is misleading or missing.

RESOLVED, that Subdivision (a), Paragraph (1) of Subdivision (c), and Paragraph (4) of Subdivision (d) of §47.13 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, are amended, to be printed together with explanatory notes to read as follows:

§47.13 Teaching staff qualifications in child care services for children ages two to six.

(a) Accreditation. In determining teacher and educational director qualifications, the Department may accept documentation from schools, colleges and universities approved by the State Education Department or other teacher accreditation organizations acceptable to the Department certifying that such persons have met the specific Code requirements. All teacher documentation must be submitted for review to an agency designated by the Department.

(b) Pending certifications. A permittee may temporarily employ an educational director or individual group teachers pending certification by the State Education Department or other accreditation organization or while a teacher's study plan for obtaining certification is pending approval by the Department, provided that the permittee has complied with criminal justice and State Registry of Child Abuse and Maltreatment screening requirements for staff set forth in this Article.

(c) Educational director. Every child care service shall designate a qualified teacher as the educational director who shall be in charge of staff training, educational and child development programs and shall supervise all teaching staff at each permitted child care service.

(1) Coverage for educational director. When an educational director is not present to supervise a child care service, the permittee shall designate a certified group teacher to act as educational director. In addition, the permittee must notify the Department in writing within five business days of the termination or resignation of the educational director. When the educational director will be on anticipated leave for more than five business days, the permittee must notify teaching staff in writing that a certified teacher has been designated as educational director and make this written communication available to the Department for inspection upon request.

* * *

Notes: Subdivision (a) and Paragraph (1) of Subdivision (c) of §47.13 were amended by resolution adopted XXX to require submission of teachers' credentials to an agency designated by the Department and for permittees to notify the Department of educational directors' termination or resignation and to maintain documentation of educational directors' absences exceeding five days duration.

RESOLVED, that Subdivision (a) of §47.15 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§47.15 Teaching staff qualifications for infant-toddler child care services.

A child care service authorized to provide care for children under 24 months of age may employ staff with either the qualifications listed in §47.13 of this Code for each title or the following alternative

qualifications[.]; all documents and credentials must be submitted for review to an agency designated by the Department;

(a) Educational director. Every infant-toddler child care service shall have an educational director who shall be in charge of staff training, educational and child development programs and shall supervise all teaching staff at each permitted infant-toddler child care service. The permittee must notify the Department in writing within five business days of the termination or resignation of an educational director.

* * *

Notes: Section 47.15 was amended by resolution adopted XXX to require submission of teachers' credentials to an agency designated by the Department and for permittees to notify the Department of educational directors' termination or resignation.

RESOLVED, that Subdivisions (a) and (b) of §47.15 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§47.17 Teaching staff qualifications for night child care services.

(a) Permittees offering night care services shall comply with all requirements of this Article except when such requirements are inconsistent with the provisions of this section, in which case the provisions of this section shall control. All documents and certifications required by this section must be submitted for review to an agency designated by the Department.

(b) Educational director. The educational director shall be qualified in accordance with §47.13 of this Code; or hold a baccalaureate degree, including 12 college credits in early childhood education, and have two years experience in a licensed program with children younger than six years of age. When the educational director is not present to supervise the teachers in a night care service, the permittee shall designate a certified group teacher qualified pursuant to §47.13 (d) of this Article to act as educational director. The permittee must notify the Department in writing within five business days of the termination or resignation of an educational director.

* * *

Notes: Subdivisions (a) and (b) were amended by resolution adopted XXX to require submission of teachers' credentials to an agency designated by the Department and for permittees to notify the Department of educational directors' termination or resignation.

RESOLVED, that §47.19 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended by adding a new subdivision (j) to be printed together with explanatory notes, to read as follows:

§47.19 Criminal justice and child abuse screening of current and prospective personnel; reports to the Department.

* * *

(j) Services for certain children. Permittees must allow access to children receiving assessments and services of professional consultants retained by Early Intervention program providers or New York City Department of Education committees on preschool special education, or successor programs, without requiring proof of consultants' fingerprinting, SCR clearances or references.

Notes: Subdivision (j) was added by resolution adopted XXX to enable access to work with individual children attending child care services without further fingerprinting or SCR clearance for certain persons assessing or providing services to such children.

RESOLVED, that Paragraph (3) of Subdivision (a) of §47.21 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended; that Subdivision (b) of §47.21 be amended; that a new Subdivision (c) be added to §47.21, and that Subdivisions (c), (d) and (e) be relettered as subdivisions (d), (e) and (f), respectively, to be printed together with explanatory notes to read as follows:

§ 47.21 Corrective action plan.

(a) Approved corrective action plan required. A corrective action plan shall be submitted by the permittee to the Department within five business days for review and approval by the Department[.].

(1) Prior to the permittee hiring, retaining or utilizing the services of persons listed in Subdivision (a) of §47.19 of this Code when such persons are reported as having:

- (A) A criminal conviction as specified in §47.19[](h); or
- (B) Pending criminal charges as specified in §47.19(h); or
- (C) SCR reported incidents of child abuse or maltreatment which have been indicated or which are under investigation.

(2) When a death or serious injury of a child or an incident involving a lost child has occurred while in the care of an applicant for a permit or permittee, or in the care of any owner, director, employee, or volunteer of the applicant or permittee or while in the care of any agent of the

permittee, or if a related criminal or civil action has already been adjudicated or adjudication is pending in any jurisdiction with respect to such death or serious injury or incident involving a lost child.

(3) When required by the Department, after the permittee has been cited for violations or conditions deemed imminent health hazards, or when the Department determines that the permittee has been operating with serious uncorrected violations over a period of time, to demonstrate the permittee's willingness and ability to continue in operation in accordance with applicable law.

(b) *Contents of corrective action plan.* A corrective action plan shall assess the risk to children in the child care service, and shall clearly and convincingly demonstrate that such person presents no danger to any child, or other persons. The plan shall include, but not be limited to, consideration of the following factors:

- (1) Seriousness of the incident(s) or crimes cited in the report(s);
- (2) Seriousness and extent of injuries, if any, sustained by the child(ren) named or referred to in the indicated report(s) or disclosed upon investigation of the criminal charge;
- (3) Any detrimental or harmful effect on child(ren) as a result of the person's actions or inactions and relevant events and circumstances surrounding these actions and inactions as these relate to any report(s);
- (4) The age of the person and child at the time of the incident(s);
- (5) Time elapsed since the most recent incident(s);
- (6) Number of indicated incident(s) or crimes; where more than one incident or crime, an evaluation of each separately, and an assessment of the total effect of all indicated incidents on risks to children currently under care;
- (7) Duties of the person under consideration; degree of supervision, interaction, opportunity to be with children on regular, substantial basis and if position may involve being alone with children or will always involve presence of other adults;
- (8) Information provided by person, re: rehabilitation, i.e., showing positive, successful efforts to correct the problems resulting in the indicated child abuse or criminal report so that children in care will not be in danger, demonstrated by no repeated incidents or showing that the person has undergone successful professional treatment;
- (9) Employment or practice in a child care field without incident involving injuries to children
- (10) Extra weight and scrutiny shall be accorded child abuse and maltreatment reports involving fatality, sexual abuse, subdural hematoma, internal injuries, extensive lacerations, bruises, welts, burns, scalding, malnutrition or failure to thrive; and crimes involving homicides, sexual offenses (misconduct, rape, sodomy, abuse); kidnapping; felony possession or sale of a controlled substance; felony promotion of prostitution; obscenity offenses; disseminating indecent material involving, or to, minors; incest; abandonment of a child; endangering welfare of a child; promoting sexual performance by a child; felony weapon possession; assault; reckless endangerment; coercion; burglary; arson and robbery; driving while intoxicated or under the influence of alcohol if the person will have responsibilities for unsupervised contact or driving motor vehicles at the child care service.

(c) *Contents of corrective action plan for imminent health hazards or serious repeat violations.* When the Department requires a corrective action plan to show that imminent health hazards or patterns of serious repeat violations are being corrected, the permittee must:

- (1) Address each hazard, condition or violation;
- (2) Identify their causes; and
- (3) Provide a plan satisfactory to the Department showing that the causes have been addressed, and that the conditions or violations have been corrected and will not recur.

[(c)] (d) *Implementing the plan.* If the Department determines that such plan adequately safeguards the health and safety of children, the permittee shall be responsible for implementation of the plan, subject to periodic monitoring by the Department.

[(d)] (e) *Rejection of plan.* If the Department determines that such plan fails to provide adequate safeguards, a permittee that intends to hire or retain the employee shall resubmit the plan until it is acceptable to Department and shall not allow such employee to have unsupervised contact with any children until the plan is approved by the Department.

[(e)] (f) *Remedies.* Any person aggrieved by the action of the Department in enforcing this section may request that the Department provide him or her with an opportunity to be heard in accordance with §7-02 (a)(1) of the Rules of the Department (24 RCNY Chapter 7). The decision of the Department after such opportunity to be heard shall be a final agency determination.

Notes: Paragraph (3) of Subdivision (a) was amended by resolution adopted XXX to add requirements for preparation of a corrective action plan not only when imminent health hazards are present but also when a child care service is operating with serious repeat violations. The heading of Subdivision (b) was amended to clarify that this subdivision applied to plans required when there were positive findings on fingerprint and SCR clearance. A new Subdivision (c) was added to set forth general requirements for plans prepared to address serious repeat violations, and existing subdivisions (c), (d) and (e) were relettered as Subdivisions (d), (e) and (f), respectively.

RESOLVED, that subdivision (c) of §47.33 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§47.33 Health; staff.

* * *

(c) *Staff immunizations.* [Health care providers shall certify that each staff or volunteer] Each staff person and volunteer shall obtain a report from a health care provider who is a licensed physician, nurse practitioner, physician's assistant, or doctor of osteopathy certifying that such person has been immunized against measles; mumps; rubella; varicella (chicken pox); and [tetanus and diphtheria (Td) or] tetanus, diphtheria and acellular pertussis (Tdap) in accordance with recommendations of the CDC Advisory Committee on Immunization Practices (ACIP). Persons born on or before December 31, 1956 [who have a history of measles or mumps disease shall not require such] are not required to have measles, mumps or rubella vaccines. A history of having health care provider documented varicella [, measles or mumps] or herpes zoster disease shall be accepted in lieu of varicella[, measles or mumps vaccines] vaccine. A history of having measles, mumps or rubella disease shall not be substituted for the measles, mumps, or rubella vaccine. A laboratory test demonstrating detectable varicella, measles, mumps, or rubella antibodies shall also be accepted in lieu of varicella, measles, mumps and rubella vaccine. An employee may be exempted from this immunization requirement for ACIP-recognized medical contraindications upon submission of appropriate documentation from a licensed physician. Each staff person and volunteer shall submit such report of immunization to the permittee. Reports of immunizations shall be confidential and shall be kept by the permittee in a paper or electronic file with other staff and volunteer health information, except that such reports shall be made available to the department upon request.

* * *

Notes: Subdivision (c) was amended by resolution adopted XXX to incorporate recommendations of the CDC Advisory Committee on Immunization Practices issued in February, 2016.

RESOLVED, that Subdivision (e) of §47.37 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

* * *

(e) The Department may provide such training or any part thereof or accept training provided by others found satisfactory to the Department. All trainers' qualifications must be submitted for review to an agency designated by the Department. Persons who enroll in workshops conducted by the Department may be charged a reasonable fee to defray all or part of the costs incurred by the Department for workshop registration materials, training, testing, and certificate issuance.

Notes: Subdivision (e) was amended by resolution adopted XXX to require submission of trainers' qualifications for review to an agency designated by the Department.

RESOLVED, that Subdivision (a) of §47.43 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§47.43 Plumbing; toilets, hand wash, and diaper changing facilities.

(a) *Plumbing installation.* Plumbing shall be installed only by a licensed plumber and shall be free of cross-connections and other hazards to health. Drinking water from faucets and fountains shall be tested for lead content by an existing permittee upon the effective date of this provision or by a new permittee within 30 days of receiving a permit and by all permittees every five years thereafter using a method approved by the Department. Copies of test results must be sent to the Department upon receipt by mail, email or fax and the permittee shall investigate and take remedial action if lead levels at or above 15 parts per billion (ppb) are detected. Remedial action must be described in a corrective action plan to be submitted to the Department with reports of elevated test results. Until remedial action is completed, the permittee must provide and use bottled potable water from a source approved by the Department or the State Department of Health.

Notes: Subdivision (a) was amended by resolution adopted XXX to clarify requirements for testing drinking water for lead.

RESOLVED, that Subdivision (c) of §47.59 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§47.59 Fire safety.

* * *

(c) In a child care service holding a permit for more than 30 children, an approved interior fire alarm system shall be provided. All child care services applying for a new permit or that are located in premises undergoing material alterations must be equipped with

Fire Department approved interior fire alarm systems. Infant-toddler services obtaining a new permit or that are located in premises undergoing material alterations must be equipped with a sprinkler system that complies with the New York City Building Code.

* * *

Notes: Subdivision (c) was amended by resolution adopted XXX to require applicants for a new permit after the effective date of the amendment, and those undergoing material alterations requiring a new certificate of occupancy to install fire alarms and requiring that applicants for a new permit to operate an infant-toddler child care service after the effective date of the amendment, or current permittees whose premises are undergoing material alterations install sprinkler systems. Including such requirements from the current Building and Fire Codes in the Health Code enables the Department to deny or revoke permits where a child care service fails to comply with those codes' requirements.

RESOLVED, that Subdivision (b) of §47.73 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§47.73 Required postings.

* * *

(b) The permittee shall [display] post the following [in a conspicuous place near] at the front door of its public entrance where staff, parents and others may review them:

- (1) The current permit securely encased in a weather-resistant glass or plastic protective frame, and
- (2) A sign provided or approved by the Department stating that the Department's most recent summary inspection report for the child care service may be obtained from the Department's website, or by calling 311, and that complaints about the child care service may be made to, and more information about requirements for operation of child care services may be obtained by calling 311.

Notes: Subdivision (b) was amended by resolution adopted XXX to enable parents, caretakers and other potential users of child care services to more readily see a currently valid permit and obtain assurance that a child care is lawfully in operation.

RESOLVED, that Subdivision (a) of §47.77 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, numbering the current subdivision as Paragraph (1), and adding a new Paragraph (2); adding a new Subdivision (h), relettering current Subdivision (h) as Subdivision (i), amending the newly relettered Subdivision (i), and adding a new Subdivision (j), to be printed together with explanatory notes to read as follows:

§47.77 Closing and enforcement.

(a) Imminent health hazards. (1) When the Department determines that any child care service is being operated in a manner, or maintaining one or more conditions that constitute an imminent health hazard, or that its operation otherwise presents a risk of endangering the health or safety of children or other persons, the Commissioner may order such child care service to close and to discontinue operations, suspending its permit, without further proceedings, by service of an order upon the permittee, or other person(s) managing or in control of such child care service. An order issued pursuant to this section shall provide the permittee, or other person(s) in control, an opportunity to be heard and to show cause why such child care service should not remain closed until there are changed circumstances, or the correction, removal or abatement of the dangerous or detrimental condition(s).

(2) The Commissioner may require any child care service permittee that consistently fails to correct imminent or repeat, serious violations to enroll in a program in which factors contributing to violations are analyzed and the permittee establishes a corrective action plan to address and correct violations. When, in the opinion of the Commissioner, a permittee enrolled in such a program is unable or unwilling to write or implement a corrective action plan that adequately protects the health and safety of children, the Commissioner shall provide the permittee with an opportunity to show cause at a hearing why the child care service's permit should not be suspended or revoked.

* * *

(h) Other actions. In addition to any action authorized by this article or Article 5 of this Code, the Commissioner may refuse to renew, or may revoke or deny issuance of a permit if:

- (1) the child care service's permit was ordered suspended more than once during the past 36 months, or
- (2) the child care service's permit was previously ordered suspended for having lost a child, another instance of inadequate supervision or for inappropriate behavioral management of children occurs; or
- (3) the permittee failed to implement a corrective action plan; or
- (4) a permit applicant or permittee continued operating a child care service when a permit was either ordered suspended or the child care service was ordered closed for operating without a permit; or
- (5) the Commissioner determines that a permittee is unable or unwilling to correct a pattern of serious, repeated violations including, but not limited to, those defined as imminent health hazards; or

(6) the Commissioner finds out after issuing a permit that a previous or current permit, license, registration or other authorization to operate a child care program, held by the permittee, or any officer, manager or director of the permitted entity, was or is being suspended or revoked in any jurisdiction.

[(h)] (i) Department authority not limited by this section. Nothing herein shall be construed to limit the authority of the Department to issue notices of violation [pursuant to Article 7 of this Code] seeking monetary penalties for violations cited by the Department, or commence any other proceeding or action provided for by this Code or other applicable law, including actions to deny, suspend or revoke permits.

(j) Effect of permit revocation. When a permit has been ordered revoked by the Commissioner, an application for a new permit will not be accepted for at least five years from the date revoked from the permittee or from any individual person exercising management and control in the child care service whose permit was revoked.

Notes: Subdivision (a) was amended, numbering the current subdivision as Paragraph (1) and adding a new Paragraph (2) and a new Subdivision (h), relettering Subdivision (h) as Subdivision (i) and adding a new Subdivision (j), by resolution adopted XXX to clarify the Commissioner's authority to suspend and revoke existing permits and deny issuance of new permits to persons whose permits are revoked.

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

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

RULE TITLE: Amendment of Rules Governing Child Care Services (Health Code Article 47)
REFERENCE NUMBER: DOHMH-71
RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

/s/ Francisco X. Navarro May 31, 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: Amendment of Rules Governing Child Care Services (Health Code Article 47)
REFERENCE NUMBER: 2016 RG 051
RULEMAKING AGENCY: New York City Department of Health and Mental Hygiene

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

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

/s/ STEVEN GOULDEN Date: May 31, 2016
Acting Corporation Counsel

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

What are we proposing? The Department of Health and Mental Hygiene is proposing that the Board of Health amend Article 161 (Animals) of the New York City Health Code to clarify its provisions relating to prohibiting animal nuisances in premises used in common by occupants and the public.

When and where is the hearing? The Department will hold a public hearing on the proposed rules. The public hearing will take place from 10:00 A.M. to 12:00 P.M. on July 26, 2016. The hearing will be at:

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

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

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

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

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

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

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

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

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

Statement of Basis and Purpose

The Department's Bureau of Veterinary and Pest Control Services enforces Health Code Article 161 pertaining to the control of animals in the City. Section 161.03(a) of Article 161 currently requires that pet owners control their pets so that they do not commit a nuisance on a "sidewalk of any public place, on a floor, wall, stairway or roof of any public or private premises used in common by the public, or on a fence, wall or stairway of a building abutting on a public place."

A question arose recently as to whether the provision applies to sidewalks and lawns in large residential communities in the City that are open to and used by the public as well as the residents of the local community. The Department is asking the Board to clarify that this provision applies to any area used in common, outdoor or indoor and regardless of whether it is publicly or privately owned.

Statutory Authority

These amendments to the New York City Health Code (the Health Code)

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

The resolution is as follows.

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

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

RESOLVED, that Subdivision (a) of Section 161.03 of Article 161 of the New York City Health Code, set forth in Title 24 of the Rules of the City of New York, be amended, to be printed together with explanatory notes to read as follows:

§161.03 **Control of dogs and other animals to prevent nuisance.** (a) A person who owns, possesses or controls a dog, cat or other animal shall not permit the animal to commit a nuisance on a sidewalk of any public place, on a floor, wall, stairway, sidewalk, lawn, garden or roof of any public or private premises used in common by the public, or on a fence, wall [or], stairway or entranceway of a building abutting on a public place.

Notes: Subdivision (a) was amended by resolution adopted XXX to clarify the applicability of this section to sidewalks, lawns, gardens or other areas of private premises that are open to the public.

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

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

RULE TITLE: Amendment of Rules Relating to Animal Nuisances
REFERENCE NUMBER: DOHMH-67
RULEMAKING AGENCY: Department of Health and Mental Hygiene

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

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

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

June 2, 2016
Date

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

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

RULE TITLE: Amendment of Rules Relating to Animal Nuisances
REFERENCE NUMBER: 2015 RG 050
RULEMAKING AGENCY: Board of Health

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: June 2, 2016

The Board of Health at its meeting on June 7, 2016, adopted the following Resolution, requiring that all owners of buildings and other premises take all necessary measures to prevent outbreaks of Zika viral disease. In order to ensure proper public notification, the Department of Health and Mental Hygiene is publishing this Resolution in accordance with §17-148 of the Administrative Code of the City of New York.

WHEREAS, Zika virus is an emerging threat to public health that is spreading widely through the Western Hemisphere primarily through the bite of infected *Aedes aegypti* mosquitos; and

WHEREAS, the *Aedes albopictus* mosquito is a related species of mosquito that is present in New York City and which may be able to transmit Zika virus and other diseases as described below; and

WHEREAS, the *Aedes albopictus* mosquito is known to lay its eggs in small amounts of water left standing in clogged gutters and debris or that has accumulated an been left standing on roofs; and

WHEREAS, Zika virus is associated with serious birth defects in infants of mothers who were infected while pregnant; and

WHEREAS, water accumulating containers or in garbage, waste, refuse or clogged gutters that have not been cleaned are breeding grounds for live adult mosquitos that are capable of transmitting Zika virus as well as other acute arboviral infections caused by West Nile virus, Chikungunyavirus and dengue virus to persons, thereby exposing persons in areas adjacent to such water to illness; and

WHEREAS, the Board of Health has taken and filed among its records reports that in buildings and other premises throughout the City there are containers holding water that are insufficiently or irregularly emptied which may serve as breeding places for the *Aedes albopictus* mosquito, a menace to public health capable of transmitting Zika virus and other diseases; and

WHEREAS, lots containing garbage, refuse or waste material in or on which water may collect constitute public nuisances in that they may serve as breeding places for the *Aedes albopictus* mosquito, a menace to public health capable of transmitting Zika virus and other diseases; and

WHEREAS, buildings with gutters that are clogged allowing water to collect or where water has been allowed to accumulate on rooftops constitute public nuisances in that they may serve as breeding places for the *Aedes albopictus* mosquito, a menace to public health capable of transmitting Zika virus and other diseases; and

WHEREAS, the presence of such mosquitos can be immediately dangerous to life and health; and

WHEREAS, at its March 15, 2016 meeting, the Board of Health took proof of the dangerousness of such mosquitos and regards the best way to prevent illnesses from mosquitos is to authorize the declaration that any accumulations of standing water that is not treated to prevent mosquito breeding, or the existence of conditions that may allow such water to accumulate, are in a condition and in effect immediately dangerous to human life and health and constitute a public nuisance; and

WHEREAS, immediate abatement of such nuisance conditions is necessary to prevent the replication of mosquito-borne viral organisms; and

WHEREAS, personal service or service pursuant to subdivisions a or b of §17-148 of the Administrative Code of the City of New York of orders requiring the abatement of such nuisances and conditions in effect dangerous to life and health upon each of the persons who, pursuant to the provisions of Title 17 of the Administrative Code of the City of New York, has a duty or liability to abate such nuisances and conditions, would result in a delay prejudicial to the public health, welfare, and safety.

IT IS THEREFORE RESOLVED, that the Board of Health hereby declares that premises where standing water has or can accumulate are in a condition and in effect immediately dangerous to life and health and constitute a public nuisance; and be it further

RESOLVED, that the Board of Health hereby declares that such nuisances are widespread throughout the City; and be it further

RESOLVED, that all persons who, pursuant to the provisions of Title 17 of the Administrative Code of the City of New York and such other chapters, titles, sections, laws or rules as are applicable thereto, have the duty or liability to abate such nuisances and conditions in effect dangerous to life and health, are hereby ordered to abate such nuisances and conditions in effect dangerous to life and health by removing accumulations of standing water and adopting maintenance programs and plans for cleaning containers, disposing of such water accumulations, and preventing further water accumulation; and be it further

RESOLVED, that in the event that such persons or any of them shall fail to comply with this order within five days after service thereof pursuant to §17-148 of the Administrative Code of the City of New York, the Department of Health and Mental Hygiene is hereby

authorized and directed to take all necessary steps to forthwith secure the abatement of said nuisances and conditions in effect dangerous to life and health; and

IT IS FURTHER RESOLVED, that this resolution shall be published in the *City Record* and at least one other newspaper for three days, and be effective in accordance with §17-148 of the Administrative Code of the City of New York, immediately after the third day of its publication.

(As adopted by the Board of Health on June 7, 2016)

A TRUE COPY
ROSLYN WINDHOLZ
Secretary to the Board of Health

◀ j15-17

SPECIAL MATERIALS

AGING

■ NOTICE

Notice of Concept Paper

In advance of the release of the Car Service with App and Dispatch Options Program Request for Proposal, the Department for the Aging (DFTA) is issuing a concept paper presenting the purpose and plan for this program. The Car Service with App and Dispatch Options Program concept paper will be posted on the Department's website: http://www.nyc.gov/html/dfta/html/community/procurement_information.shtml

Public comment is encouraged and should be forwarded to DFTA at <http://www.conceptpaper@aging.nyc.gov>. The concept paper will be posted until July 30, 2016.

◀ j15-21

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: June 10, 2016

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
	578 9 th Avenue, Manhattan a/k/a 360 West 42 nd Street	72/16	May 2, 2013 to Present
	48 West 120 th Street, Manhattan	73/16	May 3, 2013 to Present
	234 East 53 rd Street, Manhattan	74/16	May 3, 2013 to Present
	220 Front West 17 th Street, Manhattan	75/16	May 6, 2013 to Present
	175 West 137 th Street, Manhattan	76/16	May 6, 2013 to Present
	3 East 27 th Street, Manhattan	79/16	May 9, 2013 to Present
	312 West 115 th Street, Manhattan	81/16	May 12, 2013 to Present
	378 West End Avenue, Manhattan	82/16	May 24, 2013 to Present
	156 West 15 th Street, Manhattan	83/16	May 24, 2013 to Present
	310 West 115 th Street, Manhattan	84/16	May 24, 2013 to Present

104 East 10 th Street, Manhattan	86/16	May 31, 2013 to Present
294 Manhattan Avenue, Manhattan	87/16	May 31, 2013 to Present
315 93 rd Street, Brooklyn	68/16	May 13, 2013 to Present
79 Gates Avenue, Brooklyn a/k/a 482 Washington Avenue	85/16	May 25, 2013 to Present
87-70 148 th Street, Queens	69/16	May 2, 2013 to Present
87-72 148 th Street, Queens	70/16	May 2, 2013 to Present
94-00 Ditmars Boulevard, Queens	80/16	May 10, 2013 to Present

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

j10-20

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT**

Notice Date: June 10, 2016

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
578 9 th Avenue, Manhattan a/k/a 360 West 42 nd Street		72/16	May 2, 2013 to Present

Authority: Special Clinton District, Zoning Resolution §96-110

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

j10-20

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT**

Notice Date: June 10, 2016

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
204 Bedford Avenue, Brooklyn		71/16	October 4, 2004 to Present

Authority: Greenpoint-Williamsburg Anti-Harassment Area, Zoning Resolution §§23-013, 93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

j10-20

**REQUEST FOR COMMENT
REGARDING AN APPLICATION FOR A
CERTIFICATION OF NO HARASSMENT**

Notice Date: June 10, 2016

To: Occupants, Former Occupants, and Other Interested Parties

Property:	Address	Application #	Inquiry Period
319 West 38 th Street, Manhattan		78/16	June 21, 2004 to the Present

Authority: Special Garment Center District, Zoning Resolution §93-90

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277 or (212) 863-8211**.

j10-20

CHANGES IN PERSONNEL

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 05/20/16

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BRENNAN	ELIZA	S	56058	\$48768.0000	APPOINTED	YES	05/08/16 740
CASAREZ	CHRISTOP	S	10031	\$111199.0000	INCREASE	YES	04/22/16 740
COHEN	DEBRA	R	10062	\$103868.0000	INCREASE	YES	03/01/16 740
COLEMAN	CYNTHIA		10124	\$81149.0000	RETIRED	NO	04/16/16 740
CONNELL	RYAN		06786	\$46152.0000	RESIGNED	YES	05/01/16 740
CRUZ	IVETTE		54503	\$32079.0000	DECEASED	YES	03/20/16 740
CUNNEELY	ELENA		56058	\$73859.0000	APPOINTED	YES	05/01/16 740
DANGELO	ANTHONY		31143	\$58170.0000	RESIGNED	YES	05/04/16 740
DANJOU	VINCE		54485	\$66484.0000	PROMOTED	NO	04/14/16 740
DESBARIDA	MIRIAM		50910	\$56761.0000	APPOINTED	YES	04/17/16 740
ELEPHTERIADES	JOHN		31143	\$68985.0000	RESIGNED	YES	05/09/16 740
FORDE DAVIS	CHERYL	F	10252	\$60451.0000	RETIRED	NO	04/30/16 740
FRANK	DAVID	M	10062	\$112527.0000	RESIGNED	YES	05/01/16 740
FREDERICK	JOYLYN	V	50910	\$56761.0000	APPOINTED	YES	04/17/16 740
GAINES	MESSIAH		56056	\$33716.0000	RESIGNED	YES	05/02/16 740
GATON	ESMERALD	M	10062	\$75033.0000	INCREASE	YES	01/28/16 740

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists various employees and their details.

DEPARTMENT OF PROBATION
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists probation department employees.

DEPARTMENT OF BUSINESS SERV.
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists business services department employees.

HOUSING PRESERVATION & DVLPMNT
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists housing preservation employees.

HOUSING PRESERVATION & DVLPMNT
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists housing preservation employees.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees from the top right section.

DEPARTMENT OF BUILDINGS
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists buildings department employees.

DEPARTMENT OF BUILDINGS
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists buildings department employees.

DEPT OF HEALTH/MENTAL HYGIENE
FOR PERIOD ENDING 05/20/16

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists health/mental hygiene employees.



SMALL BUSINESS SERVICES

PROCUREMENT

AWARD

Services (other than human services)

SUBWAY ADS FOR M/WBE PROMOTION CAMPAIGN - Sole Source - Available only from a single source - PIN# 80116S0007 - AMT: \$40,000.00 - TO: Outfront Media Group, 405 Lexington Avenue, New York, NY 10174.