



THE CITY RECORD

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THE CITY RECORD

BILL DE BLASIO

Mayor

LISETTE CAMILO

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

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling a public hearing on the following matters to be held at NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY, on Wednesday, July 11, 2018 at 10:00 A.M.

BOROUGH OF BROOKLYN Nos. 1 & 2 57 CATON PLACE REZONING No. 1

CD 7 C 170213 ZMK
IN THE MATTER OF an application submitted by 57 Caton Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 16d:

- changing from a C8-2 District to an R7A District property bounded by Ocean Parkway, a line 150 feet northeasterly of East 8th Street, Caton Place, a line 50 feet northeasterly of East 8th Street, the southeasterly boundary line of a park and its southwesterly prolongation, and East 8th Street; and
- establishing within the proposed R7A District a C2-4 District bounded by Ocean Parkway, a line 150 feet northeasterly of East 8th Street, Caton Place, and a line 50 feet northeasterly of East 8th Street;

as shown on a diagram (for illustrative purposes only) dated March 12, 2018, and subject to the conditions of the CEQR Declaration E-461.

No. 2

CD 7 N 170214 ZRK
IN THE MATTER OF an application submitted by 57 Caton Partners, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F, and related sections in Article XI, Chapter 3, for the purpose of establishing a Mandatory Inclusionary Housing area.

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 XI SPECIAL PURPOSE DISTRICTS

Chapter 3 Special Ocean Parkway District

* * *

113-00 GENERAL PURPOSES

* * *

113-01 General Provisions

In harmony with the general purposes of the #Special Ocean Parkway District# and in accordance with the provisions of this Chapter, certain specified regulations of the districts on which the #Special Ocean Parkway District# is superimposed are made inapplicable and special regulations are substituted therefor. Except as modified by the express provisions of the Special District, the regulations of the underlying districts remain in force.

In #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

For the purpose of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special Ocean Parkway District# are shown on the maps in APPENDIX F of this Resolution.

The Subdistrict of the #Special Ocean Parkway District# is identified in Appendix A of this Chapter. In addition to the requirements of Sections 113-10 through 113-40, inclusive, the special regulations set forth in Sections 113-50 through 113-57, inclusive, shall apply to the Subdistrict.

* * *

113-10 SPECIAL BULK REGULATIONS

The bulk regulations of the underlying districts shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

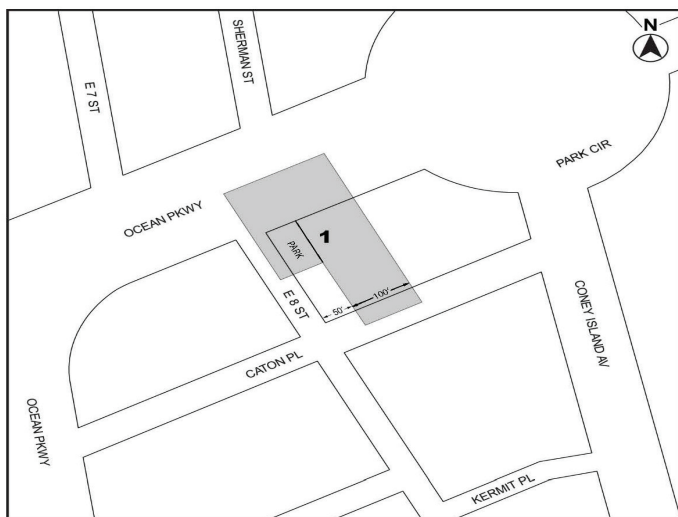
* * *

Brooklyn Community District 7

* * *

Map 3 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing area see Section 23-154(d)(3) Area 1 [date of adoption] — MIH Program Option 1 Portion of Community District 7, Brooklyn

* * *

Nos. 3 & 4 1881-1883 McDONALD AVENUE REZONING No. 3

CD 15 IN THE MATTER OF an application submitted by Quentin Plaza, C 180029 ZMK

LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d:

- 1. changing from an R5 District to an R7A District property bounded by a line 100 feet northerly of Quentin Road, a line midway between McDonald Avenue and East 2nd Street, a line 155 feet southerly of Quentin Road and McDonald Avenue; and
2. establishing within the proposed R7A District a C2-4 District bounded by a line 100 feet northerly of Quentin Road, a line midway between McDonald Avenue and East 2nd Street, a line 155 feet southerly of Quentin Road and McDonald Avenue;

as shown on a diagram (for illustrative purposes only), dated April 9, 2018, and subject to the conditions of CEQR Declaration E-474.

No. 4

N 180030 ZRK

IN THE MATTER OF an application submitted by Quentin Plaza, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

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.

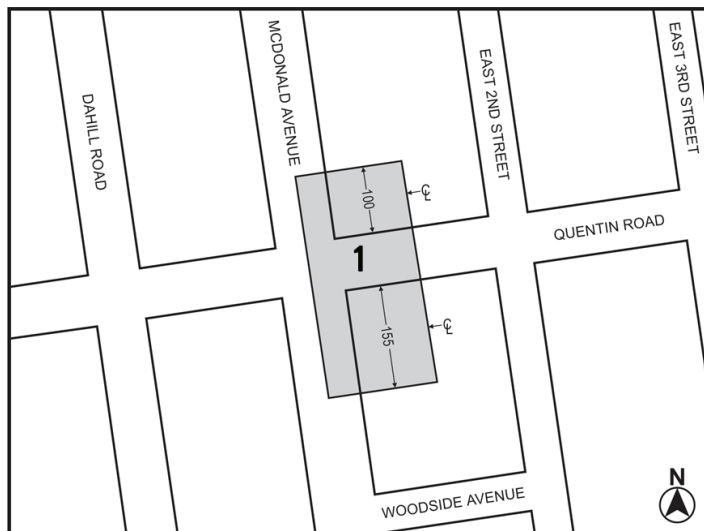
* * *

APPENDIX F Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *



Brooklyn Community District 15

Map 1 - [date of adoption]

[PROPOSED MAP]

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

Area 1 [date of adoption] — MIH Program Option 1 and Option 2 Portion of Community District 15, Brooklyn

* * *

BOROUGH OF MANHATTAN Nos. 5, 6 & 7 27 EAST 4TH STREET No. 5

N 170115 ZRM

IN THE MATTER OF an application submitted by Kalodop II Park Corp., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-712 (Developments in Historic Districts), concerning special permits within the NoHo Historic District Extension.

Matter underlined is new, to be added;

Matter struck out is to be deleted;

Matter within # # is defined in Section 12-10; and

*** indicates where unchanged text appears in the Zoning Resolution.

ARTICLE VII - ADMINISTRATION

**Chapter 4
Special Permits by the City Planning Commission**

**74-71
Landmark Preservation**

**74-712
Developments in Historic Districts**

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

- (a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, or has not more than 40 percent of the #lot area# occupied by existing #buildings# or is improved with a one-story #building# within the NoHo Historic District Extension, the Commission may modify #use# regulations to permit #residential development# and, below the floor level of the second #story# of any #development#, #uses# permitted under Sections 32-14 (Use Group 5) and 32-15 (Use Group 6), provided:
 - (1) the #use# modifications shall meet the following conditions, that:
 - (i) #residential development# complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;
 - (ii) total #floor area ratio# on the #zoning lot# shall be limited to 5.0;
 - (iii) the minimum #floor area# of each #dwelling unit# permitted by this Section shall be 1,200 square feet;
 - (iv) all #signs# for #residential# or #commercial uses# permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and
 - (v) eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and
 - (2) the Commission shall find that such #use# modifications:
 - (i) have minimal adverse effects on the conforming #uses# in the surrounding area;
 - (ii) are compatible with the character of the surrounding area; and
 - (iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.
- (b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for any #development# on a #zoning lot# that is vacant or is #land with minor improvements#, and in M1-5A and M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 40 percent of the #lot area# is occupied by existing #buildings#, or where a #development# on a #zoning lot# is improved with a one-story #building# within the NoHo Historic District Extension, as of December 15, 2003, provided the Commission finds that such #bulk# modifications:
 - (1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and
 - (2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

* * *

No. 6

CD 2 C 170116 ZSM
IN THE MATTER OF an application submitted by Kalodop II Park Corporation, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-712(a)* of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 5 uses (transient hotel and accessory uses) and Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 8-story commercial building on a zoning lot that, as of December 15, 2003, is improved with a one-story

building, on property located at 27 East 4th Street (Block 544, Lot 72), in an M1-5B District, within the NoHo Historic District Extension.

*Note: A zoning text amendment is proposed to modify Section 74-712 of the Zoning Resolution under a concurrent related application (N 170115 ZRM).

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

No. 7

CD 2 C 170117 ZSM
IN THE MATTER OF an application submitted by Kalodop II Park Corporation, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Section 74-712(b)* of the Zoning Resolution to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 8-story commercial building on a zoning lot that, as of December 15, 2003, is improved with a one-story building, on property, located at 27 East 4th Street (Block 544, Lot 72), in an M1-5B District, within the NoHo Historic District Extension.

*Note: A zoning text amendment is proposed to modify Section 74-712 of the Zoning Resolution under a concurrent related application (N 170115 ZRM).

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

No. 8

CENTRAL HARLEM WEST 130TH-132ND STREET HISTORIC DISTRICT

CD 10 N 180372 HKM
IN THE MATTER OF a communication dated June 8, 2018, from the Executive Director of the Landmarks Preservation Commission regarding the Central Harlem West 130th-132nd Street Historic District, designated by the Landmarks Preservation Commission on May 29, 2018 (Designation List No. 507/LP-2607), which consists of the properties bounded by a line beginning on the southern curbline of West 130th Street at a point on a line extending northerly from the eastern property line of 102 West 130th Street, then extending southerly along the eastern property line of 102 West 130th, westerly along the southern property lines of 102 West 130th Street to 170 West 130th Street, then northerly along the western property line of 170 West 130th Street to the southern curbline of West 130th Street, then easterly along the southern curbline of West 130th Street to a point on a line extending southerly from the western property line of 147 West 130th Street, then northerly along the western property line of 147 West 130th Street, then westerly along the southern property lines of 148 West 131st Street to 156 West 131st Street, then northerly along the western property line of 156 West 131st Street to the southern curbline of West 131st Street, then easterly along the southern curbline of West 131st Street to a point on a line extending southerly from the western property line of 161-163 West 131st Street, then northerly along the western property line of 161-163 West 131st Street and along the western property line of 166 West 132nd Street to the northern curbline of West 132nd Street, then westerly along the northern curbline of West 132nd Street to a point on a line extending southerly from the western property line of 161 West 132nd Street, then northerly along the western property line of 161 West 132nd Street, then easterly along the northern property lines of 161 West 132nd Street to 103 West 132nd Street, then southerly along the eastern property line of 103 West 132nd Street, extending southerly across West 132nd Street and southerly along the eastern property lines of 102 West 132nd Street and 103 West 131st Street to the northern curbline of West 131st Street, then westerly along the northern curbline of West 131st Street to a point on a line extending northerly from the eastern property line of 104 West 131st Street, then southerly along the eastern property line of 104 West 131st Street, then easterly along the northern property line of 103 West 130th Street, then southerly along the eastern property line of 103 West 130th Street to the southern curbline of West 130th Street, then easterly to the point of beginning, Borough of Manhattan, Community District 10.

BOROUGH OF QUEENS

No. 9

O'NEILL'S REZONING

CD 5 C 180138 ZMQ
IN THE MATTER OF an application submitted by O'Neill's of Maspeth, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13c:

- 1. changing from an R4 District to an R5D District property, bounded by a line perpendicular to the easterly street line of 64th Street distant 150 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of 53rd Drive and the easterly street line of 64th Street, a line 100 feet easterly of 64th Street, a line perpendicular to the westerly street line of 65th Place distant 50 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of 53rd Drive and the westerly street line of 65th Place, 65th Place, 53rd Drive, and 64th Street;

2. establishing within an existing R4 District a C2-2 District bounded by a line perpendicular to the westerly street line of 65th Place distant 100 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of 53rd Drive and the westerly street line of 65th Place, 65th Place, a line 60 feet northerly of 53rd Drive, a line 100 feet easterly of 65th Place, 53rd Drive, 65th Place, a line perpendicular to the westerly street line of 65th Place distant 50 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of 53rd Drive and the westerly street line of 65th Place, and a line 100 feet westerly of 65th Place; and
3. establishing within the proposed R5D District a C2-2 District bounded by a line perpendicular to the westerly street line of 65th Place distant 50 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of 53rd Drive and the westerly street line of 65th Place, 53rd Drive, and a line 100 feet easterly of 64th Street;

as shown on a diagram (for illustrative purposes only) dated March 26, 2018, and subject to the conditions of CEQR Declaration E-471.

**BOROUGH OF STATEN ISLAND
No. 10**

3122-3136 VICTORY BOULEVARD REZONING

CD 2 C 170178 ZMR
IN THE MATTER OF an application submitted by C & A Realty Holding LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 20d:

1. eliminating from within an existing R3X District a C2-2 District bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 350 feet westerly of Richmond Avenue; and
2. changing from an R3X District to a C8-1 District property bounded by Victory Boulevard, Richmond Avenue, Clifton Street, and a line 350 feet westerly of Richmond Avenue;

as shown on a diagram (for illustrative purposes only), dated March 26, 2018, and subject to the conditions of CEQR Declaration E-469.

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



j26-jy11

CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held on August 15, 2018, at 10:00 A.M., 1 Centre Street, Mezzanine, Borough of Manhattan

IN THE MATTER OF a lease for the City of New York, as Tenant, for the entire sixth (6th) Floor of the building, located at 4312 Second Avenue (Block 726, Lot 1), in the Borough of Brooklyn, for use by the New York Police Department Property Clerk, or for such other use as the Commissioner of the Department of Citywide Administrative Services may determine, subject to restrictions set forth in the lease.

The proposed use was approved by the City Planning Commission, pursuant to NYC Charter Section 197c on September 17, 2015 (CPC Appl. No. N 150188 PCK, Public Hearing Cal. No. 10).

The proposed lease shall be for a period from lease execution through December 31, 2029. Base Rents will be \$1,752,699.10 from lease execution through December 31, 2018; \$1,859,438.47 from January 1, 2019 through December 31, 2020; \$1,972,678.28 from January 1, 2021 through December 31, 2022; \$2,092,814.38 from January 1, 2023 through December 31, 2024; \$2,220,266.78 from January 1, 2025 through December 31, 2026; \$2,355,481.03 from January 1, 2027 through December 31, 2028; and \$2,498,929.82 from January 1, 2029 through December 31, 2029, payable in equal monthly installments at the end of each month. Payable upon the first rent payment, Tenant shall pay Landlord a lump sum of \$1,458,424.52 as additional rent due for the period January 1, 2015 through December 31, 2017 and \$44,357.78 for each month from January 1, 2018 through lease commencement.

The lease may be terminated by the Tenant any time between January 1, 2025 through December 31, 2025, upon one (1) year's written notice. In the event that the lease is terminated by the Tenant, the Tenant shall pay to the Landlord the unamortized portion of the Tenant's representative's brokerage commission.

Further information, including public inspection of the proposed lease may be obtained at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please contact Chris Fleming at (212) 386-0315.

This location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via email at DisabilityAffairs@mocs.nyc.gov, or via phone at (212) 788-0010. Any person requiring reasonable accommodation for the public hearing should contact MOCS at least three (3) business days in advance of the hearing to ensure availability.



◀ j29

DESIGN AND CONSTRUCTION

■ PUBLIC HEARINGS

PLEASE TAKE NOTICE, that in accordance with Section 201-204 (inclusive) of the New York State Eminent Domain Procedure Law ("EDPL"), a public hearing will be held by the New York City Department of Design and Construction, on behalf of the City of New York in connection with the acquisition of certain portions of properties for roadway improvements of the South Beach Area (Capital Project HWR1132B - Stage I) in the Borough of Staten Island.

The time and place of the hearing are as follows:

DATE: July 12, 2018
TIME: 10:00 A.M.
LOCATION: Staten Island Community Board 2
 Lou Caravone Community Service Building
 460 Brielle Avenue, Staten Island, NY 10314

The purpose of this hearing is to inform the public of the proposed roadway acquisition, and to review the public use to be served by the project, the impact on adjacent properties and the impact on the environment and residents. The scope of this Capital Project within the acquisition area will include the reconstruction of roadways, sidewalks and curbs, pedestrian ramps, storm sewers, sanitary sewers, water mains and appurtenances.

The properties proposed to be acquired are within the acquisition limits shown on Damage and Acquisition Map No. 4226, dated 1/12/18, as follows:

- The bed of Oberlin Street from Reid Avenue to Cameron Avenue
- The bed of Parkinson Avenue from Reid Avenue to Cameron Avenue
- The bed of Vulcan Street from Nugent Avenue to Olympia Boulevard
- The bed of Winfield Street from Nugent Avenue to Olympia Boulevard
- The bed of Cameron Avenue from Quintard Street to Norway Avenue
- The bed of Norway Avenue from McClean Avenue to Olympia Boulevard
- The bed of Scott Avenue from Quintard Street to Norway Avenue
- The bed of Appleby Avenue from Quintard Street to Norway Avenue
- The bed of Nugent Avenue from Quintard Street to Norway Avenue
- The bed of Olympia Boulevard from Quintard Street to Norway Avenue

The properties (Blocks and Lots) affected include the following locations, as shown on the Tax Map of the City of New York for the Borough of Staten Island:

BLOCK #:	PART OF LOT #:
3248	44, 46, 47, 48, 50, 51
3252	1, 35, 41, 43, 44, 45, 47, 49, 51, 53, 55, 57, 59, 60, 62
3393	1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 17, 20, 23, 25, 27, 30, 31, 32, 33, 35, 38, 39, 41, 42, 44, 45, 46, 93, 94, 96, 109, 130, 131

3394	42, 44, 46, 48, 50, 51, 52, 56, 57, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 75, 77, 78, 79, 80, 84, 85, 88, 90, 92, 170, 173, 181
3395	93, 95, 97
3418	10
The beds of Oberlin, Parkinson Avenue, Vulcan Street, Winfield Street, Cameron Avenue, Norway Avenue, Scott Avenue, Appleby Avenue, Nugent Avenue, and Olympia Boulevard are proposed to be acquired.	

- The adjacent Blocks and Lots affected include the following locations, as shown on the Tax Map of the City of New York for the Borough of Staten Island:

ADJACENT BLOCK #:	ADJACENT LOT #:
3248	1, 44, 46, 47, 48, 50, 51, 53, 54, 56, 58, 60, 62, 63, 64, 66, 68, 69, 70, 72, 74, 75, 76, 151
3252	1, 35, 41, 43, 44, 45, 47, 49, 51, 53, 55, 57, 59, 60, 62
3390	1, 5, 8, 9, 10, 11, 12, 14, 16, 46, 47, 49, 50, 52, 54
3391	1, 6, 9, 10, 14, 16, 18, 19, 20, 21, 22, 23, 26, 31, 32, 34, 36, 37, 38, 40, 41, 42, 44, 46, 118
3392	1, 2, 3, 5, 7, 9, 12, 16, 18, 20, 24, 35, 39, 40, 41, 43
3393	1, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 17, 20, 23, 25, 27, 30, 31, 32, 33, 35, 38, 39, 41, 42, 44, 45, 46, 51, 52, 54, 56, 59, 61, 63, 65, 68, 69, 70, 71, 72, 73, 75, 77, 79, 81, 82, 83, 84, 85, 87, 89, 91, 92, 93, 94, 96, 109, 130, 131
3394	1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 16, 20, 22, 24, 28, 29, 30, 32, 35, 37, 38, 42, 44, 46, 48, 50, 51, 52, 56, 57, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 75, 77, 78, 79, 80, 84, 85, 88, 90, 92, 95, 96, 101, 170, 173, 181
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3396	1, 3, 4, 6, 8, 10, 12, 16, 18, 20, 21, 22, 23, 24, 28, 29, 32, 33, 34, 36, 37, 43, 121, 122, 123, 124
3397	1, 9, 14, 17, 19, 20, 22, 23, 25, 26, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 42, 43, 44, 45, 47, 48, 49, 50, 51, 53
3398	1, 7, 8, 9, 10, 13, 14, 15, 18, 19, 20, 21, 22, 23, 26, 28, 29, 30, 31, 33, 35, 99
3418	7, 10
3419	1, 3, 5, 7, 11
3420	28, 61

There are no proposed alternate locations.

Any person in attendance at this meeting shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed acquisition. Each speaker shall be allotted a maximum of five (5) minutes. In addition, written statements may be submitted to the General Counsel at the address stated below, provided the comments are received by 5:00 P.M. on July 19th, 2018 (five (5) working days from public hearing date).

NYC Department of Design and Construction
Office of General Counsel, 4th Floor
30 – 30 Thomson Avenue
Long Island City, NY 11101

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

j28-jy5

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, July 10, 2018, 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.

604 Shore Road - Douglaston Historic District
LPC-19-10407 - Block 8025 - Lot 1 - **Zoning:** R1-1
CERTIFICATE OF APPROPRIATENESS
A Colonial Revival style house, designed by J.H. Cornell and built in 1919. Application is to legalize the installation of mechanical equipment without Landmarks Preservation Commission permit(s).

301 Henry Street - Brooklyn Heights Historic District
LPC-19-25858 - Block 263 - Lot 6 - **Zoning:** R6
CERTIFICATE OF APPROPRIATENESS
A Federal style rowhouse built in 1833. Application is to install enclosed HVAC equipment at the front areaway.

11 and 13 Old Fulton Street - Fulton Ferry Historic District
LPC-19-13313 - Block 35 - Lot 8 and 9 - **Zoning:** M2-1
CERTIFICATE OF APPROPRIATENESS
Two Greek Revival style rowhouses built c. 1836-1889. Application is to reconstruct and alter the rear and side facades of the buildings.

233 Dean Street - Boerum Hill Historic District
LPC-19-24721 - Block 190 - Lot 45 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS
A modified Italianate style rowhouse built in 1852-1853. Application is to construct a rear yard addition.

586 Bergen Street - Prospect Heights Historic District
LPC-19-21816 - Block 1144 - Lot 21 - **Zoning:** R6B
CERTIFICATE OF APPROPRIATENESS
A Queen Anne Style rowhouse, designed by William Wirth and built in 1886. Application is to construct rooftop and rear yard additions, alter the areaway, legalize windows installed without Landmarks Preservation Commission Permit(s), install solar canopies and railings at the roof and rear façade, and alter the window openings at the rear façade.

626 Vanderbilt Avenue - Prospect Heights Historic District
LPC-19-21958 - Block 1158 - Lot 45 - **Zoning:** R7A
CERTIFICATE OF APPROPRIATENESS
A Renaissance Revival style flats building, with a commercial ground floor, designed by Henry Pohlman and built c. 1902. Application is to replace storefront infill and reclad an existing awning.

11 Fulton Street - South Street Seaport Historic District
LPC-19-26958 - Block 96 - Lot 1 - **Zoning:** C6-2A
BINDING REPORT
A contemporary market building, designed by Benjamin Thompson and Associates and built in 1983. Application is to alter storefronts, and install light fixtures and signage.

11 Fulton Street - South Street Seaport Historic District
LPC-19-27206 - Block 96 - Lot 1 - **Zoning:** C6-2A
BINDING REPORT
A contemporary market building, designed by Benjamin Thompson and Associates and built in 1983. Application is to replace entrance doors at Beekman Street.

181-191 Front Street - South Street Seaport Historic District
LPC-19-26784 - Block 74 - Lot 1 - **Zoning:** C5-3
BINDING REPORT
A Greek Revival style warehouse, built in 1835-36 and a brick warehouse, built Pre-1793 with 19th century alterations. Application is to install a platform and barrier-free access lift.

Brooklyn Bridge - Individual Landmark
LPC-19-25869 - Block 77 - Lot 77 - **Zoning:**
BINDING REPORT
A suspension bridge, designed by John A. and Washington Roebling and built in 1867-83. Application is to modify infill at the arched masonry openings.

254 West 4th Street - Greenwich Village Historic District
LPC-19-20358 - Block 621 - Lot 61 - **Zoning:** R6
CERTIFICATE OF APPROPRIATENESS
A garage, designed by J.M. Felson and built in 1923. Application is to legalize the installation of rooftop fencing and ground floor infill

without Landmarks Preservation Commission Permit(s), and to install a planter box.

**139 Thompson Street - Sullivan-Thompson Historic District
LPC-19-24078** - Block 517 - Lot 30 - **Zoning:** R7-2
CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style tenement building, designed by George Holzeit and built in 1875. Application is to reconstruct the side façade, remove chimneys, and raise the parapet.

**119-121 2nd Avenue - East Village/Lower East Side Historic District
LPC-19-25061** - Block 463 - Lot 34, 35 - **Zoning:** R7A, R7A/C1-5
CERTIFICATE OF APPROPRIATENESS

An empty lot, formerly occupied by two Queen Anne style tenement buildings, built in 1886, and destroyed in an 2015 explosion. Application is to construct a new building.

**421 West 14th Street - Gansevoort Market Historic District
LPC-19-26636** - Block 712 - Lot 14 - **Zoning:** M1-5
CERTIFICATE OF APPROPRIATENESS

An Arts and Crafts style market building, designed by James S. Maher and built in 1914, and altered by William P. Seaver in 1922. Application is to construct a rooftop pergola.

**2080 Broadway - Upper West Side/Central Park West Historic District
LPC-19-09955** - Block 1143 - Lot 64 - **Zoning:** C4-6A
CERTIFICATE OF APPROPRIATENESS

A modern style commercial building, designed by Arthur Weiser and built in 1938. Application is to replace the parapet.

**224 East 125th Street - Individual Landmark
LPC-19-25246** - Block 1789 - Lot 37 - **Zoning:** C4-4D
BINDING REPORT

A Renaissance Revival style library building, designed by McKim, Mead & White and built in 1903-04. Application is to modify the existing ramp, replace windows, and install a rooftop bulkhead and mechanical equipment.

j26-jy10

MAYOR'S OFFICE OF CONTRACT SERVICES

MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

-NOTICE OF MEETING-

PUBLIC NOTICE IS HEREBY GIVEN that the Franchise and Concession Review Committee, will hold a public meeting on Wednesday, July 11, 2018, at 2:30 P.M., at 2 Lafayette Street, 14th Floor Auditorium, New York, NY 10007.

NOTE: This location is accessible to individuals using wheelchairs or other mobility devices. For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via email at DisabilityAffairs@mocs.nyc.gov or via phone at (212) 788-0010. Any person requiring reasonable accommodation for the public meeting should contact MOCS at least three (3) business days in advance of the meeting to ensure availability.

◀ j29-jy11

BOARD OF STANDARDS AND APPEALS

PUBLIC HEARINGS

July 24, 2018, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning July 24, 2018, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

SPECIAL ORDER CALENDAR

341-43-BZ

APPLICANT - Seyfarth Shaw LLP, for SP HHH Sub B LLC, owner. SUBJECT - Application April 13, 2018 - Extension of Term (§11-411) of a previously approved variance which permitted a storage warehouse (UG 16B) which expired on June 4, 2016; Waiver of the Board's Rules. C2-4, C2-3, R7A and R5 zoning district. PREMISES AFFECTED - 3319 Atlantic Avenue, Block 4145, Lot(s) 1, 13, 23, Borough of Brooklyn. **COMMUNITY BOARD #5BK**

170-96-BZ

APPLICANT - Eric Palatnik, P.C., for 8501 Flatlands Avenue Realty Corp., owner. SUBJECT - Application March 23, 2018 - Extension of Term of a previously approved Variance (§72-21) which permitted the operation of an Automotive Repair Facility (UG 16B) expiring on April 21, 2018. C2-3/R5D zoning district. PREMISES AFFECTED - 8501 Flatlands Avenue, Block 8006, Lot 7, Borough of Brooklyn. **COMMUNITY BOARD #18BK**

197-05-BZ

APPLICANT - Law Offices of Marvin B. Mitzner LLC, for Broadway Realty LLC, owner. SUBJECT - Application April 27, 2018 - Amendment of a previously approved variance (§72-21) which permitted the construction of an 11-story mixed-use building with ground floor commercial. The amendment seeking to permit a 4'9" by 28' bump out at the rear of the building; Extension of Time to Complete construction which expires on April 29, 2019. C6-1/R7 zoning district. PREMISES AFFECTED - 813 Broadway, Block 563, Lot(s) 33 & 34, Borough of Manhattan. **COMMUNITY BOARD #2M**

218-06-BZ

APPLICANT - Law Office of Fredrick A. Becker, for Plaza Tower, LLC, owner; TSI East 48 LLC dba New York Sports Club, lessee. SUBJECT - Application May 1, 2017 - Extension of Term of a previously approved Special Permit (§73-36) which permitted the operation of a Physical Cultural Establishment (New York Sports Club), located on the sub-cellar and cellar levels with an entrance on the first floor in a 46-story commercial building which expired on February 13, 2017; Amendment to permit a modification of the hours of operation: Waiver of the Rules. C1-9 (TA), R8B and R10 zoning district. PREMISES AFFECTED - 885 Second Avenue aka 1 Dag Hammarskjöld Plaza, Block 1321, Lot 22, Borough of Manhattan. **COMMUNITY BOARD #6M**

264-13-BZ

APPLICANT - Francis R. Angelino, Esq., for David Lowenfeld, owner; BBP Fitness, LLC, d/b/a Brick Crossfit NYC, lessee. SUBJECT - Application November 17, 2016 - Extension of Term of a previously approved Special Permit (§73-36) permitting a physical culture establishment (Brick CrossFit) on the ground floor and cellar of an existing 10-story building which expires on November 20, 2016. C6-2A zoning district. PREMISES AFFECTED - 257 West 17th Street, Block 767, Lot 7502, Borough of Manhattan. **COMMUNITY BOARD #4M**

APPEALS CALENDAR

2018-22-A

APPLICANT - NYC Department of Buildings, for Eighteen Properties, LLC, owner. SUBJECT - Application February 14, 2018 - Request for a revocation, by the New York City Building's Department, of Certificate of Occupancy No. 301016898F issued for a four-story walk-up apartment building. R6B zoning district. PREMISES AFFECTED - 255 18th Street, Block 873, Lot 69, Borough of Brooklyn. **COMMUNITY BOARD #7BK**

July 24, 2018, 1:00 P.M.

ZONING CALENDAR

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, July 24, 2018, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

2017-149-BZ

APPLICANT - Sheldon Lobel, P.C., for Willard J. Price Associates LLC, owner. SUBJECT - Application May 15, 2017 - Special Permit (§73-433) to permit the reduction of 88 accessory off-street parking spaces required for existing income-restricted housing units. C2-4/R6A, C2-4/R6B, R6A & R6B zoning district. PREMISES AFFECTED - 510 Quincy Street & 651-671 Gates Avenue, Block 1811, Lot 19, Borough of Brooklyn. **COMMUNITY BOARD #3BK**

2017-279-BZ

APPLICANT - Law Office of Jay Goldstein PLLC, for 87 Wythe Holdings LLC, owner; Will Bar LLC, lessee. SUBJECT - Application October 16, 2017 - Special Permit (§73-36) to allow the legalization of a physical culture establishment (*The Bar Method*) on a portion of the second floor of an existing building contrary to ZR §42-10. M1-2 zoning district. PREMISES AFFECTED - 97 N 10th Street, Lot 2296, Lot 4, Borough of Brooklyn. **COMMUNITY BOARD #1BK**

252-06-BZ

APPLICANT - Sheldon Lobel, P.C., for MHSP Walton Owner LLC, owner.

SUBJECT - Application October 27, 2017 - Amendment of a previously approved Variance (§72-21) which permitted the construction of a four-story Use Group 4 community center facility contrary to underlying bulk regulations. The amendment seeks to allow for a modified design of the gymnasium building approved in the original variance. R8 zoning district. (Companion Case 2017-289-BZ)

PREMISES AFFECTED - 1761 Walton Avenue, Block 2850, Lot(s) 34, 38, 63 & 160, Borough of Bronx.

COMMUNITY BOARD #5BX

2017-289-BZ

APPLICANT - Sheldon Lobel, P.C., for MHSP Walton Owner LLC, owner.

SUBJECT - Application October 27, 2017 - Special Permit (§73-623) to permit development of a new, fourteen-story building with a gymnasium for the Mount Hope Community Center and approximately 103 affordable housing units developed under the Extremely Low and Low-Income Affordability ("ELLA") financing program administered by the Department of Housing Preservation and Development ("HPD"). The proposal is contrary to ZR §23-711 (distance of legally required windows) and ZR §23-622 (base and building heights). An associated application is filed for an amendment of a variance adopted by the Board of Standards and Appeals ("BSA" or the "Board") on January 9, 2007 under BSA Cal. No. 252-06-BZ.

PREMISES AFFECTED - 1761 Walton Avenue, Block 2850, Lot(s) 34, 38, 63 & 160, Borough of Bronx.

COMMUNITY BOARD #5BX

2018-20-BZ

APPLICANT - Jay Goldstein, Esq., for Jeffrey Ackerman, owner.

SUBJECT - Application February 9, 2018 - Special Permit (§73-622) to permit the enlargement of an existing single-family home contrary to ZR §23-141 (floor area and open space) and ZR §23-461(1) (required side yard). R2 zoning district.

PREMISES AFFECTED - 2801 Avenue M, Block 7646, Lot 7, Borough of Brooklyn.

COMMUNITY BOARD #14BK

2018-36-BZ

APPLICANT - Jay Goldstein, Esq., for Moshe and Pnina Arking, owners.

SUBJECT - Application March 6, 2018 - Special Permit (§73-622) to permit the enlargement of a one family home contrary to ZR §23-141 (FAR and Open Space); ZR §23-461 (a) (side yard) and ZR §23-47 (rear yard). R2 zoning district.

PREMISES AFFECTED - 1482 East 26th Street, Block 7679, Lot 87, Borough of Brooklyn.

COMMUNITY BOARD #14BK

Margery Perlmutter, Chair/Commissioner

Accessibility questions: Mireille Milfort (212) 386-0078, mmilfort@bsa.nyc.gov, by: Friday, July 20, 2018, 4:00 P.M.



← j29-iy2

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at, 55 Water Street, 9th Floor, Room 945, commencing at 2:00 P.M., on Wednesday, July 18, 2018. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice), at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing RFR 117 Adams Owner LLC, RFR K 117 Adams Owner LLC, KC 117 Adams Owner LLC and RFR 77 Sands Owner LLC, RFR K 77 Sands Owner LLC, KC 77 Sands Owner LLC, to continue to maintain and use a bridge over and across Pearl Street, north of Sands Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #452**

For the period July 1, 2016 to June 30, 2017 - \$9,681
 For the period July 1, 2017 to June 30, 2018 - \$9,929
 For the period July 1, 2018 to June 30, 2019 - \$10,177
 For the period July 1, 2019 to June 30, 2020 - \$10,425
 For the period July 1, 2020 to June 30, 2021 - \$10,673
 For the period July 1, 2021 to June 30, 2022 - \$10,921
 For the period July 1, 2022 to June 30, 2023 - \$11,169
 For the period July 1, 2023 to June 30, 2024 - \$11,417
 For the period July 1, 2024 to June 30, 2025 - \$11,665

For the period July 1, 2025 to June 30, 2026 - \$11,913

the maintenance of a security deposit in the sum of \$12,000 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#2 IN THE MATTER OF a proposed revocable consent authorizing RFR 81 Prospect Owner LLC, RFR K 81 Prospect Owner LLC, KC 81 Prospect Owner LLC and RFR 77 Sands Owner LLC, RFR K 77 Sands Owner LLC, KC 77 Sands Owner LLC, to continue to maintain and use a bridge over and across Prospect Street, east of Pearl Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #921**

For the period July 1, 2016 to June 30, 2017 - \$10,068
 For the period July 1, 2017 to June 30, 2018 - \$10,326
 For the period July 1, 2018 to June 30, 2019 - \$10,584
 For the period July 1, 2019 to June 30, 2020 - \$10,842
 For the period July 1, 2020 to June 30, 2021 - \$11,100
 For the period July 1, 2021 to June 30, 2022 - \$11,358
 For the period July 1, 2022 to June 30, 2023 - \$11,616
 For the period July 1, 2023 to June 30, 2024 - \$11,874
 For the period July 1, 2024 to June 30, 2025 - \$12,132
 For the period July 1, 2025 to June 30, 2026 - \$12,390

the maintenance of a security deposit in the sum of \$12,400 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing RFR 117 Adams Owner LLC, RFR K 117 Adams Owner LLC, KC117 Adams Owner LLC and RFR 55 Prospect Owner LLC, RFR K 55 Prospect Owner LLC, KC 55 Prospect Owner LLC, to continue to maintain and use a bridge over and across Pearl Street, north of Sands Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2017 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #934**

For the period July 1, 2017 to June 30, 2018 - \$18,598
 For the period July 1, 2018 to June 30, 2019 - \$19,015
 For the period July 1, 2019 to June 30, 2020 - \$19,432
 For the period July 1, 2020 to June 30, 2021 - \$19,849
 For the period July 1, 2021 to June 30, 2022 - \$20,266
 For the period July 1, 2022 to June 30, 2023 - \$20,683
 For the period July 1, 2023 to June 30, 2024 - \$21,100
 For the period July 1, 2024 to June 30, 2025 - \$21,517
 For the period July 1, 2025 to June 30, 2026 - \$21,934

the maintenance of a security deposit in the sum of \$22,000 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing Maple 3P KRL 175 Pearl Owner LLC and RFR 77 Sands Owner LLC, RFR K 77 Sands Owner LLC, KC 77 Sands Owner LLC, to continue to maintain and use a bridge over and across Prospect Street, east of Pearl Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2015 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1236**

For the period July 1, 2015 to June 30, 2016 - \$46,818
 For the period July 1, 2016 to June 30, 2017 - \$48,096
 For the period July 1, 2017 to June 30, 2018 - \$49,374
 For the period July 1, 2018 to June 30, 2019 - \$50,652
 For the period July 1, 2019 to June 30, 2020 - \$51,930
 For the period July 1, 2020 to June 30, 2021 - \$53,208
 For the period July 1, 2021 to June 30, 2022 - \$54,486
 For the period July 1, 2022 to June 30, 2023 - \$55,764
 For the period July 1, 2023 to June 30, 2024 - \$57,042
 For the period July 1, 2024 to June 30, 2025 - \$58,320
 For the period July 1, 2025 to June 30, 2026 - \$59,598

the maintenance of a security deposit in the sum of \$59,600 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#5 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to

maintain and use a tunnel under and across Franklin D. Roosevelt Drive, north of East 13th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #10**

- For the period July 1, 2016 to June 30, 2017 - \$32,084
- For the period July 1, 2017 to June 30, 2018 - \$32,695
- For the period July 1, 2018 to June 30, 2019 - \$33,306
- For the period July 1, 2019 to June 30, 2020 - \$33,917
- For the period July 1, 2020 to June 30, 2021 - \$34,528
- For the period July 1, 2021 to June 30, 2022 - \$35,139
- For the period July 1, 2022 to June 30, 2023 - \$35,750
- For the period July 1, 2023 to June 30, 2024 - \$36,361
- For the period July 1, 2024 to June 30, 2025 - \$36,972
- For the period July 1, 2025 to June 30, 2026 - \$37,583

the maintenance of a security deposit in the sum of \$25,100 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use a bridge over and across East 14th Street, west of Avenue D, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #705**

- For the period July 1, 2016 to June 30, 2017 - \$37,845
- For the period July 1, 2017 to June 30, 2018 - \$38,566
- For the period July 1, 2018 to June 30, 2019 - \$39,287
- For the period July 1, 2019 to June 30, 2020 - \$40,008
- For the period July 1, 2020 to June 30, 2021 - \$40,729
- For the period July 1, 2021 to June 30, 2022 - \$41,450
- For the period July 1, 2022 to June 30, 2023 - \$42,171
- For the period July 1, 2023 to June 30, 2024 - \$42,892
- For the period July 1, 2024 to June 30, 2025 - \$43,615
- For the period July 1, 2025 to June 30, 2026 - \$44,334

the maintenance of a security deposit in the sum of \$29,600 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use a bridge over and across Avenue D, south of East 14th Street in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #706**

- For the period July 1, 2016 to June 30, 2017 - \$27,263
- For the period July 1, 2017 to June 30, 2018 - \$27,782
- For the period July 1, 2018 to June 30, 2019 - \$28,301
- For the period July 1, 2019 to June 30, 2020 - \$28,820
- For the period July 1, 2020 to June 30, 2021 - \$29,339
- For the period July 1, 2021 to June 30, 2022 - \$29,858
- For the period July 1, 2022 to June 30, 2023 - \$30,377
- For the period July 1, 2023 to June 30, 2024 - \$30,896
- For the period July 1, 2024 to June 30, 2025 - \$31,415
- For the period July 1, 2025 to June 30, 2026 - \$31,934

the maintenance of a security deposit in the sum of \$23,000 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use certain structures used in connection with the company's 59th Street Power Plant, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #781**

- For the period July 1, 2016 to June 30, 2017 - \$271,923
- For the period July 1, 2017 to June 30, 2018 - \$277,100
- For the period July 1, 2018 to June 30, 2019 - \$282,277
- For the period July 1, 2019 to June 30, 2020 - \$287,454
- For the period July 1, 2020 to June 30, 2021 - \$292,631
- For the period July 1, 2021 to June 30, 2022 - \$297,808
- For the period July 1, 2022 to June 30, 2023 - \$302,985
- For the period July 1, 2023 to June 30, 2024 - \$308,162
- For the period July 1, 2024 to June 30, 2025 - \$313,339

For the period July 1, 2025 to June 30, 2026 - \$318,516

the maintenance of a security deposit in the sum of \$212,800 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing the Consolidated Edison Company of New York, Inc., to continue to maintain and use a pipe under and across East 133rd Street, east of Walnut Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2014 to June 30, 2024 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #847**

- For the period July 1, 2014 to June 30, 2015 - \$1,907
- For the period July 1, 2015 to June 30, 2016 - \$1,959
- For the period July 1, 2016 to June 30, 2017 - \$2,011
- For the period July 1, 2017 to June 30, 2018 - \$2,063
- For the period July 1, 2018 to June 30, 2019 - \$2,115
- For the period July 1, 2019 to June 30, 2020 - \$2,167
- For the period July 1, 2020 to June 30, 2021 - \$2,219
- For the period July 1, 2021 to June 30, 2022 - \$2,271
- For the period July 1, 2022 to June 30, 2023 - \$2,323
- For the period July 1, 2023 to June 30, 2024 - \$2,375

the maintenance of a security deposit in the sum of \$2,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#10 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use a conduit under and across River Street, south of Metropolitan Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #877**

- For the period July 1, 2016 to June 30, 2017 - \$6,930
- For the period July 1, 2017 to June 30, 2018 - \$7,062
- For the period July 1, 2018 to June 30, 2019 - \$7,194
- For the period July 1, 2019 to June 30, 2020 - \$7,326
- For the period July 1, 2020 to June 30, 2021 - \$7,458
- For the period July 1, 2021 to June 30, 2022 - \$7,590
- For the period July 1, 2022 to June 30, 2023 - \$7,722
- For the period July 1, 2023 to June 30, 2024 - \$7,854
- For the period July 1, 2024 to June 30, 2025 - \$7,986
- For the period July 1, 2025 to June 30, 2026 - \$8,118

the maintenance of a security deposit in the sum of \$5,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use two pipes under and across East 133rd Street, west of Locust Avenue, 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. #892**

- For the period July 1, 2016 to June 30, 2017 - \$5,041
- For the period July 1, 2017 to June 30, 2018 - \$5,137
- For the period July 1, 2018 to June 30, 2019 - \$5,233
- For the period July 1, 2019 to June 30, 2020 - \$5,329
- For the period July 1, 2020 to June 30, 2021 - \$5,425
- For the period July 1, 2021 to June 30, 2022 - \$5,521
- For the period July 1, 2022 to June 30, 2023 - \$5,617
- For the period July 1, 2023 to June 30, 2024 - \$5,713
- For the period July 1, 2024 to June 30, 2025 - \$5,809
- For the period July 1, 2025 to June 30, 2026 - \$6,905

the maintenance of a security deposit in the sum of \$4,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#12 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use certain existing structures in connection with the 74th Street Power Plant, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to

the City according to the following schedule: **R.P. #792**

For the period July 1, 2016 to June 30, 2017 - \$184,506
 For the period July 1, 2017 to June 30, 2018 - \$188,019
 For the period July 1, 2018 to June 30, 2019 - \$191,532
 For the period July 1, 2019 to June 30, 2020 - \$195,045
 For the period July 1, 2020 to June 30, 2021 - \$198,558
 For the period July 1, 2021 to June 30, 2022 - \$202,071
 For the period July 1, 2022 to June 30, 2023 - \$205,584
 For the period July 1, 2023 to June 30, 2024 - \$209,097
 For the period July 1, 2024 to June 30, 2025 - \$212,610
 For the period July 1, 2025 to June 30, 2026 - \$216,123

the maintenance of a security deposit in the sum of \$143,900 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#13 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use a bridge over and across East 14th Street, between Avenue D and Franklin D. Roosevelt Drive, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1030**

For the period July 1, 2016 to June 30, 2017 - \$41,464
 For the period July 1, 2017 to June 30, 2018 - \$42,253
 For the period July 1, 2018 to June 30, 2019 - \$43,042
 For the period July 1, 2019 to June 30, 2020 - \$43,831
 For the period July 1, 2020 to June 30, 2021 - \$44,620
 For the period July 1, 2021 to June 30, 2022 - \$45,409
 For the period July 1, 2022 to June 30, 2023 - \$46,198
 For the period July 1, 2023 to June 30, 2024 - \$46,987
 For the period July 1, 2024 to June 30, 2025 - \$47,776
 For the period July 1, 2025 to June 30, 2026 - \$48,565

the maintenance of a security deposit in the sum of \$32,400 and the insurance shall be in the amount of Five Million Dollars (\$5,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Five Million Dollars (\$5,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#14 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use a water line under and across John Street, west of Gold Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1093**

For the period July 1, 2016 to June 30, 2017 - \$2,664
 For the period July 1, 2017 to June 30, 2018 - \$2,715
 For the period July 1, 2018 to June 30, 2019 - \$2,766
 For the period July 1, 2019 to June 30, 2020 - \$2,817
 For the period July 1, 2020 to June 30, 2021 - \$2,868
 For the period July 1, 2021 to June 30, 2022 - \$2,919
 For the period July 1, 2022 to June 30, 2023 - \$2,970
 For the period July 1, 2023 to June 30, 2024 - \$3,021
 For the period July 1, 2024 to June 30, 2025 - \$3,072
 For the period July 1, 2025 to June 30, 2026 - \$3,123

the maintenance of a security deposit in the sum of \$2,100 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#15 IN THE MATTER OF a proposed revocable consent authorizing Consolidated Edison Company of New York, Inc., to continue to maintain and use water lines under and along East 15th and East 16th Streets, between Avenue C and Franklin D. Roosevelt Drive, and under and along Twelfth Avenue, between West 49th and West 54th Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2016 to June 30, 2026 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1104**

For the period July 1, 2016 to June 30, 2017 - \$155,037
 For the period July 1, 2017 to June 30, 2018 - \$157,989
 For the period July 1, 2018 to June 30, 2019 - \$160,941
 For the period July 1, 2019 to June 30, 2020 - \$163,893
 For the period July 1, 2020 to June 30, 2021 - \$166,845
 For the period July 1, 2021 to June 30, 2022 - \$169,797
 For the period July 1, 2022 to June 30, 2023 - \$172,749
 For the period July 1, 2023 to June 30, 2024 - \$175,701
 For the period July 1, 2024 to June 30, 2025 - \$178,653
 For the period July 1, 2025 to June 30, 2026 - \$181,605

the maintenance of a security deposit in the sum of \$120,871 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

j27-jy18

COURT NOTICES

SUPREME COURT

KINGS COUNTY

■ NOTICE

**KINGS COUNTY
 I.A.S. PART 29
 NOTICE OF PETITION
 INDEX NUMBER 511266/2018
 CONDEMNATION PROCEEDING**

IN THE MATTER OF the Application of the CITY OF NEW YORK, to Acquire by Exercise of its Powers of Eminent Domain Title in Fee Simple to Certain Real Property as Tax Block 411, Lot 24 and Tax Block 418, Lot 1, Located in the Borough of Brooklyn, Required for the

COMBINED SEWER OVERFLOW CONTROL FACILITY – GOWANUS CANAL SUPERFUND REMEDIATION; PHASE I

PLEASE TAKE NOTICE that the City of New York (“City”) intends to make application to the Supreme Court of the State of New York, Kings County, for certain relief. The application will be made at the following time and place: At 360 Adams Street, in the Borough of Kings, City and State of New York, On July 19, 2018, at 2:30 P.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- a. authorizing the City to file an acquisition map in the Office of the City Register;
- b. directing that, upon the filing of the order granting the relief sought in this petition and the filing of the acquisition map, title to the property sought to be acquired and described below shall vest in the City;
- c. providing that the compensation which should be made to the owners of the interests in real property sought to be acquired and described above be ascertained and determined by the Court without a jury;
- d. directing that within thirty days of the vesting title the City shall cause a notice of acquisition to be published in at least ten successive issues of The City Record, an official newspaper published in the City of New York, and shall serve a copy of such notice by first class mail on each condemnee or his, her, or its attorney of record;
- e. directing that each condemnee shall have a period of one year from the vesting date for this proceeding, in which to file a written claim, demand or notice of appearance with the Clerk of this Court and to serve a copy of the same upon the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007, Attn: Adam C. Dembrow, Assistant Corporation Counsel. The City, in this proceeding, intends to acquire title in fee simple absolute to certain real property interests for the design, construction, and installation of a facility which will reduce the discharge of combined sewer overflows into the Gowanus Canal, in the Borough of Kings, City and State of New York.

The description of the real property to be acquired is in this proceeding as follows:

BLOCK 411, LOT 24, and BLOCK 418, LOT 1

All that certain plot, piece or parcel of land, with improvements thereof erected, situate, lying and being in the Borough of Brooklyn and County of Kings, City and State of New York, as bounded and described as follows:

BEGINNING at the corner formed by the intersection of the westerly side of Nevis Street (50 feet wide) and the southerly side of Butler Street (60 feet wide) forming an interior angle of 89°47'45"; THENCE westerly along the southerly side of Butler Street 227 feet to a point; THENCE southerly forming an interior angle of 90°12'12' with the

previously mentioned course, a distance of 100 feet to a point; THENCE easterly forming an interior angle of 89°47'45" with the previously mentioned course, a distance of 2 feet to a point; THENCE southerly forming an exterior angle of 89°47'45" with the previously mentioned course, a distance of 360 feet to the northerly side of Degraw Street (60 feet wide); THENCE easterly along the northerly side of Degraw Street, forming an interior angle of 89°47'45" with the previously mentioned course, a distance of 225 feet to westerly side of Nevins Street; THENCE northerly along the westerly side of Nevins Street, forming an interior angle of 90°12'15" with the previously mentioned course, a distance of 460 feet to the point of beginning.

The above-described property shall be acquired subject to encroachments, if any, so long as said encroachments shall stand, as delineated on the Damage and Acquisition Map attached to the City's Verified Petition as Exhibit J. Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL §402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: New York, NY, May 31, 2018

ZAHARY W. CARTER
Corporation Counsel of the City of New York
Attorney for the Condemnor,
100 Church Street, New York, NY 10007
(212) 356-2112

SEE MAP(S) IN BACK OF PAPER

j19-jy2

**KINGS COUNTY
I.A.S. PART 29
NOTICE OF PETITION
INDEX NUMBER 511264/2018
CONDEMNATION PROCEEDING**

IN THE MATTER OF the Application of the CITY OF NEW YORK to Acquire by Exercise of its Powers of Eminent Domain Title to an Estate for a Term of Eight Years in Certain Real Property Known as Tax Block 425, Lot 1, Located in the Borough of Brooklyn, Required for the

COMBINED SEWER OVERFLOW CONTROL FACILITY – GOWANUS CANAL SUPERFUND REMEDIATION; PHASE II

PLEASE TAKE NOTICE that the City of New York ("City") intends to make application to the Supreme Court of the State of New York, Kings County, for certain relief. The application will be made at the following time and place: At 360 Adams Street, in the Borough of Kings, City and State of New York, on July 19, 2018, at 2:30 P.M., or as soon thereafter as counsel can be heard

The application is for an order:

- a. authorizing the City to file an acquisition map in the Office of the City Register;
- b. directing that, upon the filing of the order granting the relief sought in this petition and the filing of the acquisition map, title to the property sought to be acquired and described below shall vest in the City;
- c. providing that the compensation which should be made to the owners of the interests in real property sought to be acquired and described above be ascertained and determined by the Court without a jury;
- d. directing that within thirty days of the vesting of title the City shall cause a notice of acquisition to be published in at least ten successive issues of The City Record, an official newspaper published in the City of New York, and shall serve a copy of such notice by first class mail on each condemnee or his, her or its attorney of record;
- e. directing that each condemnee shall have a period of one year from the vesting date for this proceeding, in which to file a written claim, demand or notice of appearance with the Clerk of this Court and to serve a copy of the same upon the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007, Attn: Adam C. Dembrow, Assistant Corporation Counsel. The City, in this proceeding, intends to acquire title to an estate for a term of eight years in certain real property interests for the design, construction, and installation of a facility which will reduce the discharge of combined sewer overflows into the Gowanus Canal, in the Borough of Kings, City and State of New York.

The description of the real property to be acquired is in this proceeding as follows:

BLOCK 425, LOT 1

ALL that certain plot, piece or parcel of land, with improvements thereof erected, situate, lying and being in the Borough of Brooklyn and County of Kings, City and State of New York, as bounded and described as follows:

BEGINNING at the corner formed by the intersection of the westerly side of Nevins Street (50 feet wide) and the southerly side of Degraw Street (60 feet wide) forming an interior angle of 89°47'15"; THENCE southerly along the westerly side of Nevins Street 230 feet to the center line of Sackett Street (60 feet wide); THENCE westerly along said center line of Sackett Street, forming an interior angle of 90°12'15" with the previously mentioned course, a distance of 225 feet a point; THENCE northerly, forming an interior angle of 89°47'45" with the previously mentioned course, a distance of 230 feet to the southerly side of Degraw Street; THENCE easterly along the southerly side of Degraw Street, forming an interior angle of 90°12'15" with the previously mentioned course, a distance of 225 feet to the point of beginning.

The above-described property shall be acquired subject to encroachments, if any, so long as said encroachments shall stand, as delineated on the Damage and Acquisition Map attached to the City's Verified Petition as Exhibit J. Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL §402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date of the petition is noticed to be heard.

Dated: New York, NY, May 31, 2018

ZACHARY W. CARTER
Corporation Counsel of the City of New York
Attorney for the Petitioner,
100 Church Street, New York, NY 10007
(212) 356-2112

SEE MAP(S) IN BACK OF PAPER

j19-jy2

RICHMOND COUNTY

■ NOTICE

**COUNTY OF RICHMOND
I.A. PART 89
NOTICE OF PETITION
INDEX NUMBER CY4511/2018
CONDEMNATION PROCEEDING**

IN THE MATTER OF the Application of the CITY OF NEW YORK Relative to Acquiring in Fee Simple Absolute to Block 2776, Lot 12, located in Staten Island, for the construction of

TRAVIS NEIGHBORHOOD STORM SEWER PROJECT - STAGE II, WATER,

Located in the area generally located at Cannon Avenue, Prices Lane, and Burke Avenue in the Borough of Staten Island, City and State of New York.

PLEASE TAKE NOTICE that the City of New York (the "City") intends to make an application to the Supreme Court of the State of New York, Richmond County, IA Part 89, for certain relief. The application will be made at the following time and place: At the Kings County Courthouse, located at 360 Adams Street, in the Borough of Brooklyn, City and State of New York, on Thursday, July 19, 2018, at 2:30 P.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- a. authorizing the City to file an acquisition map in the Richmond County Clerk's Office;
- b. directing that, upon the filing of the order granting the relief sought in this petition and the filing of the acquisition map in the Richmond County Clerk's Office, title to the property sought to be acquired and described below shall vest in the City in fee simple absolute;
- c. providing that the compensation which should be made to the owners of the real property sought to be acquired and described above be ascertained and determined by the Court without a jury;
- d. directing that within thirty days of the entry of the order granting the petition vesting title, the City shall cause a notice of acquisition to be published in at least ten successive

issues of The City Record, an official newspaper published in the City of New York, and shall serve a copy of such notice by first class mail on each condemnee or his, her, or its attorney of record;

- e. directing that each condemnee shall have a period of two calendar years from the vesting date for this proceeding, in which to file a written claim, demand or notice of appearance with the Clerk of this Court and to serve a copy of the same upon the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

The City, in this proceeding, Stage II, intends to acquire in fee simple absolute certain real property where not heretofore acquired for the same purpose, for the installation of storm water sewers and outfalls, in the Borough of Staten Island, City and State of New York.

The real property to be acquired in fee simple absolute in this proceeding, Stage II, is more particularly bounded and described as follows:

ALL that certain plot, piece or parcel of land, with improvements thereon erected, situate, lying and being in the Borough of Staten Island, County of Richmond, City and State of New York, as bounded and described as follows:

BEGINNING at a point on the northwesterly line of Cannon Avenue, said point being on the division line between tax lots 10 and 12 in Block 2776 as shown on the Tax Map for the Borough of Staten Island, as said Tax Map existed on 11/20/2017, said point is also distant the following three courses from the southerly end of the circular curve connecting the easterly line of Glen Street (47 feet wide) and the northwesterly line of Cannon Avenue (record width varies)

1. South 29 degrees 13 minutes 48 seconds East, a distance of 2.95 feet (computed) to a point on the northwesterly line of the said Cannon Avenue;
2. North 60 degrees 46 minutes 12 seconds East, along the northwesterly line of the said Cannon Avenue, a distance 143.80 feet to an angle point;
3. North 60 degrees 29 minutes 52 seconds East, and still along the northwesterly line of the said Cannon Avenue, a distance 9.42 feet to the division line between tax lots 10 and 12 in Block 2776;

RUNNING THENCE North 34 degrees 21 minutes 03 seconds West, along the said division line, in part, and along lands now or formerly of Red Head Building Corp., a distance 179.32 feet to a point on the easterly line of Glen Street;

THENCE, northeasterly along the easterly line of Glen Street, North 17 degrees 42 minutes 17 seconds East, a distance 33.27 feet to a point of curvature;

THENCE, northeasterly along the easterly line of Glen Street and along a curve to the bearing right having a radius of 972.00 feet, arc length of 14. 18 feet and a chord bearing North 18 degrees 07 minutes 22 seconds East, a distance 14. 18 feet to a point at the intersection of the division line between tax lots 12 and 150 in Block 2776, as shown on said Tax Map;

THENCE North 48 degrees 25 minutes 41 seconds East, along said division line, a distance 169.50 feet to the division line between tax lots 12 and 152 in Block 2776, as shown on said Tax Map;

THENCE South 57 degrees 55 minutes 02 seconds East, a distance 66.21 feet to a point;

THENCE, South 36 degrees 48 minutes 04 seconds East, a distance 88.58 feet to the division line between tax lots 23 and 24, as shown on said Tax Map;

THENCE, South 60 degrees 29 minutes 52 seconds West, along the northerly lines of tax lots 23, 22, 21, 20, 19 and 14 in Block 2776, as shown on said Tax Map, a distance 200.08 feet to a point;

THENCE, South 36 degrees 48 minutes 04 seconds East, a distance 101.00 feet to a point on the northwesterly line of Cannon Avenue.

THENCE South 60 degrees 29 minutes 52 seconds West, along the said northwesterly line of Cannon Avenue, a distance 41.00 feet to the point or place of **BEGINNING** .

The above described property shall be acquired subject to encroachments, if any, so long as said encroachments shall stand, as delineated on the Damage and Acquisition Map dated October 10, 2017.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Eminent Domain Procedure Law § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR § 403,

said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: New York, NY
June 8, 2018
ZACHARY W. CARTER
Corporation Counsel
of the City of New York
Attorney for the Condemnor
100 Church Street
New York, NY 10007
Telephone: (212) 356-2170

SEE MAP(S) IN BACK OF PAPER

j20-jy3



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

m30-s11

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

j2-d31

POLICE

■ NOTICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT

The following list of properties 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

j2-d31

PROCUREMENT

“Compete To Win” More Contracts!

Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- *Win More Contracts at nyc.gov/competetowin*

“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City’s prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”

HHS ACCELERATOR

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

Important information about the new method

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

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

Participating NYC Agencies

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

- Administration for Children’s Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

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

ADMINISTRATION FOR CHILDREN’S SERVICES

■ AWARD

Goods and Services

RUGGED CASES FOR SURFACE PRO TABLET - Innovative Procurement - Other - PIN# 18AC1324 - AMT: \$44,250.00 - TO: Quality and Assurance Technology Corp., 18 Marginwood Drive, Ridge, NY 11961.

M/WBE Purchase - Not Exceeding \$150K.

• j29

Services (other than human services)

EVENT PLANNING SERVICES - Innovative Procurement - Other - PIN# 18AC1287 - AMT: \$149,946.71 - TO: A Partow and Co. LLC, 161 Henry Street, Brooklyn, NY 11201.

M/WBE Purchase - Not Exceeding \$150K.

• j29

CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

■ SOLICITATION

Goods

BRIDGE DEICING CHEMICALS, LIQUID AND SOLID - Competitive Sealed Bids - PIN# 8571800324 - Due 8-6-18 at 10:30 A.M.

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

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

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Kirklyval Henry (212) 386-0438; Fax: (212) 313-3447; khenry@dcas.nyc.gov

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ENVIRONMENTAL PROTECTION

PURCHASING MANAGEMENT

■ INTENT TO AWARD

Services (other than human services)

SOFTWARE LICENSES, SUPPORT AND MAINTENANCE SERVICES FOR AQUARIUS DATA MANAGEMENT SOFTWARE - Sole Source - Available only from a single source - PIN# 9013501 - Due 7-23-18 at 11:00 A.M.

NYC Environmental Protection intends to enter into a sole source agreement with Aquarius Informatics Inc., for the purchase of Software

Licenses, Support and Maintenance Services for Aquarius Data Management Software. Any firm which believes it can also provide the Software Licenses and Services for Aquarius are invited to do so; please indicate by letter or 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.

Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Ira Elmore (718) 595-3259; Fax: (718) 595-9531; ielmore@dep.nyc.gov

◀ j29-jy6

HEALTH AND MENTAL HYGIENE

■ AWARD

Services (other than human services)

ON-CALL CABLE INFRASTRUCTURE INSTALLATION SERVICES - Competitive Sealed Bids - PIN# 18MI008101R0X00 - AMT: \$3,681,115.00 - TO: Interface Cable Assemblies and Services Corp., 42-19 23rd Avenue, Long Island City, NY 11105.

◀ j29

HOUSING AUTHORITY

■ SOLICITATION

Construction / Construction Services

CDBG-DR-RESTORATION ASSOCIATED WITH THE SANDY RECOVERY PROGRAM AT ISSAC HOUSES - Competitive Sealed Bids - PIN# GR1812934 - Due 8-3-18 at 11:00 A.M.

RFQ#67299

There will be a Pre-Bid Meeting on 7/12/2018, at 10:00 A.M., at Issacs Houses, Senior Center, 415 East 93rd Street, New York, NY 10128. Although attendance is not mandatory, it is strongly recommended that you attend. NYCHA staff will be available to address all inquiries relevant to this contract.

Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA. Documents can also be obtained by registering with I-supplier and downloading documents. Please note that original bid bonds are due at time of bid opening.

Please note that in the event only one bidder has submitted a bid in connection with the contract on or before the original bid submission deadline, the bid submission deadline shall automatically be extended for fourteen (14) calendar days. The foregoing extension does not in any way limit NYCHA's right to extend the bid submission deadline for any other reason.

This contract shall be subject to the New York City Housing Authority's Project Labor Agreement if the Bidder's price exceeds \$250,000.00.

This project is expected to be fully or partially funded through the Community Development Block Grant Disaster Recovery (CDBG-DR) program. The NYCHA Rehabilitation and Resiliency Program is included in the City's CDBG-DR Action Plan, approved by the US Department of Housing and Urban Development (HUD) in May 2013 and subsequently amended.

Deadline for questions is July 20, 2018, at 2:00 P.M. Attention to: nuria.moreno@nycha.nyc.gov

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

Housing Authority, 90 Church Street, New York, NY 10007. Latrena Johnson (212) 306-3223; latrena.johnson@nycha.nyc.gov



◀ j29

HOUSING PRESERVATION AND DEVELOPMENT

DEVELOPMENT

■ AWARD

Construction Related Services

PROJECT HELP FOR THE PROVISION HOME EMERGENCY LOAN PROGRAM - Line Item Appropriation or Discretionary Funds - Specifications cannot be made sufficiently definite - PIN# 80618L0097001 - AMT: \$300,000.00 - TO: Neighborhood Housing Services of NYC Inc., 307 West 36th Street, 12th Floor, New York, NY 10018.

To Provide Home Emergency Loan Program.

◀ j29

OFFICE OF NEIGHBORHOOD STRATEGIES

■ AWARD

Human Services / Client Services

COMMUNITY CONSULTANTS CONTRACT - Line Item Appropriation or Discretionary Funds - Specifications cannot be made sufficiently definite - PIN# 80618L0013001 - AMT: \$138,750.00 - TO: Churches United for Fair Housing Inc., 7 Marcus Garvey Boulevard, Brooklyn, NY 11206-5303.

Boro and Local Initiatives.

◀ j29

HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services / Client Services

PROVISION OF ADULT PROTECTIVE SERVICES FOR PERSONS WITH PHYSICAL AND/OR MENTAL IMPAIRMENTS - Renewal - PIN# 09612P0012002R001 - AMT: \$5,075,391.00 - TO: Village Center for Care, 154 Christopher Street, New York, NY 10014.

Contract Term: 7/1/2017 - 6/30/2020

◀ j29

CONTRACTS

■ INTENT TO AWARD

Services (other than human services)

PROVIDE WAREHOUSE DELIVERY OF NON-PERISHABLE FOOD TO SOUP KITCHENS - Negotiated Acquisition - Other - PIN# 06906S0003CNVN005 - Due 7-2-18 at 2:00 P.M.

For Information Purpose Only

The Human Resources Administration (HRA) / Emergency and Intervention Services (EIS) intends to enter into a Negotiated Acquisition Extension (NAE) contract with FOOD BANK FOR NEW YORK CITY.

E-PIN#: 06906S0003CNVN005

Contract Amount: \$1,753,008.20

Contract Term: 7/1/2018 - 6/30/2019

FOOD BANK FOR NEW YORK CITY will continue to provide warehouse delivery of non-perishable food to soup kitchens for Emergency Food Assistance Program (EFAP) under this negotiated acquisition extension.

Vendors interested in responding to this or other future solicitations for these types of services, should contract the New York City Vendor Enrollment Center, at (212) 857-1680 or at www.nyc.gov/selltonyc

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

Human Resources Administration, 150 Greenwich Street, 37th Floor, New York, NY 10007. Jacques Frazier (929) 221-5554.

◀ j29

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

CONTRACTS AND PROCUREMENT

■ AWARD

Goods

M/WBE TRACKING TOOL - B2G NOW LICENSES - Innovative Procurement - Other - PIN# 20180150341 - AMT: \$113,108.54 - TO: SHI International Corp., 290 Davidson Avenue, Somerset, NJ 08873.

The Department of Information Technology and Telecommunications, on behalf of all New York City agencies and entities subject to the New York City Procurement Policy Board (PPB) Rules, utilized the Innovative Procurement Method, under Section 3-12 of the Procurement Policy Board Rules. This proposed method was originally advertised by DoITT on February 1, 2018, and will be used to procure goods, standard services and professional services from \$20,000 to \$150,000 exclusively from City-Certified M/WBEs for goods and services. This Method will be used as advertised until such time the City has evaluated the use of this proposed method and determined whether it is in the City's best interest to be codified and used within the PPB rules.

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TT911 SDE F5 APPLIANCES - Innovative Procurement - Other - PIN# 20180120467 - AMT: \$95,000.00 - TO: Compulink Technologies Inc., 260 West 39th Street, Suite 302, New York, NY 10018-4434.

The Department of Information Technology and Telecommunications, on behalf of all New York City agencies and entities subject to the New York City Procurement Policy Board (PPB) Rules, utilized the Innovative Procurement Method, under Section 3-12 of the Procurement Policy Board Rules. This proposed method was originally advertised by DoITT on February 1, 2018, and will be used to procure goods, standard services and professional services from \$20,000 to \$150,000 exclusively from City-Certified M/WBEs for goods and services. This Method will be used as advertised until such time the City has evaluated the use of this proposed method and determined whether it is in the City's best interest to be codified and used within the PPB rules.

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CISCO REDUNDANT POWER SUPPLY - Innovative Procurement - Other - PIN# 20180320097 - AMT: \$20,915.00 - TO: New Computech Inc., 39 Broadway, Suite 1630, New York, NY 10006.

The Department of Information Technology and Telecommunications, on behalf of all New York City agencies and entities subject to the New York City Procurement Policy Board (PPB) Rules, utilized the Innovative Procurement Method, under Section 3-12 of the Procurement Policy Board Rules. This proposed method was originally advertised by DoITT on February 1, 2018, and will be used to procure goods, standard services and professional services from \$20,000 to \$150,000 exclusively from City-Certified M/WBEs for goods and services. This Method will be used as advertised until such time the City has evaluated the use of this proposed method and determined whether it is in the City's best interest to be codified and used within the PPB rules.

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NYC HEALTH + HOSPITALS

■ SOLICITATION

Services (other than human services)

RFP FOR CONSUMER SATISFACTION SURVEY SERVICES - Request for Proposals - PIN# 100912R142 - Due 7-27-18 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.

NYC Health + Hospitals, 160 Water Street, 3rd Floor, New York, NY 10038. Kathleen Nolan (212) 908-8730; Fax: (212) 908-8620; nolank@metroplus.org

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PARKS AND RECREATION

■ VENDOR LIST

Construction Related 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 construct 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 online at: <http://a856-internet.nyc.gov/nycvendoronline/home.asap.>; or <http://www.nycgovparks.org/opportunities/business>.

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

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

j2-d31

REVENUE

■ SOLICITATION

Goods and Services

REQUEST FOR BIDS (RFB) FOR THE OPERATION AND MAINTENANCE OF A NEWSSTAND LOCATED AT VAN SINDEREN AVENUE BETWEEN FULTON AND TRUXTON STREETS, CALLAHAN-KELLY PLAYGROUND, BROOKLYN - Public Bid - PIN# B219-NS-2017 - Due 7-30-18 at 3:00 P.M.

In accordance with Section 1-12 of the Concession Rule of the City of New York, the New York City Department of Parks and Recreation ("Parks") is issuing, as of the date of this notice, a Request for Bids (RFB) for the operation and maintenance of a newsstand, located at Van Sinderen Avenue between Fulton and Truxton Streets, Callahan-Kelly Playground, Brooklyn.

Hard copies of the RFB can be obtained, at no cost, commencing June 26, 2018, through July 26, 2018, between the hours of 9:00 A.M., and 5:00 P.M., excluding weekends and holidays, at the Revenue Division of the New York City Department of Parks and Recreation, which is located, at 830 Fifth Avenue, Room 407, New York, NY 10065. All bids submitted in response to this RFB must be submitted by no later than

July 30, 2018, at 3:00 P.M.

There will be a recommended bidder meeting on July 11, 2018, at 11:00 A.M. We will be meeting at the proposed concession site, which is located near the corner of Fulton Street and Van Sinderen Avenue, in Callahan-Kelly Playground, Brooklyn. If you are considering responding to this RFB, please make every effort to attend this recommended meeting.

The RFB is also available for download, commencing on June 26, 2018 through July 30, 2018, on Parks' website. To download the RFB, visit <http://www.nyc.gov/parks/businessopportunities> and click on the "Concessions Opportunities at Parks" link. Once you have logged in, click on the "download" link that appears adjacent to the RFB's description.

For more information or to request to receive a copy of the RFB by mail, prospective proposers may contact the Revenue Division's Senior Compliance Officer, Jeremy Holmes, at (212) 360-3455 or at jeremy.holmes@parks.nyc.gov.

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

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

*Parks and Recreation, 830 5th Avenue, 4th Floor, New York, NY 10065.
Jeremy Holmes (212) 360-3455; Fax: (917) 849-6635;
jeremy.holmes@parks.nyc.gov*



j26-jy10

PROBATION

AWARD

Human Services/Client Services

ARCHES RENEWAL - Renewal - PIN# 78116I0001002R001 - AMT: \$193,000.00 - TO: Health People Inc., 552 Southern Boulevard, Bronx, NY 10455.

Exercise of one-year option to renew from 7/1/18 - 6/30/19.

◀ j29

TRANSPORTATION

ADMINISTRATION

AWARD

Goods and Services

STANDARDIZED PEDESTRIAN WAYFINDING SYSTEM
- Renewal - PIN# 84111MBAD072 - AMT: \$7,435,771.65 - TO: Penta City Group JV, 32 Old Slip, Suite 401, New York, NY 10005.

◀ j29

IT AND TELECOM

AWARD

Services (other than human services)

VEEAM SOFTWARE LICENSE AND SUPPORT - Innovative Procurement - Other - PIN# 84118PO112IT - AMT: \$130,285.90 - TO: Shi International Corp., 290 Davidson Avenue, Somerset, NJ 08873. Pursuant to Section 3-12 of the New York City Procurement Policy Board (PPB) Rules, NYCDOT has procured Veeam Software License and Support.

● **OPTIPLEX 7050 SMALL FORM FACTOR XCTO** - Innovative Procurement - Other - PIN# 84118PO113IT - AMT: \$136,300.00 - TO: Quality and Assurance Technology Corp., 181 Marginwood Drive, Ridge, NY 11961.

Pursuant to Section 3-12 of the New York City Procurement Policy Board (PPB) Rules, NYCDOT has procured OptiPlex 7050 Small Form Factor XCTO.

The New York City Department of Transportation (NYCDOT) on behalf of all New York City agencies and entities subject to the New York City Procurement Policy Board (PPB) Rules, utilized the Innovative Procurement Method, under Section 3-12 of the Procurement Policy Board Rules.

◀ j29

TRAFFIC

AWARD

Construction/Construction Services

INSTALLATION OF TRAFFIC SIGNALS (SAFETY), CITYWIDE
- Competitive Sealed Bids - PIN# 84118MBTR181 - AMT: \$23,881,847.00 - TO: EJ Electric, 4641 Vernon Boulevard, Long Island City, NY 11101.

◀ j29

TRANSPORTATION PLANNING AND MANAGEMENT

AWARD

Services (other than human services)

RUBBER SPEED BUMPS - Innovative Procurement - Other - PIN# 84118PO124TPM - AMT: \$130,000.00 - TO: Tru Supply Company, LLC, 5 Combes Drive, Manhasset, NY 11030-2204.

Pursuant to Section 3-12 of the New York City Procurement Policy Board (PPB) Rules, NYCDOT has procured Rubber Speed Bumps.

The New York City Department of Transportation (NYCDOT) on behalf of all New York City agencies and entities subject to the New York City Procurement Policy Board (PPB) Rules, utilized the Innovative Procurement Method, under Section 3-12 of the Procurement Policy Board Rules.

◀ j29

YOUTH AND COMMUNITY DEVELOPMENT

PROCUREMENT

INTENT TO AWARD

Human Services/Client Services

SONYC ADDITIONAL PUBLIC SCHOOLS RE-ISSUE RENEWAL
- Renewal - PIN# 26019142374A - Due 7-2-18 at 9:00 A.M.

In accordance to Section 4-04 of the Procurement Policy Board Rules, the Department of Youth and Community Development, intends to renew the SONYC Additional Public School Sites Re-issue contract. SONYC programs provide youth with the support of caring adults and offer engaging, fun activities, designed to encourage participants to pursue their passions and help them through the challenging years or early adolescence. The term shall be July 1, 2018 through June 30, 2019. The contractor's information is as follows:

PIN: 26019142374A AMOUNT: \$293,132
NAME: Girls Incorporated of New York City
ADDRESS: 120 Wall Street, New York, NY 10005

Please be advised that this publication is for information purposes only. If you wish to contract DYCD for further information, please send an email to ACCO@dycd.nyc.gov.

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.

*Youth and Community Development, 2 Lafayette Street, New York, NY 10007. Wendy Johnson (646) 343-6330; Fax: (646) 343-6032;
wjohnson@dycd.nyc.gov*

◀ j29

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, in Spector Hall, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Citywide Administrative Services of the City of New York, on behalf of the City's Department of Environmental Protection (DEP), and PP Systems Inc., 110 Haverhill Road, Suite 301, Amesbury, MA 01913, for Aquatic Biological Monitoring Systems. The proposed contract is in the amount of \$177,475.00. The term of the contract will be one year from the date of Notice of Award. E-PIN #: 82617S0002001.

The proposed contractor has been selected, by Sole Source Procurement Method, pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract may be inspected at the Office of Citywide Procurement, Vendor Relation Unit, 1 Centre Street, 18th Floor, New York, NY 10007, on business days, excluding Legal Holidays, from June 29, 2018 to July 12, 2018, between the hours of 9:00 A.M. and 4:00 P.M.

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CORRECTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Purchase Order/Contract between the Department of Correction of the City of New York and Compulink Technologies Inc., located at 260 West 39th Street, Suite 302, New York, NY 10018, for Network Cables & Supplies. The amount of this Purchase Order/Contract will be \$149,181.22. The term will be from the contract registration to June 30, 2019. Tracking #: 2-1602-0378-2018.

The Vendor has been selected pursuant, to Section 3-12 (e) of the Procurement Policy Board Rules.

A draft copy of the Purchase Order/Contract will be available for public inspection at the Office of NYC Department of Correction, Central Office of Procurement, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370, from June 29, 2018 to July 12, 2018, excluding weekends and Holidays, from 9:00 A.M. and 4:00 P.M.

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DESIGN AND CONSTRUCTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Design and Construction of the City of New York and PMS Construction Management Corp., 92 North Avenue, New Rochelle, NY 10801, for PW348-71, CM/Design Build for Replacement and Upgrading of Petroleum Storage Tanks, Borough of Manhattan. The contract amount shall be \$28,026,750.00. The contract term shall be 1,095 Consecutive Calendar Days from the date of registration. PIN #: 8502016VP0038P, E-PIN #: 85016P0023002.

The proposed consultant has been selected by Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, NY 11101, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Jeanette Cheung at (718) 391-1298.

IN THE MATTER OF a proposed contract between the Department of Design and Construction of the City of New York and, Richmond Medical Center d/b/a Richmond University Medical Center, 355 Bard

Avenue, Staten Island, NY 10310, for Project 850 HLRNRUMCE, for purchases of a Vehicle for Richmond Medical Center d/b/a Richmond University Medical Center. The contract amount shall be \$243,902.00. The contract term shall be five years from the date of registration. PIN #: 8502018HL1280D, E-PIN #: 85018L0001001.

The proposed consultant is being funded through the Staten Island Borough President's office by means of line appropriation discretionary funding, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Legal Division, 30-30 Thomson Avenue, Fourth Floor, Long Island City, NY 11101, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Bruce Rudolph at (718) 391-1732.

IN THE MATTER OF a proposed contract between the Department of Design and Construction of the City of New York and St. Francis College, 180 Remsen Street, Brooklyn, NY 11201, for Project 850 PWKNFRAN, for reimbursement of IT Equipment. The contract amount shall be \$370,563.00. The contract term shall be five years from the date of registration. PIN #: 8502018PW0009D, E-PIN #: 85018L0024001.

The proposed consultant is being funded through the City Council's office by means of line appropriation discretionary funding, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Legal Division, 30-30 Thomson Avenue, Fourth Floor, Long Island City, NY 11101, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays, and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Bruce Rudolph at (718) 391-1732.

IN THE MATTER OF a proposed contract between the Department of Design and Construction of the City of New York and Tectonic Engineering & Surveying Consultants P.C., 118-35 Queens Boulevard, Floor 10, Suite 1000, Forest Hills, NY 11375, for HWK614D, Resident Engineering Inspection Services for the Reconstruction of Bergen Avenue Area - Phase D, Borough of Brooklyn. The contract amount shall be \$9,111,480.00. The contract term shall be 1,580 Consecutive Calendar Days from the date set forth in the Notice to Proceed. PIN #: 8502018HW0002P, E-PIN #: 85018P0006001.

The proposed consultant has been selected by Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, NY 11101, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Lisa Rigatti at (718) 391-2520.

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FINANCE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, in 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Purchase Order/Contract between the Department of Finance and Interior Move Consultants Inc., located at 5 West 19th Street, 2nd Floor, New York, NY 10011, for the provision of Relocation Consulting Services. The contract amount is not to exceed \$150,000.00. The Contract term shall be from July 1, 2018 through June 30, 2019. PIN #: 83618IM0004.

The Vendor has been selected, pursuant to Section 3-12 (e) of the Procurement Policy Board Rules.

A draft copy of the Purchase Order/Contract will be available at the Department of Finance, 1 Centre Street, New York, NY 10007, 10th Floor, from June 29, 2018 to July 12, 2018, exclusive of Saturdays, Sundays and Holidays, from 10:00 A.M. to 3:00 P.M.

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FIRE DEPARTMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine,

Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Fire Department of the City of New York and Prutech Solutions Inc., 22 Cortlandt Street, Suite #1631, New York, NY 10007, for the provision of contractor services for the Fire Department Technology Support Center. The contract amount shall be \$25,700,094.80. The contract term shall be for five years from the date of the written notice to proceed. E-PIN #: 05717P0004001, PIN #: 057170001113.

The proposed contractor has been selected by Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Fire Department of the City of New York, 9 MetroTech Center, Brooklyn, NY 11201, Room 5S-11, on business days, exclusive of Holidays, from June 29, 2018 to July 12, 2018, between the hours of 9:00 A.M. and 5:00 P.M.



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HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Health and Mental Hygiene and Animal Care and Control of New York City dba Animal Care Centers of NYC (ACC), located at 11 Park Place, Suite 805, New York, NY 10007, to operate and provide animal care services at five full service shelters, one in each Borough; to operate admissions centers in The Bronx and Queens until full services shelters are available; to operate field services; and to purchase and build a full service shelter in Queens. The contract amount shall be \$1,487,966,471.00. The contract term shall be from September 1, 2018 to August 31, 2052. E-PIN #: 81618N0003001.

The proposed Contractor has been selected by Negotiated Acquisition, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of Contracts, 42-09 28th Street, 17th Floor, Long Island City, NY 11101, from June 29, 2018 to July 12, 2018, excluding weekends and Holidays, between the hours of 10:00 A.M. and 4:00 P.M. (EST).



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HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between New York City Department of Housing Preservation and Development (“HPD”) and New York State Industries for the Disabled Inc., 11 Columbia Circle Drive, Albany, NY 12203-5156, for the acquisition of Janitorial Services for HPD site offices within the five Boroughs. The contract amount shall be \$1,467,316.00. The contract term shall be from August 1, 2018 to July 31, 2021, with one two-year renewal option from August 1, 2021 to July 31, 2023. E-PIN #: 80618M0002001.

The Vendor has been selected by Required Method of Source Selection (Preferred Source), pursuant to Section 1-02 (d)(1) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8B-06, New York, NY 10038, on business days, from June 29, 2018 to July 12, 2018, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Mr. Gaurav Channan, Deputy Office of the Agency Chief Contracting Officer, Room 8B-06, at (212) 863-6140.



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HUMAN RESOURCES ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF three (3) proposed contracts between the Human Resources Administration of the City of New York and the contractors listed below, for the provision of Supportive Housing for Single Room Occupancy for Homeless Single Adults. The term of these contracts will be for five years from July 1, 2018 to June 30, 2023.

<u>Contractor/ Address</u>	<u>E-PIN #</u>	<u>Amount</u>	<u>Service Area</u>
Volunteers of America - Greater New York Inc. 340 West 85th Street, New York, NY 10024	09618R0005001	\$2,316,855.00	Manhattan
Volunteers of America - Greater New York Inc. 340 West 85th Street, New York, NY 10024	09618R0005002	\$2,232,480.00	Bronx
Volunteers of America - Greater New York Inc. 340 West 85th Street, New York, NY 10024	09618R0005003	\$1,163,095.00	Manhattan

The proposed contractors have been selected through Required Authorized Source Method, pursuant to Section 1-02 (d)(2) of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, Office of Contracts, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from June 29, 2018 to July 12, 2018, between the hours of 10:00 A.M. and 5:00 P.M., excluding Saturdays, Sundays and Holidays. If you need to schedule an inspection appointment and/or need additional information, please contact Paul Romain at (929) 221-5555.



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NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Human Resources Administration of the City of New York and the contractor listed below, for the provision of Emergency Transitional Congregate Supportive Housing to PLWAs of the HIV/AIDS Services Administration. The contract term shall be from January 1, 2017 to June 30, 2018.

<u>Contractor/ Address</u>	<u>E-PIN #</u>	<u>Amount</u>	<u>Service Area</u>
Heritage Health & Housing 416 West 127th Street New York, NY 10027	06909X0047CNVN003	\$637,997.00	Manhattan

The proposed contractor has been selected by Negotiated Acquisition Extension Method, pursuant to Section 3-04 (b)(2)(iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration of the City of New York, Contracts and Services, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from June 29, 2018 to July 12, 2018, Monday through Friday, excluding Holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment and/or need additional information, please contact Paul Romain at (929) 221-5555.



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NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Human Resources Administration of the City of New York and the contractor

listed below, to provide legal services for Broadway Triangle area residents. The term of this contract will be from July 1, 2018 to June 30, 2021.

Contractor/Address	E-PIN #	Amount	Service Area
Brooklyn Legal Services Corporation A 260 Broadway Brooklyn, NY 11211	09618N0008001	\$2,400,000.00	Brooklyn

The proposed contractor has been selected through the Negotiated Acquisition Procurement Method, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration of the City of New York, Office of Contracts, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from June 29, 2018 to July 12, 2018, between the hours of 10:00 A.M. and 5:00 P.M., excluding Saturdays, Sundays and Holidays. If you need to schedule an inspection appointment and/or need additional information, please contact Paul Romain at (929) 221-5555.

IN THE MATTER OF four (4) proposed contracts between the Human Resources Administration of the City of New York and the contractors listed below, for the Provision of Wellness, Comprehensive Assessment, Rehabilitation, and Employment (WeCARE) Program. The term of these contracts will be for three years from February 1, 2019 to January 31, 2022, with one three-year renewal option from February 1, 2022 to January 31, 2025.

Contractor/Address	E-PIN #	Amount	Service Area
University Behavioral Associates, Inc. 111 East 210 th Street Bronx, NY 10467	09616I0013001	\$47,599,998.88	Region I (Bronx)
Arbor E & T, LLC dba Rescare Workforce Services 9901 Linn Station Road Louisville, KY 40223	09616I0013002	\$52,700,000.16	Region II (Brooklyn)
Arbor E & T, LLC dba Rescare Workforce Services 9901 Linn Station Road Louisville, KY 40223	09616I0013003	\$45,900,000.00	Region III (Manhattan & Staten Island)
Maximus Human Services, Inc. 1891 Metro Center Drive Reston, VA 20190	09616I0013004	\$23,800,000.14	Region IV (Queens)

The proposed contractors have been selected through the HHS ACCELERATOR Method, pursuant to Section 3-16 of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration of the City of New York, 150 Greenwich Street, 37th Floor, New York, NY 10007, on business days, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 5:00 P.M. If you need to schedule an inspection appointment and/or need additional information, please contact Paul Romain at (929) 221-5555.



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MAYOR'S OFFICE OF CRIMINAL JUSTICE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contracts Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and Bronx Defenders, located at 360 East 161st Street, Bronx, NY 10451, to provide constitutionally-mandated criminal trial defense services for indigent people who cannot afford representation. The contract term shall be from October 1, 2018 to June 30, 2021. There shall be two two-year options to renew for the period July 1, 2021 to June 30, 2023 and July 1, 2023 to June 30, 2025. The contract shall be in an amount not to exceed \$44,663,155. E-PIN #: 00217I0001004.

The proposed contractor was selected through HHS ACCELERATOR, pursuant to Section 3-16 of the Procurement Policy Board Rules.

The proposed contract shall be available for inspection by members of the public between June 29, 2018 and July 12, 2018, excluding Saturdays, Sundays and Holidays, during the hours of 9:00 A.M. and 12:00 P.M. and 2:00 P.M. and 4:00 P.M., at 1 Centre Street, Room 1012N, New York, NY 10007.

IN THE MATTER OF a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and Brooklyn Defender Services, located at 177 Livingston Street, Brooklyn, NY 11201, to provide constitutionally-mandated criminal trial defense services for indigent people who cannot afford representation. The contract term shall be from October 1, 2018 to June 30, 2021. There shall be two two-year options to renew for the period July 1, 2021 to June 30, 2023 and July 1, 2023 to June 30, 2025. The contract shall be in an amount not to exceed \$66,320,908. E-PIN #: 00217I0001001.

The proposed contractor was selected through HHS ACCELERATOR, pursuant to Section 3-16 of the Procurement Policy Board Rules.

The proposed contract shall be available for inspection by members of the public between June 29, 2018 and July 12, 2018, excluding Saturdays, Sundays and Holidays, during the hours of 9:00 A.M. and 12:00 P.M. and 2:00 P.M. and 4:00 P.M., at 1 Centre Street, Room 1012N, New York, NY 10007.

IN THE MATTER OF a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and The Legal Aid Society, located at 199 Water Street, New York, NY 10007, to provide constitutionally-mandated criminal trial defense services for indigent people who cannot afford representation. The contract term shall be from October 1, 2018 to June 30, 2021. There shall be two two-year options to renew for the period July 1, 2021 to June 30, 2023 and July 1, 2023 to June 30, 2025. The contract shall be in an amount not to exceed \$268,993,814.00. E-PIN #: 00217I0001002.

The proposed contractor was selected through HHS ACCELERATOR, pursuant to Section 3-16 of the Procurement Policy Board Rules.

The proposed contract shall be available for inspection by members of the public between June 29, 2018 and July 12, 2018, excluding Saturdays, Sundays and Holidays, during the hours of 9:00 A.M. and 12:00 P.M. and 2:00 P.M. and 4:00 P.M., at 1 Centre Street, Room 1012N, New York, NY 10007.

IN THE MATTER OF a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and Neighborhood Defender Service, located at 317 Lenox Avenue, New York, NY 10027, to provide constitutionally-mandated criminal trial defense services for indigent people who cannot afford representation. The contract term shall be from October 1, 2018 to June 30, 2021. There shall be two two-year options to renew for the period July 1, 2021 to June 30, 2023 and July 1, 2023 to June 30, 2025. The contract shall be in an amount not to exceed \$18,534,395.00. E-PIN #: 00217I0001005.

The proposed contractor was selected through HHS ACCELERATOR, pursuant to Section 3-16 of the Procurement Policy Board Rules.

The proposed contract shall be available for inspection by members of the public between June 29, 2018 and July 12, 2018, excluding Saturdays, Sundays and Holidays, during the hours of 9:00 A.M. and 12:00 P.M. and 2:00 P.M. and 4:00 P.M., at 1 Centre Street, Room 1012N, New York, NY 10007.

IN THE MATTER OF a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and New York County Defender Services, located at 225 Broadway, New York, NY 10007, to provide constitutionally-mandated criminal trial defense services for indigent people who cannot afford representation. The contract term shall be from October 1, 2018 to June 30, 2021. There shall be two two-year options to renew for the period July 1, 2021 to June 30, 2023 and July 1, 2023 to June 30, 2025. The contract shall be in an amount not to exceed \$32,500,085. E-PIN #: 00217I0001003.

The proposed contractor was selected through HHS ACCELERATOR, pursuant to Section 3-16 of the Procurement Policy Board Rules.

The proposed contract shall be available for inspection by members of the public between June 29, 2018 and July 12, 2018, excluding Saturdays, Sundays and Holidays, during the hours of 9:00 A.M. and 12:00 P.M. and 2:00 P.M. and 4:00 P.M., at 1 Centre Street, Room 1012N, New York, NY 10007.

IN THE MATTER OF a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and Queens Law Associates, located at 11821 Queens Boulevard, Suite 212, Queens, NY 11375, to provide constitutionally-mandated criminal trial defense services for indigent people who cannot afford representation. The contract term shall be from October 1, 2018 to June 30, 2021. There shall be two two-year options to renew for the period July 1, 2021 to June 30, 2023 and July 1, 2023 to June 30, 2025. The contract shall be in an amount not to exceed \$39,410,603. E-PIN #: 00217I0001006.

The proposed contractor was selected through HHS ACCELERATOR,

pursuant to Section 3-16 of the Procurement Policy Board Rules.

The proposed contract shall be available for inspection by members of the public between June 29, 2018 and July 12, 2018, excluding Saturdays, Sundays and Holidays, during the hours of 9:00 A.M. and 12:00 P.M. and 2:00 P.M. and 4:00 P.M., at 1 Centre Street, Room 1012N, New York, NY 10007.

IN THE MATTER OF a proposed contract between the Mayor's Office of Criminal Justice (MOCJ) and Safe Horizon, located at 2 Lafayette Street, New York, NY 10007, to provide supervised visitation services to non-custodial parents in domestic violence cases in Queens. The contract term shall be from October 1, 2018 to September 30, 2020, with two two-year options to renew from October 1, 2020 to September 30, 2022 and from October 1, 2022 to September 30, 2024. The contract shall be in an amount not to exceed \$280,800. E-PIN #: 00218N0003001.

The proposed contract is being procured through Negotiated Acquisition Method, pursuant to Section 3-04 of the Procurement Policy Board Rules.

A draft copy of the proposed contract shall be available for inspection by members of the public between June 29, 2018 and July 12, 2018, excluding Saturdays, Sundays and Holidays, during the hours of 9:00 A.M. and 12:00 P.M. and 2:00 P.M. and 4:00 P.M. at 1 Centre Street, Room 1012N, New York, NY 10007.



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POLICE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Police Department of the City of New York and The Child Center of NY Inc., located at 118-35 Queens Boulevard, Forest Hills, NY 11375, for the provision and administration of a Community Center, at 127 Pennsylvania Avenue, for the NYPD. The contract amount shall be \$918,236.00 over the term of this Contract. The contract term shall be for two years from September 5, 2018 through September 4, 2020, with two two-year Renewal Options from September 5, 2020 through September 4, 2022 and from September 5, 2022 through September 4, 2024. PIN #: 0561700001203, E-PIN #: 0561710002001.

The proposed contractor has been selected through HHS ACCELERATOR Method, pursuant to Section 3-16 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Police Department, Contract Administration Unit, 90 Church Street, Suite 1206, New York, NY 10007, on business days, excluding Holidays, from June 29, 2018 through July 12, 2018, from 9:30 A.M. to 4:30 P.M. Please contact Claudia Castro at the Contract Administration Unit at (646) 610-4786 or claudia.castro@nypd.org, to arrange a visitation.



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TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Transportation of the City of New York and Jacobs Civil Consultants Inc., Two Penn Plaza, Suite 603, New York, NY 10121, for the provision of Total Design and Construction Support Services for the Rehabilitation of Harlem River Drive Ramp to GWB over Harlem River Drive SB (Trans-Manhattan Expwy), Borough of Manhattan. The contract amount shall be \$44,341,546.48. The contract term shall be 2,920 Consecutive Calendar Days from the Date of Written Notice to proceed for the Final Completion of Construction Contract. E-PIN #: 84118P0026001, PIN #: 84118MNR212.

The proposed consultant has been selected by Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief

Contracting Officer, 55 Water Street, New York, NY 10041, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER OF a proposed contract between the Department of Transportation of the City of New York and KS Engineers, PC., 65 Broadway, Suite 1002, New York, NY 10006, for the provision of Total Design and Construction Support Services for Rehabilitation of Pelham Bay Park Equestrian Bridge over Amtrak-CSX, Borough of The Bronx. The contract amount shall be \$3,457,286.64. The contract term shall be 2,192 Consecutive Calendar Days from the Date of Written Notice to proceed for the Final Completion of Construction Contract. E-PIN #: 84118P0018001, PIN #: 84118BXR193.

The proposed consultant has been selected by Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 55 Water Street, New York, NY 10041, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.



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AGENCY RULES

COMPTROLLER

■ NOTICE

Notice of Adoption of Amendments to Title 44

In accordance with §1043(b) of the New York City Charter (the "Charter") and pursuant to the authority granted to the Comptroller by New York state labor law articles eight and nine; New York state real property tax law Sections 421-a (8), (16), and (17); and New York city administrative code Sections 6-109 and 19-142, a notice of intention to amend Chapter 2 of Title 44 of the rules of the City of New York was published in the City Record on December 4, 2017, and a public hearing was held on January 5, 2018. Testimony and written comments were received and reviewed. A number of changes were made, including several in response to the comments received, and this necessitated renumbering various sections of title 44.

Statement of Basis and Purpose of Regulations

Various state and local laws vest the New York City Comptroller with authority to set prevailing wage and supplement rates and to enforce prevailing wage and living wage laws by conducting investigations and hearings and issuing reports with recommendations or orders, depending on the provisions of the various laws. Over the years, as additional authority has been given to the Comptroller in this regard, it has become necessary and appropriate to update the Comptroller's procedural rules. The laws that vest authority in the Comptroller are detailed below.

- New York state labor law article eight requires payment of prevailing wages and supplements to construction workers on New York City public works projects.
- New York state labor law article nine requires payment of prevailing wages and supplements to building service employees on building service contracts with city agencies.
- New York state real property tax law Sections 421-a (8), (16)(h), and 17(g) require payment of prevailing wages and supplements to building service employees in certain buildings that receive real estate tax exemptions under that law. New York state real property tax law Section 421-a (16)(c) requires payment of an average minimum hourly wage to construction workers on certain projects that are entitled to real estate tax exemptions under that law.
- New York City administrative code Section 6-109 requires payment of prevailing wages and supplements to workers on certain service contracts with City agencies and requires payment of living wages and supplements to workers on certain service contracts with city agencies.
- New York City administrative code Section 19-142 requires payment of prevailing wages and supplements to workers on New York city street excavations.

These regulations set forth a clear and uniform procedure for setting prevailing wage and supplement rates, conducting investigations and hearings and issuing recommendations or orders in cases brought under the above-mentioned laws. The comprehensiveness of the rules provides enhanced guidance to employers, employees, and building owners covered by these laws.

Section 1 amends the heading of Chapter 2 of Title 44 of the rules of the City of New York to clarify that the rules are inclusive of Comptroller activity under various prevailing wage laws, in addition to the labor law.

Section 2 amends Section 2-01 of Chapter 2 of Title 44 to expand the description of applicable prevailing wage laws. Section 3 repeals and replaces Section 2-02 of chapter 2 of title 44 to address the need for definitions of additional terms.

Section 4 repeals and replaces Section 2-03 of Chapter 2 of Title 44 to set forth the Comptroller's procedures for determining Prevailing Wages and Supplements and how the determinations may be challenged.

Section 5 repeals and replaces Section 2-04 of Chapter 2 of Title 44 to explain the extent of the obligation to pay prevailing wages and supplements, and record-keeping mandates for covered employers.

Section 6 repeals and replaces Section 2-05 of chapter 2 of title 44 to explain how prevailing wage compliance investigations of covered employers are commenced, the look-back period, and the process and resolution of such investigations. The new Section 2-05 now includes the parameters for penalties that may be assessed in a settlement with a covered employer in which the violation was committed by a subcontractor.

Section 7 amends Chapter 2 of Title 44 to add a new Section 2-06 regarding prevailing wage hearings, and the interactions between the Comptroller, other agencies, and the office of administrative trials and hearings.

Section 8 rennumbers Chapters 3 and 4 of Title 44, and adds a new heading for a new Chapter 3 regarding the Comptroller's procedure for enforcing living wage and minimum average hourly wage laws.

Section 9 adds a new Section 3-01 of Chapter 3 of Title 44 to describe the applicable living wage and minimum average hourly wage laws.

Section 10 adds a new Section 3-02 of Chapter 3 of Title 44 to define additional terms.

Section 11 adds a new Section 3-03 of Chapter 3 of Title 44 to explain which records covered employers and independent monitors must maintain and provide to the Comptroller.

Section 12 adds a new Section 3-04 of Chapter 3 of Title 44 to explain how living wage and minimum average hourly wage compliance investigations of covered employers are commenced, the look-back period, and the process and resolution of such investigations.

Section 13 adds a new Section 3-05 of Chapter 3 of Title 44 to describe living wage and minimum average hourly wage hearings, and the interactions between the Comptroller, other agencies, and the office of administrative trials and hearings.

New text is underlined.

[Deleted material is in brackets.]

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

Section 1. The heading of Chapter 2 of Title 44 of the rules of the City of New York is amended to read as follows:

Comptroller's [Labor Law Hearing Practice and Procedure] Prevailing Wage Law Regulations

§ 2. Section 2-01 of Chapter 2 of Title 44 of the rules of the City of New York is amended to read as follows:

§ 2-01 Applicability

[These rules shall apply to hearings conducted pursuant to the provisions of New York State labor law Sections 220 et seq. and Sections 230 et seq.]

These regulations apply to Comptroller investigations, determinations, hearings, reports and recommendations, and orders under New York state labor law articles eight and nine and New York City administrative code Section 19-142; Comptroller investigations, determinations, hearings and reports and recommendations made to the New York city department of housing preservation and development under New York state real property tax law Sections 421-a (8), (16)(h) and (17)(g); and Comptroller investigations, determinations, hearings and reports and recommendations made to city agencies under the prevailing wage provisions of New York City administrative code Section 6-109.

§ 3. Section 2-02 of Chapter 2 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 2-02 Definitions

As used in this chapter, the following terms have the following meanings. Capitalized terms that are not specifically defined in this chapter have the meanings set forth in the laws designated in Section 2-01.

Bona Fide Fringe Benefit. "Bona Fide Fringe Benefit" means any payment made by a Covered Employer, other than wages, that directly benefits a Covered Worker, including but not limited to paid vacation or sick leave, medical or dental insurance, retirement accounts or annuities and apprenticeship training.

Bureau. "Bureau" means the comptroller's bureau of labor law.

Certified Payroll Report. "Certified Payroll Report" means a weekly payroll record in the form provided on the comptroller's website.

Complaining Worker. "Complaining Worker" means a worker who has filed a written complaint for the underpayment of Prevailing Wages and Supplements with the Bureau.

Comptroller. "Comptroller" means the City of New York comptroller or the comptroller's designee.

Covered Employer. "Covered Employer" means any person or entity subject to liability for Prevailing Wages and/or Supplements under labor law articles eight or nine on public works projects or building service contracts for the City of New York by and through its agencies or public benefit corporations; or under real property tax law Sections 421-a (8), (16)(h), or 17(g); or New York City administrative code Sections 6-109 or 19-142.

Covered Work. "Covered Work" means any work that is subject to the requirements of articles eight or nine of the labor law on public works projects or building service contracts for the City of New York by and through its agencies or public benefit corporations; or subject to the requirements of real property tax law Sections 421-a (8), (16)(h) or (17)(g); or New York City administrative code Sections 6-109 or 19-142. "Covered Work" does not include purely supervisory work, or work that is not performed on or about the site of the project, contract or building in question.

Covered Worker. "Covered Worker" means any person who performs Covered Work.

Daily Sign-In Log. "Daily Sign-In Log" means a daily attendance record in the form provided on the comptroller's website.

Document. "Document" means records in any form or electronically stored information, including writings, graphs, charts and other data or data compilations stored in any medium.

Prevailing Wage and/or Supplement. "Prevailing Wage and Supplement" or "Prevailing Wage" or "Prevailing Supplement" mean Prevailing Wages and/or Supplements as defined in labor law articles eight and nine; real property tax law Sections 421-a (8), (16)(h) or (17)(g); and New York City administrative code Sections 6-109(a) and 19-142.

Worker Notice Poster. "Worker Notice Poster" means a notice in the form provided on the comptroller's website detailing the Prevailing Wages and Supplements due for Covered Work performed on a particular project, contract or building.

§ 4. Section 2-03 of Chapter 2 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 2-03 Annual Prevailing Wage and Supplement determinations

(a) Prevailing Wage Schedules. On June 1 of each year, the Bureau preliminarily determines and publishes Prevailing Wage and Supplement rates for each trade classification. The Bureau then considers any comments from interested persons asserting errors or omissions in the preliminary Prevailing Wage and Supplement rates if such comments are submitted in writing on or before June 15 of the same year. On July 1 of each year, the Bureau determines and publishes the Prevailing Wage and Supplement rates for each trade classification effective from the date of publication until June 30 of the following year. In January of each year, the Bureau may publish updated Prevailing Wage and Supplement rates for each trade classification, without a comment period, effective from the date of publication until June 30 of the same year.

(b) Standard for Prevailing Wage and Supplement Rates.

(1) The Prevailing Wage and Supplement rates for each trade classification are based upon the rate of wage paid and supplements provided by virtue of a collective bargaining agreement between a bona fide labor organization and employers of the private sector performing public or private work, provided the employers party to the agreement employ at least 30 percent of the workers in the same trade or occupation in the City of New York. If it is determined that less than 30 percent of the workers in a particular trade or occupation in the City of New York receive a collectively

bargained rate of wage and supplements, then the average wage paid and supplements provided to such workers in the same trade or occupation in the City of New York during the prior year is the Prevailing Wage and Supplement rate.

- (2) For all Prevailing Wage and Supplement rates other than those governed by labor law article eight, the Bureau considers: (i) wage and fringe benefit data from the Occupational Employment Statistics survey and the National Compensation survey; (ii) classification data from the Standard Occupational Classification System and the North American Industry Classification System; as well as (iii) any other competent evidence submitted by an interested person before the Bureau adopts rates from a collective bargaining agreement.
- (c) Challenges to Prevailing Wage and Supplement Determinations. An interested person that seeks to challenge an annual determination of Prevailing Wage and Supplement rates by the Bureau for a trade classification must request a redetermination by the Bureau for that trade classification in writing on or before March 1 in order for the redetermination to be effective on July 1 of that year. The request for redetermination must include competent evidence that the Bureau's prior annual determination of Prevailing Wage and Supplement rates for that trade classification was erroneous in accordance with the standard set forth in Section 2-03(b).
- (d) Inability to Determine or Invalidity of Prevailing Wage or Supplement Rates. If the Bureau is unable to determine or update the Prevailing Wage or Supplement rates for a trade classification in time for publication in any schedule, for any reason, such as the failure to obtain information concerning collective bargaining agreements, or if the Prevailing Wage or Supplement rates for any trade classification in any schedule are declared invalid by a court of competent jurisdiction, then the last valid Prevailing Wage or Supplement rate determination for that trade classification remains the Prevailing Wage and Supplement rate for that schedule.

§ 5. Section 2-04 of Chapter 2 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 2-04 Prevailing Wage and Supplement requirements and recordkeeping

- (a) Applicable rates. The Prevailing Wage and Supplement rates that are required for Covered Work are the rates that are published and effective as set forth in Section 2-03(a) at the time that the Covered Work is performed.
- (b) Prevailing Supplement rates. (1) The obligation to pay Prevailing Supplements may be discharged by either the provision of (i) Bona Fide Fringe Benefits that cost no less than the Prevailing Supplement rate, (ii) a supplement to the hourly wage in an amount no less than the Prevailing Supplement rate, or (iii) a combination of Bona Fide Fringe Benefits and wage supplements that, collectively, costs no less than the Prevailing Supplement rate.
- (2) The obligation to pay Prevailing Wages cannot be reduced or discharged through the provision of Bona Fide Fringe Benefits that cost more than the Prevailing Supplement rate.
- (3) The hourly cost of a Bona Fide Fringe Benefit provided by a Covered Employer to a Covered Worker under Section 2-04(b) (1) must be determined by dividing the total annual cost or contribution for providing such Bona Fide Fringe Benefit by the total annual hours of Covered Work and all other work performed by that Covered Worker for that Covered Employer. However, a Covered Employer that provides an hourly contribution for each hour of Covered Work to an individual account for a Covered Worker is credited for such hourly contribution.
- (c) Required records. (1) Covered Employers must maintain Documents consisting of the following records for six years after Covered Work is performed, must preserve the records immediately when notified by the Bureau of a compliance investigation, and must produce true copies of all such records within the time requested by the Bureau after notice of the right to counsel described in Section 2-05(f):
- i) Contracts and subcontracts for Covered Work;
 - ii) Certified Payroll Reports for Covered Work;
 - iii) Daily Sign-In Logs for Covered Work;
 - iv) Weekly payroll records, registers or journals required by labor law Section 195;
 - v) All Documents and records concerning the cost of Bona Fide Fringe Benefits provided to Covered Workers, including but not limited to invoices, account statements, benefits remittance reports and benefits plan descriptions; and

- vi) All Federal and State employment tax returns and filings, including but not limited to quarterly combined withholding, wage reporting, and unemployment insurance form NYS-45 returns; employers' quarterly Federal tax form 941 returns; wage and tax form W-2 statements; and miscellaneous income form 1099 statements.
- (2) Each Covered Employer must maintain one weekly Certified Payroll Report for each project, contract or building on which it performs Covered Work. The Certified Payroll Report must set forth the names, addresses and trade classifications for all Covered Workers employed by the Covered Employer on the project, contract or building, as well as the hours and days of Covered Work, the hourly wage and supplement rates, and the weekly gross and net pay amounts for each Covered Worker. The Certified Payroll Report must be signed and affirmed to be true under penalties of perjury by an officer or principal of the Covered Employer.
- (3) Each Covered Employer must maintain one Daily Sign-In Log for each project, contract or building on which it performs Covered Work. The Daily Sign-In Log must set forth the names, trade classifications, daily start and end times of Covered Work for, and must be signed by, each Covered Worker employed by the Covered Employer on the project, contract or building.
- (4) Each Covered Employer must post a Worker Notice Poster in a prominent and accessible place at each project, contract or building on which it performs Covered Work. The Worker Notice Poster must set forth the Prevailing Wages and Supplements due for the Covered Work performed on that project, contract or building.

§ 6. Section 2-05 of Chapter 2 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 2-05 Compliance investigations, compliance determinations, settlements, interest and penalties

- (a) The Bureau investigates and determines underpayments of Prevailing Wages and Supplements by Covered Employers under labor law articles eight and nine, real property tax law Sections 421-a (8), (16)(h), and (17)(g) and New York city administrative code Section 19-142 for Covered Work performed within the two-year period immediately preceding the earlier of: (i) the commencement of the compliance investigation by the Bureau, or (ii) the filing of a written complaint by a Covered Worker with the Bureau or the New York State Department of Labor.
- (b) The Bureau investigates and determines underpayments of Prevailing Wages and Supplements by Covered Employers under New York City administrative code Section 6-109 for Covered Work performed within the three-year period immediately preceding the earlier of: (i) the commencement of the compliance investigation by the Bureau, or (ii) the filing of a written complaint with the Bureau by a Covered Worker, the representative of a Covered Worker or a labor union with an interest in the Covered Work at issue. Compliance investigations concerning underpayment of Prevailing Wages and Supplements for Building Service Employees that are also covered by labor law article nine are governed by the provisions of Section 2-05(a).
- (c) The Bureau may decline to investigate and determine underpayments of Prevailing Wages and/or Supplements if the Complaining Worker or the Complaining Worker's representative has participated in any other legal proceeding to recover the same unpaid Prevailing Wages and/or Supplements that are the subject of the complaint.
- (d) A private settlement between a Covered Worker and a Covered Employer, or the execution of a release by a Covered Worker in favor of a Covered Employer, does not preclude investigation and determination as to underpayment of Prevailing Wages and/or Supplements by the Bureau.
- (e) The Bureau does not disclose the names or identities of Complaining Workers unless necessary for settlement or hearing.
- (f) Covered Employers under investigation by the Bureau have the right to be represented by counsel at their own expense. Covered Employers are notified of the right to counsel at the commencement of a compliance investigation in which records, described in Sections 2-04(c), 2-05 and 2-06 may be demanded. Counsel must file a written notice of appearance with the Bureau. All subsequent notices, Documents or other communications are sent to such counsel and deemed service upon the Covered Employer.
- (g) During the compliance investigation, the Covered Employer must provide all relevant information and Documents within the time requested by the Bureau, including but not limited to the records required by Section 2-04(c). Upon completion of a

compliance investigation with a finding of violation, the Bureau sends a written thirty day notice to the Covered Employer that it will begin calculations of Prevailing Wage and/or Supplement underpayments for a determination. In preparing its determination, the Bureau will not consider any information or Documents requested by the Bureau and not provided by the Covered Employer within thirty days of the written notice.

- (h) If a Covered Employer failed to keep or provide to the Bureau in a timely manner accurate records as required by Section 2-04(c), the Bureau is permitted to calculate underpayments of Prevailing Wages and/or Supplements due to Covered Workers by using the best available evidence and the burden shifts to the Covered Employer to negate the reasonableness of the Bureau's calculations. In such case, the amount and extent of underpayment is a matter of reasonable inference and may be based upon the statements of Covered Workers.
- (i) The Bureau may resolve a compliance determination by stipulation of settlement with a Covered Employer, which includes: (i) findings and assessments as to the underpayment of Prevailing Wages and/or Supplements, (ii) findings as to the willfulness of the violation, (iii) assessments of interest and, (iv) in cases brought under labor law articles eight and nine and New York city administrative code Sections 6-109 and 19-142 only, assessment of a civil penalty.
- (j) Stipulations of settlement resolving compliance determinations under labor law articles eight and nine and New York City administrative code Section 19-142 are endorsed by the Comptroller and have the effect of an order of the Fiscal Officer under those laws. Stipulations of settlement resolving compliance investigations under real property tax law Sections 421-a (8), (16)(h) and (17)(g) must be endorsed by the New York City department of housing preservation and development in order to have final effect under that statute. Stipulations of settlement resolving compliance investigations under New York City administrative code Section 6-109 must be endorsed by the contracting agency in order to have final effect under that statute.
- (k) Interest. (1) The Bureau assesses interest due on the underpayment of Prevailing Wages and/or Supplements from the date of underpayment, and such interest cannot be waived by stipulation of settlement.
- (2) Upon resolution of a compliance determination by stipulation of settlement, the Bureau may reduce the rate of interest on the underpayment of Prevailing Wages and/or Supplements from the rate of interest then in effect as prescribed by the superintendent of banks under Section fourteen-a of the banking law per annum to a rate of interest not less than six percent, based upon due consideration of the size of the Covered Employer's business, the good faith of the Covered Employer, the gravity of the violation, the history of previous violations and the failure to comply with recordkeeping or other non-wage requirements.
- (l) Civil Penalty. (1) In cases brought under labor law articles eight and nine and New York City administrative code Sections 6-109 and 19-142, the Bureau assesses any civil penalty in accordance with the criteria set forth in labor law Sections 220(8), 220-b (2) (d) and 235(5)(b) and New York City administrative code Section 6-109(e)(1)(a).
- (2) The Bureau may waive the civil penalty for a Covered Employer entering into a stipulation of settlement for underpayments of Prevailing Wages and/or Supplements by its subcontractor where there is uncontroverted evidence of all of the following:
- (i) the Covered Employer or its agent provided the subcontractor with the applicable Prevailing Wage and Supplement schedule for the project or contract;
- (ii) the Covered Employer made a good faith effort to ensure that the subcontractor complied with all Prevailing Wage and Supplement requirements, including but not limited to requesting and reviewing Certified Payroll Reports;
- (iii) the subcontractor cannot be located, despite the Covered Employer having made a good faith attempt to locate said subcontractor, or the subcontractor has filed for bankruptcy protection, or the subcontractor is no longer in business;
- (iv) the Covered Employer has paid the subcontractor in full in accordance with the terms of its subcontract agreement;
- (v) the Covered Employer has fully cooperated, in a timely manner, with the Bureau's compliance investigation; and
- (vi) in all likelihood, the Covered Employer will be unable to

receive indemnification from the subcontractor for the restitution the Covered Employer has paid.

- (m) The Bureau sends written notice to a Complaining Worker or the Complaining Worker's representative upon closure of a compliance investigation without a finding of violation. This notice of a final determination, binding on the Complaining Worker, commences any applicable time limits under article 78 of the New York State civil practice law and rules. If the Covered Employer under investigation has been notified of a compliance investigation, the Bureau sends written notice of closure without a finding of violation to the Covered Employer.

§ 7. Chapter 2 of Title 44 of the rules of the City of New York is amended to add a new Section 2-06 to read as follows:

§ 2-06 Hearings, reports and recommendations and orders

- (a) Designation. All hearings required by New York labor law articles eight and nine; real property tax law Sections 421-a (8), (16)(h) and (17)(g); and New York city administrative code Sections 6-109 and 19-142 are held by the office of administrative trials and hearings trials division.
- (b) Discovery. Each party must provide to all other parties, no later than ten business days before trial: (i) the names of all witnesses the party expects to present at trial, (ii) copies of all Documents or other exhibits the party expects to introduce at trial, (iii) copies of all Documents provided by each Complaining Worker and (iv) copies of all statements, in any form, provided by each Covered Employer that is a party to the hearing.
- (c) Preclusion. (1) Failure of a Covered Employer to provide any information or Document requested by the Bureau in a timely manner as set forth in Section 2-05(g) and (h) may be grounds for preclusion of that Document or drawing of an adverse inference at the trial upon motion to the administrative law judge.
- (2) No party may seek to introduce any testimonial, documentary or other evidence concerning the immigration status of Covered Workers at the trial, including but not limited to information about their social security or individual taxpayer identification numbers, except upon motion to the administrative law judge for good cause shown.
- (d) Report and recommendation. (1) Within a reasonable time after the conclusion of the hearing, the administrative law judge issues a written report, including proposed findings of fact and conclusions of law, and recommendation as to the order.
- (2) In cases brought under labor law articles eight and nine and New York City administrative code Section 19-142, the administrative law judge forwards the report and recommendation to the Comptroller for consideration and the Comptroller issues an order.
- (3) In cases brought under real property tax law Sections 421-a (8), (16)(h), and (17)(g), the administrative law judge forwards the report and recommendation to the New York City department of housing preservation and development for consideration and that agency issues an order.
- (4) In cases brought under New York city administrative code Section 6-109, the administrative law judge forwards the report and recommendation to the contracting agency for consideration, and the contracting agency issues an order.
- (e) Order. (1) In cases brought under labor law articles eight and nine and New York City administrative code Section 19-142, the Comptroller may, on his or her own initiative or on application duly made, on notice to all parties: (i) request further information or briefing on any relevant issue or (ii) provide copies of any recalculation of Prevailing Wages and Supplements underpayment, interest and civil penalty, and request comments from the parties to the hearing before issuing an order. Such request and any responses are part of the record.
- (2) In cases brought under labor law articles eight and nine and New York City administrative code Section 19-142, the Comptroller may adopt, reject or modify the administrative law judge's report and recommendation when issuing an order; such order is to be based exclusively upon the record as a whole, including facts of which official notice has been taken.
- (3) The Bureau files the order of the Comptroller and serves a notice of filing, with copy of the order, on every party.

§ 8. Chapter 3 of Title 44 of the rules of the City of New York is renumbered 4, and Chapter 4 is renumbered 5. Chapter 3 is amended to read as follows:

[Hospital Audits.] Comptroller's Living Wage and Minimum Average Hourly Wage Law Regulations.

§ 9. Section 3-01 of Chapter 3 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 3-01 Applicability

These regulations apply to Comptroller investigations, determinations, hearings, reports and recommendations, and orders under New York state real property tax law Section 421-a (16)(c) and to Comptroller investigations, determinations, hearings and reports and recommendations made to City agencies under the living wage provisions of New York City administrative code Section 6-109.

§ 10. Section 3-02 of Chapter 3 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 3-02 Definitions

As used in this chapter, the following terms have the following meanings. Capitalized terms that are not specifically defined in this chapter have the meanings set forth in the laws designated in Section 3-01.

Bureau. "Bureau" means the comptroller's bureau of labor law.

Certified Payroll Report. "Certified Payroll Report" means a weekly payroll record in the form provided on the comptroller's website.

Complaining Worker. "Complaining Worker" means a worker who has filed a written complaint for the underpayment of Wages and Supplements with the Bureau.

Comptroller. "Comptroller" means the City of New York comptroller or the comptroller's designee.

Covered Employer. "Covered Employer" means any person or entity subject to liability for Wages and Supplements under real property tax law Section 421-a (16)(c) or New York city administrative code Section 6-109.

Covered Work. "Covered Work" means any work that is subject to the requirements of real property tax law Section 421-a (16)(c) or New York city administrative code Section 6-109.

Covered Worker. "Covered Worker" means any person who performs Covered Work.

Daily Sign-In Log. "Daily Sign-In Log" means a daily attendance record in the form provided on the comptroller's website.

Document. "Document" means records in any form or electronically stored information, including writings, graphs, charts and other data or data compilations stored in any medium.

Wage and Supplement. "Wage and Supplement" means Living Wage and Health Benefits or Health Benefits Supplement Rate as defined in New York City administrative code Section 6-109(b), or minimum average hourly wage as set forth in real property tax law Section 421-a (16)(c).

Worker Notice Poster. "Worker Notice Poster" means a notice in the form provided on the comptroller's website detailing the Wage and Supplement due for Covered Work performed on a particular project, contract or building.

§ 11. Section 3-03 of Chapter 3 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 3-03 Wage and Supplement required records

(a) Covered Employers must maintain Documents consisting of the following records for six years after Covered Work is performed, must preserve the records immediately when notified by the Bureau of a compliance investigation, and must produce true copies of all such records within the time requested by the Bureau after notice of the right to counsel described in Section 3-04(f):

- 1) Contracts and subcontracts for Covered Work;
- 2) Certified Payroll Reports for Covered Work;
- 3) Daily Sign-In Logs for Covered Work;
- 4) Weekly payroll records, registers or journals required by labor law Section 195;
- 5) All Documents and records concerning the cost of Health Benefits or Employee Benefits provided to Covered Workers, including but not limited to invoices, account statements, benefits remittance reports and benefits plan descriptions; and
- 6) All federal and state employment tax returns and filings, including but not limited to quarterly combined withholding, wage reporting, and unemployment insurance form NYS-45 returns; employers' quarterly Federal tax form 941 returns; wage and tax form W-2 statements; and miscellaneous income form 1099 statements.

(b) Each Covered Employer must maintain one weekly Certified Payroll Report for each project, contract or building on which it performs Covered Work. The Certified Payroll Report must set forth the names, addresses and trade classifications for all Covered Workers employed by the Covered Employer on the

project, contract or building, as well as the hours and days of Covered Work, the hourly wage and supplement rates, and the weekly gross and net pay amounts for each Covered Worker. The Certified Payroll Report must be signed and affirmed to be true under penalties of perjury by an officer or principal of the Covered Employer.

- (c) Each Covered Employer must maintain one Daily Sign-In Log for each project, contract or building on which it performs Covered Work. The Daily Sign-In Log must set forth the names, trade classifications, daily start and end times of Covered Work for, and must be signed by, each Covered Worker employed by the Covered Employer on the project, contract or building.
- (d) Each Covered Employer must post a Worker Notice Poster in a prominent and accessible place at each project, contract or building on which it performs Covered Work. The Worker Notice Poster must set forth the Wages and Supplements due for the Covered Work performed on that project, contract or building.
- (e) Each Independent Monitor contracted under real property tax law Section 421-a (16)(c) must submit one Project Wide Certified Payroll Report to the Bureau within one year of the Completion Date for each project that involves Covered Work. The Project Wide Certified Payroll Report must attach all Contractor Certified Payroll Reports submitted to the Independent Monitor, and must be signed and affirmed to be true under penalties of perjury by the Independent Monitor, based upon a review of the information contained in the attached Contractor Certified Payroll Reports. The Project Wide Certified Payroll Report must:

- 1) Identify all Covered Employers that performed Covered Work on the project;
- 2) For each Covered Employer, set forth the completion date for its Covered Work on the project;
- 3) For each Covered Employer, set forth the date that its Contractor Certified Payroll Report was submitted to the Independent Monitor, or state that no Contractor Certified Payroll Report was submitted;
- 4) For each Covered Employer, calculate and set forth the total hours of Covered Work performed by all Covered Workers it employed on the project, based upon its Contractor Certified Payroll Report;
- 5) For each Covered Employer, calculate and set forth the total Wages paid for Covered Work to all Covered Workers it employed on the project, based upon its Contractor Certified Payroll Report;
- 6) Calculate and set forth the total hours of Covered Work performed on the project, based upon the Contractor Certified Payroll Reports;
- 7) Calculate and set forth the total Wages paid for all Covered Work on the project, based upon the Contractor Certified Payroll Reports;
- 8) Calculate and set forth the Average Hourly Wage paid for all Covered Work on the project; and
- 9) If the Average Hourly Wage is less than the applicable minimum average hourly wage as set forth in real property tax law Section 421-a (16)(c), then calculate and set forth the aggregate amount of the deficiency for all Covered Workers on the project.

§ 12. Section 3-04 of Chapter 3 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 3-04 Compliance investigations, compliance determinations, settlements, interest and penalties

- (a) The Bureau investigates and determines underpayments of Living Wage and Health Benefits or Health Benefits Supplement Rate by Covered Employers under New York City administrative code Section 6-109 for Covered Work performed within the three-year period immediately preceding the earlier of: (i) the commencement of the compliance investigation by the Bureau, or (ii) the filing of a written complaint with the Bureau by a Covered Worker, the representative of a Covered Worker or a labor union with an interest in the Covered Work at issue.
- (b) The Bureau investigates and determines liability for underpayments of minimum average hourly wage by Covered Employers under real property tax law Section 421-a (16)(c) for Covered Work on a project, provided such compliance investigation is commenced within one year of the Completion Date of the project.
- (c) The Bureau may decline to investigate and determine underpayments of Wages and Supplements if the Complaining Worker or the Complaining Worker's representative has participated in any other legal proceeding to recover the same unpaid Wages and Supplements that are the subject of the complaint.

- (d) A private settlement between a Covered Worker and a Covered Employer, or the execution of a release by a Covered Worker in favor of a Covered Employer, does not preclude investigation and determination as to underpayment of Wages and Supplements by the Bureau.
- (e) The Bureau does not disclose the names or identities of Complaining Workers unless necessary for settlement or hearing.
- (f) Covered Employers under investigation by the Bureau have the right to be represented by counsel at their own expense. Covered Employers are notified of the right to counsel at the commencement of a compliance investigation in which records, described in Sections 3-03(a), 3-04 and 3-05 may be demanded. Counsel must file a written notice of appearance with the Bureau. All subsequent notices, Documents or other communications are sent to such counsel and deemed service upon the Covered Employer.
- (g) During the compliance investigation, the Covered Employer must provide all relevant information and Documents within the time requested by the Bureau, including but not limited to the records required by Section 3-03(a). Upon completion of a compliance investigation with a finding of violation, the Bureau sends a written thirty day notice to the Covered Employer that it will begin calculations of Wage and Supplement underpayments for a determination. In preparing its determination, the Bureau will not consider any information or Documents requested by the Bureau and not provided by the Covered Employer within thirty days of the written notice.
- (h) If a Covered Employer failed to keep or provide to the Bureau in a timely manner accurate records as required by Section 3-03(a), the Bureau is permitted to calculate underpayments of Wages and Supplements due to Covered Workers by using the best available evidence and the burden shifts to the Covered Employer to negate the reasonableness of the Bureau's calculations. In such case, the amount and extent of underpayment is a matter of reasonable inference and may be based upon the statements of Covered Workers.
- (i) The Bureau may resolve a compliance determination by stipulation of settlement with a Covered Employer, which includes: (i) findings and assessments as to the underpayment of Wages and Supplements, (ii) findings as to the willfulness of the violation, (iii) assessments of interest and, (iv) in cases brought under New York city administrative code Section 6-109 only, assessment of a civil penalty.
- (j) Stipulations of settlement resolving compliance determinations under real property tax law Section 421-a (16)(c) are endorsed by the Comptroller and have the effect of an order of the Fiscal Officer under that statute.
- (k) Stipulations of settlement resolving compliance investigations under New York City administrative code Section 6-109 must be endorsed by the contracting agency in order to have final effect under that statute.
- (l) Interest. (1) The Bureau assesses interest due on the underpayment of Wages and Supplements from the date of underpayment at the rate of interest then in effect as prescribed by the superintendent of banks under Section fourteen-a of the banking law per annum, and such interest cannot be waived by stipulation of settlement.
- (2) Upon resolution of a compliance determination by stipulation of settlement, the Bureau may reduce the rate of interest on the underpayment of Wages and Supplements to a rate of interest not less than six percent, based upon due consideration of the size of the Covered Employer's business, the good faith of the Covered Employer, the gravity of the violation, the history of previous violations and the failure to comply with recordkeeping or other non-wage requirements.
- (m) The Bureau sends written notice to a Complaining Worker or the Complaining Worker's representative upon closure of a compliance investigation without a finding of violation. This notice of a final determination, binding on the Complaining Worker, commences any applicable time limits under article 78 of the New York State civil practice law and rules. If the Covered Employer under investigation has been notified of a compliance investigation, the Bureau sends written notice of closure without a finding of violation to the Covered Employer.
- (b) Discovery. Each party must provide to all other parties, no later than ten business days before trial: (i) the names of all witnesses the party expects to present at trial, (ii) copies of all Documents or other exhibits the party expects to introduce at trial, (iii) copies of all Documents provided by each Complaining Worker and (iv) copies of all statements, in any form, provided by each Covered Employer that is a party to the hearing.
- (c) Preclusion. (1) Failure of a Covered Employer to provide any information or Document requested by the Bureau in a timely manner as set forth in Section 3-04(g) and (h) may be grounds for preclusion of that Document or drawing of an adverse inference at the trial upon motion to the administrative law judge.
- (2) No party may seek to introduce any testimonial, documentary or other evidence concerning the immigration status of Covered Workers at the trial, including but not limited to information about their social security or individual taxpayer identification numbers, except upon motion to the administrative law judge for good cause shown.
- (d) Report and recommendation. (1) Within a reasonable time after the conclusion of the hearing, the administrative law judge issues a written report, including proposed findings of fact and conclusions of law, and recommendation as to the order.
- (2) In cases brought under real property tax law Section 421-a (16)(c), the administrative law judge forwards the report and recommendation to the Comptroller for consideration and the Comptroller issues an order.
- (3) In cases brought under New York city administrative code Section 6-109, the administrative law judge forwards the report and recommendation to the contracting agency for consideration, and the contracting agency issues an order.
- (e) Orders under real property tax law Section 421-a (16)(c). (1) The Comptroller may, on his or her own initiative or on application duly made, on notice to all parties: (i) request further information or briefing on any relevant issue or (ii) provide copies of any recalculation of Wages and Supplements underpayment and interest, and request comments from the parties to the hearing before issuing an order. Such request and any responses are part of the record.
- (2) The Comptroller may adopt, reject or modify the administrative law judge's report and recommendation when issuing an order; such order is to be based exclusively upon the record as a whole, including facts of which official notice has been taken.
- (3) The Bureau files the order of the Comptroller and serves a notice of filing, with copy of the order, on every party.

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CONSUMER AFFAIRS

■ NOTICE

Notice of Proposed Hearing and Opportunity to Comment

What are we proposing?

The Department of Consumer Affairs Office of Labor Policy and Standards (OLPS) is proposing rules to clarify the laws enforced by OLPS, established pursuant to Chapter 20-a of the New York City Charter, to provide guidance to covered employers and protected workers and set forth OLPS' procedures in enforcing the laws within its jurisdiction.

When and where is the hearing? The Department of Consumer Affairs will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M., on Monday, July 30, 2018. The hearing will be in the Department of Consumer Affairs hearing room at 42 Broadway, 5th Floor, New York, NY 10004.

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

- **Website.** You can submit comments to the Department of Consumer Affairs through the NYC rules Web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to rulecomments@dca.nyc.gov.
- **Mail.** You can mail written comments to Casey Adams, Director of City Legislative Affairs, Department of Consumer Affairs, 42 Broadway, 8th Floor, New York, NY 10004.
- **Fax.** You can fax written comments to the Department of Consumer Affairs, (646) 500-5962.

§ 13. Section 3-05 of Chapter 3 of Title 44 of the rules of the City of New York is repealed and replaced to read as follows:

§ 3-05 Hearings, reports and recommendations and orders

- (a) Designation. All hearings required by New York real property tax law Section 421-a (16)(c) and New York City administrative code Section 6-109 are held by the office of administrative trials and hearings trials division.

- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 436-0095. You can also sign up in the hearing room before the hearing begins on [date]. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes. Written comments must be submitted on or before 5:00 P.M., on Monday, July 30, 2018.

What if I need assistance to participate in the hearing? You must tell the Department's External Affairs Division if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 436-0095. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by 5:00 P.M., on Thursday, July 26, 2018.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the Website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a summary of oral comments concerning the proposed rule will be made available to the public online at <http://www1.nyc.gov/site/dca/about/public-hearings-comments.page>.

What authorizes the Department of Consumer Affairs Office of Labor Policy and Standards to make this rule? Sections 1043, 2203(f) and 20-a of the New York City Charter and chapters 8, 9, 12, and 13 of Title 20 and Section 22-507 of the New York City Administrative Code authorize the Department of Consumer Affairs OLPS to make these proposed rules. These proposed rules were not included in the regulatory agenda of the Department of Consumer Affairs for this Fiscal Year.

Where can I find the Department of Consumer Affairs' rules? The Department of Consumer Affairs' rules are in Title 6 of the Rules of the City of New York.

What laws govern the rulemaking process? The Department of Consumer Affairs Office of Labor Policy and Standards must meet the requirements of Section 1043 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043 of the City Charter.

Statement of Basis and Purpose of Rules

In March 2016, the Mayor signed into law local law 104 of 2015, which enacted section 20-a of the New York City Charter, establishing the Office of Labor Standards (herein referred to as "Office of Labor Policy and Standards" or "OLPS"). The Mayor designated the Department of Consumer Affairs as the agency in which OLPS would be established. Pursuant to Section 20-a of the New York City Charter, OLPS is tasked with, among many things, enforcing municipal labor laws, such as the Earned Sick Time Act, Chapter 8 of Title 20 of the Administrative Code of the City of New York, the Mass Transit Benefits Law, Chapter 9 of Title 20 of the Administrative Code of the City of New York, the Grocery Workers Retention Law, section 22-507 of the Administrative Code of the City of New York, the Fair Workweek Law, Chapter 12 of Title 20 of the Administrative Code of the City of New York, and the Deductions Law, Chapter 13 of Title 20 of the Administrative Code of the City of New York.

These rules amend Chapter 7 of Title 6 of the Rules of the City of New York to establish uniform practices and procedures for the enforcement of the laws enforced by OLPS, where possible. Specifically, these rules:

- Contain a definitions section applicable to certain rules and laws enforced by OLPS.
- Mandate that the rules shall be liberally construed to accomplish the OLPS mandate in Section 20-a of the Charter, with the understanding that they do not supersede any other provision of the OLPS laws and rules, the Freelancers Law and rules, or the Transportation Benefits Law and rules.
- Contain a severability clause that, in the event any provision is deemed invalid or inapplicable in a particular circumstance, maintains the validity and applicability of the remaining rules.
- Clarify that OLPS resources and the rights protected by OLPS extend to persons regardless of immigration status.
- Clarify that OLPS will maintain confidential the identity of complainants and witnesses to the extent possible.
- Clarify that joint employers are individually and jointly liable for violations of laws enforced by OLPS and satisfaction of fines and restitution.
- Clarify how employers in a joint employer relationship should determine the number of employees they have.
- Clarify how to calculate lost earnings for the calculation of damages when an employee is paid a flat rate or performs more than one job for the same employer.

- Clarify how employers must satisfy any obligation to post a notice or other writing required by the laws enforced by OLPS.
- Define what may constitute retaliation, including adverse actions taken by employers against employees.
- Clarify that both direct and indirect evidence are acceptable to establish a causal connection between an adverse action and the exercise, attempted exercise, or anticipated exercise of rights.
- Clarify that the burden of proof for retaliation is whether protected activity was a "motivating factor" for an adverse action.
- Clarify the procedures for investigations of alleged violations of laws enforced by OLPS.
- Clarify that OLPS may issue a notice of violation for failure to comply with a request for information.
- Clarify what constitutes proper service of process.
- Clarify that a failure to maintain records creates an inference in favor of OLPS.
- Clarify that a policy or practice that denies a right established or protected by the laws enforced by OLPS constitutes a violation of the applicable provision of the OLPS law or rule for each employee subjected to the policy or practice.
- Harmonize the Displaced Grocery Worker Rules with newly proposed Rules for the Office of Labor Policy and Standards.
- Delete the definition of "appropriate notice," contained in the Displaced Grocery Worker rules, which is revised and included in the proposed rules for the Office of Labor Policy and Standards.
- Delete provisions regarding the posting of notice of change in control by incumbent grocery employers in the Displaced Grocery Worker rules, which is revised and included in the proposed rules for the Office of Labor Policy and Standards.
- Delete provisions regarding enforcement procedures contained in the Displaced Grocery Worker rules, which are included in the proposed rules for the Office of Labor Policy and Standards.
- Place the Transportation Benefits rules in Subchapter C of Chapter 7 and renumber the rules accordingly.
- Place the Freelance Worker rules in Subchapter E of Chapter 7 and renumber the rules accordingly.
- Correct a typo in the Deductions rules, contained in Subchapter G of Chapter 7.

Additionally, these rules clarify parts of the Earned **Safe and Sick** Time Act. Specifically, these rules:

- Include references to safe time, including adding "safe" to the definitions section.
- Clarify that the definition of domestic worker as contained in the Earned Safe and Sick Time Act is limited to employees who are solely and directly employed by individuals or private families for domestic work and does not include workers who are employed, solely or jointly, by agencies.
 - o When enacting the Earned Sick Time Act, the City Council relied on a definition of domestic worker from section 2 of the state Labor Law, which, at the time, only included employees of individual households. The state Labor Law's definition exempts workers employed by agencies or other third-party employers who provide companionship services, as defined by federal regulations issued pursuant to the Fair Labor Standards Act (FLSA). Subsequent to the enactment of the Earned Sick Time Act, the definition of "companionship services" contained in the FLSA regulation was changed to extend the minimum wage and overtime protections of the FLSA to more workers, including home health aides employed by agencies. This change created ambiguity in the definition of "domestic worker" under the city's Earned Sick Time Act.
 - o The legislative history of the Earned Sick Time Act makes clear that the City Council intended only employees of individual households to be covered by the definition of "domestic worker." The clarification made by this rule will preserve that legislative intent.
 - o A narrow definition of domestic worker is consistent with enhancing and expanding rights—safe and sick leave as well as other labor rights—to workers historically excluded from protections because a narrow definition of "domestic worker" means that more workers are included in the group of workers that receives a full forty hours of paid safe and sick time per year.
- Delete the definition of "temporary help firm," which is in substance included in the proposed rules for the Office of Labor Policy and Standards.

- Delete the rule about joint employers, which is revised and included in the proposed rules for the Office of Labor Policy and Standards.
- Delete the rule that protections of the Earned Sick Time Act extend to all workers, regardless of immigration status, which is revised and included in the proposed rules for the Office of Labor Policy and Standards.
- Delete provisions about how to calculate payment for sick time when an employee is paid on a piecework basis.
- Add a provision about how to calculate payment for sick time when an employee is paid a flat rate.
- State that an employer’s written sick time policies must be contained in one writing and they must be distributed, rather than posted or distributed, to employees.
- Clarify that an employer that provides paid time off (PTO) for use as sick time must state so in its written policy.
- Clarify that a Department writing does not constitute an employer’s written sick time policy.
- Delete the procedures by which the Department may file a notice of hearing for an employer’s failure to respond to a notice of investigation and request for information, which is revised and included in the proposed rules for the Office of Labor Policy and Standards.
- Delete the enforcement procedures, which are revised and included in the proposed rules for the Office of Labor Policy and Standards.
- Delete the retaliation provisions, which are revised and included in the proposed rules for the Office of Labor Policy and Standards.

Sections 1043, 2203(f), 20-a of the New York City Charter and chapters 8, 9, 12, and 13 of Title 20 and Section 22-507 of the New York City Administrative Code authorize the Department of Consumer Affairs OLPS to make these proposed rules.

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.

Proposed Rule

Section 1. Subchapter A of Chapter 7 of Title 6 of the Rules of the City of New York is amended to read as follows:

Subchapter A: Office of Labor Policy and Standards

§ 7-101 Definitions.

- (a) As used in this subchapter, the following terms have the following meanings:
 “Employee” means any person who meets the definition of “employee,” as defined by Section 20-912 of the Code, “eligible grocery employee,” as defined by Section 22-507 of the Code, “fast food employee,” as defined by Section 20-1201 or 20-1301 of the Code, or “retail employee,” as defined by Section 20-1201 of the Code.
 “Employer” means any person who meets the definition of “employer,” as defined by Section 20-912 of the Code, “successor grocery employer” or “incumbent grocery employer,” as defined by Section 22-507 of the Code, “fast food employer,” as defined by Section 20-1201 or 20-1301 of the Code, or “retail employer,” as defined by Section 20-1201 of the Code.
 “Freelancers Law and rules” means Chapter 10 of Title 20 of the Code and subchapter E of this chapter.
 “OLPS laws and rules” means Chapters 8, 12, and 13 of Title 20 and Section 22-507 of the Code and subchapters A, B, D, F, and G of this chapter.
 “Transportation Benefits Law and rules” means Chapter 9 of Title 20 of the Code and subchapter C of this chapter.
- (b) As used in the OLPS laws and rules, the following terms have the following meanings:
 “Code” means the Administrative Code of the City of New York.
 “Department” means the New York City Department of Consumer Affairs.
 “Director” means the director of the office of labor standards established pursuant to Section 20-a of the charter.
 “Joint employer” means each of two or more employers who has some control over the work or working conditions of an employee or employees. Joint employers may be separate and distinct individuals or entities with separate owners, managers and facilities. A determination of whether or not a joint employment relationship exists will not often be decided by the application of

any single criterion; rather the entire relationship shall be viewed in its totality.

“Office” means the office of labor standards established pursuant to Section 20-a of the New York City Charter and referred to as the Office of Labor Policy and Standards.

“Supplements” means all remuneration for employment paid in any medium other than cash, or reimbursement for expenses, or any payments which are not ‘wages’ within the meaning of the New York State Labor Law, including, but not limited to, health, welfare, non-occupational disability, retirement, vacation benefits, holiday pay, life insurance, and apprenticeship training.

“Temporary help firm” means an employer that recruits and hires its own employees and assigns those employees to perform work or services for another organization to: (i) support or supplement the other organization’s workforce; (ii) provide assistance in special work situations including, but not limited to, employee absences, skill shortages, or seasonal workloads; or (iii) perform special assignments or projects.

“Work week” means a fixed and regularly recurring period of 168 hours or seven consecutive 24 hour periods; it may begin on any day of the week and any hour of the day, and need not coincide with a calendar week.

“Written” or “writing” means a hand-written or machine-printed or printable communication in physical or electronic format, including a communication that is maintained or transmitted electronically, such as a text message.

§ 7-102 Construction.

This chapter shall be liberally construed to permit the Office to accomplish the purposes contained in Section 20-a of the New York City Charter. The provisions of this subchapter shall not be construed to supersede any other provision of the OLPS laws and rules, the Freelancers Law and rules, or the Transportation Benefits Law and rules.

§ 7-103 Severability.

The rules contained in this chapter shall be separate and severable. If any word, clause, sentence, paragraph, subdivision, section, or portion of these rules or the application thereof to any person, employer, employee, or circumstance is contrary to a local, state or federal law or held to be invalid, it shall not affect the validity of the remainder of the rules or the validity of the application of the rules to other persons or circumstances.

§ 7-104 Complainants and Witnesses.

- (a) All people, regardless of immigration status, may access resources provided by the Office.
- (b) Any person who meets the definition of employee in Section 7-101 of this subchapter is entitled to the rights and protections provided by this subchapter to employees and any applicable provision of the OLPS laws and rules, regardless of immigration status.
- (c) The Office shall conduct its work without inquiring into the immigration status of complainants and witnesses.
- (d) The Office shall maintain confidential the identity of a complainant or natural person providing information relevant to enforcement of the OLPS laws and rules and the Transportation Benefits Law and rules, unless disclosure is necessary for resolution of the investigation or matter, or otherwise required by law, and the Office, to the extent practicable, notifies such complainant or natural person that the Office will be disclosing such person’s identity before such disclosure.
- (e) For purposes of effectuating subdivision (d) of this section, the Office shall keep confidential any information that may be used to identify, contact, or locate a single person, or to identify an individual in context.

§ 7-105 Joint Employers.

- (a) Joint employers are individually and jointly liable for violations of all applicable OLPS laws and rules and satisfaction of any penalties or restitution imposed on a joint employer for any violation thereof, regardless of any agreement among joint employers to the contrary.
- (b) A joint employer must count every employee it employs for hire or permits to work, whether joint or not, in determining the number of employees employed for hire or permitted to work for the employer. For example, a joint employer who employs three workers from a temporary help firm and also has three permanent employees under its sole control has six employees for purposes of the OLPS laws and rules.

§ 7-106 Determining Damages Based on Lost Earnings.

- (a) The following provisions apply to the extent necessary in

circumstances described in paragraphs (1) and (2) below for the calculation of damages based on lost earnings in an administrative enforcement action:

- (1) When an employer pays a flat rate of pay for work performed, regardless of the number of hours actually worked, an employee's hourly rate of pay shall be based on the most recent hourly rate paid to the employee for the applicable pay period, calculated by adding together the employee's total earnings, including tips, commissions, and supplements, for the most recent work week in which no sick time or other leave was taken and dividing that sum by the number of hours spent performing work during such work week or forty hours, whichever amount of hours is less.
 - (2) If an employee performs more than one job for the same employer or the employee's rate of pay fluctuates for a single job, the hourly rate of pay shall be the rate of pay that the employee would have been paid during the time that employee would have been performing work but for the employee's absence.
- (b) If the methods for calculating the hourly rate described in subdivision (a) produce an hourly rate that is below the applicable hourly minimum wage, then the employee's lost earnings shall be based on the applicable hourly minimum wage.

§ 7-107 Required Notices and Postings.

- (a) For any notice created by the Office that is made available on the City's website and that is then required by a provision of the OLPS laws and rules to be provided to an employee or posted in the workplace, an employer must provide and/or post such notice in English and in any language spoken as a primary language by at least five percent of employees at the employer's location, provided that the Director has made the notice available in such language. Employers covered by the Earned Safe and Sick Time Act, chapter 8 of Title 20 of the Code, are required to comply with this subdivision in addition to the requirement pursuant to Section 20-919 of the Code that an employer provide the notice of rights in an employee's primary language.
- (b) (1) For any notice that is not created by the Office and made available on the City's website, that is required to be provided to an employee and/or posted in the workplace by a provision of the OLPS laws and rules, an employer must provide and/or post such notice in English and in any language that the employer customarily uses to communicate with the employee.
(2) For any notice that is not created by the Office and made available on the city's website, that is required to be posted in the workplace by a provision of the OLPS laws and rules, an employer must post such notice in English and in any language that the employer customarily uses to communicate with any of the employees at that location.
- (c) Any notice, policy, or other writing that is required by a provision of the OLPS laws and rules to be personally provided to an employee must be provided by a method that reasonably ensures personal receipt by the employee and that is consistent with any other applicable law or rule that specifically addresses a method of delivery.
- (d) Any notice, policy or, other writing that is required to be posted pursuant to a provision of the OLPS laws and rules must be posted in a printed format in a conspicuous place accessible to employees where notices to employees are customarily posted pursuant to state and federal laws and, except for notices created by the Office, in a form customarily used by the employer to communicate with employees.
- (e) An employer that places employees to perform work off-site or at dispersed job-sites, such as in private homes, building security posts, or on delivery routes, must comply with any applicable requirement to post a notice, policy or other writing contained in the OLPS laws and rules by providing employees with the required notice personally upon commencement of employment, within fourteen (14) days of the effective date of any changes to the required posting, and upon request by the employee, in addition to the requirements in subdivision (c) of this section.

§ 7-108 Retaliation.

- (a) No person shall take any adverse action against an employee that penalizes an employee for, or is reasonably likely to deter an employee from, exercising or attempting to exercise rights under the OLPS laws and rules or interfere with an employee's exercise of rights under the OLPS laws and rules.
- (b) Taking an adverse action includes threatening, intimidating, disciplining, discharging, demoting, suspending, or harassing an employee, reducing the hours of pay of an employee, informing another employer than an employee has engaged in activities protected by the OLPS laws and rules, and discriminating against the employee, including actions related to perceived

immigration status or work authorization.

- (c) An employee need not explicitly refer to a provision of the OLPS laws and rules to be protected from an adverse action.
- (d) The Office may establish a causal connection between the exercise, attempted exercise, or anticipated exercise of rights protected by the OLPS laws and rules and an employer's adverse action against an employee or a group of employees by indirect or direct evidence.
- (e) For purposes of this section, retaliation is established when the Office shows that a protected activity was a motivating factor for an adverse action, whether or not other factors motivated the adverse action.

§ 7-109 Enforcement and Penalties.

- (a) The Office may open an investigation to determine compliance with laws enforced by the Office on its own initiative or based on a complaint, except as otherwise provided by Section 20-1309 of Chapter 13 of Title 20 of the Code.
- (b) Whether it was issued in person, via mail, or on written consent of the employer, email, an employer must respond to a written request for information or records by providing the Office with true, accurate, and contemporaneously-made records or information within the following timeframes, except as provided in subdivision (c) of this section, subdivision (c) of section 20-924 of the Code, section 7-213 of this title or other applicable law:
 - (1) For an initial request for information or records, the employer shall
 - i. Within ten (10) days of the date that the request for information was received by the employer provide the following information, if applicable:
 - A. the employer's correct legal name and business form;
 - B. the employer's trade name or DBA;
 - C. the names and addresses of other businesses associated with the employer;
 - D. the employer's Federal Employer Identification Number;
 - E. the employer's addresses where business is conducted;
 - F. the employer's headquarters and principal place of business addresses;
 - G. the name, phone number, email address, and mailing address of the owners, officers, directors, principals, members, partners and/or stockholders of more than 10 percent of the outstanding stock of the employer business and their titles;
 - H. the name, phone number, email address, and mailing address of the individuals who have operational control over the business;
 - I. the name, phone number, email address, and mailing address of the individuals who supervise employees;
 - J. the name and contact information of the individual who the office should contact regarding an investigation of the business and an affirmation granting authority to act; and
 - ii. Within fourteen (14) days of the date of that the initial request for information or records was received, provide the remaining information or records requested in that initial request.
 - (2) For all requests for information or records after the initial request, an employer must respond within the timeframe prescribed by the Office in the request, which shall not exceed fourteen (14) days from the date that the request was received by the employer, unless a longer timeframe has been agreed to by the Office.
 - (3) Upon good cause shown, the Director may extend response timeframes required pursuant to this subdivision.
- (c) An employer shall respond to a written request for information or records by providing the Office with true, accurate, and contemporaneously-made records or information in a lesser amount of time than provided in paragraphs 2 and 3 of subdivision b of this section if agreed to by the parties or the Office has reason to believe that:
 - (1) The employer will destroy or falsify records;
 - (2) The employer is closing, selling, or transferring its business, disposing of assets or is about to declare bankruptcy;
 - (3) The employer is the subject of a government investigation

or enforcement action or proceeding related to wages and hours, unemployment insurance, workers' compensation, discrimination, OLPS laws and rules, the Freelancers Law and rules, or the Transportation Benefits Law and rules; or

- (4) More immediate access to records is necessary to prevent or remedy retaliation against employees.
- (d) In accordance with applicable law, the Office may resolve or attempt to resolve an investigation at any point through settlement upon terms that are satisfactory to the Office.
- (e) The Office may issue a notice of violation to an employer who fails to provide true and accurate information or records requested by the Office in connection with an investigation.
- (f) An employer who fails to timely and fully respond to the request for information or records that is the subject of a notice of violation issued under subdivision (e) of this section on or before the first scheduled appearance date is subject to a penalty of five hundred dollars, in addition to any penalties or remedies imposed as a result of the Office's investigation.
- (g) The employer may cure a notice of violation issued in accordance with subdivision (e) of this section without the penalty imposed in connection with subdivision (f) by:
- (1) producing the requested information or records on or before the first scheduled appearance date; or
 - (2) resolving, to the satisfaction of the Office on or before the first scheduled appearance date, the investigation that is the basis for the request for information or records.
- (h) A finding that an employer has an official or unofficial policy or practice that denies a right established or protected by the OLPS laws and rules shall constitute a violation of the applicable provision of the OLPS laws and rules for each and every employee subject to such policy or practice.

§ 7-110 Service.

Service of documents issued by the Office to employers, including written requests for information or records and notices of violation, shall be made in a manner reasonably calculated to achieve actual notice to the employer. The following are presumed to be reasonably calculated to achieve actual notice: (i) personal service on the employer; (ii) personal service on the employer by regular first-class mail, certified mail, return receipt requested, or private mail delivery services, such as UPS, to an employer's last known business address; or (iii) if an employer has so consented, facsimile, email, including an attachment to an email.

§ 7-111 Recordkeeping.

- (a) An employer's failure to maintain, retain, or produce a record that is required to be maintained under the OLPS laws and rules that is relevant to a material fact alleged by the Office in a notice of violation issued pursuant to a provision of the OLPS laws and rules creates a reasonable inference that such fact is true, unless a rebuttable presumption or other adverse inference is provided by applicable law.
- (b) An employer that produces records to the department or Office in response to a request for information affirms that the records produced are true and accurate.

§ 2. Subchapter B of Chapter 7 of Title 6 of the Rules of the City of New York is amended to read as follows:

Subchapter B: Earned Safe and Sick Time

§ [7-01] 7-201 Definitions.

- (a) As used in this chapter, the terms "calendar year," "domestic worker," "employee," "employer," "health care provider," "paid safe/sick time," "safe time," and "sick time" shall have the same meanings as set forth in Section 20-912 of the Administrative Code.
- (b) As used in the Earned Safe and Sick Time Act and in this subchapter, the term "domestic worker" means a person who provides care for a child, companionship for a sick, convalescing or elderly person, housekeeping, or any other domestic service in a home or residence whenever such person is directly and solely employed to provide such service by an individual or private household. The term "domestic worker" does not include any person who is employed by an agency whenever such person provides services as an employee of such agency, regardless of whether such person is jointly employed by an individual or private household in the provision of such services.
- (b) As used in this chapter, the term "temporary help firm" means an organization that recruits and hires its own employees and assigns those employees to perform work or services for another organization to: (i) support or supplement the other organization's workforce; (ii) provide assistance in special work situations including, but not limited to, employee absences, skill

shortages or seasonal workloads; or (iii) perform special assignments or projects.]

§ [7-02] 7-202 Business Size.

- (a) Business size for an employer that has operated for less than one year shall be determined by counting the number of employees performing work for an employer for compensation per week, provided that if the number of employees fluctuates between less than five employees and five or more employees per week, business size may be determined for the current calendar year based on the average number of employees per week who worked for compensation for each week during the 80 days immediately preceding the date the employee used safe time or sick time.
- (b) Business size for an employer that has operated for one year or more is determined by counting the number of employees working for the employer per week at the time the employee uses safe time or sick time, unless the number of employees fluctuates, in which case business size may be determined for the current calendar year based on the average number of employees per week during the previous calendar year. For purposes of this [subdivision] section, "fluctuates" means that at least three times in the most recent calendar quarter the number of employees working for an employer fluctuated between less than five employees and five or more employees.

§ [7-03] Joint Employers and Temporary Help Firms.

- (a) Where two or more employers have some control over the work or working conditions of an employee, the employers may be treated as a "joint employer" of the employee for purposes of complying with Chapter 8 of Title 20 of the Administrative Code ("the Earned Sick Time Act"). Joint employers may be separate and distinct entities with separate owners, managers and facilities.
- (b) Every employer deemed to be a joint employer must count each employee jointly employed in determining the number of employees performing work for compensation for the employer under the Earned Sick Time Act. For example, an employer who jointly employs three workers and also has three employees under its sole control has six employees for purposes of the Earned Sick Time Act and must provide paid sick time.
- (c) In discharging their joint obligations under the Earned Sick Time Act, joint employers may allocate responsibility for the requirements of such Act among themselves.
- (d) Except as limited by subdivision (f) of this section, all covered joint employers are responsible, individually and jointly, for compliance with all applicable provisions of the Earned Sick Time Act and satisfaction of any penalties imposed for any violation thereof, regardless of any agreement among joint employers.
- (e) If an employee is employed jointly by two or more joint employers, all of the employee's work for each of the joint employers will be considered as a single employment for purposes of accrual and use of sick time under the Earned Sick Time Act.
- (f) Notwithstanding any other provision of this section, where a temporary help firm places a temporary employee in an organization, the temporary help firm shall be solely responsible for compliance with all of the provisions of the Earned Sick Time Act for that temporary employee. For example, a temporary help firm that has 100 employees placed in several different organizations must provide paid sick time to each of its employees placed at the other organizations, regardless of the size of the organization where the temporary help firm places the employee.]

§ [7-04] 7-203 Employees. [

- (a) An employee is entitled to the protections of the Earned Sick Time Act regardless of immigration status.
- (b) [An individual is "employed for hire within the city of New York for more than eighty hours in a calendar year" for purposes of Section 20-912(f) of the Administrative Code if the individual performs work, including work performed by telecommuting, for more than eighty hours while the individual is physically located in New York City, regardless of where the employer is located.
- i. Example: An individual who only performs work while physically located outside of New York City, even if the employer is based in New York City, is not "employed for hire within the city of New York" for purposes of Section 20-912(f) for hours worked outside New York City.
 - ii. Example: An individual performs twenty hours of work in New Jersey and sixty hours of work in New York City in a calendar year. The twenty hours of work performed by the employee in New Jersey do not count towards the employee's eighty hours of work for purposes of Section

20-912(f).

§ [7-05] 7-204 Minimum increments and fixed intervals for the use of safe time and sick time.

- (a) Unless otherwise in conflict with state or federal law or regulations, an employee may decide how much earned safe time or sick time to use, provided however, that an employer may set a minimum increment for the use of safe time and sick time, not to exceed four hours per day, provided such minimum increment is reasonable under the circumstances.
- (i) Example: An employee has worked eighty hours and more than one hundred twenty calendar days have passed since the employee's first day of work for the employer. The employer has set a minimum increment of four hours per day for use of safe time and sick time. The employee has not yet accrued four hours of time, but is entitled to use the time he or she has already accrued. Under these circumstances, it would not be "reasonable under the circumstances" for the employer to require the employee to use a minimum of four hours of safe time or sick time as the minimum increment.
- (ii) Example: An employee is scheduled to work from 8:00 A.M. to 4:00 P.M., Mondays. She schedules a doctor's appointment for 9:00 A.M., on a Monday and notifies her employer of her intent to use sick time and return to work the same day. The employer's written sick time policies require a four hour minimum increment of sick time used per day. If she does not go to work before her appointment, she should appear for work by 12:00 P.M.
- (b) An employer may set fixed periods of thirty minutes or any smaller amount of time for the use of accrued safe time or sick time beyond the minimum increment described in subdivision (a) of this section and may require fixed start times for such intervals.

Example: The employee in Example (ii) of subdivision (a) of this section arrives to work at 12:17 P.M. Under her employer's written sick time policies, employees must use sick time in half-hour intervals that start on the hour or half-hour. The employer can require the employee to use four-and-a-half hours of her accrued sick time and require her to begin work at 12:30 P.M. Similarly, if the employee wanted to leave work at 8:40 A.M. to go to her 9:00 A.M. doctor's appointment, the employer could require the employee to stop work at 8:30 A.M.

§ [7-06] 7-205 Employee notification of use of safe time or sick time.

- (a) An employer may require an employee to provide reasonable notice of the need to use safe time or sick time.
- (b) An employer that requires notice of the need to use safe time or sick time where the need is not foreseeable shall provide a written policy that contains procedures for the employee to provide notice as soon as practicable. Examples of such procedures may include, but are not limited to, instructing the employee to: (1) call a designated phone number at which an employee can leave a message; (2) follow a uniform call-in procedure; or (3) use another reasonable and accessible means of communication identified by the employer. Such procedures for employees to give notice of the need to use safe time or sick time when the need is not foreseeable may not include any requirement that an employee appear in person at a worksite or deliver any document to the employer prior to using safe time or sick time.
- (c) In determining when notice is practicable in a given situation, an employer must consider the individual facts and circumstances of the situation.
- (d) An employer that requires notice of the need to use safe time or sick time where the need is foreseeable shall have a written policy for the employee to provide reasonable notice. Such policy shall not require more than seven days' notice prior to the date such safe time or sick time is to begin. The employer may require that such notice be in writing.

§ [7-07] 7-206 Documentation from licensed health care provider.

- (a) When an employee's use of sick time results in an absence of more than three consecutive work days, an employer may require reasonable written documentation that the use of sick time was for a purpose authorized under Section 20-914(a) of the Administrative Code. Written documentation signed by a licensed health care provider indicating the need for the amount of sick time taken shall be considered reasonable documentation. "Work days" as used in this subdivision and in Section 20-914(a)(2) of the Administrative Code means the days or parts of days the employee would have worked had the employee not used sick time.

- (b) If an employer requires an employee to provide written documentation from a licensed health care provider when the employee's use of sick time resulted in an absence of more than three consecutive work days, the employee shall be allowed a minimum of seven days from the date he or she returns to work to obtain such documentation. The employee is responsible for the cost of such documentation not covered by insurance or any other benefit plan.
- (c) If an employee provides written documentation from a licensed health care provider in accordance with subdivision (a) of this section, an employer may not require an employee to obtain documentation from a second licensed health care provider indicating the need for sick time in the amount used by the employee.

§ [7-08] 7-207 Domestic workers.

- (a) Domestic workers who have worked for the same employer for at least one year and who work more than 80 hours in a calendar year will be entitled to two days of paid safe/sick time per year, as provided in this section.
- (b) The two days of paid safe/sick time must be calculated in the manner that paid days of rest for domestic workers are calculated pursuant to New York State Labor Law Section 161(1).
- (c) A domestic worker described in subdivision (a) of this section is entitled to two days of paid safe/sick time on the next date that such domestic worker is entitled to a paid day or days of rest under New York State Labor Law Section 161(1), and annually thereafter.
- (d) Safe time and [Sick] sick time accrued by a domestic worker will carry over to the next calendar year.

§ [7-09] 7-208 Rate of pay for Safe Time and Sick Time.

- (a) Except as provided in subdivision (b) of this section, when using paid safe/sick time, an employee shall be compensated at the same hourly rate that the employee would have earned at the time the paid safe/sick time is taken.
- (b) If the employee uses paid safe/sick time during hours that would have been designated as overtime, the employer is not required to pay the overtime rate of pay.
- (c) An employee is not entitled to compensation for lost tips or gratuities, provided, however, that an employer must pay an employee whose hourly rate of pay or salary is based in whole or in part on tips or gratuities at least the full minimum wage.
- (d) For employees who are paid on a commission (whether base wage plus commission or commission only), the hourly rate of pay shall be the base wage or minimum wage, whichever is greater.[]
- (e) For employees who are paid on a piecework basis (whether base wage plus piecework or piecework only), the employer shall calculate the employee's rate of pay by adding together the employee's total earnings from all sources for the most recent workweek in which no sick time was taken and dividing that sum by the number of hours spent performing the work during such workweek. For purposes of this subdivision, "workweek" means a fixed and regularly recurring period of 168 hours, or seven consecutive 24-hour periods.[] When an employer pays a flat rate of pay for work performed, regardless of the number of hours actually worked, an employee's hourly rate of pay shall be based on the most recent hourly rate paid to the employee for the applicable pay period, calculated by adding together the employee's total earnings, including tips, commissions, and supplements, for the most recent work week in which no safe time or sick time or other leave was taken and dividing that sum by the number of hours spent performing work during such work week or forty hours, whichever amount of hours is less.
- (f) If an employee performs more than one job for the same employer or the employee's rate of pay fluctuates for a single job, the rate of pay shall be the rate of pay that the employee would have been paid during the time the employee used the safe time or sick time.
- (g) An employer is not required to pay cash in lieu of supplements for safe time or sick time used if remuneration for employment includes supplements. The fact that an employer pays cash in lieu of supplements to an employee does not relieve the employer of the requirements of the Earned Safe and Sick Time Act. [For the purposes of this subdivision, "supplements" has the same meaning as provided in Section 220(5)(b) of New York State Labor Law.]
- (h) Under no circumstance can the employer pay the employee less than the minimum wage for paid safe/sick time.

§ [7-10] 7-209 Payment of safe/sick time.

- (a) Safe time and [Sick] sick time must be paid no later than the

payday for the next regular payroll period beginning after the safe time or sick time was used by the employee.

- (b) If the employer has asked for written documentation or verification of use of safe time or sick time pursuant to Section 20-914(c)(a), 20-914(b) or 20-914(d) of the Administrative Code, the employer is not required to pay safe time or sick time until the employee has provided such documentation or verification.

§ [7-11] 7-210 Employer's sale of business.

- (a) If an employer sells its business or the business is otherwise acquired by another business, an employee will retain and may use all accrued safe time and sick time if the employee continues to perform work within the City of New York for the successor employer.
- (b) If the successor employer has fewer than five employees, and the former employer had more than five employees, the employee is entitled to use and be compensated for unused safe time and sick time accrued while working for the former employer, until such safe time and sick time is exhausted.
- (c) A successor employer must provide employees with its written safe time and sick time policies at the time of sale or acquisition, or as soon as practicable thereafter, which shall include a policy that complies with this section.

§ [7-12] 7-211 Employer's Written safe time and sick time policies.

- (a) Every employer shall maintain written safe time and sick time policies in a single writing and follow such written safe time and sick time policies except as allowed in subdivision (d) of this section.
- (b) Every employer must distribute [or post] its written [policies on] safe time and sick time [and follow such written sick time] policies personally upon commencement of employment, within 14 days of the effective date of any changes to the policy, and upon request by the employee.
- (c) An employer's written safe time and sick time policies must meet or exceed all of the requirements of the Earned Safe and Sick Time Act and this chapter and state at a minimum:
- (1) The employer's method of calculating safe time and sick time as follows:
- (i) If an employer provides employees with an amount of safe time and sick time that meets or exceeds the requirements of the Earned Safe and Sick Time Act on or before the employee's 120th day of employment and on the first day of each new calendar year, which for the purposes of this section is defined as "frontloaded safe time and sick time," then the employer's written safe time and sick time policy must specify the amount of frontloaded safe time and sick time to be provided;
- (ii) If the employer does not apply frontloaded safe time and sick time, then the employer's written safe time and sick time policy must specify when accrual of safe time and sick time starts, the rate at which an employee accrues safe time and sick time and the maximum number of hours an employee may accrue in a calendar year;
- (2) The employer's policies regarding the use of safe time and sick time, including any limitations or conditions the employer places on the use of safe time and sick time, such as:
- (i) Any requirement that an employee provide notice of a need to use safe time and sick time and the procedures for doing so in accordance with Section 7-205 of this chapter;
- (ii) Any requirement for written documentation or verification of the use of safe time and sick time in accordance with Sections [20-914(c)] 20-914(a)(2), 20-914(b)(2), or 20-914(d) of the Administrative Code, and the employer's policy regarding any consequences of an employee's failure or delay in providing such documentation or verification;
- (iii) Any reasonable minimum increment or fixed period for the use of accrued safe time and sick time; [and]
- (iv) Any policy on discipline for employee misuse of safe time and sick time under Section [7-16] 7-215 of this Title; and
- (v) A description of the confidentiality requirements of Section 20-921 of the Administrative Code.
- (3) The employer's policy regarding carry-over of unused safe time and sick time at the end of an employer's calendar year in accordance with Section 20-913(h) of

the Administrative Code; and,

- (4) If an employer uses a term other than "safe/sick time" or "safe and sick time" to describe leave provided by the employer to meet the requirements of the Earned Safe and Sick Time Act, the employer's policy must state that such leave may be used by an employee for any of the purposes set forth in the Earned Safe and Sick Time Act without any condition prohibited by the Earned Safe and Sick Time Act. Terms used to describe such leave may include, but are not necessarily limited to, "paid time off" ("PTO"), vacation time, personal days, or days of rest.
- (b) Employers must provide written notice of sick time policies using a delivery method that reasonably ensures that employees receive the policies. For example, an employer may comply with this subdivision by:
- (1) distributing the policies to each employee personally, by regular mail or by email;
- (2) distributing through company newspapers or newsletters, inclusion with paychecks, inclusion in employee handbooks or manuals, or posting on the company intranet;
- (3) posting the policies in a conspicuous place where notices to employees are customarily posted; or using any means of distribution or posting that the employer uses in order to comply with Section 195(5) of the New York State Labor Law.]
- [(c)] (d) Nothing in this chapter shall prevent an employer from making exceptions to its written safe time and sick time policy for individual employees that are more generous to the employee than the terms of the employer's written policy.
- [(d)] (e) Requirements relating to an employer's additional and separate obligation to provide employees with a Notice of Rights under the Earned Safe and Sick Time Act are set forth in Section 20-919 of the Administrative Code. An employer may not distribute the Notice of Rights required by Section 20-919 of the Administrative Code [instead] or any other department writing in lieu of distributing or posting its own written safe time and sick time policies as required by this section.
- [(e)] (f) An employer that has not provided to the employee a copy of its written [policy] safe time and sick time policies along with any forms or procedures required by the employer related to the use of safe time and sick time shall not deny safe time or sick time or payment of safe time or sick time to the employee based on non-compliance with such a policy.
- § [7-13] 7-212 Employer records.**
- (a) Employers must retain records demonstrating compliance with the requirements of the Earned Safe and Sick Time Act, including records of any policies required pursuant to this Chapter, for a period of three years unless otherwise required by any other law, rule or regulation.
- (b) An employer must maintain, in an accessible format, contemporaneous, true, and accurate records that show, for each employee:
- (1) The employee's name, address, phone number, date(s) of start of employment, date(s) of end of employment (if any), rate of pay, and whether the employee is exempt from the overtime requirements of New York State labor laws and regulations;
- (2) The hours worked each week by the employee, unless the employee is exempt from the overtime requirements of New York State labor laws and regulations and has a regular work week of forty hours or more;
- (3) The date and time of each instance of safe time or sick time used by the employee and the amount paid for each instance;
- (4) Any change in the material terms of employment specific to the employee; and
- (5) The date that the Notice of Rights as set forth in Section 20-919 of the Administrative Code was provided to the employee and proof that the Notice of Rights was received by the employee.
- (c) If the [department] office issues a [subpoena or document demand] written request for information or records, an employer shall provide the [department] office with [access to records documenting its compliance with the requirements of the Earned Sick Time Act and the provisions of this chapter] such information or records, upon appropriate notice, at the department's office.

[(d)] Alternately, [in the absence of a subpoena or document demand,] an employer shall provide the [department] office with access to such information or records upon appropriate notice and at a mutually agreeable time of day at the employer's place of business.

[(e) (d)] "Appropriate notice" shall mean 30 days' written notice, unless the employer agrees to a lesser amount of time, the office's request for the information or records is a second or subsequent request made to the same employer during the same investigation or case as the first request, or the [department] office has reason to believe that:

- (1) the employer will destroy or falsify records;
- (2) the employer is closing, selling or transferring its business, disposing of assets or is about to declare bankruptcy;
- (3) the employer is the subject of a government investigation or enforcement action or proceeding related to wages and hours, unemployment insurance, workers' compensation, [or] discrimination, or an OLPS law or rule; or
- (4) more immediate access to records is necessary to prevent retaliation against employees.

(f) The [department] office will make two attempts by letter, email or telephone to arrange a mutually agreeable time of day for the employer to provide access to its records in accordance with subdivision (d) of this section. If these attempts are not successful, the [department] office may set a time to access records at the employer's place of business during regular business hours, upon two days' notice.

[(g)] An employer's failure to maintain, retain or produce a record otherwise required to be maintained under these rules that is relevant to a material fact alleged by the department in a notice of hearing issued pursuant to the Earned Sick Time Act or these rules creates a reasonable inference that such fact is true.]

§ [7-14] 7-213 Enforcement and Penalties.[

- (a) The department may issue a notice of violation after conducting an investigation pursuant to Section 20-924(c) of the Administrative Code.
- (b) Additionally, the department may issue a notice of violation to an employer who fails to respond to a complaint or provide information requested by the Department in connection with a complaint, as required by Section 20-924(c) of the Administrative Code, or who fails to provide records or access to records as required by Section 20-920 of the Administrative Code provided that:
 - (1) the department makes two written attempts to obtain the response to the complaint, requested information or records, or access to records; and
 - (2) the department notifies the employer that failure to respond to the complaint, or provide requested information, records or access to records will result in a notice of violation charging the employer with failure to maintain, retain, or produce records and failure to comply with the requirements of the Earned Sick Time Act.
- (c) An employer who fails to respond to the notice of violation issued under subdivision (b) of this section on or before the hearing date is subject to a penalty of five hundred dollars, in addition to any penalties or remedies imposed as a result of the department's investigation of the complaint.
- (d) The employer may cure a notice of violation issued in accordance with subdivision (b) of this section without the penalty imposed in connection with subdivision (c) by:
 - (3) producing the requested information or records on or before the first scheduled hearing date; or
 - (4) resolving to the satisfaction of the department on or before the first scheduled hearing date the employee complaint that is the basis for the request for a response to the complaint.
- (e) The department may conduct an investigation on its own initiative where the department has reason to believe that the facts and circumstances of an employer's practices related to the Earned Sick Time Act warrant investigation, including where:
 - (1) the employer has a history of non-compliance with the Earned Sick Time Act, including failure to comply with settlements or orders of the department, or the department has reason to believe that the employer

engages in a pattern of violations of the Earned Sick Time Act;

- (2) the department has reason to believe that the employer fails to pay minimum wage, prevailing wage, engages in discriminatory practices or retaliation, misclassifies employees as independent contractors or denies undocumented employees sick time required under the Earned Sick Time Act; or the investigation is part of a coordinated enforcement effort with other state, local or federal agencies to protect employee rights.]

[(f) (a)] A finding that an employer has an official or unofficial policy or practice of not providing or refusing to allow the use of safe time or sick time as required under the Earned Safe and Sick Time Act constitutes a violation of Section 20-913 of the Administrative Code for each and every employee affected by the policy and will be subject to penalties as provided in Section 20-924(e) of the Code.

[(g) (b)] For purposes of Section 20-924(e) of the Administrative Code, penalties shall be imposed on a per employee basis.

[(h) (c)] If an employer, as a matter of policy or practice, does not allow accrual of safe time and sick time as required under the Earned Safe and Sick Time Act, the relief granted to each and every employee affected by the policy or practice must include either application of 40 hours of safe time and sick time to the employee's safe time and sick time balance or, where such information is known, application of the number of hours of safe time and sick time the employee should have accrued to the employee's safe time and sick time balance, provided that such balance does not exceed 80 hours.

§ [7-15] 7-214 Accrual, Hours Worked and Carry Over.

- (a) If an employee is scheduled and available to work for an on-call shift and is compensated for the scheduled time regardless of whether the employee works, the scheduled time constitutes hours worked for the purposes of accrual under the Earned Safe and Sick Time Act.
- (b) For employees who are paid on a piecework basis, accrual of safe time and sick time is measured by the actual length of time spent performing work.
- (c) For employees who are paid on a commission basis, accrual of safe time and sick time is measured by the actual length of time spent performing work.
- (d) For employees with indeterminate shift lengths (e.g. a shift defined by business needs), an employer shall base the hours of safe time or sick time used upon the hours worked by the replacement employee for the same shift. If this method is not possible, the hours of safe time or sick time must be based on the hours worked by the employee when the employee most recently worked the same shift in the past.
- (e) If an employee is rehired within six months of separation from employment and had not reached the required 120 days to begin using accrued safe time and sick time under Section 20-913(d)(1) of the Administrative Code at the time the employee separated from employment, upon resumption of employment, the employee shall be credited at least his or her previous calendar days towards the 120 day waiting period. For the purposes of this subdivision, "waiting period" shall mean the time period described in Section 20-913(d)(1) of the Administrative Code between the start of employment [or the effective date of the Earned Sick Time Act, whichever is later,] and the 120th calendar day following the start of employment or July 30, 2014, [the effective date of the Earned Sick Time Act,] whichever is later, except for that an employer is not required to allow an employee to begin to use safe time before May 5, 2018.
- (f) An employee may carry over up to 40 hours of unused safe and sick time from one calendar year to the next, unless the employer has a policy of paying employees for unused safe time and sick time at the end of the calendar year in which such time is accrued and providing the employee with an amount of paid safe time and sick time that meets or exceeds the requirements of the Earned Safe and Sick Time Act for such employee for the immediately subsequent calendar year on the first day of such year in accordance with Section 20-913(h) of the Administrative Code. Regardless of the number of hours an employee carried over from the previous calendar year, an employer is only required to allow employees to accrue up to 40 hours of safe time and sick time in a calendar year. If an employee's safe time and sick time balance exceeds 40 hours in a single calendar year, an employer is only required to allow the employee to use up to 40 hours in such calendar year.

Example: An employee accrues 40 hours of safe time and sick time in calendar year one and uses 20 hours of safe time and sick time in calendar year one. She carries over 20 hours from

calendar year one to calendar year two, accrues 40 hours in calendar year two, and does not use any hours in calendar year two. Her safe time and sick leave balance at the end of calendar year two is 60 hours (20 hours from calendar year two plus 40 hours from calendar year two). She may carry over 40 of those 60 hours into calendar year three and accrue another 40 hours in calendar year three.

§ [7-16] 7-215 Employee Abuse of Safe Time and Sick Time.

An employer may take disciplinary action, up to and including termination, against an employee who uses safe time or sick time provided under the Earned Safe and Sick Time Act for purposes other than those described in [section] Sections 20-914(a) and Section 20-914(b) of the Administrative Code. Indications of abuse of safe time and sick (leave) time may include, but are not limited to a pattern of: (1) use of unscheduled safe time and sick time on or adjacent to weekends, regularly scheduled days off, holidays, vacation or pay day, (2) taking scheduled safe time and sick time on days when other leave has been denied, and (3) taking safe time and sick time on days when the employee is scheduled to work a shift or perform duties perceived as undesirable.

[§ 7-17 Retaliation.

- (a) For the purposes of Section 20-912(p) of the Earned Sick Time Act, “an adverse employment action” means any act that is reasonably likely to deter an employee from exercising rights guaranteed under the Earned Sick Time Act.
- (b) The department may establish a causal connection between an employee’s exercise of rights guaranteed under the Earned Sick Time Act and an employer’s adverse employment action indirectly, such as with evidence that the protected activity was followed closely by the adverse employment action, or directly, with evidence of retaliatory animus directed towards an employee by an employer. Retaliation is established when the department shows that a protected activity was a motivating factor for an adverse employment action, even when other factors also motivated the adverse employment action.]

§ 3. Subchapter C of Chapter 7 of Title 6 of the Rules of the City of New York is amended to read as follows:

Subchapter C: Transportation Benefits

§ [8-01] 7-301 Definitions.

As used in this chapter and, where applicable, in the Transportation Benefits Law, the following terms have the following meanings:

“Chain business” means a group of establishments that share a common owner or principal who owns a majority of each establishment where such establishments (i) engage in the same business or (ii) operate pursuant to franchise agreements with the same franchisor as defined in general business law Section 681.

“Commuter highway vehicle” means a “commuter highway vehicle” as such term is defined in Section 132(f)(5)(B) of the Internal Revenue Code.

“Cure period” means the ninety-day period immediately following a finding of a first violation.

“Department” means the Department of Consumer Affairs of the City of New York.

“Employee” means an “employee,” “manual worker,” “railroad worker,” “commission salesman,” or “clerical or other worker” as such terms are defined in § 190 of the New York State Labor Law. “Employee” does not include partners, sole proprietors, independent contractors, or two-percent shareholders of S-corporations.

“Employer” means an “employer” as such term is defined in § 190 of the New York State Labor Law and that employs twenty or more full-time employees in New York City. The common owner or principal of a chain business shall be considered the employer of the full-time employees of such chain business.

“First violation” means the first finding by the administrative tribunal that a particular employer has violated the Transportation Benefits Law since July 1, 2016.

“Full-time employee” means an employee who has worked an average of 30 hours or more per week in the most recent four weeks as of any date of counting, any portion of which was in New York City, for a single employer.

“Earnings” shall have the same meaning as the term “gross income” as used in § 132 of the Internal Revenue Code.

“Month” means an employer’s regularly established fiscal month.

“Recidivist violation” means any new finding by the administrative tribunal that a particular employer has violated the Transportation Benefits Law, after the first finding by the

administrative tribunal that the employer had violated the Transportation Benefits Law since July 1, 2016.

“Subsequent violation” means each continuous thirty-day period after the expiration of the cure period, or after the finding of a recidivist violation by the administrative tribunal, in which the employer has not demonstrated to the department’s satisfaction that it is complying with the Transportation Benefits Law.

“Temporary help firm” means an employer that recruits, hires and supplies employees to perform work or services for another organization to: (i) support or supplement the other organization’s workforce; (ii) provide assistance in special work situations including, but not limited to, employee absences, skill shortages or seasonal workloads; or (iii) perform special assignments or projects.

“Transportation Benefits Law” means Chapter 9 of Title 20 of the Administrative Code of the City of New York.

“Transportation fringe benefits” means qualified transportation fringe benefits, other than qualified parking, that may be purchased using pre-tax earnings in accordance with § 132 of the Internal Revenue Code.

“Week” means an employer’s regularly established payroll week.

§ [8-02] 7-302 Determination of Size of Employer.

- (a) An employer’s number of full-time employees is determined by calculating the average number of full-time employees for the most recent consecutive three- month period, provided that for an employer that has operated for less than three months, the number of full-time employees is determined by calculating the average number of full-time employees per week for the period of time in which the employer has been in operation.
- (b) Full-time employees at all of an employer’s or a chain business’s locations in New York City shall be counted in determining the number of full-time employees of the employer.

§ [8-03] 7-303 Temporary Help Firms.

- (a) Where a temporary help firm supplies a full-time employee to another organization, the temporary help firm shall be the employer of the full-time employee for purposes of the Transportation Benefits Law and must comply with its provisions, regardless of the size of the other organization.
- (b) To determine the number of hours worked each week by an employee working for a temporary help firm, the employer must aggregate the number of hours worked by the employee in the most recent four weeks at all placements.

§ [8-04] 7-304 Employee Eligibility.

- (a) An employer must offer its full-time employees the opportunity to use pre-tax earnings to purchase transportation fringe benefits by January 1, 2016, or four weeks after such employee’s commencement of employment as a full-time employee of the employer, whichever is later.
- (b) If an employer’s work force is reduced to fewer than 20 full-time employees, the employer must continue to offer the opportunity to use pre-tax earnings to purchase transportation fringe benefits to full-time employees who were employer’s full-time employees before the work force was reduced.

§ [8-05] 7-305 Maximum Deductions.

Employers must offer full-time employees the opportunity to use the maximum amount of pre-tax earnings permitted under federal law for the purchase of transportation fringe benefits.

§ [8-06] 7-306 Recordkeeping Requirements.

Employers must retain records for two years sufficient to demonstrate (i) that each full-time employee eligible for transportation fringe benefits pursuant to the Transportation Benefits Law and this chapter was offered the opportunity to use pre-tax earnings to purchase transportation fringe benefits in accordance with this chapter; or (ii) records sufficient to demonstrate that the employer provides, at the employer’s expense, a transit pass or similar form of payment for transportation on public or privately-owned mass transit or in a commuter highway vehicle at the maximum federal transportation fringe benefit amount that may be excluded from pre-tax earnings. Employers may use the form provided by the department and available on the department’s website to document compliance.

§ [8-07] 7-307 Employer-Funded Transportation Benefits.

- (a) As an alternative to offering the opportunity to use pre-tax earnings to purchase transportation fringe benefits, an employer may provide at the employer’s expense a transit pass or similar form of payment for transportation on public or privately-owned mass transit or in a commuter highway vehicle.
- (b) If the employer-provided transit pass or similar form of payment

is less than the maximum transportation fringe benefit that may be excluded from pre-tax earnings under federal law, then the employer must offer employees the opportunity to use pre-tax earnings to purchase transportation fringe benefits for an amount equal to the difference between the value of the employer-provided transit pass or similar form of payment and the maximum amount that may be excluded from gross earnings under federal law.

§ [8-08] 7-308 Financial Hardship Exemption

- (a) The department may waive the requirements of the Transportation Benefits Law for an employer if such employer demonstrates to the department's satisfaction that offering the opportunity to use pre-tax earnings to purchase transportation fringe benefits would be a financial hardship for such employer.
- (b) To qualify for a waiver, an employer must present compelling evidence that complying with the Transportation Benefits Law would be impracticable and create a severe financial hardship.

§ [8-09] 7-309 Enforcement and Penalties

- (a) The department may issue a notice of violation pursuant to Section 20-926(b) of the Administrative Code.
- (b) Any employer found to be in violation of the Transportation Benefits Law will be liable for a civil penalty of two-hundred fifty dollars payable to the city of New York for the first violation, for any and each subsequent violation, and for any and each recidivist violation.
- (c) A civil penalty will not be imposed on an employer for the first violation if the employer demonstrates to the satisfaction of the department within the cure period that it is complying with the Transportation Benefits Law.
- (d) For the purposes of this section, "satisfaction of the department" with reference to an employer's compliance with the Transportation Benefits Law means proof that the employer has offered its full time employees the opportunity to use pre-tax earnings to purchase transportation fringe benefits or that the employer provides, at the employer's expense, a transit pass, or similar form of payment, for transportation on public or privately-owned mass transit or in a commuter highway vehicle at the maximum federal transportation benefit amount that may be excluded from pre-tax earnings.
- (e) An employer seeking to demonstrate that it is complying with the Transportation Benefits Law may do so by submitting the compliance form provided by the department and available on the department's website. The department may require submission of additional information, including documentary evidence, reasonably necessary to prove that a first violation was cured within the cure period.

§ 4. Chapter 10 of Title 6 of the Rules of the City of New York is renumbered as Subchapter D of Chapter 7 of Title 6 and is amended to read as follows:

Subchapter D: Displaced Grocery Workers

§ [10-01] 7-401 Definitions.

- (c) As used in this chapter, the following terms have the same meanings as set forth in Section 22-507 of the Administrative Code: "change in control," "city," "department," "eligible grocery employee," "grocery establishment," "incumbent grocery employer," "person," "successor grocery employer," and "transitional employment period."
- (d) As used in this chapter, the following terms shall have the following meanings:

["Appropriate notice"] means 30 days' written notice to the grocery employer, unless the grocery employer agrees to a lesser amount of time or the department has reason to believe that:

- (i) the grocery employer will destroy or falsify records;
- (ii) the grocery employer is closing, selling, or transferring its business, disposing of assets, or is about to declare bankruptcy;
- (iii) the grocery employer is the subject of a government investigation or enforcement action or proceeding related to wages and hours, unemployment insurance, workers' compensation, discrimination, or paid sick leave; or
- (iv) more immediate access to records is necessary to prevent retaliation against employees for exercising their rights under the Grocery Worker Retention Act.]

["Continuous employment"] means uninterrupted employment. Separations from employment six months or less in duration for any reason, including, but not limited to, transfer from a grocery establishment that is subject to a change in control to a grocery establishment with the

same incumbent grocery employer, paid or unpaid leaves of absence, paid or unpaid time off, and work schedule changes, shall not constitute interruptions in employment.

["Grocery employer"] means incumbent grocery employers and successor grocery employers.

["Grocery Worker Retention Act"] means Section 22-507 of the Administrative Code.

§ [10-02] 7-402 Eligible Grocery Employees.

- (a) For purposes of the definition of "eligible grocery employee" in Section 22-507(a) of the Administrative Code, "a period" means "a period of continuous employment."
- (b) For purposes of Section 22-507(a) of the Administrative Code, "confidential employee" means "confidential employee" as defined in the federal Labor Management Relations Act, 22 U.S.C.A. § 4102(6).
- (c) An employee's length of continuous employment at a grocery establishment with the same incumbent grocery employer as the grocery establishment subject to a change in control preceding an employee's transfer to the grocery establishment subject to a change in control shall count towards that employee's continuous employment at the grocery establishment subject to the change in control.

§ [10-03] Incumbent grocery employer's posting of notice of change in control.

The incumbent grocery employer may meet the posting requirement of Section 22-507(b)(1)(B) of the Administrative Code by posting the required notice of change in control conspicuously in prominent and accessible places customarily frequented by the employees at the grocery establishment subject to a change in control. Each incumbent grocery employer must take reasonable steps to ensure that such notice is not altered, defaced, or covered by other material.]

§ [10-04] 7-403 Determining Seniority.

For purposes of Section 22-507(b)(3) of the Administrative Code, an employee attains seniority as a result of that employee's length of continuous employment in the grocery establishment subject to a change in control, regardless of job position and regardless of full-time or part-time status, or, in the case of an employee transferred to a grocery establishment subject to a change in control, that employee's total length of continuous employment in any of the incumbent grocery employer's grocery establishments.

§ [10-05] 7-404 Recordkeeping.

- (a) Grocery employers must retain records demonstrating compliance with the requirements of the Grocery Worker Retention Act for a period of three years unless otherwise required by any other law, rule, or regulation.
- (b) Incumbent grocery employers must maintain, in an accessible format, contemporaneous, true, and accurate records that document:
 - (1) The list of eligible grocery employees required under Section 22-507(b)(1)(A) of the Administrative Code, the date the list was provided to the successor grocery employer, and written proof that the list was provided to the successor grocery employer; and
 - (2) The notice of change in control required under Section 22-507(b)(1)(B) of the Administrative Code, the date it was posted, and proof of posting.
- (c) Successor grocery employers must maintain, in an accessible format, contemporaneous, true, and accurate records that document:
 - (1) The list of eligible grocery employees received by the successor grocery employer pursuant to Section 22-507(b)(1)(A) of the Administrative Code and the date it was received, and the names of those eligible employees retained for the transitional employment period pursuant to Section 22-507(b)(2) of the Administrative Code;
 - (2) The preferential hiring list required under Section 22-507(b)(3) of the Administrative Code, the date eligible employees on the preferential hiring list were given the right of first refusal to jobs that become available during the transitional employment period, and proof that the right of first refusal was given; and
 - (3) The written performance evaluations as required under Section 22-507(b)(5) of the Administrative Code.

§ [10-06] 7-405 Enforcement.

- (a) [If the department issues a subpoena or document demand upon appropriate notice, a grocery employer must provide

the department with access to records documenting its compliance with the requirements of the Grocery Worker Retention Act and the provisions of this chapter at the department's office.

- (b) [If the grocery employer fails to timely respond to [the subpoena or document demand issued], written request for information or records from the department, a grocery employer must provide the department with access to records and at a mutually agreeable time of day at the employer's place of business.]
- (c)] (b) The department will make two attempts by any combination of letter, email, or telephone to arrange a mutually agreeable time of day for the grocery employer to provide access to its records in accordance with subdivision (b) of this section. If these attempts are not successful, the department may set a time to access records at the grocery employer's place of business during regular business hours, upon two days' notice to the grocery employer.]
- (d) A grocery employer's failure to maintain, retain, or produce pursuant to a subpoena or document demand by the department any record otherwise required to be maintained under these rules that is relevant to a material fact alleged by the department in a notice of violation issued pursuant to the Grocery Worker Retention Act or these rules will create a reasonable inference that such fact is true.
- (e) The department, after conducting an investigation pursuant to Section 22-507(d)(1)(A) of the Administrative Code, may issue a notice of violation for any violation of the Grocery Worker Retention Act.
- (f) Additionally, the department may issue a notice of violation to a grocery employer who fails to provide records or access to records as required by Section 10-05 of this chapter, provided that the department notifies the grocery employer that failure to provide requested information, records, or access to records may result in a notice of violation charging the grocery employer with failure to maintain, retain, or produce records as required by the Grocery Worker Retention Act.
- (g) A grocery employer who fails to respond to the notice of violation issued under subdivision (f) of this section on or before the hearing date is subject to a penalty of five hundred dollars, in addition to any penalties or remedies imposed as a result of the department's investigation of the complaint.]
- (c) [(h)] The grocery employer may cure a notice of violation issued to a grocery employer for failure to provide requested information, records or access to records as required by Section 7-405 of this chapter [in accordance with subdivision (f) of this section] without penalty by producing the requested information or records on or before the first scheduled hearing date.
- (d) [(i)] The department may settle a complaint at any time prior to the conclusion of an adjudication. Prior to settling any complaint filed by an eligible grocery employee pursuant to Section 22-507(d)(1), the department shall provide each complainant with notice of the proposed settlement.
- (e) [(j)] A complainant who intends to opt out of a settlement pursuant to Section 22-507(d)(1)(E) of the Administrative Code must do so in writing to the department.
- [(k)] A complainant who intends to withdraw his or her complaint with the department pursuant to Section 22-507(d)(2) of the Administrative Code must do so in writing to the department prior to bringing a civil action.

§ 5. Chapter 12 of Title 6 of the Rules of the City of New York is renumbered as Subchapter E of Chapter 7 of Title 6 and is amended to read as follows:

Subchapter E: Freelance Workers

§ [12-01] 7-501 Definitions.

- (a) As used in this chapter, the terms "director," "freelance worker," and "hiring party" shall have the same meanings as set forth in Section 20-927 of the Administrative Code.
- (b) As used in this chapter, the term "adverse action" means any action by a hiring party, their actual or apparent agent, or any other person acting directly or indirectly on behalf of a hiring party, that would constitute a threat, intimidation, discipline, harassment, denial of a work opportunity, or discrimination, or any other act that penalizes a freelance worker for, or is reasonably likely to deter a freelance worker from, exercising or attempting to exercise any right guaranteed under chapter 10 of Title 20 of the Administrative Code ("the Freelance Isn't Free Act").

§ [12-02] 7-502 Coverage.

A freelance worker is entitled to the protections of the Freelance Isn't Free Act regardless of immigration status.

§ [12-03] 7-503 Contract Value.

- (a) For purposes of Section 20-928(a) of the Administrative Code, the value of a contract between a freelance worker and hiring party, either by itself or when aggregated with all other agreements for services between the same hiring party and freelance worker during the 120 days immediately preceding the agreement that constitutes the contract, shall include the reasonable value of all actual or anticipated services, costs for supplies, and any other expenses under the contract.
- (b) For purposes of Section 20-933(b) of the Administrative Code, the value of the underlying contract between a freelance worker and hiring party shall include the reasonable value of all services performed and/or anticipated, and reasonable costs for supplies and any other expenses reasonably incurred by the freelance worker.

§ [12-04] 7-504 Retaliation.

- (a) Retaliation shall include but is not limited to any adverse action relating to perceived immigration status or work authorization.
- (b) A freelance worker may establish a causal connection between the exercise of rights guaranteed under the Freelance Isn't Free Act and a hiring party's adverse action either circumstantially, such as with evidence that the protected activity was followed closely by the adverse action, or directly, with evidence of an intention by a hiring party to retaliate against a freelance worker. For purposes of Section 20-930 of the Administrative Code, retaliation may be established when a freelance worker shows that the exercise or attempt to exercise any right under the Freelance Isn't Free Act was a motivating factor for an adverse action, even if other factors also motivated the adverse action.
- (c) Any person who denies a work opportunity to a freelance worker who exercises or attempts to exercise any right guaranteed under the Freelance Isn't Free Act, or that takes any action reasonably likely to deter a freelance worker from exercising or attempting to exercise any such right, shall be liable for retaliation regardless of whether that person previously has been a party to a contract with the freelance worker or has been the subject of a complaint by the freelance worker.

§ [12-05] 7-505 Waivers of Rights.

- (a) Any contract entered into by a hiring party and freelance worker shall not include any prospective waiver or limitation of rights under the Freelance Isn't Free Act. Any such waiver or limitation shall be invalid as a matter of law.
- (b) If a contract includes language that waives or limits a freelance worker's right to participate in or receive money or any other relief from any class, collective, or representative proceeding, said waiver or limitation is void.
- (c) Wherever a hiring party asks a freelance worker to waive or limit, via contract, any other procedural right normally afforded to a party in a civil or administrative action, any such contractual waivers and limitations are void under Section 20-935 of the Administrative Code. Such rights include but are not limited to procedural rights of parties to a civil action established by the New York Civil Practice Law and Rules, the Federal Rules of Evidence, and the Federal Rules of Civil Procedure.
- (d) A freelance worker has the right to disclose the terms of a contract with a hiring party to the director. Any private contractual agreement that purports to waive or limit a freelance worker's right to communicate the terms of such a contract to the director is void as against public policy.

§ 6. The definition of "valid authorization" in Section 7-701(b), Subchapter G of Chapter 7 of Title 6 of the Rules of the City of New York is amended to read as follows:

"Valid authorization" means a written authorization from a fast food employee to deduct wages from the fast food employee's paycheck for remittance to a not-for-profit that complies with Section 20-1302 of the New York City Administrative Code and Sections [15-03] 7-702 and 7-703 of these 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: Omnibus Rules of Office of Labor Policy and Standards

REFERENCE NUMBER: 2016 RG 115

RULEMAKING AGENCY: Department of Consumer Affairs

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: June 19, 2018

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: OLPS' Procedures

REFERENCE NUMBER: DCA-79

RULEMAKING AGENCY: Department of Consumer Affairs

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) Employers can cure a failure to respond to a request for information or documents before a scheduled appearance date at OATH by providing the requested information or resolving the investigation before the appearance date.

/s/ *M. Jed Butler*
Mayor's Office of Operations

June 21, 2018
Date

Accessibility questions: Casey Adams (212) 436-0095, cadams@dca.nyc.gov, by: Thursday, July 26, 2018, 5:00 P.M.



◀ j29

Notice of Adoption

Notice of Adoption to amend the fixed penalties for the violations of the laws and rules related to dealers of second-hand automobiles in Section 6-19 of Subchapter B of Chapter 6 of Title 6 of the Rules of the City of New York.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer

Affairs by Sections 1043, 2203(c), 2203(f), and 2203(h)(1) of the City Charter, Sections 20-104(e) and 20-275.1 of the New York City Administrative Code, Section 10 of Local Law 197 for the year 2017, and Section 3 of Local Law 198 for the year 2017, and in accordance with the requirements of Section 1043 of the New York City Charter, that the Department amends Section 6-19 of Chapter 6 of Title 6 of the Rules of the City of New York.

This rule was proposed and published on May 9, 2018. A public hearing was held on June 8, 2018.

Statement of Basis and Purpose of Rule

Local Law 197 of 2017 amended the New York City Administrative Code to require that second-hand automobile dealers provide certain financing disclosures and to create an automobile contract cancellation option that may be used by consumers of second-hand automobiles.

Local Law 198 of 2017 amended the New York City Administrative Code to require second-hand automobile dealers post and distribute a bill of rights to consumers.

To implement Local Laws 197 and 198, the Department amends Section 6-19 of Subchapter B of Title 6 of the Rules of the City of New York, which establishes fixed penalties for the violations of the laws and rules related to secondhand automobile dealers.

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.

Rule Amendment

Section 6-19 of Title 6 of the Rules of the City of New York is amended to read as follows:

§ 6-19. Dealers in Second-Hand Articles Penalty Schedule.

All citations are to Title 20 of the Administrative Code of the City of New York or Title 6 of the Rules of the City of New York.

Unless otherwise specified, the penalties set forth for each section of law or rule shall also apply to all subdivisions, paragraphs, subparagraphs, clauses, items, or any other provision contained therein. Each subdivision, paragraph, subparagraph, clause, item, or other provision charged in the Notice of Violation shall constitute a separate violation of the law or rule.

For the fine amounts marked by a single asterisk, if the respondent timely submits the appropriate proof of having cured a first-time violation, the respondent will not be subject to a civil penalty pursuant to Local Law 153 of 2013.

Unless otherwise specified by law, a second or third or subsequent violation means a violation by the same respondent, whether by pleading guilty, being found guilty in a decision, or entering into a settlement agreement for violating the same provision of law or rule, within two years of the prior violation(s).

In certain cases, the Department may ask for license suspension or revocation, as permitted by statute. In determining whether a violation is a second, third, or subsequent violation for purposes of suspension or revocation pursuant to Section 20-275(d) of Title 20 of the New York City Administrative Code, any violations of the following provisions must be considered: Sections 20-268.1, 20-268.2, 20-268.3, 20-268.4, 20-268.5, and 20-271 of the New York City Administrative Code, and Sections 2-105, 2-106, 2-107, 2-108, and 2-109 of the Rules of the City of New York. If a respondent is found in violation of multiple provisions that require a suspension period, the suspension periods shall run concurrently.

Citation	Violation Description	First Violation	First Default	Second Violation	Second Default	Third and Subsequent Violation	Third and Subsequent Default
Admin Code § 20-265	Operating as a second hand dealer without a license	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day	\$100 per day
Admin Code § 20-267	Failure to report required records to police commissioner	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-268	Failure to comply with specified restrictions pertaining to second hand dealers	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-268.1	Failure to comply with requirements related to sale and financing of second-hand automobiles	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)

Admin Code § 20-268.2	Failure to comply with requirements related to automobile contract cancellation option	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-268.3	Failure to provide certain second-hand automobile contract documents in advance	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-268.4	Failure by a second-hand automobile dealer to post consumer bill of rights	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-268.5	Failure to comply with requirements related to second-hand automobile records and reports	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-270	Failure to comply with signage requirements	\$375*	\$500*	\$450	\$500	\$500	\$500
Admin Code § 20-271(a)	Failure to label second-hand articles as not new	\$375*	\$500*	\$450	\$500	\$500 (plus suspension or revocation)	\$500 (plus suspension or revocation)
Admin Code § 20-271(b)	Failure of dealer in second-hand automobiles to clearly and conspicuously post price of second-hand automobile or prices for add-on products	\$500*	\$500*	\$750	\$750	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
Admin Code § 20-272	Failure to comply with requirements pertaining to lost or stolen property	\$375	\$500	\$450	\$500	\$500	\$500
Admin Code § 20-273	Failure to comply with requirements pertaining to record of purchases and sales	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-101	Failure to verify and record identity of persons who sell to second-hand dealers	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-102	Failure to comply with requirements pertaining to sale of second-hand furniture	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(a)	Failure to maintain documents recording transfer of title in sale of second-hand automobile	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(b)	Failure to comply with requirements pertaining to deferred payment, collateral and financing terms in sale of second-hand automobile	\$500	\$500	\$500	\$500	\$500	\$500
6 RCNY § 2-103(c)	Covering or concealing of motor or serial number in sale of second-hand automobile or motorcycle	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(d)	Failure of dealer in second-hand automobiles to meet deferred payment commitments in purchase of second-hand automobile from private person	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(e)	Improper statements, representations, promises or acts by dealer in second-hand automobiles or agents	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(f)	Failure of dealer in second-hand automobiles to disclose all terms of undertaking or agreement with purchaser	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(g)(1)(i)	Sale of second-hand automobile not inspected and certified in accordance with Vehicle and Traffic Law	\$500	\$500	\$500	\$500	\$500	\$500
6 RCNY § 2-103(g)(1)(ii)	Failure to provide required Notice to Buyer with contract for sale of second-hand automobile	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(g)(1)(iii)	Contract for sale of second-hand automobile containing prohibited limitations	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(g)(1)(iv)	Failure of dealer in second-hand automobiles to submit form contracts with license application	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(g)(1)(v)	Failure of dealer in second-hand automobiles to display required sign at place of business	\$375	\$500	\$450	\$500	\$500	\$500

6 RCNY § 2-103(g)(2)	Misrepresentation of vehicle mileage	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(h)	Failure of dealer in second hand automobiles to investigate previous use of vehicle or to maintain record of vehicle's previous use and odometer reading	\$500	\$500	\$500	\$500	\$500	\$500
6 RCNY § 2-103(i)	Sale of second-hand automobile at price other than advertised	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(j)	Sale of second-hand automobile from licensed place of business by any person other than licensed dealer in second-hand automobiles	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(k)(1)	Improperly accepting deposit in sale of second hand automobile	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(k)(2)	Deposit receipt fails to contain required information	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(k)(3)	Failure to keep proper record of deposits in sales of second hand automobiles	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(l)(1)	Failure of dealer in second hand automobiles to keep proper records of income and expenses	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(l)(2)	Failure of dealer in second hand automobiles to maintain proper record of cash receipts [s]and cash disbursements	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-103(m)(2)	Dealer in second-hand automobiles parking or allowing automobiles to encroach on a sidewalk or other public space	\$375	\$500	\$450	\$500	\$500	\$500
6 RCNY § 2-105(a)	Failure to label second-hand articles as not new	\$375*	\$500*	\$450	\$500	\$500 (plus suspension or revocation)	\$500 (plus suspension or revocation)
6 RCNY § 2-105(b)	Failure of dealer in second-hand automobiles to post price of second-hand automobile according to required specifications	\$375*	\$500*	\$675	\$750	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-105(c)	Failure of dealer in second-hand automobiles to post price of add-on products according to required specifications	\$375*	\$500*	\$675	\$750	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-106	Failure to comply with requirements related to financing disclosures for second-hand automobiles	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-107	Failure to comply with requirements related to second-hand automobile contract cancellation option	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-108	Failure to comply with requirements related to second-hand automobile consumer bill of rights	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)
6 RCNY § 2-109	Failure of second-hand automobile dealer to comply with records and reports requirements	\$750	\$1,000	\$900	\$1,000	\$1,000 (plus suspension or revocation)	\$1,000 (plus suspension or revocation)

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Adoption

NOTICE IS HEREBY GIVEN that, pursuant to the authority vested in the Commissioner of the Department of Housing Preservation and Development (“HPD”) by Sections 1043 and 1802 of the New York City Charter and Sections 23-96 and 23-154 of the Zoning Resolution of the City of New York, HPD is adopting amendments to Chapter 41 of Title 28 of the Rules of the City of New York.

A notice of proposed rulemaking was published in the City Record on May 23, 2018. A public hearing was held on June 22, 2018.

Statement of Basis and Purpose of Rule

The Mandatory Inclusionary Housing (“MIH”) program requires new housing developments, enlargements, or conversions of more than 10 dwelling units or more than 12,500 square feet of residential floor area constructed in areas designated for MIH in the Zoning Resolution of the City of New York (“Zoning Resolution”) to provide permanently affordable housing to qualified households.

MIH areas are designated through the land use review process as part of zoning actions that increase housing capacity. The MIH program allows developments, enlargements or conversions that increase the number of dwelling units by no more than 25 and increase the residential floor area on the zoning lot by less than 25,000 square feet of residential floor area to instead make a contribution to the Affordable Housing Fund, which is defined in section 23-911 of the Zoning Resolution. The contribution amount must approximate the cost of providing affordable floor area in the community district where the MIH Development is located.

HPD established a schedule setting forth the Affordable Housing Fund contribution amounts in Section 41-24 of Chapter 41 of the Rules of

the City of New York. The Zoning Resolution requires this schedule to be updated annually. HPD rules provide that, for purposes of this schedule, HPD must group together Community Districts with similar market characteristics into "Fee Tiers," using Department of Finance sales data for residential condominium units and, where necessary, for one- to four-unit residential buildings. Each Fee Tier is associated with a different Affordable Housing Fund contribution amount.

The adopted rule amendments update the schedule for the coming fiscal year (July 1, 2018 through June 30, 2019). In addition to changes in the contribution amounts, the rule amendments transfer Queens Community District 6, which includes Forest Hills and Rego Park, from Fee Tier 3 to Fee Tier 4, in order to reflect changes in the relative market characteristics of that community district.

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. The schedule of Affordable Housing Fund contribution amounts set forth in Paragraph one of Subdivision c of Section 41-24 of Chapter 41 of Title 28 of the Rules of the City of New York is amended to read as follows:

Fee Tier	Community District	Amount of Affordable Housing Fund Contribution Per Square Foot
1	101 102 103 104 105 106 107 108	\$1,075
2	301 302 306 402	[\$605] <u>\$660</u>
3	109 110 111 303 304 307 308 401 [406]	[\$535] <u>\$555</u>
4	112 208 309 310 311 312 313 314 315 403 404 405 <u>406</u> 407 408 409 411	[\$280] <u>\$300</u>
5	201 202 203 204 205 206 207 209 210 211 212 305 316 317 318 410 412 413 414 501 502 503	[\$260] <u>\$265</u>



City of New York
DEPARTMENT OF
HOUSING PRESERVATION AND DEVELOPMENT
100 GOLD STREET, NEW YORK, N.Y. 10038
nyc.gov/hpd

MARIA TORRES-SPRINGER
Commissioner

I hereby find, pursuant to §1043, subdivision e, paragraph 1(c) of the City Charter, and represent to the mayor, that there is a substantial need for the implementation of the amendment of the rule governing the Mandatory Inclusionary Housing ("MIH") program Affordable Housing Fund contribution schedule upon the publication in the *City Record* of its Notice of Adoption.

Section 23-154(d) of the Zoning Resolution of the City of New York ("Zoning Resolution") established the MIH program, which requires certain new housing developments, enlargements, or conversions constructed in areas designated for MIH in the Zoning Resolution to provide permanently affordable housing to qualified households. Section 23-154(d)(3)(v) of the Zoning Resolution established that certain developments, enlargements, or conversions may instead comply with the MIH program requirements by making a contribution to an Affordable Housing Fund, which is defined in section 23-911 of the Zoning Resolution. Section 23-154(d)(3)(v) requires that the Department of Housing Preservation and Development adopt the rules necessary to establish and update on an annual basis a schedule setting forth the contribution amount for each Community District to the Affordable Housing Fund.

The Department promulgated such rules in Section 41-24 of Title 28 of the Rules of the City of New York ("RCNY"). These rules established the Affordable Housing Fund contribution schedule, and require that the Department update the schedule no later than July 1st of each year. These amendments provide this year's annual update to the schedule. The implementation of these amendments upon publication is necessary to ensure that the update to the schedule will be in effect in a timely manner.

Maria Torres-Springer
Commissioner
Department of Housing Preservation and Development

APPROVED:
Bill de Blasio
Mayor

DATE: 6/26/18

(212) 863-6100 FAX (212) 863-6302 TTY (212) 863-8508

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CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

**OFFICIAL FUEL PRICE \$ SCHEDULE NO. 8156
FUEL OIL AND KEROSENE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE	PRICE \$ EFF. 6/25/2018
3687331	1.0	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0383 GAL.	2.3183 GAL.
3687331	2.0	#2DULS	PICK-UP	SPRAGUE	-.0383 GAL.	2.2136 GAL.
3687331	3.0	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	-.0383 GAL.	2.5166 GAL.
3687331	4.0	#2DULS	WINTERIZED PICK-UP	SPRAGUE	-.0383 GAL.	2.4118 GAL.
3687331	5.0	#1DULS	CITYWIDE BY TW	SPRAGUE	-.0555 GAL.	2.5380 GAL.
3687331	6.0	#1DULS	PICK-UP	SPRAGUE	-.0555 GAL.	2.4332 GAL.
3687331	7.0	#2DULS	>=80% CITYWIDE BY TW	SPRAGUE	-.0383 GAL.	2.3461 GAL.
3687331	8.0	#2DULS	WINTERIZED CITYWIDE BY TW	SPRAGUE	-.0383 GAL.	2.6371 GAL.
3687331	9.0	B100	B100<=20% CITYWIDE BY TW	SPRAGUE	-.0284 GAL.	2.8276 GAL.
3687331	10.0	#2DULS	>=80% PICK-UP	SPRAGUE	-.0383 GAL.	2.2413 GAL.
3687331	11.0	#2DULS	WINTERIZED PICK-UP	SPRAGUE	-.0383 GAL.	2.5323 GAL.
3687331	12.0	B100	B100 <=20% PICK-UP	SPRAGUE	-.0284 GAL.	2.7228 GAL.
3687331	13.0	#1DULS	>=80% CITYWIDE BY TW	SPRAGUE	-.0555 GAL.	2.5476 GAL.
3687331	14.0	B100	B100 <=20% CITYWIDE BY TW	SPRAGUE	-.0284 GAL.	2.8365 GAL.
3687331	15.0	#1DULS	>=80% PICK-UP	SPRAGUE	-.0555 GAL.	2.4428 GAL.
3687331	16.0	B100	B100 <=20% PICK-UP	SPRAGUE	-.0284 GAL.	2.7317 GAL.
3687331	17.0	#2DULS	BARGE MTF III & ST. WI	SPRAGUE	-.0383 GAL.	2.2789 GAL.
3687192	1.0	JET	FLOYD BENNETT	SPRAGUE	-.0380 GAL.	2.9317 GAL.
3587289	2.0	#4B5	MANHATTAN	UNITED METRO	-.0497 GAL.	2.2580 GAL.

3587289	5.0	#4B5	BRONX	UNITED METRO	-.0497	GAL.	2.2568	GAL.
3587289	8.0	#4B5	BROOKLYN	UNITED METRO	-.0497	GAL.	2.2510	GAL.
3587289	11.0	#4B5	QUEENS	UNITED METRO	-.0497	GAL.	2.2563	GAL.
3587289	14.0	#4B5	RICHMOND	UNITED METRO	-.0497	GAL.	2.3417	GAL.
3687007	1.0	#2B5	MANHATTAN	SPRAGUE	-.0378	GAL.	2.2595	GAL.
3687007	4.0	#2B5	BRONX	SPRAGUE	-.0378	GAL.	2.2485	GAL.
3687007	7.0	#2B5	BROOKLYN	SPRAGUE	-.0378	GAL.	2.2652	GAL.
3687007	10.0	#2B5	QUEENS	SPRAGUE	-.0378	GAL.	2.2614	GAL.
3687007	13.0	#2B5	RICHMOND	SPRAGUE	-.0378	GAL.	2.4258	GAL.
3687007		#2B5	RACK PICK-UP	SPRAGUE	-.0378	GAL.	2.1873	GAL.
3687007	16.0	#2B10	CITYWIDE BY TW	SPRAGUE	-.0373	GAL.	2.4277	GAL.
3687007	17.0	#2B20	CITYWIDE BY TW	SPRAGUE	-.0363	GAL.	2.4687	GAL.
3787198	18.0	#2DULS	CITYWIDE BY TW	SPRAGUE	-.0383	GAL.	2.5285	GAL.
3787198	19.0	B100	CITYWIDE BY TW	SPRAGUE	-.0284	GAL.	3.2321	GAL.
3787198	20.0	#2DULS	PICK-UP	SPRAGUE	-.0383	GAL.	2.3738	GAL.
3787198	21.0	B100	PICK-UP	SPRAGUE	-.0284	GAL.	3.0774	GAL.
3887214	1.0	RHD		SPRAGUE	-.0383	GAL	3.7552	GAL

NOTE:

3687331	#2DULSB5	95% ITEM 7.0 & 5 % ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0378	GAL.	2.3701	GAL.
3687331	#2DULSB10	90% ITEM 7.0 & 10% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0373	GAL.	2.3942	GAL.
3687331	#2DULSB20	80% ITEM 7.0 & 20% ITEM 9.0	CITYWIDE BY TW	SPRAGUE	-.0363	GAL.	2.4424	GAL.
3687331	#2DULSB5	95% ITEM 10.0 & 5% ITEM 12.0	PICK-UP	SPRAGUE	-.0378	GAL.	2.2653	GAL.
3687331	#2DULSB10	90% ITEM 10.0 & 10% ITEM 12.0	PICK-UP	SPRAGUE	-.0373	GAL.	2.2894	GAL.
3687331	#2DULSB20	80% ITEM 10.0 & 20% ITEM 12.0	PICK-UP	SPRAGUE	-.0363	GAL.	2.3376	GAL.
3687331	#1DULSB20	80% ITEM 13.0 & 20% ITEM 14.0	CITYWIDE BY TW	SPRAGUE	-.0500	GAL.	2.6054	GAL.
3687331	#1DULSB20	80% ITEM 15.0 & 20% ITEM 16.0	PICK-UP	SPRAGUE	-.0500	GAL.	2.5006	GAL.
3787198	#2DULSB50	50% ITEM 18.0 & 50% ITEM 19.0	CITYWIDE BY TW	SPRAGUE	-.0334	GAL.	2.8803	GAL.
3787198	#2DULSB50	50% ITEM 20.0 & 50% ITEM 21.0	PICK-UP	SPRAGUE	-.0334	GAL.	2.7256	GAL.

**OFFICIAL FUEL PRICE \$ SCHEDULE NO. 8157
FUEL OIL, PRIME AND START**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE	PRICE \$ EFF. 6/25/2018
3787250	1.0	#2B5	ERP - CITYWIDE	PACIFIC ENERGY	-.0378 GAL	2.3174 GAL

**OFFICIAL FUEL PRICE \$ SCHEDULE NO. 8158
FUEL OIL AND REPAIRS**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE	PRICE \$ EFF. 6/25/2018
3787250	1.0	#2B5	CITYWIDE BY TW	PACIFIC ENERGY	-.0378 GAL	2.3174 GAL.
3787250	2.0	#4B5	CITYWIDE BY TW	PACIFIC ENERGY	-.0497 GAL	2.1747 GAL.

**OFFICIAL FUEL PRICE \$ SCHEDULE NO. 8159
GASOLINE**

CONTR. NO.	ITEM NO.	FUEL/OIL TYPE	DELIVERY	VENDOR	CHANGE	PRICE \$ EFF. 6/25/2018
3787120	1.0	REG UL	CITYWIDE BY TW	GLOBAL MONTELLO	-.0450 GAL	2.1226 GAL.
3787120	2.0	PREM UL	CITYWIDE BY TW	GLOBAL MONTELLO	-.0441 GAL	2.2564 GAL.
3787120	3.0	REG UL	PICK-UP	GLOBAL MONTELLO	-.0450 GAL	2.0576 GAL.
3787120	4.0	PREM UL	PICK-UP	GLOBAL MONTELLO	-.0441 GAL	2.1914 GAL.
3787121	5.0	E85 (SUMMER)	CITYWIDE BY DELIVERY	UNITED METRO	-.0147 GAL	2.0049 GAL.

NOTE:

- As of February 9, 2018, the Bio-Diesel Blender Tax Credit was retroactively reinstated for calendar year 2017. Should the tax credit be further extended, contractors will resume deducting the tax credit as a separate line item on invoices.
- 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.

3. The National Oilheat Research Alliance (NORA) resumed operations in 2014. A related assessment of \$.002 per gallon has been added to the posted weekly fuel prices and will appear as a separate line item on invoices. This fee applies to heating oil only and since 2015 has included #4 heating oil. NORA has been authorized through February 2019. All other terms and conditions remain unchanged.
4. DCAS has registered contract #20181202926/3887214 for Renewable Hydrocarbon Diesel Demonstration Project. The following NYC agencies are authorized to participate: DCAS, DOT, DPR, DSNY, DEP. However, other agencies may participate with prior DCAS' approval.

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, 18 Floor, New York, NY 10007.

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OFFICE OF MANAGEMENT AND BUDGET

■ NOTICE

**New York City Office of Management and Budget (NYCOMB)
Community Development Block Grant – Disaster Recovery
(CDBG-DR)
Trust for Public Land Project
Early Notice and Public Review of a Proposed Activity in
a 100-Year Floodplain**

To: All Interested Agencies, Groups, and Individuals:

This is to give notice that The City of New York (the City) is proposing to undertake activities within a 100-year floodplain relating to the United States Department of Housing and Urban Development's (HUD) Community Development Block Grant – National Disaster Resilience (CDBG-NDR) program. Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and competitively awarded under a Notice of Funding Availability (#1-R-5800-N-29A2) the New York City Office of Management and Budget (OMB) is acting as a recipient of funding allocated via the National Disaster Resilience Competition. This notice is required by Section 2(a)(4) of Executive Order (EO) 11988 for Floodplain Management and is implemented by HUD Regulations found at 24 CFR 55.20(b) for the HUD action that is within and/or affects a floodplain.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information about floodplains can facilitate and enhance Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

Project Description

The proposed project would involve the renovation and improvement of existing playground facilities at two public schools in the Two Bridges neighborhood which is located in the borough of Manhattan in New York City. Public school 2 (PS 2), Meyer London, is located at 122 Henry Street, New York, NY 10002. Public school 184 (PS 184), Shuang Wen, is located at 327 Cherry Street, New York, NY 10002.

PS 2 is a preschool and elementary school for students from pre-kindergarten to 5th grade. The area which would be renovated consists of an approximately 0.73 acre paved recreational area which currently contains playground equipment. This proposed action site is outside of the special flood hazard area (SFHA) according to both the Federal Emergency Management Agency (FEMA) 2007 flood insurance rate map (FIRM) and the 2015 preliminary FIRM.

PS 184 is a Mandarin Chinese and English bilingual elementary and middle school for pre-kindergarten to 8th grade students. The area which would be renovated consists of an approximately 1.09 acre paved recreational area which currently contains playground equipment and five tennis courts. This proposed action site falls outside of the 100 year floodplain according to the FEMA 2007 FIRM. However, according to the 2015 preliminary FIRM, the southern border of this proposed action site intersects with the 100 year floodplain.

For both proposed action sites a participatory design process will take place which will be led by the Trust for Public Land and their project consultants and will engage students, parents and staff from each school in addition to members of the community. This process would result in redesigned playspaces which may include features such as running tracks; athletic courts; upgraded play equipment; trees, gardens and plantings; gazebos; outdoor classrooms; benches; game tables; student artwork; signage; trash and recycling receptacles; and drinking fountains.

An additional goal of the proposed project is to incorporate green infrastructure features such as artificial turf fields with gravel underlays; bioswales; permeable pavers; and rain gardens into project design. Installation of these elements would require removal of existing pavement and excavation of fill. For the purposes of this assessment it is assumed that ground disturbance up to two feet below the surface would occur throughout the proposed project area. Installation of green infrastructure features at both proposed action sites would result in a substantial amount of stormwater capture, thus contributing to the flood resilience of the surrounding community.

All interested persons, groups and agencies are invited to submit written comments regarding the proposed use of federal funds to support a project located in a floodplain. The City is interested in alternatives and public perceptions of possible adverse impacts that could result from the project as well as potential mitigation measures. Maps of the proposed action sites; schematic design plans; and maps of the proposed location of activities within a 100 year floodplain are available at:
<http://www1.nyc.gov/site/cdbgdr/documents/environmental-records.page>

Written comments should be sent to OMB, at 255 Greenwich Street, 8th Floor, New York, NY 10007, Attention: Calvin Johnson, Assistant Director CDBG-DR or via email at CDBGDR-Enviro@omb.nyc.gov. The minimum 15 calendar day comment period will begin the day after the publication and end on the 16th day after the publication. Such comments should be received by OMB on or before July 16, 2018.

City of New York: Bill de Blasio, Mayor
New York City Office of Management and Budget: Melanie Hartzog, Director

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SANITATION

■ NOTICE

PERCENTAGE OF EXISTING LAWFULLY OPERATING TRANSFER STATIONS IN NEW YORK CITY BY COMMUNITY DISTRICT

NOTICE IS HEREBY GIVEN, that pursuant to Section 4-32(d) of Title 16 of the Rules of the City of New York, the Department of Sanitation is publishing the following chart detailing the percentage of existing lawfully operating transfer stations in New York City by Community District as required by the *Final Rules Governing The Department of Sanitation's Siting Requirements Regarding Transfer Stations* that were published in the *City Record* on November 8, 2004 and that became effective upon publication. A copy of the final rules, located in Subchapter C of Chapter 4 of Title 16 of the Rules of the City of New York, can also be found on the Department's website at www.nyc.gov/dsny. Dated: June 29, 2018.

Percentage of Existing, Lawfully Operating Transfer Stations in NYC	Community Districts	Buffer Distance to Residential Districts, Hospitals, Public Parks and Schools	Buffer Distance between Transfer Stations ^(A)	Additional Requirements	Zoning Requirements
16% or more	Brooklyn 1	700 feet	400 feet	(i) Facility enclosed; (ii) Queuing area on site; (iii) Offsets required ^{(B), (C), (D), (E)}	M2 and/or M3 districts only

From 12 to less than 16%	Bronx 2	600 feet	400 feet	(i) Facility enclosed; (ii) Queuing area on site; (iii) Offsets required ^{(B), (C), (D), (E)}	M2 and/or M3 districts only
From 8 to less than 12%	Bronx 1 Queens 7 Staten Island 2	600 feet	400 feet	Queuing area on site ^(F)	M2 and/or M3 districts only
From 4 to less than 8 %	Queens 2 Queens 5 Queens 12	500 feet	400 feet	Queuing area on site ^(F)	M1, M2 and/or M3 allowed ^(H)
Less than 4%	All other Community Districts	400 feet	400 feet	Queuing area on site ^(G)	M1, M2 and/or M3 allowed ^(H)

- (A) This restriction shall not apply to a new transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.
- (B) Any new transfer stations operating a truck-to-truck facility must obtain a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a transfer station within the same community district at a rate of one ton for every new ton of capacity. Such reduction must be of the same type of solid waste (putrescible for putrescible, construction and demolition debris for construction and demolition debris, or fill material for fill material).
- (C) Any application for a new putrescible or construction and demolition debris transfer stations located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, and where at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel, must obtain a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a putrescible or construction and demolition debris transfer station within the same community district at a rate of one ton for every new ton of capacity.
- (D) Any transfer station that is lawfully operating that is located at least 500 feet from a residential district, hospital, public park or school may increase its lawful daily permitted throughput capacity only if such owner/operator obtains a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a transfer station located in the same community district at a rate of one ton for every new ton of capacity. Such reduction must be of the same type of solid waste (putrescible for putrescible, construction and demolition debris for construction and demolition debris, or fill material for fill material).
- (E) Any putrescible or construction and demolition debris transfer station that is lawfully operating at or adjacent to a rail yard, rail spur, industrial track or vessel facility where at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel, may increase its lawful daily permitted throughput capacity provided that the owner/operator obtains a corresponding reduction (offset) in the lawful daily permitted throughput capacity at a putrescible or construction and demolition debris transfer station within the same community district at a rate of one ton for every new ton of capacity.
- (F) Any transfer station that is lawfully operating may increase its lawful daily permitted throughput capacity, subject to Department review and approval, provided that it is located at least 500 feet from a residential district, hospital, public park or school. This restriction shall not apply to a transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.
- (G) Any transfer station that is lawfully operating may increase its lawful daily permitted throughput capacity, subject to Department review and approval, provided that it is located at least 400 feet from a residential district, hospital, public park or school. This restriction shall not apply to a transfer station that is located at or adjacent to a rail yard, rail spur, industrial track or vessel facility, provided that at least ninety percent of the solid waste received is subsequently transported from the transfer station by rail or vessel.
- (H) Any new transfer station shall not be located in an M1 district if the M1 districts in such community district cumulatively contain three or more lawfully operating transfer stations.

TRANSPORTATION

■ NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED AT 5th AVENUE AND BROADWAY BETWEEN 21st AND 26th STREETS, IN THE BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation (“DOT”) intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located at 5th Avenue and Broadway between 21st and 26th Streets, in the borough of Manhattan (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or the concessionaire, or other similar merchandise within the Licensed Plaza.

Subconcessions would be awarded based on solicitations issued by the concessionaire in the basic form of Request for Proposals or Request for Bids, subject to DOT’s prior written approval of both solicitation and award.

DOT has identified the Flatiron/23rd Street Partnership Business Improvement District as a potential concessionaire, but DOT will consider additional expressions of interest from other potential concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly-accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Organizations may express interest in the proposed concession by contacting Emily Weidenhof, Director of Public Space by email at plazas@dot.nyc.gov or in writing at 55 Water Street, 6th Floor, New York, NY 10041 by July 9, 2018. Ms. Weidenhof may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-4325.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, NY 10007, telephone number (212) 669-2323.

j22-jy6

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED AT BROADWAY BETWEEN WEST 36th STREET AND WEST 41st STREET, IN THE BOROUGH OF MANHATTAN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation (“DOT”) intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located at Broadway between West 36th Street and West 41st Street, in the borough of Manhattan (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or the concessionaire, or

other similar merchandise within the Licensed Plaza.

Subconcessions will be awarded based on solicitations issued by the concessionaire in the basic form of Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award.

DOT has identified the Fashion Center District Management Association, Inc., doing business as the Garment District Alliance ("GDA") as a potential concessionaire, but DOT will consider additional expressions of interest from other potential concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly-accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Organizations may express interest in the proposed concession by contacting Emily Weidenhof, Director of Public Space by email at plazas@dot.nyc.gov or in writing at 55 Water Street, 6th Floor, New York, NY 10041 by July 9, 2018. Ms. Weidenhof may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-4325.

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j22-jy6

CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes sub-sections for BOARD OF ELECTION POLL WORKERS (FOR PERIOD ENDING 06/01/18) and BOARD OF ELECTION POLL WORKERS (FOR PERIOD ENDING 06/01/18).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes sub-section for BOARD OF ELECTION POLL WORKERS (FOR PERIOD ENDING 06/01/18).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes entries for YASMIN, MOSA, NILUFAR, CARLOS, YAUJI, JAEHEE, YOO III, ZAINO, LORI, ZHININ, JACQUELI, ZWEIGHAFT, DAVID.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes sub-section for GUTTMAN COMMUNITY COLLEGE (FOR PERIOD ENDING 06/01/18) and COMMUNITY COLLEGE (BRONX) (FOR PERIOD ENDING 06/01/18).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes sub-section for COMMUNITY COLLEGE (BRONX) (FOR PERIOD ENDING 06/01/18).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes sub-section for COMMUNITY COLLEGE (BRONX) (FOR PERIOD ENDING 06/01/18).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes sub-sections for COMMUNITY COLLEGE (QUEENSBORO) (FOR PERIOD ENDING 06/01/18) and COMMUNITY COLLEGE (KINGSBORO) (FOR PERIOD ENDING 06/01/18).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Includes sub-section for COMMUNITY COLLEGE (KINGSBORO) (FOR PERIOD ENDING 06/01/18).

GAMBINO MAURIZIO	04844	\$39783.0000	RESIGNED	NO	04/30/18	465
JOSSSELIN ASHLEY	04601	\$28.2800	APPOINTED	YES	05/07/18	465
KHABIBULIN LENAR	04625	\$45.0000	APPOINTED	YES	05/11/18	465
KHALIKOVA AMIRA	10101	\$13.0000	APPOINTED	YES	05/14/18	465
KHALIL FAIZA	10102	\$13.5000	RESIGNED	YES	02/04/18	465
LIGHTSEY KEVIN	04625	\$36.6400	APPOINTED	YES	05/15/18	465
MAYO EDDIE	04625	\$36.6400	APPOINTED	YES	05/15/18	465
MOGENSEN ELISE	04625	\$50.0000	APPOINTED	YES	05/10/18	465
PIERRE-PAUL JR KESNER	04601	\$28.2800	APPOINTED	YES	05/07/18	465
RIVERA KAYLA	04626	\$36.6400	APPOINTED	YES	04/23/18	465
RIZANI IGBALE	04626	\$36.6400	APPOINTED	YES	04/23/18	465
SMART TAKIYAH	10102	\$13.5000	RESIGNED	YES	05/20/18	465
ZELMANOVIC NORMA	10102	\$13.5000	DECEASED	YES	04/13/18	465
ZHELEZNAYA ANASTASI	04625	\$46.8900	APPOINTED	YES	04/17/18	465

COMMUNITY COLLEGE (MANHATTAN)
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ACOSTA LUCILEID		10102	\$13.5000	APPOINTED	YES	05/14/18	466
ALEJO RODRIGUEZ MARIANA		10102	\$13.5000	APPOINTED	YES	05/14/18	466
AVILA HEIDI E		10102	\$13.5000	APPOINTED	YES	05/07/18	466
BENZIZOUNE MOHAMED		04689	\$42.9500	APPOINTED	YES	05/01/18	466
BERGALLO BRUNO		10102	\$13.5000	APPOINTED	YES	04/30/18	466
BHAGWANT SHARMELA		04808	\$45840.0000	APPOINTED	YES	05/13/18	466
CHAMBERS ODAINE		10102	\$13.8600	APPOINTED	YES	04/16/18	466
CHAPARRO CARLOS A		04689	\$42.9500	APPOINTED	YES	05/01/18	466
COTU WILFRED		04075	\$84678.0000	INCREASE	YES	05/06/18	466
CRUZ VANESSA E		10102	\$13.5000	APPOINTED	YES	05/21/18	466
DIMITRIADOU PANAGIOT		10102	\$13.5000	APPOINTED	YES	02/26/18	466
EDWARDS LINDA T		04625	\$50.0000	APPOINTED	YES	05/14/18	466

COMMUNITY COLLEGE (MANHATTAN)
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ENG MEE Y		04689	\$42.9500	APPOINTED	YES	05/01/18	466
GAYLE ANFORD S		10102	\$15.0000	APPOINTED	YES	05/21/18	466
HAMILTON LATOYA S		10102	\$15.0000	APPOINTED	YES	05/21/18	466
HERMOSO NOVINA C		04802	\$39614.0000	INCREASE	NO	05/13/18	466
HERNANDEZ BRIANNA		10102	\$13.5000	APPOINTED	YES	05/24/18	466
LATAVELA FRANCISC J		04058	\$55642.0000	APPOINTED	YES	05/13/18	466
LEWIS MELANIE S		10102	\$13.5000	APPOINTED	YES	05/14/18	466
LIAO XIAO J		04689	\$42.9500	APPOINTED	YES	05/01/18	466
MIAH MUHAMMED		04875	\$67473.0000	INCREASE	NO	05/13/18	466
MONTERO QUINTER HECTOR H		04294	\$152.2500	RESIGNED	YES	04/29/18	466
MONTERO QUINTER HECTOR H		10102	\$18.6500	APPOINTED	YES	03/16/18	466
MUNRO ROBIN		10102	\$13.5000	APPOINTED	YES	05/14/18	466
NAIR CLIVE		04625	\$65.0000	APPOINTED	YES	05/26/18	466
NAIR CLIVE		04625	\$60.0000	APPOINTED	YES	05/08/18	466
NUNEZ ANNMARIE A		04800	\$46442.0000	APPOINTED	NO	05/20/18	466
PEGUERO RODIN A		10102	\$13.5000	APPOINTED	YES	05/14/18	466
RAJA SOMU ANN FAY		10102	\$13.5000	APPOINTED	YES	05/14/18	466
SANG FENG MI G		10102	\$13.5000	APPOINTED	YES	04/23/18	466
SELLINO JOHN		04099	\$61593.0000	APPOINTED	YES	05/13/18	466
STEVENSSON GEORGE		04294	\$97.2600	DECREASE	YES	01/01/12	466
THOMAS ALISA		04625	\$50.0000	APPOINTED	YES	05/17/18	466
TILLERY DONASIA N		04167	\$54862.0000	RESIGNED	YES	05/16/18	466
VATANKHAH MARYAM		04689	\$42.9500	APPOINTED	YES	02/21/18	466
VEYLER MIKHAIL Y		04689	\$42.9500	APPOINTED	YES	02/21/18	466
WILSON JERREL M		10102	\$15.0000	APPOINTED	YES	05/21/18	466

CUNY CENTRAL OFFICE
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BERGMAN JEANNE L		04099	\$65817.0000	RESIGNED	YES	02/28/18	467
NG DARIA		04099	\$75110.0000	APPOINTED	YES	05/20/18	467

COMMUNITY COLLEGE (HOSTOS)
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
CASTRO WILLIZ M		10102	\$13.5000	APPOINTED	YES	05/14/18	468
COLON CARINA		04099	\$56528.0000	APPOINTED	YES	05/16/18	468
FERNANDEZ JHONNATT		10102	\$19.2900	APPOINTED	YES	05/18/18	468
POWLER DANIELLA K		10102	\$13.5000	APPOINTED	YES	05/14/18	468
GUERRERO PAREDE EDUARDO E		10102	\$13.5000	APPOINTED	YES	04/30/18	468
RITHOLZ ERIC S		04099	\$63617.0000	APPOINTED	YES	05/21/18	468
VALENZUELA CERV MARIA DE		04625	\$51.7700	APPOINTED	YES	09/09/17	468

COMMUNITY COLLEGE (LAGUARDIA)
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
AUNG THANDAR		10102	\$15.0000	APPOINTED	YES	05/21/18	469
BABICH RAYMOND		04625	\$36.6400	APPOINTED	YES	04/09/18	469
BOODHU DAVININE		10102	\$13.5000	RESIGNED	YES	02/04/18	469
BRAND ORTIZ JOHANNA A		04601	\$28.2800	APPOINTED	YES	05/07/18	469
CHIAO TING		10102	\$16.0000	APPOINTED	YES	05/07/18	469
DEPENNA MARIA		10102	\$22.2400	APPOINTED	YES	05/06/18	469
DON PETER DI		10102	\$13.5000	APPOINTED	YES	05/07/18	469
EDINDJKILIAN NANCY J		04689	\$42.9500	APPOINTED	YES	04/27/18	469
FUENTES ELVITS		04294	\$71.5900	APPOINTED	YES	05/09/18	469
LACAYO CECELIA A		10102	\$17.0000	APPOINTED	YES	05/21/18	469
MA CLARICE C		04625	\$50.0000	APPOINTED	YES	05/12/18	469
MARTINEZ SIERA M		10102	\$13.5000	APPOINTED	YES	05/11/18	469
MEJIA JULIAN		10102	\$15.0000	APPOINTED	YES	05/14/18	469
PETRUS STEPHEN		04099	\$61593.0000	APPOINTED	YES	05/13/18	469
PIZZARELLO DINA		04689	\$48.7200	APPOINTED	YES	03/02/18	469
ROYAL STEPHANI A		04097	\$140049.0000	RESIGNED	YES	04/24/18	469
SAMUEL SOFIA		04625	\$36.6400	APPOINTED	YES	05/12/18	469

SEN SUPTA	04625	\$40.0000	APPOINTED	YES	04/17/18	469
SERNA JAVIER	04625	\$50.0000	APPOINTED	YES	04/01/18	469
TEJADA ANDREA M	10102	\$17.0000	APPOINTED	YES	05/09/18	469
TROCCO THOMAS B	04625	\$36.6400	APPOINTED	YES	05/12/18	469
VALENCIA PEDRO M	04625	\$36.6400	APPOINTED	YES	04/23/18	469
VARGAS DIOR	04689	\$53.4400	APPOINTED	YES	05/07/18	469

HUNTER COLLEGE HIGH SCHOOL
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
THOMPSON CHARISSE		04802	\$29497.0000	APPOINTED	YES	04/23/18	470

BROOKLYN COMMUNITY BOARD #6
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
RACIOPPO MICHAEL A		56086	\$75000.0000	APPOINTED	YES	05/13/18	476

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
AKEREDOLU CASSANDR O		56057	\$35592.0000	APPOINTED	YES	05/16/18	740
ALERS MICHELLE		56057	\$35592.0000	APPOINTED	YES	05/16/18	740
AMARA IKEN		1263A	\$68322.0000	APPOINTED	YES	05/13/18	740
ASPURU-ROVNER MELISSA		51222	\$71546.0000	APPOINTED	YES	05/20/18	740
BARAHAL HELEN		10062	\$130000.0000	APPOINTED	YES	05/13/18	740
BASIR FATIMAH		60888	\$34827.0000	APPOINTED	YES	05/08/18	740
BENITEZ ELSI		54503	\$28323.0000	APPOINTED	YES	04/08/18	740
BENJAMIN HODA		54503	\$24626.0000	APPOINTED	YES	04/08/18	740
BERIC TEODOR		13651	\$54846.0000	APPOINTED	NO	01/26/18	740
BROWN-DALEY ELEANOR R		56057	\$40929.0000	INCREASE	YES	05/08/18	740
BUDGEELL SUSAN		60888	\$51326.0000	RETIRED	NO	05/05/18	740
BURRUS JEFFERY		54503	\$24626.0000	APPOINTED	YES	04/15/18	740
CAMPANA MELISSA L		56056	\$34727.0000	RESIGNED	YES	05/10/18	740
CHEEMA VKRAM S		1263A	\$87911.0000	APPOINTED	YES	05/13/18	740
COLON FIGUEROA EDWIN N		54503	\$33041.0000	APPOINTED	YES	04/15/18	740
COREUS KENTIA B		1006B	\$101436.0000	APPOINTED	YES	05/15/18	740
CORTESE CRISTINA V		56057	\$35592.0000	INCREASE	YES	05/06/18	740
COSTELLO LASHAYA		56057	\$35592.0000	APPOINTED	YES	05/06/18	740
COX KYRA		10031	\$11432.0000	INCREASE	YES	02/06/18	740
DAVIDSON LISA		10037	\$81148.0000	INCREASE	YES	05/09/18	740
DAVIS TONY L		1006B	\$64903.0000	RESIGNED	YES	05/13/18	740
DE FEIS JOLIE R		56058	\$50231.0000	APPOINTED	YES	05/20/18	740
DELAROSA YASMINE		56057	\$35592.0000	RESIGNED	YES	05/14/18	740
EDSON CHANNING V		1006B	\$91765.0000	APPOINTED	YES	05/20/18	740
ELLIOTT SHERIDAN		54503	\$31297.0000	RESIGNED	YES	04/04/18	740
FADEL JOHN		54503	\$24626.0000	APPOINTED	YES	03/02/18	740
FAVUZZA CARMELA		56057	\$40929.0000	APPOINTED	YES	05/13/18	740
FAZIO AMY		56057	\$40929.0000	INCREASE	YES	05/06/18	740
FLORES JESUS		54504	\$34935.0000	RETIRED	YES	05/01/18	740

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 06/01/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
FORRESTER MICHAEL H		92235	\$313.7400	INCREASE	YES	05/06/18	740
FREDMAN LINDA J		51221	\$71546.0000	APPOINTED	YES	05/01/18	740
GABRIEL WILSON V		54503	\$24626.0000	APPOINTED	YES	02/11/18	740
GAVIRIA MARCELA		56058	\$58992.0000	INCREASE	YES	05/03/18	740
GEORGE ZENIA		51221	\$66170.0000	APPOINTED	YES	05/13/18	740
GORDON MARC M		51222	\$71788.0000	RETIRED	NO	03/03/18	740
GRADDY-GAMEL ACACIA		10062	\$89430.0000	RESIGNED	NO	05/13/18	740
HARRIS CHRISTOP L		54483	\$40690.0000	RESIGNED	YES	05/06/18	740
HENDERSON YOLANDA		10252	\$42839.0000	INCREASE	NO	03/04/18	740
HERNANDEZ FELICITA		54503	\$33041.0000	DECREASE	YES	05/13/18	740
HIRSCH LAUREN		51221	\$66170.0000	APPOINTED	YES	05/11/18	740
HOLNESS LATOYA		10033	\$113324.0000	INCREASE	YES	03/21/18	740
HUANG XIAO YAN		40526	\$35711.0000	APPOINTED	NO	05/13/18	740
HYLON SABRINA R		54483	\$40690.0000	RESIGNED	YES	05/13/18	740
ISAGBA SASHA L		54513	\$34141.0000	APPOINTED	YES	05/20/18	740
JAMOSZUK ALOYSEE H		10245	\$147019.0000	RESIGNED	YES	04/01/18	740
JENKINS YOLANDA N		10026	\$100189.0000	INCREASE	NO	05/01/18	740
JIANG LIN		56058	\$63544.0000	INCREASE	YES	05/04/18	740
JIANG XIAO FAN		56058	\$50231.0000	APPOINTED	YES	05/20/18	740
JOACHIM-ROBINSO MIJANOUX		12750	\$21.5700	APPOINTED	YES	04/29/18	740
JOSEPH EDITH G		12158	\$65408.0000	RETIRED	NO	05/19/18	740
KAMDAR VIRAJ J		10062	\$104886.0000	RESIGNED	NO	05/06/18	740

RENGEVICH	ANDREY	60888	\$37557.0000	RESIGNED	NO	05/07/18	740
REYES	MIGUEL A	56057	\$35592.0000	APPOINTED	YES	05/13/18	740
RIMASSA	JOHN F	31143	\$55558.0000	APPOINTED	YES	05/13/18	740
ROBERTS	CHRISTIN	51221	\$73196.0000	INCREASE	NO	05/01/18	740
ROBINSON	ALEXANDR	10245	\$185813.0000	INCREASE	YES	03/08/18	740
RODRIGUEZ	AWILDA	54503	\$28323.0000	APPOINTED	YES	02/11/18	740

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 06/01/18

TITLE		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
RODRIGUEZ	MARY	95005	\$128170.0000	RETIRED	YES	04/07/18	740
RODRIGUEZ PEREZ	ELIZABET	1263A	\$94152.0000	INCREASE	NO	05/06/18	740
ROSA	DEISMOND	56058	\$70000.0000	INCREASE	YES	07/02/17	740
ROSADO	EDITH	54512	\$36275.0000	RETIRED	YES	05/15/18	740
SANTOS	ANA V	56057	\$50000.0000	APPOINTED	YES	05/20/18	740
SHAH	TEJAL	1263A	\$96702.0000	APPOINTED	YES	05/20/18	740
SHARMA	MUNENDRA N	91925	\$385.0000	DECREASE	YES	05/06/18	740
SHEHZAD	KHURRAM	13632	\$87731.0000	RESIGNED	YES	05/07/18	740
SINGH	RICHARD	90510	\$36425.0000	APPOINTED	NO	05/06/18	740
SOMERSZAULE	ASHA	54483	\$40690.0000	APPOINTED	YES	05/13/18	740
SOSTRE	GISELLE M	54504	\$34852.0000	APPOINTED	YES	03/25/18	740
SOTO	BRANDON E	54483	\$40690.0000	APPOINTED	YES	05/13/18	740
SPENCER	KAILEY L	1003B	\$75150.0000	APPOINTED	YES	05/03/18	740
SPENCER	NIA D	51221	\$70170.0000	INCREASE	YES	01/11/18	740
ST LOUIS	MARGARET V	50910	\$68459.0000	RETIRED	YES	05/16/18	740
STEIN	GREGORY	91717	\$389.9700	RETIRED	NO	05/23/18	740
STEIN	PERRY T	56058	\$50231.0000	APPOINTED	YES	05/20/18	740
SUE	KEITH	13652	\$98696.0000	INCREASE	NO	02/08/18	740
TEJADA	OSVALDO	13622	\$85815.0000	APPOINTED	YES	05/13/18	740
THOMAS	PATRICK	56058	\$63542.0000	RESIGNED	YES	05/20/18	740
VENKATESH	HARINI	10062	\$120098.0000	INCREASE	NO	03/08/18	740
WALL	JOHN	10026	\$162209.0000	RETIRED	NO	05/02/18	740
WALSH	KAREN A	51221	\$64898.0000	APPOINTED	YES	04/22/18	740
WEGRZYN	BOGUSLAW	10026	\$137913.0000	INCREASE	NO	05/01/18	740
WILLIAMS	EARLINE	34196	\$65579.0000	RETIRED	YES	05/18/18	740
WYATT	TREVOR D	56057	\$47000.0000	APPOINTED	YES	05/13/18	740
ZHENG	ZHANGZHA	13651	\$54846.0000	APPOINTED	NO	01/26/18	740

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 12, 2018, at 1 Centre Street, Mezzanine, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Health and Mental Hygiene and Richmond Medical Center, located at 355 Bard Avenue, Staten Island, NY 10310, to provide an outpatient chemical dependency program offering culturally and linguistically appropriate treatment services to youth ages 14-21 who meet diagnostic criteria for substance use disorders. The contract amount will be \$8,100,000.00. The term of this contract shall be from July 1, 2018 to June 30, 2027. PIN #: 19AS009801R0X00, -PIN #: 81617R0003001.

The proposed contractor was selected by Required Authorized Source Method, pursuant to Section 1-02 (d)(2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 42-09 28th Street, 17th Floor, Long Island City, NY 11101, from June 29, 2018 to July 12, 2018, excluding Saturdays, Sundays and Holidays, between the hours of 10:00 A.M. and 4:00 P.M.



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YOUTH AND COMMUNITY DEVELOPMENT

■ PUBLIC HEARINGS

CORRECTED NOTICE

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Friday, June 29, 2018 in the Public Hearing Room of the Department of Youth and Community Development, 2 Lafayette Street, 14th Floor, New York, NY 10038. Commencing at 10:00 A.M.

IN THE MATTER OF the proposed contracts between the Department of Youth and Community Development and the Contractors listed below, to operate Crisis shelters or Transitional Independent Living (TIL) Programs. The purpose of Crisis services, are to provide emergency shelter and services with the primary goal of reuniting youth with their families, or, if that is not possible, finding them appropriate long-term placements. TIL Programs offer transitional housing placements for youth who cannot, currently, return home to their families and have been assessed as suitable for programs, designed to teach independent living skills. The term will be from July 1, 2018 to June 30, 2022, with options to renew up to two additional years.

COMPETITION: TIL Programs

- PIN:** 260190009541 **AMOUNT:** \$4,819,800.00
NAME: Ali Forney Center
ADDRESS: 224 West 35th Street, New York, NY 10001
- PIN:** 260190009542 **AMOUNT:** \$1,606,600.00
NAME: Girls Educational and Mentoring Services Inc. (GEMS)
ADDRESS: 201 West 148th Street, New York, NY 10039
- PIN:** 260190009543 **AMOUNT:** \$1,606,600.00
NAME: Good Shepherd Services
ADDRESS: 305 7th Avenue, New York, NY 10001
- PIN:** 260190009544 **AMOUNT:** \$1,606,600.00
NAME: Imeinu Inc.
ADDRESS: 3815 Avenue P, Brooklyn, NY 11234
- PIN:** 260190009545 **AMOUNT:** \$1,405,775.00
NAME: Project Hospitality
ADDRESS: 100 Park Avenue, Staten Island, NY 10302
- PIN:** 260190009546 **AMOUNT:** \$18,475,900.00
NAME: SCO Family of Services
ADDRESS: 1 Alexander Place, Glen Cove, NY 11542
- PIN:** 260190009547 **AMOUNT:** \$2,409,900.00
NAME: Sheltering Arms Children and Family Services Inc.
ADDRESS: 305 7th Avenue, New York, NY 10001
- PIN:** 260190009548 **AMOUNT:** \$2,409,900.00
NAME: The Children's Village
ADDRESS: 1 Echo Hills, Dobbs Ferry, NY 10522

COMPETITION: Crisis Services

- PIN:** 260190009549 **AMOUNT:** \$6,426,400.00
NAME: Ali Forney Center
ADDRESS: 224 West 35th Street, New York, NY 10001
- PIN:** 260190009550 **AMOUNT:** \$27,713,850.00
NAME: Covenant House New York/Under 21 Inc.
ADDRESS: 460 West 41st Street, New York, NY 10036
- PIN:** 260190009551 **AMOUNT:** \$4,819,800.00
NAME: The Children's Village
ADDRESS: 1 Echo Hills, Dobbs Ferry, NY 10522

The proposed contractors are being selected, pursuant to Section 3-16 HHS Accelerator Method of the Procurement Policy Board (PPB) Rules.

Draft copies of the proposed contracts will be available for public inspection at the Department of Youth and Community Development, Office of the Agency Chief Contracting Officer, at 2 Lafayette Street, 14th Floor, New York, NY 10007, on business days, from June 29, 2018

to June 29, 2018, from 9:00 A.M. to 5:00 P.M., excluding legal Holidays.

IN THE MATTER OF the proposed contracts between the Department of Youth and Community Development and the Contractors listed below, to operate a Drop-In Center for runaway and homeless youth (RHY) and youth at risk for homelessness in New York City (City) and their families. Drop-In Centers have a broad role. They are resource hubs for the whole borough in which they are located, and they conduct outreach, provide information, and educate the public about youth homelessness and its causes. They also provide a range of direct services for RHY and youth at risk for homelessness and their families. These services include provision of basic amenities, crisis intervention, needs assessments, counseling and case management services. The term will be from July 1, 2018 to June 30, 2022, with options to renew up to two additional years.

PIN: 260190009552 **AMOUNT:** \$3,418,319.00
NAME: Ali Forney Center
ADDRESS: 224 West 35th Street, New York, NY 10001

PIN: 260190009553 **AMOUNT:** \$3,418,319.00
NAME: Sheltering Arms Children and Family Services Inc.
ADDRESS: 305 7th Avenue, New York, NY 10001

PIN: 260190009554 **AMOUNT:** \$1,495,516.00
NAME: Cardinal McCloskey School and Home for Children
ADDRESS: 115 East Stevens Avenue, Valhalla, NY 10595

PIN: 260190009555 **AMOUNT:** \$1,495,516.00
NAME: Project Hospitality
ADDRESS: 100 Park Avenue, Staten Island, NY 10302

PIN: 260190009556 **AMOUNT:** \$1,495,516.00
NAME: Safe Horizon Inc.
ADDRESS: 2 Lafayette Street, New York, NY 10007

PIN: 260190009557 **AMOUNT:** \$1,495,516.00
NAME: SCO Family of Services
ADDRESS: 1 Alexander Place, Glen Cove, NY 11542

PIN: 260190009558 **AMOUNT:** \$1,495,516.00

NAME: The Door - A Center of Alternatives Inc.
ADDRESS: 121 6th Avenue, New York, NY 10013

The proposed contractors are being selected, pursuant to Section 3-16 HHS Accelerator Method of the Procurement Policy Board (PPB) Rules.

Draft copies of the proposed contracts will be available for public inspection at the Department of Youth and Community Development, Office of the Agency Chief Contracting Officer, at 2 Lafayette Street, 14th Floor, New York, NY 10007, on business days, from June 20, 2018 to June 29, 2018, from 9:00 A.M. to 5:00 P.M., excluding legal Holidays.

IN THE MATTER OF the proposed contracts between the Department of Youth and Community Development and the Contractors listed below, to provide Street Outreach services. The purpose of Street Outreach services are to help prevent youth homelessness or minimize its duration by distributing information to homeless youth and youth at risk for homelessness about available services and responding to their urgent needs. The term will be from July 1, 2018 to June 30, 2022, with options to renew up to two additional years.

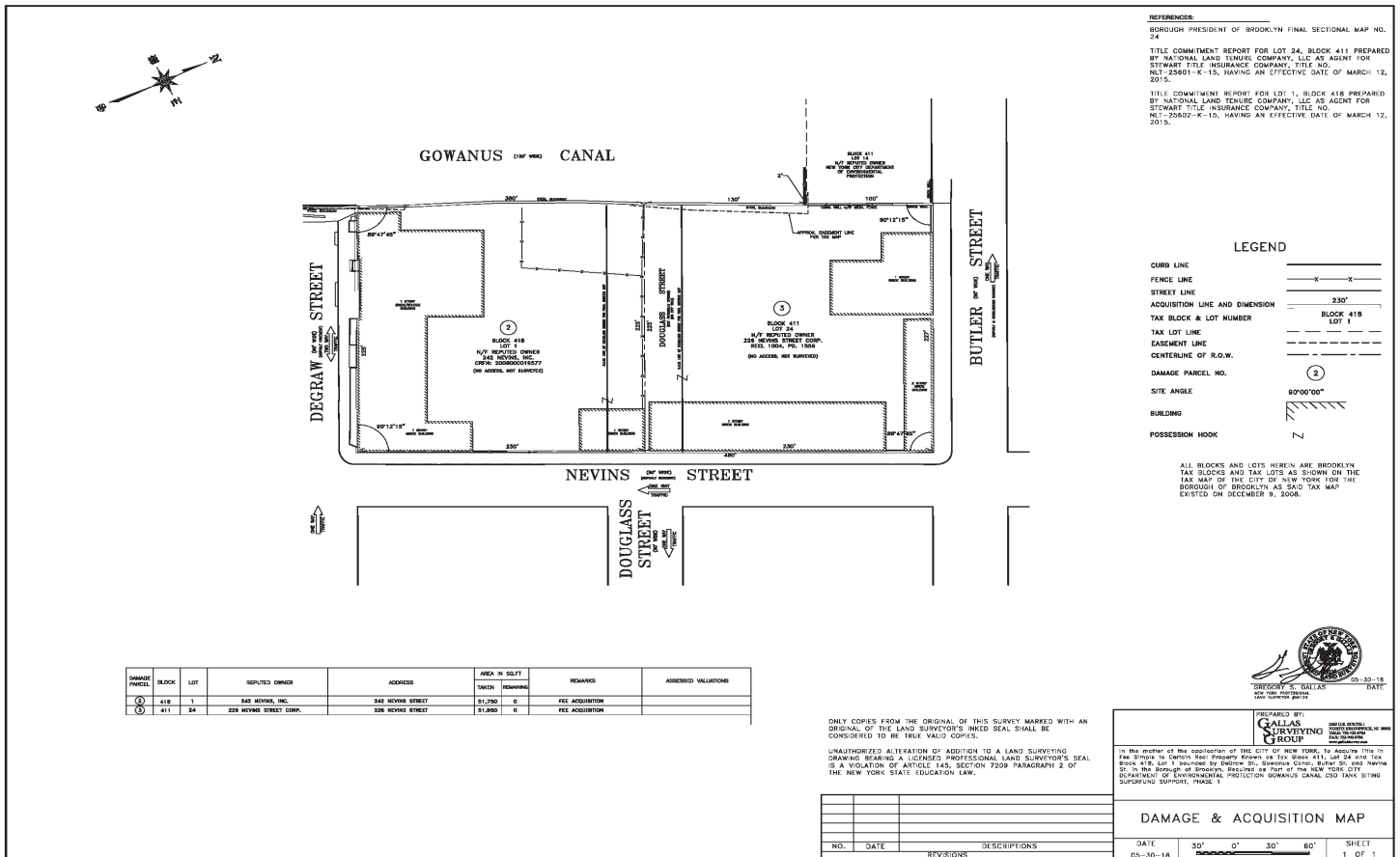
PIN: 260190009559 **AMOUNT:** \$854,578.00
NAME: Safe Horizon Inc.
ADDRESS: 2 Lafayette Street, New York, NY 10007

PIN: 260190009560 **AMOUNT:** \$854,578.00
NAME: Safe Horizon Inc.
ADDRESS: 2 Lafayette Street, New York, NY 10007

The proposed contractors are being selected, pursuant to Section 3-16 HHS Accelerator Method of the Procurement Policy Board (PPB) Rules. Draft copies of the proposed contracts will be available for public inspection at the Department of Youth and Community Development, Office of the Agency Chief Contracting Officer, at 2 Lafayette Street, 14th Floor, New York, NY 10007, on business days, from June 20, 2018 to June 29, 2018, from 9:00 A.M. to 5:00 P.M., excluding legal Holidays.

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COURT NOTICE MAP FOR COMBINED SEWER OVERFLOW CONTROL FACILITY – GOWANUS CANAL SUPERFUND REMEDIATION; PHASE I



COURT NOTICE MAP FOR COMBINED SEWER OVERFLOW CONTROL FACILITY – GOWANUS CANAL SUPERFUND REMEDIATION; PHASE II

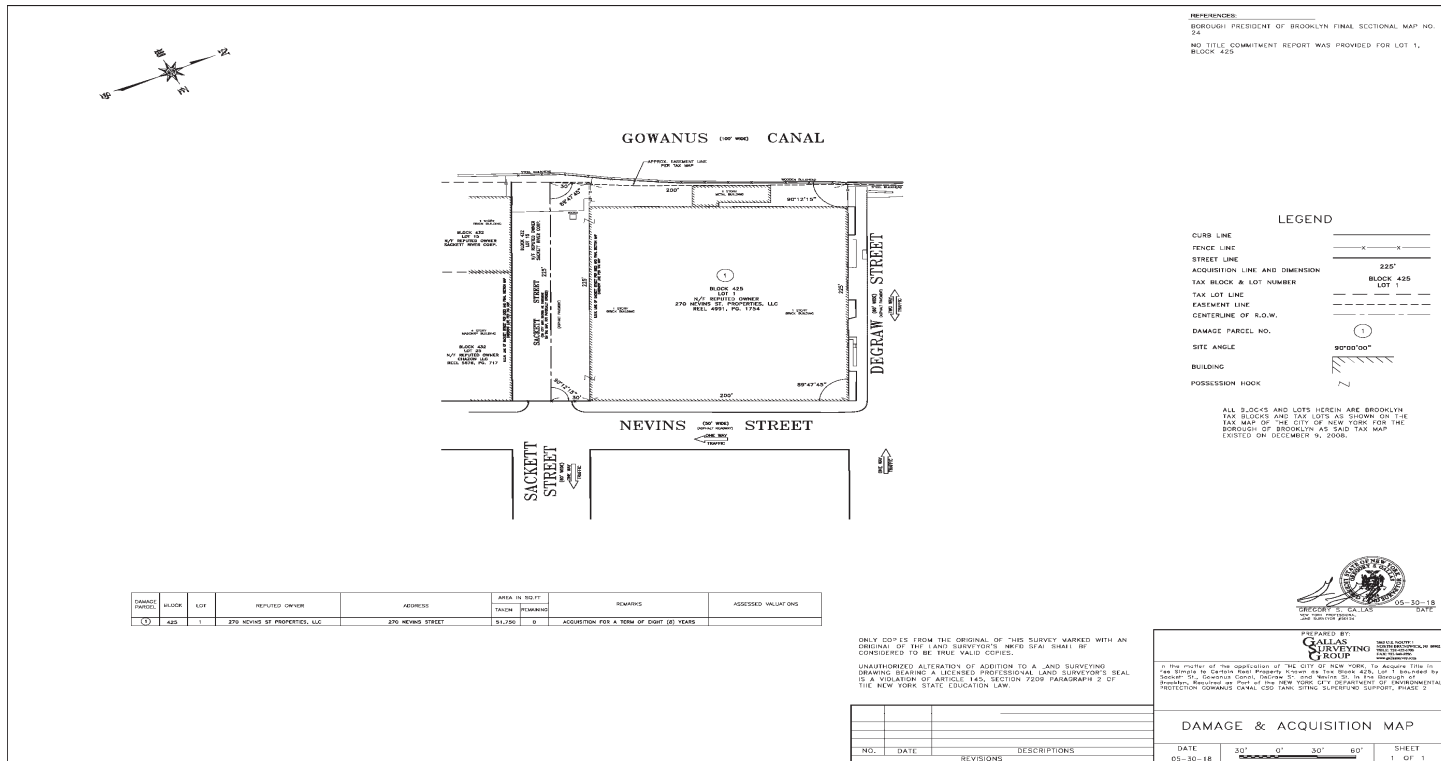
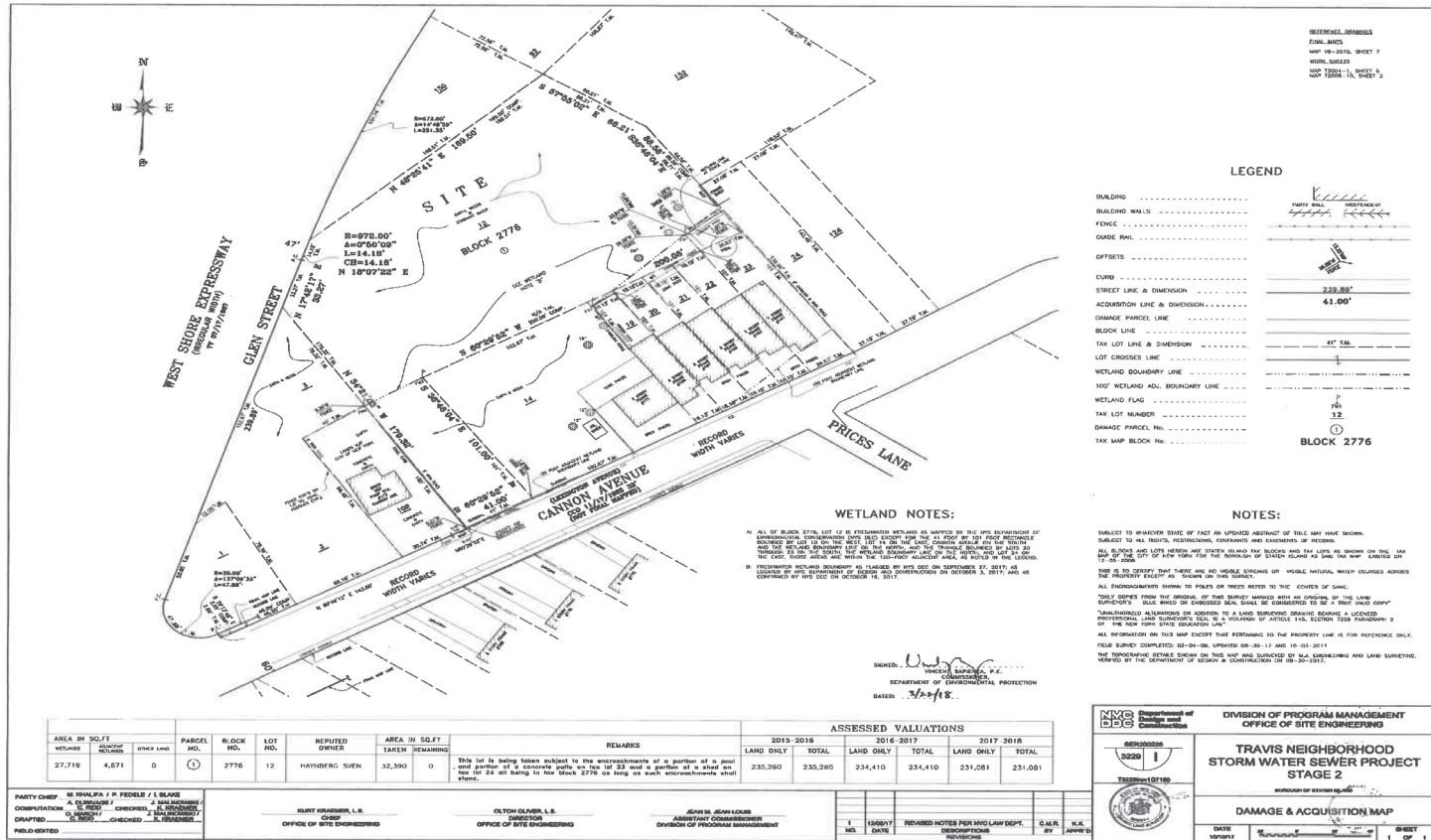


Exhibit C

COURT NOTICE MAP FOR TRAVIS NEIGHBORHOOD STORM WATER SEWER PROJECT



j19-1j2

j20-1j3