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THE CITY RECORD

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at www.nyc.gov/cityrecord for a
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CITYWIDE Nos. 1-13 BOROUGH-BASED JAIL SYSTEM No. 1

CITYWIDE **C 190333 PSY**
IN THE MATTER OF an application submitted by the New York City Department of Correction, the Mayor's Office of Criminal Justice, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property, located at:

- 745 East 141st Street (Block 2574, p/o Lot 1), Bronx Community District 1;
- 275 Atlantic Avenue (Block 175, Lot 1), Brooklyn Community District 2;
- 124 White Street (Block 198, Lot 1) and 125 White Street (Block 167, Lot 1), Manhattan Community District 1; and
- 126-02 82nd Avenue (Block 9653, Lot 1), 80-25 126th Street (Block 9657, Lot 1), and the bed of 82nd Avenue between 126th and 132nd streets, Queens Community District 9; for borough-based jail facilities.

No. 2

CITYWIDE **N 190334 ZRY**
IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission) to create a special permit for a borough-based jail system.

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 VII: ADMINISTRATION

* * *

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 CUNY John Jay College of Criminal Justice Gerald W. Lynch Theatre, 524 West 59th Street, Wednesday, July 10, 2019, at 10:00 A.M.



Chapter 4
Special Permits by the City Planning Commission

* * *

74-83
Public Service Establishments

74-831
Court houses

In all #Commercial Districts#, the City Planning Commission may permit modifications of the applicable #bulk# regulations so as to allow the same #bulk# regulations as would apply for a #community facility building# in the applicable #Commercial District# and may permit modifications of the applicable regulations in Sections 33-26 to 33-30, inclusive, relating to Yard Regulations or Sections 33-41 to 33-45, inclusive, relating to Height and Setback Regulations.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

74-832
Borough-based jail system

For #zoning lots# that are the subject of a site selection for a borough-based jail system, pursuant to application C 190333 PSY, the City Planning Commission may, by special permit, allow modifications to the applicable regulations governing #uses#, #bulk#, including permitted #floor area ratio#, the permitted capacities of #accessory# off-street parking facilities and #public parking garages#, and off-street loading regulations, to facilitate construction of the proposed facilities.

- (a) any #use# modifications will support the operation of the facility and will be compatible with the essential character of the surrounding area;
(b) ground floor #uses# will be located in a manner that is inviting to the public and will integrate the facility within the surrounding community;
(c) any increase in permitted #floor area ratio# will facilitate the development of the facility;
(d) any #bulk# modifications will improve the interior layout and functionality of the facility;
(e) such #bulk# modifications, including any increase in permitted #floor area ratio#, will have minimal adverse effects on access to light and air for buildings and open spaces in the surrounding area;
(f) any modifications to the provisions of #accessory# off-street parking and loading regulations will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area; and
(g) any modifications to the permitted capacity of #public parking garages#:
(1) will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area; and
(2) will provide adequate reservoir space, at the vehicular entrances to accommodate automobiles equivalent in number to 20 percent of the total number of spaces up to 50 and five percent of any spaces in excess of 200, but in no event shall such reservoir space be required for more than 50 automobiles.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

No. 3

CD 1 C 190335 ZSX
IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant Section 74-832* of the Zoning Resolution to modify:

- a. the use regulations of Section 42-10 (USES PERMITTED AS-OF-RIGHT);
b. the floor area ratio requirements of Section 43-10 (FLOOR AREA REGULATIONS);
c. the height and setback requirements of Sections 43-40 (HEIGHT AND SETBACK REGULATIONS);
d. the permitted parking requirements of Section 44-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES); and

- e. the loading berth requirements of Section 44-50 (GENERAL PURPOSES);

to facilitate the construction of a borough-based jail facility, on property, located at 320 Concord Avenue (Block 2574, p/o Lot 1), in an M1-3 District.

* Note: an application for a zoning text amendment is proposed to create a new Section 74-832 (Borough-based jail system) under a concurrent related application N 190334 ZRY.

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. 4

CD 1 C 190336 ZMX
IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6c:

- 1. changing from an M1-3 District to an M1-4/R7X District property, bounded by East 142nd Street, a line 100 feet southeasterly of Concord Avenue, East 141st Street, and Concord Avenue; and
2. establishing a Special Mixed Use District (MX-18), bounded by East 142nd Street, a line 100 feet southeasterly of Concord Avenue, East 141st Street, and Concord Avenue;

as shown on a diagram (for illustrative purposes only) dated March 25, 2019.

No. 5

CD 1 N 190337 ZRX
IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, including Article XII Chapter 3 for the purpose of establishing a Special Mixed Use District; and 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.

ARTICLE XII
SPECIAL PURPOSE DISTRICTS

* * *

Chapter 3
Special Mixed Use District

* * *

123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts.

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Section 23-151 (Basic regulations for R6 through R9 Districts) shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged#, pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Sections 23-153 (For Quality Housing buildings) or 23-155 (Affordable independent residences for seniors), as applicable.

* * *

However, in #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

Table with 2 columns: #Special Mixed Use District#, Designated #Residence District#. Rows include MX 16 - Community Districts 5 and 16, Brooklyn and MX 18 - Community District 1, The Bronx.

* * *

123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED

The #Special Mixed Use District# is mapped in the following areas:

* * *

#Special Mixed Use District# - 17: (3/22/18)

Hunts Point, The Bronx

The #Special Mixed Use District# - 17 is established in Hunts Point in The Bronx as indicated on the #zoning maps#.

#Special Mixed Use District# - 18: [date of adoption] Mott Haven, The Bronx

The #Special Mixed Use District# - 18 is established in Mott Haven in The Bronx as indicated on the #zoning maps#.

* * *

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

* * *

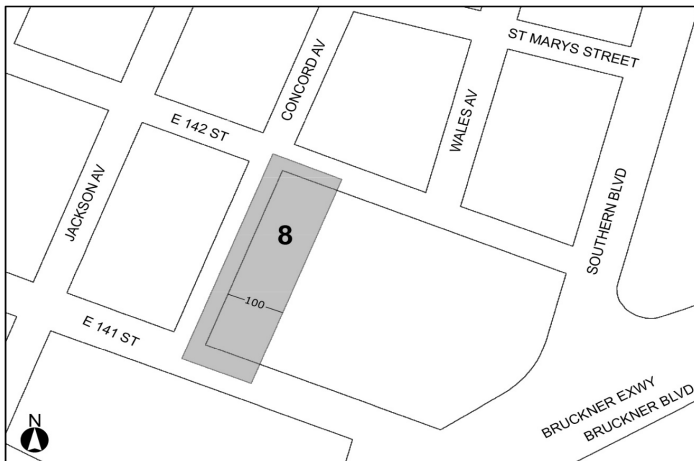
THE BRONX

The Bronx Community District 1

* * *

Map 7 – [date of adoption]

[PROPOSED MAP]



■ Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 8 — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 1, The Bronx

No. 6

CD 1 **C 190338 HAX**
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD)

1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property, located at 320 Concord Avenue and 745 East 141st Street (Block 2574, p/o Lot 1) as an Urban Development Action Area; and
 - b) Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate a development containing approximately 235 affordable housing units, community facility and/or retail space.

No. 7

CD 2 **C 190339 ZSK**
IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 74-832* of the Zoning Resolution to modify:

- a. the floor area ratio requirements of Sections 101-20 (SPECIAL BULK REGULATIONS) and 33-10 (Floor Area Regulations);
- b. the height and setback requirements of Sections 33-40 (HEIGHT AND SETBACK REGULATIONS) and 101-22 (Special Height and Setback Regulations);
- c. the permitted parking requirements of Section 36-12 (Maximum Size of Accessory Group Parking Facilities);
- d. the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS);
- e. the special ground floor use requirements of Section 101-11 (Special Ground Floor Use Regulations); and
- f. the transparency requirements of Section 101-12 (Transparency Requirements);

to facilitate the construction of a borough-based jail facility, on property, located at 275 Atlantic Avenue (Block 175, Lot 1, and the demapped portions of State Street** between Boerum Place and Smith Street), in a C6-2A District, within the Special Downtown Brooklyn District.

* Note: an application for a zoning text amendment is proposed to create a new Section 74-832 (Borough-based jail system) under a concurrent related application N 190334 ZRY.

** Note: an application for a change in the City map to demap volumes above and below State Street between Boerum Place and Smith Street, is proposed under a concurrent related application C 190116 MMK.

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

CD 2 **C 190116 MMK**
IN THE MATTER OF an application submitted by the New York City Department of Correction, the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of State Street between Boerum Place and Smith Street above a lower limiting plane and below an upper limiting plane;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2753 dated March 25, 2019 and signed by the Borough President.

No. 9

CD 1 **C 190340 ZSM**
IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant Section 74-832* of the Zoning Resolution to modify:

- a. the floor area ratio requirements of Section 33-10 (Floor Area Regulations);
- b. the height and setback requirements of Section 33-40 (HEIGHT AND SETBACK REGULATIONS);
- c. the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS);

to facilitate the construction of a borough-based jail facility, on property, located at 124-125 White Street (Block 167, Lot 1, Block 198, Lot 1, and the demapped portions of White Street** between Centre Street and Baxter Street), in a C6-4 District.

* Note: an application for a zoning text amendment is proposed to create a new Section 74-832 (Borough-based jail system) under a concurrent related application N 190334 ZRY.

** Note: an application for a change in the City map to realign White Street and to demap volumes above and below, is proposed under a concurrent related application C 190252 MMM.

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. 10

CD 1 **C 190341 PQM**
IN THE MATTER OF an application submitted by the New York City Department of Correction, the Mayor's Office of Criminal Justice, and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 124 White Street (Block 198, Lot 1) for a borough-based jail facility.

No. 11

CD 1 **C 190252 MMM**
IN THE MATTER OF an application submitted by the New York City Department of Correction the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a volume of a portion of White Street from Center Street to Baxter Street within limiting planes;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Acc. No. 30265 dated March 28, 2019 and signed by the Borough President.

No. 12

CD 9 C 190342 ZSQ

IN THE MATTER OF an application submitted by the New York City Department of Correction and the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant Section 74-832* of the Zoning Resolution to modify:

- a. the floor area ratio requirements of Section 33-10 (Floor Area Regulations);
b. the height and setback requirements of Section 33-40 (HEIGHT AND SETBACK REGULATIONS);
c. the permitted accessory parking requirements of Section 36-12 (Maximum Size of Accessory Group Parking Facilities);
d. the permitted public parking garage requirements of Section 32-10 (USES PERMITTED AS OF RIGHT); and
e. the loading berth requirements of Section 36-60 (OFF-STREET LOADING REGULATIONS);

to facilitate the construction of a borough-based jail facility, on property, located at 126-02 82nd Avenue a.k.a. 80-25 126th Street (Block 9653 Lot 1, Block 9657 Lot 1, and the demapped portion of 82nd Avenue** between 126th Street and 132nd Street), in a C4-4 District, Borough of Queens, Community District 9.

* Note: an application for a zoning text amendment is proposed to create a new Section 74-832 (Borough-based jail system) under a concurrent related application N 190334 ZRY.

** Note: an application for a change in the City map to demap 82nd Avenue between 126th Street and 132nd Street is proposed under a concurrent related application C 190117 MMQ.

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. 13

CD 9 C 190117 MMQ

IN THE MATTER OF an application submitted by the New York City Department of Correction the Mayor's Office of Criminal Justice, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of 82nd Avenue between 126th Street and 132nd Street;
• the elimination of two Public Places within the area, bounded by Union Turnpike, 132nd Street, Hoover Avenue, Queens Boulevard, 82nd Avenue and 126th Street;
• the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. C.P.C. 190117 MMQ dated March 25, 2019 and signed by the Director of the Department of City Planning.

NOTICE

On Wednesday, July 10, 2019, at 10:00 A.M., at CUNY John Jay College of Criminal Justice, Gerald W. Lynch Theatre, located at 524 West 59th Street, New York, NY in Midtown Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above public hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by the New York City Department of Correction (DOC). DOC is proposing to implement a borough-based jail system as part of the City's continued commitment to create a modern, humane and safe justice system and close the jails on Rikers Island. This proposed project would establish four new detention facilities located in the Bronx (745 East 141st Street), Brooklyn (275 Atlantic Avenue), Manhattan (124-125 White Street), and Queens (126-02 82nd Avenue). Each of the proposed facilities would provide approximately 1,437 beds to house people in detention. In total, the proposed project would provide approximately 5,748 beds to accommodate an average daily population of 5,000 people in a system of four borough-based jails. The proposed project would ensure that each borough facility has ample support space for quality educational programming, recreation, therapeutic services, publicly accessible community space, and staff parking.

Written comments on the DEIS are requested and would be received and considered by DOC through Monday, July 22, 2019.

This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 18DOC001Y.

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

Accessibility questions: Soki Ng (212) 720-3508, sng@planning.nyc.gov, by: Friday, July 5, 2019, 5:00 P.M.



j25-jy10

COMPTROLLER

MEETING

The City of New York Audit Committee Meeting, is scheduled for Wednesday, June 26, 2019, from 9:30 A.M. to NOON, at 1 Centre Street, Room 1005 North. Meeting is open to the general public.

j19-26

HOUSING AUTHORITY

MEETING

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, June 26, 2019 at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, NY (unless otherwise noted). Copies of the Calendar will be available on NYCHA's Website or may be picked up at the Office of the Corporate Secretary at 250 Broadway, 12th Floor, New York, NY, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes will also be available on NYCHA's Website or may be picked up at the Office of the Corporate Secretary no earlier than 3:00 P.M. on the Thursday following the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's website at http://www1.nyc.gov/site/nycha/about/board-calendar.page to the extent practicable at a reasonable time before the meeting.

The meeting is open to the public. Pre-registration, at least 45 minutes before the scheduled Board Meeting, is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first.

The meeting will be streamed live on NYCHA's website at nyc.govnycha http://nyc.gov/nycha and on.nyc.govboardmeetings http://on.nyc.gov/boardmeetings.

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

Accessibility questions: Office of the Corporate Secretary by phone at (212) 306-6088 or by email at corporate.secretary@nycha.nyc.gov, by: Wednesday, June 12, 2019 5:00 P.M.



j5-26

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, June 25, 2019, 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.

1 Hanson Place - Brooklyn Academy of Music Historic District LPC-19-39504 - Block 2111 - Lot 7501 - Zoning: C6-1 CERTIFICATE OF APPROPRIATENESS

A Neo-Romanesque style commercial skyscraper, with designated interior basement and ground-floor banking floors, designed by Halsey, McCormack & Helmer and built in 1927-1929. Application is to alter built-in features within the designated interior spaces.

160 Willoughby Avenue - Clinton Hill Historic District LPC-19-38135 - Block 1918 - Lot 39 - Zoning: R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse, likely designed by Amzi Hill and built c.1880. Application is to create and combine masonry openings, excavate at the side yard, and install a fence, walkway, skylights, and HVAC units.

418 8th Street - Park Slope Historic District Extension

LPC-19-26462 - Block 1090 - Lot 4 - **Zoning:** R6A

CERTIFICATE OF APPROPRIATENESS

A Queen Anne-style store and flats building, designed by Van Tuyl & Lincoln and built in 1888. Application is to legalize replacement of the storefront without Landmarks Preservation Commission permit(s).

501 Hudson Street, aka 131 Christopher Street - Greenwich Village Historic District

LPC-19-23902 - Block 630 - Lot 48 - **Zoning:** C1-6

CERTIFICATE OF APPROPRIATENESS

A building altered c. 1953. Application is to modify storefronts installed without Landmarks Preservation Commission permits and install signage.

190 Bowery - Individual Landmark

LPC-19-39820 - Block 492 - Lot 38 - **Zoning:** C6-1

CERTIFICATE OF APPROPRIATENESS

A Beaux-Arts style bank building, designed by Robert Maynicke and built in 1898-99. Application is to establish a Master Plan governing the installation of murals at the rooftop water tank.

155 Wooster Street - SoHo-Cast Iron Historic District

LPC-19-39080 - Block 515 - Lot 25 - **Zoning:** M1-5A

CERTIFICATE OF APPROPRIATENESS

A Classical Revival style store and loft building, designed by George F. Pelham and built in 1897-1898. Application is to renew and modify a Master Plan governing the installation of painted wall signs.

166 Crosby Street, aka 632-634 Broadway - NoHo Historic District

LPC-19-39354 - Block 522 - Lot 10 - **Zoning:** M1-5B

CERTIFICATE OF APPROPRIATENESS

A Classic Revival style store and lofts building, designed by Robert Maynicke and built in 1899-1900. Application is to install a new storefront and awning.

142 Grand Street - SoHo-Cast Iron Historic District Extension

LPC-19-38015 - Block 473 - Lot 47 - **Zoning:**

BINDING REPORT

A parking lot. Application is to replace a fence and paving, and install site furnishings.

83 Wooster Street - SoHo-Cast Iron Historic District

LPC-19-40211 - Block 487 - Lot 30 - **Zoning:** M1-5A

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style store and loft building, designed by J.B. Snook and built in 1876. Application is to establish a Master Plan governing the installation of painted wall signs.

17 East 9th Street - Greenwich Village Historic District

LPC-19-31428 - Block 567 - Lot 26 - **Zoning:** R7-2

CERTIFICATE OF APPROPRIATENESS

A rowhouse, built in 1844. Application is to construct rooftop and rear yard additions and perform excavation work.

1 West 29th Street - Individual Landmark

LPC-19-39791 - Block 831 - Lot 33 - **Zoning:** C5-2 M1-6

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style church, with Gothic Revival style details, designed by Samuel A. Warner and built in 1854, with a two-story addition, built in 1919, and a portico built in 1959. Application is to install signage.

334 West 84th Street - Riverside - West End Historic District Extension I

LPC-19-35740 - Block 1245 - Lot 93 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style rowhouse, designed by Joseph H. Taft and built in 1888-89. Application is to construct a bulkhead and pergola, extend a chimney flue, and install an HVAC unit.

West 79th Street Rotunda Complex and Bridge - Riverside Drive and Riverside Drive - Scenic Landmark

LPC-19-40368 - Block 1187 - Lot 3 - **Zoning:** PARK

BINDING REPORT

An English Romantic style park and parkway, designed by Frederick Law Olmsted and built in 1873-1902, with significant alterations and enlargements in 1937 by Gilmore Clarke and Clifton Lloyd. Application is to alter the landscape and paving for barrier-free access, and install infill, railings, ventilation shafts and light fixtures.

8 East 93rd Street - Carnegie Hill Historic District

LPC-19-38165 - Block 1504 - Lot 164 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style house, designed by A. B. Ogden & Son and built in 1888-89. Application is to modify masonry openings and the areaway.

20 East 74th Street - Upper East Side Historic District

LPC-19-39429 - Block 1388 - Lot 56 - **Zoning:** C5-1 R8B

CERTIFICATE OF APPROPRIATENESS

A Modern style apartment building, designed by Sylvan Bien and built 1945-1947. Application is to remove a window.

207 St Paul's Avenue - St. Paul's Avenue-Stapleton Heights Historic District

LPC-19-37449 - Block 516 - Lot 32 - **Zoning:** R3X

CERTIFICATE OF APPROPRIATENESS

A Neo-Colonial style home, designed by Otto P. Loeffler and built in 1898. Application is to legalize the construction of a porch at the rear façade, without Landmarks Preservation Commission permit(s).

j12-25

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 9, 2019, 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.

160 Willoughby Avenue - Clinton Hill Historic District

LPC-19-38135 - Block 1918 - Lot 39 - **Zoning:** R6B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style rowhouse attributed to Amzi Hill and built c. 1880. Application is to create and combine masonry openings, excavate, at the side yard, and install a fence, walkway, skylights, and HVAC units.

112 Atlantic Avenue - Cobble Hill Historic District

LPC-19-39039 - Block 285 - Lot 7502 - **Zoning:** R6

CERTIFICATE OF APPROPRIATENESS

A commercial and residential building, designed by BKSK and built in 2018. Application is to install signage.

88 Franklin Street - Tribeca East Historic District

LPC-19-38600 - Block 175 - Lot 7505 - **Zoning:** C6-2A

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec style store and loft building, designed by J. Morgan Slade and built in 1881-83. Application is to install glass railings and planters at the roof.

31-33 Lispenard Street - Tribeca East Historic District

LPC-19-40822 - Block 210 - Lot 1 - **Zoning:** C6-2A

CERTIFICATE OF APPROPRIATENESS

A commercial building, designed by Mac L. Reiser and built in 1946-47. Application is to demolish building and construct a new building.

100A 7th Avenue South - Greenwich Village Historic District

LPC-19-38807 - Block 591 - Lot 10 - **Zoning:** C4-5

CERTIFICATE OF APPROPRIATENESS

A commercial building, designed by Matthew W. Del Gaudio and built in 1933. Application is to install a marquee.

476 Fifth Avenue - Individual and Interior Landmark

LPC-19-40687 - Block 1257 - Lot 1 - **Zoning:** C5-3

BINDING REPORT

A Beaux-Arts style library building, designed by Carrère & Hastings and built in 1898-1911. Application is to create and modify window and door openings, and alter a Commission approved addition within the south court.

76 West 85th Street, aka 509-517 Columbus Avenue - Upper West Side/Central Park West Historic District

LPC-19-36886 - Block 1198 - Lot 7502 - **Zoning:** C1-8A

CERTIFICATE OF APPROPRIATENESS

A Romanesque Revival style flats building, designed by John G. Prague and built in 1894-95. Application is to install signage.

128 West 70th Street - Upper West Side/Central Park West Historic District

LPC-19-27914 - Block 1141 - Lot 43 - **Zoning:** R8B

CERTIFICATE OF APPROPRIATENESS

A Neo-Grec/Queen Anne style rowhouse, designed by Charles H. Lindsley and built in 1881-83. Application is to enlarge a rooftop addition, construct a stair bulkhead, raise an existing chimney, and install mechanical equipment and railings.

915 West End Avenue - Riverside - West End Historic District Extension II

LPC-19-35643 - Block 1891 - Lot 26 - **Zoning:** R8

CERTIFICATE OF APPROPRIATENESS

A Renaissance Revival style apartment building, designed by Rosario Candela and built in 1922. Application is to install a canopy.

20 East 68th Street - Upper East Side Historic District

LPC-19-38586 - Block 1382 - Lot 7501 - **Zoning:** C5-1

CERTIFICATE OF APPROPRIATENESS

An apartment building, designed by Boak & Raad and built in 1955. Application is to establish a master plan governing the future installation of windows.



← j25-jy9

BOARD OF STANDARDS AND APPEALS

■ PUBLIC HEARINGS

July 16, 2019, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, July 16, 2019, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

SPECIAL ORDER CALENDAR

90-91-BZ

APPLICANT – Sheldon Lobel, P.C., for 630-636 City Island Avenue Realty Corp., owner.
SUBJECT – Application July 20, 2018 – Amendment of a previously approved Variance (§72-21), which permitted the enlargement of a legal non-conforming uses with parking, located within a two-story mixed-use commercial and residential building, contrary to district use regulations. The amendment proposes to occupy a 1,576 square foot retail store, with a new eating and drinking establishment, divide an existing residential dwelling into two dwelling units and allow 35 accessory attended parking spaces in the rear; Extension of Term which expired on June 21, 2014; Waiver of the Rules. R3A Special City Island District.
PREMISES AFFECTED – 630-636 City Island Avenue, Block 5636, Lot 19, Borough of Bronx.

COMMUNITY BOARD #10BX

188-96-BZ

APPLICANT – Eric Palatnik, P.C., for William McCombs, owner.
SUBJECT – Application November 21, 2018 – Extension of Term (§11-411) of a previously approved variance, which permitted the operation of an Automotive Service Station (UG 16B), with an accessory convenience store, which expired on January 6, 2018; Amendment (§11-412), to permit the enlargement of the accessory building, provide new pump islands and install a canopy; Waiver of the Board's Rules of Practice and Procedures. R5 zoning district.
PREMISES AFFECTED – 444 Soundview Avenue, Block 3498, Lot 51, Borough of Bronx.

COMMUNITY BOARD #9BX

194-97-BZ

APPLICANT – Sheldon Lobel, P.C., for Auto Service Management Corp., owner; Quick Stop Auto Repair Inc., lessee.
SUBJECT – Application March 9, 2018 – Extension of Term of a previously approved Variance (§72-21), permitting the operation of an automotive repair facility and auto sales (Use Group 16B), which expired on November 29, 2017; Extension of Time to Obtain a Certificate of Occupancy, which expired on July 20, 2010; Waiver of the Board's Rules. R4B zoning district.
PREMISES AFFECTED – 84-12 164th Street, Block 9792, Lot 31, Borough of Queens.

COMMUNITY BOARD #8Q

APPEALS CALENDAR

2018-151-A

APPLICANT – Eric Palatnik, P.C., for College Realty Corp., owner.
SUBJECT – Application September 18, 2018 – Application to permit the development of a three story, 24-unit residential building on a lot that is located, partially in the bed of a mapped but unbuilt portion of a street, contrary to General City Law §35. R3-2 and R3-1 zoning districts.
PREMISES AFFECTED – 6-05 129th Street, Block 3959, Lot 13, Borough of Queens.

COMMUNITY BOARD #7Q

2019-1-A thru 2019-5-A

APPLICANT – Joseph Loccisano of Sanna & Loccisano Architects, P.C., for Nello Development Corporation, owners.
SUBJECT – Application January 4, 2019 – Proposed construction of five (5) two-family, two-story detached home not fronting on a mapped street contrary to General City Law §36. R3X Special South Richmond District.
PREMISES AFFECTED – 7, 11, 15, 19, 23 Nello Court, Block 7826, Lot Tent. 215, 216, 217, 218, 220, Borough Staten Island.

COMMUNITY BOARD #5SI

July 16, 2019, 1:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, July 16, 2019, 1:00 P.M., in Spector Hall, 22 Reade Street, New York, NY 10007, on the following matters:

ZONING CALENDAR

2018-67-BZ

APPLICANT – Sheldon Lobel, P.C., for Petros Realty, owner.
SUBJECT – Application May 9, 2018 – Special Permit (§73-621), to permit the legalization of a one-story horizontal enlargement at the rear of an existing three-story and cellar mixed-use commercial and residential building. C1-3/R6B (Special Bay Ridge District).
PREMISES AFFECTED – 7406 Fifth Avenue, Block 5930, Lot 39, Borough of Brooklyn.
COMMUNITY BOARD #10BK

2018-150-BZ

APPLICANT – Law Office of Lyra J. Altman, for Isaac Mizrahi, owner.
SUBJECT – Application September 18, 2018 – Variance (§72-21), to permit the enlargement of an existing one family home, contrary to ZR §23-14 (FAR); ZR §23-143 (Lot Coverage); ZR §23-161(b) (Side Yard); ZR §23-461(c) (less than required open area between buildings); and ZR §23-47 (Rear Yard). R4 zoning district.
PREMISES AFFECTED – 2215 Homecrest Avenue, Block 7373, Lot 82, Borough of Brooklyn.
COMMUNITY BOARD #15BK

2018-167-BZ

APPLICANT – Sheldon Lobel, P.C., for Steven Oppenheimer, owner.
SUBJECT – Application October 19, 2018 – Special Permit (§73-622), to permit the enlargement of a single-family detached residence, contrary to floor area (ZR §23-142); open space (ZR §23-141); rear yard (ZR §23-47), and side yard regulations (ZR§23-461(a)). R2 zoning district.
PREMISES AFFECTED – 1133 East 22nd Street, Block 7604, Lot 19, Borough of Brooklyn.
COMMUNITY BOARD #14BK

2019-36-BZ

APPLICANT – Rothkrug Rothkrug & Spector LLP, for 12w21 Land, I.P., owner; Precision Run Flatiron, Inc., lessee.
SUBJECT – Application February 19, 2019 – Special Permit (§73-36), to permit the operation of a physical cultural establishment (*Precisions Run*), to be located on the first floor of an existing commercial building, contrary to ZR §32-10. C6-4A Ladies' Mile Historic District.
PREMISES AFFECTED – 12 West 21st Street, Block 822, Lot 49, Borough of Manhattan.
COMMUNITY BOARD #5M

Margery Perlmutter, Chair/Commission

Accessibility questions: mmilfort@bsa.nyc.gov, (212) 386-0078, by: Friday, July 12, 2019, 4:00 P.M.



j24-25



SUPREME COURT

QUEENS COUNTY

■ NOTICE

**QUEENS COUNTY
I.A.S. PART 38
NOTICE OF ACQUISITION
INDEX NUMBER 705567/2019
CONDEMNATION PROCEEDING**

IN THE MATTER OF the Application of the CITY OF NEW YORK Relative to Acquiring Title in Fee Simple to Property, located in Staten Island, including All or Parts of

**142ND STREET AT ITS INTERSECTION WITH THE
SOUTHWEST CORNER OF 135TH AVENUE**
in the Borough of Queens, City and State of New York.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Queens, IAS Part 38 (Hon. Carmen R. Velasquez, J.S.C.), duly entered in the office of the Clerk of the County of Queens on June 5, 2019 ("Order"), the application of the City of New York ("City") to acquire certain real property, for roadway improvements, widening, and related work in the Borough of Queens, City and State of New York was granted, and the City was thereby authorized to file an acquisition map with the Office of the City Register. Said map, showing the property acquired by the City, was filed with the Office of the City

Register. Title to the real property vested in the City of New York on June 10, 2019.

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

Damage Parcel	Block	Lot
1	12095	Part of Lot 6

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

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

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

PLEASE TAKE FURTHER NOTICE, that, pursuant to § 5-310 of the New York City Administrative Code, proof of title shall be submitted to the Corporation Counsel of the City of New York, Tax and Bankruptcy Litigation Division, 100 Church Street, New York, NY 10007.

Dated: New York, NY
 June 11, 2019
 ZACHARY W. CARTER
 Corporation Counsel of the
 City of New York
 Attorney for the Condemnor,
 100 Church Street
 New York, NY 10007
 (212) 356-4064

j19-jy2

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

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

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

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

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/nydcas.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

ENVIRONMENTAL PROTECTION

■ SALE

Forest Management
Project #5073
"Conklin Ledges"

NOTICE OF PROJECT AVAILABILITY

Project Information/Description: *Bid Solicitation for the Sale of Timber and Firewood in the Town of Neversink, NY.* The City of New York will sell approximately 273,527 board feet (International ¼" Rule) of sawtimber and 344 cords of hardwood and softwood cordwood through Forest Management Project ID #5073. The products included in this sale are on a 152-acre section of NYCDEP land, located east of Aden Hill Road in Neversink, NY.

Availability of Bid Information: Bid solicitation information is available by calling Nathan Hart, DEP Forester, at (845) 334-7125, or requesting via email, at hartn@dep.nyc.gov.

Show Dates: Prospective bidders must attend one of the mandatory public showings in order to receive a bid package necessary to submit a valid bid. The showings will be held, on Tuesday, July 9, 2019, at 1:00 P.M. and Wednesday, July 10, 2019, at 9:00 A.M. Participants should park and gather, at the gated DEP entrance road on the east side of Aden Hill Road, just south of the Hanoffee Road intersection.

All prospective bidders must notify the DEP Forester of the representatives they will be sending to the showing, at least 24 hours in advance.

Required Contractor Qualification:

1. The Contractor must maintain the required Workers Compensation and Disability Benefits Coverage.
2. The Contractor shall furnish and maintain a Commercial General Liability Insurance Policy.
3. The Contractor must have demonstrated experience, ability and equipment to assure removal of timber under terms of the agreement.

Bid Due Date: All bid proposals must be received by Nathan Hart, PO Box 358, Grahamsville, NY 12740 (845) 334-7125, **NO LATER THAN Wednesday, July 24, 2019, at 4:00 P.M., local time.**

Opening of Bids: Sealed bids will be publicly opened, at the DEP Office, 16 Little Hollow Road, Grahamsville, NY, on **Thursday, July 25, 2019, at 9:00 A.M., local time.** The projected date for awarding the bid is on or about Thursday, August 1, 2019.

◀ j25

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property appear in the Public Hearing Section.

j9-30

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

■ INTENT TO AWARD

Services (other than human services)

SOLE SOURCE AWARD TO PBS LEARNING INSTITUTE TO PROVIDE PERFORMANCE-BASED STANDARDS - Sole Source - Available only from a single source - PIN# 06819S0001001 - Due 6-28-19 at 10:00 A.M.

In accordance with Section 3-05(a) of the Procurement Policy Board Rules, ACS, intends to award a Sole Source contract to PbS Learning Institute for continued participation in Performance-Based Standards, an established program that works with nearly 200 programs in over 30 states across the country to measure outcomes in Juvenile Justice residential settings. PbS Learning Institute is the only company that has the technology to produce the reports necessary to promote best practices in the juvenile facilities across the United States. This purchase conforms to the first condition for a Sole Source procurement, that there be only one source for the required product(s)/service, pursuant to Section 3-05(a) of the Procurement Policy Board Rules.

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

Administration for Children’s Services, 150 William Street, 9th Floor. Alex Linetskiy (212) 341-3457; Fax: (212) 341-9830; alex.linetskiy@acs.nyc.gov

j21-27

ADMINISTRATIVE CONTRACTS

■ AWARD

Goods and Services

24-HOUR EMERGENCY LOCKSMITH SERVICES - Small Purchase - PIN# 19AC1001 - AMT: \$150,000.00 - TO: Locksmith Solutions, Inc., 16742 146th Road, Jamaica, NY 11434.

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CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

■ AWARD

Goods

OLYMPUS VS120-100 SLIDE SYSTEM - Sole Source - Other - PIN#8571700358 - AMT: \$193,865.30 - TO: Olympus America Inc., 3500 Corporate Parkway, PO Box 610, Center Valley, PA 18034 .

Sole Source Procurement in Accordance with Section 3-05 of the Procurement Policy Board Rules. The using Agency has determined that the Vendor Is the Sole Supplier of the required goods.

☛ j25

DESIGN AND CONSTRUCTION

■ AWARD

Construction/Construction Services

REI SERVICES FOR THE INSTALLATION OF H.L.S.S., STORM, COMBINED AND SANITARY SEWERS IN FRESH CREEK BASIN AREA, PHASE 2B - BROOKLYN - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#8502017SE0011P - AMT: \$5,474,774.00 - TO: Aptim Engineering New York, P.C., 1251 Avenue of Americas, Suite 750, New York, NY 10020. SE-855.

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AGENCY CHIEF CONTRACTING OFFICER

■ AWARD

Construction/Construction Services

CONSTRUCTION OF RIGHT OF WAY GREEN INFRASTRUCTURE IN PHASE 4 OF THE FLUSHING CREEK CSO TRIBUTARY AREA TI-010-BOROUGH OF QUEENS - Competitive Sealed Bids - PIN#85019B0055 - AMT: \$20,993,177.00 - TO: Gianfa Corp., 179 Brady Avenue, Hawthorne, NY 10532. Project GCTI10-4B

● **CONSTRUCTION OF RIGHT-OF-WAY GREEN INFRASTRUCTURE IN THE CSO TRIBUTARY AREA JAM-003 AND JAM-003A- BOROUGH OF QUEENS** - Competitive Sealed Bids - PIN#85019B0012 - AMT: \$19,123,370.00 - TO: PCI Industries Corp., 550 Franklin Avenue, Mount Vernon, NY 10550. GCJA03-2B

● **CONSTRUCTION OF RIGHT-OF-WAY GREEN INFRASTRUCTURE IN PHASE 2 OF THE FLUSHING CREEK CSO TRIBUTARY AREA TI-010-BOROUGH OF QUEENS** - Competitive Sealed Bids - PIN#85019B0053 - AMT: \$20,075,435.00 - TO: New York Concrete Corp., 708 Sharrott Road, Staten Island, NY 10309. Project GCTI10-02

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DISTRICT ATTORNEY - NEW YORK COUNTY

■ INTENT TO AWARD

Human Services/Client Services

TRANSCENDENTAL MEDITATION - Renewal - PIN#20170800041 - Due 6-28-19 at 5:00 P.M.

The District Attorney's Office of New York County, intends to enter into contract renewal negotiations, for the provision of Transcendental Meditation (TM) techniques, with The David Lynch Foundation. TM technique is beneficial to populations experiencing trauma, crisis, PTSD and to at-risk populations including incarcerated juveniles and adults, women and children survivors of domestic violence and human trafficking, among others. TM has been scientifically proven to reduce toxic stress, trauma, and anxiety, negative behavior and depression, while also improving health and cognitive functioning. Moreover, the immediate and significant results are pervasive and can be used throughout life, improving physical and psychological health.

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

District Attorney - New York County, One Hogan Place, New York, NY 10013. Lisa Tellason (212) 335-9823; tellasonl@dany.nyc.gov

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EMERGENCY MANAGEMENT

■ INTENT TO AWARD

Services (other than human services)

AUDIO VISUAL SUPPORT AND MAINTENANCE - Negotiated Acquisition - Available only from a single source - PIN#01710S0001CNVN001 - Due 7-2-19

Pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board (PPB) Rules, New York City Emergency Management (NYCEM), intends to award Signal Perfection, Ltd. (SPL) by means of Negotiated Acquisition Extension, to provide the agency with the audio and visual equipment maintenance. SPL's responsibilities will include, but are not limited to, maintenance of equipment, maintenance of proprietary software and replacement. Thus, NYCEM believes it is in the best interest of the City, to continue to obtain such services from the incumbent vendor until a new contract is in place.

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

Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201. Oliver Yorke Jr (718) 422-4697; procurement@oem.nyc.gov; oyorke@oem.nyc.gov; asamuels@oem.nyc.gov

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FIRE DEPARTMENT

FISCAL SERVICES

■ AWARD

Services (other than human services)

MAIL AND MESSENGER SERVICES - Required Method (including Preferred Source) - PIN#057190000942 - AMT: \$3,262,897.20 - TO: New York State Industries for the Disabled, Inc., 11 Columbia Circle Drive, Albany, NY 12203. Mail Distribution and Messenger Services. ePIN 05719R0003001

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HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

RECREATIONAL/SOCIALIZATION SERV W/AUTISM SPECTRUM DISORDERS - Renewal - PIN#18MR008608R1X00 - AMT: \$360,000.00 - TO: Montefiore Medical Center, 111 East 210th Street, Bronx, NY 10467.

● **SUPPORTIVE HOUSING PROGRAM** - Renewal - PIN#08PO076355R2X00 - AMT: \$751,230.00 - TO: Providence House Inc., 703 Lexington Avenue, Brooklyn, NY 11221-0529.

● **THE EPILEPSY INSTITUTE: CRISIS INTERVENTION AND PREVENTION** - Renewal - PIN#14MR005801R2X00 - AMT: \$161,205.00 - TO: The Epilepsy Institute, 65 Broadway, New York, NY 10006-2503.

● **AFTER SCHOOL PROGRAM FOR CHILDREN/TEEN W/ AUTISM DISORDER** - Renewal - PIN#18MR008613R1X00 - AMT: \$215,040.00 - TO: Samuel Field Ym and Ywha Inc., 58-20 Little Neck Parkway, Little Neck, NY 11362.

● **SUPPORTIVE HOUSING** - Negotiated Acquisition - Other - PIN#20AZ002903R0X00 - AMT: \$8,146,044.00 - TO: Camba Inc., 1720 Church Avenue, Brooklyn, NY 11226.

● **VETERANS HOMELESS SINGLE ADULTS WITH SERIOUS MENTAL ILLNESS** - Required Method (including Preferred Source) - PIN#14AZ044501R2X00 - AMT: \$1,732,038.00 - TO: Volunteers of America Greater New York Inc., 135 West 50th Street, New York, NY 10020-1201.

● **SUPPORTIVE HOUSING SERVICES** - Required Method (including Preferred Source) - PIN#17AZ006401R1X00 - AMT: \$4,123,872.00 - TO: Urban Pathways Inc, 575 8th Avenue, 16th Floor, New York, NY 10018-3011.

● **SCATTERED - ADULT WITH SMI AND HOMELESS** - Renewal - PIN#20AZ003701R0X00 - AMT: \$4,196,124.00 - TO: West Harlem Group Assistance Inc., 1652 Amsterdam Avenue, New York, NY 10031.

● **NON-MEDICAID CARE; HEALTH HOME CARE; BEHAVIORAL HEALTH CARE** - Renewal - PIN#20AZ006901R0X00 - AMT: \$7,471,737.00 - TO: Postgraduate Center for Mental Health, 158 East 35th Street, New York, NY 10016-4102.

● **FY20 HOUSING FOR HOMELESS ADULTS W/SUBSTANCE**

DISORDER - Required Method (including Preferred Source) - PIN# 20AZ002902R0X00 - AMT: \$1,911,429.00 - TO: Vocational Instruction Project Community Services Inc., 1910 Arthur Avenue, 4th Floor, Bronx, NY 10457.

• j25

HEALTH CARE MANAGEMENT SERVICES (INCLUDING MANAGED CARE SERV). - BP/City Council Discretionary - PIN# 19CR048001R0X00 - AMT: \$350,000.00 - TO: Staten Island Heart Society, 3055 Richmond Road, Staten Island, NY 10306-1958.

● **MENTAL HEALTH SERVICES, SUPPORTED HOUSING.** - Request for Proposals - PIN# 08PO076362R2X00 - AMT: \$2,425,566.00 - TO: Urban Pathways Inc., 575 8th Avenue, 16th Floor, New York, NY 10018-3011.

● **ALCOHOLISM SERVICES FOR ADULTS.** - Required Method (including Preferred Source) - PIN# 20AZ006701R0X00 - AMT: \$2,497,059.00 - TO: Volunteers of America Greater New York Inc., 135 West 50th Street, New York, NY 10020-1201.

• j25

Services (other than human services)

VARIETY OF MATERIALS AND MEDIA TAILORED TO SPECIFIC AUDIENCES - Renewal - PIN# 16OE002202R1X00 - AMT: \$9,000,000.00 - TO: Bandujo Advertising and Design, Inc., 22 West 21st Street, 8th Floor, New York, NY 10010.

• j25

AGENCY CHIEF CONTRACTING OFFICER

■ INTENT TO AWARD

Goods

PURCHASE OF INSTI™ HIV-1 ANTIBODY TESTS AND CONTROLS - Sole Source - Available only from a single source - PIN# 20AE011401R0X00 - Due 7-3-19 at 11:00 A.M.

DOHMH, intends to enter into a Sole Source contract with BIOLYTICAL LABORATORIES INC for the purchase of INSTI™ HIV-1 Antibody Tests and Controls, which will be utilized in DOHMH's community health centers, community based organizations, hospitals and clinics across New York City. These tests and controls will be utilized for rapid results of the detecting antibodies to Human Immunodeficiency Virus Type 1 and Type 2 in human whole blood, fingerstick blood, or plasma. Early detection of HIV Type 1 and Type 2

will support DOHMH's mission to intervene and reduce onward transmission of HIV. This rapid in vitro qualitative test is capable of providing test results in as little as 60 seconds. DOHMH determined

that Biolytical Laboratories Inc., is the sole supplier of the INSTI™ HIV-1 Antibody Tests and Controls, as they are the exclusive manufacturer and distributor, and is also FDA-approved.

Any vendor who believes they can provide these products are welcome to submit an expression of interest via email no later than 7/3/19 by 11:00 A.M. All questions and concerns regarding this sole source should also be submitted via email.

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

Health and Mental Hygiene, 42-09 28th Street, 17th Floor Long Island City, NY 11101. Chassid Miner (347) 396-6754; Fax: (347) 396-6758; cminer@health.nyc.gov

j21-27

HOUSING AUTHORITY

■ SOLICITATION

Construction/Construction Services

RESTORATION OF BASEMENT AND RAMP CONCRETE SLAB AT MARCY HOUSES - Competitive Sealed Bids - PIN# DE1910506 - Due 7-17-19 at 11:00 A.M.

There will be a Pre-Bid Meeting on 7/2/2019, at 10:00 A.M., at Marcy Houses Management Office, 601-605 Park Avenue, Brooklyn, NY 11206. 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 can be picked up and dropped off Monday through Friday, 9:00 A.M. to 4:00 P.M., on the 6th Floor CPD, Bid Reception Window for a \$25.00 fee. 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.

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

• j25

SUPPLY MANAGEMENT

■ SOLICITATION

Goods and Services

SMD INSTALLATION OF VINYL COMPOSITION (V/C) FLOOR TILE IN APTS.- VARIOUS DEVELOPMENTS WITHIN THE FIVE (5) BOROUGHES OF NYC - Competitive Sealed Bids - Due 7-18-19

PIN# 68551 - Chelsea Houses and Addition, Elliott Houses, Manhattan - Due at 10:00 A.M.

PIN# 68552 - Lower East Side II and Rehab, Bracetti Plaza, Campos Plaza II, First Houses, Manhattan - Due at 10:05 A.M.

PIN# 68553 - Mott Haven Houses, Bronx - Due at 10:10 A.M.

PIN# 68554 - South Beach Houses, Staten Island - Due at 10:15 A.M.

PIN# 68555 - Rutgers Houses, Manhattan - Due at 10:20 A.M.

PIN# 68556 - Saint Mary's Park and Moore Houses, Bronx - Due at 10:25 A.M.

Installation of vinyl-composition floor tile, over existing floor tile. Installation of vinyl-composition floor tile, over the existing properly prepared concrete floor. The removal and replacement of existing/or missing vinyl cove base molding. Removal as directed of Non-Asbestos Containing floor coverings, including but not limited to: vinyl composition floor tile, linoleum, self-adhesive floor tile, carpet, ceramic floor tile, wood flooring, etc.

*ALL MATERIALS SHALL BE NON-ASBESTOS FORMULATED

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

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

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Jason Rosenfeld (212) 306-4511; Fax: (212) 306-5109; jason.rosenfeld@nycha.nyc.gov

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HUMAN RESOURCES ADMINISTRATION

■ AWARD

Human Services/Client Services

PROVISION OF LEGAL SERVICES FOR IMMIGRANT YOUTH PROGRAM - RENEWAL - Renewal - PIN# 09615I0009002R001 - AMT: \$257,097.45 - TO: Brooklyn Defender Services, 177 Livingston Street, 7th Floor, Brooklyn, NY 11201. Contract Term: 7/1/2019 - 6/30/2022

• j25

PROVISION OF NON-EMERGENCY PERMANENT SUPPORTIVE HOUSING FOR PLWAS. - Renewal - PIN#09612P0005004R001 - AMT: \$3,841,245.00 - TO: Harlem United Community AIDS Center, Inc., 306 Lenox Avenue, New York, NY 10027. Term: 7/1/2019 - 6/30/2024

• j25

SUPPORTIVE HSG. FOR SRO FOR HSA AT WEST HARLEM BROWNSTONES (5 UNITS IN NY, NY 10027) - Required/ Authorized Source - Judgment required in evaluating proposals - PIN#09619R0004013 - AMT: \$589,914.00 - TO: West Side Federation for Sr and Supportive Housing Inc., 2345 Broadway, New York, NY 10024. Contract Term: 7/1/2019 - 6/30/2025

• j25

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.

NYC 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 NYC DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, NYC 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. NYC 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.

NYC 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

■ AWARD

Services (other than human services)

M7-CG MOBILE FOOD UNIT AT BOWLING GREEN PARK - Competitive Sealed Proposals - Judgment required in evaluating proposals - PIN#M7-CG BOWLING GREEN - AMT: \$85,371.76 - TO: Belgo Mobile LLC, 15 Avenue B, New York, NY 10000.

Solicitation No.: CWP-2018
 Concession Agreement No.: M7-CG
 Licensee: Belgo Mobile LLC
 The City of New York Department of Parks and Recreation ("Parks"), has awarded a concession to Belgo Mobile LLC, of 15 Avenue B, New York, NY 10000, for the operation of a mobile food unit, for the sale of Parks approved items, at the southwest curb of plaza area in Bowling Green Park, Manhattan. The concession, which was solicited by a Request for Proposals, will operate, pursuant to a permit agreement for one (1) five (5) year term. Compensation to the City will be as follows: Year 1: \$16,000.00; Year 2: \$16,520.00; Year 3: \$17,056.90; Year 4: \$17,611.25; Year 5: \$18,183.61.

• j25

SANITATION

AGENCY CHIEF CONTRACTING OFFICE

■ AWARD

Goods and Services

FUEL ADDITIVES, EXTENDERS, OCTANE ENHANCERS - Innovative Procurement - Other - PIN#20205020019 - AMT: \$100,000.00 - TO: Jamaica Hardware and Paints Inc., 131-01 Jamaica Avenue, Richmond Hill, NY 11418. MWBE Award.

• j25

■ SOLICITATION

Services (other than human services)

SUPPORT OF THE IMPLEMENTATION AND DEVELOPMENT FOR SOLID WASTE MANAGEMENT PLAN - Negotiated Acquisition - Other - PIN#82709N0001CNVN002 - Due 6-28-19 at 11:00 A.M.

The Department of Sanitation, intends to enter into negotiations with Henningson Durham and Richardson PC for the Support of the Implementation and Development for Solid Waste Management Plan, from 7/1/18 - 6/30/20.

Vendors interested in responding to this or other future solicitations for these types of services, should contact the Department of Sanitation. Contact Information below.

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. *Sanitation, 44 Beaver Street, 12th Floor, New York, NY 10004. Sarah Dolinar (212) 437-4508; Fax: (212) 514-6808; sdolinar@dnsny.nyc.gov*

j19-25

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 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.



CORRECTION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held, on July 10, 2019, at the Department of Correction, Central Office of Procurement, Bulova Corporate Center, 75-20 Astoria Boulevard-Suite 160, East Elmhurst, NY 11370, commencing, at 11:00 A.M. on the following:

IN THE MATTER OF a propose Purchase Order/Contract between the Department of Correction of the City of New York, and Moor Metals Inc., located at 2 Kuniholm Drive, Holliston, MA 01746, for Steel Metal and Tube Steel Materials. The amount of this Purchase Order/Contract will be \$150,000.00. The term will be from the contract registration to June 30, 2020. PIN #: 072 1603-001020.

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, Bulova Corporate Center, 75-20 Astoria Boulevard, Suite 160, East Elmhurst, NY 11370, from June 27, 2019 to July 9, 2019, excluding weekends and holidays, from 9:00 A.M. and 4:00 P.M.

◀ j25

AGENCY RULES

CONFLICTS OF INTEREST BOARD

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules Regarding Procedural Rules for Enforcement Actions

What are we proposing? The Conflicts of Interest Board intends to amend its rules by revising Chapter 2 in its entirety to update the Board's procedural rules for enforcement actions brought, pursuant to Charter § 2603(h).

When and where is the hearing? The Conflicts of Interest Board will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M. on July 25, 2019. The hearing will be at Spector Hall, at 22 Reade Street, New York, NY 10007.

This location has the following accessibility option(s) available: Wheelchair accessible.

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

- **Website.** You can submit comments to the Conflicts of Interest Board through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to Katherine Miller, Assistant Counsel, at Rules@COIB.nyc.gov
- **Mail.** You can mail comments to Katherine Miller, Assistant Counsel, Conflicts of Interest Board, 2 Lafayette Street, Suite #1010, New York, NY 10007.
- **Fax.** You can fax comments to the Conflicts of Interest Board, at (212) 437-0705.
- **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) 437-0730. You can also sign up in the hearing room before the hearing begins on July 25, 2019. You can speak for up to three minutes.

Is there a deadline to submit comments? Yes, you must submit written comments by July 25, 2019.

Do you need assistance to participate in the hearing? You must tell the Conflicts of Interest Board 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) 437-0730. You must tell us by July 19, 2019.

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 available to the public at the Conflicts of Interest Board, 2 Lafayette Street, Suite #1010, New York, NY 10007.

What authorizes the Conflicts of Interest Board to make this rule? Sections 1043 and 2603(a) of the City Charter authorize the Conflicts of Interest Board to make this proposed rule. This proposed

rule was not included in the Conflicts of Interest Board's regulatory agenda for this Fiscal Year because it was not contemplated when the Conflicts of Interest Board published the agenda.

Where can I find the Conflicts of Interest Board's rules? The Conflicts of Interest Board's rules are in Title 53 of the Rules of the City of New York.

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

STATEMENT OF BASIS AND PURPOSE

Overview

The Board is proposing that Chapter 2 of the Rules of the Board ("Procedural Rules for Hearings"), which contains the Board's procedures for enforcement actions commenced pursuant to Charter § 2603(h), be repealed and re-promulgated.

As a result of the work of the Charter Revision Commission ("Commission") in the late 1980s, the Conflicts of Interest Board ("Board") was created to replace the Board of Ethics, an agency that had the power to issue advice but not to prosecute those who failed to comply with the ethics code. Recognizing that "the lack of enforcement power in the Board of Ethics was a significant flaw in the law," the Commission proposed, and the City's voters approved, the creation of a new Board with the power to adjudicate alleged violations of the conflicts of interest law. Volume II, Report of the New York City Charter Revision Commission, December 1986 – November 1988, at p. 163.

Shortly thereafter, the Board promulgated the existing version of Chapter 2 to establish a structure for implementing its new enforcement process. In the more than two decades since, the Board has gained substantial experience adjudicating allegations of Chapter 68 violations. In doing so, the Board has learned which provisions of Chapter 2 work well, which do not, and which could benefit from clarification. Over the years, the Board has also utilized additional procedures to fill in the gaps left by the existing rules. The Board proposes that Chapter 2 be comprehensively revised both to reflect its current enforcement process and to improve, where needed, various aspects of that process.

The Board's proposed procedural rules are designed to ensure that the subject of an enforcement action – the "respondent" – is afforded a full and fair opportunity to be heard by the Board. The first step in ensuring that a respondent has an opportunity to be heard by the Board is for the respondent to be able to understand what to expect during the enforcement process. When the Commission proposed creating a Board having rulemaking authority, it stated that the Board's promulgated rules "may include rules necessary to assist members of the public and public servants to participate in the board's processes." Volume II, Report of the New York City Charter Revision Commission, December 1986 – November 1988, at p. 156. The Board proposes this revised version of Chapter 2 as a "plain language" guide to help respondents navigate that process, especially because many respondents represent themselves *pro se* before the Board and the confidentiality restrictions of Chapter 68 shield much of the Board's process from public view. Furthermore, because the Board's enforcement process has developed beyond the existing procedural rules, the proposed rules would codify the Board's current practice, thus providing more comprehensive guidance to respondents.

The proposed revisions to Chapter 2 would provide clarity around three main topics: (i) the two-phase enforcement process; (ii) hearings; and (iii) settlements. As provided for in Charter § 2603(h), respondents have two opportunities to respond to and resolve charges brought by the Board: first, through an informal proceeding; and then, if charges are not resolved during that informal phase, through a formal proceeding. The proposed new Chapter 2 would codify this two-phase approach by creating separate sections to address each type of proceeding. With regard to formal proceedings, the Board, like most City agencies, has come to rely exclusively on the expertise of professional Administrative Law Judges at the New York City Office of Administrative Trials and Hearings ("OATH") to hold adjudicatory hearings. The Board proposes revising Chapter 2 to reflect this practice and to eliminate references to hearings held by the Board or a Board Member.

Recognizing that the majority of respondents choose to forgo a hearing and resolve their enforcement actions by settlement agreement, the Board also proposes revising Chapter 2 to explain more fully the settlement process. While the existing rules provide for "disposition by agreement," the Board's enforcement attorneys frequently must explain the specific requirements of the Board's settlement process to respondents. The revised rules would provide more detail concerning the requirements for settlement agreements and the process by which such agreements are approved by the Board.

Finally, the proposed version of Chapter 2 would eliminate references to "§ 12-110 of the Administrative Code" (the section that constitutes the Annual Disclosure Law) because the Board has a separate set of procedures for enforcement of this law.

Proposed § 2-02 Informal Proceedings

Proposed § 2-02 would explain the Board's informal proceedings. During this phase, a respondent has the opportunity to

respond to the Board in writing and to conclude the enforcement action through dismissal or settlement without going through the formalities of an adjudicatory hearing. If the enforcement action is not concluded during this phase, the respondent will have another opportunity to do so through the hearing process. Proposed Board Rules § 2-02 would identify the steps that take place between the Board's initial determination of probable cause and, if necessary, the Board's decision to proceed to a hearing at OATH.

Pursuant to Charter § 2603(h)(1), when the Board determines that there is probable cause to believe that an individual or organization under its jurisdiction has violated an applicable law (see proposed Board Rules § 2-01(a)), the Board commences an enforcement action by sending the respondent a Notice of Initial Determination of Probable Cause ("Notice"). See Proposed Board Rules § 2-02(a). Alternatively, if the Board determines that there is insufficient evidence to support an initial determination of probable cause, or if the violation is minor, or if there is some other mitigating or extenuating factor, the Board could issue a confidential letter stating the alleged facts and advising the recipient about the relevant provisions of the applicable law.

After the Board commences an enforcement action by sending the Notice, the respondent may submit a response to the Board. Proposed Board Rules § 2-02(b) would clarify that the response must be submitted in writing for the Board's review. The response is an opportunity for the respondent to demonstrate why the Board should reconsider its initial determination of probable cause. If the respondent believes that the facts alleged in the Notice are incorrect, incomplete, or need clarification, the respondent may submit a response, including supporting evidence, to explain those circumstances. Similarly, if the respondent believes that the Board has misapplied the applicable law to the alleged facts, the respondent can present those arguments in a response. Proposed Board Rules § 2-02(b)(3)(i) would explain that the Board thoroughly reviews all information and arguments in a response to determine whether any or all of the violations alleged in the Notice should be dismissed. However, if a respondent provides no new information or legal arguments to the Board, there would be nothing for the Board to reconsider and the Board's initial determination of probable cause would be deemed sustained. See Proposed Board Rules § 2-02(b)(3)(ii).

After receiving the Notice, respondents occasionally request that the Board provide to them evidence of the facts upon which the Board relied in making its initial determination of probable cause. Because the Board has learned that discovery is better handled under the supervision of an OATH Administrative Law Judge ("ALJ"), proposed Board Rules § 2-02(b)(1) would inform respondents that discovery is not available during informal proceedings but rather should be sought after the commencement of formal proceedings at OATH.

Pursuant to Charter § 2603(h)(1), the Board is required to give the respondent a reasonable amount of time to respond to the Notice. Proposed Board Rules § 2-02(b) would specify the prescribed time within which a respondent could submit a response, both to reflect the Board's current practice and to establish a process by which the respondent may seek an extension of that deadline. Under existing Board Rules §§ 2-01(a) and 2-05(e), the respondent has fifteen days from the date of service, or twenty days if service was by mail, to respond to the Notice. Because the Notice is always served by first-class mail, proposed Board Rules § 2-02(b)(1) would clarify that the respondent has twenty days from the date of service to respond to the Notice.

Upon receiving the Notice, many respondents request an extension of the twenty-day deadline, which the Board generally grants, to pursue settlement discussions or to give the respondent more time to prepare a response. Proposed Board Rules § 2-02(b)(2) would set parameters for requesting and granting extensions and establish specific time limits for those extensions. These specific time limits would both give respondents adequate time to respond and prevent enforcement actions from languishing; if the Board does not receive a written response or a request for an extension within the prescribed time, the Board's initial determination of probable cause would be deemed sustained pursuant to proposed Board Rules § 2-02(b)(3)(ii).

Pursuant to Charter § 2603(h)(2), if the Board sustains its initial determination of probable cause concerning any of the violations alleged in the Notice, the Board proceeds to a hearing or, if the respondent is still employed by the agency where the alleged violation(s) occurred and is entitled to disciplinary rights, the Board refers the matter to the respondent's City agency. Proposed Board Rules § 2-02(c) would explain the process by which the Board refers the respondent's alleged violations to his or her City agency and would clarify that, even if a matter has been referred to such agency, the Board retains jurisdiction over the enforcement action and may still proceed to a hearing, as contemplated by Charter § 2603(h)(6), should the agency decline to take disciplinary action or if the Board is unable to resolve the matter by a joint settlement with the respondent and agency.

Rather than proceeding to a hearing, the respondent may choose to resolve the Board's enforcement action through settlement. While existing Board Rules § 2-05(h) provides for "disposition by agreement," this current provision offers limited guidance to

respondents about the contents of such agreements or the settlement process generally. Proposed Board Rules § 2-02(f) would address the entire settlement process by articulating the requirements and procedures developed by the Board for the negotiation and approval of settlements.

A settlement agreement with the Board could take the form of either a Public Disposition or a Public Warning Letter. While the majority of enforcement actions are settled with a Public Disposition, the Board could offer to settle a matter with a Public Warning Letter under limited circumstances, such as when mitigating factors are present. For each form of settlement agreement, the Board would continue to require that the agreement contain certain information. See Proposed Board Rules § 2-02(f)(1). Just as Charter § 2603(h)(4) requires all Board orders be made public as the final disposition in an enforcement action, the Board likewise would continue to require that all settlement agreements be made public, as a means for educating other City employees about the Board's interpretation of the applicable law. See Proposed Board Rules § 2-02(f)(4)(i).

As is the Board's current practice, a proposed settlement agreement would not be final until all monetary penalties due to the Board have been paid and the agreement is signed by the Board. Because many settlement agreements include the payment of a monetary penalty to the Board, proposed Board Rules § 2-02(f)(3) would codify the Board's practice with regard to the timing and handling of such payments, and proposed Board Rules § 2-02(f)(4) would clarify that a proposed settlement agreement would not be presented to the Board for final approval until all monetary penalties due to the Board have been paid. When the Board reviews a proposed settlement, there is a possibility that the Board might request a different penalty or ask to modify language in the agreement. Thus, proposed Board Rules § 2-02(f)(4) would inform respondents that a proposed settlement agreement is not final until it is approved and signed by the Board.

When negotiating a settlement, respondents occasionally request that their employing City agency be joined as a party to avoid possible future disciplinary action by their agency for the same conduct. Proposed Board Rules § 2-02(f)(2) would inform respondents that, if the respondent submits a waiver of confidentiality, the Board may speak to such agency about a joint settlement.

Proposed § 2-03 Formal Proceedings

Proposed § 2-03 would explain the Board's formal proceedings. During this phase, the respondent would have an opportunity to respond to the Board's charges and present evidence at an adjudicatory hearing before an OATH ALJ. As is OATH's practice, the ALJ would issue a report to the Board, and the Board would review the report, along with the evidentiary record, to make its final determination about whether the respondent violated the applicable law. Proposed Board Rules in § 2-03 would address the steps that take place between commencement of formal proceedings at OATH and final action by the Board.

Pursuant to Charter § 2603(h)(2), the Board "shall hold or direct a hearing to be held" to determine whether the respondent has violated the applicable law. When the existing rules were drafted, the Board envisioned that hearings might be conducted by the Board, a member of the Board, or OATH. However, neither the Board nor any Board member has ever held a hearing. Instead, all such hearings are conducted by the OATH Trial Division. OATH provides an impartial forum and is staffed by professional ALJs who regularly handle adjudicatory proceedings for many City agencies. Proposed Board Rules § 2-03(a) would codify the Board's current practice of hearings being conducted at OATH in accordance with OATH's Rules of Practice, which are set forth in Title 48 of the Rules of the City of New York ("OATH Rules"). Once the Board commences formal proceedings, the OATH Rules govern the hearing process.

Because OATH has its own set of procedural rules, these proposed Board Rules would eliminate existing provisions that are redundant of the OATH Rules, except for a few provisions to provide additional guidance to respondents or impose requirements beyond the OATH Rules. To ensure that respondents understand when the Board has commenced formal proceedings, proposed Board Rules § 2-03(b) would identify the documents that are served and filed by the Board, as required by the OATH Rules, and would specify the precise method of service for those documents. Because the Board tries to coordinate with respondents about dates for a settlement conference and a hearing before filing a Petition at OATH, proposed Board Rules § 2-03(b)(1) would provide context to this request. Under the OATH Rules, the respondent may submit an answer to the Board's charges in the Petition. Expanding on the OATH Rules, proposed Board Rules § 2-03(d) would retain and expand upon existing Board Rules § 2-02(d), which advises respondents about the information they may want to include in an answer and requires them to provide their contact information. Because this topic is not addressed by the OATH Rules, proposed Board Rules § 2-03(f) would codify the Board's existing burden of proof standard for finding that the respondent violated the applicable law. Additionally, proposed Board Rules § 2-03(f) would provide guidance to respondents concerning the trial sequence.

After a hearing conducted at OATH, the ALJ would issue a report of recommended findings of fact and conclusions of law and recommended disposition for the enforcement action, which may

include imposing a penalty or dismissing some or all of the Board's charges. See Proposed Board Rules 2-03(g). Under existing Board Rules § 2-04(a), the respondent and the enforcement attorney have ten days from the date of service of the report to submit a comment to the Board. In practice, the respondent often needs more than ten days and the enforcement attorney may wait to see what, if anything, the respondent submits before making a submission. Proposed Board Rules § 2-03(h) would revise the prescribed time within which to submit a comment to the Board and would establish a fairer process by giving the parties both a longer amount of time to submit a comment to the Board as well as an opportunity to respond to the comment submitted by the opposing party.

Proposed Board Rules § 2-03(i) would codify the Board's burden of proof standard and identify the specific materials reviewed by the Board in making its final determination about whether the respondent violated the applicable law. If the Board determines that the respondent has committed a violation, the Board issues an order to the respondent pursuant to Charter § 2603(h)(3). Proposed Board Rules § 2-03(j)(1) would provide a more concise and plain language description of the content of such orders, and make clear that all Board orders are made public.

Furthermore, proposed Board Rules §§ 2-03(g) and 2-03(j)(2) would make clear that, while the OATH report is confidential at the time it is issued, the report may become public as part of the Board's final order. Finally, proposed Board Rules § 2-03(j)(3)-(4) would codify the method of service for Board orders and the Board's practice of setting a thirty-day deadline from the date of service for the payment of a monetary penalty imposed in a Board order. Alternatively, if the Board determines, after a hearing, that there is not sufficient evidence to determine that the respondent violated the applicable law, proposed Board Rules § 2-03(k) would explain that the respondent will be sent the Board's final decision in writing and that all materials remain confidential.

Throughout the formal proceedings phase, the attorneys in the Board's advice unit act as counsel to the Board when the Board reviews the materials and makes its final determination. Thus, proposed Board Rules § 2-02(c) would retain the practice and policy embodied by existing Board Rules 2-05(g) by prohibiting *ex parte* communications between the enforcement attorney and the Board's advice attorneys regarding the merits of the enforcement action after formal proceedings have been commenced.

Text of Proposed Board Rules

New material is underlined.

[Deleted material is in brackets.]

Section 1. Chapter 2 of Title 53 of the Rules of the City of New York is REPEALED and a new Chapter 2 is re-promulgated to read as follow:

Chapter 2: Procedural Rules for Enforcement Actions

§ 2-01 Applicability and Definitions.

(a) Applicability.

This chapter establishes the procedural rules for enforcement actions brought pursuant to Charter § 2603(h) to address alleged violations of:

- (1) Chapter 68 of the City Charter (the Conflicts of Interest Law);
- (2) § 3-224 through § 3-228 of the Administrative Code (the Lobbyist Gift Law);
- (3) § 3-901 through § 3-907 of the Administrative Code (the Affiliated Not-for-Profits Law); and
- (4) § 3-1101 through § 3-1107 of the Administrative Code (the Legal Defense Trusts Law).

(b) Definitions.

"Board" means the Conflicts of Interest Board.

"Board Rules" means the rules of the Conflicts of Interest Board, as set forth in Title 53 of the Rules of the City of New York.

"Day" means a calendar day. When the last day of a time period is a Saturday, Sunday, or public holiday, the time period will run through the end of the next business day.

"Enforcement attorney" means an attorney prosecuting an enforcement action on behalf of the Board.

"OATH" means the New York City Office of Administrative Trials and Hearings.

"OATH Rules" means OATH's Rules of Practice, as set forth in Title 48 of the Rules of the City of New York.

"Respondent" means a public servant or former public servant; a lobbyist or any other person required to be listed on a statement of registration pursuant to Administrative Code § 3-213(c)(1); an organization affiliated with an elected official or an agent of an elected official, as defined by Administrative Code § 3-901; or a legal defense trust, trustee, or beneficiary, as defined by Administrative Code § 3-1101, who has been served a Notice of Initial Determination of Probable Cause.

§ 2-02 Informal Proceedings.

(a) Notice of Initial Determination of Probable Cause.

For the purposes of Charter § 2603(h)(1), the Board will commence an enforcement action by serving a Notice of Initial Determination of Probable Cause by first class mail to the respondent's last known residential address or actual place of business.

(b) Response to the Notice of Initial Determination of Probable Cause.

- (1) For the purposes of Charter § 2603(h)(1), the respondent has twenty (20) days from the date of service to submit a written response to the Notice of Initial Determination of Probable Cause ("Notice") or request an extension. The response is an opportunity to explain, rebut, or provide information concerning the factual or legal allegations in the Notice. The Board will not consider requests for discovery of evidence during informal proceedings.
- (2) Upon oral or written request within twenty (20) days from the date of service of the Notice, the respondent will be granted a thirty- (30-) day extension within which to submit a written response. Upon oral or written request made prior to the expiration of the first extension, the respondent may be granted a second thirty- (30-) day extension for good cause shown, including, but not limited to, ongoing settlement negotiations. Any further extensions must be requested in writing to the Board and will be granted only in exigent circumstances.
- (3) For the purposes of Charter § 2603(h)(2):
 - (i) If the respondent submits a substantive written response to the Notice, the Board will review the response to determine whether there remains probable cause to believe that any alleged violation occurred and will either dismiss the enforcement action or sustain its initial determination of probable cause in whole or in part.
 - (ii) If the respondent does not submit a written response to the Notice or submits only a general denial of the allegations in the Notice, the Board's initial determination of probable cause will be deemed sustained.

(c) Referral to agency.

If the Board sustains its initial determination of probable cause against a respondent who is entitled to disciplinary rights as described in Charter § 2603(h)(2), the Board will notify the respondent's employing City agency in writing of the alleged facts and violations. After such a referral, the Board retains separate and continuing jurisdiction over the enforcement action.

- (1) If the agency does not pursue disciplinary action against the respondent, the Board will commence formal proceedings against the respondent.
- (2) If the agency pursues disciplinary action against the respondent, the Board may resolve the enforcement action by a joint settlement agreement with the respondent and agency or commence formal proceedings against the respondent.

(d) Representation by an attorney or other person.

- (1) If the respondent chooses to be represented by an attorney or any other person, the representative appearing for the respondent must submit a written and signed Notice of Appearance to the Board. The appearance of a member in good standing of the bar of a court of general jurisdiction of any state or territory of the United States will be indicated by the designation "Attorney for (person represented)." The appearance of any other person will be indicated by the designation "Representative for (person represented)." The Board will not accept a response from or discuss the details of an enforcement action with any attorney or other person who has not submitted a Notice of Appearance.
- (2) To withdraw from representation, the representative must submit a written notice of withdrawal to the Board, signed by the respondent or otherwise explaining the reason for withdrawal. An attorney who has submitted a Notice of Appearance may withdraw from representation only with consent of the respondent or when other cause exists, as delineated in the applicable provisions of the New York Rules of Professional Conduct.
- (3) A Notice of Appearance, withdrawal or substitution may be submitted to the Board at any time prior to commencement of formal proceedings. After the service of the Notice of Petition and Petition pursuant to Board Rules § 2-03(b)(1), the OATH Rules govern the procedures for a Notice of Appearance, withdrawal or substitution.

(e) Stay of an enforcement action.

To obtain a stay of an enforcement action prior to commencement of formal proceedings, the respondent must submit a written request to the Board for its review and approval. After the service of the Notice of Petition and Petition pursuant to Board Rules § 2-03(b)(1), the OATH Rules govern the procedures for a stay.

(f) Settlement.

- (1) At any time after the service of the Notice of Initial Determination of Probable Cause, an enforcement action may be resolved by settlement agreement in the form of a Public Disposition or Public Warning Letter.
 - (i) A Public Disposition must include an admission of the relevant facts; an acknowledgment that the admitted conduct violated a specific provision of the Conflicts of Interest Law, the Lobbyist Gift Law, the Affiliated Not-for-Profits Law, or the Legal Defense Trusts Law; and a penalty that addresses the admitted conduct.
 - (ii) A Public Warning Letter must include a statement of relevant facts, and a description of each violation of a specific provision of the Conflicts of Interest Law, the Lobbyist Gift Law, the Affiliated Not-for-Profits Law, or the Legal Defense Trusts Law.
- (2) The language and penalty of the proposed settlement agreement will be negotiated between the enforcement attorney and the respondent or the respondent's representative, if applicable. If the respondent requests that the respondent's employing City agency be a party to the settlement, the respondent must submit a signed waiver of confidentiality to the Board to allow the enforcement attorney to discuss the proposed settlement agreement with such agency.
- (3) If the enforcement attorney and the respondent reach a proposed settlement agreement, it will be reduced to writing and signed by the respondent, the respondent's representative, if applicable, and a representative of the respondent's employing City agency, if applicable. Any monetary penalty to be paid to the Board is due upon signing unless otherwise specified in the proposed settlement agreement. Monetary penalty payments will be held by the Board in escrow until the proposed settlement agreement is fully executed by the Board.
- (4) After receiving the full payment of any monetary penalty to be paid to the Board, the enforcement attorney will present the proposed settlement agreement to the Board for its review and approval.
 - (i) If the Board approves the proposed settlement agreement, the settlement agreement will be signed by the Board Chair. The fully-executed settlement agreement will be made public, but all underlying records, reports, memoranda, and files of the enforcement action will remain confidential in accordance with Charter § 2603(k).
 - (ii) If the Board does not approve the proposed settlement agreement, the Board may direct the enforcement attorney to seek modification of the penalty or the language in the settlement agreement. The modified proposed settlement agreement must be reviewed and approved by the Board.

§ 2-03 Formal Proceedings.(a) Designation of OATH.

For the purposes of Charter § 2603(h)(2), and in accordance with Charter § 1048, the Board designates OATH to conduct hearings in accordance with the OATH Rules, except as otherwise provided by these rules.

(b) Commencement of formal proceedings.

- (1) The Board will commence formal proceedings at OATH by serving a Notice of Petition and Petition by certified mail, return receipt requested, and first class mail, to the respondent's last known residential address or actual place of business and to the respondent's representative, if applicable. After service, the enforcement attorney will file the Notice of Petition and Petition with OATH and will provide OATH with potential dates for a settlement conference and potential dates for a hearing.
- (2) After the conference and hearing dates have been scheduled at OATH, the enforcement attorney will serve a Notice of Hearing by certified mail, return receipt requested, and first class mail, to the respondent's last known residential address or actual place of business and to the respondent's representative, if applicable.

(c) Ex Parte communications with the Board.

- (1) After service of the Notice of Petition and Petition pursuant to Board Rules § 2-03(b)(1), any Board attorney involved in the prosecution of the enforcement action may not communicate *ex parte* with any member of the Board or any attorney serving as counsel to the Board concerning the merits of the enforcement action, except as provided in paragraph (2) of this subdivision.
- (2) An enforcement attorney may communicate *ex parte* with members of the Board or an attorney serving as counsel to the Board with respect to ministerial matters involving the enforcement action; on consent of the respondent or respondent's representative; or if deemed necessary by the Board or by an attorney serving as counsel to the Board.

(d) Answer.

The respondent may serve and file a written answer to the Petition in accordance with the OATH Rules. The answer may contain specific responses, by admission, denial, or otherwise, to each allegation of the Petition and assert all affirmative defenses, if any. The respondent may include in the answer matters in mitigation. The answer must contain the full name, address, telephone number, and email address of the respondent. If the respondent is represented, the representative's name, address, telephone number and email address must also appear on the answer. The answer must be signed by the respondent or respondent's representative.

(e) Settlement.

At the OATH settlement conference, an enforcement action may be resolved by settlement agreement pursuant to Board Rules § 2-02(f).

(f) Hearing.

- (1) The enforcement attorney will have the burden of proof by a preponderance of the evidence.
- (2) The enforcement attorney will make an opening statement first, after which the respondent may make an opening statement.
- (3) The enforcement attorney will initiate the presentation of evidence. After the enforcement attorney has completed the presentation of the Board's evidence, the respondent may present evidence. The enforcement attorney may present rebuttal evidence.
- (4) The enforcement attorney will make a closing statement first, after which the respondent may make a closing statement.

(g) OATH report.

After a hearing has been conducted, OATH will issue a confidential report of its recommended findings of fact and conclusions of law and its recommended disposition of the enforcement action. OATH will send the report, along with the original transcript of the hearing and all documents introduced into the record, to the Board for review. OATH will send a copy of the report to the enforcement attorney and the respondent or respondent's representative, if applicable.

(h) Comment on OATH report.

Within twenty (20) days from the date of the OATH report, each party may submit a comment to the Board to explain, rebut, or provide information concerning OATH's recommended findings of fact, conclusions of law, and disposition. If either party submits a comment, the opposing party may submit to the Board a response to such comment within thirty (30) days from the date of the OATH report. Copies of all such submissions must be shared with the opposing party. The Board will not consider new evidence submitted in a comment or in a response to a comment.

(i) Final review by the Board.

For the purposes of Charter § 2603(h)(3), the Board will review the OATH report, along with the original transcript of the hearing and all documents introduced into the record, and any comments and responses to comments submitted to the Board pursuant to Board Rules § 2-03(h), to determine whether it has been proven by a preponderance of the evidence that the respondent violated a provision of the Conflicts of Interest Law, the Lobbyist Gift Law, the Affiliated Not-for-Profits Law, or the Legal Defense Trusts Law. In accordance with Board Rules § 2-03(c), any Board attorney involved in the prosecution of the enforcement action will not participate in the Board's final review.

(j) Board order finding a violation.

- (1) If the Board determines that it has been proven by a preponderance of the evidence that the respondent violated a provision of the Conflicts of Interest Law, the Lobbyist Gift Law, the Affiliated Not-for-Profits Law, or the Legal Defense Trusts Law, the Board will issue an order stating its final findings of fact and conclusions of law and imposing a penalty, except, if the respondent is a current Member or employee of the New York City Council, the Board will issue an order stating its final findings of fact and conclusions of law and recommending a penalty to the New York City Council. The order will include notice of the respondent's right to appeal to the New York State Supreme Court.

- (2) All orders of the Board will be made public. The Board may also make the OATH report public as part of its order, but all other underlying records, reports, memoranda, and files will remain confidential in accordance with Charter § 2603(k).
- (3) The order will be sent by first class mail to the respondent's last known residential address or actual place of business and to the respondent's representative, if applicable.
- (4) If the order imposes a monetary penalty, payment is due to the Board within thirty (30) days of the date of service. If the respondent does not pay the full monetary penalty amount, the Board will refer the matter to the New York City Law Department for collection.

(k) Board dismissal.

If the Board determines that it has not been proven by a preponderance of the evidence that the respondent violated any provision of the Conflicts of Interest Law, the Lobbyist Gift Law, the Affiliated Not-for-Profits Law, or the Legal Defense Trusts Law, the Board will issue a written decision that dismisses the enforcement action and states its final findings of fact and conclusions of law. The decision will be sent to the respondent and respondent's representative, if applicable, and will not be made public. All underlying records, reports, memoranda, and files will remain confidential in accordance with Charter § 2603(k).

**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: Procedural Rules for Enforcement Actions
REFERENCE NUMBER: 2019 RG 014
RULEMAKING AGENCY: Conflicts of Interest Board

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

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

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: May 22, 2019

**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: Procedural Rules for Enforcement Actions
REFERENCE NUMBER: COIB-8
RULEMAKING AGENCY: Conflicts of Interest Board

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

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

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

May 24, 2019
Date

Accessibility questions: Julia Lee (212) 437-0730, lee@coib.nyc.gov, by: Friday, July 19, 2019, 5:00 P.M.



SPECIAL MATERIALS

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS, PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 7/9/2019 to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
3	2349	107

Acquired in the proceeding entitled: Lower Concourse Neighborhood Waterfront Park subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

Scott M. Stringer
Comptroller

• j25- jy9

HUMAN RESOURCES ADMINISTRATION

■ NOTICE

In Advance of release of the RFP, DSS/HRA is issuing a concept paper which outlines the Action NYC program.

ActionNYC is New York City's Citywide, community-based immigration legal services program that provides access to immigration legal services and resources and builds capacity in the immigration legal services field. Through ActionNYC, immigrant New Yorkers receive free, safe, and high-quality immigration legal services in their community and in their language (either in-person or through telephonic interpretation). ActionNYC serves as the entry point for New Yorkers seeking City-supported immigration legal services. The program has introduced innovative approaches to build the City's ability to deliver immigration legal services through its citywide hotline, centralized appointment-making system, and accessible service locations, at nonprofit community-based organizations (CBO), New York City public schools, hospitals and libraries.

DSS/HRA and MOIA will jointly operate the program, for which they will issue an RFP seeking qualified nonprofit CBOs and nonprofit legal service providers to implement ActionNYC Citywide. Action NYC has previously been administered by DSS/HRA, MOIA, and the City University of New York (CUNY). With this procurement, DSS/HRA and MOIA will be the entities administering this program.

There are two Information Sessions scheduled (details below). The Information sessions will be held, at the dates and times indicated below.

The first date is July 10, 2019, at 10:00 A.M. – 12:00 P.M. The location is NYC Department of Social Services. The address is 150 Greenwich Street, 37th Floor, Bid Room, New York, NY 10007.

Please note security, at 150 Greenwich Street (4WTC) requires all visitors provide identification (with photo) to be admitted into the building. **To expedite security processing, please send an email to Accoprocurements@hra.nyc.gov, with the names of the individuals expected to attend from your organization no later than the day before the Information Session. Please include RSVP and title of the RFP in subject line of email.** Please arrive, at least fifteen (15) minutes early, to ensure adequate time for security procedures.

The second date is July 22, 2019, at 10:00 A.M. – 12:00 P.M. The location is Queens Public Library, at Flushing. The address is 41-17 Main Street, Flushing, NY 11355.

Participants will have the opportunity to provide feedback and ask

questions during Information Sessions. The concept paper has been posted on the Agency's website at: www.nyc.gov/hra/contracts.

Accessibility questions: pullov@dss.nyc.gov, by: Wednesday, July 10, 2019, 10:00 A.M.



j21-27

CHANGES IN PERSONNEL

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Education Admin.

DEPARTMENT OF PROBATION
FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Probation.

DEPARTMENT OF BUSINESS SERV.
FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Business Serv.

HOUSING PRESERVATION & DVLPMNT
FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Housing Preservation & Dvlpmnt.

HOUSING PRESERVATION & DVLPMNT
FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for Housing Preservation & Dvlpmnt.

DEPARTMENT OF BUILDINGS
FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Buildings.

DEPT OF HEALTH/MENTAL HYGIENE
FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV EFF DATE, AGENCY. Lists personnel changes for the Department of Health/Mental Hygiene.

Table with columns: NAME, LAST, FIRST, MIDDLE, ID, SALARY, ACTION, DATE, TIME, AGENCY. Lists various employees and their status changes.

Table with columns: NAME, LAST, FIRST, MIDDLE, ID, SALARY, ACTION, DATE, TIME, AGENCY. Continues list of employees and their status changes.

BUSINESS INTEGRITY COMMISSION FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists appointments for the Business Integrity Commission.

DEPARTMENT OF FINANCE FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists appointments for the Department of Finance.

DEPARTMENT OF TRANSPORTATION FOR PERIOD ENDING 05/17/19

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists appointments for the Department of Transportation.

LATE NOTICE

HOUSING AUTHORITY

SUPPLY MANAGEMENT

SOLICITATION

Goods

FABRIC GROUND COVER (GCB 6' X 300', LUMITE #78-242) - Competitive Sealed Bids - PIN#68577 - Due 7-10-19 at 12:00 P.M.

This is an RFQ for a Standard purchase order for FABRIC GROUND COVER. The awarded bidder/vendor agrees to provide FABRIC GROUND COVER within 10 days.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page...

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested.

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

Housing Authority, 90 Church Street, 6th Floor, Cubicle 6-758, New York, NY 10007. Aleksandr Karmanskiy (212) 306-4718; Fax (212) 306-5108; alexsandr.karmanskiy@nycha.nyc.gov



READER'S GUIDE

The City Record (CR) is published each business day. The Procurement section of the City Record is comprised of notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Notice of solicitations and other notices for most procurement methods valued at or above \$100,000 for goods, services, and construction must be published once in the City Record, among other requirements. Other procurement methods authorized by law, such as sole source procurements, require notice in the City Record for five consecutive editions. Unless otherwise specified, the agencies and offices listed are open for business Monday through Friday from 9:00 A.M. to 5:00 P.M., except on legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board Rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these

entities directly at the addresses given in the Vendor Information Manual.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women-Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City pays interest on all late invoices. However, there are certain types of payments that are not eligible for interest; these are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year: in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

CSB	Competitive Sealed Bidding including multi-step Special Case Solicitations/Summary of Circumstances:
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
CP/PQ/4	Demonstration Project
DP	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition
	<i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors
NA/11	Immediate successor contractor required due to termination/default
	<i>For Legal services only:</i>

NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (Client Services/CSB or CSP only)
WA1	Preventing loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only) anti-apartheid preference
OLB/a	local vendor preference
OLB/b	recycled preference
OLB/c	other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

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

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

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

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

SAMPLE NOTICE

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM

-Competitive Sealed Bids- PIN# 056020000293 - DUE 04-21-03 AT 11:00 A.M.

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

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

◀m27-30

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