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THE CITY RECORD

BILL DE BLASIO

Mayor

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Commissioner, Department of Citywide
Administrative Services

ELI BLACHMAN

Editor, The City Record

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - MANHATTAN

■ PUBLIC HEARINGS

The Manhattan Borough Board is holding a public hearing on the Preliminary Budget pursuant to City Charter Section 241 on Wednesday, February 15, 2017 from 4:00 P.M. to 7:00 P.M., in Info Commons (located



on the main floor next to the atrium), Stella and Charles Guttman Community College, 50 West 40th Street, New York, NY.

Accessibility questions: (212) 669-2527, by: Tuesday, February 14, 2017, 5:00 P.M.



f9-15

BOROUGH PRESIDENT - QUEENS

■ MEETING

The Queens Borough Board will meet Wednesday, February 15, 2017, at 5:30 P.M., in the Queens Borough President Conference Room, 120-55 Queens Boulevard, 2nd Floor, Kew Gardens, NY 11424.

- Presentation of Fiscal Year 2018, Community Board & Borough –Wide Expense & Capital Budget Priorities (Vote to be taken)

Accessibility questions: Vicki Morales, (718) 286-2974, vmorales@queensbp.org, by: Wednesday, February 15, 2017, 5:00 P.M.



f9-15

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters, to be held at Spector Hall, 22 Reade Street, New York, NY, on Wednesday, February 22, 2017, at 10:00 A.M.

BOROUGH OF MANHATTAN

No. 1

55-57 SPRING STREET TEXT AMENDMENT

CD 2

N 160244 ZRM

IN THE MATTER OF an application submitted by JBAM TRG Spring 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 the boundary of the Mulberry Street Regional Spine area as shown on the map in Appendix A of Article X, Chapter 9 (Special Little Italy District) to facilitate the enlargement of properties located at 55-57 Spring Street.

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

**ARTICLE X
SPECIAL PURPOSE DISTRICTS**

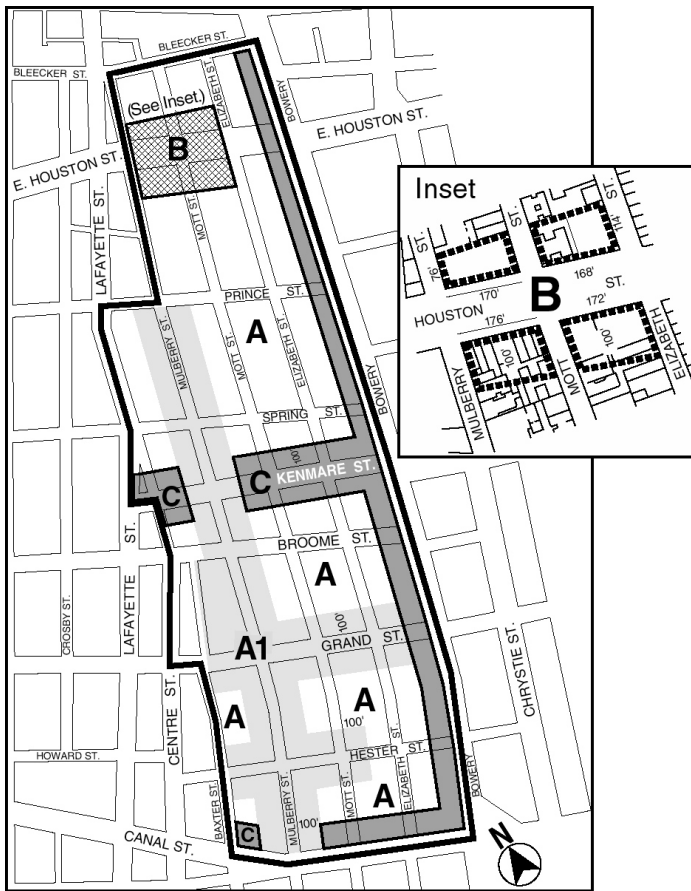
* * *

**Chapter 9
Special Little Italy District**

* * *

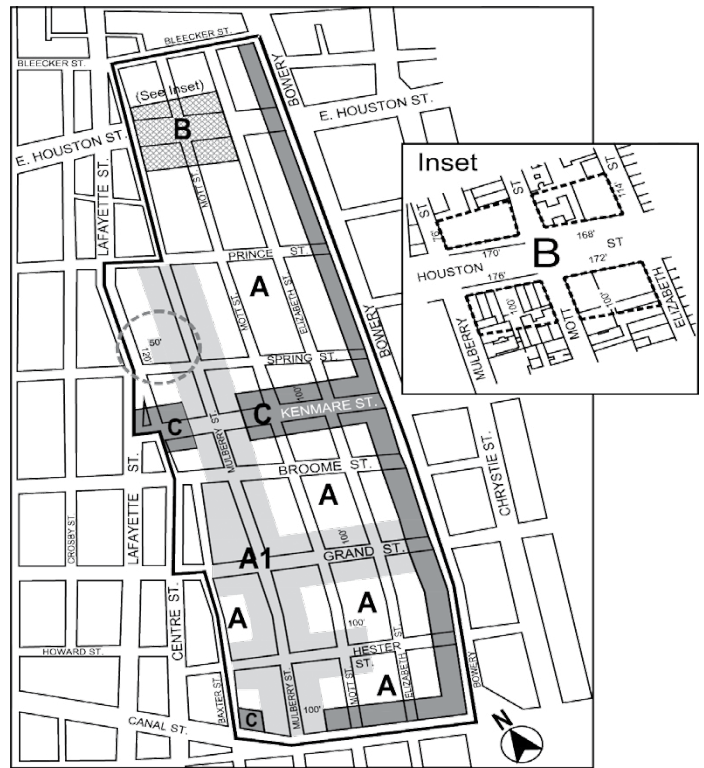
**Appendix A
Special Little Italy District Map**

[EXISTING]



- District Boundary
- A** Preservation Area
- A1** Mulberry Street Regional Spine
- B** Houston Street Corridor
- C** Bowery, Canal, Kenmare Street

[PROPOSED]



- District Boundary
- A** Preservation Area
- A1** Mulberry Street Regional Spine
- B** Houston Street Corridor
- C** Bowery, Canal, Kenmare Street

* * *

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



f7-22

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, NY, on Wednesday, February 22, 2017, at 10:00 A.M.

No. 1

95 EVERGREEN AVENUE OFFICE SPACE

CD 4

N 170234 PXX

IN THE MATTER OF a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property, located at 95 Evergreen Avenue (Block 3156, Lot 1) for use as offices, Borough of Brooklyn, Community District 4. (Human Resource Administration offices).

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



f7-22

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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, February 15, 2017, 7:00 P.M., Community Board 18 Office, 1097 Bergen Avenue, Brooklyn, NY.

IN THE MATTER OF an application by Community Living (ICL) Inc., 120 Broad Street, 3rd Floor, New York, NY under the auspices of the New York State Office for People with Developmental Disabilities (OPWDD) pursuant to Section 41-24 of the Mental Hygiene Law, to establish an Individualized Residential Alternative (IRA) home, at 730 East 87th Street, a six bedrooms, 2.5 bathrooms rental property for six (6) adult males with disabilities.

Public Comment on Agency Responses to the Community Board's Fiscal Year 2018 Register of Capital and Expense Priorities. *This Statutory Public Hearing has been duly advertised in the City Record*

f9-15

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 01 - Wednesday, February 15, 2017, 6:00 P.M., Swing 60's Senior Citizen Center, 211 Ainslie Street c/o Manhattan Avenue, Brooklyn, NY.

A Public Hearing to receive comments on the Preliminary 2018 Budget.

f9-15

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, February 15, 2017, 6:00 P.M., NYU Tandon School of Engineering-Dibner Building, Room LC400, 5 Metrotech Center, Brooklyn, NY.

BSA# 23-17-BZ
32 Lexington Avenue

IN THE MATTER OF an application, #23-17-BZ, filed at the Board of Standards and Appeals on behalf of Unity Preparatory Charter School of Brooklyn, sub-lessee, and Classon Avenue Housing Development Funding Company, property owner, pursuant to Section 72-01 and 72-21 of the Zoning Resolution of the City of New York for variances of maximum permitted floor area, lot coverage, height, and required rear yard and setback regulations, to facilitate the development of a new Use Group 3 seven-story and cellar high school building, at 32 Lexington Avenue; Block 1969, Lot 33.

f9-15

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 02 - Thursday, February 16, 2017, 6:00 P.M., Long Island University, Jonas Board Room, c/o DeKalb and Flatbush Avenues, Brooklyn, NY.

Department of Consumer Affairs application #12732-2016-ASWC 64B Lafayette Avenue, Brooklyn, NY

IN THE MATTER OF an application by Le Baba Cool Inc., doing business as Baba Cool, for review pursuant to Section 20-226(b) of the New York City Administrative Code, to operate an enclosed sidewalk café with three tables and six seats at 64B Lafayette Avenue, on the south side of Lafayette Avenue between South Elliott Place and South Portland Avenue, in the Borough of Brooklyn.

f10-16

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

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 10 - Wednesday, February 15, 2017, 7:30 P.M., Bronx Community Board 10, 3165 East Tremont Avenue, Bronx, NY.

A public hearing with respect to the Board's response to the Mayor's Preliminary Budget for Fiscal Year 2018.

f9-15

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 17 - Wednesday, February 15, 2017, 7:00 P.M., SUNY Downstate Medical Center, 395 Lenox Road, Brooklyn, NY.

BSA# 2017-9-BZ

Premises affected - 561-565 Utica Avenue, Brooklyn, NY. This application is filed pursuant to Section 73-03 and 73-19 of the Zoning Resolution of the City of New York, as amended to request a special permit from the Board of Standards and Appeals to permit a child care service (School), in a commercial (C8-2) zoning district. The proposed change of use will be accomplished by an interior renovation of an existing two story and brick commercial building. The site is located within Community Board 17, and has a lot area of 10,000 square feet.

f9-15

BOARD OF CORRECTION

■ MEETING

Please take note that the next meeting of the Board of Correction, will be held on February 14th, 2017, at 9:00 A.M. The location of the meeting will be 125 Worth Street, New York, NY 10013, in the Auditorium on the 2nd Floor.

At that time there will be a discussion of various issues concerning New York City's correctional system.

f8-14

EQUAL EMPLOYMENT PRACTICES COMMISSION

■ NOTICE

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, February 16, 2017, at 9:15 A.M.

Accessibility questions: Mohini Ramsukh, (212) 615-8938, Mramsukh@eepc.nyc.gov, by: Monday, February 13, 2017, 3:00 P.M.



f8-16

HOUSING AUTHORITY

■ NOTICE

The next Audit Committee Meeting of the New York City Housing Authority is scheduled for Thursday, February 16, 2017, at 10:00 A.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 later than 3:00 P.M. on the Monday after the Audit Committee approval in the subsequent Audit Committee Meeting.

Accessibility questions: Paula Mejia, (212) 306-3441, by: Wednesday, February 15, 2017, 11:00 A.M.



f8-16

The next Board Meeting of the New York City Housing Authority, is scheduled for Wednesday, February 22, 2017, 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 by phone, at (212) 306-6088 or by email at corporate.secretary@nycha.nyc.gov no later than five business days before the Board Meeting.

For additional information, please visit NYCHA's website or contact (212) 306-6088.

Accessibility questions: Office of the Corporate Secretary by phone at (212) 306-6088 or by email at corporate.secretary@nycha.nyc.gov, by: Thursday, February 16, 2017, 5:00 P.M.



f8-22

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING to be held on Monday, March 6, 2017, commencing at 2:30 P.M., at 2 Lafayette Street, 14th Floor Auditorium, Borough of Manhattan on the following items: 1) a proposed information services franchise agreement between the City of New York and Pilot Fiber NY, LLC; and 2) a proposed telecommunications services franchise agreement between the City of New York and Pilot Fiber NY, LLC. The proposed franchise agreements authorize the franchisees to install, operate and maintain facilities on, over and under the City's inalienable property to provide, respectively, information services and telecommunications services, each as defined in the respective franchise agreements. The proposed franchise agreements have a term ending June 30, 2021, subject to possible renewal to the fifteenth anniversary of the date the agreements become effective, and provide for compensation to the City to begin, at 56 cents per linear foot in Manhattan and 51 cents per linear foot in other boroughs, escalating two cents a quarter thereafter, subject to certain adjustments.

A copy of the proposed franchise agreements may be viewed at the Department of Information Technology and Telecommunications, 2 Metrotech Center, 4th Floor, Brooklyn, NY 11201, commencing February 17, 2017 through March 6, 2017, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of the proposed franchise agreements may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made payable to the New York City Department of Finance. The proposed franchise agreements may also be obtained in PDF form at no cost, by email request. Interested parties should contact James Icobelli at (718) 403-8042 or by email at jicobelli@doitt.nyc.gov.

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

The Hearing may be cablecast on NYCMedia channels.

Accessibility questions: Mayor's Office of Contract Services, Public Hearing Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, by: Thursday, February 23, 2017, 5:00 P.M.



f8-m6

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, February 14, 2017, 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.

7 Irvington Place - Fiske Terrace-Midwood Park Historic District

195868 - Block 5237 - Lot 85 - **Zoning: R1-2**
CERTIFICATE OF APPROPRIATENESS

An altered Arts & Crafts style free-standing house with free-standing garage designed by Slee & Bryson with E.R. Strong and built c. 1913. Application is to alter and enlarge the house and demolish the garage.

149 Clinton Street - Brooklyn Heights Historic District

195107 - Block 268 - Lot 19 - **Zoning: R6**
CERTIFICATE OF APPROPRIATENESS

A rowhouse built c. 1900. Application is to construct a rooftop bulkhead and railing, construct a garage and create a curb cut.

262 Carroll Street - Carroll Gardens Historic District

193351 - Block 450 - Lot 15 - **Zoning: R6**
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse built in 1871-1872. Application is to alter entrance infill, and the rear façade.

220 Park Place - Prospect Heights Historic District

196400 - Block 1164 - Lot 39 - **Zoning: R6B**
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec/Queen Anne style rowhouse designed by John V. Porter and built c. 1884. Application is to construct a rear yard addition and rooftop bulkheads, perform excavation, alter the areaway, and install a ramp.

463 West Street, aka 455-465 West Street & 577 Bethune Street - Individual Landmark

196592 - Block 639 - Lot 1 - **Zoning: C6-3**
CERTIFICATE OF APPROPRIATENESS

A complex of buildings, including a Neo-Classical style office and factory building, designed by Cyrus L. W. Eidlitz and built in 1896-1899, and a Neo-Classical style building designed by Cyrus L. W. Eidlitz and built in 1899 and altered in 1931-34 by Voorhees, Gmelin & Walker for the New York Central Railroad elevated freight railway. Application is to install a barrier-free access ramp.

152 East 71st Street - Upper East Side Historic District

197011 - Block 1405 - Lot 148 - **Zoning: R-8B**
CERTIFICATE OF APPROPRIATENESS

An Italianate style rowhouse designed by W. O'Gorman and built in 1871. Application is to remove a bay window at the rear façade and construct a rear yard addition.

32 West 119th Street - Mount Morris Park Historic District

192152 - Block 1717 - Lot 50 - **Zoning: R7-2**
CERTIFICATE OF APPROPRIATENESS

A house designed by G. A. Schellenger and built in 1891. Application is to construct a rear yard addition and rooftop bulkheads, and install mechanical equipment and railings.

121 Manhattan Avenue - Manhattan Avenue Historic District

192182 - Block 1840 - Lot 52 - **Zoning: R7-2**
CERTIFICATE OF APPROPRIATENESS

A Queen Anne and Romanesque Revival style rowhouse designed by Edward L. Angell and built in 1890. Application is to alter the rear façade, construct a rooftop bulkhead, and install mechanical equipment, screens and railings at the roof.

36 Riverside Drive - West End - Collegiate Historic District

194171 - Block 1185 - Lot 40 - **Zoning: R10A**
CERTIFICATE OF APPROPRIATENESS

A Romanesque/Renaissance Revival style rowhouse designed by Lamb & Rich and built in 1888-1889 with early to mid 20th century alterations. Application is to modify the front façade and areaway, and construct rooftop and rear yard additions.

310 West End Avenue - West End - Collegiate Historic District Extension

185169 - Block 1166 - Lot 61 - **Zoning: R10A**
CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style apartment building designed by Emery Roth and built in 1924-25. Application is to alter windows and install louvers.

225 West 86th Street, aka 200-248 West 87th Street; 540-558 Amsterdam Avenue; 2360-2376 Broadway - Individual Landmark

196067 - Block 1234 - Lot 19 - **Zoning: R10A, C4-6A**
CERTIFICATE OF APPROPRIATENESS

An Italian Renaissance style apartment building designed by Hiss and Weekes and built in 1908-1909. Application is to modify masonry openings, replace infill, install canopies and guard booth, and modify the courtyard paving and garden design.

f1-14

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, February 21, 2017, 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.

351 Hollywood Avenue - Douglaston Historic District

184894 - Block 8048 - Lot 52 - **Zoning: R1-2**
CERTIFICATE OF APPROPRIATENESS

A Colonial Revival style house designed by Harold Paddon and built in

1925. Application is to construct additions.

120 Brooklyn Avenue - Crown Heights North Historic District
193774 - Block 1214 - Lot 49 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

A Queen Anne style house designed by Henry B. Hill and built c. 1893. Application is to install a fence and pergola.

36 Grove Street - Greenwich Village Historic District
185745 - Block 588 - Lot 15 - Zoning: R6
CERTIFICATE OF APPROPRIATENESS

A vernacular Greek Revival and Italianate style rowhouse built in 1851-1852. Application is to construct a rooftop addition.

242 Lafayette Street - SoHo-Cast Iron Historic District
Extension

193660 - Block 496 - Lot 30 - Zoning: M1-5B
CERTIFICATE OF APPROPRIATENESS

A Queen Anne style factory building designed by John Sexton and built in 1881-82. Application is to replace windows.

150 Barrow Street - Individual Landmark
196143 - Block 601 - Lot 1 - Zoning: C1-6A
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style hotel designed by Julius Munckwitz and built in 1897-1898. Application is to install flood barriers, replace storefront infill and windows, construct a rooftop addition and bulkheads, and install rooftop mechanical equipment, screens, and railings.

46 MacDougal Street - Sullivan-Thompson Historic District
197344 - Block 518 - Lot 5 - Zoning: R7-2
CERTIFICATE OF APPROPRIATENESS

A Federal style rowhouse built in 1826, and altered in 1875, 1914, and 1969. Application is to construct a rooftop addition, alter the rear façade, excavate at the cellar, alter the storefront, and replace windows.

225 West 86th Street, aka 200-248 West 87th Street; 540-558
Amsterdam Avenue; 2360-2376 Broadway - Individual
Landmark

196067 - Block 1234 - Lot 19 - Zoning: R10A, C4-6A
CERTIFICATE OF APPROPRIATENESS

An Italian Renaissance style apartment building designed by Hiss and Weekes and built in 1908-1909. Application is to modify masonry openings, replace infill, install canopies and guard booth, and modify the courtyard paving and garden design.

525 West 26th Street - West Chelsea Historic District
194682 - Block 698 - Lot 18 - Zoning: M1-5
CERTIFICATE OF APPROPRIATENESS

A Vernacular style factory building designed by Paul C. Hunter and built in 1904-1905. Application is to construct a rooftop addition, bulkhead, and mechanical equipment.

12 West 19th Street - Ladies' Mile Historic District
195592 - Block 820 - Lot 53 - Zoning: C6-4A
CERTIFICATE OF APPROPRIATENESS

An Italianate style dwelling built in 1859 and altered in 1910 for commercial use. Application is to alter the front façade, replace windows, and construct rooftop and rear additions.

150 Fifth Avenue - Ladies' Mile Historic District
193906 - Block 821 - Lot 41 - Zoning: C6-4M/C6-4A
CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style store and loft building designed by Edward Hale Kendall, and built in 1888-90, with a one-bay extension added in 1900, and a three-story attic section added in 1909. Application is to construct a rooftop addition, infill lightwells, install new building entrance infill, and replace windows.

225 West End Avenue - West End - Collegiate Historic District
196399 - Block 1182 - Lot 29 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment building, designed by William H. Birkmire, and built in 1903. Application is to alter the West 70th Street areaway, and install a barrier-free access lift, signage and lighting.

313 West 77th Street - West End - Collegiate Historic District
192623 - Block 1186 - Lot 16 - Zoning: R8B
CERTIFICATE OF APPROPRIATENESS

A Romanesque/English Renaissance Revival style rowhouse designed by Van Campen Taylor and built in 1890-92. Application is to construct a rear yard addition, install rooftop mechanical equipment and railings, and install ironwork at the parlor floor entrance.

269 West 138th Street - St. Nicholas Historic District
196283 - Block 2024 - Lot 3 - Zoning: R7-2/C1-4
CERTIFICATE OF APPROPRIATENESS

A Georgian style rowhouse designed by Bruce Price and Clarence C. Luce, and built in 1891. Application is to remove a garage constructed without Landmarks Preservation Commission permits, to construct a new garage, and to expand an existing rear yard extension.

f7-21

MAYOR'S FUND TO ADVANCE NEW YORK CITY

MEETING

NOTICE IS HEREBY GIVEN that the Mayor's Fund to Advance New York City, will hold a meeting on Wednesday, February 22, 2017, at 11:30 A.M. The meeting will be held at City Hall.

Accessibility questions: kcummings@cityhall.nyc.gov, by: Tuesday, February 21, 2017, 3:00 P.M.



f10-22

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945, commencing at 2:00 P.M., on Wednesday, February 22, 2017. 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 119 Grove Street LLC to construct, maintain and use a wheelchair lift on the west sidewalk of Grove Street, between Central Avenue and Evergreen Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from Date of Approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2361**

From the Date of Approval to June 30, 2027 - \$25/per annum

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

#2 IN THE MATTER OF a proposed revocable consent authorizing Beresford apartments Inc. to install, maintain and use six (6) planters on the west sidewalk of Central Park West, between West 81st Street and West 82nd Street, and on the north sidewalk of West 81st Street, between Central Park West and Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2362**

From the Approval Date to the Expiration date - \$150/per annum

the maintenance of a security deposit in the sum of \$2,000 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 BPP ST Owner LLC to construct, maintain and use three (3) manholes, together with pipes on the east sidewalk of Avenue C, between East 20th and East 14th Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Date of approval by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P.# 2359**

The Final Approval Date by the Mayor terminating June 30, 2017- \$4,076/per annum

For the period July 1, 2017 to June 30, 2018 - \$4,167
For the period July 1, 2018 to June 30, 2019 - \$4,258
For the period July 1, 2019 to June 30, 2020 - \$4,349
For the period July 1, 2020 to June 30, 2021 - \$4,440
For the period July 1, 2021 to June 30, 2022 - \$4,531
For the period July 1, 2022 to June 30, 2023 - \$4,622
For the period July 1, 2023 to June 30, 2024 - \$4,713
For the period July 1, 2024 to June 30, 2025 - \$4,804
For the period July 1, 2025 to June 30, 2026 - \$4,895
For the period July 1, 2026 to June 30, 2027 - \$4,986

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

#4 IN THE MATTER OF a modification of revocable consent authorizing ExxonMobil Oil Corporation to deactivate and close a conduit under and across Monitor Street, south of Greenpoint Avenue, in the Borough of Brooklyn. The proposed modified 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: **R.P. #1174**

For the period July 1, 2016 to June 30, 2017 - \$11,467 - \$3/924/per

annum (prorated from the date of Approval by the Mayor).

- For the period July 1, 2017 to June 30, 2018 - \$7,734
- For the period July 1, 2018 to June 30, 2019 - \$7,925
- For the period July 1, 2019 to June 30, 2020 - \$8,116
- For the period July 1, 2020 to June 30, 2021 - \$8,307
- For the period July 1, 2021 to June 30, 2022 - \$8,498

the maintenance of a security deposit in the sum of \$6,000 and the insurance shall be the amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

#5 IN THE MATTER OF a proposed revocable consent authorizing Montefiore Medical Center to continue to maintain and use a tunnel under and across Bainbridge Avenue, north of East 210th Street, in the Borough of the Bronx. 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: **R.P. #528**

- For the period July 1, 2016 to June 30, 2017 - \$10,565
- For the period July 1, 2017 to June 30, 2018 - \$10,802
- For the period July 1, 2018 to June 30, 2019 - \$11,039
- For the period July 1, 2019 to June 30, 2020 - \$11,276
- For the period July 1, 2020 to June 30, 2021 - \$11,513
- For the period July 1, 2021 to June 30, 2022 - \$11,750
- For the period July 1, 2022 to June 30, 2023 - \$11,987
- For the period July 1, 2023 to June 30, 2024 - \$12,224
- For the period July 1, 2024 to June 30, 2025 - \$12,461
- For the period July 1, 2025 to June 30, 2026 - \$12,698

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

#6 IN THE MATTER OF a proposed revocable consent authorizing Montefiore Medical Center, to continue to maintain and use conduits under and across Rochambeau Avenue, Steuben Avenue, Wayne Avenue and East 210th Street, in the Borough of the Bronx. 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: **R.P. #1256**

- For the period July 1, 2016 to June 30, 2017 - \$4,296
- For the period July 1, 2017 to June 30, 2018 - \$4,392
- For the period July 1, 2018 to June 30, 2019 - \$4,488
- For the period July 1, 2019 to June 30, 2020 - \$4,584
- For the period July 1, 2020 to June 30, 2021 - \$4,680
- For the period July 1, 2021 to June 30, 2022 - \$4,776
- For the period July 1, 2022 to June 30, 2023 - \$4,872
- For the period July 1, 2023 to June 30, 2024 - \$4,968
- For the period July 1, 2024 to June 30, 2025 - \$5,064
- For the period July 1, 2025 to June 30, 2026 - \$5,160

the maintenance of a security deposit in the sum of \$12,700 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 Seaport Heights, LLC to construct, maintain and use flood mitigation system components in the east sidewalk of Front Street, between John Street and Fletcher, and in the east sidewalk of Fletcher Street, between Front Street and South Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2366**

There shall be no compensation required for this license.

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

#8 IN THE MATTER OF a proposed revocable consent authorizing VNO 225 West 58th Street LLC to construct, maintain and use a hydronic snowmelt system in the south sidewalk of Central Park South and in the north sidewalk of West 58th Street, between Broadway and Seventh Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2364**

From the Approval Date by the Mayor to June 30, 2017 - \$14,493/annum

- For the period July 1, 2017 to June 30, 2018 - \$14,841
- For the period July 1, 2018 to June 30, 2019 - \$15,189
- For the period July 1, 2019 to June 30, 2020 - \$15,537
- For the period July 1, 2020 to June 30, 2021 - \$15,885
- For the period July 1, 2021 to June 30, 2022 - \$16,233
- For the period July 1, 2022 to June 30, 2023 - \$16,581
- For the period July 1, 2023 to June 30, 2024 - \$16,929
- For the period July 1, 2024 to June 30, 2025 - \$17,227
- For the period July 1, 2025 to June 30, 2026 - \$17,625
- For the period July 1, 2026 to June 30, 2027 - \$17,973

the maintenance of a security deposit in the sum of \$18,000 and the insurance shall be the amount of Two Million Dollars (\$2,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

COURT NOTICES

SUPREME COURT

NEW YORK COUNTY

■ NOTICE

**NEW YORK COUNTY
IA PART 17
NOTICE OF ACQUISITION
INDEX NUMBER 450370/2014
CONDEMNATION PROCEEDING**

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of New York, IA Part 17, (Hon. Shlomo Hagler, J.S.C.), duly entered in the office of the Clerk of the County of New York on February 17, 2016, the application of the City of New York to acquire certain real property, where not heretofore acquired for the same purpose, required for Stage 1 of the Fifteenth Amended Harlem-East Harlem Urban Renewal Plan (East 125th Street), was granted and that order authorized the City to file an acquisition map with the Office of the City Register. However, the Appellate Division had issued a stay enjoining the City from filing this order and the acquisition map pending determination of an appeal by respondents in this proceeding. Pursuant to CPLR § 5519(e), the stay was lifted on or about January 18, 2017, following the January 10, 2017 Court of Appeals' denial of a motion by said respondents for leave to appeal the Appellate Division's July 5, 2016 decision affirming the entry of the February 17, 2016 acquisition order. Said map, showing the property acquired by the City, was filed with the Office of the City Register on January 24, 2017. Title to the real property vested in the City of New York on January 24, 2017.

PLEASE TAKE FURTHER NOTICE, that the City has acquired the following parcels of real property:

Damage Parcel	Block	Street bed Adjacent to Lot
1	1790	1
2	1790	101
3	1790	5
4	1790	44

PLEASE TAKE FURTHER NOTICE, that pursuant to said Order and to §§ 503 and 504 of the Eminent Domain Procedure Law of the State of New York, each and every person interested in the real property acquired in the above-referenced proceeding and having any claim or demand on account thereof shall have a period of one year from the date of service of the Notice of Acquisition for this proceeding, to file a written claim with the Clerk of the Court of New York County, and to serve within the same time a copy thereof on the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007. Pursuant to EDPL § 504, the claim shall include:

- a. the name and post office address of the condemnee;
- b. reasonable identification by reference to the acquisition map, or otherwise, of the property affected by the acquisition, and the condemnee's interest therein;
- c. a general statement of the nature and type of damages claimed, including a schedule of fixture items which comprise part or all of the damages claimed; and,
- d. if represented by an attorney, the name, address and telephone number of the condemnee's attorney.

Pursuant to EDPL § 503(C), in the event a claim is made for fixtures or for any interest other than the fee in the real property acquired, a copy of the claim, together with the schedule of fixture items, if applicable, shall also be served upon the fee owner of said real property.

PLEASE TAKE FURTHER NOTICE, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007 on or before January 24, 2019 (which is two (2) calendar years from the title vesting date).

Dated: New York, NY
February 1, 2017

ZACHARY W. CARTER
Corporation Counsel of the
City of New York
Attorney for the Condemnor
100 Church Street,
New York, NY 10007
(212) 356-3529

f8-22

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: <https://www.propertyroom.com/s/nyc+fleet>

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

Vehicles can be viewed in person by appointment at: Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214. Phone: (718) 802-0022

o11-m29

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

j3-d29

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

j3-d29

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

■ SOLICITATION

Construction Related Services

ON CALL GENERAL CONSTRUCTION SERVICES - Competitive Sealed Bids - PIN#06816B0002 - Due 3-21-17 at 3:00 P.M.

This notice is to inform that sealed bids will be accepted by the Administration of Children's Services ("Agency") for the above referenced PIN at the Agency's Office of Procurement, 150 William Street, 9th Floor, New York, NY 10038, at the following date and time: **BID OPENING (DUE DATE):** Tuesday, March 21, 2017 at 3:00 P.M. **OPTIONAL PRE-BID CONFERENCE DATE:** Monday, February 27, 2017, at 10:00 A.M., at 150 William Street, New York, NY on the 19th Floor (Bronx Room).

Bid forms and specifications may be obtained, free of charge, from the ACS website, any time before the bid due date (recommended method). Copy the link into your browser to go to the appropriate page <http://nyc.gov/html/acs/html/business/business.shtml>. Once on the page, click "Go to RFP Online." On the RFP Online page, click "Bids" under Current Documents. The system will then prompt you to register before downloading the bid document. In the event that you are unable to download this bid, a bid package may be requested via email. If applicable, blueprints must be picked up from ACS prior to submitting a Bid. Send all email requests to Alex.Linetskiy@acs.nyc.gov and Doron.Pinchas@acs.nyc.gov. Please type the PIN above and type of service into the subject line. Also, type the name of the company, complete address, contact name, phone and fax numbers into the body of the email. If all else fails, you may call (212) 341-3488 or (212) 341-3457 to make arrangements to pick up a bid package in person.

Bid Pick up procedure:

Vendors will need to provide the following information when picking up bids:

1. Company name
2. Company mailing address
3. Company primary contact person
4. Email address of primary contact person
5. Phone number of primary contact person

The conditions and requirements concerning this bid process are contained in each bid solicitation package, which you can obtain free of charge by downloading from the ACS website, or in person at, 150 William Street, 9th Floor, New York, NY 10038. The bid solicitation package represents the only official disclosure of the contract requirements. However, some of the more salient points are identified below:

- All bid responses over \$100,000.00 must be accompanied by a bid Security, see page 10.
- The successful bidder will be required to provide other schedule insurance and bonds as listed in Section 37 found on page 10 and entitled, "Schedule of Bonds and Liability Insurance".
- Workmen's Compensation and Disability Benefits as required by law.

Please note that failure to comply with the full provisions set forth in the bid solicitation package may result in rejection of your bid.

Bid results may be obtained by calling (212) 341-3488, or (212) 341-3457, no earlier than 2:00 P.M. of the following day after the bid opening. Please refer to the above listed PIN.

Thank you for your interest in Agency contracts.

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

Administration for Children's Services, 150 William Street, New York NY 10038. Alex Linetskiy (212) 341-3457; Fax: (212) 341-9830; alex.linetskiy@acs.nyc.gov

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CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

■ SOLICITATION

Goods

DRINKING SPRING WATER, BOTTLED - Competitive Sealed Bids - PIN#8571700169 - Due 2-27-17 at 10:00 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, New York, NY 10007-1602. Fa-tai Shieh (212) 386-0537; fshieh@dcas.nyc.gov

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■ AWARD

Goods

MOSQUITO CONTROL ITEMS - Emergency Purchase - Other - PIN# 16AA056801R0X00 - AMT: \$279,506.20 - TO: Univar USA Inc., 2102 Utica Avenue, Brooklyn, NY 11234.

In accordance with Section 3-06 of the PPB Rules, an emergency purchase contract is awarded to Univar USA Inc., for various mosquito control items.

☛ f10

COMPTROLLER

■ SOLICITATION

Services (other than human services)

SMART BETA/ALTERNATIVELY WEIGHTED INDEX

STRATEGIES AND PRODUCTS - Other - PIN#015-178-19800 QSB - Due 3-6-17 at 4:00 P.M.

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

Comptroller, 1 Centre Street, 8th Floor South, New York, NY 10007. Eric Wollman (212) 669-4766; smartbetasearch@comptroller.nyc.gov

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EQUITY INDEX INVESTMENT MANAGEMENT SERVICES

- Other - PIN#015-178-19700 QI - Due 3-6-17 at 4:00 P.M.

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

Comptroller, One Centre Street, 8th Floor South, New York, NY 10007. Noreen Pye (212) 669-4949; npye@comptroller.nyc.gov

☛ f10

DESIGN AND CONSTRUCTION

■ SOLICITATION

Construction / Construction Services

LANDSCAPE ARCHITECTURE DESIGN REQUIREMENTS CONTRACTS - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#8502017RQ0033P-36P - Due 3-13-17 at 4:00 P.M.

RQ_A and E, Landscape Architecture Design Requirements Contracts for Construction Projects for Micro, Small, Medium and Large Projects, Citywide. All qualified and interested firms are advised to download the Request for Proposal at <http://ddcftp.nyc.gov/rfpweb> from February 10, 2017, or contact the person listed for this RFP. The submission date is indicated above.

This procurement is subject to participation goals for MWBEs and/or WBEs as required by Section 6-129 of the New York City Administrative code.

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.

Design and Construction, 30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101, Jeanette Cheung (718) 391-1298; Fax: (718) 391-1866; cheungje@ddc.nyc.gov

◀ f10

EMERGENCY MANAGEMENT

■ INTENT TO AWARD

Services (other than human services)

BUILDING MAINTENANCE SYSTEM (BMS) - Sole Source - Available only from a single source - PIN#01717S0001 - Due 2-17-17 at 5:00 P.M.

New York City Emergency Management (NYCEM) intends to enter into a sole source agreement with Siemens Industry, Inc., for the provision of maintenance services for NYCEM's Building Maintenance System (BMS). Siemens is a proprietary product and only the Siemens company is authorized to maintain and repair the system and as such the sole source is required. The BMS is a software program that receives information from 1000s of sensors, located throughout our building.

Any vendor who is capable of providing these goods to OCME may express their interest in doing so in writing.

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.

Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201, Mikhail Berezin (718) 422-8481; mberezin@oem.nyc.gov

◀ f10-16

ENVIRONMENTAL PROTECTION

AGENCY CHIEF CONTRACTING OFFICE

■ SOLICITATION

Services (other than human services)

CAT-213FAC-DES: ENGINEERING SERVICES FOR THE RECONSTRUCTION OF THE ASHOKAN HEADWORKS - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#82617WM00328 - Due 3-15-17 at 4:00 P.M.

DEP is seeking a consultant for Engineering Services in Connection with the Reconstruction of the Ashokan Reservoir, specifically the Ashokan Headworks Facilities. The Headworks Facilities control the diversion of water to the Catskills Aqueduct and releases downstream. These services are expected to include the planning, design, assistance during bidding, and design services during construction and other related services.

MINIMUM QUALIFICATIONS: Proposers must be authorized to practice engineering in the State of New York. Proposers must submit proof of licensure for those key personnel practicing engineering in the State of New York. Firms that fail to submit proof of licensure for its

key personnel to practice engineering in the State of New York may be deemed non-responsive. Key Personnel include: Lead Architect, Lead Electrical Engineer, Lead Mechanical Engineer, Lead Civil/Structural Engineer and Lead HVAC Engineer.

PRE-PROPOSAL CONFERENCE: On February 27, 2017, at 3:00 P.M., NYC DEP, 96-05 Horace Harding Expressway, 5th Floor East Conference Room, Corona, NY 11368. Attendance to the PPC is not mandatory but recommended. Please limit attendance to no more than two (2) representatives from each firm to attend.

LAST DAY FOR QUESTIONS REGARDING THIS RFP WILL BE NO LATER THAN CLOSE OF BUSINESS ON MARCH 6, 2017.

THE MWBE TOTAL PARTICIPATION GOAL FOR CONTRACTS AWARDED FROM THIS RFP IS 30 PERCENT.

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

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



◀ f10

WASTEWATER TREATMENT

■ AWARD

Services (other than human services)

SERVICE AND REPAIR OF SUBMERSIBLE MIXERS (ALL BRAND) LOCATED AT VARIOUS WASTEWATER TREATMENT PLANTS AND ASSOCIATED FACILITIES. - Competitive Sealed Bids - PIN#82617B0004001 - AMT: \$2,135,620.00 - TO: Longo Electrical-Mechanical, Inc., 1 Harry Shupe Boulevard, Wharton, NJ 07885. 1410-MIX(R)

◀ f10

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Services (other than human services)

TECSYS PROFESSIONAL SERVICES - Sole Source - Available only from a single source - PIN#18MI001801R0X00 - Due 2-20-17 at 11:00 A.M.

DOHMH intends to enter into a Sole Source contract with TECSYS Inc., to continue providing support and professional services for the EliteSeries Distribution Management System (DMS), and Warehouse Management System (VMS) that DOHMH currently utilizes for: daily supply chain activities and asset tracking activities at LIC tower, and on demand OEPR inventory management at MMS facility in NJ and former DOHMH Kingsland Facility. DOHMH has determined that TECSYS Inc. is a sole source provider, as they are the manufacturer/ developer of the EliteSeries software; they do not have any resellers of its software in the United States; and the EliteSeries software can only be sourced directly from TECSYS. In addition, no other company is authorized to modify/customize the EliteSeries software source code.

Any vendor that believes it can provide the proposed services are welcome to submit an expression of interest via email to Mnapolitano@health.nyc.gov no later than 2/20/2017, by 11:00 A.M. All questions and concerns for this sole source, should also be submitted via email.

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

Health and Mental Hygiene, 42-09 28th Street, 17th Floor, CN30A, Queens, NY 11101-4132, Marcella Napolitano (347) 396-6680; Fax: (347) 396-6758; mnapolitano@health.nyc.gov

f7-13

HOUSING AUTHORITY

SUPPLY MANAGEMENT

■ SOLICITATION

Goods

SMD FLOOR MACHINES AND BATTERIES AND ASSEMBLY - Competitive Sealed Bids - PIN#64897 - Due 3-9-17 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 the 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.
 Gerard Valerio (212) 306-4724; gerard.valerio@nycha.nyc.gov



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SMD SIGNS, ELEVATOR BRAILLE JAMB PLATES, VARIOUS -ADA ELEVATOR JAMB PLATES - Competitive Sealed Bids/ Pre-Qualified List - PIN#64888 - Due 3-2-17 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 the 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.
 Marjorie Flores (212) 306-4728; marjorie.flores@nycha.nyc.gov



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HUMAN RESOURCES ADMINISTRATION

CONTRACTS

■ AWARD

Human Services/Client Services

INTERNSHIP PLACEMENT SERVICES PROGRAM - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#09616I0001001 - AMT: \$9,956,736.00 - TO: Jewish Community Council of greater Coney Island, 3001 West 37th Street, Brooklyn, NY 11224. Term: 7/1/2016 - 6/30/2019

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PERMANENT SUPPORTIVE CONGREGATE HOUSING FOR PLWA'S AND THEIR FAMILIES - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#09615I0020010 - AMT: \$1,793,080.00 - TO: Black Veterans for Social Justice, 665 Willoughby Avenue, Brooklyn, NY 11206. Term: 7/1/2016 - 6/30/2021

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PROVIDE RE-ENGINEERING VIRTUAL CLIENT SERVICES - Other - PIN#17OPMOT02401 - AMT: \$7,427,769.32 - TO: Accenture Federal Services, LLC, 800 North Glebe Road, Suite 300, Arlington, VA 22203. Term: 10/1/2016 - 8/31/2017.

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NYC HEALTH + HOSPITALS

■ SOLICITATION

Human Services/Client Services

COMMUNITY RE-ENTRY ASSISTANCE NETWORK - Request for Proposals - PIN#037-0026 - Due 3-6-17 at 3:00 P.M.

Pursuant to the City's responsibilities under the settlement agreement in *Brad H v. City of New York*, NYC Health plus Hospital's Division of Correctional Health Services is seeking a provider to implement the Community Re-Entry Assistance Network (CRAN). The services contemplated in this RFP were previously known as SPAN and LINK. The chosen vendor will provide transitional case management services post-release, to individuals who were receiving mental health services while incarcerated within City jails and hospitals.

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.

NYC Health + Hospitals, 160 Water Street, 13th Floor, New York, NY 10038. Mitchell Jacobs (646) 458-8661; Fax: (212) 788-5483; jacobsm1@nychhc.org

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PATIENT ASSISTANCE PROGRAM - Request for Proposals - PIN#037-0027 - Due 3-3-17 at 5:00 P.M.

New York City Health plus Hospitals is issuing an RFP to implement a Citywide Patient Assistance Program. The goal and objective of this RFP is to implement a patient assistance program at each of the eleven acute care hospitals in the NYC H plus H system. Many pharmaceutical and medical device manufacturers offer patient assistance programs to replace or provide free products to qualified patients. Each manufacturer has its own protocol regarding the criteria to qualify for these programs. With the implementation of this patient assistance program, New York City Health plus Hospitals will be able to take full advantage of these patient assistance programs and maximize the financial savings.

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.

NYC Health + Hospitals, 160 Water Street, 13th Floor, New York, NY 10038. David Larish (212) 442-3869; Fax: (212) 788-5483; larishd@nychhc.org

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PARKS AND RECREATION

■ VENDOR LIST

Construction/Construction Services

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

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

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

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship.

NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

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

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

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

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

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

Parks and Recreation, Olmsted Center, Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

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CONTRACTS

■ SOLICITATION

Construction / Construction Services

RECONSTRUCTION OF THE TOWERS AND BRIDGE AT BATHHOUSE - Competitive Sealed Bids - PIN#84617B0028 - Due 3-9-17 at 10:30 A.M.

located on Fulton Avenue Opposite East 173rd Street, in Crotona Park, Borough of the Bronx. Contract X010-210MA2.

Pre-Bid Meeting on Thursday, February 23, 2017, at 11:30 A.M. Location: At the Site.

Bid Deposit: Required 5 percent of Amount of Proposal, or Bid Bond 10 percent of Amount of Proposal.

To Request the Plan Holder's List, please call the Blue Print Room at (718) 760-6576.

The Cost Estimate Range is \$1,000,000.00 to \$3,000,000.00.

● **RECONSTRUCTION OF COMFORT STATIONS** - Competitive Sealed Bids - PIN#84617B0090 - Due 3-10-17 at 10:30 A.M.

at Various locations in the Borough of Brooklyn. Contract BG-815MA. Pre-Bid Meeting on Wednesday, March 1, 2017, at 11:30 A.M.

Location: Olmsted Center Annex, Conference Room A.

Bid Deposit: Required 5 percent of Amount of Proposal, or Bid Bond 10 percent of Amount of Proposal.

To Request the Plan Holder's List, please call the Blue Print Room at (718) 760-6576.

The Cost Estimate Range is \$3,000,000.00 to \$10,000,000.00.

These procurements are subject to participation goals for MBEs and/or WBEs as required by Local Law 1 of 2013.

Bidders are hereby advised that these contracts are subject to the Project Labor Agreement (PLA) Covering Specified Renovation and Rehabilitation of City Owned Buildings and Structures entered into between the City, and the Building and Construction Trades Council of Greater New York ("BCTC") affiliated local unions. Please refer to the bid documents for further information.

Bid documents are available for a fee of \$100.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of New York, Parks and Recreation. A separate check/money order is required for each project. The company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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

Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows-

Corona Park, Flushing, NY 11368. Raymundo Gomez (718) 760-6696; raymundo.gomez@parks.nyc.gov

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SCHOOL CONSTRUCTION AUTHORITY

CONTRACT SERVICES

■ SOLICITATION

Construction / Construction Services

EXTERIOR MASONRY/PARAPETS/ROOFS - Competitive Sealed Bids - PIN#SCA17-17023D-1 - Due 3-3-17 at 11:00 A.M.

PS 191(Brooklyn)

Project Range \$1,000,001 - \$4,000,000

Documents Available: February 9, 2017, at: <https://bidset.nycsca.org>

Pre-Bid Walk through Date and Time: February 21, 2017, at 10:00 A.M., at: 1600 Park Place, Brooklyn, NY 11223. Potential bidders are encouraged to attend but this walkthrough is not mandatory. Meet at the Custodian's Office.

BIDDERS MUST BE PRE-QUALIFIED BY THE SCA AT THE TIME OF THE BID OPENING DATE.

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

School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Lily Persaud (718) 752-5852; Fax: (718) 472-0477; lpersaud@nycsca.org

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AGENCY RULES

FINANCE

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The Department of Finance is proposing rules governing mergers and apportionments of real property tax lots.

When and where is the hearing? The Department of Finance will hold a public hearing on the proposed rule. The public hearing will take place at 11:00 A.M., on March 14, 2017. The hearing will be in the Department of Finance Hearing Room, at 345 Adams Street, 3rd Floor, Brooklyn, NY 11201.

This location has the following accessibility option available:

Wheelchair Accessible

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

- **Website.** You can submit comments to the Department of Finance through the NYC rules website: <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to laroset@finance.nyc.gov.
- **Mail.** You can mail comments to NYC Department of Finance, Legal Affairs Division, 345 Adams Street, 3rd Floor, Brooklyn, NY 11201, Attn: Timothy LaRose.
- **Fax.** You can fax comments to NYC Department of Finance, Attn: Timothy LaRose, at (718) 488-2491.
- **Hearing.** You can speak at the public hearing. Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling Joan Best at (718) 488-2007, or you can sign up in the Hearing Room before the hearing begins on March 14, 2017. You can speak for up to three minutes.

Is there a deadline to submit written comments? The deadline to submit written comments is March 14, 2017.

What if I need assistance to participate in the hearing? The meeting will be held at, 345 Adams Street, 3rd Floor, Brooklyn, NY 11201. The back entrance is accessible to persons using wheelchairs and others with disabilities. Accessible restrooms are available. Materials in alternative formats, ASL interpreters, real-time captioning and other accommodations will be made available upon request. Please contact Joan Best; by telephone, by calling (718) 488-2007; or by email at bestj@finance.nyc.gov to make your accommodation requests. Provide at least 72 hours' notice prior to the hearing to ensure availability. In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are requested to refrain from using perfume, cologne, and other fragrances.

Can I review the comments made on the proposed rule? You can review the comments that have been submitted online by visiting the NYC rules website: <http://rules.cityofnewyork.us/>. In addition, copies of all submitted comments concerning the proposed rule and a summary of oral comments from the hearing, will be available to the public a few days after the hearing, at NYC Department of Finance, Legal Affairs Division, 345 Adams Street, 3rd Floor, Brooklyn, NY 11201.

What authorizes the Department of Finance to adopt this rule? Section 11-203 of the Administrative Code of the City of New York and New York City Charter ("Charter") §§ 1043 and 1504 authorize the Department of Finance to adopt this proposed rule.

Where can I find the Department of Finance's rules? The Department of Finance's rules can be found in Title 19 of the Rules of the City of New York.

What laws govern the rulemaking process? The Department of Finance must meet the requirements of § 1043 of the Charter when creating or amending rules. This notice is made according to the requirements of § 1043 of the Charter.

Statement of Basis and Purpose of Proposed Rules

The purpose of these rules is to set forth how real property tax lots may be merged or apportioned pursuant to Section 11-203 of the Administrative Code of the City of New York. All requests for merger or apportionment must be approved by the New York City Department of Finance. Approval will not be granted for apportionments unless the New York City Department of Buildings certifies that newly created parcels comply with all applicable zoning laws. These rules codify our current policy, except an application will not be reviewed or approved if the applicant has outstanding judgment debt issued by the Environmental Control Board under certain circumstances.

Matter underlined is new.
Matter in [brackets] is to be deleted.

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

Section 1. Title 19 of the Rules of the City of New York is amended by adding a new Chapter 54 to read as follows:

Chapter 54

MERGERS AND APPORTIONMENTS OF REAL PROPERTY TAX LOTS

§ 54-01 Definitions

Application. The term "application" means an application for a merger or apportionment.

Apportionment. The term "apportionment" means the division of one separately assessed parcel of real property into two or more parcels of real property.

Department. The term "Department" means the Department of Finance of the City of New York.

Merger. The term "merger" means the combination of two or more separately assessed parcels of real property into one larger parcel of real property.

§ 54-02 Application for Mergers or Apportionments

(a) Applications for mergers or apportionments are available on the Department's website, or can be requested by dialing 311. Except as otherwise directed by the Department, all applications and all supporting documentation required by the Department must be submitted in person to the Department's tax map office.

(b) All applicants must meet the following requirements:

(1) Outstanding taxes, charges or tax liens for prior tax years related to the parcel or parcels of real property included in the application must be satisfied unless the applicant has entered into an installment agreement to satisfy such taxes, charges or tax liens and they are current on such installment agreement.

(2) Real estate taxes for the current year for the parcel or parcels of real property included in the application must be up-to-date unless the

applicant has entered into an installment agreement to pay such real estate taxes and they are current on such installment agreement.

(3) Applicant must not have any outstanding Environmental Control Board judgment debt issued by the New York Office of Administrative Trials and Hearings ("OATH") pursuant to Section 1049-a of the Charter on the parcel(s) included in the application unless the applicant has entered into an installment agreement to satisfy such judgment debt and they are current on such installment agreement. An applicant will not be required to satisfy any such outstanding judgment debt for which there are any pending Article 78 actions or motions before OATH.

The applicant will not be required to satisfy any outstanding Environmental Control Board judgment debt on the parcel(s) included in a merger or apportionment application that were incurred by a previous owner(s) or for any other parcel(s) of property they own.

(4) The deed on record must show that the applicant owns the parcel or parcels of real property included in the application.

(c) There are different document submission requirements for new buildings, alterations on existing buildings, vacant land, condominiums and lot mergers. The current submission requirements are set forth below:

(1) Apportionments - New buildings:

(i) Completed application.

(ii) Final survey prepared by a licensed land New York State licensed surveyor, which must include square footage.

(iii) An approved subdivision plan work application ("PW1") filing for a new building.

(2) Apportionments - Alterations on existing buildings or vacant land:

(i) Completed application.

(ii) Except for vacant land, an approved subdivision PW1 filing for alteration of an existing building.

(iii) Survey for alteration on existing building or vacant land.

(3) Apportionments - Condominiums

(i) The applicant must comply with the requirements set forth in Article 9B of the Real Property Law.

(ii) The applicant must complete the Department's Application for Condominium Apportionment and Approval (RP-602C) online and request new lots. Upon approval to proceed, the applicant must submit the completed RP-602C Application to the Department.

(4) Lot Mergers:

(i) Completed application.

(ii) The deed on record must show common ownership of all the parcels of real property included in such application. If the deed lacks a metes and bounds description but refers only to a filed tax map, the applicant must provide a current metes and bounds description, prepared by a New York State licensed surveyor. Applications requesting the merging of tax exempt parcels of real property with non-exempt parcels of real property will not be approved.

(d) The Department, in its sole discretion, may require the applicant to provide additional information. The applicant will be notified by the Department in writing concerning any requests for such additional information. The applicant will be required to provide the additional information and re-submit such application to the Department for review and approval. Failure to re-submit a revised application within 60 days will result in a denial of the application.

(e) If an applicant has been advised that their application will not be reviewed because of their outstanding Environmental Control Board judgment debt issued by OATH pursuant to Section 1049-a of the Charter, and the applicant believes that attribution of such debt is incorrect, the applicant may appeal this determination in accordance with the appeal procedures set forth below in Section 54-04.

(f) All application fees must be paid before the Department will review an application, except as specified below:

The commissioner will waive fees for processing applications for tax lot mergers and/or apportionments set forth in Subdivision (e) of Section 9-01 of Title 19 of the Rules of the City of New York in connection with applications for work that is officially approved and funded under the City's Build it Back Program. Any such fees already paid by an officially approved Build it Back Program applicant on or after July 1, 2014 will be refunded to the applicant who paid such fees upon the submission and approval of the Department's tax lot merger and/or apportionment refund application.

§ 54-03 Approval by the Department

If the Department preliminarily approves an application, the applicant must then submit the application to the New York City Department of Buildings for certification that the newly created parcels comply with all applicable zoning laws. If the New York City Department of Buildings provides such certification, the applicant must submit both approvals to the Department for final approval in order to complete the requested apportionment or merger, provided that applicants who

are seeking a condominium apportionment must also receive prior approval from the New York State Attorney General's Office before submission to the Department for final approval.

§ 54-04 Appeal Procedures

The applicant may appeal a determination rendered by the Department on a form prescribed by the Department no later than 90 days after the date on the Department's determination letter. The Department's appeal determination is reviewable pursuant to Article 78 of the New York Civil Practice Law and Rules.

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

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Mergers and Apportionments of Real Property Tax Lots
REFERENCE NUMBER: 2016 RG 062
RULEMAKING AGENCY: The Department of Finance

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: January 31, 2017

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: Mergers and Apportionments of Real Property Tax Lots
REFERENCE NUMBER: DOF-24
RULEMAKING AGENCY: Department of Finance

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

January 31, 2017
Date

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NOTICE OF RULE MAKING

Pursuant to the power vested in me as Commissioner of Finance by New York City Administrative Code Sections 11-268 to 11-278 and Sections 1043 and 1504 of the New York City Charter, I hereby promulgate rules for the Industrial and Commercial Abatement Program ("ICAP"). This rule was published in the proposed form on August 29, 2016 and a superseding notice was published on September 20, 2016. A hearing for public comment was held on October 26, 2016.

S/S
Jacques Jiha, Commissioner of Finance

STATEMENT OF BASIS AND PURPOSE

The Industrial and Commercial Abatement Program ("ICAP") provides an abatement of real property taxes for the construction, alteration or improvement of certain industrial or commercial properties in specified areas of New York City for varying time periods. ICAP provides a tax

incentive to owners of commercial and industrial properties to improve these properties or to construct new buildings.

The rule:

- Sets forth the criteria for commercial and qualifying properties that are eligible for ICAP,
• Provides an application process, including deadline, and,
• Provides criteria for when an ICAP project may lose its benefits.

The enabling legislation for ICAP is set forth in Real Property Tax Law Sections 489-aaaaaa to 489-kkkkkk and the local law is set forth in Sections 11-268 to 11-278 of the Administrative Code of the City of New York. A new Chapter 36 is being added to Title 19 of the Rules of the City of New York to set forth the rules for ICAP.

Matter underlined is new. Matter in brackets [] is to be deleted.

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

Section 1. Title 19 of the Rules of the City of New York is amended by adding a new Chapter 36, to read as follows:

Chapter 36

RULES RELATING TO THE INDUSTRIAL AND
COMMERCIAL ABATEMENT PROGRAM

§36-01 Definitions.

a. "Applicant" means a person or entity who has applied or applies for benefits under this chapter who is obligated to pay real property tax on the property, either because of ownership or a contract, unless the property is exempt from real property taxation and the record owner or lessee of such property has entered into an agreement to sell or lease such property to another person or entity, in which case both parties to the agreement shall be considered co-applicants and must submit an application jointly.

b. "Commercial activities" means activities that include the following, unless such activities are described as retail purposes in Subdivision y of this section:

(1) Buying, selling, leasing or otherwise providing goods or services.

(2) Operating a transient hotel, except that:

- (i) a structure or part of any hotel owned or leased by a not-for-profit corporation to provide governmentally funded emergency housing is not considered a hotel for purposes of the ICAP; and
(ii) a condominium hotel unit or timeshare hotel unit is part of a transient hotel where the property as a whole is operated as a transient hotel. An individual condominium or timeshare unit located in a transient hotel building may qualify for abatement benefits under this chapter if the unit is:

(A) made available to the general public at large for a minimum of 183 days during the calendar year on terms and dates which are consistent with standards in the hotel industry; and

(B) not occupied for more than 183 days in any calendar year by

- (I) the owner or any relative of the owner; or
(II) any employee of the owner, or any employee of any corporation, partnership, limited liability corporation or other entity owner or controlled by such owner.

(3) Operating a theater or other entertainment business.

(4) Manufacturing conducted in a building or individual condominium unit where less than 75 percent of the floor area upon completion of construction is used for manufacturing.

(5) Providing information or services to businesses or investors on a nonprofit, limited profit, or cooperative basis, including operating a stock or commodity exchange, insurance rating bureau, testing service, clearinghouse, wire service, buying service, or private label company or the like.

(6) Providing computer software development and services, including:

- (i) internet and web related activities;
(ii) computer graphics and designs; or
(iii) desk-top publishing.

(7) Operating any other lawful businesses, including governmental or not-for-profit activities.

(8) Operating repair of equipment and service businesses such as heating, ventilation and air conditioning ("HVAC"), plumbing and refrigeration.

(9) Operating nursing homes or adult care facilities.

c. "Commercial construction work" means the construction of a new building or structure or the modernization, rehabilitation, expansion or improvement of an existing building or structure for use as commercial property.

d. "Commercial property" means non-residential property on which will exist after completion of commercial construction work a building or structure, or portion thereof, used for the buying, selling or otherwise

providing of goods or services, including hotel services, or for other lawful business commercial or manufacturing activities, with at least 50 percent of the total net square footage of the property used or immediately available and held out for commercial or manufacturing activity; provided that property or portions of property dedicated to use as utility property shall not be considered commercial property for purposes of this chapter.

e. "Commissioner" means the commissioner of finance of the city of New York.

f. "Completion of construction," or "completion" means:

(1) when relating to the construction of a new building or structure, the earlier of the date on which:

(i) the department of buildings issues a final certificate of occupancy; or
(ii) an architect or engineer certifies to the department of finance that construction is complete.

(2) when relating to modernization, rehabilitation, expansion or improvement of an existing building or structure work, the earlier of the date on which an architect or engineer certifies to the department of finance that construction is complete.

Construction of buildings or structures for which benefits have been approved must be completed no later than five years after the date the first building permit is issued, or if no permit was required, after the completion of construction. Failure to complete construction within such time period will result in the loss of the inflation protection benefits described in Section 36-10(l).

g. "Department" means the department of finance of the City of New York.

h. "Division" means the division of labor services contract compliance unit within the New York City department of small business services, or such successor division.

i. "ICAP" means the Industrial and Commercial Abatement Program.

j. "ICIP" means the Industrial and Commercial Incentive Program.

k. "Industrial construction work" means the construction of a new building or structure or the modernization, rehabilitation, expansion or improvement of an existing building or structure for use as industrial property.

l. "Industrial property" means nonresidential property on which will exist after completion of industrial construction work a building or structure, or portion thereof, with at least 75 percent of the total net square footage of the property used or immediately available and held out for manufacturing activity; however, property or portions of property dedicated to use as utility property will not be considered industrial property, except for peaking units, which will be considered to be industrial property and not utility property.

m. "Initial tax rate" means, for the purposes of the ICAP, the final tax rate on the assessment roll with a taxable status date immediately before the first building permit is issued. If no building permit was required, the initial tax and initial tax rate shall be determined based on the assessment roll with the taxable status date immediately before the start of construction.

n. "Manufacturing activity" means an activity involving the assembly of goods or the fabrication or processing of raw materials, but will not include: (i) such activity when conducted for the purpose of retail sale on the premises; (ii) utility services, except that peaking units are considered manufacturing activity; or (iii) any activity that meets the definition of "retail purposes."

(1) Areas used for manufacturing activities.

Areas of a building used for manufacturing activities include, but are not limited to:

- (a) space used to house or repair equipment used for assembly, fabrication or processing work;
- (b) space used to store raw materials, semi-finished or finished goods for short periods before or after assembly, fabrication or processing in normal quantities for the manufacturing activity involved;
- (c) space used to ship or receive such raw materials or goods;
- (d) space used to store normal quantities of supplies and spare parts for use in the manufacturing activity;
- (e) testing and research laboratories operated in connection with manufacturing activities;
- (f) cafeterias, locker rooms and other facilities for the workers engaged in manufacturing activities;
- (g) office space, not in excess of 10 percent of the total floor area, used directly in the administration of the manufacturing activity; and
- (h) other space used for activities necessarily done at the same site as the manufacturing activity and integrally related to such activity.

(2) Workers engaged in manufacturing activities.

Workers engaged in manufacturing activities are workers performing assembly, fabrication or processing or related immediate supervision, equipment repair or maintenance, goods handling, testing or research,

(3) Specific uses.

Manufacturing activities include, but are not limited to:

- (a) printing, but not including publishing or the service of taking retail orders for material to be printed; printing is characterized by the production of multiple copies of identical, or nearly identical, written material or designs on paper or other tangible material;
- (b) reproduction or processing of photographic film, audio or video media, or magnetic or other data storage media, but not including creation of the original image, sound or data;
- (c) scientific or technical testing or research to develop or improve products of other manufacturing activities;
- (d) shipbuilding or repair;
- (e) rebuilding or repairing stationary machinery or equipment used in other manufacturing activities;
- (f) rebuilding other machinery or equipment;
- (g) processing or packaging of food products for wholesale distribution;
- (h) packaging of dry goods for a manufacturer or wholesaler, but not including packaging done at an establishment used for retailing, wholesaling or warehousing activities;
- (i) pattern-making and cutting cloth for garments, sewing and finishing garments, including custom made garments, except activities done in a retail establishment; and
- (j) building theatrical scenery, other than activities done in a theater or on the set of a film or television studio.

(4) Non-manufacturing uses.

(a) Uses which are not permitted in a manufacturing district, as defined by the Zoning Resolution, are not manufacturing activities, including:

- (i) construction, repair, operation or maintenance of real property, including activities performed in a building contractor's shop, or the preassembly of structural elements or service equipment for installation in a building;
 - (ii) generation, collection, storage, transmission distribution or sale of gas, electricity, steam, water, refrigeration, cable television, telephone, telegraph or other one-way or two-way communication service, delivered through mains, pipes, cables, lines or wires;
 - (iii) collection, removal, carting, processing or disposal of sewerage, drainage, wastes, garbage or trash;
 - (iv) broadcasting, transmission or reception of television, radio or other electromagnetic signals;
 - (v) transportation of passengers or goods;
 - (vi) operation of a public or private warehouse;
 - (vii) operation of a showroom;
 - (viii) operation of a workshop, studio, sound stage, set or other place for creation of original works of art, films or recordings; or
 - (ix) buying, selling, leasing or providing goods or services.
- (c) The following activities, except as specifically provided in paragraphs (2) and (3) of this subdivision, are not manufacturing activities:
- (i) general management;
 - (ii) storage, shipping or receiving of materials and finished goods;
 - (iii) maintenance, repair or construction of real property;
 - (iv) professional, clerical or information processing activities;
 - (v) buying, selling, leasing or providing goods or services;
 - (vi) activity conducted for the purpose of retail sale on the premises; or
 - (vii) utility services.

o. "Minimum required expenditure" means the amount that an applicant must expend on construction work for a project in order to qualify for benefits under this chapter. The minimum required expenditure must be met no later than four years from the date after the first building permit is issued, or if no permit was required, from the start of construction.

p. "Mixed-Use property" means property on which exists, or will exist upon completion of construction work, a building or structure used for both residential and nonresidential purposes.

q. "M/WBE" means a Minority-Owned or Women-Owned business enterprise certified in accordance with Section 1304 of the New York City Charter.

r. "Peaking Unit" means a generating unit that: (i) is determined by the New York independent system operator or a Federal or New York State energy regulatory commission to constitute a peaking unit as set forth in Section 5.14.1.2 of the New York independent system operator's market administration and control area services tariff, as such term existed as of April 1, 2011; or (ii) has an annual average operation, during the calendar year preceding the taxable status date, of less than 18 hours following each start of the unit; provided that, for purposes of calculating the annual average, operations during any period covered by any major emergency declaration issued by the New York independent system operator, northeast power coordinating council, or other similar entity, shall be excluded.

(1) A "peaking unit" will include all real property used in connection with the generation of electricity and any facilities used to interconnect the peaking unit with the electrical transmission or distribution system, but will not include any facilities that are part of the electric transmission or distribution system; it may be comprised of a single

turbine and generator or multiple turbines and generators located at the same site.

(2) Notwithstanding any provision of this title to the contrary, a peaking unit will be considered industrial property. Peaking units will not be considered utility property.

(3) The abatement benefit schedule for peaking units is set forth in Section 36-12(c).

s. "Project" means the work described in the preliminary application as amended by the final application.

t. "Property" means, except where otherwise provided, a separately assessed parcel of real property, or a group of condominium units in a single building that are the subjects of a single application for ICAP benefits. When a parcel of real property includes more than one building, "property" means an individual building on such parcel and an allocable portion of the land.

u. "Renovation construction work" means the modernization, rehabilitation, expansion or improvement of an existing building or structure where such modernization, rehabilitation, expansion or improvement is physically and functionally integrated with the existing building or structure, or portion thereof, does not increase the bulk of the existing building or structure by more than 30 percent, and does not increase the height of the existing building or structure by more than 30 percent. The 30 percent limitation will apply to each building individually which has a separate certificate of occupancy.

v. "Residential construction work" means any construction, modernization, rehabilitation, expansion or improvement of dwelling units other than dwelling units in a hotel.

w. "Residential property" means property primarily used for dwelling purposes except for dwelling units in a hotel.

x. "Restricted activity" means any commercial use of property that is unlawful or a public nuisance as defined in Section 7-703 of the Administrative Code.

y. "Retail purposes" means any activity that consists predominately of (i) the final sale of tangible personal property or services by a vendor as defined in Section 1101 of the Tax Law, (ii) the sale of services that generally involve the physical, mental, or spiritual care of individuals or the physical care of the personal property of individuals, including medical offices, (iii) retail banking services, or (iv) the final sale of food or beverage by a vendor as defined in Section 1101 of the Tax Law, including the assembly, processing or packaging of goods, provided that sales of such tangible personal property or services are predominantly to purchasers who personally visit the facilities at which such sales are made or such property or services are provided. "Retail purposes" does not include hotels used to provide lodging and support services for transient guests, except that restaurants, bars and gift shops associated with such hotels are considered "retail purposes."

z. "Square footage" means the following in the following contexts:

(1) "Net square footage" means square footage within a room or area of a building, measured by the inside wall-to-wall dimensions.

(2) "Gross square footage" means the total amount of square footage in a building. It includes below grade space, elevator shafts, vertical penetrations, equipment areas, ductwork shafts, and stairwells, as well as the usable square footage occupied by or available to tenants.

(3) "Rentable square footage" means the net square footage of the building plus a pro-rata share of building common areas.

aa. "Temporary commercial incentive area boundary commission" means the commission described in Section 11-274 of the Administrative Code.

bb. "Utility property" means property and equipment as described in Paragraphs (c), (d), (e), (f), and (i) of Subdivision 12 of Section 102 of the Real Property Tax Law that is used in the ordinary course of business by its owner or any other entity, or property as described in Paragraphs (a) and (b) of such Subdivision 12 that is owned by any entity that uses, in the ordinary course of business, property and equipment as described in Paragraphs (c), (d), (e) and (f) and (i) of such Subdivision 12 without regard to the classification of such property and equipment for real property tax purposes pursuant to Section 1802 of such Law, except that any such property and equipment used solely to serve the building to which they are attached will not be deemed to be utility property.

§36-02 Areas Eligible for Abatement Benefits.

a. Commercial construction work outside of a special commercial abatement area. Commercial construction projects anywhere in New York City outside of a special commercial abatement area are eligible for abatement benefits except for such projects in the commercial exclusion area described in Subdivision b.

b. Commercial exclusion area. The commercial exclusion area is the area in Manhattan lying south of the centerline of 96th Street, except for (i) the areas in Manhattan designated for commercial

renovation projects as commercial renovation areas that are described in Subdivision c, and (ii) the area designated for new construction as described in Subdivision d.

c. Commercial renovation areas. Commercial renovation projects in any area of New York City, except such projects south of the centerline of 96th Street in Manhattan, will be eligible for abatement benefits, except that abatement benefits will also be available for commercial renovation projects in the following designated areas, with the amount of such benefit dependent of the area in which the project is located, pursuant to Sections 36-12(e) and (f) of this chapter:

(1) The area in Manhattan bounded by Murray Street on the north starting at the intersection of West Street and Murray Street, running easterly along the center line of Murray Street; connecting through City Hall Park with the center line of Frankfort Street and running easterly along the center line of Frankfort and Dover Streets to the intersection of Dover Street and South Street; running southerly along the center line of South Street to Peter Minuit Plaza; connection through Peter Minuit Plaza to the center line of State Street and running northwesterly along the center line of State Street to the intersection of State Street and Battery Place; running westerly along the center line of Battery Place to the intersection of Battery Place and West Street; and running northerly along the center line of West Street to the intersection of West Street and Murray Street.

(2) The area in Manhattan defined as the special garment center district by Chapter one of Article XII of the Zoning Resolution of the City, which is the area in Manhattan bounded by the centerline of West 40th Street on the north between 7th and 8th Avenue; running southerly along the centerline of 7th Avenue to the center line of West 38th Street; running easterly along the centerline of West 38th Street to the centerline of Broadway; running southerly along the centerline of Broadway to the centerline of West 35th street to 7th Avenue and running southerly along the centerline of 7th Avenue to the centerline of West 34th Street; running westerly to the centerline of 8th avenue, running northerly to the centerline of West 35th Street to 100 feet east of 9th Avenue, running northerly to the centerline of West 39th Street, running easterly to 8th Avenue and running northerly to the centerline of West 40th Street.

(3) The area in Manhattan south of the center line of 59th Street, other than the areas designated renovation areas by Paragraphs (1) and (2) of this subdivision.

d. New Construction in New York City. New construction projects in any area of New York City, except such projects south of the centerline of 96th Street in Manhattan, will be eligible for abatement benefits, except that abatement benefits will also be available for new construction projects as described in Subdivision e of this section.

e. New construction in certain areas of lower Manhattan. The area in Manhattan bounded by Murray Street on the north starting at the intersection of West Street and Murray Street; running easterly along the center line of Murray Street; connecting through City Hall Park with the center line of Frankfort Street and running easterly along the center line of Frankfort and Dover Streets to the intersection of Dover Street and South Street; running southerly along the center line of South Street to Peter Minuit Plaza; connecting through Peter Minuit Plaza to the center line of State Street and running northwesterly along the center line of State Street to the intersection of State Street and Battery Place; running westerly along the center line of Battery Place to the intersection of Battery Place and West Street; and running northerly along the center line of West Street to the intersection of West Street and Murray Street, except that abatement benefits will not be available for projects in the area in the borough of Manhattan bounded by Church Street on the east starting at the intersection of Liberty Street and Church Street; running northerly along the center line of Church Street to the intersection of Church Street and Vesey Street; running westerly along the center line of Vesey Street to the intersection of Vesey Street and West Broadway; running northerly along the center line of West Broadway to the intersection of West Broadway and Barclay Street; running westerly along the center line of Barclay Street to the intersection of Barclay Street and Washington Street; running southerly along the center line of Washington Street to the intersection of Washington Street and Vesey Street; running westerly along the center line of Vesey Street to the intersection of Vesey Street and West Street; running southerly along the center line of West Street to the intersection of West Street and Liberty Street; and running easterly along the center line of Liberty Street to the intersection of Liberty Street and Church Street.

f. Special commercial abatement area. (1) The boundaries of special commercial abatement areas as designated by the temporary commercial incentive area boundary commission will be described on the department's website.

(2) In accordance with Section 489-gggggg of the Real Property Tax Law and Section 11-274 of the Administrative Code, the temporary commercial incentive area boundary commission may designate an area in the City of New York, other than in the area lying south of the centerline of 96th Street in Manhattan, to be a special commercial abatement area if it determines that market conditions in the area are such that the availability of a special abatement is required in order to

encourage commercial construction in such area.

g. Industrial construction. Eligible projects may receive industrial construction benefits in any area of New York City.

h. Projects partially in an excluded area. Properties partially located in an excluded area will not be eligible for abatement benefits.

§36-03 Application Procedures.

An applicant must receive approval for a series of milestones in order to receive ICAP tax abatement benefits.

a. Applicants.

(1) An entity is eligible to apply for ICAP benefits:

(i) if it is obligated to pay real property tax on the property, either by virtue of ownership or contract; or

(ii) if the property is exempt from real property taxation and the record owner or lessee of such property has entered into an agreement to sell or lease such property to another entity, provided that both parties to the agreement are co-applicants.

(2) Co-Application with public entity. A co-applicant with a public entity may be eligible for abatement benefits except benefits will not be available for any period for which the property is exempt from real property tax because it is owned or controlled by a public entity. Abatement benefits will only be available if the recipient meets the requirements of Subdivision g of Section 11-270 of the Administrative Code.

(3) Multiple buildings. Where a completed project will result in creating two or more buildings, and separate building permits were obtained, a separate application must be filed for each permitted building.

b. Preliminary application.

(1) An applicant must submit a completed preliminary application before issuance of the first building permit, or if no permit is required, the start of construction. The preliminary application must be made on the form prescribed by the Commissioner. The completed preliminary application must be accompanied by a narrative describing the proposed project, including:

(i) the project site;

(ii) the proposed improvement(s);

(iii) the proposed uses of the building or structure upon completion of improvements; and

(iv) whether the improvements are building-wide or limited to specific building systems or renovations to particular areas (such as specific floors or lobby) of the building.

(2) Failure to file a preliminary application Certificate of Eligibility for ICAP benefits before receipt of the first building permit, or if no permit is required, the start of construction, will disqualify the project from receiving benefits under this program.

(3) The preliminary application deadline for ICAP benefits is March 1, 2019. Work performed pursuant to a building permit first issued after April 1, 2019, shall not be included in the project, except as otherwise provided by statute.

(4) Work excluded from the project shall not be considered for purposes of meeting the minimum required expenditure or determining the completion date.

c. M/WBE requirements.

(1) For projects with a total estimated cost of between \$750,000 and \$1,500,000 an ICAP applicant must certify that it accessed the directory of City certified M/WBE business enterprises ("directory"). The ICAP applicant must file the certification with the department in conjunction with the final application for benefits along with a report of whether or not efforts were made by the applicant to include Minority- and Women-Owned business enterprises in the construction work on property for which benefits are sought and describe those efforts.

(2) For projects with a total estimated cost of \$1,500,000 or more ICAP applicants must comply with the following M/WBE requirements to obtain abatement benefits:

(i) After filing a preliminary application for benefits, the applicant must inform the division of contracting and subcontracting opportunities at construction sites where the applicant will be performing construction work subject to benefits pursuant to this part. The division shall make information on such contracting and subcontracting opportunities available to the general public by posting them on its website.

(ii) The ICAP applicant must review the directory to identify Minority- or Women-Owned business enterprises that may be qualified to perform contracting or subcontracting work on construction projects subject to benefits pursuant to this part.

(iii) For each subcontract on the project, the ICAP applicant must solicit or arrange for the solicitation of bids from at least three Minority- or Women-Owned enterprises to perform contracting work.

(iv) The ICAP applicant must maintain records demonstrating its

compliance with these M/WBE requirements.

(v) When filing a final application for benefits with the department, the ICAP applicant must certify that it has complied with and will continue to comply with the M/WBE provisions. The certification must also include: (A) the name and contact information of every minority or women-owned business enterprise that the applicant solicited bids from and (B) whether any such Minority- or Women-Owned firm was awarded a subcontract.

(vi) Work performed by an applicant's contractors or subcontractors is eligible construction work except when such work is not included in the project description, contained in the final application or an amendment thereto.

(vii) The division shall have authority to audit the records maintained by each applicant to ensure compliance with the requirements of such subdivision.

(viii) The applicant must maintain records demonstrating its compliance with the provisions of this subdivision.

(3) Each ICAP application must contain a statement that the ICAP applicant and its contractors and subcontractors agree to be equal opportunity employers and comply with all applicable requirements of Executive Order 50 of 1980, as amended by Executive Order 94 of 1986, Executive Order 108 of 1986, and Executive Order 159 of 2011 ("Executive Order 50"), and the rules of the division.

(4) ICAP applicants must file an employment report with the division for projects with a total estimated cost of \$2,500,000 or more or if any subcontractor will perform construction work with a total estimated cost of \$1,000,000 or more. If the ICAP applicant or any of its contractors or subcontractors will not perform work meeting these estimated dollar thresholds, the ICAP applicant must file a letter with the division that the applicant or subcontractor will not perform construction work having such an estimated cost.

(5) (i) The division will inform the Commissioner in writing when an applicant or its contractors or subcontractors, or any successor to such applicant, or its contractors or subcontractors, has failed to comply with any requirement of Executive Order 50 or the rules of the division, whereupon the division may issue a written recommendation to the Commissioner that any benefit provided under this Chapter be denied, suspended, revoked or terminated.

(ii) If the Commissioner has determines, in accordance with the procedures in Section 36-15, that an ICAP applicant, contractor, or subcontractor has made false or misleading statements or omissions in employment reports provided to the division, all benefits will be revoked from the date of the false statement or omission.

d. Final application.

(1) An applicant must submit to the department a completed final application no later than one year from the date of issuance of the first building permit for construction work on the project, or when construction work does not require a building permit, no later than one year from the date of commencement of construction on the project, for all projects including new projects as described in Section 36-05(a). Construction does not have to be completed prior to submitting the final application. Stop work orders issued by the department of buildings will not extend the deadline for filing the final application.

(2) Failure to file a final application no later than one year from the date of issuance of the first building permit for construction work on the project, or when construction work does not require a building permit, no later than one year from the date of commencement of construction on the project, will disqualify the project from receiving benefits under this chapter.

(3) The final application must be made on the form prescribed by the department. As part of the final application the applicant must provide a narrative description of the project which must include:

(i) A written description of the proposed project stating the specific work to be undertaken including the floor area (below grade and above grade floors and roof) and location within the property of space created or affected by the work;

(ii) List each permit number and the work associated with such permit, including elevator permits;

(iii) List any work that did not require a permit;

(iv) Date or anticipated date of start of construction;

(v) Estimated date of completion of project or actual date of first temporary certificate of occupancy or final certificate of occupancy, and include copies of any certificate of occupancy issued;

(vi) Contractors and sub-contractors by trade, including addresses;

(vii) Cost of construction broken down by major categories of expenses;

(viii) Number and location of buildings on project property and where multiple buildings exist on a lot or project site, include a survey showing each building; and

(ix) (A) Statement of current or prior use by square foot; and

(B) Statement of proposed use by square feet, distinguishing between commercial and residential use.

(4) The applicant must also provide copies of all executed construction

contracts or a statement from the engineer or architect detailing cost estimates.

(5) The department reserves the right to require that any documents submitted in support or as part of any application be certified.

(6) No ICAP benefits will be granted for any construction work unless the applicant files with the final application an affidavit setting forth the following information:

(i) statement that within the seven years immediately preceding the date of the final application for benefits, neither the applicant, nor any person owning a substantial interest in the property, nor any officer, director or general partner of the applicant or such person was finally adjudicated by a court of competent jurisdiction to have violated Section 235 of the real property law or any section of Article 150 of the penal law or any similar arson law of another state with respect to any building, or was an officer, director or general partner of a person at the time such person was finally adjudicated to have violated such law; and

(ii) a statement setting forth any pending charges alleging violation of Section 235 of the real property law or any section of Article 150 of the penal law or any similar arson law of another jurisdiction with respect to any building by the applicant or any person owning a substantial interest in the property or any officer, director or general partner of the applicant or such person.

(iii) "Substantial interest" as used in Subparagraphs (i) and (ii) of this paragraph will mean ownership and control of an interest of 10 percent or more in a property or any person owning a property.

(iv) If any person described in the statement required by Subparagraph (i) or (ii) of this paragraph is finally adjudicated by a court of competent jurisdiction to be guilty of any charge listed in such statement, the recipient will cease to be eligible for benefits pursuant to this part and must pay with interest any taxes for which an abatement was claimed pursuant to this part.

e. Notice of completion.

(1) The applicant must file the notice of completion with the department within 120 days of the taxable status date after completion of construction. Abatement benefits will not be granted until the applicant files the notice of completion. If the notice of completion is not filed within such 120 day period, abatement benefits will not be granted until such notice is filed, and the department may delay the granting of such benefits, at the departments discretion, to investigate the reason for the late filing. Except as allowed by Paragraph (2) of this subdivision, the notice of completion must be submitted electronically in the format required by the department on the department's website, and in accordance with the instructions for submission of such notices of completion described on the website.

(2) Request for waiver of electronic filing requirement. The Commissioner may, for good cause, waive the requirement that the notice of completion be filed electronically. A request for waiver of the electronic filing requirement must be made in writing no later than 30 days prior to the deadline for filing a notice of completion. Any filing in paper format must be filed with the Department, at such address as may be designated by the department.

(3) The notice of completion must contain certification by a New York State licensed engineer or architect, or general contractor that the narrative description provided in the final application for Certificate of Eligibility, as last amended, is an accurate and complete description of the completed project; and a final certificate of occupancy.

(4) The notice of completion must include a detailed itemized statement of the cost of construction. This statement must be certified by a certified public accountant, unless the project cost is less than \$2,500,000 in which case the statement may be certified by the applicant.

(5) All applications must be submitted to the address set forth on the applicable forms.

f. Fees.

The filings required by this section must be accompanied by the following fees:

(1) Preliminary application filing: \$150

(2) Final application filing: \$500

(3) Notice of Completion filing: \$1,000

None of the filings listed above will be processed until the applicable fee is paid. All fees must be paid in a form acceptable to the Department.

§36-04 First Building Permit.

a. First building permit. For purposes of these rules, the first building permit is the permit that would allow the construction work that is the subject of the ICAP application to proceed, even though:

(i) such permit was granted before submission of completed plans and specifications for the entire building; or

(ii) such permit shall have expired by limitation of time or otherwise become invalid; or

(iii) another permit is issued for the same project on the basis of same or similar plans, subject to the provisions of Section 36-05(a) of this chapter.

b. A subsequent building permit will be deemed to be the first building permit for a building where the project for which a preliminary application is made is a new project pursuant to Section 36-05(a) of this chapter or the previous project has been deemed abandoned pursuant to Section 36-05(b) of this chapter.

c. A demolition permit will not be considered to be a first building permit, except as set forth in Section 36-06(d).

§36-05 New Projects and Abandoned Projects.

a. A project will be deemed a new project if one of the following conditions applies:

(1) a building permit was previously issued for the project and an applicant has shown that there is a change in the project for which a new building permit is issued which meets at least one of the following criteria:

(i) change in the total estimated cost of the project of at least 10 percent as certified by the applicant; or

(ii) change in the total floor area of the project of at least 10 percent; or

(iii) change in use.

For purposes of the requirements of filing a preliminary application pursuant to Section 36-03(b) of this chapter, the previously issued building permit will be deemed to be the first building permit for a project that meets the requirements specified in this paragraph but does not meet the requirements specified in Paragraph (2) of this subdivision.

(2) a building permit was previously issued for the project and an applicant has shown that there is a change in the project which meets at least one of the following criteria:

(i) the current project will require an estimated expenditure at least twice as great as the project for which a building permit was previously issued, where the estimated expenditures of the project for which a building permit was previously issued and of the current project are each measured as if construction commenced on the date of each such project's preliminary application as certified by the applicant; or

(ii) the current project will enclose floor area to be used for industrial or commercial purposes that is at least twice as great as the floor area of the project for which the prior permit was issued.

For purposes of the requirements of filing a preliminary application pursuant to Section 36-03(b) of this chapter, a new building permit will be deemed to be the first building permit for a project that meets the requirements specified in this paragraph.

(3) the application for the project is made either:

(i) more than four years after issuance of the building permit for the prior completed project; or

(ii) for a new project in a discrete, separate part of the building than the project that was the subject of the prior building permit.

(4) the project consists of alteration work that is not specified in a previously issued building permit or associated plan and for which a preliminary application was not previously filed.

b. A project will be deemed abandoned where the applicant establishes that either (i) construction work was commenced by an applicant and has ceased for at least two continuous years at the time a preliminary application is filed for the new project or (ii) that construction work was not commenced pursuant to the previously issued building permit and at least two years have passed between the issuance of such previously issued building permit and the time a preliminary application is filed for the project.

For purposes of the requirements of filing a preliminary application pursuant to Section 36-03(b) of this chapter, a subsequent building permit will be deemed to be the first building permit for a project that meets the requirements specified in this paragraph.

§36-06 Eligible construction work.

a. For purposes of determining the minimum required expenditure, the abatement base and all other purposes, construction work will be eligible for tax abatement benefits under this program if the work is:

(1) A permanent capital improvement to real property with a useful life of at least three years;

(2) Described or integrally related to work described in the approved plans or narrative description submitted as part of the application;

(3) Performed during the construction period which is five years after issuance of the first building permit, or if no permit was required, after the commencement of construction; and

(4) Not rendered ineligible by any provision of law or these rules, or by

any agreement made as part of the application.

b. Renovations. Renovations that are eligible construction work for abatement benefits include, but are not limited to, the following, provided that such renovations are deemed to enhance the value of the property:

(1) Renovations that increase the square footage or cubic content of an existing building; or

(2) Modernization of core facilities including:

- (i) Upgrading of electrical and plumbing systems;
- (ii) Installation of new elevators and elevator banks;
- (iii) Renovation or new installation of the exterior of a structure;
- (iv) Major upgrading of lobby space;
- (v) Reconfiguration of multi-tenant floor space to single tenant space;
- (vi) Installation of central HVAC systems;
- (vii) Major abatement of asbestos contamination;
- (viii) Conversion of obsolete office space into functional space; or
- (ix) Major conversion of a building's use involving structural changes.

c. Work not deemed to be eligible construction work. Construction work that is not eligible for tax abatement benefits pursuant to this section includes:

- (1) Ordinary repairs, replacements or redecoration;
- (2) Placement of personal property that remains personal property;
- (3) Extension of streets, sewers, water or utility systems to a site not provided with such services; or
- (4) Installation of satellite dishes, billboards, or cellular and microwave antennae.

d. Earthwork or partial demolition. Earthwork or partial demolition will be included in the construction work on a project if the following two conditions are met:

- (1) the earthwork or partial demolition is integrally related to the other construction work on the project and is commenced not more than one year after the date that a preliminary application was filed; and
- (2) the applicant requests inclusion of the earthwork or partial demolition in the preliminary application or a subsequent notice filed at least 15 business days before the commencement of the earthwork or partial demolition and before a permit for the earthwork or partial demolition is issued.

e. In the case of an abandoned project, only construction work that is the subject of a newly issued or renewal permit will be eligible for abatement benefits. Eligible construction for an abandoned project will qualify for benefits only if it is the subject of a preliminary application filed prior to the date on which the new or renewal permit was issued.

f. Construction work that is part of a project which is the subject of an approved application may not be considered eligible construction work for a future application for tax abatement benefits for the same property, building or structure under this chapter.

g. (1) No ICAP benefits will be granted for residential construction work, or for work on a structure or building where 20 percent or more of the rentable square footage of such property is or will be dedicated to residential purposes, provided however that where less than 5 percent of a property's rentable square footage is or will be dedicated to residential purposes, that use will be considered negligible and will not be considered in determining ICAP benefits.

(2) Notwithstanding Paragraph (1) of this subdivision, where a building or structure is owned in condominium form, and an application for benefits under this chapter includes more than one property in the same condominium, then for purposes of this paragraph, the 5 percent and 20 percent of the rentable square footage shall be determined based upon the aggregate usage of all such properties.

h. Notwithstanding the foregoing, for purposes of determining whether a project is completed within the time required to secure the inflation protection benefits described in Section 36-10(l), eligible construction work may include construction work done more than four years, but not more than five years, from the date of the issuance of the first building permit or from the start of construction if no permit was required.

§36-07 Minimum Required Expenditure.

a. The minimum required expenditure is based on a percentage of the property's final taxable assessed value, without regard to any exemptions, for the tax year with a taxable status date immediately preceding the issuance of the first building permit, or if no permit was required, the commencement of construction. For commercial construction work the minimum required expenditure is 30 percent. Expenditures for residential construction work or construction work on portions of property to be used for restricted activities will not be included in the minimum required expenditure. For the additional industrial construction abatement set forth in Section 36-11 of this chapter, the minimum required expenditure is 40 percent.

b. Eligible expenditures. Expenditures include but are not limited to

those made for:

- (1) construction contracts;
- (2) materials, labor, equipment rental, insurance, permit fees and other direct expenses of construction;
- (3) installation of partitions and other tenant work by or for the tenant or occupant of new or substantially renovated space;
- (4) architectural, engineering, construction management, legal, accounting and other professional services rendered in connection with the construction work to the extent that the total of all such fees do not exceed 10 percent of the expenses incurred for direct construction costs;
- (5) site preparation, such as the erection of partitions, fences, barricades, scaffolding, temporary walkways, removal of debris or any similar work allocable to the project; and
- (6) fees for connection to existing sewer, water or utility lines.

c. Ineligible expenditures. The following are ineligible expenditures:

- (1) the costs of selecting or acquiring the site;
- (2) the costs of determining the feasibility of the project;
- (3) the costs of moving or installing machinery or equipment, except the cost of installing equipment that is real property and installed as part of the project;
- (4) charges to any reserve, contingency or sinking fund;
- (5) the costs of earthwork or demolition except as provided in Section 36-06(d) of this chapter;
- (6) the costs or payments for the extension of streets, sewers, water lines or other public utilities to a site not provided with these services; and
- (7) the cost or payments associated with vacating the site or existing buildings such as terminating existing leases or tenancies.

d. Expenditures for construction work for mixed use properties related to the common areas and systems of such property will be allocated, if applicable, between the residential, nonresidential and retail portions of the property based on a pro rata square footage basis.

e. No later than 60 days after the minimum required expenditure must be made — four years from the date of the first building permit, or from the start of construction if no permit was required — the applicant must submit to the department a certified statement that the applicant has made the minimum required expenditure as required by this chapter.

§36-08 Eligibility and Compatibility With Other Abatements/Exemptions.

a. No benefits will be granted under ICAP for property that is concurrently receiving any other exemptions or abatements except for exemptions pursuant to Real Property Tax Law Sections 420(a) or(b) or 459(b), or for any other exemptions granted to the primary residence of the applicant.

b. If the property is currently receiving ICIP benefits, it will not be eligible for ICAP benefits unless the applicant can show, through documents such as permits, plans and other documentation, that the new ICAP project is a new separate project in a discrete, separate part of the building which is different from the ICIP project. If the new ICAP project is not deemed by the department to be a separate project in a discrete separate part of the building, the applicant may submit a new ICAP application for approval while they are receiving ICIP benefits but will not be eligible to receive ICAP benefits until the current ICIP benefits have expired. An approved ICAP applicant will not receive ICAP benefits for such period of ineligibility though the schedule for such benefits will begin upon ICAP approval. ICAP benefits will be based on the tax year that such benefits commence. For example, if the ICIP benefits expire in tax year 2018 and if ICAP benefits would have otherwise commenced in tax year 2016, the ICAP benefits for tax year 2016 and tax year 2017 will not be granted and the ICAP benefits will begin in tax year 2018 in accordance with the ICAP schedule for tax year 3. However, if the Department deems the new ICAP project to be a separate project in a discrete separate part of the building, the applicant may submit a new ICAP application for approval while they are receiving ICIP benefits and will be eligible to receive ICAP benefits while the current ICIP benefits are in effect.

c. No ICAP benefits will be granted for any property unless required income and expenses statements are filed for the tax year for the assessment roll with a taxable status date immediately preceding the first building permit or if no permit was required, the commencement of construction. ICAP benefits will also not be granted for any property, unless income and expense statements are filed for all subsequent tax years, up to and including the tax year with a taxable status date immediately following the earlier of the completion of construction or four years from the date of issuance of the first building permit, or if no permit was required, the commencement of construction.

d. As a condition of eligibility for benefits under this program, there must be no arrears in real property taxes or other charges imposed by the City of New York on the property for all years prior to the post-completion year unless such arrears are subject to an installment agreement with the department and all installments that have come due under the agreement have been paid. The post completion year is the tax year with the first taxable status date where the applicant is otherwise eligible to receive ICAP abatement benefits.

§36-09 Benefit Period Commencement.

Upon approval by the department of a final application for benefits, the first year of the abatement shall be the tax year with the first taxable status date that follows the earlier of (a) completion of construction, or (b) four years from the date the first building permit was issued, or if no permit was required, the commencement of construction.

§36-10 Calculation of Abatement.

a. **Abatement amount.** The abatement amount is equal to the product of the abatement base times the percentage for the applicable year indicated in the applicable schedule set forth in Section 36-12.

b. **Abatement base.** The abatement base is the amount that the post completion tax liability exceeds 115% of the initial tax liability for each type of abatement except for the additional industrial abatement as defined in Section 36-11.

c. **The calculation of initial and post completion tax liability is based on the lower of the actual or transitional assessed value of the building.**

d. **The initial tax liability is the liability for the building or structure on the tax roll with a taxable status date preceding the first building permit or commencement of construction if no permit is required.**

e. **Calculation of initial tax liability.** The product of the taxable assessed value ("AV") for the building or structure (without regard to any tax exemption that may be applicable to the property) for the assessment roll with a taxable status date preceding the first building permit or commencement of construction if no permit is required is multiplied by the initial tax rate. The initial tax rate is the final tax rate applicable to the assessment roll with a taxable status date immediately preceding the issuance of the first building permit. If no building permit was required, the initial tax rate shall be determined based on the assessment roll with a status date immediately preceding the commencement of construction.

f. **If the initial tax or the post-completion tax attributable to a mixed-use property must be apportioned to determine the tax attributable to a particular use for any purpose under these rules, the tax will be apportioned using the same method used by the department to value property for tax and assessment. This includes, but is not limited to, determining the abatement base or the minimum required expenditure, or if the tax must be apportioned among newly apportioned tax lots, Methods that may be considered, individually or in combination include:**

- (1) the land area of each portion;
- (2) the square footage of the building or structure used or dedicated to each purpose;
- (3) the market value of the building situated on each portion;
- (4) the location of each portion on the lot;
- (5) the topography of the lot;
- (6) zoning and other land use restrictions applicable to the lot or portion thereof;
- (7) analyses of income factors relating to each portion;
- (8) analyses of cost factors; and
- (9) other relevant factors.

If any tax lot included in a project that is the subject of a pending or approved final application for ICAP benefits is subdivided, the applicant must file an amendment to the final application designating the tax lots that constitute the property that is the subject of the application. The Department shall allocate the initial and, if applicable, the post construction assessed values based on the allocation of the historical assessments made pursuant to Subdivision 5 of Section 1805 of the real property tax law.

g. **At no time during the abatement benefit period may the abatement reduce the amount of taxes imposed on the land portion of the assessment, nor may it reduce the initial tax liability imposed on the building or structure, except for the additional industrial abatement as described in Section 36-11.**

Example: Commercial construction work outside of a special commercial abatement area. Preliminary application filed 7/1/2008; first building permit issued 8/1/2008. Project consists of commercial construction work to renovate and modernize the building.

In this case, the initial tax liability is based on the FY2008/09 tax liability (assessment roll with a taxable status date preceding the first building permit)

Section 1805 of the real property tax law requires that certain changes to assessed valuation ("AV") be phased in over a number of years rather than one year. This is transitional AV.

	Actual AV	Transitional AV
Total AV	\$1,100,000	\$900,000
Land AV	\$400,000	\$300,000
Building AV	\$700,000*	\$600,000*
Initial Tax Liability	\$60,000**	\$600,000 x 0.10

*The initial tax liability will be based on the lower of the building actual AV or building transitional AV.

**FY 2008/09 Tax Rate Assume an initial tax rate of 10% for 2008/09 for illustrative purposes

h. **The post-completion tax liability is the tax liability for the building or structure on the tax roll with a taxable status date immediately following the earlier of completion of construction, or four years from the date of issuance of the first building permit or commencement of construction, if no building permit was required, multiplied by the initial tax rate.**

Example: In this case, the construction was completed by November 2011; therefore, the post completion tax is based on the 2012/13 AV roll (taxable status date January 5, 2012). The AV for the building on that assessment roll was:

	Actual AV	Transitional AV
Building AV	\$1,100,000	\$1,000,000
FY 2008/09 Tax Rate of 10%	.10	.10
Post Completion Tax	\$110,000*	\$100,000*

*Post completion tax is based on the lower of the actual AV or transitional AV.

The abatement base is equal to the post-completion tax liability less 115% of the initial tax liability.

Post Completion Tax Liability	\$100,000
Initial Tax Liability	\$60,000
115% of Initial Tax Liability	\$69,000
Abatement Base	\$31,000

i. **Abatement benefits will not in any year exceed the property taxes imposed on such property.**

j. **If a tax lot has multiple structures with both eligible and non-eligible uses, the initial tax will be apportioned and only the eligible portion will receive the abatement.**

k. **(1) The availability of ICAP benefits for retail use is limited in the following cases:**

(i) **No more than 10 percent of gross square footage in industrial and commercial buildings in special commercial abatement areas used for retail purposes is eligible to receive a 25 year abatement benefit. If more than 10 percent of the property is used for retail purposes, the portion exceeding the 10 percent retail use will be eligible for a 15 year abatement benefit.**

(ii) **For renovation areas in Manhattan, any retail use in excess of 5 percent of the building(s) gross square footage will be ineligible for ICAP benefits, except in the Lower Manhattan renovation area, as set forth in Section 36-02(c)(1), where there will be no limit on portion of gross square footage dedicated to retail use.**

(2) **The determination of the percent of gross square footage used for retail purposes shall be based on the gross square footage of the entire building in all cases, including those where the ICAP application relates to one or more condominium units in the building.**

(3) **In a building in which at least 10% of the gross square footage is dedicated exclusively to industrial or commercial purposes other than retail purposes, the gross square footage of retail space shall not include space used for common building mechanical equipment, maintenance or circulation.**

l. Inflation Protection.

(1) **Inflation protection for industrial construction projects. Inflation protection is available during years 2 through 13 of the abatement period if in such year there is an increase in the tax over the immediately preceding year resulting from an increase in the property's total taxable assessed value. The new increase in tax liability, based upon the increase in taxable assessed value, will be added to the abatement base using the initial tax rate.**

For industrial construction projects the inflation protection is the full amount of the increase in taxes based upon the initial tax rate, unless there is a physical change from the immediately preceding year and the increase in taxable assessed value due to such physical change is more than 5 percent of the taxable assessed value for the immediately preceding year. Under such circumstances, none of the increase in tax liability, whether the increase in taxable assessed value is solely the result of a physical change or a combination of physical change and non-physical change, may be added to the abatement base. For industrial projects the percentage of retail use does not have any impact on eligibility for inflation protection.

(2) Inflation protection for commercial projects in special commercial abatement areas. Inflation protection is available during years 2 through 13 of the abatement period if in any such year there is an increase in taxable assessed value of more than 5 percent of the initial tax rate. The increase in tax liability based upon the increase in taxable assessed value that is more than 5 percent calculated using the initial tax rate will be added to the abatement base.

However, no inflation protection will be provided for commercial projects in special commercial abatement areas where there is a physical change from the immediately preceding year and the increase in taxable assessed value due to such physical change is more than 5 percent of the taxable assessed value for the immediately preceding

year. Under such circumstances, none of the increase in tax liability, whether the increase in taxable assessed value is solely the result of a physical improvement or a combination of physical improvement and equalization, may be added to the abatement base. For commercial projects in special commercial areas the percentage of retail use does not have any impact on eligibility for inflation protection. If the building is currently receiving inflation protection for one ICAP project and any additional ICAP projects are approved that qualify for inflation protection, the inflation protection for the current ICAP project will be terminated and inflation protection benefits for the most recently approved ICAP project will commence upon such termination.

Hotels located in special commercial abatement areas are eligible for the inflation protection set forth in this paragraph.

Examples: In the examples below, inflation protection is provided on the calculation of total abatement base for commercial construction projects in a special commercial abatement area when the retail portion of the square footage of the project is not more than 10% (Example 1), as well as when the retail portion is more than 10% of the square footage of the project (Example 2).

Example 1: Commercial construction in special commercial abatement area – retail not more than 10% of square footage (equalization increases in taxable assessed value).

Percent Increase in Taxable Assessed Value	Benefit Period	Post Completion Tax Liability	Initial Tax Rate	Addition to Abatement Base Due to Inflation Protection	Total Abatement Base	Yearly Abatement Percentage
	YR 1	100,000	10%		31,000	100%
3%	YR 2	103,000	10%		31,000	100%
6%	YR 3	109,180	10%	1,030	32,030	100%
6%	YR 4	115,731	10%	1,092	33,122	100%
4%	YR 5	120,360	10%		33,122	100%
3%	YR 6	123,971	10%		33,122	100%
2%	YR 7	126,450	10%		33,122	100%
6%	YR 8	134,037	10%	1,265	34,387	100%
3%	YR 9	138,058	10%		34,387	100%
1%	YR 10	139,439	10%		34,387	100%
1%	YR 11	140,833	10%		34,387	100%
2%	YR 12	143,650	10%		34,387	100%
3%	YR 13	147,960	10%		34,387	100%
4%	YR 14	153,878	10%		34,387	100%
2%	YR 15	156,956	10%		34,387	100%
4%	YR 16	163,234	10%		34,387	100%
3%	YR 17	168,131	10%		34,387	90%
2%	YR 18	171,494	10%		34,387	80%
4%	YR 19	178,354	10%		34,387	70%
5%	YR 20	187,272	10%		34,387	60%
6%	YR 21	198,508	10%		34,387	50%
3%	YR 22	204,463	10%		34,387	40%
2%	YR 23	208,552	10%		34,387	30%
1%	YR 24	210,638	10%		34,387	20%
2%	YR 25	214,851	10%		34,387	10%

Example 2: Commercial construction in special commercial abatement area – retail more than 10% of square footage (equalization increases in taxable assessed value). The retail space is 25% of square footage.

Percent Increase in Taxable Assessed Value	Benefit Period	Post Completion Tax Liability	Initial Tax rate	Addition to Abatement Base Due to Inflation Protection	Total Abatement Base	Abatement Base for Commercial Plus 10% Retail	Yearly Abatement Percentage	Abatement Base for Retail over 10%	Yearly Abatement Percentage
	YR 1	100,000	10%		31,000	26,350	100%	4,650	100%
3%	YR 2	103,000	10%		31,000	26,350	100%	4,650	100%
6%	YR 3	109,180	10%	1,030	32,030	27,226	100%	4,804	100%
6%	YR 4	115,731	10%	1,092	33,122	28,154	100%	4,968	100%
4%	YR 5	120,360	10%		33,122	28,154	100%	4,968	100%
3%	YR 6	123,971	10%		33,122	28,154	100%	4,968	100%
2%	YR 7	126,450	10%		33,122	28,154	100%	4,968	100%
6%	YR 8	134,037	10%	1,265	34,387	29,229	100%	5,158	100%

3%	YR 9	138,058	10%	34,387	29,229	100%	5,158	100%
1%	YR 10	139,439	10%	34,387	29,229	100%	5,158	100%
1%	YR 11	140,833	10%	34,387	29,229	100%	5,158	100%
2%	YR 12	143,650	10%	34,387	29,229	80%	5,158	80%
3%	YR 13	147,960	10%	34,387	29,229	60%	5,158	60%
4%	YR 14	153,878	10%	34,387	29,229	40%	5,158	40%
2%	YR 15	156,956	10%	34,387	29,229	20%	5,158	20%

(3) Industrial construction work on a peaking unit will have the same inflation protection as other industrial construction projects.

(4) A property receiving abatement benefits for both industrial and commercial construction is eligible for the inflation protection provided under this section based upon the predominant use of the property as determined by the department.

(5) Time limit for completion of construction. Construction of buildings or structures must be completed no later than five years from the date of issuance of the first building permit, or if no permit was required, the commencement of construction. Failure to meet this requirement will result in the termination of any inflation protection provided under this subdivision for any tax year that begins following the date by which completion of construction is required.

§36-11 Additional Industrial Abatement.

a. Eligibility. An applicant is eligible for an additional industrial abatement in addition to the abatement for industrial construction work set forth in Section 36-02(b) and (c), if the applicant meets the eligibility requirements for the abatement of industrial construction work in this chapter and makes the minimum required expenditure of 40 percent of the property's taxable assessed value in the tax year with the taxable status date immediately preceding the issuance of the first building permit, or if no permit was required, the commencement of construction. Expenditures for residential construction work or construction work on portions of property to be used for restricted activities will not be included in the minimum required expenditure for the purposes of eligibility under this section.

b. Benefits granted. The additional industrial abatement benefits will only be granted for industrial construction work and only those portions of a building or structure used or held for use for industrial purposes will be eligible for such benefits.

c. The first year of additional industrial abatement benefits will be the tax year with a taxable status date following the earlier of (i) completion of construction, or (ii) four years from the date the first building permit was issued or, if no permit was required, from the start of construction.

d. Projects that do not meet the minimum required expenditure of 40 percent or do not perform eligible industrial construction work will not be eligible for additional industrial abatements.

e. The amount of the additional industrial abatement is set forth below:

Years 1 to 4	50% of the initial tax liability
Year 5	40% of the initial tax liability
Year 6	40% of the initial tax liability
Year 7	30% of the initial tax liability
Year 8	30% of the initial tax liability
Year 9	20% of the initial tax liability
Year 10	20% of the initial tax liability
Year 11	10% of the initial tax liability
Year 12	10% of the initial tax liability

§36-12 ICAP Abatement Schedules.

The abatement schedules below set forth the abatement amounts available pursuant to the ICAP program. While an applicant may meet the eligibility requirements for abatement benefits such abatement benefits will not be granted until the applicant complies with the notice of completion requirements set forth in Section 36-03(e).

a. Abatement for commercial construction work outside of a special commercial abatement or a renovation area. Upon approval by the department of a final application for benefits, an applicant who has performed commercial construction work outside of a special commercial abatement area as described in Section 36-02(a), or a commercial renovation area, as described in Section 36-02(c), shall be eligible for an abatement of real property taxes as set forth below.

Tax year during benefit period	Amount of abatement
Years 1 to 11	100% of abatement base
12	80% of abatement base
13	60% of abatement base
14	40% of abatement base
15	20% of abatement base

b. Abatement for industrial construction work or commercial construction work in special commercial abatement areas where not more than 10% of the building or structure is used for retail purposes. Upon approval by the department of a final application for benefits, an applicant who has performed industrial construction work as described in Section 36-02(f), or commercial construction work in a special commercial abatement area as described in Section 36-02(e), on buildings where not more than 10% of the building or structure is used for retail purposes, shall be eligible for an abatement of real property taxes as set forth below.

Tax year during benefit period	Amount of abatement
Years 1 to 16	100% of abatement base
17	90%
18	80%
19	70%
20	60%
21	50%
22	40%
23	30%
24	20%
25	10%

c. Abatement for industrial construction work on a peaking unit. Upon approval by the department of a final application for benefits, an applicant who has performed industrial construction work on a peaking unit as described in Section 36-02(f) shall be eligible for an abatement of real property taxes as set forth below.

Tax year during benefit period	Amount of abatement
Years 1 to 15	100% of abatement base

d. Abatement for industrial construction work or commercial construction work in special commercial abatement areas, on buildings where more than 10% of the building or structure is used for retail purposes. Upon approval by the department of a final application for benefits, an applicant who has performed industrial construction work as described in Section 36-02(f) or commercial construction work in special commercial abatement areas as described in Section 36-02(e), shall be eligible for an abatement of real property taxes. Abatement benefits are available for the non-retail portion of such buildings or structures and 10% of the building or structure used for retail purposes in accordance with the 25 year schedule set forth in Subdivision b above. Any retail portion in excess of 10% of such building or structure is eligible for abatement benefits in accordance with the 15 year schedule set forth below.

Tax year during benefit period	Amount of abatement
Years 1 to 11	100% of abatement base
12	80% of abatement base
13	60% of abatement base
14	40% of abatement base
15	20% of abatement base

e. Abatement for renovation construction work in renovation areas. (1) Upon approval by the department of a final application for benefits,

an applicant who has performed renovation construction work in a renovation area, as described in Section 36-02(c)(1), shall be eligible for an abatement of real property taxes as set forth in the table below.

(2) Upon approval by the department of a final application for benefits, an applicant who has performed renovation construction work in a renovation area as described in Section 36-02(c)(2) shall be eligible for an abatement of real property taxes for the non-retail portion of such building or structure and up to 5% of such building or structure used for retail purposes as set forth in the table below. Any retail portion in excess of 5% of such building or structure is not eligible for abatement benefits.

Tax year during benefit period	Amount of abatement
Years 1 to 8	100% of abatement base
9	80% of abatement base
10	60% of abatement base
11	40% of abatement base
12	20 of abatement base

f. Abatement for renovation construction work in renovation areas. Upon approval by the department of a final application for benefits, an applicant who has performed renovation construction work in a renovation area, as described in Section 36-02(c)(3) shall be eligible for an abatement of real property taxes for the non-retail portion of such building or structure and up to 5% of the building or structure used for retail purposes. Any retail portion in excess of 5% of such building or structure is not eligible for abatement benefits.

Tax year during benefit period	Amount of abatement
Years 1 to 5	100% of abatement base
6	80% of abatement base
7	60% of abatement base
8	40% of abatement base
9	20% of abatement base
10	20% of abatement base

g. Abatement for commercial construction work on new construction in certain areas of lower Manhattan. Upon approval by the department of a final application for benefits, an applicant who has performed new construction work in certain areas of lower Manhattan as described in Section 36-02(d) shall be eligible for an abatement of real property taxes

Tax year during benefit period	Amount of abatement
Years 1 to 4	100% of the abatement base
5	80% of the abatement base
6	60% of the abatement base
7	40% of the abatement base
8	20% of the abatement base

§36-13 Continuing Use.

a. Certificate of continuing use.

(1) For the duration of the benefit period, ICAP benefit recipients must file with the department a certificate of continuing use on or before the taxable status date of January fifth every other year that states any changes in the structure or use of the property that have occurred since the previous submission for that property, except that ICAP benefit recipients receiving benefits for construction work on a peaking unit must file such statement on or before January fifth and July fifth of each year. For example, for recipients of benefits not for peaking units, the first certificate of continuing use must be filed after the first year benefits are received and the next certificate of continuing use must be filed after the third year benefits are received.

(2) The certificate of continuing use form must be filed electronically in the manner prescribed by the Commissioner. The Commissioner may, for good cause, waive the requirement that the statement of continuing use be filed electronically and permit the statement of continuing use to be filed by means of a paper form. A request for waiver of the electronic filing requirement must be made in writing no later than thirty days prior to the deadline for filing a statement of continuing use. Any filing permitted to be filed in a paper format must be filed with the Department, at the address designated by the department.

(3) ICAP benefit recipients who fail to file an ICAP certificate of continuing use by January fifth of a required filing year, or in the case of an ICAP benefit recipient receiving benefits for construction work on a peaking unit by January fifth or July fifth of each year, may have their ICAP benefits reduced or suspended. ICAP benefit recipients who fail to file an ICAP certificate of continuing use for two consecutive

required filing years, may have their ICAP benefits terminated. The Commissioner may, after providing notice to the ICAP benefit recipient and an opportunity to be heard, reduce, suspend, terminate or revoke ICAP benefits. Such notice will inform the recipient of the reasons for the proposed action by the department and that the ICAP recipient has the right to present information as to why the ICAP recipient should not be penalized to the Commissioner or his or her designee, within 10 business days of delivery of the notice by hand or 15 business days of the posting of notice by mail.

(4) An ICAP certificate of continuing use delivered by an ICAP benefits recipient which contains a false or misleading statement as to a material fact or omits any material fact required to be reported under this subdivision may result in a determination that the recipient is ineligible for current and future tax abatements for the subject property or any other property. The Commissioner may, after providing notice to the ICAP benefit recipient and an opportunity to be heard, reduce, suspend, terminate or revoke ICAP benefits. Such notice will inform the recipient of the reasons for the proposed action by the department and that the ICAP recipient has the right to present information as to why the ICAP recipient should not be penalized to the Commissioner or his or her designee, within 10 business days of delivery of the notice by hand or 15 business days of the posting of notice by mail.

b. Continued use.

(1) Continuing eligibility for ICAP benefits is contingent upon continued use of buildings and property for the purpose specified in the application as last amended in the most recent certificate of continuing use.

(2) ICAP benefits will be suspended for code violations pursuant to Section 11-277 of the Administrative Code.

(3) When the eligibility of a property to receive ICAP benefits is affected by a conversion as described in Subdivision c of this section, the recipient must establish by clear and convincing evidence the last date that the property was eligible for the benefits previously granted, which will be deemed the date of the conversion. If no certificate of continuing use has been submitted, a building permit indicating a change in use will be treated as a presumption of conversion.

(4) A recipient must file an amendment to the latest filed statement of continuing use prior to conversion of industrial use as set forth in Subdivisions e and f of this section. For all other conversions an applicant must file an amendment to the latest filed statement of continuing use within 60 days of the conversion.

c. Conversion.

(1) A conversion of property, a building or a building site is any intentional change in the nature of the improvements for which benefits were granted, or in the use of such improvements by any person, including by the benefit recipient, a tenant or an occupant.

(2) A demolition, in full or part, or any other structural change which necessarily causes a change in use is a conversion.

(3) A discontinuance of use may be deemed a conversion if the dilapidated condition of the property and prolonged period of nonuse evidences intent to abandon the property and permanently discontinue use. Temporary nonuse due to inability to secure tenants or funding for completion of construction shall not constitute a change in use.

d. Permitted changes.

The following types of changes are not conversions:

(1) A change in ownership or control of property, provided that the department is notified of such change in ownership or control, or

(2) A change in the identity of a tenant or occupant.

e. Conversion from industrial to commercial use.

(1) If a property receives industrial abatement benefits, but then at any time prior to the end of the abatement period, less than 65 percent of the total net square footage is used as an industrial property, no further abatement benefits for industrial work will be granted except as set forth in this subdivision. Except as otherwise provided in this section, any taxes owed from a converted use will be due, and interest assessed, as of the date of such conversion.

(2) Notwithstanding Paragraph (1) of this subdivision, any applicant whose property was receiving industrial abatement benefits in a special commercial abatement area that would have been eligible to receive benefits for commercial construction work at the time such applicant applied for abatement benefits will continue to receive the abatement for industrial construction work until the expiration of such benefit period.

(3) Notwithstanding Paragraph (1) of this subdivision any applicant whose property was receiving industrial abatement benefits other than in a special commercial abatement area who would have been eligible to receive benefits for commercial construction work at the time such applicant applied for abatement benefits will receive any abatement which such applicant would have received in the corresponding tax

year pursuant to the benefits granted for commercial construction work. Such benefits will commence with the date of conversion to commercial property and continue until the expiration of the benefit period for commercial construction work.

(4) If a property that converts from industrial to commercial use was receiving benefits for industrial construction work in any area of the city and at least 65 percent of the net square footage continues to be used for manufacturing activity after such conversion to commercial use, the recipient will not be required to pay the pro-rata share of tax for the abatement claimed during the tax year for which an abatement was claimed during the tax year in which such conversion occurred.

(5) Any industrial property that was receiving the additional industrial abatement pursuant to Section 36-11 will cease to be eligible for such additional benefits from the date of conversion to commercial property.

f. Conversion to residential use.

(1) Any applicant whose property has been granted benefits for commercial, industrial or renovation construction work and who, before the benefit period expires, uses or allows the use of the property or a portion of the property as residential property, will cease to be eligible for further abatement for commercial, industrial or renovation construction work as of the date such property was first used as residential property, as follows:

(i) If 20 percent or more of the rentable square footage of the property is used as residential property, then the entire property will cease to be eligible for further abatement.

(ii) If less than 20 percent of the rentable square footage of the property is used as residential property, then that portion of such property used as residential property will cease to be eligible for further abatement.

(iii) Notwithstanding Subparagraph (ii) of this paragraph, where less than 5 percent of a property's rentable square footage is used as residential property, that use will be considered negligible and will not be a basis for benefits to cease under this subdivision.

(iv) Where benefits cease or are reduced pursuant to this subdivision, the recipient of such ceased or reduced benefits must pay, with interest, any taxes for which an abatement was received after the conversion of the property as described in this subdivision, including the pro rata share of tax for which such abatement was claimed during the tax year in which such use occurred. The abatement will continue for the commercial, industrial or renovation construction work for the portion of the property that continues to be used for commercial purposes as long as the property is still eligible for such abatement benefits.

(2) For purposes of this subdivision, "property" means the real property contained within an individual tax lot.

(3) Notwithstanding Subparagraph (iv) above, where a building or structure is owned in condominium form, and an application for benefits includes more than one unit in the same condominium, then for purposes of this subdivision, the 5 percent and 20 percent of the rentable square footage determination will be based on the total square footage of all condominium units applying for ICAP benefits.

g. Conversion to retail use.

(1) Where a property has been granted benefits for industrial or commercial construction work in special commercial abatement areas on buildings where not more than 10 percent of the rentable square footage of the building or structure is used for retail purposes, and where, before the benefit period expires, the property or a portion thereof is converted so that 10 percent or more of the rentable square footage of the building or structure is used for retail purposes, the department will recalculate the abatement upon conversion in accordance with subdivision e of this section.

(2) Where a property has been granted benefits for renovation construction work in renovation areas and where, before the benefit period expires, the property or a portion of the property is converted so that more than 5 percent of the rentable square footage of the building or structure is used for retail purposes, the department will recalculate the abatement upon conversion to reflect the benefit for which the current use is eligible.

h. Conversion of use by peaking units. Any applicant whose property has been granted benefits under this chapter for industrial construction work as a peaking unit and who converts such property in any tax year to a use that no longer qualifies as a peaking unit, or who uses such property in a manner inconsistent with the definition of a peaking unit, will be ineligible for abatement benefits during any such tax year. Any such recipient of benefits must pay with interest taxes for which an abatement was claimed during any portion of such tax year.

i. Recalculation of abatement upon conversion. If, during the benefit period, a recipient converts square footage within any building or structure, the department may recalculate the benefit granted pursuant to this chapter to reflect the benefit for which the current use is eligible.

j. The burden shall at all times be on the recipient to demonstrate by clear and convincing evidence that property subject to benefits under

this part is used as stated in the applications for benefits filed by the recipient with the department.

§36-14 Subsequent Abatements.

An applicant may not file a preliminary application for new ICAP benefits for an additional construction project on any portion of a property that is already receiving any ICAP benefit for four years after the start of the first tax year for which such property is receiving such ICAP benefits. For any ICAP benefit granted for a property that has previously been granted any other ICAP benefit, the initial tax to determine the new abatement will not include the ICAP abatement previously received.

§36-15 Administration of ICAP Program.

a. The department may submit written requests to any ICAP benefit applicant or ICAP benefit recipient for additional information which may include, but is not limited to, the production of books, records and documents relating to any application made for ICAP benefits or submission of a certificate of continuing use. Such written requests will contain a 90 day deadline. The Commissioner may, after providing notice and an opportunity to be heard to the ICAP benefit applicant or ICAP benefit recipient deny, reduce, suspend, terminate or revoke ICAP benefits if an applicant or ICAP benefit recipient fails to timely comply with such a request. Such notice will inform the recipient of the reasons for the proposed action by the department and that the ICAP applicant or ICAP recipient has the right to present information as to why they should not be penalized. This information must be submitted to the Commissioner or his or her designee, within 10 business days of delivery of the notice by hand or 15 business days of the posting of notice by mail.

b. The department may, consistent with the law, upon reasonable notice enter and inspect property during normal business hours to determine a property's use and whether a property is eligible for the abatement benefits that the property has applied for or is receiving.

c. The Commissioner may, after providing notice to the ICAP benefit applicant or ICAP benefit recipient an opportunity to be heard deny, reduce, suspend, terminate or revoke any abatement benefits granted under this chapter where:

(1) A recipient fails to comply with any requirement provided for by Title 2-f of Article 4 of the real property tax law, Part 5 of Title 11 of the administrative code, or this chapter; or

(2) An application, certificate, report or other document delivered by an applicant or benefit recipient contains a false or misleading statement as to a material fact or omits any material fact, and may declare any applicant or recipient who makes such false or misleading statement, or omits such material fact, ineligible for future tax abatements for the subject property or any other property.

Such notice will inform the recipient of the reasons for the proposed action by the department and that the ICAP applicant or ICAP recipient has the right to present information as to why the ICAP recipient should not be penalized to the Commissioner or his or her designee, within 10 business days of delivery of the notice by hand or 15 business days of the posting of notice by mail.

d. This chapter shall apply only to projects for which the preliminary application is filed after the effective date of this rule.

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FIRE DEPARTMENT

■ NOTICE

Notice of Adoption
of Amendments to
Fire Department Rule
3 RCNY §3405-01, entitled
"Storage and Use of Fuel Oil on Mobile Trailers for
Heating and Power Generation"

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Fire Commissioner of the City of New York pursuant to Sections FC102.6.3 and FC3405 of the New York City Fire Code (Title 29 of Administrative Code of the City of New York), and in accordance with the requirements of Section 1043 of the New York City Charter, that the New York City Fire Department has adopted the above final rule.

The public hearing was held on January 3, 2017. The rule shall take effect on March 15, 2017.

The Notice of Adoption, final rule and the Statement of Basis and Purpose of Final Rule, will be available on the Fire Department's website (www.nyc.gov/fdny) and NYC RULES (www.nyc.gov/NYCRULES).

Statement of Basis and Purpose of Final Rule

The Fire Code regulates the manufacturing, storage, handling, use and transportation of hazardous materials in New York City, including fuel oil, a combustible liquid.

Section 3405-01 of the Fire Department's rules (Title 3 of the Rules of the City of New York) allows mobile heating and power generating trailers to operate with a citywide permit, and sets forth permit, supervision, and design and installation requirements. The rule was originally developed in response to the use of these trailers to serve buildings whose heating or electrical systems were undergoing major repairs or replacement and were taken out of service. The trailers are typically parked on the street and connected to building utilities by piping or electrical lines.

Permitting of Mobile Trailers for Outdoor Gatherings

When this rule was originally promulgated, the Fire Department did not envision that these trailers would be used at public gatherings like street fairs and festivals near large numbers of people, cooking operations, and other activities where their presence may potentially pose a danger to others. In response to this unanticipated use of these trailers, the Fire Department has amended the rule to clarify when the citywide permit may be used and what it authorizes, and to specifically provide that a site-specific permit, different from the one used for building heating and electrical systems, is required for mobile heating and power generating trailers used at street fairs, bazaars, carnivals, concerts, festivals, and similar outdoor gatherings.

Additional Capacity Permitted

The Fire Department additionally amends the rule to increase from 550 gallons to 1200 gallons the fuel oil storage capacity permitted on mobile heating and power generating trailers. Trailers with 1200-gallon tanks have become the industry standard; use of such trailers has been allowed by the Fire Department by modification (variance) without incident. Although the rule allows the on-site storage of a substantial additional amount of fuel, the risk of fire and fuel spills is greatest when the tanks are being filled. During peak usage, when the equipment is in constant operation, a 550 gallon tank may need to be refueled daily. The larger tank reduces the need for frequent fueling and therefore reduces the risk of fire or spills. Accordingly, the Fire Department has concluded that 1200-gallon capacity trailers should be allowed, eliminating the need for special applications and additional fees to obtain permission to use larger tanks.

The Fire Department received a comment from a public utility urging that the maximum fuel storage capacity allowed by the rule be further increased to 1400 gallons. The public utility indicated that its fleet of mobile trailers includes power generators with integrated fuel tanks with a capacity of that amount. After due consideration of this comment, the Fire Department has determined to retain the maximum capacity at the amount proposed, 1200 gallons, but, in recognition that there may be a legitimate need for use of such larger equipment in New York City, has amended the rule to authorize the Fire Department to approve a higher maximum fuel storage capacity after review of the trailer design and any other relevant considerations.

Elimination of Certificate of Fitness Requirement For Most Uses

The Fire Department is further amending the rule to provide that mobile heating and power-generating trailers only need to be supervised when connected to a high-pressure boiler. Personal supervision of most residential heating systems is no longer required by the New York City Department of Buildings (DOB) now that use of #6 fuel oil has been virtually eliminated for environmental reasons and replaced by fuels that do not require pre-heating. Personal supervision by a DOB-licensed operating engineer continues to be required by DOB for high-pressure boilers. Accordingly, the requirement of a certificate of fitness has been eliminated where no high-pressure boiler is involved.

Rule Clarifications

As amended, the section makes clear that it applies only to mobile heating and power generating trailers with storage for more than 10 gallons of combustible liquid fuel on the trailer or in the equipment mounted thereon, which require a permit as set forth in FC105.6.

Additionally, the rule has been amended to clarify that a mobile trailer with heating and power generating equipment that stores 10 gallons or less of combustible liquid fuel (or no fuel) in or upon the trailer, but is fueled by an off-vehicle temporary tank, is subject to the permit requirement applicable to combustible liquid fuel storage in the tank (also set forth in FC105.6), rather than the permit requirement applicable to mobile trailers.

To summarize, the amended rule:

1. Clarifies the authorization granted to operate mobile trailers under a Citywide permit and makes clear that use at a street fair requires a site-specific permit to address the fire safety concerns associated with operation at such an event;
2. Allows larger (1200-gallon) tanks to be installed on such

mobile trailers instead of the current 550 gallon tanks, and authorizes the Fire Department to approve mobile trailers with maximum fuel storage capacity in excess of that amount under such terms and conditions as the Department deems appropriate;

3. Eliminates the supervision requirement except for use of such mobile trailers in connection with high-pressure boilers;
4. Clarifies that the rule applies only to mobile heating and power generating trailers that require a permit – that is, trailers with storage for more than 10 gallons of combustible liquid fuel on the trailer or in the equipment mounted thereon; and
5. Clarifies that a mobile trailer with heating and power generating equipment that stores 10 gallons or less of combustible liquid fuel (or no fuel) in or upon the trailer, but is fueled by an off-vehicle temporary tank, is subject to the permit requirement applicable to combustible liquid fuel storage in the tank, not the permit requirement applicable to mobile trailers.

Text that has been deleted is indicated by [brackets]. Text that has been added is underlined.

Guidance with respect to the interpretation of the Fire Code and Fire Department rules may be obtained using the Public Inquiry Form on the Fire Department's website, <http://www1.nyc.gov/site/fdny/about/resources/code-and-rules/nyc-fire-code.page>.

Section 1. Section 3405-01 of Chapter 34 of Title 3 of the Rules of the City of New York is amended to read as follows:

§ 3405-01 Storage and Use of Fuel Oil on Mobile Trailers for Heating and Power Generation

(a) Scope[.]

- (1) This section sets forth standards, requirements and procedures for mobile trailers that store and use fuel oil for heating and generation of electrical power.
- (2) A mobile trailer equipped with a boiler, generator, or other equipment used for heating and power generation, upon which ten gallons or less of fuel oil (or no fuel oil) is stored (including within the heating or power generating equipment) is not subject to the provisions of this section. When the heating or power generating equipment on such a mobile trailer is fueled from an off-vehicle temporary fuel tank, the applicable permit requirement is the one for storage of combustible liquids generally (the third listed permit requirement for flammable or combustible liquid fuel set forth in FC105.6), rather than the one applicable to mobile heating and generating trailers.

(b) General Provisions

- (1) Applicability. Mobile trailers that store and use more than 10 gallons of fuel oil for heating, including steam and hot water, and generation of electrical power, shall be designed, installed and operated in compliance with the requirements of the construction codes and this section.
- (2) Permit. [Each] A permit must be obtained for each mobile heating or power generating trailer [shall obtain a] as follows:
 - (A) A Citywide permit must be obtained for the [Citywide] transportation, storage, handling and use of combustible liquid on any mobile heating or power generating trailer that will be used at a location for 30 days or less, except as otherwise provided below. Issuance of a citywide permit for a mobile heating or power generating trailer allows the trailer to be parked at any lawful location (subject to any applicable Fire Code or rule restrictions) and to remain overnight at such location.
 - (B) A site-specific permit must be obtained for the storage, handling and use of combustible liquid on any [Mobile] mobile heating and power generating [trailers utilized] trailer that will be used at [one (1) site] a location for more than 30 days [shall] must obtain a site-specific permit for the storage and use of combustible liquid at that location].
 - (C) A site-specific permit must be obtained for the storage, handling and use of combustible liquid on any mobile heating and power generating trailer that will be used at a street fair, bazaar, carnival, concert, festival or similar public outdoor gathering.
- (3) Supervision. While in operation, mobile emergency heating and power generating trailers connected to a high pressure boiler [shall] must be under the personal supervision of [a certificate of fitness holder or] a person holding a high pressure boiler operating engineer's license issued by the

Department of Buildings.

- (4) Delivery of fuel oil. Only *cargo tanks* for which a *permit* has been issued may be used to deliver fuel oil to mobile heating and power generating trailers.
- (c) Design and Installation Requirements. Mobile heating and power generating trailers using fuel oil shall be designed and installed in compliance with the following requirements:
 - (1) Fuel oil piping systems and boilers shall be designed and installed in compliance with the requirements of the *Mechanical Code*. The power-generating equipment, and all electrical devices, equipment and systems on the trailer shall be designed and installed in compliance with the requirements of the *Building Code* and the *Electrical Code*. Documentation of compliance with such codes shall be submitted to the *Department* in an *approved* form.
 - (2) Fuel oil storage tanks shall be constructed in accordance with the requirements of the *Mechanical Code*. No more than [550] 1200 gallons of fuel oil shall be stored on the trailer. Use of a mobile trailer with a fuel storage tank with a maximum fuel storage capacity exceeding 1200 gallons may be authorized by the *Department*. The owner or operator of the mobile trailer shall first make application to the Technology Management Unit of the *Bureau of Fire Prevention* for review of the design of the mobile trailer, tank installation and/or heating or power-generating equipment or system and any other relevant considerations, and approval of its use. The *Department* may approve use of such a non-conforming mobile trailer subject to such terms and conditions as it may deem necessary and appropriate given the mobile trailer's excess fuel storage capacity, including requiring a site-specific permit, irrespective of the provisions of R340501(b)(2).
 - (3) A clearly identified and readily accessible remote control shut-down switch for the oil burning equipment shall be provided inside the trailer, immediately accessible upon entry.
 - (4) The chassis shall be designed and constructed to support the total load supported by the trailer, including all heating or power generating equipment. The *Department* may require a letter from the chassis manufacturer confirming such design capacity.
 - (5) Fuel oil storage tanks shall be provided with secondary containment of *liquid-tight construction*. Such containment shall be constructed of metal, and [shall] have a capacity of not less than the maximum capacity of the fuel oil storage tanks.
 - (6) Signs shall be posted on both sides of the trailer that read: "Mobile Heating Trailer" or "Mobile Power Generator", as applicable, in six (6) inch letters, and bear the name and address of the owner in two (2) inch letters.
 - (7) The trailer and equipment shall be electrically grounded in an *approved* manner.
 - (8) Each fuel oil storage tank fill line shall be provided with both a shut-off valve and a check valve.
 - (9) *Department of Buildings* permits or other approvals shall be posted at a conspicuous location inside the trailer.

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PARKS AND RECREATION

■ NOTICE

NOTICE OF ADOPTION

Revision of New York City Department of Parks & Recreation's Rules

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Commissioner of the Department of Parks & Recreation ("the Department") by Sections 389 and 533(a)(9) of the New York City Charter and in accordance with the requirement of Section 1043 of the New York City Charter, the Department hereby revises § 2-01 and § 2-09 of Chapter 2 to Title 56 of the Official Compilation of the Rules of the City of New York.

Written comments regarding the rules were received in accordance with the notice published in the City Record, or electronically through NYC RULES at www.nyc.gov/nycrules and a public hearing was held on January 17, 2016, at Recreation Center 54, 348 East 54th Street, New York, NY 10022. Written comments were made available to the public within a reasonable time after the hearing Monday through Friday, between the hours of 9:00 A.M. and 5:00 P.M., at The Arsenal, Room

313, 830 Fifth Avenue, New York, NY 10065, telephone (212) 360-1383.

Statement of Basis and Purpose

The Parks Department is revising § 2-01 and § 2-09 of Chapter 2 of Title 56 of the Rules of the City of New York. The revised rules reduce by half the cost of a seasonal adult tennis permits at courts under the Department's jurisdiction. The rules also clarify rules for using tennis permits and recreational permits and reorganize the fee schedule to separate restaurant boardwalk license fees from recreational permit fees.

The purpose of this rule is to:

- Expand recreational opportunities by making tennis more affordable and accessible for adults at tennis courts under the Parks Department's jurisdiction.
- Clarify the rules on tennis permits to provide additional guidance on the purchase of tennis permits, including online purchase, and the use of tennis permits and courts.
- Clarify the fee schedule for recreational permits to specify duration and costs.

The Parks Department's authority for these rules is found in Sections 389, 533(a)(9), and 1043 of the New York City Charter.

Rule Amendment

New material is underlined.

[Deleted material is in brackets.]

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

Section 1. Section 2-01 of Title 56 of the Rules of the City of New York is amended to read as follows:

§ 2-01 Tennis.

Each tennis player must have a valid tennis permit [or single-play tennis ticket] to play on outdoor tennis courts under the jurisdiction of the Department between the first Saturday in April and Sunday before Thanksgiving.

(a) *Tennis permits.*

(1) Tennis permits are available for purchase at the Arsenal and at locations in each of the five boroughs and on the Parks Department website.

(2) Seasonal [Tennis] tennis permits are issued on an annual basis, and may be used for unlimited play during the [year] tennis season for which they were issued in one-hour increments for singles play and two-hour increments for doubles play.

(3) In the event a seasonal tennis permit is lost, a duplicate permit may be obtained for a fee pursuant to § 2-09(a).

(4) Seasonal [Tennis] tennis permits may not be transferred or resold.

(5) A single-play tennis permit may be used during the tennis season in which it was purchased in lieu of a seasonal permit to play tennis for one hour on tennis courts under the jurisdiction of the Department.

(b) *Single-play tennis tickets.*

(1) Single-play tennis tickets are available for purchase at the Arsenal and at locations in each of the five boroughs.

(2) A single-play tennis ticket may be used during the year in which it was purchased in lieu of a tennis permit to play tennis for one hour during the year during which it was purchased on tennis courts under the jurisdiction of the Department.]

[(c) *Reservation tickets.*

(1) Reservation tickets are available for purchase at the Arsenal and at locations in each of the five boroughs.

(2) A reservation ticket may be used during the year in which it was purchased by a tennis permit-holder to reserve one hour of court time up to eight days in advance of scheduled play.

(3) If tennis courts are closed due to rain, reservation tickets may be exchanged at the location where the reservation was made for a "rain check." The rain check shall be valid for one year from the date of issuance.]

(b) *Reservations.*

(1) Online reservations:

(i) All tennis permit holders may reserve tennis courts online at the Department's website for all courts accepting reservations for a fee pursuant to § 2-09(a).

(2) Advance Reservation Tickets:

(i) All tennis permit holders may reserve tennis courts at Central Park and Prospect Park using Advance Reservation Tickets for a fee pursuant to § 2-09(a).

(ii) Any tennis permit holder may reserve a tennis court in Central Park or Prospect Park by first purchasing an Advance Reservation Ticket at the Arsenal or at a designated location in each of the five boroughs, and then redeeming the Advance Reservation Ticket

for a reservation either in person or by phone.

(3) If a player is more than five minutes late for a reservation, the reservation is forfeited without compensation.

(4) If a reserved court is closed due to rain or any other reason, reservations may be rescheduled during the tennis season.

[(d)] (c) Use of Tennis courts.

(1) Outdoor [Tennis] tennis courts are open daily, weather permitting, except when under construction or repair, or when reserved for tournaments or special events.

(2) Players must wear smooth-soled, heelless footwear on clay or composition courts. Suction soled shoes and running shoes are prohibited on all surfaces on Department tennis courts.

(3) [Reservation tickets shall be presented to the tennis attendant at the time the reservation is made. The tennis attendant will reserve the court for one hour. If players are more than five minutes late, the reservation shall be forfeited without compensation.

(4) Tennis permits or single-play tickets shall be presented to the attendant in charge of the tennis courts, who will make court assignments.

(5) Reservation ticket holders. Permit holders and single play ticket holders will be given their choice of court assignments in the order of their registration.

(6) Reservations shall be made on the hour. When an attendant is present, players must register with the attendant by presenting their tennis permits to the attendant. The tennis attendant will make court assignments.

[(7)] (4) A maximum of six (6) balls may be used on each court.

[(8)] (5) All disputes, including but not limited to disputes concerning court reservations, permit ownership, and suitability of court conditions for play, shall be settled by the tennis attendant.

[(9)] (6) Locker-Room and shower privileges are not included with tennis permit privileges. Locker-rooms and showers in the Central Park Tennis Center may be used by individuals renting lockers for the fee listed in § 2-09. Rentals are subject to the Central Park Tennis Center's terms of rental and are valid for one tennis season.

[(10)] (7) Anyone who fails to comply with these rules or the instructions of the tennis attendant or other Parks employee will be ordered to leave the tennis courts. Failure to leave when ordered to do so shall be treated as a violation of § 103(c)(1).

[(11)] (8) Tennis hours may vary at individual sites. All players must comply with posted hours.

Section 2. Subdivision (a) of Section 2-09 of Title 56 of the Rules of the City of New York is amended and divided into two tables to read as follows:

§2-09 Fee Schedules.

(a) [All boroughs.] The Department will charge permit fees and other related fees in accordance with the tables below.

[Permit] [Fee]

TENNIS PERMITS & FEES

Seasonal Adult Tennis Permit (18 [years] to 61 years of age)	[\$ 200.00] \$ 100.00
Seasonal Adult Tennis Permit (18 [years] to 61 years of age) with valid IDNYC Card	[\$ 180.00] \$ 90.00
Seasonal Senior Tennis Permit (62 years of age and above)	\$ 20.00
Seasonal Junior Tennis Permit (17 years of age and below)	\$ 10.00
Seasonal Adult and Senior Duplicate (to replace a lost Permit)	\$ 15.00
Seasonal Junior Duplicate (to replace a lost Permit)	\$ 6.00
Single Play Tennis Permit	\$ 15.00
Advance Reservation Ticket	\$ 15.00

Online Reservation	\$ 15.00
Central Park Tennis [Lockers] Locker	\$ 20.00

ADDITIONAL RECREATIONAL PERMITS

[LAWN BOWLING] Lawn Bowling Permit — Annual	\$ 30.00
[CROQUET] Croquet Permit — Annual	\$ 30.00
[MODEL YACHT STORAGE] Model Yacht Storage Fee—Annual	\$ 20.00
[KAYAK/CANOE] Boat Launch/Kayak/Canoe Permit—Annual	\$ 15.00
[POOL PERMITS] Summer Day Camp Pool Permit—Daily (for [Groups] groups of 10 or more supervised individuals)	\$25.00 application fee plus \$1.00 [for each] per individual in group
[SPECIAL EVENT PERMIT] Special Event Permit Application Fee	\$ 25.00

[USE OF BOARDWALK SPACE BY RESTAURANTS

Self-serve Restaurants	\$ 55.00/linear foot
Table Service Restaurants	\$110.00/linear foot]

Section 3. Section 2-09 of Title 56 of the Rules of the City of New York is amended by adding a new Subdivision (d), to read as follows:

(d) The Department will charge restaurants licensed to use boardwalk space in accordance with the table below.

USE OF BOARDWALK SPACE BY RESTAURANTS

Self-serve Restaurants	\$ 55.00 per linear foot
Table Service Restaurants	\$ 110.00 per linear foot

FINDING OF SUBSTANTIAL NEED FOR EARLIER IMPLEMENTATION

I hereby find and represent to the Mayor that there is a substantial need for the implementation, immediately upon its final publication in the City Record, of the amended Department of Parks & Recreation (the "Department") rules on tennis permits. The amended rules reduce by half the cost of a seasonal adult tennis permits at courts under the Department's jurisdiction and clarify rules relating to tennis and other recreational permits.

As the tennis season will begin on April 1, 2017, there is a need for the new rule, including the new permit rate, to go into effect as soon as possible. Without a finding of substantial need, the new rule, which lowers the cost of adult tennis permits to \$100, may take effect after many tennis players have purchased their tennis permits at the existing adult rate of \$200. As that circumstance would be unreasonable and inequitable, I find that there is a substantial need for bringing these rules into effect immediately upon publication in The City Record.

This declaration is made pursuant to Section 1043, Subdivision f, Paragraph 1(c) of the City Charter.

/S/ Mitchell J. Silver, FAICP
Commissioner
City of New York Department of Parks & Recreation

APPROVED:

/S/ Bill de Blasio
Mayor

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7869
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 02/06/2017
3687331	1.0	#2DULS	CITYWIDE BY TW	SPRAGUE	.0249 GAL.	1.8289 GAL.
3687331	2.0	#2DULS	PICK-UP	SPRAGUE	.0249 GAL.	1.7242 GAL.
3687331	3.0	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	.0249 GAL.	2.0272 GAL.
3687331	4.0	#2DULS	WINTERIZED PICK-UP	SPRAGUE	.0249 GAL.	1.9224 GAL.
3687331	5.0	#1DULS	CITYWIDE BY TW	SPRAGUE	.0110 GAL.	2.1917 GAL.
3687331	6.0	#1DULS	PICK-UP	SPRAGUE	.0110 GAL.	2.0869 GAL.
3687331	7.0	#2DULS	>=80% CITYWIDE BY TW	SPRAGUE	.0249 GAL.	1.8567 GAL.
3687331	8.0	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	.0249 GAL.	2.1477 GAL.
3687331	9.0	B100	B100<=20% CITYWIDE BY TW	SPRAGUE	-.5042 GAL.	2.3176 GAL.
3687331	10.0	#2DULS	>=80% PICK-UP	SPRAGUE	.0249 GAL.	1.7519 GAL.
3687331	11.0	#2DULS	WINTERIZED PICK-UP	SPRAGUE	.0249 GAL.	2.0429 GAL.
3687331	12.0	B100	B100 <=20% PICK-UP	SPRAGUE	-.5042 GAL.	2.2128 GAL.
3687331	13.0	#1DULS	>=80% CITYWIDE BY TW	SPRAGUE	.0110 GAL.	2.2013 GAL.
3687331	14.0	B100	B100 <=20% CITYWIDE BY TW	SPRAGUE	-.5042 GAL.	2.3265 GAL.
3687331	15.0	#1DULS	>=80% PICK-UP	SPRAGUE	.0110 GAL.	2.0965 GAL.
3687331	16.0	B100	B100 <=20% PICK-UP	SPRAGUE	-.5042 GAL.	2.2217 GAL.
3687331	17.0	#2DULS	BARGE MTF III & ST.	SPRAGUE	.0249 GAL.	1.7895 GAL.
3687192	1.0	JET	FLOYD BENNETT	SPRAGUE	.0602 GAL.	2.4371 GAL.
3587289	2.0	#4B5	MANHATTAN	UNITED METRO	-.0164 GAL.	1.8150 GAL.
3587289	5.0	#4B5	BRONX	UNITED METRO	-.0164 GAL.	1.8138 GAL.
3587289	8.0	#4B5	BROOKLYN	UNITED METRO	-.0164 GAL.	1.8080 GAL.
3587289	11.0	#4B5	QUEENS	UNITED METRO	-.0164 GAL.	1.8133 GAL.
3587289	14.0	#4B5	RICHMOND	UNITED METRO	-.0164 GAL.	1.8987 GAL.
3687007	1.0	#2B5	MANHATTAN	SPRAGUE	-.0015 GAL.	1.7691 GAL.
3687007	4.0	#2B5	BRONX	SPRAGUE	-.0015 GAL.	1.7581 GAL.
3687007	7.0	#2B5	BROOKLYN	SPRAGUE	-.0015 GAL.	1.7748 GAL.
3687007	10.0	#2B5	QUEENS	SPRAGUE	-.0015 GAL.	1.7710 GAL.
3687007	13.0	#2B5	RICHMOND	SPRAGUE	-.0015 GAL.	1.9354 GAL.
3687007	16.0	#2B10	CITY WIDE BY TW	SPRAGUE	-.0280 GAL.	1.9363 GAL.
3687007	17.0	#2B20	CITY WIDE BY TW	SPRAGUE	-.0809 GAL.	1.9751 GAL.

NOTE:

3687331	#2DULSB5	95% ITEM 8.0 & 5% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0015 GAL.	2.1562 GAL.
3687331	#2DULSB10	90% ITEM 8.0 & 10% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0280 GAL.	2.1647 GAL.
3687331	#2DULSB20	80% ITEM 8.0 & 20% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0809 GAL.	2.1816 GAL.
3687331	#2DULSB5	95% ITEM 11.0 & 5% ITEM 12.0	PICK-UP	SPRAGUE	-.0015 GAL.	2.0514 GAL.
3687331	#2DULSB10	90% ITEM 11.0 & 10% ITEM 12.0	PICK-UP	SPRAGUE	-.0280 GAL.	2.0599 GAL.
3687331	#2DULSB20	80% ITEM 11.0 & 20% ITEM 12.0	PICK-UP	SPRAGUE	-.0809 GAL.	2.0768 GAL.

3687331	#1DULSB20	80% ITEM 13.0 & 20% ITEM 14.0	CITYWIDE BY TW	SPRAGUE	-0.920 GAL.	2.2263 GAL.
3687331	#1DULSB20	80% ITEM 15.0 & 20% ITEM 16.0	PICK-UP	SPRAGUE	-0.920 GAL.	2.1215 GAL.

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7870
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 02/06/2017
3487119	1.0	#2B5	MANHATTAN	PACIFIC ENERGY	-0.048 GAL	1.9568 GAL
3487119	79.0	#2B5	BRONX & MANH CD 10	PACIFIC ENERGY	-0.048 GAL	1.9568 GAL
3487119	157.0	#2B5	BKLYN, QUEENS, SI	PACIFIC ENERGY	-0.048 GAL	1.9568 GAL

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7871
FUEL OIL AND REPAIRS**

P.O. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 02/06/2017
1600060	1.0	#2B5	CITY WIDE BY TW	PACIFIC ENERGY	-0.015 GAL	1.8544 GAL
1600060	2.0	#4B5	CITY WIDE BY TW	PACIFIC ENERGY	-0.164 GAL	1.8938 GAL

NOTE: CT1 857 20165461786, PO # 1600060

**OFFICIAL FUEL PRICE (\$) SCHEDULE NO. 7872
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE (\$)	PRICE (\$) EFF. 02/06/2017
3187093	2.0	PREM UL	CITY WIDE BY TW	SPRAGUE	-0.0145 GAL	1.6398 GAL
3187093	4.0	PREM UL	PICK-UP	SPRAGUE	-0.0033 GAL	1.7680 GAL
3187093	1.0	REG UL	CITY WIDE BY TW	SPRAGUE	-0.0145 GAL	1.5748 GAL
3187093	3.0	REG UL	PICK-UP	SPRAGUE	-0.0033 GAL	1.7030 GAL
3187093	5.0	E70	CITY WIDE BY DELIVERY	SPRAGUE	0.0167 GAL	1.9747 GAL

NOTE:

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

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

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

REMINDER FOR ALL AGENCIES:

Please send inspection copy of receiving report for all gasoline (E85, UL & PREM) delivered by tank wagon to OCP/Bureau of Quality Assurance (BQA), 1 Centre Street, 18th Floor, New York, NY 10007.

◀ f10

OFFICE OF COLLECTIVE BARGAINING

■ NOTICE

NOTICE OF AMENDED CERTIFICATION

This notice acknowledges that the Board of Certification has issued an Order Amending Certification as follows:

DATE: February 1, 2017 **DOCKET #:** AC-1633-16

DECISION: 10 OCB2d 34 (BOC 2017)

EMPLOYER: New York City Health and Hospitals Corporation
125 Worth Street, Room 500
New York, NY 10013

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:

Organization of Staff Analysts
220 East 23rd Street, Suite 707
New York, NY 10010

AMENDMENT: Certification No. 3-88 has been amended to add the following title/code:

Added: Senior Auditor (Title Code No. 00462H)

◀ f10

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, **NOTICE IS HEREBY GIVEN** that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 2/13/2017 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
1 & 2	7918	114 & 126

Acquired in the proceeding entitled: EMS STATION 58 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

j30-f10

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

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

Notice Date: February 10, 2017

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address Application # Inquiry Period
432 West 31st Street, 16/17 June 21, 2004 to
Manhattan Present

Authority: Special Hudson Yards 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, 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**.

◀ f10-21

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

Notice Date: February 10, 2017

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address Application # Inquiry Period
221 West 137th Street, 1/17 January 3,
Manhattan 2014 to Present
360 West 123rd Street, 2/17 January 3,
Manhattan 2014 to Present
81 West 119th Street, 3/17 January 3,
Manhattan 2014 to Present
107 West 120th Street, 4/17 January 5,
Manhattan 2014 to Present
246 West 21st Street, 5/17 January 5,
Manhattan 2014 to Present
14 East 126th Street, 6/17 January 7,
Manhattan 2014 to Present
146 West 127th Street, 7/17 January 7,
Manhattan 2014 to Present
2350 Broadway, 11/17 January 12,
Manhattan 2014 to Present
424 West 147th Street, 12/17 January 19,
Manhattan 2014 to Present
423 East 136th Street, 15/17 January 26,
Bronx 2014 to Present
6 Spencer Place, 8/17 January 9,
Brooklyn 2014 to Present
125 Halsey Street, 9/17 January 11,
Brooklyn 2014 to Present
274A 9th Street, 10/17 January 11,
Brooklyn 2014 to Present
148 Lefferts Place, 14/17 January 20,
Brooklyn 2014 to Present
669 St. Marks Avenue, 17/17 January 30,
Brooklyn 2014 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.

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◀ f10-21

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 01/13/17

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
NOVAK	AARON	G 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
NUNEZ	ELLIOT	9POLL	\$1.0000	APPOINTED	YES	01/05/17	300

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 01/13/17

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
NUNEZ	JUANA	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
NUNEZ	MARLIN	R 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
NUNEZ JR	WILLIAM	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
OBI	ANGELA	E 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
OBIANG	BASSILLI	E 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
OCEAN	ELAHNI	E 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
ODEA	JOSEPH	M 9POLL	\$1.0000	APPOINTED	YES	01/03/17	300
OLEARY	JOHN	M 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
OLIVIER	LYSTHENS	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
OLUOCH	GRACE	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
OLUWASHOLA	OLUBUNMI	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
ONEIL	DEXTER	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
ORR	NALIJAH	Z 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
OSBORNE	MARJORIE	M 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PACHECO	JENNY	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PACHECO JR	HENRY	9POLL	\$1.0000	APPOINTED	YES	12/29/16	300
PALASH	SHARIF	M 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PALMER	CARLA	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PARKER	ANTHANY	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PARVEG	MD MASUD	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PATEL	BHIKHU	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PATEL	NIRANJAN	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PATEL	SAROJ	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PATUARY	IQBAL	M 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PEDDIE	GERALD	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PENA	TERESA	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PENA SR	JOHN	J 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PEREZ	MESSIAH	H 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PEREZ	NOELIA	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PEREZ	RAMON	A 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PETERS	NADDONDR	J 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PETERSON	LAUREN	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PHILIP JESSUF	DONNA	M 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PHILLIP	LEEANN	S 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PIAZZA	GABRIELL	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PINTO	ALLYSON	C 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PITTER	BEVERLY	E 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PLANTT	CECILIA	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
PLUMMER	NICKALSO	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
POUPONNEAU	BORIS	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
PRESLEY	HANIFAH	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
QU	LUNA	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
QUIJANO	KATIA	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
QUINONES	CYNTIA	M 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
RACO	BARBARA	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
RADOMSKI	KAYLA	I 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
RAHAMAN	TASMITA	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
RAHMAN	MD	H 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
RAKOWICZ JR	JOHN	J 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
RAMIREZ	CARMEN	I 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
RAMKISSOON	RENUKA	R 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300

BOARD OF ELECTION POLL WORKERS
FOR PERIOD ENDING 01/13/17

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
RANA	MD	9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
RAZZAQ	AROUSH	9POLL	\$1.0000	APPOINTED	YES	01/01/16	300
REHMAN	MOHAMMED	A 9POLL	\$1.0000	APPOINTED	YES	01/01/17	300
REID	RODERICK	R 9POLL	\$1.0000	APPOINTED	YES	01/01/16	300

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

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 01/13/17

Table with columns: NAME, LAST NAME, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees under the Board of Election Poll Workers.

Table with columns: NAME, LAST NAME, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists employees TAYLOR, BELINDAR, SHAQUASH.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 01/13/17

Table with columns: NAME, LAST NAME, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists numerous employees under the Board of Election Poll Workers.

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 01/13/17

Table with columns: NAME, LAST NAME, TYPE, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists numerous employees under the Board of Election Poll Workers.

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include YOUNG, EBONEY, MARICIA, LESLIE, ZEIGLER, THUNE.

CONFLICTS OF INTEREST BOARD FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Row: DAVIS, JULIA, R, 95005, \$150952.0000, RESIGNED, YES, 01/03/17, 312.

MANHATTAN COMMUNITY BOARD #10 FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Row: MILLER, TERENCE, B, 56087, \$45000.0000, APPOINTED, YES, 01/03/17, 350.

BRONX COMMUNITY BOARD #10 FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Row: KEARNS, KENNETH, M, 56086, \$92989.0000, RETIRED, YES, 09/04/16, 390.

GUTTMAN COMMUNITY COLLEGE FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include BENNETT, BERSCHADSKY, CASE, CHOUDHURY, DUBUISSON, EKON, MEREDITH, WENTWORTH.

COMMUNITY COLLEGE (BRONX) FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include AQUINO, AUGUSTE, BERKOWITZ, CALDWELL, COLON, GILLETT, GONZALEZ, GRIER, HARDMAN, KAIGHOBADI, MAGLOIRE, MARTUCCI, PATTON, PICKETT, RASPALDO, WRIGHT.

COMMUNITY COLLEGE (QUEENSBORO) FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include BARI, CACCSE, DARELUS, LENNARD, MORTON, PARK, PASCUAL, RIDINGER-DOTTER, SITA, SOLARES-LOZA, TOOHEY, YAGUAL.

COMMUNITY COLLEGE (KINGSBORO) FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include CHARLES, GITTLEMAN, GITTLEMAN, GITTLEMAN, GITTLEMAN, LA BARBARA, LAI, RAMIREZ, SANTIAGO, TREGLIA, ZHUO.

COMMUNITY COLLEGE (MANHATTAN) FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include ALVARADO, CATALANO, CEVHER, CHAN, CORIA, DEAS.

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include GAISIE, GEORGE, HANNA, JALIL, JONES, JONES, JONES, LEADERBRAND, RAMIREZ, SERMASAN, TZALIK, WALCOTT.

COMMUNITY COLLEGE (HOSTOS) FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include AUBRY, BAEZ LARA, BENITZ, CENICES, DIAO, DUMANCELA, HILL, JIMENEZ, O'CONNOR, QUINONES, QUINONES, RODRIGUEZ, SHAD, STEVENSON JR, WALLACE, WRIGHT.

COMMUNITY COLLEGE (LAGUARDIA) FOR PERIOD ENDING 01/13/17

Table with columns: NAME, AGENCY, TITLE, SALARY, ACTION, PROV EFF DATE, AGENCY. Rows include AGUILAR, BAEZ, BELL, CASTRO, D'AMELIO, DONOVAN, FIGUEROA, FOSTER, GALLARDO, KLAGES, NASR, RAHMAN, REGIS, SITA, SOMOGYI, YAKOBOV, ZHETIGENOVA.



ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

SOLICITATION

Goods and Services

GAS STATION OPERATOR AT SKYPORT - Request for Proposals - PIN#6467-000 - Due 3-2-17 at 4:00 P.M.

New York City Economic Development Corporation ("NYCEDC"), is requesting proposals ("Proposals") from qualified Gas Station Operators (each a "Respondent(s)") to operate a Gas Station Facility at Skyport, having an address at 2430 FDR Drive East Service Road in the Stuyvesant Cove neighborhood of Manhattan, New York, pursuant to an operating agreement with NYCEDC (the "Agreement").

The goal of this request for proposals (the "RFP") is to select a respondent to:

- Operate, manage and maintain the Gas Station in a first class manner and in compliance with all laws, rules and regulations.
The Operator will be solely responsible for obtaining all necessary permits and licenses for the lawful operation of the Gas Station.
The Operator will be expected to bring private-sector expertise to its operations at the Gas Station.

NYCEDC plans to select a Operator on the basis of factors stated in the RFP which include, but are not limited to: the quality of the

proposal, experience of key staff identified in the proposal, experience and quality of any subcontractors proposed, demonstrated successful experience in performing services similar to those encompassed in the RFP and the proposed fee.

It is the policy of NYCEDC to comply with all Federal, State and City laws and regulations which prohibit unlawful discrimination because of race, creed, color, national origin, sex, age, disability, marital status and other protected category and to take affirmative action in working with contracting parties to ensure certified Minority and Women-Owned Business Enterprises (M/WBEs) share in the economic opportunities generated by NYCEDC's projects and initiatives. Please refer to the Equal Employment and Affirmative Compliance for Non-Construction Contracts Addendum in the RFP.

This project has Minority and Women Owned Business Enterprise ("M/WBE") participation goals, and all respondents will be required to submit an M/WBE Participation Proposal with their response. To learn more about NYCEDC's M/WBE program, visit <http://www.nycedc.com/opportunitymwdbe>. For the list of companies who have been certified with the New York City Department of Small Business Services as M/WBE, please go to the www.nyc.gov/buycertified.

NYCEDC established the Kick Start Loan programs for Minority, Women and Disadvantaged Business Enterprise (M/W/DBE) interested in working on public construction projects. Kick Start Loans facilitates financing for short-term mobilization needs such as insurance, labor, supplies and equipment. Bidders/subcontractors are strongly encouraged to visit the NYCEDC website at www.nycedc.com/opportunitymwdbe to learn more about the program.

An optional site visit will be held on Wednesday, February 15, 2017 at 10:00 A.M., at Skyport, located at East 23rd Street, FDR Drive, New York, NY 10016. Those who wish to attend should RSVP by email to skyportgasstationrfp@edc.nyc on, or before February 14, 2017.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 5:00 P.M. on Friday, February 17, 2017. Questions regarding the subject matter of this RFP should be directed to skyportgasstationrfp@edc.nyc. For all questions that do not pertain to the subject matter of this RFP, please contact NYCEDC's Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Wednesday, February 23, 2017, to www.nycedc.com/RFP.

The RFP is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday, at NYCEDC. Please submit six (6) sets of your proposal to: NYCEDC, Attention: Maryann Catalano, Senior Vice President, Contracts.

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

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

• f10

TRUST FOR GOVERNORS ISLAND

■ SOLICITATION

Construction / Construction Services

SMALL PASSENGER-ONLY FERRY VESSEL DESIGN AND CONSTRUCTION - Request for Proposals - PIN#TGI FY17 07 - Due 4-27-17 at 9:00 A.M.

The Trust for Governors Island (The Trust) operates ferry service between Manhattan and Governors Island, New York. Owner's Requirements for a new Passenger-Only Ferry have been developed by Glosten, Inc., located in Seattle, WA. A notional design and performance specifications describe the technical requirements for the design, construction, and delivery of one (1) new Passenger-Only Ferry, to be used and certificated to transport at least 334 passengers and 3 crew between the existing ferry terminals in Manhattan, and on Governors Island on 20-minute round-trips. The new vessel shall meet all United States Coast Guard (USCG) requirements for certification. The vessel shall be delivered to The Trust for Governors Island as a documented USCG Code of Federal Regulations (CFR) 46 Subchapter K - "Small Passenger Vessel" less than 100 gross tons within 500 consecutive calendar days of NTP.

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.

Trust For Governors Island, 10 South Street, Slip 7, New York, NY 10004. Frank LoCastro (212) 440-2237; flocastro@govisland.nyc.gov

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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.

CAMPAIGN FINANCE BOARD

■ PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held at the Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007, on Monday, February 13, 2017, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed award resulting from the Bengali, Chinese, Korean, and Spanish Translation, Proofreading and Formatting Services RFP (PIN# 004201700002/3/4/5) between the New York City Campaign Finance Board (CFB) and the contractor listed below, for the provision of translation services to the Board for the 2017 Voter Guide and other projects. The term of each of these contracts shall be three years from the date of registration, with the possibility of a two-year renewal.

Contractor/Address	PIN #	Amount
For Spanish translation, proofreading and formatting:		
Montoro & Associates Editorial Services, LLC, 50 Harrison Street, Suite 202C, Hoboken, NJ 07030	004201700005	\$330,000
For Bengali translation, proofreading and formatting:		
Morningside Translations, Inc., 450 Seventh Avenue, Suite 1001, New York, NY 10123	004201700002	\$375,000
For Chinese and Korean translation, proofreading and formatting:		
Mediabrand WorldWide, Inc., d/b/a Identity, 100 West 33rd Street, New York, NY 10001	004201700003/4	\$600,000

The proposed contractors has been selected by means of a Request for Proposals (RFP), pursuant to Section 3-03 of the Procurement Policy Board Rules.

Draft copies of the contracts are available for inspection at the CFB, 100 Church Street, 12th Floor, New York, NY 10007 on business days (excluding legal holidays) from February 2, 2017 to February 10, 2017, between 9:00 A.M. and 5:00 P.M.

Anyone who wishes to speak at this public hearing, should request to do so in writing. The written request must be received by the Campaign Finance Board within five business days after publication of this notice. Written requests should be sent to Chris Oldenburg, Campaign Finance Board, 100 Church Street, 12th Floor, New York, NY 10007, or COldenburg@nycffb.info. If the CFB receives no written requests to speak within the prescribed time, the CFB reserves the right not to conduct the public hearing, pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules. In such case, a notice will be published in The City Record canceling the public hearing.

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