



THE CITY RECORD

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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

STATEN ISLAND BOROUGH PRESIDENT

PUBLIC MEETING

Notice of public meeting of the Staten Island Borough Board Conference Room 122, Borough Hall - Stuyvesant Place, Staten Island, New York 10301, Wednesday, April 2, 2008 at 5:30 P.M.

m27-a2

BOARD OF STANDARDS AND APPEALS

PUBLIC HEARINGS

APRIL 15, 2008, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, April 15, 2008, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

546-70-BZ

APPLICANT - Kramer Levin Naftalis & Frankel LLP, River York Stratford LLC c/o Glenwood Management Corporation, owners.
SUBJECT - Application February 21, 2008 - Extension of Term (60(3) of the MDL to permit transient parking for the unused and surplus parking spaces, not to exceed 50 cars, for a term of 15 years, located in a R10 zoning district.
PREMISES AFFECTED - 1377-1391 York Avenue, West side of York Avenue between East 73rd and East 74th Streets, Block 1458, Lot 21, Borough of Manhattan.
COMMUNITY BOARD #8M

590-70-BZ

APPLICANT - Kramer Levin Naftalis & Frankel LLP, for East 85th Realty LLC c/o Glenwood Management Corporation, owners.
SUBJECT - Application February 21, 2008 - Extension of Term (60(3) of the MDL to permit transient parking for the unused and surplus spaces not to exceed 23 cars, for a term of 15 years, located in a R10 zoning district.
PREMISES AFFECTED - 1596-1608 York Avenue East side of York Avenue, between East 84th and East 85th Streets, Block 1581, Lot 49, Borough of Manhattan.
COMMUNITY BOARD # 8M

APPEALS CALENDAR

288-07-BZY & 289-07-BZY

APPLICANT - Anthony J. Tucci, Esq., for LT and

Development Corp., owner.

SUBJECT - Application December 21, 2007 - Extension of time (11-332) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on December 2005. R3-X PREMISES AFFECTED - 421 and 425 Burgher Avenue, bound by Burgher and Mason Avenue, Block 3361, Lots 27 and 25, Borough of Staten Island.
COMMUNITY BOARD #2SI

1-08-A thru 8-08-A

APPLICANT - Rampulla Associates Architects, for Bay Properties, owner.
SUBJECT - Application January 3, 2008 - Proposed construction of eight, one-family homes not fronting a legally mapped street contrary to Section 36 of the General City Law. R1-2 SRD, SGMD.
PREMISES AFFECTED - 65 & 69, 73, 77, 83, 87, 91, 93 Giegerich Avenue, west side 154.75' to Minerva Avenue, Block 7792, Lot 242 (ten. 286), Borough of Staten Island.
COMMUNITY BOARD #3SI

APRIL 15, 2008, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, April 15, 2008, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

269-06-BZ

APPLICANT - Joseph Margolis, for Bruno Salvo, owner.
SUBJECT - Application October 4, 2006 - Variance (§72-21) to permit the conversion of 11,000 sf of vacant space into retail/commercial space. The proposal is contrary to section 22-00. R3-2 district (South Richmond Special District).
PREMISES AFFECTED - 125 Greaves Lane, between Timber Ridge drive on the east and Greaves Lane on the west, Block 4645, Lot 425, Borough of Staten Island.
COMMUNITY BOARD #3SI

171-07-BZ

APPLICANT - Sheldon Lobel, P.C., for The Michael J. Tropp 2002 Revocable Trust, owners.
SUBJECT - Application June 18, 2007 - Special Permit (§73-622) to allow the Legalization of an enlargement to a single family residence which exceeds the allowable floor area, lot coverage and less than the minimum open space (23-141); less than the minimum required rear yard (23-47) less than the minimum side yards (23-461) in an R3-1 zoning district.
Previous BSA Special Permit (§73-622) 173-99-BZ was dismissed for lack of prosecution on September 24, 2002.
PREMISES AFFECTED - 167 Norfolk Street, located on east of Norfolk Street between Shore Boulevard and Oriental Boulevard, Block 8757, Lot 30, Borough of Brooklyn.
COMMUNITY BOARD #15BK

272-07-BZ

APPLICANT - Ellen Hay, Wachtel & Masyr, LLP, for Amsterdam & 76th Associates, owner; Equinox 76th Street, Inc., lessee.
SUBJECT - Application November 28, 2007 - Special Permit (§73-36) to allow the proposed Physical Culture Establishment on the cellar, ground, and second floors in a mixed-use building under construction. The proposal is contrary to section 32-10. C2-7A and C4-6A districts.

PREMISES AFFECTED - 344 Amsterdam Avenue, aka 205 West 76th Street, west side of Amsterdam Avenue between West 76th and West 77th Streets, Block 1168, Lot 30, Borough of Manhattan.
COMMUNITY BOARD #7M

23-08-BZ

APPLICANT - Sheldon Lobel, P.C., for Bokharian Communities Center, Inc., owner.
SUBJECT - Application February 1, 2008 - Variance (§72-21) to permit the construction of a community facility building (Use Group 4). The proposal is contrary to sections 24-10 and 25-30. R1-2 district.
PREMISES AFFECTED - 182-69 80th Road, located at the northwest corner of the intersection of 80th Road and Chevy Chase Street, Block 7248, Lot 44, Borough of Queens.
COMMUNITY BOARD #8Q

54-08-BZ

APPLICANT - Law Office of Fredrick A. Becker, for Esther Muller, owner.
SUBJECT - Application March 12, 2008 - Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary floor area and open space (23-141); rear yard (23-47) and side yard (23-461) in an R-2 zoning district.
PREMISES AFFECTED - 3199 Bedford Avenue, east side of Bedford Avenue, between Avenue J and K, Block 7607, Lot 15, Borough of Brooklyn.
COMMUNITY BOARD #14BK

Jeff Mulligan, Executive Director

a1-2

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, April 9, 2008, commencing at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1 WESTCHESTER AVENUE REZONING

CD 9 C 050172 ZMX
IN THE MATTER OF an application submitted by Westpark Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 4b changing from an R5 District to an R6 District property bounded by Westchester Avenue, a line 450 feet northeasterly of Pugsley Avenue, a line midway between Westchester Avenue and Newbold Avenue, and Pugsley Avenue, as shown on a diagram (for illustrative purposes only) dated January 7, 2008 and subject to the conditions of CEQR Declaration E-207.

Nos. 2 & 3 HUNTS POINT SPECIAL DISTRICT No. 2

CD 2 C 080247 ZRX
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, creating the Special Hunt's Point District in Article X, Chapter 8, and amending related sections of the Zoning Resolution, Community District 2, Borough of the Bronx.

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

* * *

11-12

Establishment of Districts

* * *

Establishment of the Special Hudson Yards District

* * *

Establishment of the Special Hunts Point District
In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 8, the #Special Hunts Point District# is hereby established.

Establishment of Special Limited Commercial District

* * *

12-10
DEFINITIONS

* * *

Special Hudson Yards District

* * *

The "Special Hunts Point District" is a Special Purpose District designated by the letters "HP" in which special regulations set forth in Article X, Chapter 8, apply to all #developments#. The #Special Hunts Point District# appears on the #zoning maps# superimposed on other districts and its regulations supplement and supersede those of the districts on which it is superimposed.

Special Limited Commercial District

* * *

Note: No underlining, all text is new in Article X, Chapter 8.

Article X - Special Purpose Districts
Chapter 8
Special Hunts Point District

108-00
GENERAL PURPOSES

The #Special Hunts Point District# established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Hunts Point community. These goals include, among others, the following specific purposes:

- (a) to provide a buffer of high-performance industrial and other commercial establishments around the residential area;
(b) to encourage the development of food related businesses and other compatible businesses;
(c) to create a transition between the Hunts Point Food Market and related businesses and the adjacent neighborhood;
(d) to retain jobs in New York City;
(e) to promote the development of retail businesses in the neighborhood;
(f) to provide an opportunity for the physical improvement of Hunts Point;
(g) to promote the most desirable use of land and thus conserve the value of land and buildings and thereby protect City tax revenues.

108-01
General Provisions

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Hunts Point District#, the provisions of this Chapter shall apply to all #developments# and #enlargements# within the #Special Hunts Point District#. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

108-02
District Plan and Maps

The District Plan for the #Special Hunts Point District# identifies specific areas comprising the Special District in which special zoning regulations are established in order to carry out the general purposes of the #Special Hunts Point District#.

These areas shall include the Residential Buffer and the Food Industry Subdistricts.

The District Plan includes the #Special Hunts Point District# Map located in Appendix A to this Chapter.

The map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter shall apply.

108-10
Use Regulations

108-11
Use Modifications in the Residential Buffer Subdistrict

- (a) In the #Special Hunts Point District#, the #use# regulations of the underlying M1-2 District within the Residential Buffer Subdistrict shall be modified to permit the following #uses:
From Use Group 3A
Libraries, museums or non-commercial art galleries
From Use Group 4A

- Clubs
Community centers, not including settlement houses
Non-commercial recreational centers
From Use Group 6A, with no limitation as to #floor area# per establishment
Food stores, including supermarkets, grocery stores, meat markets or delicatessen stores,
From Use Group 10A, with no limitation as to #floor area# per establishment
Carpet, rug, linoleum or other floor covering stores
Clothing or clothing accessory stores
Department stores
Dry goods or fabric stores
Furniture stores
Television, radio, phonograph or household appliance stores
Variety stores

- (b) In the #Special Hunts Point District#, Use Group 18 #uses# shall not be permitted in the underlying M1-2 District within the Residential Buffer Subdistrict, except that breweries, limited to 10,000 square feet of #floor area# per establishment, shall be permitted.

108-12
Use Modifications in the Food Industry Subdistrict
In the #Special Hunts Point District#, in the underlying M1-2 District within the Food Industry Subdistrict, #uses# listed in Section 42-15 (Use Group 18) shall not be permitted, except for the following:

- From Use Group 18A:
Beverages, alcoholic or breweries
Machinery, heavy, including electrical, construction, mining, or agricultural, including repairs
Metal or metal products, treatment or processing, including enameling, japanning, lacquering, galvanizing or similar processes
Plastic, raw Steel, structural products, including bars, girders, rails, wire rope or similar products

From Use Group 18B:

Refrigerating plants

108-13
Enclosure Regulations
In the #Special Hunts Point District#, all #uses# listed in Use Groups 16, 17 and 18 shall be located within completely enclosed #buildings#, except that building materials or contractors' yards, listed in Use Group 17, may be open or enclosed.

108-14
Applicability of Article V, Chapter 2 (Non-Conforming Uses)
In the #Special Hunts Point District#, a #non-conforming use# may be changed only to a #conforming use#.

The following sections pertaining to #non-conforming uses# in the #Special Hunts Point District# shall not apply:

- Section 52-32: (Land with Minor Improvements)
Section 52-33: (Manufacturing or Related Uses in Residence Districts), inclusive
Section 52-34: (Commercial Uses in Residence Districts)
Section 52-35: (Manufacturing or Related Uses in Commercial Districts)
Section 52-36: (Non-Conforming Commercial Uses in Commercial Districts)
Section 52-37: (Non-Conforming Commercial Uses in Manufacturing Districts)
Section 52-43: (C1 or C4 Districts)
Section 52-44: (Residence Districts Except R1 and R2 Districts)
Section 52-45: (Non-Conforming Residential Uses in M1 Districts)
Section 52-46: (Conforming and Non-conforming Residential Uses in M1-D Districts)
Section 52-54: (Buildings Designed for Residential Use in Residence Districts)
Section 52-56: (Multiple Dwellings in M1-D Districts)
Section 52-62: (Residential Buildings in M1-D Districts)
Section 52-72: (Land with Minor Improvements)
Section 52-731: (Advertising signs)
Section 52-732: (Signs on awnings or canopies)
Section 52-74: (Uses Objectionable in Residence Districts)
Section 52-75: (Certain Types of Uses Involving Open Storage or Salvage).

108-20
Modification of Parking Requirements in the Residential Buffer Subdistrict
In the Residential Buffer Subdistrict, parking shall be provided at the rate of 1 space per 300 square feet of #floor area# for food stores, including supermarkets, grocery stores, meat markets or delicatessen stores. #Cellar# space used for

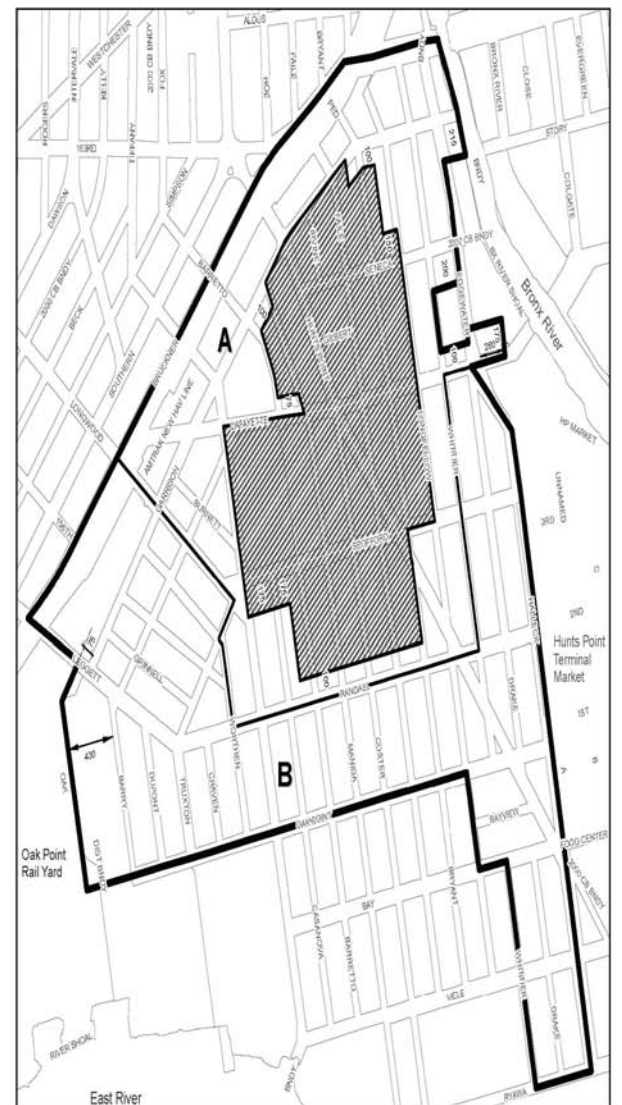
retailing shall be included for the purpose of calculating requirements for #accessory# off-street parking spaces and #accessory# off-street loading berths.

108-30
Street Tree Requirements

In the #Special Hunts Point District#, all #developments# or #enlargements# shall provide and maintain one #street# tree for every 25 feet of #street# frontage along the entire #street# length of the #zoning lot#. Such trees shall be of at least three-inch caliper at the time of planting and be placed at approximately equal intervals, except where the Department of Parks and Recreation determines that such tree planting would be unfeasible. All such trees shall be planted, maintained and replaced when necessary with the approval of and in accordance with the standards of the Department of Parks and Recreation.

APPENDIX A
Special Hunts Point District Map

* * *



Special Hunts Point District Boundary
Sub-District Boundary
Excluded Area
Residential Buffer Subdistrict (A)
Food Industry Subdistrict (B)

No. 3

CD 2 C 080248 ZMX
IN THE MATTER OF an application submitted by the Department of City Planning 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 M1-1 District to an R6 District property bounded by Seneca Avenue, Longfellow Avenue, a line 100 feet southerly of Seneca Avenue, and a line midway between Longfellow Avenue and Bryant Avenue;
2. changing from an M1-1 District to an M1-2 District property bounded by Bruckner Expressway and its westerly centerline prolongation, Pedestrian Street and its northeasterly centerline prolongation, Longfellow Avenue, a line 150 feet northerly of Seneca Avenue, a line midway between Longfellow Avenue and Bryant Avenue, a line 100 feet southerly and southeasterly of Garrison Avenue, a line midway between Bryant Avenue and Faile Street, Garrison Avenue, Manida Street, a line 100 feet southeasterly of Garrison Avenue, Barretto Street, a line 75 feet northerly of Lafayette Avenue, Manida Street, Lafayette Avenue, Tiffany Street, a line 175 feet southerly of Spofford Avenue, a line midway between Barretto Street and Casanova Street, a line 100 feet northerly of Randall Avenue, Bryant Avenue, Spofford Avenue, Longfellow Avenue, Lafayette Avenue, Edgewater Road, Halleck Street, East Bay Avenue and its easterly centerline prolongation, Longfellow Avenue, a line 300 feet northerly of Oak Point Avenue, Casanova Street, Randall Avenue, Worthen Street and its northwesterly centerline prolongation, and Bruckner Boulevard;
3. changing from an M2-1 District to an M1-2 District property bounded by Bruckner Expressway, a U.S. Pierhead and Bulkhead Line, a line 215 feet southerly of Garrison Avenue and its easterly prolongation, Edgewater Road, a line 200 feet southerly of Seneca Avenue, Whittier Street, a line 100 feet northerly of Lafayette Avenue, Edgewater

Road, a line 175 feet northerly of Lafayette Avenue, a line perpendicular to the northerly street line of Lafayette Avenue distance 260 feet easterly (as measured along the street line) from the point of intersection of the northerly street line of Lafayette Avenue and the easterly street line of Edgewater Road, Lafayette Avenue, a line midway between Whittier Street and Longfellow Avenue, Seneca Avenue, Longfellow Avenue, and Pedestrian Street and its northeasterly centerline prolongation;

4. changing from an M3-1 District to an M1-2 District property bounded by:

a. Worthen Street and its northwesterly of centerline prolongation, Randall Avenue, Casanova Street, a line 300 feet northerly of Oak Point Avenue, Longfellow Avenue, Oak Point Avenue and its westerly centerline prolongation, a line 430 feet westerly of Barry Street and its northerly prolongation, the southwestly prolongation of a line 75 feet northwesterly Garrison Avenue, the northwesterly centerline prolongation of Leggett Avenue, and Bruckner Boulevard; and

b. East Bay Avenue, Halleck Street, Viele Avenue, Halleck Street, Ryawa Avenue, and Whittier Street; and

5. establishing within an existing R6 District a C1-4 District bounded by:

a. Lafayette Avenue, Bryant Avenue, a line 75 feet southerly of Lafayette Avenue, and Faile Street; and

b. Hunt's Point Avenue, a line perpendicular to the easterly street line of Faile Street distance 400 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Faile Street and the southerly street line of Lafayette Avenue, a line 100 feet northeasterly of Hunt's Point Avenue, a line perpendicular to the northeasterly street line of Hunt's Point Avenue distance 270 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Hunt's Point Avenue and the westerly street line of Bryant Avenue, Hunt's Point Avenue, Spofford Avenue, a line 100 feet westerly of Faile Street, a line 100 feet southwestly of Hunt's Point Avenue, and Coster Street;

as shown on a diagram (for illustrative purposes only) dated January 7, 2008, and subject to the conditions of CEQR Declaration E-210.

**BOROUGH OF MANHATTAN
No. 4
52-54 WOOSTER STREET**

CD 2 C 070159 ZSM

IN THE MATTER OF an application submitted by Rocksprings Management Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a) of the Zoning Resolution to modify the use regulations of Section 42-10 to allow Use Group 2 uses (residential uses) on the 2nd through 6th floors, and Section 42-14(D)(2) to allow Use Group 6 uses (retail uses) on the ground floor of a proposed mixed use development on property located at 52-54 Wooster Street (Block 475, Lot 40), in an M1-5B District, within the Soho Cast-Iron Historic District. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, N.Y. 10007.

**BOROUGH OF QUEENS
No. 5
DOLLAR RENT-A-CAR GARAGE**

CD 3 C 060218 ZSQ

IN THE MATTER OF an application submitted by Dollar Thrifty Automotive Group pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 392 spaces including 40 accessory spaces and to allow some of such spaces to be located on the roof, on portions of the ground floor, cellar and roof of an existing 1-story garage building on property located at 22-61 94th Street (Block 1071, Lot 50).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**BOROUGH OF BROOKLYN
No. 6
NYS SUPREME COURT/APPELLATE DIVISION**

CD 2 N 080350 PXX

IN THE MATTER OF a Notice of Intent to acquire Office Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 1 Pierrepont Plaza (Block 239, Lot 1) (NYS Supreme Court, Appellate Division).

**BOROUGH OF MANHATTAN
No. 7
ASTHMA CENTER/DOHMH OFFICE SPACE**

CD 11 N 080351 PXM

IN THE MATTER OF a Notice of Intent to acquire Office

Space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 161-169 East 110th Street (Block 1638, Lots 28-31, 131) (Department of Health and Mental Hygiene, East Harlem Asthma Center).

**YVETTE V. GRUEL, Calendar Officer
City Planning Commission
22 Reade Street, Room 2E
New York, New York 10007
Telephone (212) 720-3370**

m27-a9

CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC MEETING

The Civilian Complaint Review Board's Monthly Public meeting has been scheduled for Wednesday, April 9th, 2008 at 10:00 A.M. at 40 Rector Street, 2nd Floor.

In addition, the Operations Committee will be meeting at 9:00 A.M. on the same day.

The agency's Executive Director Report will be available online on Friday, April 4th, 2008 at nyc.gov/ccrb.

a2-8

COMPTROLLER

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Municipal Building, One Centre Street, Room 650 Conference Room, on Friday, April 11, 2008 at 11:30 A.M. on the following item:

IN THE MATTER of a proposed contract between the Office of the Comptroller and Hay Group, Inc., Harborside Financial Center, 300 Plaza Ten, Jersey City, NJ 07311-4012 for the provision of ACTUARIAL AUDIT OF EMPLOYER CONTRIBUTIONS FOR FISCAL YEARS 2008 AND 2010, EXPERIENCE STUDIES OF DATA THROUGH JUNE 30, 2007 AND JUNE 30, 2009, AND RELATED REVIEW SERVICES and to serve as Independent Actuary under Section 96 of the New York City Charter.

The term of the contract will commence May 1, 2008 and will end April 30, 2012. The estimated cost of the contract is \$1,217,948, all of which will be paid with city funds. PIN#: 015-08ACC002.

The proposed contractor was selected pursuant to a competitive sealed proposal process in accordance with Section 3-03 of the PPB Rules.

A copy of the contract, or excerpts thereof, can be seen at the Office of the Comptroller, One Centre Street, Room 650, New York, New York 10007, Monday through Friday excluding Holidays commencing April 2, 2008 through April 11, 2008 between 10:00 A.M. - Noon and 1:30 P.M. - 4:30 P.M.

a2

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 3 - Monday, April 7, 2008 at 7:00 P.M., Restoration Plaza, 1968 Fulton Street, Brooklyn, NY

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter for the disposition of such property, to facilitate development of seven buildings, tentatively known as Madison/Putnam with approximately 48 residential units.

a1-7

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 2 - Thursday, April 3, 2008 at 7:00 P.M., Sunnyside Community Center, 43-31 39th Street, 2nd Floor, Sunnyside, NY

Street conversion of Barnett Avenue to a one-way westbound from Woodside Avenue to 39th Avenue, and request for speed bumps to be placed at following locations.

IN THE MATTER OF an application for a dual street renaming a.k.a. William D. Modell Way at the southeast and southwest corners of Jackson Avenue and Queens Boulevard.

BSA# 238-07-BZ

IN THE MATTER OF an application submitted by Howard Goldman, LLC for O'Connor Capital Partners for a variation from the requirements of the Zoning Resolution so as to allow a 13-story residential building contrary to regulations. A CUNY graduate center project is proposed for a student dormitory and faculty housing at 5-11 47th Avenue for a variation from the requirements of the zoning.

m28-a3

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

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 12 - Wednesday, April 2, 2008 at 7:00 P.M., 711 West 168th Street, (enter on Haven Avenue), New York, NY

070221ZMM

Application submitted to the Department of City Planning which seeks to establish a C1-4 commercial district in an existing R7-2 residential district (4640/4646 Broadway and Ellwood).

m27-a2

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Monday, April 7, 2008, 7:30 P.M., M.S. 158, 46-35 Oceania Street, Bayside, NY

#41-08-BZ

An application to the New York City Board of Standards and Appeals for a special permit to install a non-accessory radio tower and related equipment at 64-35 223rd Place, Bayside, Queens.

A proposal to rename the southwest corner of Union Turnpike and Bell Boulevard in memory of Dr. Gerald M. Misher, DDS.

A proposal to rename Crocheron Park Ball Field #5 in memory of Harold Marks.

a1-7

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 14 - Thursday, April 3, 2008 at 7:15 P.M., 810 East 16th Street, (between Avenue H and Railroad Dead End), Brooklyn, NY

BSA# 36-08-BZ/44-08-BZ/54-08-BZ

Special Permits

Applications for special permits have been filed with the Board of Standards and Appeals (BSA), pursuant to Zoning Resolution of the City of New York Section 73-622, to enlarge single or two-family detached or semi-detached residences within the designated R2 district.

Potential Community Residence

Ohel Bais Ezra Community Residence Program and the New York State Office of Mental Retardation and Developmental Disabilities have submitted an application for a potential community residence to be located at 2722 Avenue M between East 27th and East 28th streets within Community District 14.

Potential Community Residence

Ohel Bais Ezra Community Residence Program and the New York State Office of Mental Retardation and Developmental Disabilities have submitted an application for a potential community residence to be located at 748 Ocean Parkway between Foster Avenue and Parkville Avenue within Community District 14.

m28-a3

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

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 1 - Thursday, April 3, 2008 at 8:00 P.M., 1 Edgewater Plaza, Suite 217, Staten Island, NY

Agenda

N 080231ZAR - 130 Montgomery Avenue

An application has been submitted to authorize a four-story mixed-use office and residential building in the Special Hillside Preservation District.

N 080270ZAR - 200 Clinton Avenue

An application has been submitted to authorize expansion of the existing gymnasium building in the Special Hillside Preservation District (St. Peter's Boys High School).

N 080329ZAR and N 080330ZAR

An application has been submitted to authorize two residential buildings with a total of 116 one and two-bedroom apartments, 170-parking spaces and 35,000 sq. ft. of commercial space located at the corners of Stuyvesant Place, Hamilton Avenue.

m28-a3

CONSUMER AFFAIRS

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, PURSUANT TO LAW, that the New York City Department of Consumer Affairs will hold a Public Hearing on Wednesday April 2, 2008, at 2:00 P.M., at 66 John Street, 11th Floor, in the Borough of Manhattan, on the following petitions for sidewalk café revocable consent:

- 1337 Third Avenue, LLC
1337 Third Avenue, in the Borough of Manhattan (To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)

2. 136 West Broadway Inc.
136 West Broadway, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
3. 1431 Restaurant, Inc.
1435 Second Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
4. 160 Bistro, Inc.
160 Seventh Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
5. 1616 Second Avenue Rest. Inc.
1616 Second Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
6. 166 Park Inc.
166 Dekalb Avenue, in the Borough of Brooklyn
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
7. 2898 Bagel & Bakery Corp.
2897 Broadway, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
8. 611 Hudson Street Corp.
611 Hudson Street, in the Borough of Manhattan
(To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
9. Abbey Restaurant, Inc.
111 East 29 Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
10. Ark 474 Corp.
474 Columbus Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
11. Aventura Restaurant LLC.
348 1 Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
12. Bread of Life, LLC.
1712 Second Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
13. Broadway Desserts, Ltd.
2340 Broadway, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
14. Claudisal Rest. Corp.
206 Thompson Street, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
15. Coffee Place Corp.
1223 Quentin Road, in the Borough of Brooklyn
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
16. Cup Café NY LLC.
78-82 Reade Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
17. Four Green Fields LLC
140 Seventh Avenue South, in the Borough of Manhattan
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
18. Friends Tri New York Inc.
145 East 13 Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
19. GJ & P Restaurant Inc.
3151 East Tremont Avenue, in the Borough of The Bronx
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
20. IL Commandatore Restaurant Inc.
127 Mulberry Street, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
21. Ixtoc, LLC
177 Vanderbilt Avenue, in the Borough of Brooklyn
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
22. Jo-Rach Inc.
148 Mulberry Street, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
23. La Mela Ristorante Italiano Inc.
167-171 Mulberry Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
24. Lekkas Restaurant Corporation
322 Seventh Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)

25. Lucifer Restaurant LLC.
401 East 20 Street, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
26. Midwest Tomato, Inc.
859 Ninth Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
27. MRG Restaurant Corp.
122 Mulberry Street, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
28. P M W Inc.
62 Spring Street, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
29. PQ 550 Hudson Inc.
550 Hudson Street, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
30. Relios Restaurant Inc.
600 East 14 Street, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
31. Romanos Famous Pizza Corp.
32-21 Broadway, in the Borough of Queens
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
32. Shannon Café LLC.
951 Second Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
33. Smithfield Associates LLC
9-19 Ninth Avenue, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
34. Stivale 77 Corp.
1477 Second Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
35. Ten Eleven Holdings L.L.C.
142 Franklin Street, in the Borough of Brooklyn
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
36. Tenzan II New York Corp.
1714 Second Avenue, in the Borough of Manhattan
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
37. TSM Restaurant LLC
524 Court Street, in the Borough of Brooklyn
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
38. Xing Hao Inc.
496 La Guardia Place, in the Borough of Manhattan
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)

Individuals requesting Sign Language Interpreters should contact the Department of Consumer Affairs, Legal Division, 42 Broadway, 9th Floor, New York, NY 10004, (212) 487-4422, no later than five (5) business days before the hearing.

a2

LABOR RELATIONS

DEFERRED COMPENSATION PLAN BOARD

MEETING

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Wednesday, April 2, 2008 from 10:00 A.M. to 1:00 P.M. The meeting will be held at 40 Rector Street, 3rd Floor, NYC.

m31-a2

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on Tuesday, April 15, 2008 at 9:30 PM, at the Landmarks Preservation Commission will conduct a *continued public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Historic District. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEMS TO BE HEARD

PUBLIC HEARING ITEM NO. 1
LP-2297

Public Hearing Continued from March 18, 2008
(FORMER) SOCIETY OF CIVIL ENGINEERS CLUBHOUSE, 220 West 57th Street aka 218-222 West 57th Street, Borough of Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 1028, Lot 42

m28-a15

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 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on **Tuesday, April 08, 2008** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 08-5018 - Block 8047, lot 24-248 Hollywood Avenue - Douglaston Historic District
A vernacular Colonial Revival style freestanding house built in 1966. Application is demolish the existing house and to construct a new house. Zoned R1-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 08-5815 - Block 8037, lot 1-300 Beverly Road - Douglaston Historic District
An English Cottage style house constructed in 1937 and designed by Edwin Kline. Application is to legalize the replacement of a driveway gate and the relocation of brick posts without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-1861 - Block 2566, lot 25-120 Milton Street - Greenpoint Historic District
A Second Empire style house built in 1867-68. Application is to legalize the installation siding and windows without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-6905 - Block 258, lot 17-20-34 Joralemon Street - Brooklyn Heights Historic District
A group of eclectic style brick apartment houses with a central courtyard designed by Alfred White and built in 1890. Application is to construct a garage and park space within the courtyard. Zoned LH1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-2499 - Block 235, lot 17-147 Willow Street - Brooklyn Heights Historic District
An Eclectic-Diverse (Eastlake) style rowhouse built between 1861 and 1879. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-6151 - Block 5202, lot 24-564 East 17th Street - Ditmas Park Historic District
A Colonial Revival style residence designed by Arlington D. Isham and built in 1905. Application is to install a bay window and enlarge a rear dormer.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 08-6907 - Block 948, lot 10-157 6th Avenue - Park Slope Historic District
A neo-Grec style rowhouse built in 1884. Application is to construct a bulkhead and modify window openings at the rear facade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6561 - Block 484, lot 17-503-511 Broadway - SoHo-Cast Iron Historic District
Three store buildings designed by J. B. Snook and built in 1878-79. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6497 - Block 511, lot 16-600-602 Broadway, aka 134-136 Crosby Street - SoHo-Cast Iron Historic District
A store building designed by Samuel A. Warner and built in 1883-84. Application is to paint the facades, install storefront infill and HVAC equipment, modify a loading dock, and for interior alterations behind the windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6082 - Block 607, lot 45-469 6th Avenue - Greenwich Village Historic District
A Greek Revival style rowhouse designed by William Hurry and built in 1842. Application is to install storefront infill, windows, and a cornice.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-4674 - Block 613, lot 6-277 West 4th Street - Greenwich Village Historic District
A brick building built in 1827 and altered in the late 19th century. Application is to install new storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-6560 - Block 641, lot 36-777 Washington Street - Greenwich Village Historic District
An industrial building designed by Joshua Tabatchnik and built in 1948. Application is to enlarge an existing rooftop addition, alter the fenestration pattern, and replace windows. Zoned C4-4A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-5419 - Block 722, lot 10-451 West 21st Street House - Individual Landmark A transitional Greek Revival/Italianate style rowhouse built in 1849-50. Application is to construct a rear yard addition and new rear facade. Zoned R7B.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 08-6392 - Block 1269, lot 30-

678 Fifth Avenue - St. Thomas Church and Parish House- Individual Landmark

A French Gothic style church and parish house, designed by Cram, Goodhue, and Ferguson and built in 1909-14.

Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to a Modification of Bulk pursuant to Section 74-711 of the Zoning Resolution.

MODIFICATION OF USE AND BULK

BOROUGH OF MANHATTAN 08-6382 - Block 1270, lot 34-1 West 54th Street - The University Club- Individual Landmark

An Italian Renaissance style clubhouse designed by McKim, Mead and White and built in 1899. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to a Modification of Bulk pursuant to Section 74-79 of the Zoning Resolution.

ADVISORY REPORT

BOROUGH OF MANHATTAN 08-6734 - Block 1111, lot 1-Central Park Zoo - Central Park - Scenic Landmark

A menagerie remodeled as a zoo, by Robert Moses in 1936, within an English Romantic style public park designed by Olmsted and Vaux in 1856. Application is to construct a new stable building and install fencing adjacent to the zoo parking lot.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-3456 - Block 1244, lot 40-309 West 80th Street - Riverside Drive-West 80th-81st Street Historic District

A neo-Gothic/Renaissance style rowhouse building designed by Charles H. Israels and built in 1894. Application is to construct a rooftop and rear yard additions. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 08-5824 - Block 1196, lot 137-6 West 83rd Street - Upper West Side/Central Park West Historic District

A neo-Grec style rowhouse designed by Christian Blinn and built in 1881-1882. Application is to construct a rear yard addition. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 05-5785 - Block 2059, lot 56-464 West 145th Street - Hamilton Heights Historic District Extension

A Renaissance Revival style rowhouse built in 1897. Application is to legalize the installation of an awning without Landmarks Preservation Commission permits.

m26-a8

TRANSPORTATION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, April 9, 2008. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9 South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing Hutch Metro Center I LLC to construct, maintain and use a force main, together with a manhole, under and along Waters Place, between Waters Avenue and Eastchester Road, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

-\$9,605/annum

For the period July 1, 2008 to June 30, 2009 - \$ 9,879
For the period July 1, 2009 to June 30, 2010 - \$10,153
For the period July 1, 2010 to June 30, 2011 - \$10,427
For the period July 1, 2011 to June 30, 2012 - \$10,701
For the period July 1, 2012 to June 30, 2013 - \$10,975
For the period July 1, 2013 to June 30, 2014 - \$11,249
For the period July 1, 2014 to June 30, 2015 - \$11,523
For the period July 1, 2015 to June 30, 2016 - \$11,797
For the period July 1, 2016 to June 30, 2017 - \$12,071
For the period July 1, 2017 to June 30, 2018 - \$12,345

the maintenance of a security deposit in the sum of \$12,400, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing 16 Lincoln Square LLC to continue to maintain and use an accessibility ramp on the south sidewalk of West 61st Street, between Broadway and Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From July 1, 2008 to June 30, 2018 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000.00, and the filing of an insurance policy in the minimum amount of \$500,000/\$2,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$200,000.

#3 In the matter of a proposed revocable consent authorizing 112-116 LLC to continue to maintain and use a cellar stair on the south sidewalk of West 17th Street, West of Seventh Avenue, in the Borough of Manhattan. The proposed

revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018, and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$1,112
For the period July 1, 2009 to June 30, 2010 - \$1,143
For the period July 1, 2010 to June 30, 2011 - \$1,174
For the period July 1, 2011 to June 30, 2012 - \$1,205
For the period July 1, 2012 to June 30, 2013 - \$1,236
For the period July 1, 2013 to June 30, 2014 - \$1,267
For the period July 1, 2014 to June 30, 2015 - \$1,298
For the period July 1, 2015 to June 30, 2016 - \$1,329
For the period July 1, 2016 to June 30, 2017 - \$1,360
For the period July 1, 2017 to June 30, 2018 - \$1,391

the maintenance of a security deposit in the sum of \$1,800, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing 4C Food Corporation to continue to maintain and use a conveyor bridge over and across Logan Street, between Linden Boulevard and Stanley Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018, and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$ 9,469
For the period July 1, 2009 to June 30, 2010 - \$ 9,731
For the period July 1, 2010 to June 30, 2011 - \$ 9,993
For the period July 1, 2011 to June 30, 2012 - \$10,255
For the period July 1, 2012 to June 30, 2013 - \$10,517
For the period July 1, 2013 to June 30, 2014 - \$10,779
For the period July 1, 2014 to June 30, 2015 - \$11,041
For the period July 1, 2015 to June 30, 2016 - \$11,303
For the period July 1, 2016 to June 30, 2017 - \$11,565
For the period July 1, 2017 to June 30, 2018 - \$11,827

the maintenance of a security deposit in the sum of \$50,000, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#5 In the matter of a proposed revocable consent authorizing Cadman Towers, Inc. to continue to maintain and use a pedestrian bridge, together with pipes, over and across Clark Street, west of Cadman Plaza West, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018, and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2009 - \$ 8,496
For the period July 1, 2009 to June 30, 2010 - \$ 8,731
For the period July 1, 2010 to June 30, 2011 - \$ 8,966
For the period July 1, 2011 to June 30, 2012 - \$ 9,201
For the period July 1, 2012 to June 30, 2013 - \$ 9,436
For the period July 1, 2013 to June 30, 2014 - \$ 9,671
For the period July 1, 2014 to June 30, 2015 - \$ 9,906
For the period July 1, 2015 to June 30, 2016 - \$10,141
For the period July 1, 2016 to June 30, 2017 - \$10,376
For the period July 1, 2017 to June 30, 2018 - \$10,611

the maintenance of a security deposit in the sum of \$10,700, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#6 In the matter of a proposed revocable consent authorizing Valhalla II Condominium to construct, maintain and use snow melting conduits, in the north sidewalk of West 15th Street, west of Avenue of the Americas, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- \$ 2,803/annum

For the period July 1, 2008 to June 30, 2009 - \$ 2,883
For the period July 1, 2009 to June 30, 2010 - \$ 2,963
For the period July 1, 2010 to June 30, 2011 - \$ 3,043
For the period July 1, 2011 to June 30, 2012 - \$ 3,123
For the period July 1, 2012 to June 30, 2013 - \$ 3,203
For the period July 1, 2013 to June 30, 2014 - \$ 3,283
For the period July 1, 2014 to June 30, 2015 - \$ 3,363
For the period July 1, 2015 to June 30, 2016 - \$ 3,443
For the period July 1, 2016 to June 30, 2017 - \$ 3,523
For the period July 1, 2017 to June 30, 2018 - \$ 3,603

the maintenance of a security deposit in the sum of \$3,600, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed revocable consent authorizing Terrapin Industries, LLC to construct, maintain and use snow melting conduits in the north sidewalk of West 15th Street, west of Avenue of the Americas, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

- \$ 2,803/annum

For the period July 1, 2008 to June 30, 2009 - \$2,883
For the period July 1, 2009 to June 30, 2010 - \$2,963
For the period July 1, 2010 to June 30, 2011 - \$3,043
For the period July 1, 2011 to June 30, 2012 - \$3,123
For the period July 1, 2012 to June 30, 2013 - \$3,203
For the period July 1, 2013 to June 30, 2014 - \$3,283

For the period July 1, 2014 to June 30, 2015 - \$3,363
For the period July 1, 2015 to June 30, 2016 - \$3,443
For the period July 1, 2016 to June 30, 2017 - \$3,523
For the period July 1, 2017 to June 30, 2018 - \$3,603

the maintenance of a security deposit in the sum of \$3,600, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

m19-a8

COURT NOTICES

SUPREME COURT

NOTICE

RICHMOND COUNTY IA PART 74 AMENDED NOTICE OF ACQUISITION INDEX NUMBER (CY) 4021/06

IN THE MATTER OF APPLICATION of the CITY OF NEW YORK, relative to acquiring title in fee simple absolute to certain real property where not heretofore acquired for the

SWEET BROOK BLUEBELT EXPANSION, ALONG GRANTWOOD AVENUE, FROM ANNADALE ROAD TO DRUMGOOLE ROAD EAST,

within the area generally bounded by Wolcott Avenue, Annadale Road, Grantwood Avenue, and Richmond Parkway, in the Borough of Staten Island, City and State of New York.

PLEASE TAKE NOTICE, that by order of the Supreme Court of the State of New York, County of Richmond, IA Part 74 (Hon. Abraham G. Gerges, J.S.C.), duly entered in the office of the Clerk of the County of Richmond on November 27, 2006, the application of the City of New York to acquire certain real property, for the SWEET BROOK BLUEBELT EXPANSION, ALONG GRANTWOOD AVENUE, FROM ANNADALE ROAD TO DRUMGOOLE ROAD EAST, was granted and the City was thereby authorized to file an acquisition map with the Office of the Clerk of Richmond County. Said map, showing the property acquired by the City, was filed with the Clerk of Richmond County on November 27, 2006. Title to the real property vested in the City of New York on November 27, 2006.

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

Damage Parcel	Block	Lot
1, 1A & 1B	5658	1
2, 2A, 2B, 2C, 2D & 2E	5658	14
3, 3A, 3B & 3C	5658	60
4, 4A & 4B	5658	101
5, 5A & 5B*	5658	Part of lot 105
6		Bed of Orchard Street
7		Bed of Filer Street

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 is hereby required, on or before November 27, 2007 (which is one (1) calendar year from the title vesting date), to file a written claim with the Clerk of the Court of Richmond 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, New York 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.

* The Notice of Acquisition was amended to reflect that Damage Parcel 5C has been excluded from this proceeding

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, New York 10007 on or before November 27, 2008 (which is two (2) calendar years from the title vesting date).

Dated: March 17, 2008, New York, New York
MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
100 Church Street
New York, New York 10007
Tel. (212) 788-0710

m25-a7

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 08001-S AND 08001-T

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on April 2, 2008 (SALE NUMBER 08001-T). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: THE AUCTION SCHEDULED FOR WEDNESDAY, MARCH 19, 2008 (SALE NUMBER 08001-S), HAS BEEN CANCELLED.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our Web site, on the Friday prior to the sale date at:

<http://www.nyc.gov/auctions>

Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

m17-a2

POLICE

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

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
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.

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):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * 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.

j1-d31

■ AUCTION

PUBLIC AUCTION SALE NUMBER 1129

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is April 7, 2008 from 10:00 A.M. - 2:00 P.M. Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on April 8, 2008 at approximately 9:00 A.M. Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

m26-a8

TAXI AND LIMOUSINE COMMISSION

■ NOTICE

SALE OF TAXICAB MEDALLIONS

NOTICE IS GIVEN THAT the New York City Taxi and Limousine Commission is holding three auctions of new taxicab licenses ("medallions").

NOTICE IS GIVEN THAT the New York City Taxi and Limousine Commission is offering for sale 1 new taxicab medallion set aside exclusively for use with a vehicle accessible to a passenger using a wheelchair (hereafter referred to as "accessible medallions"). This medallion will be sold as an independent medallion in a lot of one medallion (the "independent accessible medallion").

NOTICE IS GIVEN THAT the New York City Taxi and Limousine Commission is offering for sale 2 new medallions set aside exclusively for use with a vehicle powered by compressed natural gas (CNG) or a hybrid electric vehicle (hereafter referred to as "alternative fuel medallions"). These medallions will be sold as independent medallions in lots of one medallion (the "independent alternative fuel medallions").

NOTICE IS GIVEN THAT the New York City Taxi and Limousine Commission is offering for sale 86 new accessible medallions. These medallions will be sold as minifleet medallions in lots of two medallions (the "minifleet accessible medallions"). All such sales collectively will maintain the ratio of independent to minifleet medallions in accordance with the ratios established by the Administrative Code of the City of New York.

Sealed bids for the independent accessible medallion, independent alternative fuel medallions, and minifleet accessible medallions may be submitted only from 9:00 A.M. until 12:00 noon daily, from Monday April 28, 2008 through Thursday, May 1, 2008, at the New York City Taxi and Limousine Commission, 5th Floor, 40 Rector Street, New York, NY 10006. Bids must be delivered by hand on these dates during these hours only. THE DEADLINE FOR RECEIPT OF SEALED BIDS IS 12:00 NOON ON THURSDAY MAY 1, 2008. Bids received after the bid closing time will not be accepted or opened. BIDS WILL NOT BE ACCEPTED BY MAIL. As to each bid for any of the independent accessible medallion, the independent alternative fuel medallions and the minifleet accessible medallions made in the auctions therefor:

- Each sealed bid must be accompanied by a deposit and commitment letter for eighty percent (80%) of the purchase price, and otherwise be in conformance with the TLC's bidding instructions, as set forth in 35 RCNY Chapter 13. The rules, bidding procedures and bid forms may be obtained on the Taxi and Limousine Commission website: <http://www.nyc.gov/taxi>. Copies of the rules may also be obtained by calling 311 or by visiting the Commission at 40 Rector Street, New York, NY 10006.

The bids in respect of the auctions of the independent accessible medallion, the independent alternative fuel

medallions, and the minifleet accessible medallions shall be opened in public, commencing at 9:00 A.M. on May 2, 2008 at 40 Rector Street, 6th Floor, New York, NY 10006.

If you wish to attend the bid opening, and require the services of a sign language interpreter or other accommodation, please contact the Taxi and Limousine Commission at (212) 227-6324 by Thursday, April 24, 2008 to request such accommodation.

FOR MORE INFORMATION CONCERNING THE SALES OR TO OBTAIN A BIDDER'S PACKAGE CALL 311 OR VISIT THE TLC'S WEBSITE AT WWW.NYC.GOV/TAXI.

Pursuant to the Rules of the Commission, the Chairperson has determined that the following number of highest non-winning bids in the auction for each of the following types of medallions shall be accorded reserve status:

- Independent accessible medallions, the 3 highest non-winning bids;
- Independent alternative fuel medallions, the 5 highest non-winning bids;
- Minifleet accessible medallions, the 15 highest non-winning bids.

Reserve status bids in any auction may be converted to winning bids upon the failure of any winning bidder in that auction to comply with the requirements of the Rules of the Commission. In the event that a reserve status bid is converted to a winning bid, the holder of such reserve status bid shall be so notified, and the date of notification shall be deemed the date of bid opening for purposes of calculating such holder's deadlines under the Rules.

Pursuant to the Rules of the Commission, the Chairperson has not yet established the minimum upset bid prices for the auctions of the medallions. Upset prices will be published when established.

In the event that there are tie bids for either possible winning bids or possible reserve status bids or both in any auction, drawings will be held to decide such ties at the bid opening.

These auctions of medallions are held pursuant to, and governed by, the provisions of Section 19-532 of the Administrative Code of the City of New York and Chapter 13 of the Rules of the Taxi and Limousine Commission, which control notwithstanding anything to the contrary which may appear in this notice or the promotional materials prepared in connection with the auction. Any prospective bidder is urged to consult the provisions of the Administrative Code and the Rules of the Taxi and Limousine Commission.

m31-a4



New Today...

first time procurement ads appearing today!

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. As part of this effort, the City is pleased to announce the following contracting opportunities for construction/construction services and construction-related services.

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AWARDS

Goods

BIO HEAT - Competitive Sealed Bids - PIN# 857800089 - AMT: \$23,038,290.00 - TO: Metro Fuel Oil Corp., 500 Kingsland Avenue, Brooklyn, NY 11222.

● TRUCK, FUEL TANK 4,400 GALLON - Competitive Sealed Bids - PIN# 857800481 - AMT: \$2,985,672.97 - TO: Mack Trucks, Inc., 2100 Mack Blvd., Allentown, PA 18105-5000.

a2

HEALTH AND HOSPITALS CORPORATION

■ SOLICITATIONS

Goods & Services

GENERAL CONSTRUCTION - Competitive Sealed Bids - PIN# 231-08-071 - DUE 04-23-08 AT 10:00 A.M. - Remove brick wall, excavate, furnish and install handrails, etc. at Woodhull Medical and Mental Health Center, Engineering Department.

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.

Cumberland Diagnostic and Treatment Center, Rm. C-39, 100 North Portland Avenue, Brooklyn, NY 11205, (718) 260-7686, Millicent.Thompson@nychhc.org

a2

Construction Related Services

PAINT AND SUPPORT (CONSTRUCTION RELATED SERVICES) - Competitive Sealed Bids - PIN# 231-08-072 - DUE 04-24-08 AT 10:00 A.M. - For Woodhull Medical and Mental Health Center.

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

Cumberland Diagnostic and Treatment Center, Rm. C-39, 100 North Portland Avenue, Brooklyn, NY 11205, (718) 260-7694, deborah.royster@woodhullhc.nychhc.org

a2

Services (Other Than Human Services)

METROPLUS GOLD NEWSLETTER - Request for Proposals - PIN# 100912R053 - DUE 04-30-08 AT 4:00 P.M.

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

Health and Hospital Corporation, 160 Water Street, 3rd Floor New York, NY 10038. Kathleen Nolan (212) 908-8730 nolank@nychhc.org

a2

MATERIALS MANAGEMENT

■ SOLICITATIONS

Goods

NAPKINS, PAPER TOWELS AND TISSUE WIPES - CSB - PIN# 011080280041 - DUE 04-24-08 AT 10:00 A.M.
● ALUMINUM FOIL PANS AND COVERS - CSB - PIN# 011080280042 - DUE 04-24-08 AT 10:30 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.

Health & Hospitals Corp., Division of Materials Management, 346 Broadway, Suite 516, NY, NY 10013-3990.

a2

HOUSING PRESERVATION & DEVELOPMENT

■ AWARDS

Human / Client Service

ANTI-ILLEGAL EVICTION AND SRO LEGAL SERVICES - BP/City Council Discretionary - PIN# 806088070096 - AMT: \$163,963.00 - TO: The Legal Aid Society-Brooklyn Office for the Aging, 199 Water Street, 6th Floor, New York, NY 10038.

a2

renew. The anticipated maximum average annual funding available for each contract will be \$1,067,000, excluding start-up costs. Proposed start-up costs will be considered in addition to the proposed annual line item budget. Greater consideration will be given to applicants offering more competitive prices.

If your organization is interested in being considered for award of the subject contract, please hand deliver a written expression of interest addressed to my attention at 110 William Street, 13th Floor, New York, NY 10038. The expression of interest should specifically address the following:

1. Indicate each program facility for which the vendor is submitting.
2. Describe each proposed facility, its location, and proposed date of operation.
3. Attach appropriate documentation demonstrating the current use of each proposed facility and the vendor's site control of the facility for a period of at least 3 years.
4. For each proposed facility,
 - a) Indicate the number of beds to be provided and demonstrate that the facility has the capacity to provide the indicated number of beds.
 - b) Demonstrate that the facility will be appropriately equipped to provide services for male or female youth.
5. Demonstrate the vendor's organizational capability to:
 - a) Provide the indicated number of beds at each proposed facility. (If the vendor is a current provider, also demonstrate the capability to provide the indicated number of beds in addition to those already provided.)
 - b) Ensure that each proposed facility will be fully operational by required date in accordance with the applicable regulations promulgated by the New York State Office of Children and Family Services (NYS OCFS), 9 N.Y.C.R.R. Section 180 et seq.
6. Demonstrate the quantity and quality of the vendor's successful relevant experience.
7. Attach for each proposed facility three-year annual line item operating budget. Include staffing details. Proposed start up costs should be included in addition to the proposed three-year annual line item operating budget.

All expressions of interest received in the manner set forth will be reviewed to determine if they are responsive to the material requirements of this solicitation. Expressions of interest determined to be non-responsive will not be further considered. Expressions of interest determined to be responsive will be considered in terms of the following factors:

- Appropriateness of each proposed facility.
- Demonstrated site control of each proposed facility.
- Demonstrated level of organizational capability to provide the proposed number of beds and to ensure that each proposed facility is fully operational by the applicable requisite date.
- Demonstrated quantity and quality of successful relevant experience.
- Annual budget amount and cost effectiveness of the budget.

The Department will enter into negotiations with the vendor(s) determined to be the best qualified at the time of evaluation, based on consideration of the above-cited factors. A contract will be awarded to the responsible vendor(s) whose offer(s) is/are determined to be the most advantageous to the City, taking into consideration the price and the other factors set forth in this solicitation. In the case that a vendor is eligible for award of more than one program facility, the Department reserves the right, based upon the vendor's demonstrated organizational capability and the best interest of the City, respectively, to determine how many and for which program facility(ies) the vendor will be awarded a contract.

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.

Department of Juvenile Justice, 110 William Street
20th Floor, New York, NY 10038.
Chuma Uwechia (212) 442-7716, cuwechia@djj.nyc.gov

n20-13

LAW

■ SOLICITATIONS

Services (Other Than Human Services)

LEGAL REPRESENTATION IN MEDICAL MALPRACTICE CASES, RISK MANAGEMENT AND RELATED SERVICES – Negotiated Acquisition – PIN# 02508X001435 – DUE 04-21-08 AT 5:00 P.M. – The legal services are of a highly specialized nature. The current contractor has been providing these services under contract for an initial term of five years. The contract was previously extended once for a term of 12 months. It is estimated that one more year of the same or similar services will be required while the Department finalizes a new procurement for these services, solicits and evaluates offers, and makes a new contract award. A compelling need exists to extend the contract beyond the permissible cumulative 12 month limit. The ACCO has determined that the proposed term of the extension is the minimum time necessary to meet the need. The ACCO certifies that contractor performance has been satisfactory or better. Law firms that believe they are qualified to provide these services and wish to be considered for the future procurement of such services should send an expression of interest to the Law Department at the address given in this notice.

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.
Law Department, 100 Church Street, Room 6-204, New York, NY 10007, Tom Dowling (212) 788-1008, tdowling@law.nyc.gov

a2-8

PARKS AND RECREATION

■ SOLICITATIONS

Services (Other Than Human Services)

PROVIDE AND OPERATE PRODUCTION AND TECHNICAL EQUIPMENT AND INFRASTRUCTURE FOR SPECIAL EVENTS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B58-O – DUE 04-17-08 AT 3:00 P.M. – In McCarren Pool in Brooklyn, for a six-month term.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal, 830 Fifth Avenue, NY, NY 10017. Raquel de los Reyes (212) 360-1397, raquel.delosreyes@parks.nyc.gov

m25-a7

RENOVATION, OPERATION AND MAINTENANCE OF AN 18-HOLE GOLF COURSE, CLUBHOUSE, PRO-SHOP AND FOOD SERVICE FACILITY – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B57-A-GC – DUE 06-04-08 AT 3:00 P.M. – At Marine Park, Brooklyn.

Parks will hold a proposer meeting on Wednesday, April 23, 2008 at 11:00 A.M. at the proposed concession site, which is located at 2880 Flatbush Ave., Brooklyn, NY 11234. All interested parties are urged to attend.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal, 830 Fifth Ave., NY, NY 10017. Joel Metlen (212) 360-3483, joel.metlen@parks.nyc.gov

m20-a2

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

CONSTRUCTION OF A VINEYARD AT THE STATEN ISLAND BOTANICAL GARDEN – Competitive Sealed Bids – PIN# 8462008R116C03 – DUE 05-02-08 AT 10:30 A.M. – Staten Island, known as Contract #R116-107M. Vendor Source ID#: 50926.

This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

● **RECONSTRUCTION OF SHORE PARKWAY BIKE PATH** – Competitive Sealed Bids – PIN# 8462008B166C02 – DUE 05-02-08 AT 10:30 A.M. - From Mill Creek to 84th Street, Brooklyn, known as Contract #B166-196T. Vendor Source ID#: 50927.

● **RECONSTRUCTION OF ANGEL CAMPANARO PLAYGROUND** – Competitive Sealed Bids – PIN# 8462008X187C01 – DUE 05-02-08 AT 10:30 A.M. - And Emile Cavanaugh Triangle, The Bronx, known as Contract #X187-106M. Vendor Source ID#: 50928. This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, Olmsted Center, Room 64
Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov
Olmsted Center, Room 60, Flushing Meadows-Corona Park, Flushing, NY 11368.

a2

RECONSTRUCTION OF THE PLAYGROUND ON AVENUE A – Competitive Sealed Bids –

PIN# 8462008M088C01 – DUE 04-30-08 AT 10:30 A.M. – Between East 8th and East 9th Streets in Tompkins Square Park, Manhattan, known as Contract #M088-107M. Vendor Source ID#: 50869.

This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

● **RECONSTRUCTION OF THE ENTRANCE AT BRONX BOULEVARD** – Competitive Sealed Bids – PIN# 8462008X004C02 – DUE 04-30-08 AT 10:30 A.M. - And East 211th Street in Bronx River Park, The Bronx, known as Contract #X004-102M. Vendor Source ID#: 50868.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, Olmsted Center, Room 64
Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov
Olmsted Center, Room 60, Flushing Meadows-Corona Park
Flushing, NY 11368.

a2

RECONSTRUCTION OF LOCUST GROVE CIVIC TRIANGLE – Competitive Sealed Bids –

PIN# 8462008Q000C14 – DUE 05-01-08 AT 10:30 A.M. – Bounded by Lefferts Boulevard, North Conduit Avenue and

118th Street, Queens, known as Contract #QG-47100-108M. Vendor Source ID#: 50904.

● **RECONSTRUCTION OF SEDGWICK PLAYGROUND** – Competitive Sealed Bids – PIN# 8462008X158C01 – DUE 05-01-08 AT 10:30 A.M. - Bounded by the Cross Bronx Expressway, Dr. Martin Luther King Jr. Boulevard and Undercliff Avenue, The Bronx, known as Contract #X158-106M. Vendor Source ID#: 50905.

● **RECONSTRUCTION OF THREE BALLFIELDS** – Competitive Sealed Bids – PIN# 8462008M022C01 – DUE 05-02-08 AT 10:30 A.M. - Located between 11th and 12th Avenues, West 52nd and West 54th Streets in Dewitt Clinton Park, Manhattan, known as Contract #M022-107M. Vendor Source ID#: 50906.

These procurements are subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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

Parks and Recreation, Olmsted Center, Room 64
Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov
Olmsted Center, Room 60, Flushing Meadows-Corona Park
Flushing, NY 11368.

a2

RECONSTRUCTION AND ADDITION TO THE 59TH STREET RECREATION CENTER – Competitive Sealed

Bids – PIN# 8462008M063C01 – DUE 05-09-08 AT 10:30 A.M. – Located between West 59th and West 60th Streets, Amsterdam and West End Avenue, Manhattan, known as Contract #M063-104MA1. Vendor Source ID#: 50929, 50930. This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005. This contract is subject to Apprenticeship program requirements.

A pre-bid meeting is schedule for Friday, April 18, 2008 at 11:00 A.M. at the Olmsted Center, Design Conference Room. Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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

Parks and Recreation, Olmsted Center, Room 64
Flushing Meadows Corona Park, Flushing, NY 11368.
Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov
Olmsted Center, Room 60, Flushing Meadows-Corona Park,
Flushing, NY 11368.

a2-4

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA08-10828D-1 – DUE 04-17-08 AT 10:30 A.M. – PS 213 (Queens). Project Range: \$1,080,000.00 to \$1,140,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window
Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 472-8360.

m28-a3

SEWAGE BRIDGING, PARAPETS, EXTERIOR

MASONRY – Competitive Sealed Bids – PIN# SCA08-11292D-1 – DUE 04-23-08 AT 10:30 A.M. – PS 93 (Brooklyn). Project Range: \$3,400,000.00 to \$3,583,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window
Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101, (718) 472-8360.

a2-8

ELECTRICAL SYSTEMS AND LOW VOLTAGE –

Competitive Sealed Bids – PIN# SCA08-11249D-1 – DUE 04-21-08 AT 10:30 A.M. – PS 110 (Brooklyn). Project Range: \$1,530,000.00 to \$1,610,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School

Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 472-8360.

a1-7

WINDOWS/REINFORCING CINDER, CONCRETE/LOW VOLTAGE ELECTRICAL SYSTEM – Competitive Sealed Bids – PIN# SCA08-11267D-1 – DUE 04-18-08 AT 12:30 P.M. – PS 38 (Brooklyn). Project Range: \$3,710,000.00 to \$3,910,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 752-5843.

a1-7

SAFETY SYSTEMS, LOW VOLTAGE ELECTRICAL (FIRE ALARM) – Competitive Sealed Bids – PIN# SCA08-11420D-1 – DUE 04-21-08 AT 12:00 P.M. – South Shore HS (Brooklyn). Project Range: \$2,340,000.00 to \$2,470,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 752-5854.

a1-7

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA08-004347-1 – DUE 04-17-08 AT 10:00 A.M. – IS 260 Clinton School and IS 896 (Manhattan). Project Range: \$1,300,000.00 to \$1,370,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 752-5288.

m27-a2

LOW VOLTAGE ELECTRICAL SYSTEM AND AUDITORIUM UPGRADE – Competitive Sealed Bids – PIN# SCA08-11423D-1 – DUE 04-18-08 AT 10:00 A.M. – PS 75 Perry School (Queens). Project Range: \$1,720,000.00 to \$1,814,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 752-5288.

m31-a4

LOW VOLTAGE ELECTRICAL SYSTEM UPGRADE – Competitive Sealed Bids – PIN# SCA08-11090D-1 – DUE 04-16-08 AT 12:00 P.M. – Dewitt Clinton HS (Bronx). Project Range: \$1,830,000.00 to \$1,930,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 752-5843.

m28-a3

PARAPETS AND AUDITORIUM UPGRADE – Competitive Sealed Bids – PIN# SCA08-11222D-1 – DUE 04-17-08 AT 11:30 A.M. – PS 133 (Queens). Project Range: \$3,140,000.00 to \$3,310,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101, (718) 472-8360.

m31-a4

AGENCY RULES

HEALTH AND MENTAL HYGIENE

NOTICE

NOTICE OF INTENTION TO ADD A NEW ARTICLE 43 TO THE NEW YORK CITY HEALTH CODE

In compliance with §1043(b) of the New York City Charter (the “Charter”) and pursuant to the authority granted to the Board of Health by §558 of said Charter, notice is hereby given of the proposed intention to add a new Article 43 (School-Based Programs for Children Ages Three through Five) to the New York City Health Code (the “Health Code”).

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE WILL HOLD A PUBLIC HEARING ON THE PROPOSAL FROM 2:00 P.M. TO 4:00 P.M. ON THURSDAY, MAY 8, 2008 IN THE HEALTH AND HOSPITALS CORPORATION BOARDROOM, FIFTH FLOOR (ROOM 532) AT 125 WORTH STREET, NEW YORK, NEW YORK 10013.

PERSONS INTERESTED IN PRE-REGISTERING TO SPEAK SHOULD NOTIFY, IN WRITING, RENA BRYANT, SECRETARY TO THE BOARD OF HEALTH, 125 WORTH STREET CN-31, NEW YORK, NEW YORK; (212) 788-5010 BY 5:00 P.M. WEDNESDAY, MAY 7, 2008. PLEASE INCLUDE A TELEPHONE NUMBER WHERE, IF NECESSARY, YOU MAY BE REACHED DURING NORMAL BUSINESS HOURS. REGISTRATION WILL BE ACCEPTED AT THE DOOR UNTIL 12:00 P.M. HOWEVER, PREFERENCE WILL BE GIVEN TO THOSE WHO PREREGISTER. SPEAKERS WILL BE LIMITED TO FIVE (5) MINUTES.

PERSONS WHO REQUEST THAT A SIGN LANGUAGE INTERPRETER OR OTHER FORM OF REASONABLE ACCOMMODATION FOR A DISABILITY BE PROVIDED AT THE HEARING ARE ASKED TO NOTIFY RENA BRYANT, SECRETARY TO THE BOARD OF HEALTH, 125 WORTH STREET CN-31, NEW YORK, NEW YORK 10013; (212) 788-5010 BY APRIL 24, 2008.

WRITTEN COMMENTS REGARDING THE PROPOSAL ADDRESSED TO THE ATTENTION OF THE BOARD OF HEALTH MUST BE SUBMITTED TO RENA BRYANT, SECRETARY TO THE BOARD OF HEALTH, BY MAIL TO 125 WORTH STREET CN-31, NEW YORK, NEW YORK 10013, BY FAX TO (212) 788-4315, BY E-MAIL TO RESOLUTIONCOMMENTS@HEALTH.NYC.GOV OR ONLINE (WITHOUT ATTACHMENTS) AT <http://www.nyc.gov/html/doh/html/notice/notice.shtml> ON OR BEFORE 5:00 P.M., THURSDAY, MAY 8, 2008. ATTACHMENTS TO ONLINE COMMENTS MUST BE MAILED OR FAXED.

WRITTEN COMMENTS RECEIVED BY THE SECRETARY TO THE BOARD OF HEALTH AND A TRANSCRIPT OF THE PUBLIC HEARING WILL BE AVAILABLE FOR PUBLIC INSPECTION WITHIN A REASONABLE TIME AFTER RECEIPT, BETWEEN THE HOURS OF 9:00 A.M. AND 5:00 P.M. AT THE OFFICE OF THE SECRETARY. THE DEPARTMENT'S GENERAL POLICY IS TO MAKE WRITTEN COMMENTS AVAILABLE FOR PUBLIC VIEWING ON THE INTERNET. ALL COMMENTS RECEIVED, INCLUDING ANY PERSONAL INFORMATION PROVIDED, WILL BE POSTED WITHOUT CHANGE TO <http://www.nyc.gov/html/doh/html/comment/comment.shtml>

STATUTORY AUTHORITY

These amendments to the Health Code are promulgated pursuant to §§558 and 1043 of the Charter. Sections 558(b) and (c) of the Charter empower the Board of Health to amend the Health Code and to include in the Health Code all matters to which the Department's authority extends. Section 1043 grants the Department rule-making authority.

STATEMENT OF BASIS AND PURPOSE

The New York City Department of Health and Mental Hygiene (the Department or DOHMH) is required by law to protect and promote the health of all New Yorkers. The Bureau of Child Care, in the Department's Division of Environmental Health, enforces Article 47 (“Day Care Services”) of the Health Code, which regulates public and private group day care services operating within New York City. At its meeting in October, 2007, the Board of Health approved for publication and public comment a Notice of Intention to repeal and reenact Article 47 (“Child Care Services”). That resolution excludes from the definition of “child care service” any school based instructional programs for children ages three through five, regardless of the kind of school offering such programs.

The revised Article 47 is scheduled to go into effect on September 1, 2008. In 1995, school-based kindergartens (for children who are or who will be age five by December 31 of the school year) operated by the Board of Education were specifically exempted from the definition of “day care service” and were at the same time included in the regulatory scope of Article 45 (“General Provisions Governing Schools and Children's Institutions”) of the Health Code. With the exception of Board (now Department) of Education kindergartens, Article 47 has been applicable to all day care and instructional programs for children under six in all non public schools. Religious organizations' day care services, which are not required to hold a permit under Article 47 have nevertheless been subject to almost all other Article 47 requirements except for staff criminal justice and child abuse screening.

In the next two years, both Article 45 and Article 49 (“Schools”) of the Health Code which together regulate schools operating in New York City are scheduled for substantive revision as part of a project to modernize the entire Health Code. However, on September 1, 2008, the effective date of the repealed and reenacted Article 47, and until Articles 45 and 49's substantive revisions are adopted by the Board, a gap would exist in regulations covering the health and safety of school children ages three through five. Accordingly, the Department is proposing that the Board approve for publication and public comment a resolution that incorporates in a new Article 43 supplementary provisions applicable to schools providing programs for this age group. Child care programs for children younger than three would continue to be considered “child care services” and will require Article 47 permits regardless of whether they are located within or are part of a school.

ARTICLE 43 PROVISIONS

Article 43 contains many of the same provisions for health and safety that are applicable to child care services providing care to the same age groups regulated in accordance with repealed and reenacted Article 47, with some exceptions. The Department recognizes that all public and many non-public schools are subject to and regulated by the State and federal law, and we have no intention of duplicating and imposing a further layer of regulation where there are applicable similar laws and rules already in place. For example, some federal funding programs require school safety plans, particularly for evacuations in emergencies. If a school has a comprehensive safety plan, Article 43 will not require the person in charge of the school to duplicate or amend it. If school personnel are already required by any applicable law to be fingerprinted and undergo criminal justice record screening and review, as are all staff of public schools in this state, this Article will not require further fingerprinting or screening. The Article will not duplicate, but will supplement, requirements for child health in the regulations of the Chancellor of the City Department of Education. The specific sections proposed are as follows:

§43.01 Definitions. These definitions are intended to clarify terms used in the Article.

§43.03 Scope and applicability. The Article is intended to supplement other provisions of the Health Code already applicable to schools, with particular reference to children ages three through five.

§43.05 Notice to the Department. The Department does not propose to issue permits to, license or register schools. However, to respond to complaints it is necessary to know of the existence of schools that provide classes for children in these age groups. Accordingly, we are requiring that a notice be filed with the Department on or before the effective date of the Article, and that notices thereafter be filed whenever new schools are established, or contact information for existing schools changes.

§43.07 Written safety plan. These provisions are essentially the same as those in Article 47, but exempt from this requirement schools that have already adopted the same or similar plans.

§43.09 Staff supervision. The Department is proposing that ratios of staff to children in Article 47 should also apply to school-based classes for the same age groups. To meet the ratios, the proposal would allow that staff providing supervision may include parents or other volunteers. This section also requires that staff maintain direct line of sight observation of each child.

§43.11 Health; staff. This provision is essentially the same as in Article 47.

§43.13 Criminal justice and child abuse screening of current and prospective personnel and §43.15 Corrective action plan. These provisions are essentially the same as in Article 47 (see, §§47.19 and 47.21). However, any school that is already required to fingerprint staff under any law would be exempt from these requirements. Corrective action plans would be maintained at the school by the person in charge, and be made available for Department inspection upon request.

§43.17 Health; child admission criteria; §43.19 Health; daily requirements; communicable diseases, and §43.21 Health; emergencies. These provisions are essentially the same as requirements in Article 47 (see, §§ 47.25, 47.27, 47.29, 47.31, 47.33).

§43.23 Lead-based paint restricted. This requirement is the same as current §45.12, a provision that will remain in this Article, but will be repealed in the substantive revision and modernization of Health Code provisions applicable to schools generally. Lead surveys are required annually for schools with interior surfaces that have lead-based paint, or paint of unknown lead content.

§43.24 Modification of provisions. This is a standard

provision of most articles of the Health Code and essentially the same as §47.75 in Article 47.

STATEMENT PURSUANT TO CHARTER §1043

The proposal was not included in the Department's Regulatory Agenda because the need for it was not known when the Regulatory Agenda was published.

The proposal is as follows:

Note-matter in brackets [] to be deleted

Matter underlined is new

RESOLVED, that the New York City Health Code, found in Title 24 of the Rules of the City of New York, be and the same hereby is, amended to add a new Article 43 ("School-Based Programs for Children Ages Three through Five"), to be printed, together with introductory notes as follows:

Article 43

School-Based Programs for Children Ages Three through Five

- §43.01 **Definitions.**
- §43.03 **Scope and applicability.**
- §43.05 **Notice to the Department.**
- §43.07 **Written safety plan.**
- §43.09 **Staff supervision.**
- §43.11 **Health; staff.**
- §43.13 **Criminal justice and child abuse screening of current and prospective personnel.**
- §43.15 **Corrective action plan.**
- §43.17 **Health; child admission criteria.**
- §43.19 **Health; daily requirements; communicable diseases.**
- §43.21 **Health; emergencies.**
- §43.23 **Lead-based paint restricted.**
- §43.25 **Modification of provisions.**

Introductory Notes. Article 43 was adopted by the Board of Health on xxx, to be effective September 1, 2008, when the repealed and reenacted Article 47 ("Child Care Services") of the Health Code goes into effect. Article 43 establishes regulatory standards for school-based instructional programs for children ages three through five that were previously regulated under Article 47 ("Day Care Services") and that, with the exception of City Department of Education programs and programs in schools operated by religious organizations, were required to hold permits as day care services. Article 43 is intended to supplement regulations in the Health Code that currently apply to all schools.

- §43.01. **Definitions.** When used in this article:
 - (a) *School* shall mean a public, non-public, chartered or other school or school facility recognized under the State Education Law and/or approved by the State Education Department to provide a compulsory education for children in grades one through twelve, and where more than six children ages three through five are provided instruction, but shall not include a child care service defined in Article 47 of this Code.
 - (b) *Elementary school* shall mean any school approved by the State Education Department to provide programs of instruction that meet State requirements for a compulsory education in the elementary grades, but does not include secondary school grades, as defined in this Article.
 - (c) *Kindergarten and pre-kindergarten* shall mean school-based programs of instruction for children ages five years and younger.
 - (d) *Secondary school* shall mean a school providing instruction in the sixth through twelfth grades, and shall include, but not be limited to, schools designated as junior high schools, intermediate schools, middle schools and high schools.
 - (e) *Person in charge of a school* shall mean a principal, headmaster, director or other person designated by the governing body of a school or school system to manage school operations, programs and implementation of the governing body's policies, and who is responsible for the health and safety of staff and children attending such school.
 - (f) *Three years of age.* A child attending elementary school shall be deemed to be three years of age if the child's third birthday occurs or will occur on or before December 31st of the school year.

§43.03. **Scope and applicability.** The provisions of this Article shall apply to pre-kindergarten and kindergarten programs of instruction provided for children ages three through five that are located within a school, or that are part of a school, and shall be in addition to requirements of other provisions of this Code applicable to schools. For the purposes of this Article, being "part of a school" shall mean that there is identical ownership, operation, management and control of kindergarten and pre-kindergarten classes for children ages three through five and all other classes provided by the school. All educational or other programs, regardless of whether they are located within, or are part of an elementary or other school, that are intended for and attended by children younger than three years of age shall be deemed child care services and the person in charge of a school shall not provide care for such children unless such programs have been issued a permit by the Commissioner pursuant to Article 47 of this Code.

§43.05. **Notice to the Department.** On or before the effective date of this Article, the person in charge of a school that provides classes for children ages three through five shall file a notice with the Department, on a form provided or approved by the Department. The notice shall provide the names, addresses and contact information for the person or entity that own and operate the school. Any person or entity that operates more than one school may submit one notice that lists the required contact information for each school. Notices shall be filed whenever there has been a change in the location of, or contact information for, a

school providing classes for children ages three through five, and whenever a new school providing such classes is established.

- §43.07. **Written safety plan.**
 - (a) *Safety plan required.* Except where a school has established a written safety plan in compliance with applicable State or federal law, every school subject to this Article shall develop, review annually and update, in accordance with changed circumstances, conditions or activities, a written safety plan. The safety plan shall be implemented by the person in charge of a school, used in training staff and volunteers, provided to parents on request, and kept in an accessible location at the school where it may be used by staff for reference, and reviewed by Department inspectors.
 - (b) *Scope and content.* The written safety plan shall establish policies and procedures for safe operation, including teaching and other staff duties, facility operation and maintenance, fire safety, general and activity-specific safety, emergency management, staff and child health and medical requirements, staff training and parent/child orientation. The written safety plan shall consist of, at a minimum, a table of contents and the following components:
 - (1) *Staff:* organization chart, job descriptions, responsibilities and supervisory responsibilities.
 - (2) *Program operation and maintenance:* including, but not limited to, schedules and designated staff for facility inspection, cleaning and maintenance, schedule for boiler/furnace and HVAC system maintenance, maintenance of adequate water pressure, protection of the potable water supply from submerged inlets and cross-connections in the plumbing system, schedule for the annual lead paint survey, inspection of window guards, indoor and outdoor equipment inspection and replacement schedule, evaluation of injury prevention procedures, equipment and structures, identification of procedures for transportation vehicle maintenance, food protection procedures during receipt, storage and preparation, identity of individuals certified in food protection, schedule for sanitization procedures of food prep areas and identification of approved food sources.
 - (3) *Fire safety:* evacuation of buildings and property, assembly, supervision, and accounting for children and staff; fire prevention; coordination with local fire officials; fire alarm and detection systems and their operation, maintenance, and routine testing; type, location and maintenance of fire extinguishers; inspection and maintenance of exits; required fire drills and log; and electrical safety.
 - (4) *Health care plan:* statement of policies and procedures to show how the health and medical requirements of this Code shall be implemented for maintaining children's medical histories; addressing individual children's restrictions on activities, policies for medication administration and special needs, if any; initial health screening for children and staff; daily health surveillance of children; procedures for providing basic first aid, handling and reporting medical emergencies and outbreaks; procedures for response to allegations of child abuse; identification of and provisions for medical, nursing and emergency medical services addressing special individual needs; names, qualifications and duties of staff certified in first aid and CPR; description of separation facilities, supervision and other procedures for ill children to be provided by the school until parent arrives; storage of medications; location and use of first aid and CPR supplies; maintenance of a medical log; description of universal precautions for blood borne pathogens; reporting of child and staff illness and injuries; and sanitary practices.
 - (5) *Corrective action plans:* actions to be taken to protect children on receipt of reports of alleged and confirmed teaching and other staff criminal justice or child abuse histories.
 - (6) *General and activity specific safety:* description of child supervision, including arrangements for general supervision; supervision during and between on-site activities; recreational and trip supervision for specific outdoor and off-site activities; supervision during sleeping and rest hours; transportation; and in emergencies.
 - (7) *Staff training:* new employee orientation; training curricula; procedures for child supervision and discipline; child abuse recognition and reporting; provision of first aid and emergency medical assistance; reporting of child injury and illness; fire safety and fire drills; child and staff evacuation procedures; activity specific training for assigned activities; and process to document attendance at staff training.
 - (8) *Emergency evacuation:* age-specific plans for removal of children from the premises for each shift and program where care is provided. Primary emphasis shall be placed on the immediate evacuation of children in premises which are not fireproof. Emergency evacuation procedures, implementing Fire Department recommendations, shall be posted in conspicuous places throughout the facility. The emergency evacuation plan shall include the following:
 - (A) how children and staff will be made aware of the emergency;
 - (B) primary and secondary routes of egress;
 - (C) methods of evacuation, including where children and staff will meet after evacuating the building, and how attendance will be taken;
 - (D) roles of the staff and chain of command;
 - (E) notification of authorities and the children's parents.
 - (9) *Parent/child orientation:* orientation curriculum outline; tour of premises; reporting and management of illnesses, injuries and other incidents; evacuation plan; lost child plan; lightning plan; fire safety and fire drills; evacuation procedures; activity specific training for assigned activities; trips (if provided).
- § 43.09. **Staff supervision.**
 - (a) *Direct supervision.* Line of sight supervision by adult teaching staff shall be maintained for all children, and no child or group of children shall be left unsupervised at any time.
 - (b) *Minimum staff to children ratios.* The minimum ratios of staff to children shall be as follows:

AGE OF CHILDREN	STAFF/CHILD RATIO
3 years to under 4	1:10

4 years to under 5	1:12
5 years to under 6	1:15

(c) *Staff.* Parents and other volunteers may be counted as staff with respect to the above ratios.

- §43.11. **Health; staff.**
 - (a) *Staff to be excluded.* The person in charge of a school shall exclude any staff person from work in accordance with Article 11 of this Code, if such staff person reports having an illness or symptoms of a communicable disease reportable pursuant to Article 11 of this Code. Such staff person shall not be permitted to return to the school without a written statement of recovery from a health care provider if the staff person was a case of measles, mumps, rubella, pertussis (whooping cough), scarlet fever, meningitis (all types), or poliomyelitis, or if the staff person was a case of any other communicable disease reportable pursuant to Article 11.
 - (b) *Physical examination certificates.* No educational director, teacher, substitute, volunteer worker, office worker, kitchen worker, maintenance worker or other staff member who regularly associates with children shall be permitted to work in a service unless such person is healthy and capable of carrying out the responsibilities of the job. Prior to commencing work, all such staff and volunteers shall present a certificate from a licensed health care provider certifying that, on the basis of medical history and physical examination, such staff member or volunteer is physically and mentally able to perform assigned duties. Such certificate shall be submitted every two (2) years thereafter as a condition of employment. Certificates of required physical examinations and other medical or personal health information about staff shall be kept on file at the place of employment, shall be confidential, and shall be kept separate from all other personnel or employment records.
 - (c) *Staff immunizations.* Health care providers shall certify that each staff or volunteer has been immunized against measles; mumps; rubella; varicella (chicken pox); and tetanus and diphtheria (Td) or tetanus, diphtheria and acellular pertussis (Tdap) in accordance with recommendations of the CDC Advisory Committee on Immunization Practices. Persons born on or before December 31, 1956 who have a history of measles or mumps disease shall not require such vaccines. A history of having health care provider documented varicella, measles or mumps disease shall be accepted in lieu of varicella, measles or mumps vaccines. A history of having rubella disease shall not be substituted for the rubella vaccine. A laboratory test demonstrating detectable varicella, measles, mumps, or rubella antibodies shall also be accepted in lieu of varicella, measles, mumps and rubella vaccine. An employee may be exempted from this immunization requirement for medical contraindications upon submission of appropriate documentation from a licensed physician.
 - (d) *Test for tuberculosis infection.* The Department may require testing for tuberculosis at any time of any persons in a school when such testing is deemed necessary for epidemiological investigation.
- §43.13. **Criminal justice and child abuse screening of current and prospective personnel.**
 - (a) *Applicability.* These requirements for child abuse and criminal justice screening shall apply to any person who has, will have, or has the potential for unsupervised contact with children and shall include, but not be limited to: individual owners, persons in charge of a school, partners, members and shareholders of small or membership corporations who are the owners or operators of the school; educational, administrative and maintenance employees; school bus drivers; volunteers, including parent volunteers and student teachers, trainees or observers; and consultants and other persons employed by persons, corporations, partnerships, associations or other entities providing services to the school. Employees of independent contractors providing maintenance, construction, food or other services to a school shall be screened in accordance with this section, or shall be prohibited from working in any area or facility occupied by the school unless such person is working under the direct supervision and within the line of sight of a screened employee of the school. Schools that are currently required by State or federal law to screen employees for criminal justice and child abuse and maltreatment records shall not be required to comply with the provisions of this section and §43.15 of this Article.
 - (b) *Pre-employment verification.* A person in charge of a school shall obtain and verify credentials, including certificates and educational transcripts, as applicable, and references prior to employment of all persons listed in subdivision (a) of this section.
 - (c) *Screening.* A person in charge of a school shall arrange for (1) fingerprinting, (2) review of records of criminal convictions and pending criminal actions, and (3) inquiry of the Statewide Central Register of Child Abuse and Maltreatment (hereinafter "SCR") for all prospective employees, and other persons listed in subdivision (a), and for current employees shall repeat the inquiry to the SCR every two years.
 - (d) *Individual consent.* A person in charge of a school shall obtain written consent from each such person for fingerprinting and criminal record review, and shall provide written notice to such persons that there will be an inquiry submitted to the SCR, pursuant to Social Services Law §424-a (1), or successor law, and that copies of the reports received by the person in charge of a school as a result of such review and screening may be provided to the Department.
 - (e) *Refusal to consent.* A person in charge of a school shall not hire or retain as an employee, or otherwise allow on its premises any person who is required to have, but refuses to consent to, fingerprinting and criminal record review. The person in charge of a school shall not hire or retain any person who has a criminal conviction record, subject to and consistent with Article 23-A of the New York State Correction Law, except as provided in subdivision (g) of this section.
 - (f) *Employee to notify person in charge of a school.* Employees required to have criminal justice and child abuse screening shall notify the person in charge of a school within 24 hours when such employees are arrested, or when such employees receive a notice that an allegation of child abuse or maltreatment has been filed concerning such employees.
 - (g) *Actions required.* Consistent with Article 23-A of the New York State Correction Law, and except where the person in charge of a school has prepared and implemented a corrective action plan in accordance with §43.15 of this Code:
 - (1) A person in charge of a school shall not hire, retain,

utilize or contract for the services of a person who:

(A) Has been convicted of a felony at any time, or who has been convicted of a misdemeanor within the preceding ten years; or

(B) Has been arrested and charged with any felony or misdemeanor, and where there has been no disposition of the criminal matter; or

(C) Is the subject of an indicated child abuse and maltreatment report, in accordance with a determination made after a fair hearing pursuant to §422(8) of the Social Services Law.

(2) A person in charge of a school shall not dismiss or permanently deny employment to current and prospective staff solely because they are defendants in pending criminal actions, but may suspend current employees or defer employment decisions on prospective employees until disposition of the pending criminal action.

(3) A person in charge of a school shall prohibit unsupervised contact with children by any person who has not received screening clearance for criminal convictions or by the SCR, or is listed in paragraph (1) of this subdivision.

(i) *References.* For all prospective staff, the person in charge of a school shall make a written inquiry to an applicant's three most recent employers and shall obtain three references prior to hiring. If prospective staff have not had three prior employers, references may be accepted from persons who are not family members and who state, in writing, that the applicant is well-known to them as a student, volunteer, or other stated capacity, and that the applicant is suited by character, fitness, and ability to work with children.

§43.15. Corrective action plan.

(a) *Corrective action plan required.* A corrective action plan shall be prepared by the person in charge of a school that is subject to this Article in the following instances:

(1) Prior to the person in charge of a school hiring, retaining or utilizing the services of persons listed in subdivision (a) of §43.13 of this Article when such persons are reported as having:

(A) A criminal conviction, as specified in §43.13 (g); or
(B) Pending criminal charges, as specified in §43.13(g); or
(C) SCR reported incidents of child abuse or maltreatment which have been indicated or which are under investigation.

(2) When a death or serious injury of a child has occurred while in the care of a person in charge of a school, or in the care of any owner, director, employee, or volunteer of the person in charge of a school or while in the care of any agent of the person in charge of a school, or if a related criminal or civil action has already been adjudicated or adjudication is pending in any jurisdiction with respect to such death or serious injury.

(3) When required by the Department, if the person in charge of a school has been cited for violations or conditions deemed imminent health hazards, to demonstrate that the person in charge of a school is able and willing to correct such violations or conditions.

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

(1) Seriousness of the incident(s) or crimes cited in the report(s);

(2) Seriousness and extent of injuries, if any, sustained by the child(ren) named or referred to in the indicated report(s) or disclosed upon investigation of the criminal charge;

(3) Any detrimental or harmful effect on child(ren) as a result of the person's actions or inactions and relevant events and circumstances surrounding these actions and inactions as these relate to any report(s);

(4) The age of the person and child at the time of the incident(s);

(5) Time elapsed since the most recent incident(s);

(6) Number of indicated incident(s) or crimes; where more than one incident or crime, an evaluation of each separately, and an assessment of the total effect of all indicated incidents on risks to children currently under care;

(7) Duties of the person under consideration; degree of supervision, interaction, opportunity to be with children on regular, substantial basis and if position may involve being alone with children or will always involve presence of other adults;

(8) Information provided by person, re: rehabilitation, i.e., showing positive, successful efforts to correct the problems resulting in the indicated child abuse or criminal report so that children in care will not be in danger, demonstrated by no repeated incidents or showing that the person has undergone successful professional treatment;

(9) Employment or practice in a child care field without incident involving injuries to children;

(10) Extra weight and scrutiny shall be accorded child abuse and maltreatment reports involving fatality, sexual abuse, subdural hematoma, internal injuries, extensive lacerations, bruises, welts, burns, scalding, malnutrition or failure to thrive; and crimes involving homicides, sexual offenses (misconduct, rape, sodomy, abuse); kidnapping; felony possession or sale of a controlled substance; felony promotion of prostitution; obscenity offenses; disseminating indecent material involving, or to, minors; incest; abandonment of a child; endangering welfare of a child; promoting sexual performance by a child; felony weapon possession; assault; reckless endangerment; coercion; burglary; arson and robbery; driving while intoxicated or under the influence of alcohol if the person will have responsibilities for unsupervised contact or driving motor vehicles at the school.

(c) *Available for Department inspection.* Corrective action plans shall be maintained by the person in charge of a school and made available to the Department for inspection upon request.

§43.17 Health; child admission criteria.

(a) *Admission requirements.*

(1) *Physical examinations and screening.* Prior to initial admission to a school, all children shall receive a complete age appropriate medical examination, including but not limited to a history, physical examination, developmental assessment, nutritional evaluation, lead poisoning screening, and, if indicated, screening tests for dental health,

tuberculosis, vision, and anemia.

(2) *Immunizations.* All children shall be immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, varicella, hepatitis B and haemophilus influenzae type b (Hib), in accordance with New York Public Health Law §2164, or successor law, and shall have such additional immunizations as the Department may require. Exemption from specific immunizations may be permitted for medical contraindications or on religious grounds, in accordance with Public Health Law §2164.

(b) *Form with results of examination.* Health care providers examining children pursuant to this section shall furnish person in charge of a school with a signed statement, in a form provided or approved by the Department, containing a summary of the results of examination, past medical history, and, if a disease or condition which affects the child's ability to participate in program activities is found, a summary of the evaluation and findings associated with that condition. The examination form shall include the health care provider's recommendations for exclusion or treatment of the child, modifications of activities, and plans for any necessary health supervision.

(c) *Periodic examinations.* Each child shall have periodic medical examinations at 3, 4 and 5 years of age.

(d) *Medical records to be maintained.* A person in charge of a school shall maintain an individual medical record file for each child. This file shall include:

(1) A cumulative record consisting of a form provided or approved by the Department, including: child's name, address, date of admission and date of birth; parents' names, home and business addresses and telephone numbers; names and telephone contact information of person(s) to contact in case of emergency, including name, address and telephone number of the child's primary health care provider; pertinent family medical history, and child's history of allergies, medical illnesses, special health problems and medications, immunization records; and parental consent for emergency treatment.

(2) Copies of all individual health records required by this Code, including new admission and periodic medical examination forms, parents' and health care provider notes regarding episodic illnesses, and a history of all illnesses, accidents, and other health data.

(e) *Records to be confidential.* All records required by this section shall be maintained as confidential records and shall not be made available for inspection or copying by any persons other than parents, other persons who present a written authorization from a parent, or authorized staff of the Department. When a child transfers from one school to another, a copy of the child's student health record shall be forwarded to the person charged with maintaining student health records at the child's new school.

(f) *Department property.* If the Department assigns a health care provider to a school, all child health related records shall be deemed the property of the Department.

§43.19. Health; daily requirements; communicable diseases.

(a) *Daily attendance record.* A daily attendance record shall be kept in a form provided or approved by the Department.

(b) *Daily health inspections.* A health inspection of each child shall be made daily by teachers who are familiar with such child and trained to recognize signs or symptoms of illnesses in accordance with guidelines or training provided or approved by the Department.

(c) *Management of ill children and reporting.*

(1) An area shall be provided for separating ill children under direct adult supervision until parents remove children from the school.

(2) All health care provider diagnoses pursuant to Article 11 of this Code shall be reported to the Department by the person in charge of a school.

(3) The Department shall be notified by the person in charge of a school within 24 hours of the occurrence of a death or serious injury to a child while in the care of the school.

(4) When any child is unexpectedly absent from the school for three consecutive days, the person in charge of a school shall telephone the child's parent to determine the cause of absence and shall maintain a record of the telephone call and the information obtained in the log required by §43.21 (d) of this Code.

(d) *Parent reports of absences.* At the beginning of each school year, the person in charge of a school shall notify parents that they are required to report absences in accordance with this subdivision. Parents shall report to the person in charge of a school within 24 hours any absence for: chicken pox, conjunctivitis, diarrhea, diphtheria, food poisoning, hepatitis, haemophilus influenza type b infection, impetigo, measles, meningitis (all types), meningococcal disease, mumps, Methicillin resistant staphylococcus aureus (MRSA), pertussis (whooping cough), poliomyelitis, rubella (German measles), salmonella, scarlet fever, tuberculosis, or any other disease or condition which may be a danger to the health of other children. Such disease or condition shall not include acquired immune deficiency syndrome (AIDS) or human immunodeficiency virus (HIV) infection.

(e) *Reports of vaccine preventable illnesses.* The person in charge of a school shall report to the Department by telephone, within 24 hours, any child who has any vaccine preventable illness, or meningitis or tuberculosis, or if there is any outbreak or unusual occurrence of any disease or condition at the facility.

(f) *Exclusions pursuant to Article 11 of this Code.* The person in charge of a school shall exclude a child who is a case, contact, or carrier of a communicable disease if the child is required to be isolated or excluded by Article 11 of this Code. Such child shall not be permitted to return to the school without a written statement of recovery from a health care provider if the child was a case of measles, mumps, rubella, pertussis (whooping cough), scarlet fever, meningitis (all types), or poliomyelitis, or if the child was a case, carrier, or contact of any other communicable disease reportable pursuant to Article 11 of this Code. The statement shall indicate that the child is free from such disease in communicable form and that the period of isolation or exclusion required by Article 11 of this Code has ended.

§43.21. Health; emergencies.

(a) *Emergency procedures and notices.* Written policies and procedures for managing health and other emergencies shall be included in the written health and safety plan. Persons in charge of a schools shall provide notice of the location and

contact telephone numbers of the school to local hospitals, police precincts, fire houses and emergency transport services and information about emergency policies and procedures shall be provided to parents. Emergency procedures and emergency telephone contact numbers (for Police, Fire Department, Poison Control Center, Child Abuse Hotline, and the Department of Health and Mental Hygiene) shall be conspicuously posted in each classroom or area used by children.

(b) *Necessary emergency medical care.* When a child is injured, or becomes ill under such circumstances that immediate care is needed, the person in charge of a school or designee shall obtain necessary medical care and immediately notify the child's parent.

(c) *First aid supplies.* A first aid kit, completely stocked for emergency treatment of cuts and burns, shall be provided by the person in charge of a school and shall be easily accessible for use. The first aid kit shall be kept out of reach of children and inspected periodically.

(d) *Log of children's illnesses and accidents.* The person in charge of a school shall maintain a log of illnesses, accidents, and injuries sustained by children in the service, in a form provided or approved by the Department. The person in charge of a school shall provide a child's parent with information concerning such incidents pertaining to the child, and shall report serious injuries to the Department. Logged entries shall include the name and date of birth of the child, the place, date and time of the accident or injury, names and positions of staff and other adults present, a brief statement as to how the accident or injury occurred, emergency treatment obtained, if any, and parental notification made or attempted.

§43.23. Lead-based paint restricted.

(a) *Applicability.* This section shall apply to all rooms and areas in a school facility that are occupied by children under six years of age, or to which such children have access.

(b) *Peeling lead-based paint prohibited.*

(1) There shall be no peeling lead-based paint or peeling paint of unknown lead content on any surface in a kindergarten.

(2) Peeling lead-based paint or peeling paint of unknown lead content shall be immediately abated or remediated upon discovery, in accordance with § 173.14 of this Code.

(3) Children shall not be present and shall not have access to any room or area undergoing abatement, remediation or other work which disturbs lead-based paint or paint of unknown lead content until after completion of final clean-up and clearance dust testing.

(4) The work practices of §173.14 of this Code shall not apply to repair and maintenance work which disturbs surfaces of less than two (2) square feet of peeling lead-based paint per room or ten (10) percent of the total surface area of peeling paint on a type of component with a small surface area, such as a window sill or door frame.

(c) *Equipment and furnishings.* Equipment and furnishings shall be painted with lead-free paint.

(d) *Soil.* Soil in exterior areas used by children under six years of age shall be tested for lead, shall be remediated if test results exceed clearance limits in §173.14 of this Code, and shall not be used until cleared in accordance with §173.14.

(e) *Annual survey.* Each year the owner or person in charge of a school shall conduct a survey of the condition of surfaces in classrooms, where the surfaces of such classrooms or other areas used by children under six years of age are covered with lead-based paint or paint of unknown lead content. Survey results shall be recorded on a form provided by or satisfactory to the Department, and copies of survey results shall be provided to the Department upon request.

(f) *Definitions.* All terms used in this section shall have the same meanings as the terms defined in § 173.14 of this Code.

§43.25. *Modification of provisions.* When the strict application of any provision of this article presents practical difficulties, or unusual or unreasonable hardships, the Commissioner in a specific instance may modify the application of such provision consistent with the general purpose and intent of these articles and upon such conditions as in his opinion are necessary to protect the health of the children. The denial by the Commissioner of a request for modification may be appealed to the Board in the manner provided by § 5.21.

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 St., Rm. 629, New York, NY 10007 on April 2, 2008, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
1, 1A	3542	17
28	3551	p/o 1

acquired in the proceeding, entitled: New Creek Bluebelt, Phase 3 subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

William C. Thompson, Jr.
Comptroller

CONFLICTS OF INTEREST BOARD

NOTICE

The following information serves as a confirmation of the completion of your filing of the 2007/08 Financial Disclosure Report for all filers who submitted reports after December 28, 2007 up to March 14, 2008.

Table with columns: FILER EIN, AGENCY CODE, FILING DATE, HASH VALUE. Lists filer information and their corresponding hash values.

OFFICE OF MANAGEMENT AND BUDGET

NOTICE

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

FLOOD NOTICE OF EARLY PUBLIC REVIEW

Regulations promulgated under Executive Order 11988 require that the public be provided the opportunity for early review as soon as it is determined that a federally-funded project is proposed to be located in a federally-designated floodplain as defined by the respective Executive Order.

Industrial Areas Improvement Program

The New York City Economic Development Corporation (EDC) provides graffiti removal services under its "Graffiti-Free NYC" (GFNYC) effort throughout New York City. EDC has created a mobile graffiti removal service by placing spray painting as well as power washing equipment on small trucks.

Additional information, including a copy of the flood map of the affected site, is available and can be obtained at the Office of Community Development, Office of Management and Budget, 75 Park Place, 8th Floor, New York, New York 10007, between 10:00 A.M. and 5:00 P.M., Monday through Friday.

City of New York, Office of Management and Budget, Mark Page, Budget Director. Date: April 1, 2008.

a1-7

CHANGES IN PERSONNEL

DEPARTMENT OF SANITATION FOR PERIOD ENDING 03/07/08

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

DEPARTMENT OF FINANCE FOR PERIOD ENDING 03/07/08

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

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

DEPARTMENT OF TRANSPORTATION FOR PERIOD ENDING 03/07/08

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

Table with columns: NAME, ACTION, PROV, EFF_DATE. Includes NGUYEN, RUBINSON, TYRONE, VALLEJO.

BRONX DISTRICT ATTORNEY FOR PERIOD ENDING 03/07/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BAEZ, BAUTISTA, BITTO, BROWN, etc.

DISTRICT ATTORNEY KINGS COUNTY FOR PERIOD ENDING 03/07/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BRICKEN, BUSK, CLARK, etc.

DISTRICT ATTORNEY QNS COUNTY FOR PERIOD ENDING 03/07/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes HAYES.

DISTRICT ATTORNEY RICHMOND COUNTY FOR PERIOD ENDING 03/07/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes CARRASCO, PIAZZA, VIGGIANO.

DISTRICT ATTORNEY-SPECIAL NARC FOR PERIOD ENDING 03/07/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes MOREIRA.

PUBLIC ADMINISTRATOR-KINGS FOR PERIOD ENDING 03/07/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes GESZDORF.

OFFICE OF THE MAYOR FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes ABRAMS, CANALES, DAVIS, etc.

BOARD OF ELECTION FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BELTON, FISHER, JOHNSON, etc.

CAMPAIGN FINANCE BOARD FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes KATZMAN.

OFFICE OF THE ACTUARY FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BLAKELY, RACELIS.

NYC EMPLOYEES RETIREMENT SYS FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes DEGENESTE, DEMAS.

BOROUGH PRESIDENT-BRONX FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes MURPHY.

BOROUGH PRESIDENT-STATEN IS FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes WITZAK.

OFFICE OF THE COMPTROLLER FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BADERO, BOYD, DEL PILAR, etc.

OFFICE OF EMERGENCY MANAGEMENT FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes CARVALHO, DIAZ, FRIEDMAN, JUSTHAM.

OFFICE OF MANAGEMENT & BUDGET FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes FAJARDO, FERNANDEZ, HAYNES, etc.

LAW DEPARTMENT FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BROWN, CANFIELD, CHAN, etc.

DEPARTMENT OF CITY PLANNING FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BARRY, DE LEON III, MURATI, etc.

DEPARTMENT OF INVESTIGATION FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes COLON, TRENTACOSTA, VANN.

TEACHERS RETIREMENT SYSTEM FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes BETHELMY, CARRIER, CRIVELLI, etc.

CIVILIAN COMPLAINT REVIEW BD FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes CLEAVER, HAYNES, MANCINI, etc.

POLICE DEPARTMENT FOR PERIOD ENDING 03/21/08

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF_DATE. Includes ABDELMESSIH, ACRIO, AGUGLIARO, etc.

READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except 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 Comptrollers Office at www.comptroller.nyc.gov, click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

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 \$7 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. To register for these lists--free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at NYC.gov/selltonyc
- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us 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, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency 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 list 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 the 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 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

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, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

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 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

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 the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

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 now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. 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 Website, <http://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:

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE.... Date Intent to Negotiate Notice was published in CR
- OLB..... Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN..... Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS..... Source required by state/federal law or grant
- SCE Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED Subject to State &/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:
- CP **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
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/**only one source
- RS..... Procurement from a Required Source/ST/FED
- NA..... Negotiated Acquisition
- For ongoing construction project only:*
- 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

For Legal services only:

- NA/12 Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 Prevent 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)
- OLB/a anti-apartheid preference
- OLB/b local vendor preference
- OLB/c recycled preference
- OLB/d 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.

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 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.