



# THE CITY RECORD

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## THE CITY RECORD

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MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.  
ELI BLACHMAN, Editor of The City Record.

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### AGING

#### ■ PUBLIC HEARINGS

#### CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Monday, April 27, 2009, at the Department for the Aging, 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of one (1) proposed contract between the Department for the Aging of the City of New York and the Contractor listed below to provide various senior services, e.g., case assistance and information. The contract term shall be from July 1, 2008 to June 30, 2009, with no renewal option. The contract amount and the Community District in which the program is located is identified below.

#### Contractor/Address

Metropolitan Council on Jewish Poverty  
80 Maiden Lane, 21st Floor, New York, NY 10038

PIN# 12509DISC6XQ Amount \$432,353  
Boro/CD Bronx, CDs 9, 11-15  
Manhattan, CDs 1, 3 & 12  
Queens, CDs 3, 6, 9 & 14

The proposed contract is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the PPB Rules.

A draft copy of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from April 14, 2009 to April 27, 2009, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Betty Lee, Agency Chief Contracting Officer at the Department for the Aging (DFTA), 2 Lafayette St., 4th Floor, NY, NY 10007. If DFTA receives no written request to speak within the prescribed time, DFTA reserves the right not to conduct the public hearing.

#### CANCELLATION OF PUBLIC HEARING

IN THE MATTER of one (1) proposed contract between the Department for the Aging of the City of New York and the Contractor listed below to provide various senior services, e.g.,

case assistance and information. The contract term shall be from July 1, 2008 to June 30, 2009, with no renewal option. The contract amount and the Community District in which the program is located is identified below.

#### Contractor/Address

Catholic Charities Neighborhood Services Inc.  
191 Joralemon Street, 14th Floor, Brooklyn, NY 11201

PIN# 12509NABP4P8 Amount \$120,000  
Boro/CD Queens, CD 8

The proposed contract is being funded through a Negotiated Acquisition pursuant to Section 3-04 of the PPB Rules.

A draft copy of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th floor, New York, New York 10007, on business days, from April 14, 2009 to April 27, 2009, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Betty Lee, Agency Chief Contracting Officer at the Department for the Aging (DFTA), 2 Lafayette St., 4th Floor, NY, NY 10007. If DFTA receives no written request to speak within the prescribed time, DFTA reserves the right not to conduct the public hearing.

a23-27

## CITY COUNCIL

#### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matter in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Thursday, April 30, 2009:

#### IL PALAZZO

MANHATTAN CB - 2 20085511 TCM  
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 151 Mulberry Street Corp., d/b/a Il Palazzo, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 151 Mulberry Street, Borough of Manhattan.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 11:00 A.M. on Thursday, April 30, 2009:

#### P.S. 69-K ANNEX

BROOKLYN CB - 10 20095202 SCK  
Application pursuant to Section 1732 of the New York School

Construction Authority Act, concerning the proposed site selection for a new, approximately 415-Seat Primary School Facility, known as P.S. 69-K Annex, to be located at 942 62nd Street (Block 5729, Lot 24), Borough of Brooklyn, Community School District No. 20.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 1:00 P.M. on Thursday, April 30, 2009:

#### ALBANY CROSSINGS APARTMENTS

BROOKLYN CB - 3 20095467 HAK  
Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for consent to the conveyance by a redevelopment company for property located at Block 1859/Lot 1, Council District 36, Borough of Brooklyn.

#### KINGSTON HEIGHTS APARTMENTS

BROOKLYN CB - 3 20095468 HAK  
Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for consent to the conveyance by a redevelopment company, for property located at Block 1851/Lots 58 and 61, Council District 36, Borough of Brooklyn.

Proposals subject to Council review and action pursuant to the Urban Development Action Area Act, Article 16 of the New York General Municipal Law, at the request of the Department of Housing Preservation and Development ("HPD"), which requests that the Council:

- Find that the present status of the listed areas tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
- Waive the area designation requirements of Section 693 of the General Municipal Law pursuant to said Section;
- Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
- Approve the projects as Urban Development Action Area Projects pursuant to Section 694 of the General Municipal Law; and
- Approve an exemption of the Projects from real property taxes pursuant to Section 577 of the Private Housing Finance Law.

NO.	ADDRESS	BLOCK/LOT	BORO	COMMUNITY	PROGRAM BOARD
20095466 HAK	1050 Hancock Street	3395/11	Brooklyn	Tenant	Interim 04 Lease
20095469 HAK	133-41 West 140th Street	2009/23	Manhattan	Tenant	Interim Lease 10
20095470 HAM	211 West 135th Street	1941/23	Manhattan	Tenant	Interim Lease 10
20095471 HAM	2460 7th Avenue	2029/29	Manhattan	Tenant	Interim Lease 10

a24-30

## 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 The New York City College of Technology, Klitgard Auditorium, 285 Jay Street, Brooklyn, New York (Between Tillary and Johnson Streets), on Wednesday, May 6, 2009, commencing at 9:30 A.M.

**BOROUGH OF BROOKLYN**  
**No. 1**  
**CANARSIE REZONING**

**CD 18 C 090313 ZMK**

**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 Nos. 17d, 23a, 23c and 23d:

1. eliminating from an existing R4 District a C1-1 District bounded by Avenue L, East 95th Street, a line 200 feet southeasterly of Avenue L, and East 93rd Street;
2. eliminating from an existing R4 District a C1-2 District bounded by:
  - a. a line 200 feet southeasterly of Farragut Road, Rockaway Parkway, Glenwood Road, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 150 feet southeasterly of Flatlands Avenue, and East 96th Street,
  - b. a line 150 feet northwesterly of Flatlands Avenue, East 89th Street, Flatlands Avenue, and a line midway between East 88th Street and East 89th Street;
  - c. a line 150 feet northwesterly of Avenue L, East 95th Street, Avenue L, East 93rd Street, a line 150 feet southeasterly of Avenue L, and East 91st Street;
  - d. Avenue N, Rockaway Parkway, Seaview Avenue, and a line midway between East 96th Street and Rockaway Parkway;
3. eliminating from an existing R5 District a C1-2 District bounded by:
  - a. Ralph Avenue, East 79th Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly East 78th Street, a line perpendicular to the northeasterly street line of East 78th Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of East 78th Street and the easterly street line of Ralph Avenue, and East 78th Street;
  - b. Ralph Avenue, East 77th Street, a line 150 feet southeasterly of Ralph Avenue, East 76th Street, and Glenwood Road,
  - c. East 88th Street, a line 150 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, and Flatlands Avenue;
  - d. a line 150 feet northwesterly of Glenwood Road, East 105th Street, Glenwood Road, and East 103rd Street;
  - e. a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, St. Jude Place, Seaview Avenue, and Rockaway Parkway;
  - f. Schenck Street, Rockaway Parkway, a line 100 feet southeasterly of Schenck Street, and a line 215 feet southwesterly of Rockaway Parkway;
4. eliminating from an existing R4 District a C 2-1 District bounded by a line 150 feet northwesterly of Avenue L, Rockaway Parkway, a line 320 feet southeasterly of Avenue L, East 96th Street, a line 150 feet southeasterly of Avenue L, and East 95th Street;
5. eliminating from an existing R5 District a C2-1 District bounded by:
  - a. Avenue M, East 98th Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway; and
  - b. Flatlands Avenue, a line 325 feet northeasterly of 108th Street, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the southwesterly prolongation of a U.S. Pierhead and Bulkhead Line, and East 108th Street;
6. eliminating from an existing R4 District a C2-2 District bounded by:
  - a. Foster Avenue, East 98th Street, a line 150 feet southeasterly of Foster Avenue, and Rockaway Avenue;
  - b. a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street and its southeasterly prolongation, Glenwood Road, Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, a line midway between East 96th Street and Rockaway Parkway, a line 150 feet northwesterly of Farragut Road, and Rockaway Parkway;
7. eliminating from an existing R5 District a C2-2 District bounded by:
  - a. a line 100 feet northwesterly of Flatlands Avenue, East 83rd Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and the northwesterly centerline prolongation of East 77th Street; and
  - b. Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96th Street;
8. changing from an R5 District to an R3-1 District property bounded by a line 100 feet southeasterly of Avenue L, East 105th Street, a line 100 feet northwesterly of Avenue M, and a line midway between East 100th Street and East 101st Street;
9. changing from an R5 District to an R3X District property bounded by a line 100 feet southeasterly of Avenue L, a line midway between East 100th Street and East 101st Street, a line 100 feet northwesterly of Avenue M, East 105th Street, Avenue L, a line 100 feet northeasterly of East 105th Street, a line midway between Avenue L and Flatlands 5th Street, East 108th Street, the northeasterly centerline prolongation of Flatlands 6th Street, a line 150 feet northeasterly of East 108th Street, the northeasterly centerline prolongation of Avenue M, East 108th Street, Seaview Avenue, a line midway between East 104th Street and East 105th Street, Avenue N, East 105th Street, a line 175 feet southeasterly of Avenue M, a line midway between East 102nd Street and East 103rd Street, a line 100 feet northwesterly of Avenue N, East 102nd Street, Avenue N, a line midway between East 101st Street and East 102nd Street, a line 175 feet northwesterly of Avenue N, a line midway between East 100th Street and East 101st Street, a line 100 feet southeasterly of Avenue M, and East 99th Street;
10. changing from an R5 District to an R4 District property bounded by:
  - a. Glenwood Road, East 103rd Street, Flatlands Avenue, East 102nd Street, a line 100 feet southeasterly of Flatlands Avenue, East 101st Street, Avenue K, East 102nd Street, Avenue L, East 104th Street, Avenue K, East 103rd Street, Avenue J, East 104th Street, Flatlands 1st Street and its southwesterly centerline prolongation, a line 100 feet northeasterly of East 105th Street, Flatlands 3rd Street, East 105th Street, a line 100 feet southeasterly of Avenue L, East 99th Street, a line 100 feet northwesterly of Avenue L, a line midway between East 98th Street and East 99th Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 400 feet southeasterly of Avenue J, a line 100 feet southwesterly of East 98th Street, a line 200 feet northwesterly of Avenue J, East 98th Street, a line 375 feet southeasterly of Flatlands Avenue, East 99th Street, Flatlands Avenue, and a line midway between East 101st Street and East 102nd Street; and
  - b. Avenue M, East 99th Street, a line 100 feet southeasterly of Avenue M, a line midway between East 100th Street and East 101st Street, a line 175 feet northwesterly of Avenue N, a line midway between East 101st Street and East 102nd Street, Avenue N, East 101st Street, Seaview Avenue, East 98th Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 98th Street and East 99th Street;
11. changing from an R4 District to an R4-1 District property bounded by:
  - a. Krier Place, East 92nd Street, a line 100 feet southeasterly of Foster Avenue, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Farragut Road, East 92nd Street, Farragut Road, East 93rd Street, a line 250 feet southeasterly of Farragut Road, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, a line 175 feet southeasterly of Foster Avenue and its southwesterly prolongation, and a line 100 feet northeasterly of Remsen Avenue;
12. changing from an R5 District to an R4-1 District property bounded by:
  - a. a line 100 feet southeasterly of Foster Avenue, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Glenwood Road, East 86th Street, a line 100 feet southeasterly of Farragut Road, and East 88th Street;
  - b. a line 100 feet southeasterly of Flatlands Avenue, East 88th Street, Flatlands Avenue, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue J, and East 86th Street;
  - c. a line 100 feet northwesterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue M, East 88th Street, Avenue N, and East 87th Street;
  - d. Flatlands Avenue, East 99th Street, a line 375 feet southeasterly of Flatlands Avenue, and East 98th Street;
  - e. a line 100 feet southeasterly of Avenue L, East 99th Street, Avenue M, a line midway between East 98th Street and East 99th Street, a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, Rockaway Parkway, Avenue M, and a line midway between Rockaway Parkway and East 98th Street;
  - f. a line 175 feet southeasterly of Avenue M, East 105th Street, Avenue N, a line midway between East 104th Street and East 105th Street, Seaview Avenue, East 103rd Street, a line 100 feet northwesterly of Avenue N, and a line midway between East 102nd Street and East 103rd Street;

- g. Flatlands 4th Street, East 108th Street, a line midway between Avenue L and Flatlands 5th Street, a line 100 feet northeasterly of East 105th Street, a line midway between Flatlands 4th Street and Avenue L, and a line 250 feet northeasterly of East 105th Street;
- h. East 108th Street, the northeasterly centerline prolongation of Avenue M, a line 100 feet northeasterly of East 108th Street, a line midway between the northeasterly centerline prolongation of Avenue M and Flatlands 7th Street and its northeasterly prolongation, a U.S. Pierhead and Bulkhead Line, and Flatlands 9th Street and its northeasterly centerline prolongation;
13. changing from a C8-1 District to an R4-1 District property bounded by:
- a. Farragut Road, a line midway between East 99th Street and East 100th Street, a line 200 feet southeasterly of Farragut Road, and East 99th Street;
- b. a line 50 feet northwesterly of Glenwood Road, a line 80 feet northeasterly of East 99th Street, Glenwood Road, and a line midway between Rockaway Parkway and East 98th Street;
14. changing from an R4 District to an R4A District property bounded by:
- a. a line 330 feet northwesterly of Foster Avenue, East 94th Street, Foster Avenue, a line midway between East 94th Street and East 95th Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 92nd Street and East 93rd Street, a line 250 feet southeasterly of Farragut Road, East 93rd Street, Farragut Road, East 92nd Street, a line 100 feet northwesterly of Farragut Road, a line midway between East 92nd Street and East 93rd Street, a line 100 feet southeasterly of Foster Avenue, East 92nd Street, Foster Avenue, and East 93rd Street;
- b. a line perpendicular to the southwesterly street line of East 91st Street distant 100 feet southeasterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 91st Street and the southeasterly street line of Avenue K, East 91st Street, a line 100 feet southeasterly of Avenue L, East 89th Street, a line 100 feet northwesterly of Avenue M, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue K, and Remsen Avenue;
- c. Avenue K, East 95th Street, a line 225 feet southeasterly of Avenue K, Rockaway Parkway, a line 100 feet northwesterly of Avenue L, and East 94th Street;
15. changing from an R5 District to an R4A District property bounded by:
- a. a line 100 feet southeasterly of Avenue K, a line midway between East 88th Street and East 89th Street, a line 100 feet northwesterly of Avenue M, East 87th Street, a line 175 feet northwesterly of Avenue M, a line midway between East 86th Street and East 87th Street, a line 100 feet southeasterly of Avenue L, East 87th Street, Avenue L, a line midway between East 86th Street and East 87th Street, a line 275 feet northwesterly of Avenue L, and East 87th Street;
- b. a line 225 feet southeasterly of Avenue K, a line midway between East 98th Street and East 99th Street, a line 100 feet northwesterly of Avenue L, East 99th Street, a line 100 feet southeasterly of Avenue L, a line midway between Rockaway Parkway and East 98th Street, Avenue M, and Rockaway Parkway;
16. changing from an R4 District to an R5 District property bounded by:
- a. Avenue N, Remsen Avenue, a line 150 feet southeasterly of Avenue N, a line midway between East 89th Street and Remsen Avenue, a line 75 feet northwesterly of Seaview Avenue, Remsen Avenue, Seaview Avenue, and a line midway between East 88th Street and East 89th Street, and
- b. Avenue N, East 95th Street, a line 250 feet northwesterly of Seaview Avenue, a line 100 feet northeasterly of East 95th Street, Seaview Avenue, East 92nd Street, a line 100 feet northwesterly of Seaview Avenue, and a line midway between East 92nd Street and East 93rd Street and its northwesterly prolongation;
17. changing from a C3 District to an R5 District property bounded by the southwesterly centerline prolongation of Paerdegat 12th Street, Paerdegat Avenue North, a northwesterly boundary line of Canarsie Beach Park, and a U.S. Pierhead and Bulkhead Line;
18. changing from an R4 District to an R5B District property bounded by:
- a. a line 100 feet northwesterly of Foster Avenue, East 93rd Street, Foster Avenue, and East 92nd Street;
- b. a line 100 feet northwesterly of Foster Avenue, East 96th Street, Foster Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 175 feet southeasterly of Foster Avenue, East 96th Street, a line 275 feet southeasterly of Foster Avenue, a line midway between East 95th Street and East 96th Street, Foster Avenue, and East 94th Street; and
- c. a line 100 feet northwesterly of Avenue J, Remsen Avenue, a line 100 feet southeasterly of Avenue K, a line midway between East 88th Street and East 89th Street, Avenue K, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Church Lane and its southwesterly centerline prolongation, and a line midway between East 88th Street and East 89th Street;
19. changing from an R5 District to an R5B District property bounded by:
- a. a line 200 feet southeasterly of Foster Avenue, East 85th Street, a line 100 feet southeasterly of Foster Avenue, East 88th Street, a line 100 feet southeasterly of Farragut Road, East 86th Street, a line 100 feet southeasterly of Glenwood Road, East 85th Street, a line 100 feet northwesterly of Flatlands Avenue, a line 100 feet southwesterly of East 78th Street, Flatlands Avenue, the southeasterly centerline prolongation of East 77th Street, Glenwood Road, Ralph Avenue, East 79th Street, Glenwood Road, East 80th Street, Farragut Road, and East 81st Street;
- b. a line 100 feet southeasterly of Flatlands Avenue, East 81st Street, Flatlands Avenue, East 84th Street, a line 100 feet southeasterly of Flatlands Avenue, East 85th Street, Flatlands Avenue, East 86th Street, a line 100 feet northwesterly of Avenue J, a line midway between East 88th Street and East 89th Street, Church Lane and its southwesterly centerline prolongation, a northeasterly boundary line of Canarsie Cemetery and its northwesterly and southeasterly prolongations, Avenue K, a line midway between East 88th Street and East 89th Street, a line 100 feet southeasterly of Avenue K, East 87th Street, a line 275 feet northwesterly of Avenue L, a line midway between East 86th Street and East 87th Street, Avenue L, East 85th Street, Avenue M, East 82nd Street, Avenue K, a line midway between East 81st Street and East 82nd Street, Avenue J, East 80th Street, a line midway between Paerdegat 2nd Street and Paerdegat 3rd Street, a line perpendicular to the northwesterly street line of Paerdegat 2nd Street distant 250 feet southwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of East 80th Street and the northwesterly street line of Paerdegat 2nd Street, a line midway between Paerdegat 1st Street and Paerdegat 2nd Street, Paerdegat Avenue, and East 76th Street;
- c. a line 100 feet southeasterly of Flatlands Avenue, East 103rd Street, Flatlands Avenue, East 104th Street, a line 100 feet southeasterly of Flatlands Avenue, East 106th Street, Flatlands Avenue, East 107th Street, Avenue J, East 108th Street, Flatlands 1st Street and its southwesterly centerline prolongation, East 104th Street, Avenue J, East 103rd Street, Avenue K, East 104th Street, Avenue L, East 102nd Street, Avenue K, and East 101st Street;
- d. a line 100 feet northwesterly of Avenue N, East 103rd Street, Seaview Avenue, East 101st Street, Avenue N, and East 102nd Street;
20. changing from an R4 District to an R5D District property bounded by:
- a. Foster Avenue, East 98th Street, a line 200 feet southeasterly of Foster Avenue, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96th Street, a line 100 feet northwesterly of Flatlands Avenue, and a line midway between East 96th Street and Rockaway Parkway;
- b. a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 88th Street and East 89th Street, Flatlands Avenue, East 88th Street, a line 100 feet southeasterly of Flatlands Avenue, East 86th Street, Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Flatlands Avenue, East 84th Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78th Street;
- b. Flatlands Avenue, East 98th Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
- c. Flatlands Avenue, East 103rd Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102nd Street;
- d. Flatlands Avenue, East 106th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104th Street;
- e. Flatlands Avenue, a line 325 feet northeasterly of East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108th Street;
22. establishing within a proposed R4-1 District a C1-3 District bounded by:
- a. Avenue N, Rockaway Parkway, a line 100 feet northwesterly of Seaview Avenue, East 98th Street, Seaview Avenue, and a line midway between East 96th Street and Rockaway Parkway;
- b. Glenwood Road, a line midway between East 96th Street and Rockaway Parkway, a line 100 feet southeasterly of Glenwood Road, and East 96th Street; and
- c. a line 100 feet southeasterly of Avenue L, a line midway between East 93rd Street and East 94th Street, a line 150 feet southeasterly of Avenue L, and East 93rd Street;
23. establishing within an existing R5 District a C1-3 District bounded by:
- a. Seaview Avenue, a line 450 feet northeasterly of Rockaway Parkway, a line 200 feet southeasterly of Seaview Avenue, Rockaway Parkway, Skidmore Avenue, a line 350 feet southwesterly of Rockaway Parkway, and St. Jude Place; and
- b. a line 100 feet northwesterly of Glenwood Road, East 105th Street, Glenwood Road, and East 103rd Street;
24. establishing within a proposed R5D District a C1-3 District bounded by:
- a. a line 100 feet northwesterly of Flatlands Avenue, East 89th Street, Flatlands Avenue, and East 88th Street;
- b. Glenwood Road, a line midway between Rockaway Parkway and East 98th Street, Conklin Avenue, Rockaway Parkway, a line 100 feet southeasterly of Flatlands Avenue, East 96th Street, a line 100 feet northwesterly of Flatlands Avenue, a line midway between East 96th Street and Rockaway Parkway, a line 200 feet southeasterly of Farragut Road, and Rockaway Parkway; and
- c. a line 100 feet northwesterly of Avenue L, East 95th Street, a line 100 feet southeasterly of Avenue L, and East 91st Street;
25. establishing within a proposed R4-1 District a C2-3 District bounded by:
- a. Avenue M, East 98th Street, a line 360 feet southeasterly of Avenue M, and Rockaway Parkway;
- b. a line 50 feet northwesterly of Glenwood Road, a line 200 feet northeasterly of Rockaway Parkway, Glenwood Road, and a line 100 feet northeasterly of Rockaway Parkway;
- c. Conklin Avenue, a line midway between East 92nd Street and East 93rd Street, a line 100 feet northwesterly of Flatlands Avenue, and a line 150 feet southwesterly of East 92nd Street; and
- d. a line 100 feet southeasterly of Avenue L,

- Rockaway Parkway, a line 220 feet southeasterly of Avenue L, and East 96th Street;
26. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet northwesterly of Avenue L, East 96th Street, a line 100 feet northwesterly of Avenue L, and East 95th Street;
27. establishing within an existing R5 District a C2-3 District bounded by:
- Flatlands Avenue, East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, the northwesterly prolongation of a U.S. Pierhead and Bulkhead Line, the Southwesterly prolongation of a U.S. Pierhead and Bulkhead Line, East 108th Street, a line 400 feet southeasterly of Flatlands Avenue, and East 107th Street; and
  - Skidmore Avenue, Rockaway Parkway, Schenck Street, and East 96th Street;
28. establishing within a proposed R5B District a C2-3 District bounded by:
- Ralph Avenue, East 79th Street, a line 100 feet easterly of Ralph Avenue, a line 100 feet northeasterly of East 78th Street, a line perpendicular to the northeasterly street line of East 78th Street distant 80 feet southeasterly (as measured along the street line) from the point of intersection of the easterly street line of Ralph Avenue and the northeasterly street line of East 78th Street, and East 78th Street; and
  - Ralph Avenue, East 77th Street, a line 150 feet easterly of Ralph Avenue, East 76th Street, and Glenwood Road; and
29. establishing within a proposed R5D District a C2-3 District bounded by:
- a line 100 feet northwesterly of Flatlands Avenue, East 88th Street, a line 100 feet southeasterly of Flatlands Avenue, East 86th Street, Flatlands Avenue, East 85th Street, a line 100 feet southeasterly of Flatlands Avenue, East 84th Street, Flatlands Avenue, East 81st Street, a line 100 feet southeasterly of Flatlands Avenue, East 76th Street, Flatlands Avenue, and a line 100 feet southwesterly of East 78th Street;
  - a line 100 feet northwesterly of Flatlands Avenue, a line 125 feet northeasterly of Remsen Avenue, Flatlands Avenue, and East 89th Street,
  - a line 100 feet northwesterly of Flatlands Avenue, East 93rd Street, a line 100 feet southeasterly of Flatlands Avenue, East 91st Street, Flatlands Avenue, and a line 150 feet southwesterly of East 92nd Street;
  - Foster Avenue, East 98th Street, a line 200 feet southeasterly of Foster Avenue, and Rockaway Avenue;
  - a line midway between East 96th Street and Rockaway Parkway, a line 225 feet northwesterly of Farragut Road, Rockaway Parkway, a line 200 feet northwesterly of Farragut Road, a line midway between Rockaway Parkway and East 98th Street and its southeasterly prolongation, and Glenwood Road;
  - Flatlands Avenue, East 98th Street, a line 100 feet southeasterly of Flatlands Avenue, and Rockaway Parkway;
  - a line 100 feet northwesterly of Avenue L, Rockaway Parkway, a line 100 feet southeasterly of Avenue L, and East 94th Street;
  - Flatlands Avenue, East 103rd Street, a line 100 feet southeasterly of Flatlands Avenue, and East 102nd Street;
  - Flatlands Avenue, East 106th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 104th Street; and
  - Flatlands Avenue, a line 325 feet northeasterly of East 108th Street, a line 100 feet southeasterly of Flatlands Avenue, and East 108th Street;
- as shown on a diagram (for illustrative purposes only) dated February 17, 2009 and subject to the conditions of CEQR Declaration E-230.
- Nos. 2 & 3**  
**BRIGHTON BEACH REZONING**  
**No. 2**
- CD 13** **C 090284 ZMK**  
**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 Nos. 28c, 28d, and 29b:
- eliminating from within an existing R6 District a C1-2 District bounded by:
    - a line 150 feet northwesterly of Neptune Avenue, a line midway between Coney Island Avenue and Brighton 8th Street, Neptune Avenue, Coney Island Avenue, a line 150 feet southeasterly of Neptune Avenue, Brighton 8th Street, Neptune Avenue, and Brighton 7th Street; and
    - Brighton 10th Street and its westerly centerline prolongation, a line 150 feet easterly of Coney Island Avenue, a line 150 feet northwesterly of Brighton Beach Avenue, Brighton 11th Street, Brighton Beach Avenue, a line 200 feet easterly of Coney Island Avenue, a line 100 feet southeasterly of Brighton Beach Avenue, Ocean Parkway, a line 150 feet northwesterly of Brighton Beach Avenue, and a line 90 feet westerly of Coney Island Avenue;
  - eliminating from within an existing R6 District a C1-3 District bounded by a line 150 feet northerly and northeasterly of Brighton Beach Avenue, Brighton 15th Street, Brighton Beach Avenue, and Brighton 11th Street;
  - changing from an R6 District to an R4A District property bounded by a line 130 feet southeasterly of Neptune Avenue, a line midway between Brighton 6th Street and Brighton 7th Street, a line 100 feet southeasterly of Neptune Avenue, a line 100 feet westerly of Coney Island Avenue, Oceanview Avenue, Brighton 2nd Street, a line 100 feet northwesterly of Brighton Beach Avenue, and Brighton 1st Street;
  - changing from an R6 District to an R5 District property bounded by:
    - a line 140 feet southwesterly of Cass Place, a line midway between Brighton 11th Street and Brighton 12th Street, a line 210 feet southwesterly of Cass Place, Brighton 12th Street, a line 400 feet northeasterly of Oceanview Avenue, a line midway between Brighton 11th Street and Brighton 12th Street, a line 240 feet northeasterly of Oceanview Avenue, and Brighton 11th Street;
    - Brighton 12th Street, Corbin Place, Brighton 15th Street, a line 100 feet westerly of Corbin Place, Oceanview Avenue, a line 100 feet northwesterly of Brighton 14th Street, a line 140 feet northeasterly Oceanview Avenue, and a line 100 feet westerly of Corbin Place; and
    - a line perpendicular to the northwesterly street line of Brighton 11th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northerly street line of Brighton Beach Avenue and the northwesterly street line of Brighton 11th Street, a line 160 feet northwesterly of Brighton 11th Street, a line 550 feet northeasterly of the first named course, and Brighton 11th Street;
  - changing from an R6 District to an R5D District property bounded by:
    - Shore Parkway (North), Coney Island Avenue, a line 100 feet northwesterly of Neptune Avenue, a line perpendicular to the southeasterly street line of Brighton 4th Terrace distant 80 feet northeasterly (as measured along the street line) from the point of intersection of the easterly street line of Brighton 4th Street and the southeasterly street line of Brighton 4th Terrace, Brighton 4th Terrace, Brighton 4th Terrace, Brighton 4th Street, a line perpendicular to the easterly street line of Brighton 3rd Street distant 270 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Neptune Avenue and easterly street line of Brighton 3rd Street, Brighton 3rd Street, a line 100 feet northwesterly of Neptune Avenue, a line midway between Ocean Parkway and Brighton 3rd Street, a line 100 feet southerly of Shore Parkway (South), and Brighton 3rd Street and its northerly centerline prolongation;
    - Guilder Avenue,
      - a line midway between Coney Island Avenue and East 11th Street,
      - Neptune Avenue,
      - a line 100 feet easterly of Coney Island Avenue,
      - Brighton 10th Court,
      - a line 80 feet easterly of Coney Island Avenue,
      - Brighton 10th Path,
      - Coney Island Avenue,
      - Brighton 10th Lane,
      - a line 80 feet easterly of Coney Island Avenue,
      - a line 160 feet northwesterly of Brighton 11th Street,
      - a line 550 feet northeasterly of a line perpendicular to the northwesterly street line of Brighton 11th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northerly street line of Brighton Beach Avenue and the northwesterly street line of Brighton 11th Street, Brighton 11th Street,
      - Oceanview Avenue,
      - a line midway between Brighton 11th Street and Brighton 12th Street,
  - a line 100 feet northeasterly of Oceanview Avenue, Brighton 13th Street, a line 220 feet southwesterly of Oceanview Avenue, a line midway between Brighton 13th Street and Brighton 14th Street, a line 100 feet southwesterly of Oceanview Avenue and its southeasterly prolongation (at Brighton 14th Street), a line 100 feet southeasterly of Brighton 14th Street, a line 180 feet northeasterly of Brighton Beach Avenue, Brighton 14th Street, a line 140 feet northeasterly of Brighton Beach Avenue, Brighton 13th Street, a line 100 feet northeasterly of Brighton Beach Avenue, a line midway between Brighton 12th Street and Brighton 13th Street, a line 240 feet southwesterly Oceanview Avenue, and Brighton 12th Street;
  - Oceanview Avenue, a line 100 feet westerly of Coney Island Avenue, a line 100 feet northwesterly of Brighton Beach Avenue, and Brighton 2nd Street; and
  - a line 130 feet southeasterly of Neptune Avenue, Brighton 1st Street, a line perpendicular to the easterly street line of Ocean Parkway distant 150 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Brighton Beach Avenue and easterly street line of Ocean Parkway, and a line 130 feet easterly of Ocean Parkway;
  - changing from an R6 District to an R7A District property bounded by Shore Parkway (North), Brighton 3rd Street and its northerly centerline prolongation, a line 100 feet southerly of Shore Parkway (South), a line midway between Ocean Parkway and Brighton 3rd Street, a line 100 feet northwesterly of Neptune Avenue, Brighton 3rd Street, a line perpendicular to the easterly street line of Brighton 3rd Street distant 270 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Neptune Avenue and easterly street line of Brighton 4th Terrace, Brighton 4th Terrace, Brighton 4th Street, Brighton 4th Terrace, a line perpendicular to the southeasterly street line of Brighton 4th Terrace distant 80 feet northeasterly (as measured along the street line) from the point of intersection of the easterly street line of Brighton 4th Street and the southeasterly street line of Brighton 4th Terrace, a line 100 feet northwesterly of Neptune Avenue, Coney Island Avenue, Neptune Avenue, a line 100 feet easterly of Coney Island Avenue, Brighton 10th Court, a line 80 feet easterly of Coney Island Avenue, Brighton 10th Path, Coney Island Avenue, Brighton 10th Lane, a line 80 feet easterly of Coney Island Avenue, a line 160 feet northwesterly of Brighton 11th Street, a line perpendicular to the northwesterly street line of Brighton 11th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northerly street line of Brighton Beach Avenue and the northwesterly street line of Brighton 11th Street, Brighton 11th Street, Oceanview Avenue, a line midway between Brighton 11th Street and Brighton 12th Street, a line 100 feet northeasterly of Oceanview Avenue, Brighton 11th Street, a line 240 feet northeasterly of Oceanview Avenue, a line midway between Brighton 11th Street and Brighton 12th Street, a line 400 feet northeasterly of Oceanview Avenue, Brighton 12th Street, a line 210 feet southwesterly of Cass Place, a line midway between Brighton 11th Street and Brighton 12th Street, a line 140 feet southwesterly of Cass Place, Brighton 11th Street, Cass Place, Corbin Place, Brighton 12th Street, a line 100 feet westerly of Corbin Place, Brighton 15th Street, Corbin Place and its southerly centerline prolongation, Brighton Beach Avenue, a line 200 feet easterly of Coney Island Avenue, a line 100 feet southerly of Brighton Beach Avenue, Coney Island Avenue, a line perpendicular to the westerly street line of Coney Island Avenue distant 130 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Brighton Beach Avenue and the westerly street line of Coney Island Avenue, a line 100 feet westerly of Coney Island Avenue, a line 100 feet southeasterly of Neptune Avenue, a line midway between Brighton 6th Street and Brighton 7th Street, a line 130 feet southeasterly of Neptune Avenue, a line 130 feet easterly of Ocean Parkway,

a line perpendicular to the easterly street line of Ocean Parkway distant 150 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Brighton Beach Avenue and the easterly street line of Ocean Parkway, and Ocean Parkway; and excluding the area bounded by a line 100 feet southwesterly of Oceanview Avenue, Brighton 13th Street, a line 220 feet southwesterly of Ocean View Avenue, a line midway between Brighton 13th Street and Brighton 14th Street, a line 100 feet southwesterly of Oceanview Avenue and its southeasterly prolongation (at Brighton 14th Street), a line 100 feet southeasterly of Brighton 14th Street, a line 180 feet northeasterly of Brighton Beach Avenue, Brighton 14th Street, a line 140 feet northeasterly of Brighton Beach Avenue, Brighton 13th Street, a line 100 feet northeasterly of Brighton Beach Avenue, a line midway between Brighton 12th Street and Brighton 13th Street, a line 240 feet southwesterly of Oceanview Avenue, and Brighton 12th Street;

8. changing from an R6 District to a C4-4A District property bounded by a line perpendicular to the westerly street line of Coney Island Avenue distant 130 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Brighton Beach Avenue and the westerly street line of Coney Island Avenue, Coney Island Avenue, a line 100 feet southeasterly and southerly of Brighton Beach Avenue, Ocean Parkway, a line perpendicular to the easterly street line of Ocean Parkway distant 150 feet northerly (as measured along the street line) from the point of intersection of the northerly street line of Brighton Beach Avenue and easterly street line of Ocean Parkway, Brighton 1st Street, a line 100 feet northwesterly of Brighton Beach Avenue, and line 100 feet westerly of Coney Island Avenue;

9. establishing within a proposed R7A District a C2-4 District bounded by a line 100 feet northwesterly of Neptune Avenue, Coney Island Avenue, Neptune Avenue, a line 100 feet easterly of Coney Island Avenue, Brighton 10th Court, a line 80 feet easterly of Coney Island Avenue, Brighton 10th Path, Coney Island Avenue, Brighton 10th Lane, a line 80 feet easterly of Coney Island Avenue, a line 160 feet northwesterly of Brighton 11th Street, a line perpendicular to the northwesterly street line of Brighton 11th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northerly street line of Brighton Beach Avenue and the northwesterly street line of Brighton 11th Street, Brighton 11th Street, a line 100 feet northerly and northeasterly of Brighton Beach Avenue, Brighton 13th Street, a line 140 feet northeasterly of Brighton Beach Avenue, Brighton 14th Street, a line 100 feet northeasterly of Brighton Beach Avenue, Brighton 15th Street, Brighton Beach Avenue, a line 200 feet easterly of Coney Island Avenue, a line 100 feet southerly of Brighton Beach Avenue, Coney Island Avenue, a line perpendicular to the westerly street line of Coney Island Avenue distant 130 feet northerly (as measured along the street line) from the point of intersection of the northwesterly street line of Brighton Beach Avenue and the westerly street line of Coney Island Avenue, a line 100 feet westerly of Coney Island Avenue, a line 100 feet southeasterly of Neptune Avenue, a line midway between Brighton 6th Street and Brighton 7th Street, a line 130 feet southeasterly of Neptune Avenue, and Ocean Parkway; and

10. establishing a Special Ocean Parkway District bounded by Brighton Beach Avenue, Coney Island Avenue, a line 100 feet southerly of Brighton Beach Avenue, and Ocean Parkway;

as shown on a diagram (for illustrative purposes only) dated January 20, 2008 and subject to the conditions of CEQR Declaration E-228.

No. 3

CD 13 N 090285 ZRK  
**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, relating to Article XI, Chapter 3 (Special Ocean Parkway District), in Community District 13, Borough of Brooklyn.

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

\* \* \*  
**Article I**  
**Chapter 2**  
**Construction of Language and Definitions**

\* \* \*  
**12-10**  
**DEFINITIONS**

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the provisions set forth in this Section.

\* \* \*  
 Special Ocean Parkway District

The "Special Ocean Parkway District" is a Special Purpose District designated by the letters "OP" in which special regulations set forth in Article XI, Chapter 3, apply. The #Special Ocean Parkway District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or modify those of the districts on which it is superimposed.

~~The Subdistrict of the #Special Ocean Parkway District# is~~

~~identified in Appendix A in Article XI, Chapter 3. In addition to the requirements of Sections 113-10 through 113-40, the special regulations set forth in Sections 113-50 through 113-57, inclusive, shall apply to the subdistricts.~~

\* \* \*  
**Article II**  
**Chapter 3**  
**Bulk Regulations for Residential Buildings in Residence Districts**

\* \* \*  
**23-011**  
**Quality Housing Program**

- \* \* \*  
 (c) The Quality Housing Program shall not apply to:  
 \* \* \*  
 (3) #zoning lots# in R6 or R7 Districts within the study areas set forth in this paragraph, (c)(3), and occupied, as of August 14, 1987, by a #single-#, #two-# or three-#family detached# or #semi-detached residence# where 70 percent or more of the aggregate length of the blockfronts in #residential use# on both sides of the #street# facing each other are occupied by such #residences#. For any #development# on such #zoning lot#, the #floor area ratio# and density requirements of the underlying district shall apply. On a #narrow street# that intersects with a #wide street#, the 70 percent #residential use# requirement on a #narrow street# shall be measured from a distance of 100 feet from its intersection with a #wide street#.

The study areas are:

\* \* \*  
 In the borough of Brooklyn:

Ocean Parkway Area

The area bounded by Church Avenue, Stratford Road, Beverley Road, Ocean Avenue, Foster Avenue and Coney Island Avenue.

Midwood Area

The area bounded by Avenue M, Ocean Avenue, Quentin Road, and a line midway between East 10th Street and Coney Island Avenue.

Brighton Beach Area

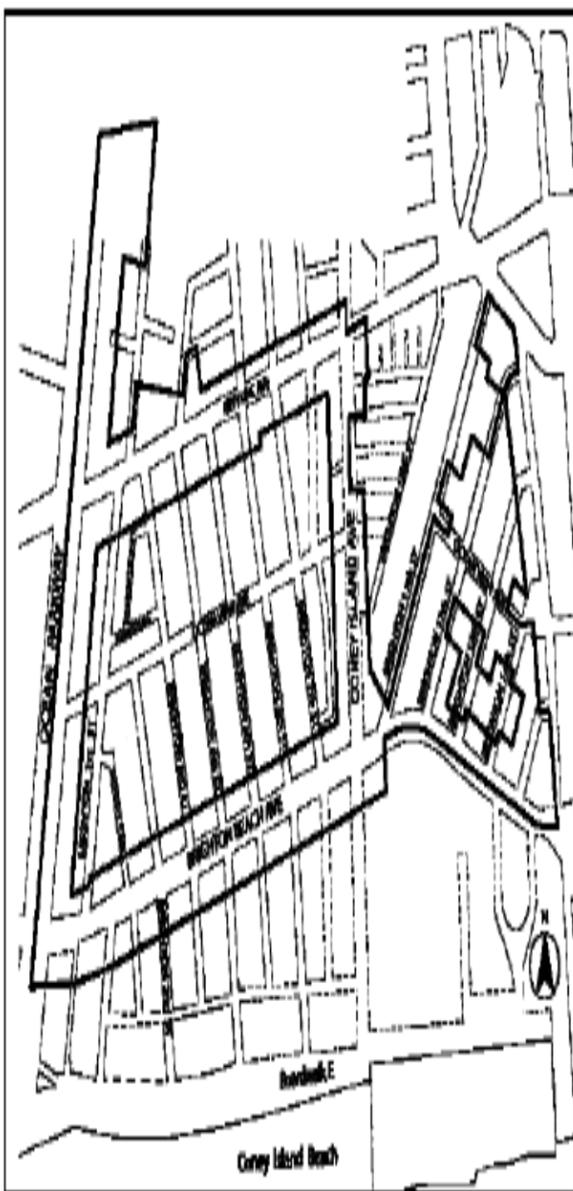
The area bounded by Shore Parkway, NYCTA Brighton Right-of-Way, ~~Brighton Beach Avenue and Ocean Parkway~~, Cass Place, Guider Avenue and Coney Island Avenue.

\* \* \*  
**23-90**  
**INCLUSIONARY HOUSING**

\* \* \*  
**23-922**  
**Inclusionary housing designated areas**

The Inclusionary Housing Program shall apply in the following areas:

- \* \* \*  
 (k) In Community District 13, in the Borough of Brooklyn, in the R7A District within the area shown on the following Map 16:



MAP 16  
 Portion of Community District 13, Brooklyn

\* \* \*  
**Article XI - Special Purpose Districts**

**Chapter 3**  
**Special Ocean Parkway District**

\* \* \*  
**113-00**  
**GENERAL PURPOSES**

The "Special Ocean Parkway District" established in this Resolution is designed to promote and protect public health, safety, general welfare and amenity. These general goals include among others the following specific purposes:

- (a) to promote and strengthen the scenic landmark designation of Ocean Parkway by requiring landscaping along Ocean Parkway;
- (b) to maintain the existing scale and character of the community by limiting the bulk of permitted community facilities;
- (c) to protect the environmental quality of and improve circulation within the District by requiring enclosed parking for all uses along Ocean Parkway and by requiring off-street loading for certain community facilities throughout the District; and
- (d) to promote the most desirable use of land in this area and thus to conserve the value of land and thereby protect the City's tax revenue.

**113-01**  
**Definitions**

**Special Ocean Parkway District**  
 (repeated from Section 12-10)

~~The "Special Ocean Parkway District" is a Special Purpose District designated by the letters "OP" in which special regulations set forth in Article XI, Chapter 3 apply. The #Special Ocean Parkway District# appears on the #zoning map# superimposed on other districts and its regulations supplement or modify those of the districts on which it is superimposed.~~

~~The Subdistrict of the #Special Ocean Parkway District# is identified in Appendix A in Article XI, Chapter 3. In addition to the requirements of Sections 113-10 through 113-40, the special regulations set forth in Sections 113-50 through 113-57, inclusive, shall apply to the subdistrict.~~

**113-021**  
**General Provisions**

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

In order to preserve and enhance the character of the neighborhood, Subdistrict A within the #Special Ocean Parkway District# is established to encourage large single- or two-family detached and semi-detached residences, Subdistrict B is established to encourage the formation of a development pattern that will provide access to city services by locating development on streets of adequate width, and Subdistrict C is established to encourage development that strengthens the commercial character of Brighton Beach Avenue and promotes building designs that are compatible with the adjacent elevated subway.

**113-02**  
**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Ocean Parkway District# Plan.

The District Plan includes the following maps:

- Map 1 Special Ocean Parkway District and Subdistricts
- Map 2 Public Ways Designated as Streets in Subdistrict B

These maps are located in Appendix A of this Chapter and are hereby incorporated and made a part of this Resolution. The maps are incorporated for the purpose of specifying locations where special regulations and requirements set forth in the text of this Chapter apply.

**113-03**  
**Subdistricts**

There are three special subdistricts within the #Special Ocean Parkway District# which are identified in Appendix A of this Chapter. In addition to the requirements of Sections 113-10 through 113-40, the special regulations set forth in Sections 113-50 through 113-75, inclusive, shall apply to the subdistricts.

**113-10**  
**SPECIAL BULK REGULATIONS**

**113-11**  
**Special Bulk Regulations for Community Facilities**

- \* \* \*  
 (c) ~~in the # Subdistrict A the special #bulk# regulations set forth in Section 113-503 (Special bulk regulations) shall apply; and~~

\* \* \*

**113-13  
Special Height and Setback Regulations**

For all #developments# or #enlargements# in R7A Districts with frontage along Ocean Parkway between Shore Parkway and Brighton Beach Avenue, the underlying height and setback regulation shall be modified to establish a minimum base height of 60 feet, a maximum base height of 85 feet and a maximum building height of 125 feet.

\* \* \*

**113-50  
THE SUB-DISTRICT SUBDISTRICT A**

**113-501  
General purposes**

In order to preserve and enhance the character of the neighborhood, the subdistrict within the Special Ocean Parkway District is established which encourages large single or two family detached and semi-detached residences.

**113-502  
Special use regulations**

Within the Subdistrict A, #single-# and #two-family detached# and #semi-detached residences# and #uses# listed in Use Groups 3 or 4 are the only permitted #uses#. #Non-conforming single-# or #two-family residences# may be #enlarged# or #extended# pursuant to the provisions of the subdistrict provided that a 30 foot #rear yard# is maintained. All other #non-conforming uses# shall be subject to the provisions of Article V, Chapter 2 (Non-Conforming Uses).

**113-5022  
Special bulk regulations**

For #single-# and #two-family detached# and #semi-detached residences# in Subdistrict A, certain underlying #bulk# regulations set forth in Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts) are superseded by those set forth in Sections 113-51 through 113-55, inclusive. The regulations applicable to a #predominantly built-up area# shall not apply in the subdistrict.

For #community facility buildings# in Subdistrict A, certain underlying #bulk# regulations set forth in Article II, Chapter 4 (Bulk Regulations for Community Facility Buildings in Residence Districts), are superseded by those set forth in Sections 113-51 (Maximum Permitted Floor Area Ratio), 113-52 (Density Regulations), 113-542 (Minimum required front yards), 113-543 (Minimum required side yards), 113-544 (Minimum required rear yards) and 113-55 (Height and Setback Regulations). The provisions of Sections 24-01 (Applicability of this Chapter) and 24-04 (Modification of Bulk Regulations in Certain Districts) pertaining to R4-1 Districts shall not apply in the subdistrict.

\* \* \*

**113-55  
Height and Setback Regulations**

The height and setback regulations of a #residential building or other structure# in the Subdistrict A shall be as set forth in Section 23-631, for #buildings or other structures# in R4A Districts, except that paragraph (b)(2) of Section 23-631 shall be modified as follows:

Each perimeter wall of the #building or other structure# may have one or more apex points directly above it on the 35 foot high plane. (See Figure B).

\* \* \*

**113-60  
SUBDISTRICT B**

**113-61  
Determination of Streets**

Within Subdistrict B, only those public ways indicated on Map 2 (Public Ways Designated as Streets in Subdistrict B) in Appendix A of this Chapter shall be considered #streets# for the purposes of applying the #bulk#, #use# and parking regulations of this Chapter.

**113-62  
Optional Provisions for Certain Lots**

The #bulk#, #use# and parking regulations of an R5D District may be applied within Subdistrict B for #zoning lots# that have a minimum depth of 70 feet and front upon a #street#, as indicated on Map 2 in Appendix A of this Chapter.

**113-70  
SUBDISTRICT C**

**113-71  
Special Use Regulations**

**113-711  
Ground Floor Use**

For #buildings# fronting upon Brighton Beach Avenue, #uses# on the ground floor, or within five feet of #curb level# shall be limited to Use Groups 6A, 6C, 6F, 8A, 8B and 10A, as set forth in Article III, Chapter 2. Such #uses# shall have a depth of at least 30 feet from the #street wall# of the #building# and extend along the entire width of the #building#, except for lobbies and entrances to #accessory# parking spaces. Such lobbies and entrances may not occupy more than 20 feet or 25 percent of the #street wall# width of the #building#, whichever is less. Enclosed parking spaces, or parking spaces covered by a #building#, including such spaces #accessory# to #residences#, shall be permitted to

occupy the ground floor provided such spaces are located beyond 30 feet of the #street wall# of the building frontage on Brighton Beach Avenue.

**113-712  
Transparency Requirements**

For any #developments#, or for the #enlarged# portion of a #building#, each ground floor #street wall# shall be glazed with transparent materials which may include #show windows#, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 70 percent of the area of such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

**113-72  
Special Height and Setback Regulations**

The underlying height and setback regulations shall be modified for #developments# or #enlargements# fronting on Brighton Beach Avenue to establish a minimum base height of 30 feet, a maximum base height of 40 feet and a maximum #building# height of 100 feet.

**113-73  
Special Parking and Curb Cut Regulations**

**113-731  
Location of curb cuts**

Curb cuts shall not be permitted on Brighton Beach Avenue. However, for #zoning lots# without access to a #street# other than Brighton Beach Avenue, the Chairperson of the Planning Commission may, by certification to the Department of Buildings, may approve such curb cut, provided that such location:

- (a) is the only possible location for access to the parking or loading facility;
- (b) does not exceed a width of 20 feet;

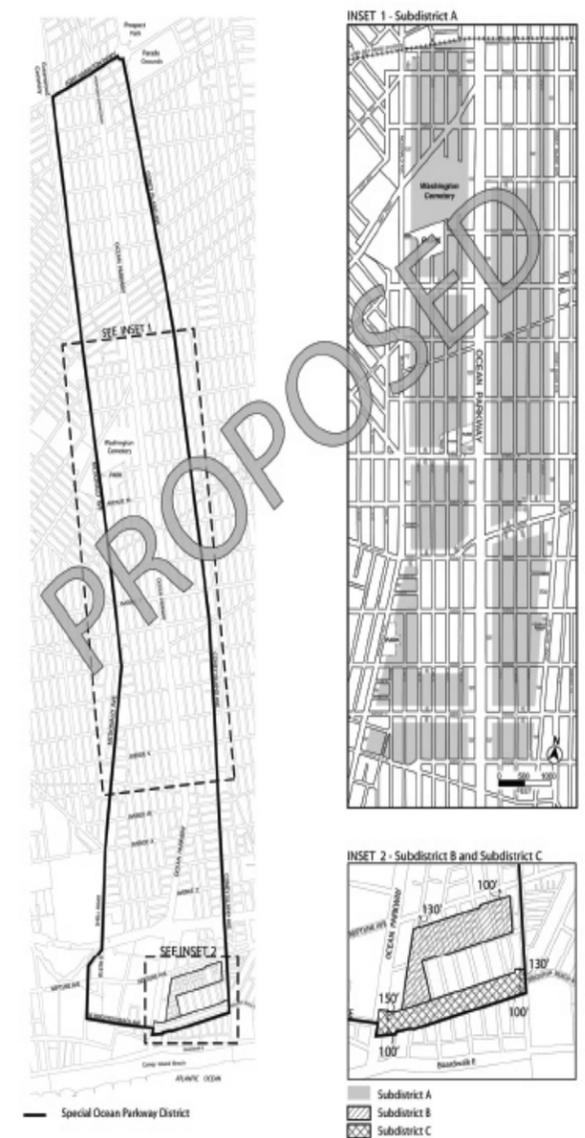
Such access restrictions with regard to curb cuts shall not apply to #schools#, hospitals and related facilities, police stations or fire stations.

**113-732  
Modification of waiver of parking requirements**  
For #residential developments# and #enlargements#, the provisions of Sections 36-34 (Modification of Parking Requirements for Small Zoning Lots) and 36-36 (Waiver of Requirements for Small Number of Spaces), shall apply only on #zoning lots# existing on (effective date), and on the date of application for a building permit.

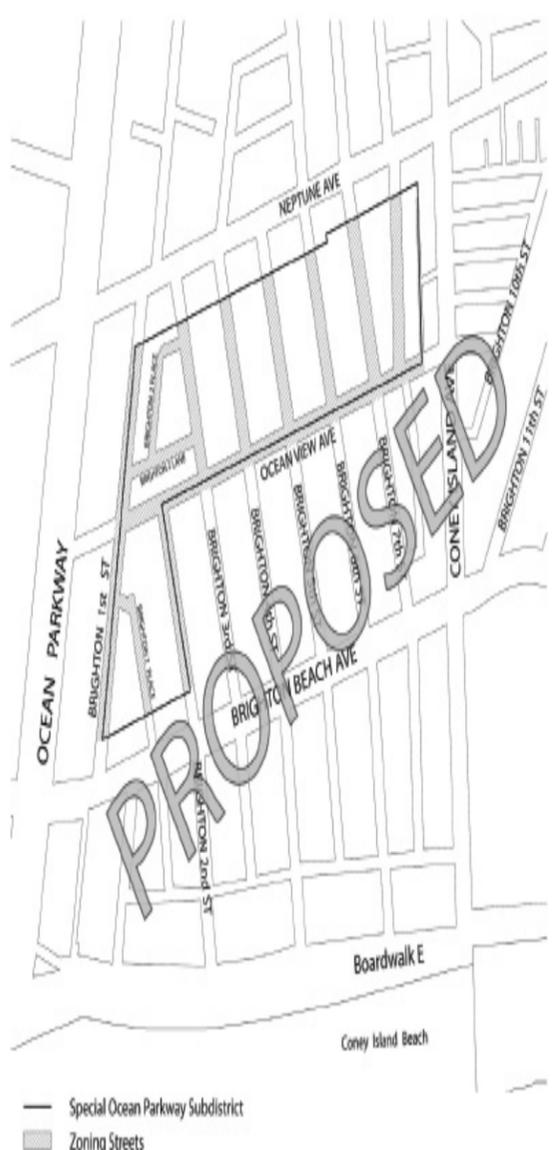
**113-733  
Reduced requirements for small zoning lots**  
For #residential developments# and #enlargements# on #zoning lots# with a #lot area# that is less than 10,000 square feet, the number of required #accessory# offstreet parking spaces shall be at least 30 percent of the total number of #dwelling units#. For #zoning lots# with a #lot area# that is greater than 10,000 square feet, the number of required #accessory# offstreet parking spaces shall be at least 50 percent of the total number of #dwelling units#.

**Appendix A  
Special Ocean Parkway District**

- Map 1 Special Ocean Parkway District and Subdistricts
- Map 2 Public Ways Designated as Streets in Subdistrict B



Map 2. Rights-of-Way Designated as Streets in Subdistrict B



**Nos. 4-11  
CONEY ISLAND PLAN  
No. 4**

NOTE: This hearing is not likely to begin before 10:30 A.M.

**CD 13 C 090272 ZMK**  
**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. 28d:

- 1. eliminating from within an existing R6 District a C1-2 District bounded by Mermaid Avenue, Stillwell Avenue, a line 150 feet southerly of Mermaid Avenue, West 17th Street, a line 250 feet southerly of Mermaid Avenue, West 19th Street, a line 150 feet southerly of Mermaid Avenue, and West 20th Street;

2. changing from a C7 District to an R5 District property bounded by a line 300 feet northerly of the northerly boundary line of Coney Island Beach, a line 150 feet northerly of former Highland View Avenue\*, West 22nd Street, the northerly and easterly boundary line of a park\*, the northerly boundary line of Coney Island Beach, and West 24th Street and its southerly centerline prolongation;
3. changing from an R6 District to an R7A District property bounded by Mermaid Avenue, West 15th Street, a line 100 feet southerly of Mermaid Avenue, and West 20th Street;
4. changing from a C7 District to an R7D District property bounded by Surf Avenue, the northerly prolongation of the westerly boundary line of a park, the northerly and westerly boundary line of a former park\*, the northerly boundary line of Coney Island Beach, the easterly and northerly boundary line of a park\*, and West 22nd Street; and excluding the area bounded by the southerly street line of Surf Avenue, the westerly street line of West 21st Street, the southerly, easterly and southerly boundary line of a former park\*, and the easterly street line of West 22nd Street;
5. changing from an R6 District to an R7X District property bounded by Mermaid Avenue, Stillwell Avenue, a line 150 feet southerly of Mermaid Avenue, West 17th Street, Surf Avenue, West 20th Street, a line 100 feet southerly of Mermaid Avenue, and West 15th Street;
6. changing from a C7 District to an R7X District property bounded by a line 150 feet southerly of Mermaid Avenue, Stillwell Avenue, Surf Avenue, and West 17th Street;
7. establishing an R7D District bounded by:
  - a. the southerly street line of Surf Avenue, the westerly street line of West 21st Street, the southerly, easterly and southerly boundary line of a former park\*, and the easterly street line of West 22nd Street; and
  - b. the southerly street line of Surf Avenue, the proposed westerly boundary line of a park, the northerly boundary line of Coney Island Beach, and the westerly boundary line of a former park\*;
8. establishing within a proposed R7A District a C2-4 District bounded by Mermaid Avenue, West 15th Street, a line 100 feet southerly of Mermaid Avenue, and West 20th Street;
9. establishing within a proposed R7D District a C2-4 District bounded by Surf Avenue, the westerly boundary line of a park, the northerly boundary line of Coney Island Beach, the easterly and northerly boundary line of a park\*, and West 22nd Street;
10. establishing within a proposed R7X District a C2-4 District bounded by Mermaid Avenue, Stillwell Avenue, Surf Avenue, West 20th Street, a line 100 feet southerly of Mermaid Avenue, and West 15th Street; and
11. establishing a Special Coney Island District (CI) bounded by Mermaid Avenue, Stillwell Avenue, the southerly boundary of the MTA New York City Transit Authority right-of-way, West 8th Street, Surf Avenue, the centerline of former West 8th Street and its northerly centerline prolongation, the northerly boundary line of Coney Island Beach, the easterly and northerly boundary line of a park\*, West 22nd Street, Surf Avenue, and West 20th Street;

as shown on a diagram (for illustrative purposes only) dated January 20, 2008 and subject to the conditions of CEQR Declaration E-229.

\*Note: Highland View Avenue and existing parks are proposed to be eliminated, and new parks are proposed to be established under a related concurrent application 090107 MMK for a change in the City Map.

**No. 5**

**CD 13 IN THE MATTER OF** **N 090273 ZRK** 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, relating to the creation of the Special Coney Island District (Article XIII, Chapter 1), in Community District 13, Borough of Brooklyn.

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

**11-12 Establishment of Districts**

\* \* \* Establishment of the Special Clinton District

**Establishment of the Special Coney Island District**

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 1, the #Special Coney Island District# is hereby established.

**Establishment of the Special Coney Island Mixed Use District**

\* \* \*

**12-10 Definitions**

\* \* \*

Special Coney Island District

The #Special Coney Island District# is a Special Purpose District designated by the letters "CI" in which special regulations set forth in Article XIII, Chapter 1, apply. The #Special Coney Island District# appears on the #zoning maps# superimposed on other districts and, where indicated, its regulations supplement, modify and supersede those of the districts on which it is superimposed.

**14-44 Special Zoning Districts Where Certain Sidewalk Cafes are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

\* \* \*

	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Brooklyn		
Bay Ridge District	Yes	Yes
<u>Coney Island District</u>	No	Yes
Coney Island Mixed Use District	Yes	Yes
Downtown Brooklyn District	Yes	Yes
Mixed Use District-8 (Greenpoint-Williamsburg)	Yes	Yes
Ocean Parkway District*	Yes	Yes
Sheepshead Bay District	No	Yes

\* #Sidewalk cafes# are not allowed on Ocean Parkway

\* \* \*

**Chapter 5 Residential Conversion of Existing Non-Residential Buildings**

\* \* \*

**15-011 Applicability within Special Districts**

\* \* \*

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article XII, Chapter 8 (Special St. George District).

The provisions of this Chapter shall apply in the #Special Coney Island District# as modified by Article XIII, Chapter 1 (Special Coney Island District).

\* \* \*

**ALL TEXT IN ARTICLE XIII, CHAPTER 1 IS NEW**

**131-00 GENERAL PURPOSES**

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

- (a) preserve, protect and enhance the character of the existing amusement district as the location of the city's foremost concentration of amusements and an area of diverse uses of a primarily entertainment and entertainment-related nature;
- (b) facilitate and guide the development of a year-round amusement, entertainment and hotel district;
- (c) facilitate and guide the development of a residential and retail district;
- (d) provide a transition to the neighboring areas to the north and west;
- (e) provide flexibility for architectural design that encourages building forms that enhance and enliven the streetscape;
- (f) control the impact of buildings on the access to light and air to streets, the boardwalk and parks of the district and surrounding neighborhood;
- (g) promote development in accordance with the area's District Plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

**131-01 General Provisions**

The provisions of this Chapter shall apply to all #developments#, #enlargements#, #extensions#, alterations and changes of #use# within the #Special Coney Island District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified 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.

**131-02 District Plan and Maps**

The District Plan for the #Special Coney Island 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 Coney Island District#. The District Plan includes the following maps in the Appendix of this Chapter.

- Map 1 Special Coney Island District and Subdistricts
- Map 2 Mandatory Ground Floor Use Requirements
- Map 3 Coney East Subdistrict Floor Area Ratios
- Map 4 Street Wall Location
- Map 5 Minimum and Maximum Base Heights
- Map 6 Coney West Subdistrict Transition Heights

**131-03 Subdistricts**

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established as follows:

- Coney East
- Coney West
- Coney North
- Mermaid Avenue

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Coney Island District#. The subdistricts are specified on Map 1 in the Appendix of this Chapter.

**131-04 Applicability**

**131-041 Applicability of Article I, Chapter 1**

Within the #Special Coney Island District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a demolition permit, where compliance at time of demolition is required by the (E) designation, or a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

**131-042 Applicability of Article 1, Chapter 5**

The provisions of Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), shall apply in the #Special Coney Island District#, as modified in this Section. The conversion to #dwelling units#, or portions thereof, erected prior to January 1, 1977, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 Minor Modifications), paragraph (b). Uses in #buildings# erected prior to January 1, 1977, containing both #residential# and non-#residential uses# shall not be subject to the provisions of Section 32-42 (Location within Buildings).

**131-043 Applicability of Article 7 Chapter 4**

The provisions of Section 74-513 (In C7 Districts) shall not apply in the #Special Coney Island District#. In lieu thereof, #public parking lots# shall not be permitted, and #public parking garages# of any size shall be permitted as-of-right, provided such garages comply with the provisions of Section 131-62 (Use and Location of Parking Facilities).

**131-044 Physical Culture Establishments**

The provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply in the Coney East, Coney North and Coney West Subdistricts. In lieu thereof, physical culture establishments shall be allowed as-of-right.

**131-045 Modification of use and bulk regulations for zoning lots fronting upon the Riegelmann Boardwalk, Keyspan Park and Highland View Park**

Where the #lot line# of a #zoning lot# coincides or is within 20 feet of the boundary of the Riegelmann Boardwalk, Keyspan Park or Highland View Park, such #lot line# shall be considered to be a #street line# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

**131-10 SPECIAL USE REGULATIONS**

The #use# regulations of the underlying Commercial Districts are modified in Sections 131-11 through 131-15, inclusive.

As used in this Chapter, "ground floor level" shall mean the finished floor level within five feet of an adjacent public sidewalk or any other publicly accessible open area.

**131-11 Use Group 5**

For the purposes of this Chapter, the definition of #transient hotels# shall be modified as set forth in this Section, and only #transient hotels# as defined in this Section shall be permitted in specified locations. Special regulations for #transient hotels# and "transient occupancy" are set forth as follows:

A #transient hotel# is a #building# or part of a #building# in which:

- (a) all units containing living or sleeping accommodations are used exclusively for "transient occupancy," which shall be defined as follows:
  - (1) such occupancy does not exceed any

- period of 29 consecutive days or a total of 60 days in a calendar year; or
- (2) such occupancy is the result of a referral by a government agency to provide temporary accommodations.
- (b) each such unit is available each day for rent, unless rented, except for periods of maintenance and repair;
- (c) all such units are fully furnished by the hotel operator;
- (d) one or more common entrances serve all such units;
- (e) there is a uniform key entry system, administered by management or hotel staff, to receive and disburse keys for each room; and
- (f) twenty-four hour desk service, housekeeping services and the furnishing and laundering of linens are provided.

A central rubbish chute shall be accessible only to hotel staff. Restaurants, cocktail lounges, public banquet halls, ballrooms and meeting rooms shall be considered #accessory uses# provided such #uses# are accessible to all occupants of the #transient hotel# and their guests from a common area of the # transient hotel#.

**13-12 Use Groups A, B and C**

Special Use Groups are established as set forth in this Section, to promote and strengthen the commercial and entertainment character of the Special District.

**131-121 Use Group A: Amusements**

Use Group A consists of a group of #uses# selected from Use Groups 12, 13 and 15 as modified in this Section, and may be open or enclosed:

Amusement arcades  
Amusement parks, with no limitation on floor area per establishment  
Animal exhibits, circuses, carnivals or fairs of a temporary nature

Arenas or auditoriums, with capacity limited to 2,500 seats

Billiard parlors or pool halls, bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment

Camps, overnight or day, commercial beaches or swimming pools

Dark rides, electronic or computer-supported games including interactive entertainment facilities, laser tag and motion simulators

Ferris wheels, flume rides, roller coasters, whips, parachute jumps, dodgem scooters, merry-go-rounds or similar midway attractions

Fortune tellers, freak shows, haunted houses, wax museums, or similar midway attractions

Gymnasiums or recreational sports facilities including but not limited to indoor golf driving ranges, batting cages, basketball, volleyball, squash and other courts, without membership requirements

Miniature golf courses and model car hobby centers, including racing

Open booths with games of skill or chance, including shooting galleries

Skateboard parks, roller or ice skating rinks

Theaters, including movie theaters, provided such #use# does not occupy the ground floor level of a #building#, except for lobbies limited to a maximum #street# frontage of 30 feet except that on #corner lots# one #street# frontage may extend up to 100 feet.

Water parks

#Accessory uses# to the amusements listed above, including the display and sale of goods or services, provided:

- (a) such #accessory uses# are limited to not more than 25 percent of the #floor area# of the amusement establishment, or, for open #uses#, not more than 25 percent of the #lot area#;
- (b) such #accessory uses# are entered only through the principal amusement establishment;
- (c) such #accessory uses# share common cash registers with the principal amusement #use#;
- (d) such #accessory uses# shall have the same hours of operation as the principal amusement #use#; and
- (e) the principal amusement #use# shall occupy the entire #street# frontage of the ground floor level of the establishment and shall extend to a depth of at least 30 feet from the #street wall# of the #building#, or, for open #uses#, at least 30 feet from the #street line#.

**131-122 Use Group B: Amusement and Entertainment District Enhancing Uses**

Use Group B consists of a group of #uses# selected from Use Groups 6, 9, 12, 13 and 18, as modified in this Section:

Art gallery, commercial  
Banquet halls

Breweries

Eating or drinking establishments of any size, including those with entertainment or dancing

Historical exhibits  
Spas and bathhouses

Studios, art, music, dancing or theatrical

Tattoo parlors  
Radio or television studios

Wedding chapels

**131-123 Use Group C: Retail and Service Uses**  
Use Group C consists of a group of retail and service #uses#, as modified in this Section, selected from Use Groups 6, 7, 12 and 14:

Arts and crafts production and sales, including but not limited to ceramics, art needlework, hand weaving or tapestries, book binding, fabric painting, glass blowing, jewelry or art metal craft and wood carving

Bicycle sales, rental or repair shops  
Bookstores  
Candy or ice cream stores  
Cigar and tobacco stores  
Clothing or clothing accessory  
Clothing, custom manufacturing or altering for retail including costume production and hair product manufacturing

Delicatessen stores  
Fishing tackle or equipment, rental or sales  
Gift shops  
Jewelry manufacturing from precious metals

Musical instruments store  
Toy stores

Music stores  
Newsstands

Patio or beach furniture or equipment

Photographic equipment stores and studios

Sporting goods or equipment, sale or rental, including instruction in skiing, sailing or skin diving

**131-13 Special Use Regulations in Subdistricts**

**131-131 Coney East Subdistrict**

The #use# regulations of the underlying C7 District are modified as set forth in this Section. Use Groups A, B and C, #transient hotels#, as set forth in Sections 131-11 through 131-124, inclusive, and #public parking garages# shall be the only #uses# allowed in the Coney East Subdistrict, and shall comply with the following regulations:

- (a) Use Group C  
  
Use Group C #uses# shall be limited to 2,500 square feet of #floor area# and 30 feet of #street# frontage, except that on #corner lots# one #street# frontage may extend up to 100 feet.
- (b) Wonder Wheel Way and Bowery  
  
At least 50 percent of the Bowery and Wonder Wheel Way #street# frontage of any #zoning lot# along shall be occupied by Use Group A #uses# at the ground floor level, and not more than 50 percent of the Bowery and Wonder Wheel Way #street# frontage of any #zoning lot# shall be occupied by Use Group C #uses# at the ground floor level.
- (c) Surf Avenue  
  
The Surf Avenue frontage of any ground floor level establishment shall not exceed a #street wall# width of 60 feet. However, an establishment may exceed a #street wall# width of 60 feet where the Chairperson of the Department of City Planning certifies to the Department of Buildings that such additional width is necessary to accommodate an amusement #use# listed in Use Group A.
- (d) Transient Hotels
  - (1) #transient hotels# shall be permitted only on #blocks# with Surf Avenue frontage, except that no #transient hotels# shall be permitted on that portion of the #block# bounded by West 15th Street and West 16th Street south of the prolongation of the centerline of Bowery;
  - (2) #transient hotel use# shall not be permitted within 50 feet of Bowery on the ground floor level of a #building#, except that where a #zoning lot# has frontage only on Bowery, a #transient hotel# lobby may occupy up to 30 feet of such frontage,
  - (3) for #transient hotels# located on #zoning lots# with at least 20,000 square feet of #lot area#, an amount of #floor area# or #lot area# of Use Group A #uses#, equal to at least 20 percent of the total #floor area# permitted on such #zoning lot# shall be provided either on-site or anywhere within the Coney East Subdistrict.
  - (4) the #street wall# of the ground floor level of a #transient hotel# shall be occupied by active #accessory uses# including, but not limited to lobbies, retail or eating and drinking establishments and amusements.
  - (5) #accessory# retail establishments within

a #transient hotel# shall be limited to 2,500 square feet of #floor area#.

(f) Parcel 1  
  
On Parcel 1 as shown on Map 2, only #uses# listed in Use Group A shall be permitted.

(g) Parcel 2  
  
On Parcel 2 as shown on Map 2, only #uses# listed in Use Group A, and #public parking garages# of any size shall be permitted, provided such garages comply with the provisions of Section 131-62 (Use and Location of Parking Facilities).

**131-132 Coney North and Coney West Subdistricts**  
In the Coney North and Coney West Subdistricts, #uses# allowed by the underlying district regulations shall apply except as modified in this Section for #uses# fronting upon designated streets, as shown on Map 2 (Mandatory Ground Floor Use Requirements). For the purposes of this Section, the "Building Line" shown on Parcel F shall be considered a #street line# of Ocean Way or Parachute Way, as applicable.

(a) Mandatory Ground Floor Level Use along Designated Streets  
  
Any #use# listed in Use Groups A, B and C, as set forth in Sections 131-121 through 131-123 not otherwise allowed by the underlying district regulations shall be permitted within 70 feet of the Riegelmann Boardwalk, and within 100 feet of all other designated streets, as shown on Map 2.

(1) Riegelmann Boardwalk  
  
Only #uses# listed in Use Groups A, B and C and #transient hotels# located above the ground floor level are permitted within 70 feet of the Riegelmann Boardwalk, except that a #transient hotel# lobby may occupy up to 30 feet of frontage along the Riegelmann Boardwalk. Use Group C #uses# shall be limited to 2,500 square feet of #floor area# and 30 feet of #street# frontage for each establishment. All other establishments shall be limited to 60 feet of #street# frontage, except that for any establishment on a corner, one #street# frontage may extend up to 100 feet. All ground floor #uses# shall have a depth of at least 15 feet measured from the #street wall# of the #building#.

(2) Designated Streets other than Riegelmann Boardwalk  
  
At least 20 percent of the designated #street# frontage of a #building# shall be allocated exclusively to #uses# listed in Use Groups A, B or C. The remaining designated #street# frontage of such #buildings# shall be allocated to #commercial uses# permitted by the underlying district regulations or, where permitted, #transient hotels#. All such #uses# shall be located in establishments with not more than 60 feet of designated #street# frontage, except that for any such establishment on a corner of two designated #streets#, one frontage may extend up to 100 feet. All ground floor #uses# shall have a depth of at least 50 feet measured from the #street wall# of the #building#. In addition, a #residential# lobby may occupy up to 40 feet of frontage along a designated #street#, and the minimum 50 foot depth requirement for #commercial uses# may be reduced where necessary in order to accommodate a #residential# lobby and vertical circulation core.

(b) Prohibited Ground Floor Level Uses along Designated Streets other than Riegelmann Boardwalk  
  
No #use# listed in this paragraph (b) shall be permitted within 50 feet of a designated street on the ground floor level of a #building#. Lobbies or entryways to non-ground floor level #uses# are permitted, provided the length of #street# frontage occupied by such lobbies or entryways does not exceed, in total, 60 feet.

- From Use Group 2:  
All #uses#.
- From Use Groups 3A and 3B:  
All #uses#, except for libraries, museums or non-commercial art galleries.
- From Use Groups 4A and 4B:  
All #uses#, except for houses of worship or playgrounds.
- From Use Group 5A:  
All #uses#, except that #transient hotels# shall be permitted within 200 feet of Surf Avenue between Stillwell Avenue and West 16<sup>th</sup> Street.
- From Use Groups 6B, and 6E  
offices, veterinary medicine offices or non-commercial clubs
- From Use Group 6C  
Banks (except for automated teller machines, provided the length of #street# frontage allocated for automated teller machines shall be no more than 25 feet or 40% of the frontage of the #zoning lot#,

whichever is less, except such frontage need not be less than 20 feet), except that this prohibition shall not apply along Stillwell Avenue;

electrolysis studios, frozen food lockers and loan offices.

From Use Group 6D:  
All #uses#.

From Use Group 7:  
All #uses#, except for bicycle rental or repair shops.

From Use Groups 8A and 8B:  
Automobile driving schools, ice vending machines, lumber stores or pawn shops.

From Use Groups 8C, 8D and 8E:  
All #uses#.

From Use Groups 9A, 9B and 9C:  
All #uses#, except for gymnasiums, public auction rooms, photographic developing or printing establishments for the consumer, or art, music, dancing or theatrical studios.

From Use Groups 10A, 10B and 10C:  
Depositories for storage, and wholesale offices or showrooms.

Use Group 11:  
All #uses#.

Use Groups 12A and 12B:  
Trade expositions.

Use Groups 12C and 12D:  
All #uses#.

Use Group 14A and 14B:  
All #uses#, except for bicycle sales, rental or repair shops.

**131-14 Location of uses within buildings**

The provisions of Section 32-42 (Location Within Buildings) are modified to permit:

(a) #Residential uses# on the same #story# as a non-#residential use# or directly below a non-#residential use# provided no access exists between such #uses# at any level containing #residences#, and separate elevators and entrances from the #street# are provided; and

(b) In the Coney North and Coney West Subdistricts, any #commercial use# permitted by this Chapter shall be permitted on the second #story# of a #mixed building#.

**131-15 Transparency**

Each ground floor level #street wall# of a #commercial# or #community facility use# other than a #use# listed in Use Group A as set forth in Section 131-121 shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

However, in the Coney East Subdistrict and along the Riegelmann Boardwalk and boundary of Keyspan Park in the Coney West Subdistrict, in lieu of the transparency requirements of this Section 131-15, at least 70 percent of the area of the ground floor level #street wall# of a #commercial use#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher, may be designed to be at least 70 percent open during seasonal business hours.

**131-16 Security Gates**

All security gates installed after (effective date of amendment), that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street#. However, this provision shall not apply to entrances or exits to parking garages, or to any #use# fronting upon the Riegelmann Boardwalk, provided that security gates at such locations that permit less than 75 percent visibility when closed shall be treated with artwork.

**131-17 Authorization for #use# modifications**

Along designated streets other than the Riegelmann Boardwalk, as shown on Map 2, the City Planning Commission may authorize Use Group A, B or C establishments with a ground floor depth of less than 50 feet upon a finding that the design and operation of such establishments result in an effective and compelling amusement, entertainment or retail space that furthers the goals of the Special District.

**131-20 SIGN REGULATIONS**

- (a) In the Coney East Subdistrict, the underlying C7 #sign# regulations shall apply, except that:
  - (1) no #advertising signs# shall be permitted above a height of 40 feet; and
  - (2) the provisions of Sections 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), inclusive, and Section 32-67 (Special Provisions Applying along District Boundaries) shall not apply.

(b) In the Coney North and Coney West Subdistricts, the underlying C2-4 #sign# regulations shall apply, except that the height restrictions of Section 32-655 shall be modified to allow permitted #signs# at the level of any #story# occupied by #commercial use#.

**131-30 FLOOR AREA REGULATIONS**

The #floor area ratio# regulations of the underlying districts shall be modified as set forth in this Section 131-30, inclusive.

**131-31 Coney East Subdistrict**

The maximum #floor area ratio# of the underlying C7 District shall not apply. In lieu thereof, the maximum #floor area ratio# is specified for each #block# or portion thereof, as shown on Map 3 (Coney East Subdistrict Floor Area Ratio). On Parcel 1 as shown on Map 3, the maximum #floor area ratio# for a Use Group A amusement #use# shall be 2.0, and the maximum #floor area ratio# for a #public parking garage# shall be 4.0.

**131-32 Coney West, Coney North and Mermaid Avenue Subdistricts**

**131-321 Special residential floor area regulations R7A R7D R7X**

(a) Applicability of Inclusionary Housing Program

R7A, R7D, and R7X Districts within the #Special Coney Island District# shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (Definitions), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.

(b) Maximum #floor area ratio#

The base #floor area ratio# for any #zoning lot# containing #residences# shall be as set forth in the following Table 1. Such base #floor area ratio# may be increased to the maximum #floor area ratio# set forth in Table 1 through the provision of #lower income housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), inclusive. Parcels A through F within R7D Districts are shown on Map 1 (Special Coney Island District and Subdistricts).

TABLE 1  
FLOOR AREA RATIO FOR BUILDINGS CONTAINING RESIDENCES

Subdistrict - Zoning District	Base #floor area ratio#	Maximum #floor area ratio#
Coney West Parcels A, B, C and D - R7D	4.35	5.8
Coney West Parcels E and F - R7D	4.12	5.5
Coney North - R7X	3.75	5.0
Mermaid Avenue - R7A	3.45	4.6

(c) Coney West floor area distribution rules

In the Coney West Subdistrict, #floor area# attributable to #zoning lots# within parcels A and B as shown on Map 1 may be distributed anywhere within such parcels; #floor area# attributable to #zoning lots# within Parcels C and D as shown on Map 1 may be distributed anywhere within such parcels, and #floor area# attributable to #zoning lots# within Parcels E and F as shown on Map 1 may be distributed anywhere within such parcels.

(d) Height and setback

For all #zoning lots#, or portions thereof, located in the Coney West or Coney North Subdistricts, the height and setback regulations of paragraph (b) of Section 23-942 shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

**131-322 Special community facility floor area regulations**

In the Coney West and Coney North Subdistricts, the maximum permitted #floor area ratio# for #community facility uses# shall be 2.0.

**131-323 Special hotel floor area ratio regulations**

In the Coney North Subdistrict, for #transient hotels# located within 200 feet of Surf Avenue between Stillwell Avenue and West 16th Street, the maximum permitted #floor area ratio# shall be 3.75.

**131-324 Lot coverage**

For #residential use#, no maximum #lot coverage# shall apply to any #zoning lot# comprising a #corner lot# of 5,000 square feet or less.

**131-40 HEIGHT AND SETBACK REGULATIONS**

The underlying height and setback regulations shall not apply. In lieu thereof, the height and setback regulations of this section shall apply. The height of all #buildings# or other structures# shall be measured from the #base plane#.

**131-41 Rooftop Regulations**

(a) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Coney Island District#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts) only in the Mermaid Avenue Subdistrict.

(b) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, all mechanical equipment located on any roof of a #building# or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

**131-42 Coney East Subdistrict**

The regulations of this Section 131-42, inclusive, shall apply to all #buildings# or other structures# in the Coney East Subdistrict. For the purposes of applying the height and setback regulations of this Section, Jones Walk shall not be considered a #street#. Map 4 (Street Wall Location) and Map 5 (Minimum and Maximum Base Heights) illustrate the #street wall# location provisions and minimum and maximum base height provisions of this Section 131-42, inclusive.

**131-421 Coney East, south side of Surf Avenue**

The following regulations shall apply along the south side of Surf Avenue and along those portions of #streets# intersecting Surf Avenue located north of a line drawn 50 feet north of and parallel to the northern #street# line of Bowery and its westerly prolongation.

(a) Street wall location

The #street wall# of the #development# or #enlargement# shall be located within five feet of the #street line# and extend along the entire frontage of the #zoning lot#, except as follows:

- (1) a sidewalk widening shall be required at the intersection of Surf Avenue and West 10th Street, extending from a point on the Surf Avenue #street line# 125 feet west of West 10th Street to a point on the West 10th Street #street line# 20 feet south of Surf Avenue. Such area shall be improved as a sidewalk to Department of Transportation standards, be at the same level as the adjoining sidewalks, and be accessible to the public at all times. Such sidewalk widening line shall be considered a #street line# for the purposes of applying the #use# and height and setback regulations of this Chapter;
- (2) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (3) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#;
- (4) to allow for portions of towers to rise without setback from grade, a portion of a building base below a tower may be set back ten feet from the #street line#, provided the width of such setback area is not greater than 40 percent of the width of the #street wall# of the tower above, and provided such setback area complies with the provisions of Section 131-47 (Design Requirements for Ground Level Setbacks).

(b) Building base

West of Jones Walk, the #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, and a maximum base height of 85 feet.

East of Jones Walk, the #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, and a maximum height of 60, except that a maximum building height of 85 shall be permitted within 100 feet of Jones Walk provided any portion of the #building# that exceeds a height of 60 feet is set back from the Surf Avenue #street wall# of the #building# at least 10 feet.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(3) of this Section.

All portions of a #building# that exceed the maximum base heights set forth in this paragraph (b) shall be set back from the #street line# at least ten feet, except that a set back with a minimum depth of 20 feet shall be required from the West 10th Street #street line#. All portions of #buildings# that exceed a height of 85 feet shall comply with the tower provisions of paragraph (c) of this Section.

(c) Towers

All #stories# of a #development# or #enlargement# located partially or wholly above a height of 85 feet shall be considered a ‘tower’ and shall comply with the provisions of this paragraph.

(1) Maximum floorplate

Each #story# of a tower shall not exceed a gross area of 8,500 square feet.

(2) Maximum length and height

The outermost walls of all tower #stories# shall be inscribed within a rectangle, and no side of such rectangle shall exceed a length of 165 feet. The maximum height of a #building# shall be 150 feet between West 12th Street and Jones Walk, and, between West 12th Street and West 16th Street the maximum height of a #building# on #zoning lots# with less than 50,000 square feet of #lot area# shall be 220 feet, and the maximum height of a #building# on #zoning lots# with 10,000 square feet or more of #lot area# shall be 270 feet. All towers that exceed a height of 150 feet shall provide articulation in accordance with Section 131-46 (Tower Top Articulation).

(3) Tower location

All towers shall be located within 25 feet of Surf Avenue and entirely within 100 feet of an intersecting #street#.

**131-422 Coney East, north side of Surf Avenue**

Any #building or other structure# fronting upon the north side of Surf Avenue shall not exceed a height of 85 feet. Furthermore, in order to protect the view from the elevated subway to the Coney East Subdistrict, no portion of such #building or other structure#, including permitted obstructions or #signs#, shall be located between a height of five feet below the upper level of the elevated subway tracks and a level 25 feet above such level, except for a vertical circulation core, supporting structural elements and related appurtenances. In no event shall more than 30 percent of the Surf Avenue frontage of the #zoning lot# be obstructed with such elements.

**131-423 Along all other streets**

The following regulations shall apply along Wonder Wheel Way, Bowery, and all other #streets# and portions thereof located south of a line drawn 50 feet north of and parallel to the northern #street# line of Bowery and its westerly prolongation.

(a) Street wall location

The #street wall# of the #development# or #enlargement# or portion thereof shall be located within five feet of the #street line#.

(b) Maximum building height

The #street wall# of a #development# or #enlargement# or portion thereof shall rise to a minimum height of 20 feet and a maximum height of 40 feet. The maximum height of a #building or other structure# shall be 60 feet, provided any portion of a #building# that exceeds a height of 40 feet shall be set back from the #street wall# of the #building# at least 20 feet. However, a #building# that exceeds a height of 60 feet shall be permitted where the Chairperson of the City Planning Department certifies to the Department of Buildings that such additional height is necessary to accommodate an amusement #use# listed in Use Group A.

**131-43 Coney West Subdistrict**

The regulations of this Section 131-43 shall apply to all #buildings or other structures# in the Coney West Subdistrict. Map 4 (Street Wall Location), Map 5 (Minimum and Maximum Base Heights) and Map 6 (Coney West Subdistrict Transition Heights) illustrate the #street wall# location provisions, minimum and maximum base height provisions and transition height provisions of this Section 131-43, inclusive. For the purposes of this Section, the ‘Building Line’ shown on Parcel F shall be considered a #street line# of Ocean Way or Parachute Way, as indicated on such maps.

**131-431 Coney West, Surf Avenue**

The regulations of this Section 131-431 shall apply along Surf Avenue. The #street wall# location provisions of paragraph (a) of this Section shall also apply along #streets# intersecting Surf Avenue within 50 feet of Surf Avenue, and the building base regulations of paragraph (b) of this Section shall also apply along #streets# within 100 feet of Surf Avenue.

(a) Street wall location

The #street wall# of a building base of a #development# or #enlargement# shall be located on the Surf Avenue #street line# and extend along the entire Surf Avenue frontage of the #zoning lot#, except as follows:

(1) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;

(2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and

(3) to allow for portions of towers to rise without set back from grade, a portion of a building base below a tower may be set back ten feet from a #street line#, provided the width of such set back area is not greater than 40 percent of the width of the #street wall# of the tower and provided such set back area complies with the provisions of Section 131-47 (Design Requirements for ground Level Setbacks).

(b) Building base regulations

The #street wall# of a #development# or #enlargement# fronting on Surf Avenue shall rise without setback to a minimum height of six #stories# or 65 feet, or the height of the #building#, whichever is less, and a maximum height of eight #stories# or 85 feet, whichever is less, before a setback is required. For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, not more than 40 percent of the #aggregate width of street walls# facing Surf Avenue shall exceed a height of six #stories# or 65 feet, whichever is less, and at least 40 percent of the #aggregate width of street walls# facing Surf Avenue shall rise without setback to at least a height of eight #stories# or 80 feet, whichever is less. However, on the blockfront bounded by West 21st Street and West 22nd Street, the minimum height of a #street wall# shall be 40 feet and the maximum height of a #street wall# shall be six #stories# or 65 feet, whichever is less, before a setback is required.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(2) of this Section.

All portions of a #building# that exceed the maximum heights set forth in this paragraph (b) shall be set back from the #street line# at least ten feet.

(c) Transition height

A #street wall# may rise to a maximum transition height of 105 feet, provided that not more than 60 percent of the #aggregate width of street walls# facing Surf Avenue shall exceed a height of 85 feet. All portions of #buildings# that exceed a transition height of 105 feet shall comply with the tower provisions of Section 131-434.

**131-432 Along all other Streets, other than the Riegelmann Boardwalk**

The following regulations shall apply along all other #streets# in the Coney West Subdistrict, except within 70 feet of the Riegelmann Boardwalk.

(a) Street wall location

The #street wall# of a building base of a #development# or #enlargement# or portion thereof beyond 50 feet of Surf Avenue shall be located within eight feet of the #street line#, except that, to allow portions of towers to rise without setback from grade, a portion of a building base below a tower may be set back ten feet from the #street line#, provided the width of such set back area is not greater than 40 percent of the width of the #street wall# of the tower above. Any area between the #street wall# of a #building# and the #street line# shall be planted, except for entrances to #buildings#, where the ground floor level is occupied by #residential use#.

(b) Building base regulations

The #street wall# of a building base of a #development# or #enlargement# or portion thereof located beyond 100 feet of Surf Avenue shall rise without setback to a minimum height of 40 feet, or the height of the #building#, whichever is less, and a maximum height of six #stories# or 65 feet, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed for #outer courts# or balconies, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, and provided the maximum depth of such recesses is 15 feet, as measured from the #street line#. All portions of a #building# that exceed a height of 65 feet shall be set back from the #street wall# of the #building# at least ten feet, except such

set back distance may include the depth of any permitted recesses.

(c) Transition heights

Beyond 100 feet of Surf Avenue, a #street wall# may rise to a maximum transition height of 9 #stories# or 95 feet, whichever is less, provided that:

(1) not more than 60 percent of the #aggregate width of street walls# facing Ocean Way shall exceed a height of 65 feet;

(2) for #blocks# bounding the southern #street line# of Ocean Way, any portion of a #building or other structure# that exceeds a height of six #stories# or 65 feet, whichever is less, shall be located within 80 or 100 feet of a #street line#, as indicated on Map 6.

(3) for portions of #buildings# higher than six #stories# or 65 feet that are within 100 feet of the Riegelmann Boardwalk, each #story# within such portion shall provide a setback with a depth of at least ten feet, measured from the south facing wall of the #story# directly below.

(4) A #building# may exceed such transition heights only in accordance with the tower provisions of Section 131-434.

**131-433 Riegelmann Boardwalk**

The #street wall# of the #development# or #enlargement# shall be located on the Riegelmann Boardwalk #street line# and extend along the entire Riegelmann Boardwalk frontage of the #zoning lot# to a minimum height of 20 feet. Any #building or other structure# within 70 feet of the Riegelmann Boardwalk shall not exceed a height of 40 feet above the level of the Riegelmann Boardwalk.

**131-434 Coney West Towers**

All #stories# of a #development# or #enlargement# located partially or wholly above an applicable transition height shall be considered a ‘tower’ and shall comply with the provisions of this Section.

(a) Maximum floorplate

Each #story# of a tower shall not exceed a gross area of 8,500 square feet.

(b) Maximum length and height

On #blocks# bounding Surf Avenue, the maximum height of a #building# shall be 220 feet, and on #blocks# bounding the southerly #street line# of Ocean Way, the maximum #building# height shall be 170 feet. Furthermore, the outermost walls of all tower #stories# shall be inscribed within a rectangle, and no side of such rectangle shall exceed a length of 165 feet. For #developments# that provide #lower income housing# pursuant to Section 131-321, and where no side of such rectangle exceeds a length of 100 feet, the maximum building height shall be increased to 270 feet. All #buildings# that exceed a height of 170 feet shall provide articulation in accordance with Section 131-46 (Tower Top Articulation).

(c) Tower location

All towers shall be located entirely within 100 feet of Parachute Way, West 20th Street, West 21st Street or West 22nd Street and within 25 feet of the intersection of two #street lines#. When a #zoning lot# bounding Surf Avenue contains a tower, such tower shall be located within 25 feet of Surf Avenue. No more than one tower shall be permitted on any #zoning lot#, except that for #developments# that provide #lower income housing# pursuant to Section 131-321, no more than two towers shall be permitted on any #zoning lot#, and such second tower shall be located within 25 feet of Ocean Way. However, on Parcel E, any #development# may include two towers, and, for #developments# that provide #low income housing# pursuant to Section 131-321, a third tower shall be permitted to be located anywhere on such parcel along Parachute Way.

**131-44 Coney North Subdistrict**

The regulations of this Section 131-44 shall apply to all #buildings or other structures# in the Coney North Subdistrict. Map 4 (Street Wall Location) and Map 5 (Minimum and Maximum Base Heights) illustrate the #street wall# location provisions, minimum and maximum base height provisions and maximum building height provisions of this Section 131-44, inclusive

**131-441 Coney North, Surf Avenue**

The regulations of this Section 131-441 shall apply along Surf Avenue. The #street wall# location provisions of paragraph (a) of this Section shall also apply along #streets# intersecting Surf Avenue within 50 feet of Surf Avenue, and the building base regulations of paragraph (b) of this Section shall also apply along #streets# within 100 feet of Surf Avenue.

(a) Street wall location

The #street wall# of a building base of a #development# or #enlargement# shall be located on the Surf Avenue #street line# and extend along the entire Surf Avenue frontage of the #zoning lot#, except as follows:

- (1) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (3) to allow for portions of towers to rise without set back from grade, a portion of a building base below a tower may be set back ten feet from a #street line#, provided the width of such set back area is not greater than 40 percent of the width of the #street wall# of the tower and provided such set back area complies with the provisions of Section 131-435.

(b) Building base regulations

The #street wall# of a building base of a #development# or #enlargement# fronting on Surf Avenue shall rise without setback to a minimum height of six #stories# or 65 feet, or the height of the #building#, whichever is less, and a maximum height of eight #stories# or 85 feet, whichever is less, before a setback is required.

For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, not more than 40 percent of the #aggregate width of street walls# facing Surf Avenue shall exceed a height of 65 feet without setback, and at least 40 percent of the #aggregate width of street walls# facing Surf Avenue shall rise without setback to at least a height of 80 feet, but not more than 85 feet. However, on the blockfront bounded by Stillwell Avenue and West 15<sup>th</sup> Street, for #buildings# that exceed a height of 85 feet, all #street walls# of such #building# facing Surf Avenue shall rise without setback to a height of 85 feet.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(2) of this Section.

All portions of a #building# that exceed a height of 85 feet shall be set back from the #street line# at least ten feet, and comply with the tower provisions of Section 131-435.

**131-442**

**Along all other Streets, other than Stillwell Avenue**

The following regulations shall apply along all other #streets# in the Coney North Subdistrict, other than Stillwell Avenue.

(a) Street wall location

The #street wall# of a building base of a #development# or #enlargement# or portion thereof beyond 50 feet of Surf Avenue shall be located within eight feet of the #street line#, except that, to allow portions of towers to rise without setback from grade, a portion of a building base below a tower may be recessed ten feet from the #street line#, provided the width of such recess area is not greater than 40 percent of the width of the #street wall# of the tower above. Any area between the #street wall# of a #building# and the #street line# shall be planted, except for entrances to #buildings#, where the ground floor level is occupied by #residential use#.

(b) Building base regulations

The #street wall# of a building base of a #development# or #enlargement# or portion thereof located beyond 100 feet of Surf Avenue shall rise without setback to a minimum height of 40 feet, or the height of the #building#, whichever is less, and a maximum height of six #stories# or 65 feet, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed for #outer courts# or balconies, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, and provided the maximum depth of such recesses is 15 feet, as measured from the #street line#.

All portions of a #building# that exceed a height of 65 feet shall be set back from the #street wall# of the #building# at least ten feet, except such set back distance may include the depth of any permitted recesses.

However, on #blocks# bounded by West 15th Street and West 20th Street, within 40 feet of the boundary of a C2-4 District mapped within an R7A District, no #building# or other structure# shall exceed a height of 23 feet, except that, for such #zoning lots# with less than 50 feet of frontage along a #street#, or, for #through lots#, less than 50 feet of frontage along each #street#, the maximum height of a #building# or other structure# before

setback shall be six stories or 65 feet, whichever is less.

**131-443**

**Stillwell and Mermaid Avenues**

Within 100 feet of Stillwell and Mermaid Avenues, except within 100 feet of Surf Avenue, all portions of a #building# or other structure# shall comply with the height and setback regulations of a C2 District mapped within an R7A District, except that the #street wall# of a #building# shall be located on the #street line# and rise without setback to a minimum height of 40 feet or the height of the #building#, whichever is less, except as follows:

- (a) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (b) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (c) above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (b) of this Section.

**131-444**

**Coney North Towers**

All #stories# of a #development# or #enlargement# located partially or wholly above a height of 85 feet within 175 feet of Surf Avenue and above a height of 65 feet beyond 175 feet of Surf Avenue shall be considered a 'tower' and shall comply with the provisions of this Section 131-444.

(a) Maximum floorplate

Each #story# of a tower shall not exceed a gross area of 8,500 square feet.

(b) Maximum length and height

On #blocks# bounding Surf Avenue, the maximum height of a #building# shall be 220 feet, and beyond 175 feet of Surf Avenue, the maximum height of a #building# shall be 170 feet. Furthermore, the outermost walls of all tower #stories# shall be inscribed within a rectangle, and no side of such rectangle shall exceed a length of 165 feet. For #developments# that provide #lower income housing# pursuant to Section 131-321, and where no side of such rectangle exceeds a length of 100 feet, the maximum building height shall be increased to 270 feet. All #buildings# that exceed a height of 170 feet shall provide articulation in accordance with Section 131-46 (Tower Top Articulation).

(c) Tower location

Towers shall be located within 25 feet of Surf Avenue and entirely within 100 feet of an intersecting #street#. No more than one tower shall be permitted on any #zoning lot#, except that for #developments# that provide #lower income housing# pursuant to Section 131-321, a second tower shall be permitted anywhere on the #zoning lot# that is entirely beyond 175 feet of Surf Avenue and ten feet from any other #street#. All towers shall be located at least ten feet from a #side lot line#.

**131-45**

**Mermaid Avenue Subdistrict**

All portions of a #building# or other structure# shall comply with the height and setback regulations of a C2 District mapped within an R7A District, except that on Mermaid Avenue, and on intersecting #streets# within 50 feet of Mermaid Avenue, the #street wall# of a #building# shall be located on the #street line# and rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, except as follows:

- (a) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (b) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (c) above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (b) of this Section.

**131-46**

**Tower Top Articulation**

All #buildings# that exceed a height of 170 feet shall provide articulation in accordance with at least one of following provisions:

(a) Setbacks on each tower face

The highest three #stories#, or as many #stories# as are located entirely above a height of 170 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such

#stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least one foot, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph (a), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(b) Three setbacks facing ocean

The upper #stories# shall provide setbacks with a minimum depth of 15 feet measured from the south facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 170 feet, whichever is less. For towers with at least six #stories# located entirely above a height of 170 feet, the lowest level at which such setbacks may be provided is 170 feet, and the highest #story# shall be located entirely within the northern half of the tower.

(c) Reverse setbacks

A minimum of 15 percent of the area of the plane surface of #street walls# enclosing #floor area# of the tower and a maximum of 50 percent of the area of the plane surface of the #street walls# enclosing #floor area# of the tower shall project at least eighteen inches but not more than five feet from the remaining plane surface of the #street walls# enclosing #floor area# of the tower. No projections, including balconies, shall be permitted from the lowest two #stories# of the tower.

**131-47**

**Design Requirements for Ground Level Setbacks**

Wherever a building base below a tower is set back from the #street line#, and the building walls bounding such setback area are occupied by non-#residential uses#, such setback area shall comply with the provisions of this Section 131-47. Where two such setback areas adjoin one another at the intersection of two #streets#, the combined area of such spaces shall determine the applicability of such provisions.

(a) Minimum and maximum areas

No such setback area shall be less than 240 square feet nor greater than 1,000 square feet.

(b) Pavement

The setback area shall be paved with materials distinctive from the adjoining public sidewalk

(c) Wall treatments

All ground floor level building walls bounding such setback area not otherwise subject to the transparency requirements of Section 131-14 shall comply with the following provisions:

(1) If such building wall is a #street wall# wider than 10 feet, such #street wall# shall comply with the provisions of Section 131-14 (Transparency).

(2) All other building walls shall comply with one of the following provisions:

(i) Such building walls shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 50 percent of the area of each such ground floor level building wall, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher, or

(ii) Such building walls shall be articulated with artwork or landscaping to a height of at least ten feet

(d) Building entrances

A public entrance to a #building# shall front upon such setback area

(e) Landscaping

A minimum of 20 percent of such setback area shall be planted with at least evergreen ground cover or shrubs in planting beds with a minimum of six inches in height and a maximum height of four feet. Such planting beds may not occupy more than 50 percent of the width of the setback area, as measured along the #street line#.

(f) For setback areas of 500 square feet or more, the following additional amenities shall be provided:

(1) An additional public entrance to the #building# shall front upon such setback area, and

(2) A minimum of one linear feet of seating for every 20 square feet of setback area

shall be provided. At least 40 percent of such seating shall be fixed, of which at least half shall have backs with a minimum height of 14 inches. All fixed seating shall have a minimum depth of 18 inches and a maximum depth of 24 inches, and a minimum seat height of 16 inches and a maximum seat height of 20 inches. At least 50 percent of required seating shall be moveable chairs.

**131-48 Street Trees**

The provisions of Section 33-03 (Street Tree Planting in Commercial Districts) shall not apply in the Coney East Subdistrict.

**131-50 OFF-STREET PARKING AND LOADING REGULATIONS**

The provisions of this Section shall apply to all off-street parking spaces and loading facilities within the Special Coney Island District#.

**131-51 Amount of Required and Permitted Parking**

(a) Residential and Community Facility Parking

The underlying regulations shall apply except that the provisions of Section 36-331 are modified to require off-street parking spaces for at least 60 percent of all new dwelling units#.

(b) Commercial Parking

The underlying regulations shall apply except as modified below:

- (1) For Use Group A use#: one off-street parking space shall be provided for every 2,000 square feet of floor area# or #lot area# for open uses#, except that for water park, two off-street parking spaces per 1,000 square feet of floor area# shall be provided.
- (2) For transient hotels#: one off-street parking space shall be provided for every six guest rooms or suites.

**131-52 Use and Location of Parking Facilities**

The following provisions shall apply to all parking facilities:

- (a) All accessory off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a residence to which it is accessory within 30 days after written request therefore is made to the landlord.
- (b) The off-site spaces provisions of Sections 36-42 and 36-43 shall not apply. In lieu thereof, all permitted or required off-street parking spaces may be provided on a zoning lot# other than the same zoning lot# to which such spaces are accessory#, provided that:
  - (1) the Coney East Subdistrict, such spaces are located anywhere within an area bounded on the east by Ocean Parkway, on the south by the Riegelmann Boardwalk, on the west by West 27th Street and on the north by Coney Island Creek and the Belt Parkway, in accordance with all applicable underlying parking regulations.
  - (2) In the Coney West Subdistrict, such spaces accessory# to Parcel A or B are located anywhere on such parcels; such spaces accessory# to Parcel C or D are located anywhere on such parcels; and such spaces accessory# to Parcels E or F are located anywhere on such parcels.
  - (3) In the Coney North and Mermaid Avenue Subdistricts, such spaces are located anywhere on the same block#.

(c) All off-street parking facilities shall be located within facilities that, except for entrances and exits, are:

- (1) entirely below the level of any street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or
- (2) located, at every level above-grade, behind commercial#, community facility# or residential floor area# with a minimum depth of 15 feet as measured from the street wall# of the building# so that no portion of such parking facility is visible from adjoining streets# or publicly accessible open areas. All such parking facilities shall be exempt from the definition of floor area#.

However, in the Coney East Subdistrict, the provisions of this paragraph (2) need not apply on the north side of Surf Avenue, on Parcel 2 beyond 70 feet of the Riegelmann Boardwalk, or on the east side of that portion of West 16th Street beyond 50 feet of Surf Avenue and Wonder Wheel Way, provided that:

- (i) any non-horizontal parking deck structures are not visible from

the exterior of the building# in elevation view;

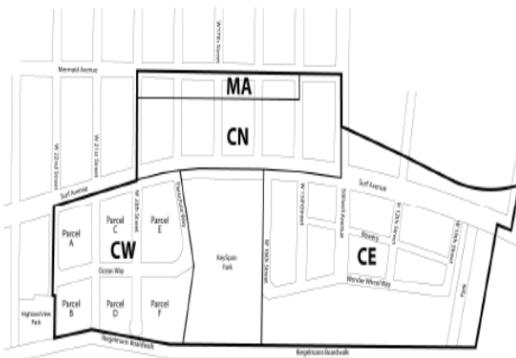
- (ii) opaque materials are located on the exterior building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck; and
- (iii) a total of at least 50 percent of such exterior building wall with adjacent parking spaces consists of opaque materials which may include signs#, graphic or sculptural art, or living plant material.

- (d) Any roof of a facility containing off-street parking spaces, not otherwise covered by a building#, which is larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

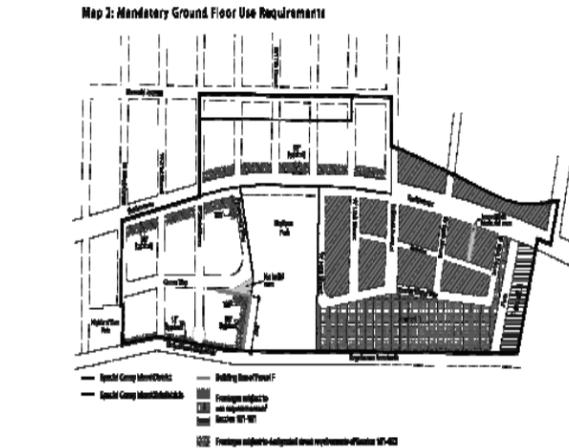
**131-53 Curb Cuts**

No curb cuts shall be permitted on Surf Avenue, Wonder Way or New Bowery except on a zoning lot# with no frontage on any other street#. The curb cut provisions of paragraph (c) of Section 36-58 shall apply to all developments# and enlargements#.

Map 1: Special Coney Island District and Subdistricts



Map 2: Mandatory Ground Floor Use Requirements



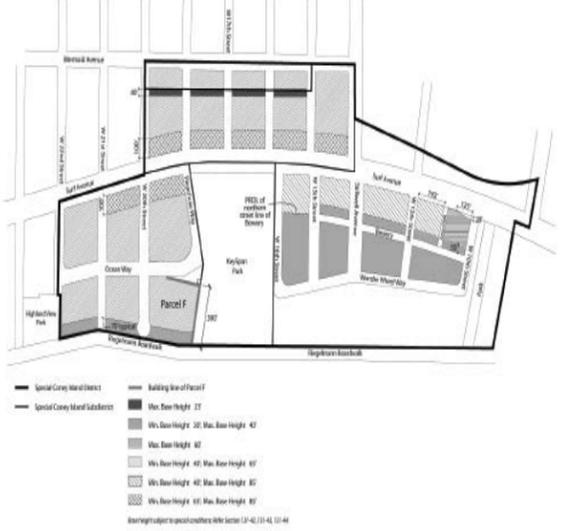
Map 3: Coney East Subdistrict Floor Area Ratios



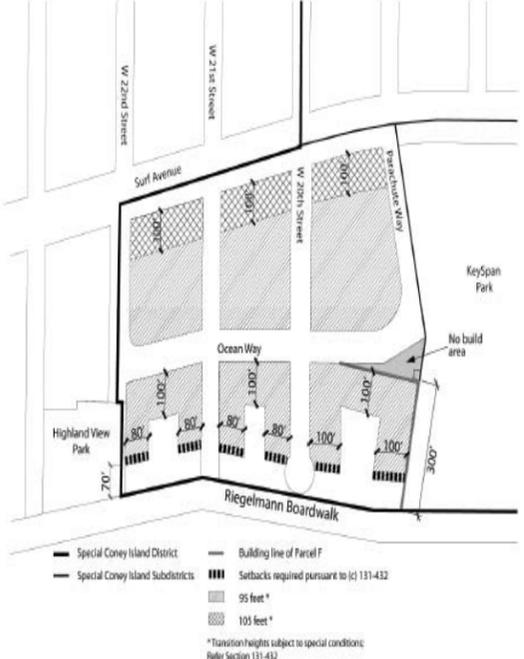
Map 4: Street Wall Location



Map 5: Minimum and Maximum Base Heights



Map 6: Coney West Subdistrict Transition Heights



**CD 13 N 090273(A) ZRK**  
**IN THE MATTER OF** an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, and proposed for modification pursuant to Section 2-06(c) (1) on the Uniform Land Use Review Procedure for an amendment of the Zoning Resolution of the City of New York, relating to the creation of the Special Coney Island District (Article XIII, Chapter 1), in Community District 13, Borough of Brooklyn.

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

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

**11-12 Establishment of Districts**

\* \* \*  
 Establishment of the Special Clinton District

\* \* \*  
**Establishment of the Special Coney Island District**  
 In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 1, the Special Coney Island District# is hereby established.  
**Establishment of the Special Coney Island Mixed Use District**

**12-10 Definitions**

\* \* \*  
 Special Coney Island District

The Special Coney Island District# is a Special Purpose District designated by the letters "CI" in which special regulations set forth in Article XIII, Chapter 1, apply. The Special Coney Island District# appears on the zoning maps# superimposed on other districts and, where indicated, its regulations supplement, modify and supersede those of the districts on which it is superimposed.

**14-44 Special Zoning Districts Where Certain Sidewalk Cafes are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on streets# or portions of streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only

Small Sidewalk Cafes Are Permitted).

	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Brooklyn		
Bay Ridge District	Yes	Yes
Coney Island District	No	Yes
Coney Island Mixed Use District	Yes	Yes
Downtown Brooklyn District	Yes	Yes
Mixed Use District-8 (Greenpoint-Williamsburg)	Yes	Yes
Ocean Parkway District*	Yes	Yes
Sheepshead Bay District	No	Yes

\* #Sidewalk cafes# are not allowed on Ocean Parkway

**Chapter 5 Residential Conversion of Existing Non-Residential Buildings**

**15-011 Applicability within Special Districts**

The provisions of this Chapter shall apply in the #Special St. George District# as modified by Article XII, Chapter 8 (Special St. George District).

The provisions of this Chapter shall apply in the #Special Coney Island District# as modified by Article XIII, Chapter 1 (Special Coney Island District).

**ALL TEXT IN ARTICLE XIII, CHAPTER 1 IS NEW**

**131-00 GENERAL PURPOSES**

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

- (a) preserve, protect and enhance the character of the existing amusement district as the location of the city's foremost concentration of amusements and an area of diverse uses of a primarily entertainment and entertainment-related nature;
- (b) facilitate and guide the development of a year-round amusement, entertainment and hotel district;
- (c) facilitate and guide the development of a residential and retail district;
- (d) provide a transition to the neighboring areas to the north and west;
- (e) provide flexibility for architectural design that encourages building forms that enhance and enliven the streetscape;
- (f) control the impact of development on the access of light and air to streets, the Boardwalk and parks in the district and surrounding neighborhood;
- (g) promote development in accordance with the area's District Plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

**131-01 General Provisions**

The provisions of this Chapter shall apply to all #developments#, #enlargements#, #extensions#, alterations and changes of #use# within the #Special Coney Island District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified 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.

**131-02 District Plan and Maps**

The District Plan for the #Special Coney Island 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 Coney Island District#. The District Plan includes the following maps in the Appendix of this Chapter.

- Map 1 Special Coney Island District and Subdistricts
- Map 2 Mandatory Ground Floor Use Requirements
- Map 3 Coney East Subdistrict Floor Area Ratios
- Map 4 Street Wall Location
- Map 5 Minimum and Maximum Base Heights
- Map 6 Coney West Subdistrict Transition Heights

**131-03 Subdistricts**

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established as follows:

- Coney East Subdistrict
- Coney West Subdistrict
- Coney North Subdistrict

Mermaid Avenue Subdistrict.

In each of these subdistricts, certain special regulations apply which do not apply within the remainder of the #Special Coney Island District#. The subdistricts are specified on Map 1 in the Appendix of this Chapter.

**131-04 Applicability**

**131-041 Applicability of Article I, Chapter 1**

Within the #Special Coney Island District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a demolition permit, where compliance at time of demolition is required by the (E) designation, or a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for potential hazardous material contamination, noise or air quality impacts, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

- (a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or
- (b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

**131-042 Applicability of Article 1, Chapter 5**

The provisions of Article 1, Chapter 5 (Residential Conversion of Existing Non-Residential Buildings), shall apply in the #Special Coney Island District#, as modified in this Section. The conversion to #dwelling units#, or portions thereof, erected prior to January 1, 1977, shall be permitted subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 Minor Modifications), paragraph (b). Uses in #buildings# erected prior to January 1, 1977, containing both #residential# and non-#residential uses# shall not be subject to the provisions of Section 32-42 (Location within Buildings).

**131-043 Applicability of Article 7, Chapter 4**

The provisions of Section 74-513 (In C7 Districts) shall not apply in the #Special Coney Island District#. In lieu thereof, #public parking lots# shall not be permitted; #public parking garages# of any size shall be permitted as-of-right, provided such garages comply with the provisions of Section 131-52 (Use and Location of Parking Facilities).

**131-044 Physical Culture Establishments**

The provisions of Section 73-36 (Physical Culture or Health Establishments) shall not apply in the Coney East, Coney North or Coney West Subdistricts. In lieu thereof, physical culture establishments shall be allowed as-of-right.

**131-045 Modification of use and bulk regulations for zoning lots fronting upon the Riegelmann Boardwalk, Keyspan Park and Highland View Park**

Where the #lot line# of a #zoning lot# coincides or is within 20 feet of the boundary of the Riegelmann Boardwalk, Keyspan Park or Highland View Park, such #lot line# shall be considered to be a #street line# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

**131-10 SPECIAL USE REGULATIONS**

The special #use# regulations set forth in this Section, inclusive, shall modify the underlying Commercial Districts, as applicable.

For the purposes of this Chapter, "ground floor level" shall mean the finished floor level within five feet of an adjacent public sidewalk or any other publicly accessible open area.

**131-11 Use Group 5**

For the purposes of this Chapter, the definition of #transient hotels# shall be modified as set forth in this Section, and such #transient hotels# shall be permitted only in specified locations  
A #transient hotel# is a #building# or part of a #building# in which:

- (a) all units containing living or sleeping accommodations are used exclusively for "transient occupancy," where such occupancy:
  - (1) does not exceed any period of 29 consecutive days or a total of 60 days in a calendar year; or
  - (2) is the result of a referral by a government agency to provide temporary accommodations.
- (b) each such unit is available each day for rent, unless rented, except for periods of maintenance and repair;
- (c) all such units are fully furnished by the hotel operator;
- (d) one or more common entrances serve all such units;
- (e) there is a uniform key entry system, administered

by management or hotel staff, to receive and disburse keys for each room; and

- (f) twenty-four hour desk service, housekeeping services and the furnishing and laundering of linens are provided.

A central rubbish chute shall be accessible only to hotel staff. Restaurants, cocktail lounges, public banquet halls, ballrooms and meeting rooms shall be considered #accessory uses# provided such #uses# are accessible to all occupants of the #transient hotel# and their guests from a common area of the #transient hotel#.

**13-12 Use Groups A, B and C**

Special Use Groups are established as set forth in this Section, to promote and strengthen the commercial and entertainment character of the Special District.

**131-121 Use Group A: Amusements**

Use Group A consists of a group of #uses# selected from Use Groups 12, 13 and 15 as modified in this Section, and may be open or enclosed:

- (1) Amusement arcades  
Amusement parks, with no limitation on floor area per establishment  
Animal exhibits, circuses, carnivals or fairs of a temporary nature  
Camps, overnight or day, commercial beaches or swimming pools  
Dark rides, electronic or computer-supported games including interactive entertainment facilities, laser tag and motion simulators

Ferris wheels, flume rides, roller coasters, whips, parachute jumps, dodgem scooters, merry-go-rounds or similar midway attractions

Fortune tellers, freak shows, haunted houses, wax museums, or similar midway attractions

Miniature golf courses and model car hobby centers, including racing  
Open booths with games of skill or chance, including shooting galleries

Water parks

- (2) Arenas or auditoriums, with capacity limited to 2,000 seats

Billiard parlors or pool halls, bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment

Gymnasiums or recreational sports facilities including but not limited to indoor golf driving ranges, batting cages, basketball, volleyball, squash and other courts, without membership requirements

Skateboard parks, roller or ice skating rinks

Theaters, including movie theaters, provided such #use# does not occupy the ground floor level of a #building#, except for lobbies limited to a maximum #street# frontage of 30 feet except that on #corner lots# one #street# frontage may extend up to 100 feet

#Accessory uses# to the amusements listed above, including the display and sale of goods or services, provided:

- (h) such #accessory uses# are limited to not more than 25 percent of the #floor area# of the amusement establishment or, for open #uses#, not more than 25 percent of the #lot area#;
- (i) such #accessory uses# shall be entered only through the principal amusement establishment;
- (j) such #accessory uses# shall share common cash registers with the principal amusement #use#;
- (k) such #accessory uses# shall have the same hours of operation as the principal amusement #use#; and
- (l) the principal amusement #use# shall occupy the entire #street# frontage of the ground floor level of the establishment and shall extend to a depth of at least 30 feet from the #street wall# of the #building# or, for open #uses#, at least 30 feet from the #street line#.

**131-122 Use Group B: Amusement and entertainment-enhancing uses**

Use Group B consists of a group of #uses# selected from Use Groups 6, 9, 12, 13 and 18, as modified in this Section:

- Art gallery, commercial
- Banquet halls
- Breweries
- Eating or drinking establishments of any size, including those with entertainment or dancing
- Historical exhibits
- Spas and bathhouses
- Studios, art, music, dancing or theatrical
- Tattoo parlors
- Radio or television studios
- Wedding chapels

**131-123 Use Group C: Retail and service uses**

Use Group C consists of a group of retail and service #uses# selected from Use Groups 6, 7, 12 and 14, as modified in this Section:

Arts and crafts production and sales, including but not limited to ceramics, art needlework, hand weaving or tapestries, book binding, fabric painting, glass blowing, jewelry or art metal craft and wood carving

Bicycle sales, rental or repair shops  
Bookstores  
Candy or ice cream stores  
Clothing or clothing accessory  
Clothing, custom manufacturing or altering for retail including costume production and hair product manufacturing  
Delicatessen stores  
Fishing tackle or equipment, rental or sales  
Gift shops  
Jewelry manufacturing from precious metals  
Musical instruments store  
Toy stores  
Music stores  
Newsstands  
Patio or beach furniture or equipment  
Photographic equipment stores and studios  
Sporting goods or equipment, sale or rental, including instruction in skiing, sailing or skin diving

### 131-13 Special Use Regulations in Subdistricts

#### 131-131 Coney East Subdistrict

The #use# regulations of the underlying C7 District are modified as set forth in this Section. #Transient hotels# land Use Groups A, B and C, as set forth in Sections 131-11 through 131-12-, inclusive, and #public parking garages# shall be the only #uses# allowed in the Coney East Subdistrict, and shall comply with the following regulations:

- (a) Use Group C
- Use Group C #uses# shall be limited to 2,500 square feet of #floor area# and 30 feet of #street# frontage, except that on #corner lots# one #street# frontage may extend up to 100 feet.
- (b) Bowery and Wonder Wheel Way
- At least 50 percent of Bowery and Wonder Wheel Way #street# frontage of any #zoning lot# shall be occupied by Use Group A1 #uses# at the ground floor level, and not more than 50 percent of the Bowery and Wonder Wheel Way #street# frontage of any #zoning lot# shall be occupied by Use Group C #uses# at the ground floor level.
- (c) Surf Avenue
- The Surf Avenue frontage of any ground floor level establishment shall not exceed a #street wall# width of 60 feet. However, an establishment may exceed a #street wall# width of 60 feet where the Chairperson of the Department of City Planning certifies to the Department of Buildings that such additional width is necessary to accommodate an amusement #use# listed in Use Group A1.
- (d) #Transient hotels#
- (1) #Transient hotels# shall be permitted only on #blocks# with Surf Avenue frontage, except that no #transient hotels# shall be permitted on that portion of the #block# bounded by West 15th Street and West 16th Street south of the prolongation of the centerline of Bowery.
- (2) #Transient hotel use# shall not be permitted within 50 feet of Bowery on the ground floor level of a #building#, except that where a #zoning lot# has frontage only on Bowery, a #transient hotel# lobby may occupy up to 30 feet of such frontage.
- (3) For #transient hotels# located on #zoning lots# with at least 20,000 square feet of #lot area#, an amount of #floor area# or #lot area# of Use Group A1 #uses# equal to at least 20 percent of the total #floor area# permitted on such #zoning lot# shall be provided either onsite or anywhere within the Coney East Subdistrict.
- (4) The #street wall# of the ground floor level of a #transient hotel# shall be occupied by active #accessory uses# including, but not limited to, lobbies, retail establishments, eating and drinking establishments and amusements.
- (6) #accessory# retail establishments within a #transient hotel# shall be limited to 2,500 square feet of #floor area#.
- (e) Parcel 1
- On Parcel 1 as shown on Map 2, only #uses# listed in Use Group A shall be permitted.
- (f) Parcel 2
- On Parcel 2 as shown on Map 2, only #uses# listed in Use Group A, and #public parking garages# of any size, shall be permitted, provided such garages

comply with the provisions of Section 131-62 (Use and Location of Parking Facilities).

#### 131-132 Coney North and Coney West Subdistricts

In the Coney North and Coney West Subdistricts, #uses# allowed by the underlying district regulations shall apply except as modified in this Section for #uses# fronting upon designated #streets#, as shown on Map 2 (Mandatory Ground Floor Use Requirements). For the purposes of this Section, the "building line" shown on Parcel F shall be considered a #street line# of Ocean Way or Parachute Way, as applicable.

- (c) Mandatory ground floor level use along designated #streets#
- Any #use# listed in Use Groups A, B and C, as set forth in Sections 131-12, inclusive, not otherwise allowed by the underlying district regulations, shall be permitted within 70 feet of the Riegelmann Boardwalk and within 100 feet of all other designated streets, as shown on Map 2.
- (1) Riegelmann Boardwalk
- Only #uses# listed in Use Groups A, B and C and #transient hotels# located above the ground floor level are permitted within 70 feet of the Riegelmann Boardwalk, except that a #transient hotel# lobby may occupy up to 30 feet of frontage along the Riegelmann Boardwalk. Use Group C #uses# shall be limited to 2,500 square feet of #floor area# and 30 feet of #street# frontage for each establishment. All other establishments shall be limited to 60 feet of #street# frontage, except that for any establishment on a corner, one #street# frontage may extend up to 100 feet. All ground floor #uses# shall have a depth of at least 15 feet measured from the #street wall# of the #building#.
- (2) Designated #streets# other than Riegelmann Boardwalk
- At least 20 percent of the designated #street# frontage of a #building# shall be allocated exclusively to #uses# listed in Use Groups A, B or C. The remaining designated #street# frontage of such #buildings# shall be allocated to #commercial uses# permitted by the underlying district regulations or, where permitted, #transient hotels#. All such #uses# shall be located in establishments with not more than 60 feet of designated #street# frontage, except that for any such establishment on a corner of two designated #streets#, one frontage may extend up to 100 feet. All ground floor #uses# shall have a depth of at least 50 feet measured from the #street wall# of the #building#. In addition, a #residential# lobby may occupy up to 40 feet of frontage along a designated #street#, and the minimum 50 foot depth requirement for #commercial uses# may be reduced where necessary in order to accommodate a #residential# lobby and vertical circulation core.
- (b) Prohibited ground floor level #uses# along designated #streets# other than Riegelmann Boardwalk
- No #use# listed in this paragraph, (b), shall be permitted within 50 feet of a designated #street# on the ground floor level of a #building#. Lobbies or entryways to non-ground floor level #uses# are permitted, provided the length of #street# frontage occupied by such lobbies or entryways does not exceed, in total, 60 feet.
- From Use Group 2:  
All #uses#.
- From Use Groups 3A and 3B:  
All #uses#, except for libraries, museums or non-commercial art galleries.
- From Use Groups 4A and 4B:  
All #uses#, except for houses of worship or playgrounds.
- From Use Group 5A:  
All #uses#, except that #transient hotels# shall be permitted within 200 feet of Surf Avenue between Stillwell Avenue and West 16th Street.
- From Use Groups 6B, and 6E  
Offices, veterinary medicine offices or non-commercial clubs.
- From Use Group 6C  
Banks (except for automated teller machines, provided the length of #street# frontage allocated for automated teller machines shall be no more than 25 feet or 40 percent of the frontage of the #zoning lot#, whichever is less, except such frontage need not be less than 20 feet), except that this prohibition shall not apply along Stillwell Avenue.
- Electrolysis studios, frozen food lockers and loan offices.

From Use Group 6D:  
All #uses#.

From Use Group 7:  
All #uses#, except for bicycle rental or repair shops.

From Use Groups 8A and 8B:  
Automobile driving schools, ice vending machines, lumber stores or pawn shops.

From Use Groups 8C, 8D and 8E:  
All #uses#.

From Use Groups 9A, 9B and 9C:  
All #uses#, except for gymnasiums, public auction rooms, photographic developing or printing establishments for the consumer, or art, music, dancing or theatrical studios.

From Use Groups 10A, 10B and 10C:  
Depositories for storage, and wholesale offices or showrooms.

Use Group 11:  
All #uses#.

Use Groups 12A and 12B:  
Trade expositions.

Use Groups 12C and 12D:  
All #uses#.

Use Group 14A and 14B:  
All #uses#, except for bicycle sales, rental or repair shops.

#### 131-14 Location of Uses within Buildings

The provisions of Section 32-42 (Location within Buildings) are modified to permit:

- (a) #residential uses# on the same #story# as a non-#residential use# or directly below a non-#residential use#, provided no access exists between such #uses# at any level containing #residences#, and separate elevators and entrances from the #street# are provided; and
- (b) in the Coney North and Coney West Subdistricts, any #commercial use# permitted by this Chapter shall be permitted on the second #story# of a #mixed building#.

#### 131-15 Transparency

Each ground floor level #street wall# of a #commercial# or #community facility use# other than a #use# listed in Use Group A, as set forth in Section 131-121, shall be glazed with materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #street wall#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #street wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

However, in the Coney East Subdistrict and along the Riegelmann Boardwalk and boundary of Keyspan Park in the Coney West Subdistrict, in lieu of the transparency requirements of this Section, at least 70 percent of the area of the ground floor level #street wall# of a #commercial use#, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher, may be designed to be at least 70 percent open during seasonal business hours.

#### 131-16 Security Gates

All security gates installed after (effective date of amendment), that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street#. However, this provision shall not apply to entrances or exits to parking garages, or to any #use# fronting upon the Riegelmann Boardwalk, provided that security gates at such locations that permit less than 75 percent visibility when closed shall be treated with artwork.

#### 131-17 Authorization for Use Modifications

Along designated #streets# other than the Riegelmann Boardwalk, as shown on Map 2, the City Planning Commission may authorize Use Group A, B or C establishments with a ground floor depth of less than 50 feet upon a finding that the design and operation of such establishments result in an effective and compelling amusement, entertainment or retail space that furthers the goals of the Special District.

#### 131-20 SIGN REGULATIONS

- (a) In the Coney East Subdistrict, the underlying C7 #sign# regulations shall apply, except that:
- (3) no #advertising signs# shall be permitted above a height of 40 feet; and
- (4) the provisions of Sections 32-66 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways), inclusive, and 32-67 (Special Provisions Applying along District Boundaries) shall not apply.

(b) In the Coney North and Coney West Subdistricts, the underlying C2-4 #sign# regulations shall apply, except that the height restrictions of Section 32-655 shall be modified to allow permitted #signs# at the level of any #story# occupied by a #commercial use#.

**131-30**

**FLOOR AREA REGULATIONS**

The #floor area ratio# regulations of the underlying districts shall be modified as set forth in this Section, inclusive.

**131-31**

**Coney East Subdistrict**

The maximum #floor area ratio# of the underlying C7 District shall not apply. In lieu thereof, the maximum #floor area ratio# is specified for each #block# or portion thereof, as shown on Map 3 (Coney East Subdistrict Floor Area Ratios). On Parcel 1, as shown on Map 3, the maximum #floor area ratio# for a Use Group A amusement #use# shall be 2.0 and the maximum #floor area ratio# for a #public parking garage# shall be 4.0.

**131-32**

**Coney West, Coney North and Mermaid Avenue Subdistricts**

**131-321**

**Special floor area regulations for residential uses**

**R7A R7D R7X**

(b) Applicability of Inclusionary Housing Program  
R7A, R7D and R7X Districts within the #Special Coney Island District# shall be #Inclusionary Housing designated areas#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (Inclusionary Housing Program), inclusive, applicable as modified within the Special District.

(b) Maximum #floor area ratio#

The base #floor area ratio# for any #zoning lot# containing #residences# shall be as set forth in the following table. Such base #floor area ratio# may be increased to the maximum #floor area ratio# set forth in the table through the provision of #lower income housing#, pursuant to the provisions for #Inclusionary Housing designated area#, as set forth in Section 23-90 (INCLUSIONARY HOUSING), inclusive. Parcels A through F within R7D Districts are shown on Map 1 (Special Coney Island District and Subdistricts).

Subdistrict Zoning District	Base #floor area ratio#	Maximum #floor area ratio#
Coney West Parcels: A, B, C, D R7D	4.35	5.8
Coney West Parcels: E, FR7D	4.12	5.5
Coney North R7X	3.75	5.0
Mermaid Avenue R7A	3.45	4.6

TABLE FLOOR AREA RATIO FOR BUILDINGS CONTAINING RESIDENCES

(c) Coney West floor area distribution rules

In the Coney West Subdistrict, #floor area# attributable to #zoning lots# within the following sets of parcels, as shown on Map 1 in the Appendix to this Chapter, may be distributed anywhere within such sets of parcels:

- Parcels A and B
- Parcels C and D
- Parcels E and F.

(d) Height and setback

For all #zoning lots#, or portions thereof, located in the Coney West or Coney North Subdistricts, the height and setback regulations of paragraph (b) of Section 23-942 shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

**131-322**

**Special floor area regulations for community facility uses**

In the Coney West and Coney North Subdistricts, the maximum permitted #floor area ratio# for #community facility uses# shall be 2.0.

**131-323**

**Special floor area ratio regulations for hotel uses**

In the Coney North Subdistrict, for #transient hotels# located within 200 feet of Surf Avenue between Stillwell Avenue and West 16<sup>th</sup> Street, the maximum permitted #floor area ratio# shall be 3.75.

**131-324**

**Lot coverage**

For #residential uses#, no maximum #lot coverage# shall apply to any #zoning lot# comprising a #corner lot# of 5,000 square feet or less.

**131-40**

**HEIGHT AND SETBACK REGULATIONS**

The underlying height and setback regulations shall not apply. In lieu thereof, the height and setback regulations of

this Section shall apply. The height of all #buildings or other structures# shall be measured from the #base plane#.

**131-41**

**Rooftop Regulations**

(a) Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Coney Island District#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts) only in the Mermaid Avenue Subdistrict.

(b) Screening requirements for mechanical equipment

For all #developments# and #enlargements#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

**131-42**

**Coney East Subdistrict**

The regulations of this Section, inclusive, shall apply to all #buildings or other structures# in the Coney East Subdistrict. For the purposes of applying the height and setback regulations of this Section, Jones Walk shall not be considered a #street#. Map 4 (Street Wall Location) and Map 5 (Minimum and Maximum Base Heights) in the Appendix to this Chapter, illustrate the #street wall# location provisions and minimum and maximum base height provisions of this Section 131-42, inclusive.

**131-421**

**Coney East Subdistrict, south side of Surf Avenue**

The following regulations shall apply along the south side of Surf Avenue and along those portions of #streets# intersecting Surf Avenue located north of a line drawn 50 feet north of and parallel to the northern #street# line of Bowery and its westerly prolongation.

(a) #Street wall# location

The #street wall# of a #development# or #enlargement# shall be located within five feet of the #street line# and extend along the entire frontage of the #zoning lot#, except that:

- (1) a sidewalk widening shall be required at the intersection of Surf Avenue and West 10th Street, extending from a point on the Surf Avenue #street line# 125 feet west of West 10th Street to a point on the West 10th Street #street line# 20 feet south of Surf Avenue. Such area shall be improved as a sidewalk to Department of Transportation standards, be at the same level as the adjoining sidewalks, and be accessible to the public at all times. Such sidewalk widening line shall be considered a #street line# for the purposes of applying the #use# and height and setback regulations of this Chapter;
- (2) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (3) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#;
- (4) to allow for portions of towers to rise without setback from grade, a portion of a building base below a tower may be set back ten feet from the #street line#, provided the width of such setback area is not greater than 40 percent of the width of the #street wall# of the tower, and provided such setback area complies with the provisions of Section 131-47 (Design Requirements for Ground Level Setbacks).

(b) Building base

- (1) Surf Avenue, west of West 12th Street West of West 12th Street, the #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of 35 feet or the height of the #building#, whichever is less, and a maximum base height of 45 feet. If a tower is provided, in accordance with requirements of paragraph (d) of this Section, the maximum base height shall be 65 feet. At

a height no lower than the minimum base height and no higher than the maximum base height, a setback shall be required, pursuant to the provisions set forth in paragraph (c) of this Section.

For #developments# or #enlargements# located West of West 12 Street that, provide a tower in accordance with the requirements of paragraph (d) of this Section, not more than 40 percent of the #aggregate width of street walls# facing Surf Avenue shall exceed a height of 45 feet without setback, and at least 40 percent of the #aggregate width of street walls# facing Surf Avenue shall rise without setback to a height of at least 60 feet but not more than 65 feet. Furthermore, any portion of a #street wall# which exceeds a height of 60 feet shall be located within 150 feet of the intersection of two #street lines# and shall coincide with the location of a tower. Towers shall comply with location requirements of paragraphs (d) of this Section.

(2) Surf Avenue, east of West 12th Street

East of West 12th Street, the #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of 35 feet or the height of the #building#, whichever is less, and a maximum base height of 45 feet. At a height no lower than the minimum base height and no higher than the maximum base height, a setback is required that shall comply with the provisions set forth in paragraph (d) of this Section.

For the base of any #building# located on the south side of Surf Avenue, above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(3) of this Section.

(c) Transition height

All portions of a #building# that exceed the applicable maximum base height specified in paragraph (b) of this Section, shall be set back from the #street line# at least 20 feet except that where towers are provided, the minimum setback depth from the #street line# shall be 10 feet.

(1) East of West 12th Street

The maximum transition height shall be 65 feet, and all portions of #buildings# that exceed such height shall comply with the tower provisions of paragraph (d) of this Section, except that within 100 feet of Jones Walk on the easterly side, the maximum building height after the required setbacks shall be 85 feet.

(2) West of West 12th Street

All portions of a #building# that exceed the maximum base height as set forth in paragraph (b) (1) of this Section shall comply with the tower provisions of paragraph (d) of this Section.

(3) Special Regulations for Use Group A

The transition height regulations of paragraphs (c) (1) and (c) (2) of this Section shall not apply to #buildings# that rise to a maximum height of 85 feet to accommodate a Use Group A #use#; or to #buildings# where the Chairperson of the City Planning Department certifies to the Department of Buildings that additional height is necessary to accommodate an amusement #use# listed in Use Group A1.

(d) Towers

All #stories# of a #development# or #enlargement# located partially or wholly above a height of 65 feet shall be considered a "tower" and shall comply with the provisions of this paragraph.

(4) Maximum floorplate

Each #story# of a tower shall not exceed a gross area of 8,500 square feet.

(5) Maximum length and height

The outermost walls of all tower #stories# shall be inscribed within a rectangle, and no side of such rectangle shall exceed a length of 165 feet. The maximum height of a #building# located between West 12th Street and Jones Walk shall be 150 feet between West 12th Street and Jones Walk. The maximum height of a #building# located between West 12th Street and West 16th

Street on #zoning lots# with less than 50,000 square feet of #lot area# shall be 220 feet; on #zoning lots# with 50,000 square feet or more of #lot area#, the maximum height of a #building# shall be 270 feet. All towers that exceed a height of 150 feet shall provide articulation in accordance with Section 131-46 (Tower Top Articulation).

(6) Tower location

All towers shall be located within 25 feet of Surf Avenue and entirely within 100 feet of an intersecting #street#.

**131-422**

**Coney East Subdistrict, north side of Surf Avenue**

Any #building or other structure# fronting upon the north side of Surf Avenue shall not exceed a height of 85 feet. Furthermore, in order to protect the view from the elevated subway to the Coney East Subdistrict, no portion of such #building or other structure#, including permitted obstructions or #signs#, shall be located between a height of five feet below the upper level of the elevated subway tracks and a level 25 feet above such level, except for a vertical circulation core, supporting structural elements and related appurtenances. In no event shall more than 30 percent of the Surf Avenue frontage of the #zoning lot# be obstructed with such elements.

**131-423**

**Along all other streets**

The following regulations shall apply along Wonder Wheel Way, Bowery, and all other #streets# and portions thereof located south of a line drawn 50 feet north of and parallel to the northern #street# line of Bowery and its westerly prolongation.

(a) #Street wall# location

The #street wall# of the #development# or #enlargement#, or portion thereof, shall be located within five feet of the #street line#.

(b) Maximum building height

The #street wall# of a #development# or #enlargement#, or portion thereof, shall rise to a minimum height of 20 feet and a maximum height of 40 feet before setback. The maximum height of a #building or other structure# shall be 60 feet, provided any portion of a #building# that exceeds a height of 40 feet shall be set back from the #street wall# of the #building# at least 20 feet.

West of West 12th Street, along the northern #street line# of Bowery, the maximum #building# height shall be 40 feet. If a tower is provided along the Surf Avenue portion of the #block#, 40 percent of the #aggregate width of street walls# may rise above the maximum #street wall# height of 40 feet, and such portion of the #aggregate width of street walls# shall be located within 150 feet of the intersection of two #street lines# and shall coincide with that portion of the #street wall# along Surf Avenue that rises to a height of between 60 to 65 feet, pursuant to the provisions of paragraph (b)(1) of Section 131-421. However, where the portion of the #block# that fronts on Surf Avenue is #developed# or #enlarged# pursuant to the special regulations for Use Group A, in paragraph (c)(3) of Section 131-421 (Coney East Subdistrict, south side of Surf Avenue), the #street wall may rise after a setback of 20 feet to a maximum height of 60 feet for the entire length of the Bowery #street line#, or may extend beyond the 40 percent of the #aggregate width of #street wall# for the length of the #street wall# of such Use Group A #development# or #enlargement# which fronts along Surf Avenue, whichever is less.

Furthermore, a #building# that exceeds a height of 60 feet shall be permitted where the Chairperson of the City Planning Department certifies to the Department of Buildings that such additional height is necessary to accommodate an amusement #use# listed in Use Group A1.

**131-43**

**Coney West Subdistrict**

The regulations of this Section shall apply to all #buildings or other structures# in the Coney West Subdistrict. Map 4 (Street Wall Location), Map 5 (Minimum and Maximum Base Heights) and Map 6 (Coney West Subdistrict Transition Heights), in the Appendix to this Chapter, illustrate the #street wall# location provisions, minimum and maximum base height provisions and transition height provisions of this Section, inclusive. For the purposes of this Section, the "building line" shown on Parcel F shall be considered a #street line# of Ocean Way or Parachute Way, as indicated on such maps.

**131-431**

**Coney West District, Surf Avenue**

The regulations of this Section shall apply along Surf Avenue. The #street wall# location provisions of paragraph (a) of this Section shall also apply along #streets# intersecting Surf Avenue within 50 feet of Surf Avenue, and the building base regulations of paragraph (b) of this Section shall also apply along #streets# within 100 feet of Surf Avenue.

(a) #Street wall# location

The #street wall# of a building base of a #development# or #enlargement# shall be located

on the Surf Avenue #street line# and extend along the entire Surf Avenue frontage of the #zoning lot#, except that:

(1) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;

(2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and

(3) to allow for portions of towers to rise without setback from grade, a portion of a building base below a tower may be set back ten feet from a #street line#, provided the width of such setback area is not greater than 40 percent of the width of the #street wall# of the tower and provided such setback area complies with the provisions of Section 131-47 (Design Requirements for Ground Level Setbacks).

(b) Building base

The #street wall# of a #development# or #enlargement# fronting on Surf Avenue shall rise without setback to a minimum height of six #stories# or 65 feet, or the height of the #building#, whichever is less, and a maximum height of eight #stories# or 85 feet, whichever is less, before a setback is required. For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, not more than 40 percent of the #aggregate width of street walls# facing Surf Avenue shall exceed a height of six #stories# or 65 feet, whichever is less, and at least 40 percent of the #aggregate width of street walls# facing Surf Avenue shall rise without setback to a height of at least eight #stories# or 80 feet, whichever is less. However, on the blockfront bounded by West 21st Street and West 22nd Street, the minimum height of a #street wall# shall be 40 feet and the maximum height of a #street wall# shall be six #stories# or 65 feet, whichever is less, before a setback is required.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(2) of this Section.

All portions of a #building# that exceed the maximum heights set forth in this paragraph, (b), shall be set back from the #street line# at least ten feet.

(c) Transition height

Above the maximum base height, a #street wall# may rise to a maximum transition height of nine #stories# or 95 feet, whichever is less, provided that up to 60 percent of the #aggregate width of street walls# facing Surf Avenue shall be set back a minimum distance of 10 feet from the Surf Avenue #street line#. The remaining portion of such #aggregate width of street walls# facing Surf Avenue shall be set back a minimum distance of 15 feet. All portions of #buildings# that exceed a transition height of 95 feet shall comply with the tower provisions of Section 131-434 (Coney West Towers).

**131-432**

**Along all other Streets, other than the Riegelmann Boardwalk**

The following regulations shall apply along all other #streets# in the Coney West Subdistrict, except within 70 feet of the Riegelmann Boardwalk.

(a) #Street wall# location

The #street wall# of a building base of a #development# or #enlargement#, or portion thereof, beyond 50 feet of Surf Avenue shall be located within eight feet of the #street line#, except that, to allow portions of towers to rise without setback from grade, a portion of a building base below a tower may be set back ten feet from the #street line#, provided the width of such setback area is not greater than 40 percent of the width of the #street wall# of the tower. For #buildings# where the ground floor level is occupied by #residential uses#, any area between the #street wall# and the #street line#, except for entrances, shall be planted.

(b) Building base

The #street wall# of a building base of a #development# or #enlargement#, or portion thereof, located beyond 100 feet of Surf Avenue, shall rise without setback to a minimum height of 40 feet or the height of the #building#, whichever is less, and a maximum height of six #stories# or 65 feet, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed for #outer courts# or balconies, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, and provided the maximum depth of such recesses is 15 feet, as measured from the #street line#. All portions of a #building# that exceed a

height of 65 feet shall be set back from the #street wall# of the #building# at least ten feet, except such setback distance may include the depth of any permitted recesses.

(c) Transition heights

Beyond 100 feet of Surf Avenue, a #street wall# may rise to a maximum transition height of nine #stories# or 95 feet, whichever is less, provided that:

(1) above the maximum base height, up to 60 percent of the #aggregate width of street walls# facing Ocean Way, and along all other #streets#, other than the Riegelmann Boardwalk, shall be set back a minimum distance of 10 feet from the #street line#. The remaining portion of such #aggregate width of street walls# facing Ocean Way, and along all other #streets# other than the Riegelmann Boardwalk, shall be set back a minimum distance of 15 feet from the #street line#, except that for #blocks# north of the Ocean Way #street line#, along a minimum of one #street line# bounding the #block# (except for Surf Avenue), the remaining portion of such #aggregate width of street walls# shall remain open to the sky for a minimum depth of 100 feet from the #street line#;

(2) for #blocks# bounding the southern #street line# of Ocean Way, any portion of a #building or other structure# that exceeds a height of six #stories# or 65 feet, whichever is less, shall be located within 80 or 100 feet of a #street line#, as indicated on Map 6 in the Appendix to this Chapter;

(3) for portions of #buildings# higher than six #stories# or 65 feet that are within 100 feet of the Riegelmann Boardwalk, each #story# within such portion shall provide a setback with a depth of at least ten feet, measured from the south facing wall of the #story# directly below.

A #building# may exceed such transition heights only in accordance with the tower provisions of Section 131-434.

**131-433**

**Riegelmann Boardwalk**

The #street wall# of the #development# or #enlargement# shall be located on the Riegelmann Boardwalk #street line# and extend along the entire Riegelmann Boardwalk frontage of the #zoning lot# to a minimum height of 20 feet. Any #building or other structure# within 70 feet of the Riegelmann Boardwalk shall not exceed a height of 40 feet above the level of the Riegelmann Boardwalk.

**131-434**

**Coney West District towers**

All #stories# of a #development# or #enlargement# located partially or wholly above an applicable transition height shall be considered a "tower" and shall comply with the provisions of this Section.

(b) Maximum floorplate

Each #story# of a tower shall not exceed a gross area of 8,500 square feet.

(c) Maximum length and height

On #blocks# bounding Surf Avenue, the maximum height of a #building# shall be 220 feet, and on #blocks# bounding the southerly #street line# of Ocean Way, the maximum #building# height shall be 170 feet. Furthermore, the outermost walls of all tower #stories# shall be inscribed within a rectangle, and no side of such rectangle shall exceed a length of 165 feet.

For #developments# that provide #lower income housing# pursuant to Section 131-321 (Special residential floor area regulations), the maximum height of a #building# shall be increased to 270 feet, provided that the tower complies with either paragraph (b) (1) or (b)(2) of this Section.

(1) The outermost wall of all tower #stories# shall be inscribed within a rectangle where no side of such rectangle exceeds a length of 100 feet; or

(2) The outermost wall of all tower #stories# below a height of 120 feet shall be inscribed within a rectangle where no side of such rectangle exceeds a length of 130 feet; above a height of 120 feet, no side of such rectangle shall exceed a length of 100 feet.

Above a height of 120 feet, the maximum floor plate shall be 80 percent of the #story# immediately below such height, or 6,800 square feet, whichever is greater. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least five feet and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of each respective tower face.

All #buildings# that exceed a height of 170 feet shall provide articulation in accordance with

Section 131-46 (Tower Top Articulation).

(c) Tower location

All towers shall be located entirely within 100 feet of Parachute Way, West 20th Street, West 21st Street or West 22nd Street and within 25 feet of the intersection of two #street lines#. When a #zoning lot# bounding Surf Avenue contains a tower, such tower shall be located within 25 feet of Surf Avenue. No more than one tower shall be permitted on any #zoning lot#, except that for #developments# that provide #lower income housing# pursuant to Section 131-321, no more than two towers shall be permitted on any #zoning lot#, and the second tower shall be located within 25 feet of Ocean Way. However, on Parcel E, any #development# may include two towers and, for #developments# that provide #low income housing# pursuant to Section 131-321, a third tower shall be permitted to be located anywhere on such parcel along Parachute Way.

**131-44  
Coney North Subdistrict**

The regulations of this Section shall apply to all #buildings or other structures# in the Coney North Subdistrict. Map 4 (Street Wall Location) and Map 5 (Minimum and Maximum Base Heights), in the Appendix to this Chapter, illustrate the #street wall# location provisions, minimum and maximum base height provisions and maximum building height provisions of this Section, inclusive.

**131-441  
Coney North Subdistrict, Surf Avenue**

The regulations of this Section shall apply along Surf Avenue. The #street wall# location provisions of paragraph (a) of this Section shall also apply along #streets# intersecting Surf Avenue within 50 feet of Surf Avenue, and the building base regulations of paragraph (b) of this Section shall also apply along #streets# within 100 feet of Surf Avenue.

(a) #Street wall# location

The #street wall# of a building base of a #development# or #enlargement# shall be located on the Surf Avenue #street line# and extend along the entire Surf Avenue frontage of the #zoning lot#, except that:

- (1) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (3) to allow for portions of towers to rise without setback from grade, a portion of a building base below a tower may be set back ten feet from a #street line#, provided the width of such setback area is not greater than 40 percent of the width of the #street wall# of the tower and provided such setback area complies with the provisions of Section 131-47 (Design Requirements for Ground Level Setbacks).

(b) Building base

The #street wall# of a building base of a #development# or #enlargement# fronting on Surf Avenue shall rise without setback to a minimum height of six #stories# or 65 feet, or the height of the #building#, whichever is less, and a maximum height of eight #stories# or 85 feet, whichever is less, before a setback is required.

For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, not more than 40 percent of the #aggregate width of street walls# facing Surf Avenue shall exceed a height of 65 feet without setback, and at least 40 percent of the #aggregate width of street walls# facing Surf Avenue shall rise without setback to a height of at least 80 feet, but not more than 85 feet. However, on the blockfront bounded by Stillwell Avenue and West 15th Street, for #buildings# that exceed a height of 85 feet, all #street walls# of such #building# facing Surf Avenue shall rise without setback to a height of 85 feet.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided, as set forth in paragraph (a)(2) of this Section.

All portions of a #building# that exceed a height of 85 feet shall be set back from the #street line# at least ten feet, and comply with the tower provisions of Section 131-444 (Coney North Towers).

(c) Transition height

Above the maximum base height, a #street wall# may rise to a maximum transition height of nine #stories# or 95 feet, whichever is less, provided that up to 60 percent of the #aggregate width of street walls# facing Surf Avenue shall be set back a minimum distance of 10 feet from the Surf Avenue #street line#. The remaining portion of such #aggregate width of street walls# facing Surf

Avenue shall be set back a minimum distance of 15 feet. All portions of #buildings# that exceed a transition height of 95 feet shall comply with the tower provisions of Section 131-444 (Coney North Towers).

**131-442  
Along all other Streets, other than Stillwell Avenue**  
The following regulations shall apply along all other #streets# in the Coney North Subdistrict, other than Stillwell Avenue.

(a) #Street wall# location

The #street wall# of a building base of a #development# or #enlargement#, or portion thereof, beyond 50 feet of Surf Avenue, shall be located within eight feet of the #street line#, except that, to allow portions of towers to rise without setback from grade, a portion of a building base below a tower may be recessed ten feet from the #street line#, provided the width of such recess area is not greater than 40 percent of the width of the #street wall# of the tower. For #buildings# where the ground floor level is occupied by #residential uses#, any area between the #street wall# and the #street line#, except for entrances, shall be planted.

(b) Building base

The #street wall# of a building base of a #development# or #enlargement#, or portion thereof, located beyond 100 feet of Surf Avenue, shall rise without setback to a minimum height of 40 feet, or the height of the #building#, whichever is less, and a maximum height of six #stories# or 65 feet, whichever is less. Up to 30 percent of the #aggregate width of street walls# may be recessed for #outer courts# or balconies, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, and provided the maximum depth of such recesses is 15 feet, as measured from the #street line#.

All portions of a #building# that exceed a height of 65 feet shall be set back from the #street wall# of the #building# at least ten feet, except such setback distance may include the depth of any permitted recesses.

However, on #blocks# bounded by West 15th Street and West 20th Street, within 40 feet of the boundary of a C2-4 District mapped within a R7A District, no #building or other structure# shall exceed a height of 23 feet, except that, for #zoning lots# with less than 50 feet of frontage along a #street# or, for #through lots# with less than 50 feet of frontage along each #street#, the maximum height of a #building or other structure# before setback shall be six stories or 65 feet, whichever is less.

(c) Transition height

In all portions of #blocks# located beyond 100 feet but not further than 170 feet from Surf Avenue, a #street wall# may rise above the maximum base height to a maximum transition height of eight #stories# or 85 feet, whichever is less, provided that up to 60 percent of the #aggregate width of street walls# facing Surf Avenue shall be set back a minimum distance of 10 feet from the Surf Avenue #street line#. The remaining portion of such #aggregate width of street walls# facing Surf Avenue shall be set back a minimum distance of 15 feet. All portions of #buildings# that exceed a transition height of 85 feet shall comply with the tower provisions of Section 131-444 (Coney North Subdistrict towers).

**131-443  
Stillwell and Mermaid Avenues**

Within 100 feet of Stillwell and Mermaid Avenues, except within 100 feet of Surf Avenue, all portions of a #building or other structure# shall comply with the height and setback regulations of a C2 District mapped within an R7A District, except that the #street wall# of a #building# shall be located on the #street line# and rise without setback to a minimum height of 40 feet or the height of the #building#, whichever is less, except as follows:

- (a) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (b) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (c) above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (b) of this Section.

**131-444  
Coney North Subdistrict towers**  
All #stories# of a #development# or #enlargement# located partially or wholly above a height of 85 feet within 175 feet of Surf Avenue and above a height of 65 feet beyond 175 feet of Surf Avenue shall be considered a "tower" and shall comply with the provisions of this Section 131-444.

(a) Maximum floorplate

Each #story# of a tower shall not exceed a gross

area of 8,500 square feet.

(b) Maximum length and height

On #blocks# bounding Surf Avenue, the maximum height of a #building# shall be 220 feet and beyond 175 feet of Surf Avenue the maximum height of a #building# shall be 170 feet. Furthermore, the outermost walls of all tower #stories# shall be inscribed within a rectangle and no side of such rectangle shall exceed a length of 165 feet.

For #developments# that provide #lower income housing# pursuant to Section 131-321 (Special residential floor area regulations), the maximum height of a #building# shall be increased to 270 feet, provided that the tower portion of such #building# complies with either paragraph (b)(1) or (b)(2) of this Section.

- (1) The outermost wall of all tower #stories# shall be inscribed within a rectangle, where no side of such rectangle shall exceed a length of 100 feet; or
- (2) The outermost wall of all tower #stories#, below a height of 120 feet, shall be inscribed within a rectangle, where no side of such rectangle shall exceed a length of 130 feet; above a height of 120 feet, no side of such rectangle shall exceed a length of 100 feet.

Above a height of 120 feet, the maximum floor plate shall be 80 percent of the #story# immediately below such height, or 6,800 square feet, whichever is greater. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least five feet and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of each respective tower face

All #buildings# that exceed a height of 170 feet shall provide articulation in accordance with Section 131-46 (Tower Top Articulation).

(c) Tower location

Towers shall be located within 25 feet of Surf Avenue and entirely within 100 feet of an intersecting #street#. No more than one tower shall be permitted on any #zoning lot#, except that for #developments# that provide #lower income housing#, pursuant to Section 131-321, a second tower shall be permitted anywhere on the #zoning lot# that is entirely beyond 175 feet of Surf Avenue and ten feet from any other #street#. All towers shall be located at least ten feet from a #side lot line#.

**131-45  
Mermaid Avenue Subdistrict**

All portions of a #building or other structure# shall comply with the height and setback regulations of a C2 District mapped within a R7A District, except that on Mermaid Avenue, and on intersecting #streets# within 50 feet of Mermaid Avenue, the #street wall# of a #building# shall be located on the #street line# and rise without setback to a minimum base height of 40 feet or the height of the #building#, whichever is less, except that:

- (a) ground floor level recesses up to three feet deep shall be permitted for access to building entrances;
- (b) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (c) above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (b) of this Section.

**131-46  
Tower Top Articulation**

All #buildings# that exceed a height of 170 feet shall provide articulation in accordance with at least one of following provisions:

(a) Setbacks on each tower face

The highest three #stories#, or as many #stories# as are located entirely above a height of 170 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this paragraph, (a), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(b) Three setbacks

Setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 170 feet, whichever is less. Such setbacks shall be located on either the north-facing or south-facing side of the #building#, but not both. Such setbacks shall have a minimum depth of 15 feet measured, as applicable, from the north or south-facing wall of the #story# immediately below. For towers with at least six #stories# located entirely above a height of 170 feet, the lowest level at which such setbacks may be provided is 170 feet, and the highest #story#, therefore, shall be located entirely within the northern or southern half of the tower, as applicable.

(c) Reverse setbacks

A minimum of 15 percent of the area of the plane surface of #street walls# enclosing #floor area# of the tower and a maximum of 50 percent of the area of the plane surface of the #street walls# enclosing #floor area# of the tower shall project at least eighteen inches but not more than five feet from the remaining plane surface of the #street walls# enclosing any #floor area# of the tower. No projections, including balconies, shall be permitted from the lowest two #stories# of the tower.

131-47 Design Requirements for Ground Level Setbacks

Wherever a building base below a tower is set back from the #street line#, and the building walls bounding such setback area are occupied by non-#residential uses#, such setback area shall comply with the provisions of this Section. Where two such setback areas adjoin one another at the intersection of two #streets#, the combined area of such spaces shall determine the applicability of such provisions.

(d) Minimum and maximum areas

No such setback area shall be less than 240 square feet nor greater than 1,000 square feet.

(e) Pavement

The setback area shall be paved with materials distinctive from the adjoining public sidewalk.

(f) Wall treatments

All ground floor level building walls bounding such setback area not otherwise subject to the transparency requirements of Section 131-15 shall comply with the provisions of either paragraphs (c)(1) or (c)(2) of this Section.

- (1) If such building wall is a #street wall# wider than 10 feet, such #street wall# shall comply with the provisions of Section 131-15.
- (2) All other building walls shall comply with one of the following provisions:
  - (i) Such building walls shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 50 percent of the area of each such ground floor level building wall, measured to a height of 10 feet above the level of the adjoining sidewalk, public access area or #base plane#, whichever is higher; or
  - (ii) Such building walls shall be articulated with artwork or landscaping to a height of at least ten feet.

(d) Building entrances

A public entrance to a #building# shall front upon such setback area.

(e) Landscaping

A minimum of 20 percent of such setback area shall be planted with, at a minimum, evergreen ground cover or shrubs in planting beds, with a minimum of six inches in height and a maximum height of four feet. Such planting beds may not occupy more than 50 percent of the width of the setback area, as measured along the #street line#.

(f) For setback areas of 500 square feet or more, there shall be the following additional amenities:

- (1) an additional public entrance to the #building# that fronts upon such setback area; and
- (2) a minimum of one linear feet of seating for every 20 square feet of setback area shall be provided. At least 40 percent of such seating shall be fixed, of which at least half shall have backs with a minimum height of 14 inches. All fixed seating shall have a minimum depth of 18 inches and a maximum depth of 24 inches, and a minimum seat height of 16 inches and a maximum seat height of 20 inches. At least 50 percent of required

seating shall be moveable chairs.

131-48 Street Trees

The provisions of Section 33-03 (Street Tree Planting in Commercial Districts) shall not apply in the Coney East Subdistrict.

131-50 OFF-STREET PARKING AND LOADING REGULATIONS

The provisions of this Section shall apply to all off-#street# parking spaces and loading facilities within the #Special Coney Island District#.

131-51 Amount of Required and Permitted Parking

(d) Residential and Community Facility Parking

The underlying regulations shall apply, except that the provisions of Section 36-331 are modified to require off-#street# parking spaces for at least 60 percent of all new #dwelling units#.

(e) Commercial parking

The underlying regulations shall apply, except as modified below:

- (1) For Use Group A #uses#: one off-#street# parking space shall be provided for every 2,000 square feet of #floor area# or #lot area# for open #uses#, except that for a water park, two off-#street# parking spaces per 1,000 square feet of #floor area# shall be provided
- (2) For #transient hotels#: one off-#street# parking space shall be provided for every six guest rooms or suites.

131-52 Use and Location of Parking Facilities

The following provisions shall apply to all parking facilities:

- (b) All #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a residence to which it is accessory within 30 days after written request therefore is made to the landlord.
- (b) The off-site parking space provisions of Sections 36-42 and 36-43 shall not apply. In lieu thereof, all permitted or required off-#street# parking spaces may be provided on a #zoning lot# other than the same #zoning lot# to which such spaces are #accessory#, provided that:
  - (1) In the Coney East Subdistrict, such spaces are located anywhere within an area bounded on the east by Ocean Parkway, on the south by the Riegelmann Boardwalk, on the west by West 27<sup>th</sup> Street and on the north by Coney Island Creek and the Belt Parkway, in accordance with all applicable underlying parking regulations.
  - (2) In the Coney West Subdistrict, such parking spaces #accessory# to the following sets of parcels, as shown on Map 1 in the Appendix to this Chapter, shall be located anywhere on such sets of parcels:
    - Parcels A and B
    - Parcels C and D
    - Parcels E and F.
  - (3) In the Coney North and Mermaid Avenue Subdistricts, such spaces shall be located anywhere on the same #block#.

(f) All off-#street# parking facilities shall be located within facilities that, except for entrances and exits, are:

- (1) entirely below the level of any #street# or publicly accessible open area upon which such facility, or portion thereof, fronts; or
- (2) located, at every level above-grade, behind #commercial#, #community facility# or #residential floor area# with a minimum depth of 15 feet as measured from the #street wall# of the #building# so that no portion of such parking facility is visible from adjoining #streets# or publicly accessible open areas. All such parking facilities shall be exempt from the definition of #floor area#.
 

However, in the Coney East Subdistrict, the provisions of this paragraph (c)(2) need not apply on the north side of Surf Avenue, on Parcel 2 beyond 70 feet of the Riegelmann Boardwalk, or on the east side of that portion of West 16<sup>th</sup> Street beyond 50 feet of Surf Avenue and Wonder Wheel Way, provided that:

  - (i) any non-horizontal parking deck structures shall not be visible from the exterior of the #building# in elevation view;

(ii) opaque materials are located on the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck; and

(iii) a total of at least 50 percent of such exterior building wall with adjacent parking spaces consists of opaque materials which may include #signs#, graphic or sculptural art, or living plant material.

(d) Any roof of a facility containing off-street parking spaces not otherwise covered by a #building#, which is larger than 400 square feet, shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

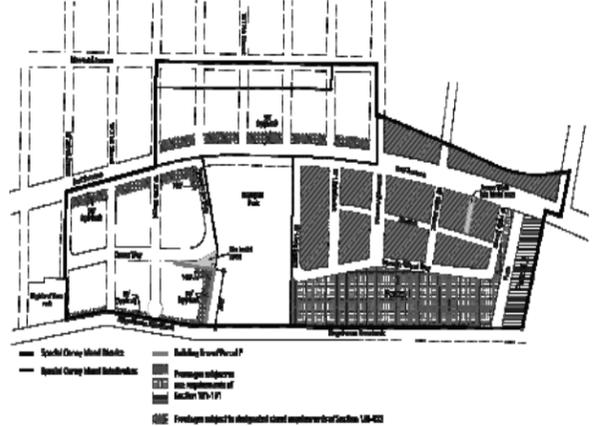
131-53 Curb Cuts

No curb cuts shall be permitted on Surf Avenue, Wonder Way or New Bowery except on a #zoning lot# with no frontage on any other #street#. The curb cut provisions of paragraph (c) of Section 36-58 shall apply to all #developments# and #enlargements#.

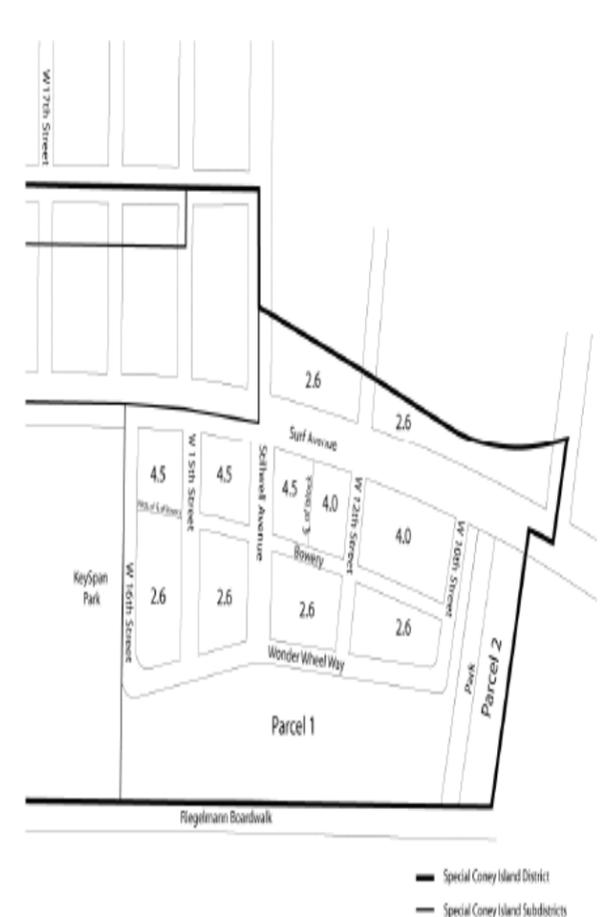
Map 1: Special Coney Island District and Subdistricts



Map 2: Mandatory Ground Floor Use Requirements



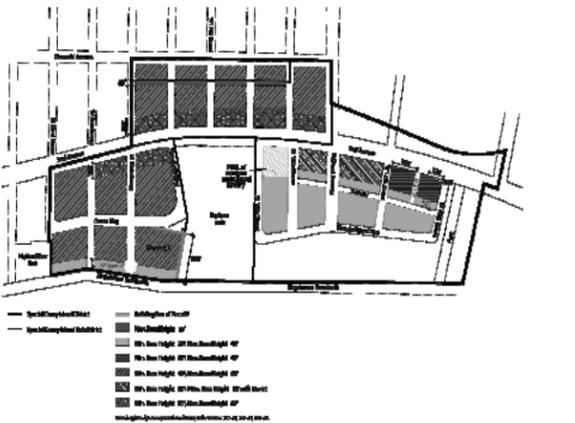
Map 3: Coney East Subdistrict Floor Area Ratios



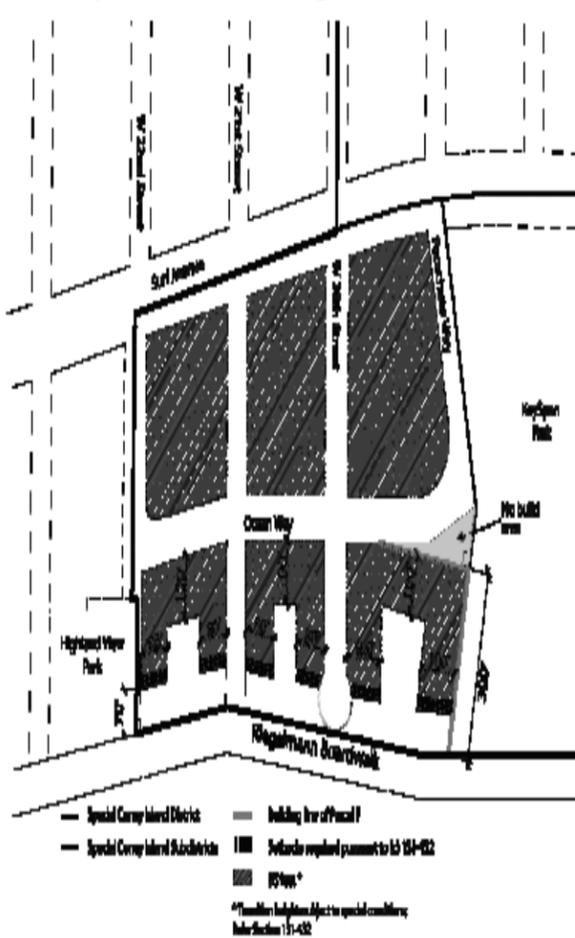
Map 4: Street Wall Location



Map 5: Minimum and Maximum Base Heights



Map 6: Coney West Subdistrict Transition Heights



No. 7

**CD 13** **C 090274 PQQ**  
**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at:

BLOCK	LOTS
7074	4, 6, p/o 23, 89, p/o 105, 250, 254, p/o 256, 300, p/o 310, 340, 348, and p/o 360
8694	1, 5, 11, 12, 14, 16, 18, 25, 30, 33, and 421
8695	61, 64, p/o 72, p/o 120, p/o 433
8696	35, 37, 44, 47, 48, 49, 50, 53, p/o 70, p/o 140, p/o 145, p/o 212

No. 8

**CD 13** **C 090275 PQQ**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at West 19th Street and Surf Avenue (Block 7060, Lots 19, 20, and 31).

No. 9

**CD 13** **C 090107 MMK**  
**IN THE MATTER OF** an application submitted by the Department of City Planning, Department of Parks and Recreation, and the New York City Economic Development Corporation, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.*, of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of new streets;

- the establishment of new parks and park additions;
- the modification and adjustment of grades of existing streets;
- the elimination, discontinuance and closing of portions of streets;
- the elimination of portions of parks;
- the delineation of easements and corridors;
- the extinguishment of record streets, all within an area generally bounded by West 8th Street, Surf Avenue, West 23rd Street, and the Public Beach;
- and any acquisition or disposition of real property related thereto,

in accordance with Map Nos. X-2710 and X-2711, dated January 14, 2000, and signed by the Borough President.

No. 10

**CD 13** **C 090276 HAK**  
**IN THE MATTER OF** an application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
  - the designation of property located at

Block	Lot	Address
7060	1	1918 Mermaid Avenue
7060	3	1920 Mermaid Avenue
7060	4	1922 Mermaid Avenue
7060	5	1924 Mermaid Avenue
7060	7	1928 Mermaid Avenue
7060	8	1930 Mermaid Avenue
7060	9	1932 Mermaid Avenue
7060	14	West 19th Street
7060	16	West 19th Street
7060	17	West 19th Street
7060	18	2924 West 19th Street
7060	19	2926 West 19th Street
7060	20	2930 West 19th Street
7060	21	2934 West 19th Street
7060	22	2936 West 19th Street
7060	24	1901 Surf Avenue
7060	27	1905 Surf Avenue
7060	31	2929A West 20th Street
7060	32	1917 Surf Avenue
7060	35	1923 Surf Avenue
7060	44	2923 West 20th Street
7060	45	2921 West 20th Street
7060	46	2919 West 20th Street
7060	47	2917 West 20th Street
7060	48	West 19th Street
7060	49	West 19th Street
7060	50	2938 West 19th Street
7060	51	2938A West 19th Street
7060	147	1924 West 20th Street
7061	16	West 17th Street
7061	21	2930 West 17th Street
7061	39	West 19th Street
7061	40	West 19th Street
7061	41	West 19th Street
7061	42	West 19th Street
7061	43	2921 West 19th Street

as an Urban Development Action Area; and

- an Urban Development Action Area Project for such area; and
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate residential and commercial development within Coney Island.

No. 11

**CD 13** **C 090277 PPK**  
**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS) and the Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property pursuant to zoning, located at:

A:

BLOCK	LOTS
7074	1, 4,6, p/o 20; p/o 23, 89, p/o 105, 170, p/o190
7074	250, 254; p/o 256, 300, p/o 310, 340, 348, p/o 360
8694	1, 5, 11, 12,14, 16, 18, 25, 30, 33, 421
8695	61, 64; p/o 72, p/o 120, p/o 433
8696	35, 37, 44, 47, 48, 49, 50, 53; p/o 70, p/o 140, p/o 145, 211, p/o 212

B: Block 7071, Lot 142

NOTICE

**On Wednesday, May 6, 2009, at 9:30 A.M., at the New York City College of Technology, in the Klitgord Auditorium, 285 Jay Street, Brooklyn, New York a public hearing is being held by the Office of the Deputy Mayor for Economic Development and Rebuilding in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning applications for amendments to the City Map, the**

**Zoning Map, the Zoning Resolution, acquisition of property and the designation of property as an Urban Development Action Area and project, and for the disposition of property to facilitate the Coney Island Plan.**

**This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DME007K.**

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

a23-m6

**CONSUMER AFFAIRS**

**PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, PURSUANT TO LAW, that the New York City Department of Consumer Affairs will hold a Public Hearing on Wednesday, April 29, 2009, 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:

- 156 Tenth Ave Restaurant LLC  
156 10 Avenue, in the Borough of Manhattan (To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 1702 Rathbones Inc.  
1702 2 Avenue, in the Borough of Manhattan (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 18 Bedford Ave LLC  
18 Bedford Avenue, in the Borough of Brooklyn (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 317 Amsterdam Corp.  
410 Amsterdam Avenue, in the Borough of Manhattan (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 401 W 50 Tavern Inc.  
401 West 50 Street, in the Borough of Manhattan (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 46-02 Skillman Café LLC  
47-46 Skillman Avenue, in the Borough of Queens (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 603 Second Ave Corp.  
603 Second Avenue, in the Borough of Manhattan (To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- ABG Standard Operator LLC  
848 Washington Street, in the Borough of Manhattan (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Ali Baba's Terrace  
862 Second Avenue, in the Borough of Manhattan (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Alloro Restaurant Corp.  
307 East 77 Street, in the Borough of Manhattan (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Amantia Estiatorio Corp.  
20-01 Steinway Street, in the Borough of Queens (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Amorluz Corp.  
429 Amsterdam Avenue, in the Borough of Manhattan (To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Barosa Inc.  
62-29 Woodhaven Blvd., in the Borough of Queens (To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
- Borden Ave Rest Inc.  
2-03 Borden Avenue, in the Borough of Queens (To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- C.A.P. Restaurant Corp.  
303 West 48 Street, in the Borough of Manhattan (To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Café Steinhof Inc.  
422 Seventh Avenue, in the Borough of Brooklyn (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Carmine Restaurant Inc.  
125 Mulberry Street, in the Borough of Manhattan (To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Chow Down Inc.  
824 Ninth Avenue, in the Borough of Manhattan (To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- Cobra Caterer Inc.

- 575 Hudson Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 20) Dogus Corp.  
953 Columbus Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 21) Elora Spanish Mex Rest Inc.  
272 Prospect Pk West, in the Borough of Brooklyn  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 22) Emel Soan Corp.  
32-07 30 Avenue, in the Borough of Queens  
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 23) Ficlama Corp.  
331 Bedford Avenue, in the Borough of Brooklyn  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 24) Fiorello's Roman Café, Inc.  
1 Lincoln Plaza, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 25) First 69th St. Realty Corp.  
2020 Broadway, in the Borough of Manhattan  
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 26) Four Green Fields LLC  
140 7 Avenue South, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 27) Grace's Marketplace Inc.  
201 East 71 Street, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 28) Hudson Falafel Inc.  
516 Hudson Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 29) IL Porto LLC  
37 Washington Avenue, in the Borough of Brooklyn  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 30) IL Posto LLC  
85th Tenth Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 31) Jaya Malaysian Restaurant Inc.  
90 Baxter Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 32) JTN Riviera Corp.  
1113 First Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 33) La Gaule Inc.  
188 Orchard Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 34) Le Viking LLC  
308 Lenox Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 35) Lenny's 54th Street LLC  
1024 Second Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 36) Life Café, Inc.  
343 East 10th Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 37) Little Cupcake Corp.  
9102 3rd Avenue, in the Borough of Brooklyn  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 38) Los Pollitos III, Inc.  
499 Myrtle Avenue, in the Borough of Brooklyn  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 39) Los Pollitos Restaurant Corp.  
148 Fifth Avenue, in the Borough of Brooklyn  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 40) Ma Favela Chic LLC  
1022 Lexington Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 41) Mangaroni LLC  
191 Seventh Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 42) Mexicali Enterprises LTD  
375 Third Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 43) MS Restaurant Corp.  
19-06 Ditmars Blvd., in the Borough of Queens  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 44) Nahm Inc.

- 690 Ninth Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 45) New Organico Inc.  
89 7 Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 46) Noorelhad Corp.  
24-25 Steinway Street, in the Borough of Queens  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 47) NPK Donut Inc.  
96 East 161 Street, in the Borough of Bronx  
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 48) Pescatore 15 Inc.  
955-957 2nd Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 49) PMC Corp.  
354 Third Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 50) PS Brothers Gourmet Inc.  
2636 Broadway, in the Borough of Manhattan  
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 51) Q & P Pizza Inc.  
28-01 Steinway Street, in the Borough of Queens  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 52) Red Bamboo On 7th Ave. Inc.  
47-49 7th Avenue South, in the Borough of Manhattan  
(To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 53) Remote Sports Bar Inc.  
27-01 23rd Avenue, in the Borough of Queens  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 54) Romi Bakery Inc.  
44-17 30 Avenue, in the Borough of Queens  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 55) Salaam Bombay Inc.  
317-319 Greenwich St., in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 56) Service Corp.  
20 Prince Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 57) SLP Management Inc.  
182 West 4th Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 58) Smoke City Enterprises LLC  
161 Lenox Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 59) Sounds Of Cuba Inc.  
405 West 14th Street, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 60) Starbucks Corporation  
7419 3 Avenue, in the Borough of Brooklyn  
(To continue, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 61) Steven Jay LLC  
1600 3rd Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 62) Striped Marlin At 85 Tenth LLC  
85 Tenth Avenue, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 63) Surtic Inc.  
320 Amsterdam Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 64) Sympatoch Café Inc.  
42-21 Broadway, in the Borough of Queens  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 65) Taro Restaurant Inc.  
1396 Third Avenue, in the Borough of Manhattan  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 66) The Attic Corp. Of Douglaston  
33-02 34 Avenue, in the Borough of Queens  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 67) Thessabul LLC  
250 Park Avenue South, in the Borough of Manhattan  
(To establish, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 68) Tulsace Corp.

- 35-01 Ditmars Blvd., in the Borough of Queens  
(To continue, maintain, and operate an unenclosed sidewalk café for a term of two years.)
- 69) Za Bruno Restaurant, Inc.  
470 West 22nd Street, in the Borough of Manhattan  
(To establish, maintain, and operate an enclosed sidewalk café for a term of two years.)
- 70) Zorror Asian Inc.  
118 Montaque Street, in the Borough of Brooklyn  
(To establish, 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.

a24

## EMPLOYEES' RETIREMENT SYSTEM

### MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, April 28, 2009 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

a21-27

## ENVIRONMENTAL CONTROL BOARD

### OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

#### NOTICE

The next meeting will take place on Thursday, May 7, 2009 at 40 Rector Street, Large Hearing Room, 6th Floor, New York, NY 10006 at 9:15 A.M., at the call of the Chairman.

a22-24

## ENVIRONMENTAL PROTECTION

### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on May 7, 2009 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and New York State Industries for the Disabled, Osborne Association, 11 Columbia Circle Drive, Albany, New York 12203 for RESOPS-BCS2009: Building Cleaning Service Contract for NYC DEP Reservoir Operations. The Contract term shall be 2 years with a one year option to renew from the date of the written notice to proceed. The Contract amount shall be \$123,687.57 - Location: Bronx, Yonkers and Hillview Reservoir - PIN# 826ROBCS2009.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from April 24, 2009 to May 7, 2009 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by April 30, 2009, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to [dbutlien@dep.nyc.gov](mailto:dbutlien@dep.nyc.gov).

Note: Individuals requesting Sign Language Interpreters should contact Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

a24

## EQUAL EMPLOYMENT PRACTICES COMMISSION

### MEETING

The next meeting of the Equal Employment Practices Commission will be held in the Commission's Conference Room/Library at 40 Rector Street, (14th Floor) on Tuesday, April 28, 2009 at 10:00 A.M.

a21-27

## LANDMARKS PRESERVATION COMMISSION

### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 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, **May 05, 2009** 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 BROOKLYN 09-3123 Block 1222, lot 38-1298 Bergen Street - Crown Heights North Historic District A Renaissance Revival style rowhouse designed by F.K. Taylor and built c. 1898. Application is to construct a rear yard addition. Zoned R6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-6886 - Block 2119, lot 10-301 Cumberland Street - Fort Greene Historic District A Moorish Revival style apartment house built circa 1920. Application is to legalize painting the door and window enframements, altering the areaway, and installing a gate, awning, and lighting features all without Landmarks Preservation Commission permits.

**BINDING REPORT**  
BOROUGH OF BROOKLYN 09-1475 - Block 2111, lot 11-321 Ashland Place - Brooklyn Academy of Music Historic District A Classically inspired institutional building designed by Voorhees, Gmelin & Walker, and built in 1927. Application is to demolish a portion of the existing building, and construct an addition. Zoned C6-1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-6644 - Block 35, lot 10-9 Old Fulton Street - Fulton Ferry Historic District A vacant lot. Application is to construct a four story building with a one-story penthouse. Zoned M2-1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 07-7542 - Block 1965, lot 9-51 Cambridge Place - Clinton Hill Historic District An Italianate style rowhouse built c.1856. Application is to construct a rear yard addition. Zoned R-6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-5657 - Block 196, lot 7-192 Dean Street, aka 131 Bond Street - Boerum Hill Historic District An Italianate style rowhouse built in 1852-1853. Application is to replace the sidewalk.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 09-6920 - Block 1070, lot 15-792 Carroll Street - Park Slope Historic District A neo-Grec and Queen Anne style rowhouse designed by John Magilligan and built in 1889. Application is to excavate the rear yard and alter the rear ell. Zoned R6B.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-6022 - 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 legalize the installation of stairs and railings without Landmarks Preservation Commission permits and to install railings.

**MODIFICATION OF USE AND BULK**  
BOROUGH OF MANHATTAN 09-7879 - Block 230, lot 36-21-23 Mercer Street - SoHo-Cast Iron Historic District A neo-Grec style store and factory building with neo-Classical style elements, built in 1861. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5B.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-7774 - Block 473, lot 17-431 Broome Street - SoHo-Cast Iron Historic District A dwelling built circa 1825 and altered in early 20th century. Application is to install storefront infill, construct a rooftop addition and a four-story building in the rear yard. Zoned M1-5B.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 08-5152 - Block 612, lot 7504-15 Charles Street - Greenwich Village Historic District An apartment house built in 1961. Application is to legalize the installation of a storefront in non-compliance with Certificate of Appropriateness 06-7239.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-6675 - Block 620, lot 71-234 West 4th Street - Greenwich Village Historic District An apartment house originally built in 1891 and altered in 1927. Application is to replace windows and to establish a master plan governing the future installation of through-window air conditioning units.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-8134 - Block 620, lot 41-351-353 Bleecker Street, aka 213-215 West 10th Street An apartment house built in 1903. Application is to replace windows and establish a master plan governing the future installation of storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7107 - Block 642, lot 1-113 Jane Street - American Seamen's Friend Society Sailor's Home-Individual Landmark A neo-Classical style building designed by William A. Boring and built in 1907-08. Application is to construct rooftop additions. Zoned C6-2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7077 - Block 738, lot 80-

56 9th Avenue - Gansevoort Market Historic District A Greek Revival style rowhouse with stores, built c. 1841-1842. Application is to install storefront infill.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7018 - Block 1121, lot 8-61 West 68th Street - Upper West Side/Central Park West Historic District A Renaissance Revival Queen Ann style rowhouse, designed by Francis A. Minuth and built in 1891-92. Application is to legalize the construction of a rooftop addition without Landmarks Preservation Commission permits. Zoned R-8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-8132 - Block 1387, lot 14-19 East 72nd Street - Upper East Side Historic District A Modern/neo-Classical style apartment building designed by Rosario Candela and built in 1936-37. Application is to establish a master plan governing the future installation of display windows, doors, and awnings.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-7911 - Block 1504, lot 44-66 East 93rd Street - Carnegie Hill Historic District A Queen Anne style rowhouse designed by A.B. Ogden & Son and built in 1890-91. Application is to alter the areaway, install a barrier-free access lift, and construct a rooftop bulkhead.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 09-5029 - Block 2179, lot 701-799 Fort Washington Avenue - The Cloisters-Individual Landmark A museum complex composed of portions of medieval buildings and modern structures, designed by Charles Collins and built between 1934 and 1938. Application is to modify windows.

a22-m5

## 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, May 13, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

**#1** In the matter of a proposed revocable consent authorizing St. Luke's-Roosevelt Hospital Center to continue to maintain and use a bridge over and across West 114th Street, east of Amsterdam Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$20,272  
For the period July 1, 2010 to June 30, 2011 - \$20,862  
For the period July 1, 2011 to June 30, 2012 - \$21,452  
For the period July 1, 2012 to June 30, 2013 - \$22,042  
For the period July 1, 2013 to June 30, 2014 - \$22,632  
For the period July 1, 2014 to June 30, 2015 - \$23,222  
For the period July 1, 2015 to June 30, 2016 - \$23,812  
For the period July 1, 2016 to June 30, 2017 - \$24,402  
For the period July 1, 2017 to June 30, 2018 - \$24,992  
For the period July 1, 2018 to June 30, 2019 - \$25,582

the maintenance of a security deposit in the sum of \$25,600, 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.

**#2** In the matter of a proposed revocable consent authorizing 1285 LLC to continue to maintain and use a tunnel under and across West 51st Street, west of Avenue of the Americas, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$169,095  
For the period July 1, 2010 to June 30, 2011 - \$174,168  
For the period July 1, 2011 to June 30, 2012 - \$179,241  
For the period July 1, 2012 to June 30, 2013 - \$184,314  
For the period July 1, 2013 to June 30, 2014 - \$189,387  
For the period July 1, 2014 to June 30, 2015 - \$194,460  
For the period July 1, 2015 to June 30, 2016 - \$199,533  
For the period July 1, 2016 to June 30, 2017 - \$204,606  
For the period July 1, 2017 to June 30, 2018 - \$209,679  
For the period July 1, 2018 to June 30, 2019 - \$214,752

the maintenance of a security deposit in the sum of \$214,800, 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.

**#3** In the matter of a proposed revocable consent authorizing Cornell University modification of the consent so as to construct, maintain and use an additional conduit under, across and along East 70th Street, west of York Avenue, in the Borough of Manhattan. The proposed modified revocable consent is for a term of five years from the date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$18,309  
For the period July 1, 2010 to June 30, 2011 - \$18,736

For the period July 1, 2011 to June 30, 2012 - \$19,163  
For the period July 1, 2012 to June 30, 2013 - \$19,590  
For the period July 1, 2013 to June 30, 2014 - \$20,017

the maintenance of a security deposit in the sum of \$35,000, 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 Arthur Spears to continue to maintain and use a stoop and a fenced-in area on the east sidewalk of St. Nicholas Avenue, north of 145th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2019 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000, 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.

**#5** In the matter of a proposed revocable consent authorizing Edmund L. Resor to continue to maintain and use a stoop, steps and planted areas on the south sidewalk of East 90th Street, west of Central Park West, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2019 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000, 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.

**#6** In the matter of a proposed revocable consent authorizing Promesa Inc. to continue to maintain and use two communication conduits under and across East 175th Street, between Anthony Avenue and Clay Avenue, in the Borough of the Bronx. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2009 - \$25/per annum

the maintenance of a security deposit in the sum of \$2,500, 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.

a22-m13

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 29, 2009. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

**#1** In the matter of a proposed revocable consent authorizing Mr. and Mrs. S. Graham to continue to maintain and use a stoop and a fenced-in area on the south sidewalk of East 78th Street, west of Madison 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:

From the Approval Date to June 30, 2018 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, 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 The New York and Presbyterian Hospitals, Inc. to continue to maintain and use a tunnel under and across Fort Washington Avenue, south of West 168th Street, 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 - \$15,057  
For the period July 1, 2009 to June 30, 2010 - \$15,496  
For the period July 1, 2010 to June 30, 2011 - \$15,935  
For the period July 1, 2011 to June 30, 2012 - \$16,374  
For the period July 1, 2012 to June 30, 2013 - \$16,813  
For the period July 1, 2013 to June 30, 2014 - \$17,252  
For the period July 1, 2014 to June 30, 2015 - \$17,691  
For the period July 1, 2015 to June 30, 2016 - \$18,130  
For the period July 1, 2016 to June 30, 2017 - \$18,569  
For the period July 1, 2017 to June 30, 2018 - \$19,008

the maintenance of a security deposit in the sum of \$19,000, 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.

**#3** In the matter of a proposed revocable consent authorizing The Trustees of Columbia University in the City of New York to continue to maintain and use three transformer vaults and a conduit, together with a manhole, under the south sidewalk of West 120th Street, east of Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of

ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$20,058  
 For the period July 1, 2010 to June 30, 2011 - \$20,642  
 For the period July 1, 2011 to June 30, 2012 - \$21,226  
 For the period July 1, 2012 to June 30, 2013 - \$21,810  
 For the period July 1, 2013 to June 30, 2014 - \$22,394  
 For the period July 1, 2014 to June 30, 2015 - \$22,978  
 For the period July 1, 2015 to June 30, 2016 - \$12,562  
 For the period July 1, 2016 to June 30, 2017 - \$24,146  
 For the period July 1, 2017 to June 30, 2018 - \$24,730  
 For the period July 1, 2018 to June 30, 2019 - \$25,314

the maintenance of a security deposit in the sum of \$25,400, 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.

**#4** In the matter of a proposed revocable consent authorizing Sprint Communications Company L.P. to continue to maintain and use conduits in West 15th Street, West 16th Street, Eighth Avenue and Ninth Avenue, and cables in the existing facilities of the Empire City Subway Company (Limited), in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$150,319  
 For the period July 1, 2010 to June 30, 2011 - \$154,697  
 For the period July 1, 2011 to June 30, 2012 - \$159,075  
 For the period July 1, 2012 to June 30, 2013 - \$163,453  
 For the period July 1, 2013 to June 30, 2014 - \$167,831  
 For the period July 1, 2014 to June 30, 2015 - \$172,209  
 For the period July 1, 2015 to June 30, 2016 - \$176,587  
 For the period July 1, 2016 to June 30, 2017 - \$180,965  
 For the period July 1, 2017 to June 30, 2018 - \$185,343  
 For the period July 1, 2018 to June 30, 2019 - \$189,721

the maintenance of a security deposit in the sum of \$189,800, 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.

**#5** In the matter of a proposed revocable consent authorizing Grand Millennium Condominium to continue to maintain and use an electrical conduit under and along the west sidewalk of Broadway, south of West 67th Street, and under and along the south sidewalk of West 67th Street, west of Broadway, 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 - \$2,761  
 For the period July 1, 2009 to June 30, 2010 - \$2,841  
 For the period July 1, 2010 to June 30, 2011 - \$2,921  
 For the period July 1, 2011 to June 30, 2012 - \$3,001  
 For the period July 1, 2012 to June 30, 2013 - \$3,081  
 For the period July 1, 2013 to June 30, 2014 - \$3,161  
 For the period July 1, 2014 to June 30, 2015 - \$3,241  
 For the period July 1, 2015 to June 30, 2016 - \$3,321  
 For the period July 1, 2016 to June 30, 2017 - \$3,401  
 For the period July 1, 2017 to June 30, 2018 - \$3,481

the maintenance of a security deposit in the sum of \$3,500, 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.

**#6** In the matter of a proposed revocable consent authorizing New York University to continue to maintain and use a conduit under and across Stuyvesant Street, north of East 9th Street, a conduit under and across Cooper Square, north of East 4th Street, and cables in the existing facilities of the Empire City Subway Company (Limited), in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$15,643  
 For the period July 1, 2010 to June 30, 2011 - \$16,099  
 For the period July 1, 2011 to June 30, 2012 - \$16,655  
 For the period July 1, 2012 to June 30, 2013 - \$17,011  
 For the period July 1, 2013 to June 30, 2014 - \$17,467  
 For the period July 1, 2014 to June 30, 2015 - \$17,923  
 For the period July 1, 2015 to June 30, 2016 - \$18,379  
 For the period July 1, 2016 to June 30, 2017 - \$18,835  
 For the period July 1, 2017 to June 30, 2018 - \$19,291  
 For the period July 1, 2018 to June 30, 2019 - \$19,747

the maintenance of a security deposit in the sum of \$15,200, 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 modification revocable consent authorizing New York University to construct, maintain and use the additional conduits under and across Washington Place, west of Mercer Street, under and across Mercer Street, north of Washington Place, and under and across Washington Place, east of Mercer Street, in the Borough of Manhattan. The proposed modification revocable consent is for the period from the Date of Approval by the Mayor to June 30, 2009 is increased by \$10,059 per annum and thereafter annual compensation shall be based on the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$35,601

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.

## COURT NOTICES

### SUPREME COURT

#### ■ NOTICE

#### QUEENS COUNTY IA PART 8 NOTICE OF PETITION INDEX NUMBER 8655/09

In the Matter of the Application of THE CITY OF NEW YORK, relative to acquiring title in fee to certain real property where not heretofore acquired for the same purpose located along

#### BEACH 43rd STREET

from Beach Channel Drive to Conch Basin Bulkhead; and

#### BEACH 44th STREET

from Beach Channel Drive to Conch Road; and

#### BEACH 45th STREET

from Beach Channel Drive to Norton Avenue; and

#### CONCH DRIVE

from Beach 43rd Street to Norton Basin Bulkhead; and

#### NORTON AVENUE

from Beach 45th Street to Beach 43rd Street; and

#### EDGEMERE DRIVE

from Beach 44th Street to Beach 43rd Street; and

#### HANTZ ROAD

from Beach 45th Street to Beach 44th Street; and

#### CONCH ROAD

from Beach 43rd Street to Beach 44th Street

in the Borough of Queens, City and State of New York.

**PLEASE TAKE NOTICE** that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Queens County, IA Part 8, for certain relief.

The application will be made at the following time and place: At 88-11 Sutphin Blvd., Jamaica, in the Borough of Queens, City and State of New York, on May 8, 2009 at 10:00 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- authorizing the City to file an acquisition map in the Office of the City Register;
- directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
- providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
- providing that notices of claim must be served and filed within one calendar year from the vesting date.

The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the same purpose, for the DEPARTMENT OF DESIGN AND CONSTRUCTION and the DEPARTMENT OF TRANSPORTATION in the Borough of Queens City and State of New York.

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

#### PART 1

Beginning at a point on the northerly line of Beach Channel Drive (75 feet wide) extended easterly, said point being 4.00 feet distant easterly from the corner formed by the intersection of the northerly line of Beach Channel Drive and the westerly line of Beach 45th Street (50 feet wide) as said streets are shown on Alteration Map No. 4929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007

- Running thence northerly along a line through the bed of Beach 45th Street, for 887.71 feet to a point;
- Running thence westerly and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 4.00 feet to a point on the westerly line of Beach 45th Street;
- Running thence northerly along the westerly line of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 164.09 feet to a point on the westerly line of Beach 45th Street;
- Running easterly along a line through the bed of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 5.48 feet to a point;
- Running thence northerly along a line through the bed of Beach 45th Street and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 33.20 feet to a point;
- Running thence westerly along a line through the bed of Beach 45th Street and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 5.48 feet to a point on the westerly line of Beach 45th Street;

- Running thence northerly along the westerly line of Beach 45th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 79.61 feet to a point of curvature;
- Running thence easterly through the bed of Norton Avenue and along a curve bearing to the right with a radius of 20.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 31.42 feet to a point of tangency in the bed of Norton Avenue;
- Running thence easterly along a line through the bed of Norton Avenue, for 21.54 feet to a point in the bed of Beach 44th Street (60 feet wide);
- Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point in the bed of Beach 44th Street;
- Running thence westerly along a line through the bed of Norton Avenue, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 131.54 feet to a point of curvature;
- Running thence southerly through the bed of Norton Avenue and along a curve bearing to the left with a radius of 54.50 feet and a central angle of 90 degrees 00 minutes 00 second, an arc distance of 85.61 feet to a point of tangency in the bed of Beach 45th Street;
- Running thence southerly along a line through the bed of Beach 45th Street for 725.00 feet to a point on the northerly line of Hantz Road (50 feet wide) extended westerly;
- Running thence easterly along the northerly line of Hantz Road, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 189.54 feet to point in the bed of Beach 44th Street;
- Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point on the southerly line of Hantz Road extended easterly;
- Running thence westerly along said southerly line of Hantz Road extended westerly, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 189.54 feet to a point in the bed of Beach 45th Street;
- Running thence southerly along a line through the bed of Beach 45th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 304.61 feet to a point on the northerly line of Beach Channel Drive;
- Running thence westerly along the northerly line of Beach Channel Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 42.00 feet to the place and point of beginning.

#### PART 2

Beginning at a point on the northerly line of Beach Channel Drive (75 feet wide) extended easterly, said point being 9.00 feet distant easterly from the corner formed by the intersection of the northerly line Beach Channel Drive and the westerly line of Beach 44th Street (60 feet wide) as said streets are shown on Alteration Map No. 2929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007.

- Running thence northerly along a line through the bed of Beach 44th Street, for 1134.61 feet to a point;
- Running thence westerly along a line through the bed of Beach 44th Street, and deflecting to the left 90 degrees 00 minutes 00 seconds from the last-mentioned course, for 4.00 feet to a point on the westerly line of Beach 45th Street;
- Running thence northerly along a line through the bed of Beach 44th Street and deflecting to the right 90 degrees 00 minutes 00 seconds from the last-mentioned course for 392.68 feet to a point of curvature;
- Running thence easterly through the bed of Beach 44th Street and along a curve bearing to the right with a radius of 20.00 feet and a central angle of 90 degrees 06 minutes 52.5 seconds, an arc distance of 31.74 feet to a point of tangency in the bed of Conch Road;
- Running thence easterly along a line through the bed of Conch Road, for 250.09 feet to a point on the westerly line of Beach 43rd Street (50 feet wide);
- Running thence southerly along the westerly line of Beach 43rd Street deflecting to the right 90 degrees 02 minutes 42.5 seconds from the last mentioned course, for 50.00 feet to a point;
- Running thence westerly along a line through the bed of Conch Road, deflecting to the right 89 degrees 57 minutes 17.5 seconds from the last mentioned course, for 164.87 feet to a point of curvature;
- Running thence southerly through the bed of Conch Road and along a curve bearing to the left with a radius of 55.00 feet and a central angle of 90 degrees 06 minutes 52.5 seconds, an arc distance of 86.50 feet to a point of tangency in the bed of Beach 44th Street;
- Running thence southerly along a line through the bed of Beach 44th Street for 257.51 feet to a point in the bed of Beach 44th Street;
- Running thence easterly along a line through the bed of Norton Avenue, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 219.12 feet to point on the westerly line of Beach 43rd Street;
- Running thence southerly along the westerly line of Beach 43rd Street, deflecting to the right 90 degrees 09 minutes 35 seconds from the last mentioned course, for 50.00 feet a point;
- Running thence westerly along a line through the bed of Norton Avenue, deflecting to the right 89

- degrees 50 minutes 25 seconds from the last mentioned course, for 222.99 feet to a point in the bed of Beach 44th Street;
- No. 13 Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 382.82 feet to a point on the northerly line of Edgemere Drive (50 feet wide) extended westerly in the bed of Beach 44th Street;
  - No. 14 Running thence easterly along the northerly line of Edgemere Drive, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 221.93 feet to the corner formed by the intersection of the northerly line of Edgemere Drive with the westerly line of Beach 43rd Street;
  - No. 15 Running thence southerly along the westerly line of Beach 43rd Street, deflecting to the right 90 degrees 09 minutes 35 seconds from the last mentioned course, for 50.00 feet to the corner formed by the intersection of the southerly line of Edgemere Drive with the westerly line of Beach 43rd Street;
  - No.16 Running thence westerly along the southerly line of Edgemere Drive extended westerly, deflecting to the right 89 degrees 50 minutes 25 seconds from the last mentioned course, for 221.79 feet to a point in the bed of Beach 44th Street;
  - No. 17 Running thence southerly along a line through the bed of Beach 44th Street, deflecting to the left 90 degrees 00 minutes 00 seconds from the last mentioned course, for 701.79 feet to a point on the northerly line of Beach Channel Drive;
  - No. 18 Running thence westerly along the northerly line of Beach Channel Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 41.98 feet to the place and point of beginning.

PART 3

Beginning at the corner formed by the intersection of the northerly line of Beach Channel Drive (75 feet wide) with the westerly line of Beach 43rd Street (50 feet wide), as said streets are shown on Alteration Map No. 4929 and on Acquisition and Damage Map No. 5944, dated April 9, 2007.

- No. 1 Running thence northerly along said westerly line of Beach 43rd Street for 2071.91 feet to the intersection of the northerly terminus of Beach 43rd Street and the southerly U.S. Pierhead and Bulkhead Line of Conch Basin as shown on Alteration Map No. 4929;
- No. 2 Running thence northerly along said U.S. Pierhead and Bulkhead Line, deflecting to the right 45 degrees 13 minutes 06.7 seconds from the last mentioned course, for 7.04 feet to an angle point in the U.S. Pierhead and Bulkhead Line as shown on Alteration Map No. 4929;
- No. 3 Running thence northeasterly along said U.S. Pierhead and Bulkhead Line, deflecting to the right 21 degrees 15 minutes 19.5 seconds from the last mentioned course, for 49.08 feet to the intersection of the easterly line of Beach 43rd Street with the southerly U.S. Pierhead and Bulkhead Line of Conch Basin as shown on Alteration Map No. 4929;
- No. 4 Running thence southerly along the easterly line of Beach 43rd Street, deflecting to the right 113 degrees 31 minutes 33.8 seconds from the last mentioned course, for 84.65 feet to a point of curvature;
- No. 5 Running thence along a curve bearing to the left with a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet to a point of tangency on the northerly line of Conch Drive (50 feet wide);
- No. 6 Running thence easterly along said northerly line of Conch Drive for 70.00 feet to the intersection of easterly terminus of Conch Drive and the westerly New York City Bulkhead Line of Norton Basin as shown on Alteration Map No. 4929;
- No. 7 Running thence southerly along said New York City Bulkhead Line, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 50.00 feet to a point on the southerly line of Conch Drive;
- No. 8 Running thence westerly along the southerly line of Conch Drive, deflecting to the right 90 degrees 00 minutes 00 seconds from the last mentioned course, for 70.00 feet to a point of curvature;
- No. 9 Running thence along a curve bearing to the left with a radius of 25.00 feet and a central angle of 90 degrees 00 minutes 00 seconds, an arc distance of 39.27 feet to a point of tangency on the easterly line of Beach 43rd Street;
- No. 10 Running thence southerly along said easterly line of Beach 43rd Street for 1903.68 feet to a corner formed by the intersection of the northerly line of Beach Channel Drive with the easterly line of Beach 43rd Street as shown on Alteration Map No. 4949.
- No. 11 Thence westerly along a line, deflecting to the right 92 degrees 43 minutes 34 seconds from the last mentioned course, for 5.00 feet to a point;
- No. 12 Thence westerly along a line deflecting to the left 14 degrees 31 minutes 48 seconds from the last mentioned course, for 40.90 feet a point;
- No. 13 Thence westerly along a line, deflecting to the right 11 degrees 38 minutes 40 seconds from the last mentioned course, for 4.97 feet to the place and point of beginning.

The areas to be acquired are shown as Beach 43rd Street, Beach 44th Street, Beach 45th Street, Edgemere Drive, Conch Road, Conch Drive and Norton Avenue shown on Alteration Map No. 4929, certified by the City Planning Commission on August 18, 1997, and on Acquisition and Damage Map No. 5944 dated April 9, 2007.

The properties affected by this proceeding are located in Beach 43rd Street, Beach 44th Street, Beach 45th Street, Edgemere Drive, Conch Road, Conch Drive and Norton Avenue and Queens Tax Blocks 15960, 15961, 15962, 15963, 15964, 15965, 15966, 15967, and 15968 as shown on the Tax Map of the City of New York for the Borough and County of Queens as said Tax Map existed on March 10 & 16, 2006.

The property shall be acquired subject to encroachments, if any, of the structures, improvements and appurtenances

standing or maintained partly upon the above described parcels and partly upon the lands and premises adjoining the same, as long as such encroachments shall stand.

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

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

Dated: April 3, 2009, New York, New York  
 MICHAEL A. CARDOZO  
 Corporation Counsel of the City of New York  
 100 Church Street, Room 5-217  
 New York, New York 10007  
 Tel. (212) 788-0424

SEE MAPS ON BACK PAGES

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**PROPERTY DISPOSITION**

**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF MUNICIPAL SUPPLY SERVICES**

■ AUCTION

**PUBLIC AUCTION SALE NUMBER 09001- U AND V**

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 WEDNESDAY, APRIL 29, 2009 (SALE NUMBER 09001-V). 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, April 15, 2009 (SALE NUMBER 09001-U) 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.

a1-29

**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 1157**

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is May 4, 2009 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks & vans will be auctioned on May 5, 2009 at approximately 9:30 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.

a22-m5

**PROCUREMENT**

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

**AGING**

■ AWARDS

*Goods & Services*

**SERVICES FOR SENIOR CITIZENS** – Negotiated Acquisition – Available only from a single source – CityMeals-On-Wheels  
 355 Lexington Avenue, New York, NY 10017  
 PIN: 12509NABP3P6 - Contract Amount: \$30,000

Council of Senior Centers and Services of New York  
 49 West 45th Street, 7th Fl., New York, NY 10036  
 PIN: 12509NABP3PZ - Contract Amount: \$20,000

Visiting Neighbors, Inc.  
 611 Broadway, Ste. 510, New York, NY 10012  
 PIN: 12509NABP3PW - Contract Amount: \$12,000

Hellenic American Neighborhood Action Committee  
 49 West 45th Street, 4th Fl., New York, NY 10036  
 PIN: 12509NABP1W6 - Contract Amount: \$31,000

United Neighbors of East Midtown Inc.  
 310 East 42nd Street, 2nd Fl., New York, NY 10017  
 PIN: 12509NABP3PV - Contract Amount: \$10,000

Council of Senior Centers and Services of New York  
 49 West 45th Street, 7th Fl., New York, NY 10036  
 PIN: 12509NABP2P9 - Contract Amount: \$10,000

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**CITY COUNCIL**

**ADMINISTRATION**

■ SOLICITATIONS

*Construction/Construction Services*

**LEGISTAR SOFTWARE SERVICES** – Sole Source – Available only from a single source - PIN# 102200800003 – DUE 05-01-09 AT 2:00 P.M. – NYCC/Administrative Services Division intends to enter into sole source negotiations with Daystar Computer Systems, Inc. to obtain additional services under the contract to add a Legistar software module for Web-based functionality improving public access. Any firm that believes it can provide this requirement is invited to do so in a letter to the New York City Council, 250 Broadway, 16th Floor, New York, NY 10007. Edward O'Malley, phone (212) 788-6925, fax (212) 791-5266, eomalley@council.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
 City Council, 250 Broadway, 16th Floor, New York, NY 10007. Edward Omalley (212) 788-6925, eomalley@council.nyc.gov

a21-27

**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF MUNICIPAL SUPPLY SERVICES**

■ SOLICITATIONS

*Goods*

**FROZEN ITEMS FOR THE FOOD BANK OF NYC** – Competitive Sealed Bids – PIN# 8570900967 – DUE 04-29-09 AT 10:00 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.  
 Department of Citywide Administrative Services, Office of Vendor Relations, 1 Centre Street, Room 1800, New York, NY 10007. Jeanette Megna (212) 669-8610.

a24

**PORTION CONTROL ITEMS** – Competitive Sealed Bids – PIN# 8570900969 – DUE 04-29-09 AT 10:00 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.

Department of Citywide Administrative Services  
Office of Vendor Relations, 1 Centre Street, Room 1800  
New York, NY 10007. Jeanette Megna (212) 669-8610.

a24

## AWARDS

### Goods

**MICROSOFT CLA AGREEMENT 6.0 - DEP** – Intergovernmental Purchase – PIN# 8570900982 – AMT: \$932,462.43 – TO: Hewlett Packard Co., 10810 Farnam Dr., Omaha, NE 68154. NYS Contract #PT61408.  
● **MICROSOFT CLA AGREEMENT 6.0 - OCME/DOHMH** – Intergovernmental Purchase – PIN# 8570900976 – AMT: \$182,764.84 – TO: Hewlett Packard Co., 10810 Farnam Dr., Omaha, NE 68154. NYS Contract #PT61408.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

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## VENDOR LISTS

### Goods

**ACCEPTABLE BRAND LIST** – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

- Mix, Biscuit - AB-14-1:92
- Mix, Bran Muffin - AB-14-2:91
- Mix, Corn Muffin - AB-14-5:91
- Mix, Pie Crust - AB-14-9:91
- Mixes, Cake - AB-14-11:92A
- Mix, Egg Nog - AB-14-19:93
- Canned Beef Stew - AB-14-25:97
- Canned Ham Shanks - AB-14-28:91
- Canned Corned Beef Hash - AB-14-26:94
- Canned Boned Chicken - AB-14-27:91
- Canned Corned Beef - AB-14-30:91
- Canned Ham, Cured - AB-14-29:91
- Complete Horse Feed Pellets - AB-15-1:92
- Canned Soups - AB-14-10:92D
- Infant Formula, Ready to Feed - AB-16-1:93
- Spices - AB-14-12:95
- Soy Sauce - AB-14-03:94
- Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

j4-jy17

## EQUIPMENT FOR DEPARTMENT OF SANITATION

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- Collection Truck Bodies
- Collection Truck Cab Chassis
- Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

j4-jy17

**OPEN SPACE FURNITURE SYSTEMS - CITYWIDE** – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

j4-jy17

## ECONOMIC DEVELOPMENT CORPORATION

### AWARDS

#### Goods & Services

**2328 ON TWELFTH, LLC** – Sole Source – Available only from a single source - PIN# 0003641 – AMT: \$27,500.00 – TO: 2328 on Twelfth, LLC, 2328 Twelfth Avenue, New York, NY 10027. The New York City Economic Development Corporation, on behalf of the New York City Department of Small Business Services (the “City”), as Permitter and subject to the Franchise and Concession Review Committee’s approval, has entered into a sole source concession agreement with 2328 on Twelfth, L.L.C., as Permittee, whose address is 2328 Twelfth Avenue, New York, New York 10027 (the “Concession”).

The Concession is for approximately 1,921 square feet of a paved lot bordering Marginal Street between West 125th Street and West 132nd Street, in the Borough of Manhattan (part of Block 2004, Lot 999 on the Tax Map) for the purpose of accessory parking for customers of the Fairway store located at Twelfth Avenue and 132nd Street.

The Concession is a sole source award to 2328 on Twelfth, L.L.C.. The term of the Concession is one (1) year, with two (2) one-year renewal options. Permittee shall pay the City \$27,500.00 for the Initial Period, \$28,325.00 for the First Renewal Period and, \$29,174.75 for the Second Renewal Period (if exercised).

a21-27

## CONTRACTS

### SOLICITATIONS

#### Construction Related Services

**RESIDENT ENGINEERING SERVICES, HUNTER’S POINT SOUTH INFRASTRUCTURE AND WATERFRONT PARK PROJECT RFP** – Request for Proposals – PIN# 27360011 – DUE 05-21-09 AT 4:00 P.M. – New York City Economic Development Corporation (NYCEDC) is seeking a resident engineer in conjunction with the implementation of the infrastructure and waterfront park to support the proposed Hunter’s Point South development, which may include demolition, new water and sewer infrastructure, new roadways and associated traffic improvements, site grading, landscaping, and other related improvements

This project will include improvements within the area bound by 50th Avenue to the north, 2nd Street to the east, Newtown Creek to the south and the East River to the West in the Hunter’s Point neighborhood of Long Island City, Queens. It is anticipated that the project will be implemented in phases.

NYCEDC plans to select a consultant on the basis of factors stated in the RFP, which include, but are not limited to: the quality of the proposal, experience of key staff identified in the proposal, experience and quality of any subcontractors proposed, demonstrated successful experience in performing services similar to those encompassed in the RFP, and the proposed fee.

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

A pre-proposal session will be held on Thursday, April 30 2009 at 10:00 A.M. at NYCEDC. Those who wish to attend should RSVP by email to [HPSResidentEngineer@nycedc.com](mailto:HPSResidentEngineer@nycedc.com). Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Thursday, May 7, 2009. Questions regarding the subject matter of this RFP should be directed to [HPSResidentEngineer@nycedc.com](mailto:HPSResidentEngineer@nycedc.com). Answers to all questions will be posted by Thursday, May 14, 2009, at [www.nycedc.com/RFP](http://www.nycedc.com/RFP). To download a copy of the solicitation documents please visit [www.nycedc.com/RFP](http://www.nycedc.com/RFP). Please submit six (6) sets of your proposal to NYCEDC.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Economic Development Corp., 110 William Street, 6th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969, HPSResidentEngineer@nycedc.com*

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## ENVIRONMENTAL PROTECTION

### FLEET ADMINISTRATION

#### SOLICITATIONS

#### Services (Other Than Human Services)

**REPAIR, REBUILD RECONDITION ALL MODELS OF DETROIT DIESEL ALLISON TRANSMISSION** – Competitive Sealed Bids – PIN# 82609ALTRAN9 – DUE 05-14-09 AT 11:30 A.M. – In DEP vehicles when needed, DEP, NYC, LIC, NY.

CONTRACT ALTRAN-09: Document Fee \$40.00.

There is a non-mandatory pre-bid conference on 05/07/09 at 9:30 A.M. at 30-30 Review Avenue, 2nd Floor, Long Island City, New York 11101. The Project Manager for this contract is Sandra Ferrara (718) 610-0700. Vendor Source ID#: 92885.

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 Environmental Protection  
59-17 Junction Boulevard, 17th Floor, Flushing, New York  
11373. Greg Hall (718) 595-3232, ghall@dep.nyc.gov*

a24

**REPAIR, REBUILD OR FABRICATE ALL TYPES OF HYDRAULIC PUMP MOTORS ETC., AND ANY ON-BODY HYDRAULIC POWERED SYSTEM** – Competitive Sealed Bids – PIN# 82609HYDRA09 – DUE 05-14-09 AT 11:30 A.M. – CONTRACT HYD-09: Document Fee \$40.00. There is a non-mandatory pre-bid conference on 05/07/09 at 11:00 A.M. at 30-03 Review Avenue, 2nd Floor, Long Island City, New York 11101. The Project Manager for this contract is Sandra Ferrara (718) 610-0700. Vendor Source ID#: 59423.

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 Environmental Protection,  
59-17 Junction Boulevard, 17th Floor, Flushing, New York  
11373. Greg Hall (718) 595-3232, ghall@dep.nyc.gov*

a24

## HEALTH AND HOSPITALS CORPORATION

**The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.**

j1-d31

## SOLICITATIONS

### Goods

**SHARPOINT SUTURES** – Competitive Sealed Bids – PIN# 11109116 – DUE 05-08-09 AT 3:00 P.M. – Nylon black monofilament sutures. Same as or equal to angiotech.

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.

*Bellevue Hospital Center, 462 First Avenue, Room 12E32  
New York, NY 10016. Matthew Gaumer (212) 562-2867  
matthew.gaumer@bellevue.nychhc.org*

a24

**MOBILE OFFICE TRAILERS FOR SALE** – Competitive Sealed Bids – PIN# 000041209036 – DUE 05-14-09 AT 3:00 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.

*Coler-Goldwater Memorial Hospital, 1 Main Street, Roosevelt Island, New York, NY 10044. Starr Kollore (212) 318-4260  
starr.kollore@nychhc.org*

a24

## MATERIALS MANAGEMENT

### SOLICITATIONS

#### Goods & Services

**VEHICLE TOWING** – Competitive Sealed Bids – PIN# 0290047 – DUE 05-05-09 AT 10:00 A.M.

● **AUTO INSURANCE** – Competitive Sealed Bids – PIN# 0290055 – DUE 05-05-09 AT 2:15 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 Hospitals Corporation, 346 Broadway, 5th Floor, Room 516, New York, NY 10013.  
Jeannette Torres (212) 442-3867, jeannette.torres@nychhc.org*

a24

## HEALTH AND MENTAL HYGIENE

### AGENCY CHIEF CONTRACTING OFFICER

#### AWARDS

#### Services (Other Than Human Services)

**GERIATRIC MENTAL HEALTH INITIATIVE** – BP/City Council Discretionary – PIN# 09AZ063201R0X00 – AMT: \$100,000.00 – TO: Catholic Charities Neighborhood Services, Inc., 191 Joralemon Street, Brooklyn, NY 11201.

● **TRAINING ON MEDICARE AND MEDICAID BILLING** – BP/City Council Discretionary –

PIN# 09AZ076901R0X00 – AMT: \$100,000.00 – TO: Coalition of Behavioral Health Agencies, Inc., 90 Broad Street, New York, NY 10004.

a24

## HOMELESS SERVICES

### OFFICE OF CONTRACTS AND PROCUREMENT

#### SOLICITATIONS

#### Human / Client Service

**TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. – The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

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 Homeless Services, 33 Beaver Street, 13th Floor, New York, NY 10004.  
Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov*

j12-24

## HOUSING AUTHORITY

### SOLICITATIONS

#### Goods & Services

**MAINTENANCE PAINTING OF APARTMENTS** –

Competitive Sealed Bids – DUE 05-19-09 –

PIN# 9000164 - Wald Houses Due at 10:00 A.M.

PIN# 9000165 - King Towers and Grampion Houses Due at 10:05 A.M.

PIN# 9005725 - Forest Houses Due at 10:10 A.M.

PIN# 9005727 - Gun Hill and Parkside Houses Due at 10:15 A.M.

PIN# 9005729 - Soundview Houses Due at 10:20 A.M.

PIN# 9005730 - Mitchel Houses, Betances II & Betances III Due at 10:25 A.M.

PIN# 9005731 - Millbrook, Millbrook Extn., Betances II & Betances III Due at 10:30 A.M.

PIN# 9005732 - Linden Houses Due at 10:35 A.M.

PIN# 9005733 - Williamsburg Houses Due at 10:40 A.M.

PIN# 9005734 - Tompkins and Berry St.-South 9th St. Due at 10:45 A.M.

There is a non-refundable fee of \$25.00 payable by certified check or postal money order for each set of contract 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.  
Housing Authority, 23-02 49th Avenue, 4th Floor Bid Room, Long Island City, NY 11101. Joseph Schmidt (718) 707-8921.

a24

#### Construction / Construction Services

**REPAIRING EXTERIOR BRICKWORK AND NEW ROOFING AT HIGHBRIDGE REHABS (NELSON AVENUE)** – Competitive Sealed Bids – PIN# ST9004146 – DUE 05-07-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo (212) 306-3121, gloria.guillo@nycha.nyc.gov

a21-27

**EXTERIOR COMPACTOR REFUSE MANAGEMENT SYSTEM AT QUEENSBRIDGE HOUSES - NORTH AND SOUTH** – Competitive Sealed Bids – PIN# GD9006352 – DUE 05-05-09 AT 10:30 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Housing Authority, 90 Church Street, 11th Floor, New York NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121 gloria.guillo@nycha.nyc.gov

a22-28

**REPLACEMENT AND REPAIR OF INTERIOR COMPACTORS AT VARIOUS DEVELOPMENTS, MANHATTAN** – Competitive Sealed Bids – PIN# RC9006092 – DUE 05-06-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Housing Authority, 90 Church Street, 11th Floor, New York NY 10007. Gloria Guillo (212) 306-3121 gloria.guillo@nycha.nyc.gov

a23-29

#### Services (Other Than Human Services)

**PRIMARY/EXCESS GENERAL LIABILITY RENEWAL** – Negotiated Acquisition – Specifications cannot be made sufficiently definite - PIN# GL AUG 2009 – DUE 05-29-09 AT 3:00 P.M. – Primary/Excess General, Automobile, Non-owned and Hired Automobile Employee Benefits (Claims made) Liability Insurance effective August 1, 2009.

● **PUBLIC OFFICIALS EMPLOYMENT PRACTICES AUGUST 2009** – Negotiated Acquisition – Specifications cannot be made sufficiently definite - PIN# POL AUG 2009 – DUE 05-29-09 AT 3:00 P.M. - Public Officials/Employment Practices Liability Insurance.

● **PRIMARY-EXCESS GL RENEWAL AUGUST 2009** – Negotiated Acquisition – Specifications cannot be made sufficiently definite - PIN# GL AL AUG 2009 – DUE 05-29-09 AT 3:00 P.M. - Primary/Excess General, Automobile, Non-owned and Hired Automobile, Employee Benefits (Claims made) Liability Insurance.

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.  
Towers Perrin One Stamford Plaza, 263 Tresser Blvd., Stamford, CT 06901-3226. Attn: William Mollica (203) 363-1962, william.mollica@towersperrin.com

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## HUMAN RESOURCES ADMINISTRATION

### ■ INTENT TO AWARD

#### Human / Client Service

**PROVIDE PERMANENT AND TRANSITIONAL CONGREGATE HOUSING TO PLWAS** – Renewal – DUE 04-27-09 AT 2:00 P.M. – The Transitional Congregate Supportive Housing Vendors are stated below:

1) Foundation for Research on Sexually Transmitted Diseases, Inc., (FROSTD-South) - 224 West 30th St., Suite 901, New York, N.Y. 10001; Service Area - Manhattan PIN#: 06909H040602 - \$3,625,673.60; Term: 6/1/09-5/31/14

2) Foundation for Research on Sexually Transmitted Diseases, Inc. (FROSTD-North) - 224 West 30th St., Suite 901, New York, N.Y. 10001; Service Area - Manhattan; PIN#: 06910H040601 - \$2,092,435.00; Term: 7/1/09-6/30/14

3) Heritage Health and Housing, Inc. - 416 West 127th St., New York, N.Y. 10027; Service Area - Manhattan; PIN#: 06910H040603 - \$2,034,615.00; Term: 7/1/09-6/30/14

4) PRAXIS Housing Initiatives, Inc. - 17 Battery Place, Suite 307, New York, N.Y. 10004; Service Area - Manhattan; PIN#: 06910H040604 - \$9,116,495.00; Term: 7/1/09-6/30/14

5) Tolentine Zeiser Community Life Center, Inc. - 2345 University Avenue, Bronx, N.Y. 10468; Service Area - Bronx; PIN#: 06910H040605 - \$9,624,440.00; Term: 7/1/09-6/30/14

6) Unique People Services, Inc. - 4234 Vireo Avenue, Bronx, N.Y. 10470; Service Area - Manhattan; PIN#: 06910H040606 - \$9,647,795.00; Term: 7/1/09-6/30/14

7) Unique People Services, Inc. - 4234 Vireo Avenue, Bronx, N.Y. 10470; Service Area - Bronx; PIN#: 06910H040607 - \$1,785,645.00; Term: 7/1/09-6/30/14

8) Young Men's Christian Association of Greater New York - 5 West 63rd St., 6th Floor, New York, N.Y. 10023; Service Area - Queens; PIN#: 06909H040608 - \$6,566,125.00; Term: 6/1/09-5/31/14

The Permanent Congregate Supportive Housing Vendors are stated below:

1) Community Access, Inc. - 666 Broadway, 3rd Floor, New York, N.Y. 10012; Service Area - Manhattan; PIN#: 06910H040609 - \$3,389,600.00; Term: 7/1/09-6/30/14

2) Center for Urban Community Services/Common Ground Services - 198 East 121st St., New York, N.Y. 10035; Service Area - Manhattan; PIN#: 06910H040610 - \$6,577,325.15; Term: 7/1/09-6/30/14

3) Haitian Centers Council, Inc. - 123 Linden Boulevard, Brooklyn, N.Y. 11226; Service Area - Brooklyn; PIN#: 06910H040611 - \$3,360,264.00; Term: 7/1/09-6/30/14

4) FACES NY Inc. - 317 Lenox Avenue, 10th Floor, New York, N.Y. 10027; Service Area - Manhattan; PIN#: 06910H040612 - \$3,549,720.00; Term: 7/1/09-6/30/14

Human Resources Administration (HRA) intends to renew these contracts due to the compelling need to continue critical services.

Organizations interested in responding to a future solicitation for these services are invited to do so by calling the New York City Vendor Enrollment Center at (212)857-1680 to request an application or fill out one on-line by visiting [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc).

For any additional information contact Paula Sangster-Graham at HRA/HASA at (212) 620-9275.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Human Resources Administration, 12 W. 14th Street 5th Floor, New York, NY 10011. Paula Sangster-Graham (212) 620-9275, sangstergraham@hra.nyc.gov

a24

**BEGIN (BEGIN EDUCATION GAIN INDEPENDENCE NOW)** – Competitive Sealed Proposals – PIN# 06910H056301 – DUE 04-27-09 AT 5:00 P.M. – HRA intends to continue doing business with The Research Foundation of the City University of NY (CUNY) for the provision of the BEGIN (Begin Education Gain Independence Now) program.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Human Resources Administration, Family Independence Administration, 180 Water Street, New York, NY 10038. Victor Gramigna (212) 331-5848.

a24

## SCHOOL CONSTRUCTION AUTHORITY

### ■ SOLICITATIONS

#### Construction / Construction Services

**INSTALLATION OF SURVEILLANCE SERVICES** – Competitive Sealed Bids – PIN# SCA09-12602D-1 – DUE 05-05-09 AT 2:30 P.M. – Four (4) Schools (Manhattan). Project Range: \$1,560,000.00 to \$1,640,000.00. Non-refundable bid documents 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, 30-30 Thomson Avenue Long Island City, NY 11101. Lily Persaud (718) 752-5852, lpersaud@nycsca.org

a20-24

### CONTRACT ADMINISTRATION

#### ■ SOLICITATIONS

#### Construction / Construction Services

**FLOORS** – Competitive Sealed Bids – PIN# SCA09-12586D-1 – DUE 05-11-09 AT 10:00 A.M. – PS 157 (Brooklyn). Project Range: \$1,460,000.00 to \$1,540,000.00. 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, 30-30 Thomson Avenue Long Island City, NY 11101. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a20-24

**FLOOR RECONSTRUCTION** – Competitive Sealed Bids – PIN# SCA09-12594D-1 – DUE 05-08-09 AT 11:00 A.M. – PS 127 (Queens). Project Range: \$1,480,000.00 to \$1,560,000.00. Non-refundable bid documents 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, 30-30 Thomson Avenue, Plans Room Window, Room #1046, Long Island City, NY 11101. Kevantae Idlett (718) 472-8360, kidlett@nycsca.org

a20-24

**STUDENT TOILETS** – Competitive Sealed Bids – PIN# SCA09-12461D-1 – DUE 05-14-09 AT 2:00 P.M. – Project Range: \$1,540,000.00 to \$1,620,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. 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, 30-30 Thomson Avenue Long Island City, NY 11101. Stacia Edwards (718) 752-5849 sedwards@nycsca.org

a24-30

**CLIMATE CONTROL** – Competitive Sealed Bids – PIN# SCA09-12559D-1 – DUE 05-12-09 AT 12:00 P.M. – Fashion Industries Vocational HS (Manhattan). Project Range: \$2,490,000.00 to \$2,620,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order. Make checks 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, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843 rstingh@nycsca.org

a22-28

**SCIENCE LAB UPGRADE** – Competitive Sealed Bids – PIN# SCA09-12352D-1 – DUE 05-11-09 AT 10:30 A.M. – Project Range: \$1,620,000.00 to \$1,710,000.00. Non-refundable bid documents 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, 30-30 Thomson Avenue, Plans Room Window, Room #1046, Long Island City, NY 11101. Stacia Edwards (718) 752-5849, sedwards@nycsca.org

a21-27

**NEW SCHOOL BUILDING** – Competitive Sealed Bids – PIN# SCA09-00073B-1 – DUE 05-29-09 AT 3:00 P.M. – Spring Creek HS (Brooklyn). Project Range: \$91,170,000.00 to \$95,970,000.00. Mandatory pre-bid meeting date: May 14, 2009 at 11:00 A.M. at NYC School Construction Authority, 30-30 Thomson Avenue, LIC, NY 11101. Limited List: Bids will only be accepted from the following Construction Managers/Prime General Contractors (See Attached List). Bovis Lend Lease LMB, Inc., Leon D. DeMatteis Construction Corp., Petracca and Sons, Inc.; Plaza Construction Corporation and Tishman Construction Corp. of NY. Documents Price: \$250.00.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360 kidlett@nycsca.org

a22-28

**AUDITORIUM UPGRADE** – Competitive Sealed Bids – PIN# SCA09-12331D-1 – DUE 05-13-09 AT 10:30 A.M. – PS 189 (Brooklyn). Project Range: \$1,060,000.00 to \$1,115,000.00. Bid Documents: \$100.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. 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, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360 kidlett@nycsca.org

a23-29

**STUDENT TOILETS** – Competitive Sealed Bids – PIN# SCA09-12355D-1 – DUE 05-12-09 AT 10:00 A.M. – Metropolitan Corporate Academy HS (Brooklyn). Project Range: \$1,070,000.00 to \$1,125,000.00. Non-refundable bid documents 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, 30-30 Thomson Avenue Long Island City, NY 11101. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a21-27

**PLAYGROUND REDEVELOPMENT** – Competitive Sealed Bids – PIN# SCA09-12061D-1 – DUE 05-14-09 AT 2:30 P.M. – Metropolitan HS at Former PS 99 (Bronx). Project Range: \$2,270,000.00 to \$2,390,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. 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, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360 kidlett@nycsca.org

a24-30

**IP SURVEILLANCE CAMERA** – Competitive Sealed Bids – PIN# SCA09-12749D-1 – DUE 05-13-09 AT 12:30 P.M. – Brooklyn Studio Secondary School, IS 220, PS 225, PS 276 (Brooklyn). Project Range: \$1,070,000.00 to \$1,130,000.00. 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, 30-30 Thomson Avenue Long Island City, NY 11101. Stephanie Lyle (718) 752-5854 slyle@nycsca.org

a24-30

**FULL PROGRAM ACCESSIBILITY** – Competitive Sealed Bids – PIN# SCA09-11463D-1 – DUE 05-14-09 AT 12:00 P.M. – PS 106 (Queens). Project Range: \$2,730,000.00 to \$2,880,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make check 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, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843 rsingh@nycsca.org

a24-30

#### Construction Related Services

### CONSTRUCTION MANAGEMENT SERVICES IN CONNECTION WITH MANAGEMENT AND COORDINATION OF EMERGENCY RESPONSE PROGRAM

Competitive Sealed Proposals – PIN# 09-00059R – DUE 05-06-09 AT 2:00 P.M. – Proposals will be accepted from the following firms: AECOM USA, Inc.; Bovis Lend Lease, LMB, Inc.; Epic Management, Inc.; F.J. Sciamè Construction Co., Inc.; H.J. Russell Construction Co., Inc.; Hunter Roberts Construction Group; Leon D DeMatteis Construction Corp.; LiRo Program and Construction Management, P.C.; Parson Brinckerhoff Construction Services; S. Digiaco and Son, Inc.; Skanska USA Building, Inc.; TDX Construction Corporation; The Pike Company, Inc.; Tishman Construction Corp. of New York; URS Corporation - New York; 3D/International, Inc./Parsons Corporation; Hill International, Inc.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
School Construction Authority, 30-30 Thomson Avenue, 1st floor, Long Island City, NY 11101. Seema Menon (718) 472-8284, smenon@nycsca.org

a20-24

### BUREAU OF CONTRACTS AND SERVICES

#### SOLICITATIONS

#### Construction / Construction Services

### INSTALLATION OF VIDEO SURVEILLANCE CAMERAS

Competitive Sealed Bids – PIN# SCA09-12748D-1 – DUE 05-13-09 AT 11:30 A.M. – Four (4) Schools (Brooklyn). Project Range: \$1,120,000.00 to \$1,184,000.00. 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, 30-30 Thomson Avenue Long Island City, NY 11101. Lily Persaud (718) 752-5852 lpersaud@nycsca.org

a24-30

### PROCUREMENT

#### SOLICITATIONS

#### Construction / Construction Services

**MASONRY REPAIRS** – Competitive Sealed Bids – PIN# SCA09-11808D-1 – DUE 05-07-09 AT 3:30 P.M. – PS 15 (Queens). Project Range: \$1,610,000.00 to \$1,700,000.00. Non-refundable bid documents 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, 30-30 Thomson Avenue Long Island City, NY 11101. Cecelia Singh (718) 752-5441 csingh@nycsca.org

a22-28

## TRANSPORTATION

### DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

#### SOLICITATIONS

#### Services (Other Than Human Services)

**NON-PROFIT PUBLIC PLAZA OPPORTUNITIES** – Other – PIN# 84109MBAD417 – DUE 06-30-09 AT 5:00 P.M. – NYC Plaza Program Opportunities. The NYC Department of Transportation (DOT) is now accepting applications from eligible not-for-profit organizations to propose sites for new public plazas. Through this program, DOT will work with selected community partners to build new neighborhood plazas throughout the City. After the plazas are designed and built, the partnering organizations will be responsible for the maintenance, operation and management of the plazas, which may include the operation of a concession by the selected not-for-profit organization. Interested not-for-profit organizations should visit [www.nyc.gov/plazas](http://www.nyc.gov/plazas) to learn more about the program and to download the program's guidelines and application. Interested not-for-profit organizations may also obtain a copy of the program's guidelines and application by contacting Mr. Vaidila Kungys, Senior Project Manager at DOT: Planning and Sustainability, 40 Worth Street, Room 942, NY, NY 10013, or calling: (212) 442-7154. The application deadline is Thursday, June 30, 2009.

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 Transportation, 40 Worth Street, Room 942 New York, NY 10013. Vaidila Kungys (212) 442-7154 plazas@dot.nyc.gov

a17-30

### CANCELLATION: UNSUBSIDIZED BUS SERVICE IN BROOKLYN

Request for Proposals – PIN# 84109BKAD415 – DUE 05-20-09 AT 2:00 P.M. – CANCELLATION: This Request for Proposals (RFP) is being cancelled to allow the City to develop the RFP further, in order to ensure that the final solicitation is in the best interest of the City and its bus-riding patrons.

DOT's Office of Franchises, Concessions and Consents is soliciting proposals for a non-exclusive franchise for an unsubsidized bus line providing common carrier service to passengers along designated routes between Williamsburg and Borough Park in the Borough of Brooklyn. The initial term of the Franchise Contract will be ten (10) years, followed by an optional renewal period of ten (10) years and a second optional renewal period of five (5) years. The renewals shall be exercised at the sole option of the Department of Transportation.

The Request for Proposals will be available online starting on April 20, 2009, from: <http://www.nyc.gov/html/dot/html/about/rfpintro.shtml>.

Hard copies may be obtained: From April 20 - April 30, 2009, 9:00 A.M. to 3:00 P.M.: Department of Transportation, ACCO Contracts Unit, 40 Worth Street, Room 824A, New York, NY 10013.

From May 4 - May 19, 2009, 9:00 A.M. to 3:00 P.M.: Department of Transportation, ACCO Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041.

Proposals must be submitted to ACCO Contract Management Unit, Department of Transportation, 55 Water Street, Ground Floor, New York, NY 10041. There will be a pre-proposal conference on May 11, 2009 at 11:00 A.M. at 40 Worth St, NY, NY. Please contact the Authorized Department Contact for the room number. Attendees are asked to RSVP. Attendance by proposers is optional but strongly recommended.

All inquiries should be submitted in writing and will be answered in writing.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
Department of Transportation, ACCO Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041. 40 Worth Street, Room 940, New York, NY 10013. Owiso Makuku (212) 442-8040, franchises@dot.nyc.gov

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## AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

**“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: [www.nyc.gov/tv](http://www.nyc.gov/tv)”** NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

## HEALTH AND MENTAL HYGIENE

#### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 7, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of a proposed contract between the Department of Health and Mental Hygiene and the contractor listed below, to provide onsite primary and reproductive health care services at a school-based health center to students enrolled in the Truman High School Campus in The Bronx. These services will be provided at 750 Baychester Avenue, Bronx, New York, 10475. The

contract term shall be October 20, 2008 to June 30, 2010, with one two-year option to renew from July 1, 2010 to June 30, 2012.

#### Contractor/Address

Morris Heights Health Center, Inc.  
85 West Burnside Avenue, Bronx, New York 10453

**PIN#** 09SH020001R0X00 **Amount** \$920,000

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

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, N.Y. 10013, from April 24, 2009 to May 7, 2009, excluding weekends and holidays, between the hours of 10:00 AM and 4:00 PM.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after the publication of this notice. Written requests to speak should be sent to Huguette Beauport, Contract Manager at Department of Health and Mental Hygiene, ACCO's Office, 93 Worth Street, Room 812, New York, NY 10007, or [hbeaupor@health.nyc.gov](mailto:hbeaupor@health.nyc.gov). If DOHMH does not receive any written requests to speak within the prescribed time, DOHMH reserve the right not to conduct the Public Hearing.

**IN THE MATTER** of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, to distribute Health Bucks coupons, worth \$2 each, for use by residents of low-income housing communities to purchase fresh fruits and vegetables at 41 participating farmers' markets. The contract term shall be from July 1, 2009 to June 30, 2012, with one three-year option to renew from July 1, 2012 to June 30, 2015.

#### Contractor/Address

Farmers' Market Federation of New York  
117 Highbridge St., Suite U-3, Fayetteville, New York 13066

**PIN#** 10CR000800R0X00 **Amount** \$810,000

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

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, New York 10013, from April 24, 2009 to May 7, 2009, excluding Weekends and Holidays, from 10:00 A.M. to 4:00 P.M.

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## HUMAN RESOURCES ADMINISTRATION

#### PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 7, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Borough of Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

#### Contractor/Address

1. All Metro AIDS, Inc., d/b/a All Metro Health Care  
50 Broadway, Lynbrook, NY 11563

**PIN#** 06910H071401 **Amount** \$0. City Share  
\$13,213,933 (\*MMIS)

2. Association For Services For the Aged  
36-36 33rd Street, Long Island City, NY 11106

**PIN#** 06910H071402 **Amount** \$0. City Share  
\$24,305,690 (\*MMIS)

3. Barele, Inc. d/b/a OMEGA Home Health Services  
44 Court Street, Suite 700, Brooklyn, NY 11201

**PIN#** 06910H071403 **Amount** \$0. City Share  
\$17,318,032 (\*MMIS)

4. Best Care, Inc. (All City Care)  
3000 Hempstead Turnpike, Levittown, NY 11756

**PIN#** 06910H071404 **Amount** \$0. City Share  
\$13,352,364 (\*MMIS)

5. Beth Emeth Home Attendant Services, Inc.  
1080 McDonald Avenue, Brooklyn, NY 11230

**PIN#** 06910H071405 **Amount** \$0. City Share  
\$22,419,791 (\*MMIS)

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of a proposed contract between the Human Resources Administration of the City of New York and the Contractor listed below, for the provision of Specialized Banking Services. The contract term shall be five years from date of registration with one two-year option to renew.

**Contractor/Address** **PIN #** **Amount**

Bank of America  
One Bryant Park  
32nd Floor, New York, NY 10036

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

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration, 180 Water Street, Room 1422, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding Holidays, from 10:00 A.M. to 5:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/Address**

1. BHRAGS Home Care Inc.  
444 Thomas Boyland Avenue, Brooklyn, NY 11212

**PIN#** 06910H071406  
**Amount** \$0. City Share - \$17,152,665 (\*MMIS)  
**Service Area** Brooklyn

2. Bushwick Stuyvesant Heights Home Attendant Inc.  
1004 Gates Avenue, Brooklyn, NY 11221

**PIN#** 06910H071407  
**Amount** \$0. City Share - \$10,627,300 (\*MMIS)  
**Service Area** Brooklyn

3. C.I.D.N.Y. Independent Living Services, Inc.  
841 Broadway, Suite 303, New York, NY 10003

**PIN#** 06910H071408  
**Amount** \$0. City Share - \$9,122,169 (\*MMIS)  
**Service Area** Manhattan

4. CABS Home Attendant Service  
545 Broadway, Brooklyn, NY 11206

**PIN#** 06910H071409  
**Amount** \$0. City Share - \$27,506,952 (\*MMIS)  
**Service Area** Brooklyn

5. CABS Home Attendant Service  
545 Broadway, Brooklyn, NY 11206

**PIN#** 06910H071410  
**Amount** \$0. City Share - \$12,666,474 (\*MMIS)  
**Service Area** Brooklyn

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/ Address**

1. Chinese American Planning Council Home Attendant Program  
1 York Street, 2nd Floor, New York, NY 10013

**PIN#** 06910H071411  
**Amount** \$0. City Share - \$14,528,330 (\*MMIS)  
**Service Area** Manhattan

2. Chinese American Planning Council Home Attendant Program,  
1 York Street, 2nd Floor, New York, NY 10013

**PIN#** 06910H071412  
**Amount** \$0. City Share - \$36,239,008 (\*MMIS)  
**Service Area** Brooklyn

3. Community Home Care Referral d/b/a Helping Hands Attendant Services,  
4107 13th Avenue, Brooklyn, NY 11218

**PIN#** 06910H071413  
**Amount** \$0. City Share - \$20,128,926 (\*MMIS)  
**Service Area** Brooklyn

4. Council For Human Services Home Care Services, Corp.  
2253 Third Avenue, 4th Floor, New York, NY 10035

**PIN#** 06910H071414  
**Amount** \$0. City Share - \$10,835,804 (\*MMIS)  
**Service Area** Manhattan

5. F.E.G.S. Home Attendant Services, Inc.  
240 East 123rd Street, New York, NY 10035

**PIN#** 06910H071415  
**Amount** \$0. City Share - \$15,014,423 (\*MMIS)  
**Service Area** Manhattan

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan, Queens and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/ Address**

1. Family Home Care Services of Brooklyn & Queens, Inc.  
241 37th Street, 2nd floor, Brooklyn, NY 11232

**PIN#** 06910H071416  
**Amount** \$0. City Share - \$35,842,659 (\*MMIS)

**Service Area** Brooklyn

2. Family Home Care Services of Brooklyn & Queens, Inc.  
241 37th Street, 2nd floor, Brooklyn, NY 11232

**PIN#** 06910H071417  
**Amount** \$0. City Share - \$12,245,801 (\*MMIS)  
**Service Area** Queens

3. First Chinese Presbyterian Community Affairs Home Attendant Corp.,  
61 Henry Street – Ground Floor  
New York, NY 10002

**PIN#** 06910H071418  
**Amount** \$0. City Share - \$34,823,179 (\*MMIS)  
**Service Area** Manhattan

4. Home Attendant Services of Hyde Park  
1273 53rd Street, Brooklyn, NY 11219

**PIN#** 06910H071419  
**Amount** \$0. City Share - \$22,041,310 (\*MMIS)  
**Service Area** Brooklyn

5. Home Attendant Vendor Agency  
3036B Nostrand Avenue, Brooklyn, NY 11229

**PIN#** 06910H071420  
**Amount** \$0. City Share - \$29,624,592 (\*MMIS)  
**Service Area** Brooklyn

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan, Queens and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/ Address**

1. Home Care Services for Independent Living  
2044 Ocean Avenue, Suite 4-B, Brooklyn, NY 11230

**PIN#** 06910H071421  
**Amount** \$0. City Share - \$32,136,243 (\*MMIS)  
**Service Area** Brooklyn

2. Home Health Management Services  
853 Broadway, Suite 200, New York, NY 10003

**PIN#** 06910H071422  
**Amount** \$0. City Share - \$28,727,386 (\*MMIS)  
**Service Area** Manhattan

3. Home Services Systems, Inc.  
32-75 Steinway St., Suite 201, Astoria, NY 11103

**PIN#** 06910H071423  
**Amount** \$0. City Share - \$35,299,278 (\*MMIS)  
**Service Area** Queens

4. Home Services Systems, Inc.  
32-75 Steinway St., Suite 201, Astoria, NY 11103

**PIN#** 06910H071424  
**Amount** \$0. City Share - \$35,320,141 (\*MMIS)  
**Service Area** Brooklyn

5. Human Development Association, Inc.  
12 Heyward Street, Brooklyn, NY 11211

**PIN#** 06910H071425  
**Amount** \$0. City Share - \$34,857,563 (\*MMIS)  
**Service Area** Brooklyn

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan, Queens and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/ Address**

1. Institute Home Care Services, Inc.  
23 Nagle Avenue, New York, NY 10040

**PIN#** 06910H071426  
**Amount** \$0. City Share - \$15,933,242 (\*MMIS)  
**Service Area** Manhattan

2. Jewish Community Council Services Commission, Inc.  
80 Maiden Lane – 10th Floor, New York, NY 10038

**PIN#** 06910H071427  
**Amount** \$0. City Share - \$20,753,055 (\*MMIS)  
**Service Area** Queens

3. Mobilization For Youth Health Services, Inc.  
199 Avenue B, New York, NY 10009

**PIN#** 06910H071428  
**Amount** \$0. City Share - \$11,873,341 (\*MMIS)  
**Service Area** Manhattan

4. New York Health Care, Inc.  
1850 McDonald Avenue, Brooklyn, NY 11223

**PIN#** 06910H071429  
**Amount** \$0. City Share - \$19,382,540 (\*MMIS)  
**Service Area** Brooklyn

5. New York Foundation for Senior

Citizens Home Attendant Services, Inc.  
11 Park Place, Suite 1416, New York, NY 10007

**PIN#** 06910H071430  
**Amount** \$0. City Share - \$19,505,511 (\*MMIS)  
**Service Area** Manhattan

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan, Queens and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**CONTRACTOR/ADDRESS**

1. People Care, Inc d/b/a Assisted Care  
116 West 32nd Street, 15th Floor, New York, NY 10001

**PIN#** 06910H071433  
**Amount** \$0. City Share - \$8,705,554 (\*MMIS)  
**Service Area** Brooklyn

2. People Care, Inc d/b/a Assisted Care  
116 West 32nd Street, 15th Floor, New York, NY 10001

**PIN#** 06910H071434  
**Amount** \$0. City Share - \$5,712,712 (\*MMIS)  
**Service Area** Manhattan

3. People Care, Inc d/b/a Assisted Care  
116 West 32nd Street, 15th Floor, New York, NY 10001

**PIN#** 06910H071435  
**Amount** \$0. City Share - \$10,696,197 (\*MMIS)  
**Service Area** Queens

4. Personal Touch Home Care, Inc.  
222-15 Northern Boulevard, Bayside, NY 11361

**PIN#** 06910H071436  
**Amount** \$0. City Share - \$21,293,389 (\*MMIS)  
**Service Area** Brooklyn

5. Pomonok Home Services, Inc.  
61-17 190th Street, Suite 201, Fresh Meadows, NY 11365

**PIN#** 06910H071437  
**Amount** \$0. City Share - \$22,516,524 (\*MMIS)  
**Service Area** Queens

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan, Queens and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/ Address**

1. North General Home Attendant Corporation  
205 East 122nd St., 2nd floor, New York, NY 10035

**PIN#** 06910H071431  
**Amount** \$0. City Share - \$14,416,560 (\*MMIS)  
**Service Area** Manhattan

2. P.S.C. Community Services, Inc.  
120 Jewel Street, 2nd floor, Brooklyn, NY 11222

**PIN#** 06910H071432  
**Amount** \$0. City Share - \$18,763,353 (\*MMIS)  
**Service Area** Brooklyn

3. United Jewish Council of The East Side Home Attendant Services, Inc.  
500A Grand Street, New York, NY 10002

**PIN#** 06910H071453  
**Amount** \$0. City Share - \$24,722,366 (\*MMIS)  
**Service Area** Manhattan

4. VIP Health Care Services  
116-08 Myrtle Avenue, Richmond Hill, NY 11418

**PIN#** 06910H071454  
**Amount** \$0. City Share - \$7,174,348 (\*MMIS)  
**Service Area** Queens

5. VIP Health Care Services  
116-08 Myrtle Avenue, Richmond Hill, NY 11418

**PIN#** 06910H071455  
**Amount** \$0. City Share - \$9,975,642 (\*MMIS)  
**Service Area** Brooklyn

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Queens,

Brooklyn and Staten Island. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/ Address**

- Services For the Underserved Home  
Attendant Program, Inc.  
25 Chapel Street, Suite1005, Brooklyn, NY 11201

**PIN#** 06910H071448

**Contract Amount** \$0. City Share - \$15,358,235 (\*MMIS)

**Service Area** Brooklyn

- Social Concern Community Development Corp.  
226-18 Merrick Boulevard, Laurelton, NY 11413

**PIN#** 06910H071449

**Contract Amount** \$0. City Share - \$15,364,836 (\*MMIS)

**Service Area** Queens

- St. Nicholas Human Support Corp.  
2 Kingsland Avenue, Brooklyn, NY 11211

**PIN#** 06910H071450

**Contract Amount** \$0. City Share - \$22,231,748 (\*MMIS)

**Service Area** Brooklyn

- Stella Orton Home Care Agency  
3155 Amboy Road, Staten Island, NY 10306

**PIN#** 06910H071451

**Contract Amount** \$0. City Share - \$28,755,926 (\*MMIS)

**Service Area** Staten Island

- Sunnyside Home Care Project, Inc.  
43-31 39th Street, Long Island City, NY 11104

**PIN#** 06910H071452

**Contract Amount** \$0. City Share - \$24,410,633 (\*MMIS)

**Service Area** Queens

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Citywide Home Attendant Services to Medicaid Eligible Individuals in the Boroughs of Queens and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**Contractor/ Address**

- Ridgewood Bushwick Senior Citizens Council  
533 Bushwick Avenue, Brooklyn, NY 11206

**PIN#** 06910H71443

**Amount** \$0. City Share - \$22,986,989 (\*MMIS)

**Service Area** Brooklyn

- Ridgewood Bushwick Senior Citizens Council  
533 Bushwick Avenue, Brooklyn, NY 11206

**PIN#** 06910H71444

**Amount** \$0. City Share - \$12,816,710 (\*MMIS)

**Service Area** Queens

- Rockaway Home Attendant Services, Inc.  
1603 Central Avenue, Suite 100, Far Rockaway, NY 11691

**PIN#** 06910H071445

**Amount** \$0. City Share - \$16,614,249 (\*MMIS)

**Service Area** Queens

- School Settlement Home Attendant Services Corp.  
357 Manhattan Avenue, Brooklyn, NY 11211

**PIN#** 06910H071446

**Amount** \$0. City Share - \$20,273,267 (\*MMIS)

**Service Area** Brooklyn

- Services For The Aged  
36-36 33rd Street, Long Island City, NY 11106

**PIN#** 06910H071447

**Amount** \$0. City Share - \$10,073,720 (\*MMIS)

**Service Area** Queens

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

**IN THE MATTER** of five (5) proposed contracts between the Human Resources Administration (HRA) of the City of New York and the Contractors listed below, for the provision of Home Attendant Services to Medicaid Eligible Individuals. Services will be provided in the Boroughs of Manhattan, Queens and Brooklyn. The contract term shall be from July 1, 2009 to March 31, 2010.

**CONTRACTOR/ADDRESS**

- Premier Home Health Care Services, Inc. d/b/a  
First Aide Home Care, 360 Hamilton Ave.  
White Plains, NY 10601

**PIN#** 06910H071438

**Amount** \$0. City Share - \$13,121,834 (\*MMIS)

**Service Area** Brooklyn

- Prestige Home Attendant, Inc. d/b/a All Season  
Home Attendant, 377 Broadway, 2nd Floor (Front)  
New York, NY 10013

**PIN#** 06910H071439

**Amount** \$0. City Share - \$16,115,794 (\*MMIS)

**Service Area** Queens

- Prestige Home Attendant, Inc. d/b/a All Season  
Home Attendant, 377 Broadway, 2nd Floor (Front)  
New York, NY 10013

**PIN#** 06910H071440

**Amount** \$0. City Share - \$14,212,288 (\*MMIS)

**Service Area** Brooklyn

- Progressive Home Health Services  
132 West 31 Street, 7th Floor, New York, NY 10001

**PIN#** 06910H071441

**Amount** \$0. City Share - \$16,491,542 (\*MMIS)

**Service Area** Brooklyn

- Project O.H.R., Inc. (Office of HC Referral)  
80 Maiden Lane – 10th Floor, New York, NY 10038

**PIN#** 06910H071442

**Amount** \$0. City Share - \$41,451,064 (\*MMIS)

**Service Area** Brooklyn

\*Medicaid Management Information System

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

Draft copies of the proposed contracts are available for public inspection at the Human Resources Administration (HRA), 180 Water Street, Room 1420, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding, Saturdays, Sundays and Holidays, from 10:00 A.M. to 4:00 P.M.

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**TRANSPORTATION****PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that a Contract Public Hearing will be held on Thursday, May 7, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

**IN THE MATTER** of a proposed contract between the Department of Transportation of the City of New York and Pennoni Associates, Inc., 3602 Horizon Drive, Suite 160, King of Prussia, PA 19406, for the provision of Quality Assurance Services for In-Process Fabrication Inspection of Structural Steel in the North-Eastern United States, Contract No. HBCD005A. The contract amount shall be \$9,676,122.01. The contract term shall be 1,095 Consecutive Calendar Days from Date of Written Notice to Proceed with one option to renew for an additional one year at the sole discretion of the Department, under the exception for wage increases (to compensate for any escalation).  
PIN#: 84108MBBR270.

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

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 40 Worth Street, Room 1228, New York, NY 10013, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

**IN THE MATTER** of a proposed contract between the Department of Transportation of the City of New York and Pennoni Associates Inc., 3602 Horizon Drive, Suite 160, King of Prussia, PA 15205, for the provision of Quality Assurance Services for the In-Process Fabrication Inspection of Pre-cast and Pre-stressed Concrete in the United States and Canada. The contract amount shall be \$579,469.26. The contract term shall be 1,095 Consecutive Calendar Days from Date of Written Notice to Proceed with one option to renew for an additional one year at the sole discretion of the Department, under the exception for wage increases (to compensate for any escalation). PIN#: 84108MBBR267.

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

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 40 Worth Street, Room 1228, New York, NY 10013, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

**IN THE MATTER** of a proposed contract between the Department of Transportation of the City of New York and Bureau Veritas North America, Inc., 2350 Noblestown Road, Pittsburgh, PA 15205, for the provision of Quality Assurance Services for In-Process Fabrication Inspection of Structural Steel in the United States and Canada, Contract No. HBCD005B. The contract amount shall be \$5,716,433.43. The contract term shall be 1,095 Consecutive Calendar Days from Date of Written Notice to Proceed with one option to renew for an additional one year at the sole discretion of the Department, under the exception for wage increases (to compensate for any escalation). PIN#: 84108MBBR269.

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

A draft copy of the proposed contract is available for public inspection at the Department of Transportation, Office of the Agency Chief Contracting Officer, 40 Worth Street, Room 1228, New York, NY 10013, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and Legal Holidays, from 9:00 A.M. to 5:00 P.M.

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**AGENCY RULES****CONSUMER AFFAIRS****NOTICE****NOTICE OF ADOPTION**

Notice of Adoption of Amendments to Rule to Regarding the Requirements and Obligation of Auctioneer Licensees.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Consumer Affairs by Section 20-104(b) of Chapter 1, Title 20 of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter that the Department promulgates and adopts amendments to an existing rule regarding the requirements and obligation of auctioneer licensees.

These amendments were proposed and published on March 5, 2009. The required public hearing was held on April 13, 2009.

Material being deleted is shown below in brackets and material being added is underlined.

**RULE**

Section 1. Subdivision (l) of section 2-122 of Chapter 2, Title 6 of the Rules of the City of New York is hereby amended to read as follows:

(l) The following newspapers published in the City of New York are hereby designated as newspapers in which auctioneers shall advertise as required by §§20-282 and 20-283 of the Administrative Code:

New York Times  
[New York Journal of Commerce]  
New York Post  
[New York Daily Fruit Reporter]  
Newsday  
Staten Island Advance  
New York Daily News  
New York Law Journal  
American Banker  
[Action]  
[Il Progresso]  
China Post]  
China Times  
[Chinese Journal]  
France-Amerique  
[Aufbau]  
National Herald  
Novoye Russkoye Slovo  
El Diario  
[El Mirador]  
Svoboda  
Jewish Daily Forward  
[Barbininkas]  
The New York Observer  
Crain's New York Business  
The Village Voice  
New York Press  
The Wall Street Journal  
am New York  
Metro New York  
Hamodia  
Ming Pao Daily News  
Daily Challenge  
Korea Central Daily News  
The Segye Times  
Sing Tao Daily  
Korea Times New York Edition  
China Press  
The Liberty Times U.S.A.  
The Brooklyn Daily Eagle & Daily Bulletin

**Statement of Basis and Purpose.** Section 20-104 (a) of the New York City Administrative Code confers on the Commissioner cognizance and control over all licenses issued under Chapter 2 of such Code, which includes auctioneers who are required to be licensed pursuant to subchapter 13 of such chapter. Section 20-104 (b) confers on the Commissioner the power to promulgate, amend or rescind rules necessary to carry out the powers and duties of the Department. Those powers include the authority to promulgate a rule that identifies the public newspapers printed in New York City in which the auctioneers are required by §20-282 to advertise auctions and are required by §20-283 to advertise night auctions.

The list of newspapers in which auctioneers can publish such advertisements that is included in subdivision (l) of section 2-122 of Chapter 2 of Title 6 of the Rules of the City of New York has become outdated since more than 33 percent of the listed newspapers have ceased publication.

The amendments to such subdivision update the list by deleting newspapers that have ceased publication and by adding public newspapers in New York City with circulations that are sufficient to alert an adequately large segment of the public to the holding of the advertised auction.

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**TAXI AND LIMOUSINE COMMISSION****NOTICE****Notice of Additional Opportunity to Comment on Rules**

Notice is hereby given that the Taxi and Limousine Commission ("TLC") has extended the period for which it will accept comments with respect to rules which require TLC inspections and enhanced markings for for-hire vehicles and to clarify and enhance the accountability of licensed for-hire vehicle bases and vehicle owners.

These rules were proposed pursuant to section 1043 of the Charter and sections 19-504 and 19-511 of the Administrative Code of the City of New York. The rules

encompass matters that are included in the TLC's regulatory agenda for Fiscal Years 2008 and 2009.

A public hearing on these rules was held by the TLC at its offices at 40 Rector Street, 5th Floor, New York, New York 10006 on April 16, 2009, at 9:30 A.M. At the hearing, the Commission approved the rules and directed that the TLC accept additional comments for a further two week period. The rules, as approved, may be located on the Commission's web site at [http://www.nyc.gov/html/tlc/downloads/pdf/newly\\_passed\\_rule\\_fhv\\_comb\\_base.pdf](http://www.nyc.gov/html/tlc/downloads/pdf/newly_passed_rule_fhv_comb_base.pdf)

Written comments in connection with these rules may be submitted to the Office of Legal Affairs as indicated below and must be submitted no later than two weeks from the date of publication of this notice:

**Charles R. Fraser**  
Deputy Commissioner for Legal Affairs/General Counsel  
Taxi and Limousine Commission  
40 Rector Street, 5th Floor  
New York, New York 10006  
Telephone: 212-676-1117  
Fax: 212-676-1102  
TTY/TDD: 212-341-9596  
Email: [tlcrules@tlc.nyc.gov](mailto:tlcrules@tlc.nyc.gov)

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## TRANSPORTATION

### NOTICE

#### CAPA REGULATORY AGENDA FY 2010 DEPARTMENT OF TRANSPORTATION

Pursuant to section 1042 of the Charter, the Department of Transportation sets forth below its regulatory agenda for the City's fiscal year of 2010:

#### DIVISION OF TRAFFIC OPERATIONS

1. **SUBJECT:** Adding "Shunt" and "Wrap-around Shunt" definitions to Section 2-01 of the Highway Rules.
  - 1) **Reason:** There are no definitions of shunt and wrap-around shunt in the Highway Rules.
  - 2) **Anticipated contents:** Shunt. A temporary electrical cable or conduit which has been installed between two points to divert current from one path to another due to a break in the electrical service. Wrap-around shunt. A shunt which typically runs along the outside of a pole by being looped, or wrapped around, the outside of the pole to the base.
  - 3) **Objective:** To assist the Department in regulating the placement and installation of shunts on City streets.
  - 4) **Legal basis:** Section 2903 (b) of the New York City Charter.
  - 5) **Types of individuals and entities likely to be affected:** Utility companies, contractors, construction companies, and electricians conducting work on City streets and attaching to City equipment.
  - 6) **Other relevant law:** Possibly the Department of Buildings' Electrical Code.
  - 7) **Approximate schedule:** First Quarter FY 2010.

Agency Contact: Steven Galgano - 718-786-3550

2. **SUBJECT:** Shunt Fees.
  - 1) **Reason:** Installation of shunts is currently not regulated.
  - 2) **Anticipated contents:** Adding the permit or activity of "Install shunt", including a \$50 fee, a 60-day timeframe with one allowable renewal, and defining the permit area to one shunt per permit.
  - 3) **Objective:** To add a permit activity fee for a previously unregulated activity.
  - 4) **Legal basis:** Section 2903 (b) of the New York City Charter
  - 5) **Types of individuals and entities likely to be affected:** Utility companies, contractors, construction companies, and electricians conducting work on City streets and attaching to City equipment.
  - 6) **Other relevant law:** None.
  - 7) **Approximate schedule:** First Quarter FY 2010.

Agency Contact: Steven Galgano - 718-786-3550

3. **SUBJECT:** Street Light and Power.
  - 1) **Reason:** Presently, the rules governing electric, electrical safety and electrical jurisdiction on the City streets, outside of Department of Buildings' jurisdiction, are limited or non-existent.
  - 2) **Anticipated contents:** Requirements and standards for electrical connections and equipment.
  - 3) **Objective:** To provide a clear and concise summary of the Department's jurisdiction, requirements and needs regarding electric installations on the City's streets.
  - 4) **Legal basis:** Section 2903 (b) of the New York City Charter.
  - 5) **Types of individuals and entities likely to be affected:** Utility companies, contractors, construction companies, and electricians conducting work on City streets and attaching to City equipment;

- construction companies who damage city electrical equipment, etc.
- 6) **Other relevant law:** Possibly Department of Buildings' electrical code.
- 7) **Approximate schedule:** First Quarter FY 2010.

Agency Contact: Steven Galgano - 718-786-3550

4. **SUBJECT:** Definition of "Parking Zone."
  - 1) **Reason:** A definition of "Parking Zone" is needed in the Traffic Rules to clarify that parking may be allowed in portions of the street that are not immediately adjacent to the curb. These non-traditional parking areas are being utilized in roadway redesign projects for various purposes.
  - 2) **Anticipated contents:** The proposed rule will define the term "Parking Zone" to mean an area on the street designated for parking by signs and/or markings that is not necessarily adjacent to the curb.
  - 3) **Objective:** The objective of the proposed rule is to ensure that parking areas that are not immediately adjacent to the curb can be enforced easily and that parking violations issued for using parking zones improperly will be upheld if challenged. It is important for the parking zones to be enforced effectively because they have a safety purpose.
  - 4) **Legal basis:** Section 2903 of the New York City Charter.
  - 5) **Types of individuals and entities likely to be affected:** Motorists.
  - 6) **Other relevant law:** None.
  - 7) **Approximate schedule:** First Quarter FY 2010.

Agency Contact: Joshua Benson - 212-442-9890

#### DIVISION OF PLANNING & SUSTAINABILITY

5. **SUBJECT:** Amendments to the Truck Route Network.
  - 1) **Reason:** To revise and modify regulations and clarify definitions and designations specified in section 4-13 of the Traffic Rules regarding the City's truck route network.
  - 2) **Anticipated contents:** The rules will modify local truck routes in all five boroughs.
  - 3) **Objective:** To designate appropriate truck routes in the City of New York.
  - 4) **Legal basis:** Section 2903 of the New York City Charter.
  - 5) **Types of individuals and entities likely to be affected:** All trucks engaged in delivery and defined as having two axles, six tires or three or more axles.
  - 6) **Other relevant law:** None.
  - 7) **Approximate schedule:** Fourth Quarter FY 2010.

Agency Contact: Stacey Hodge - 212-442-7199

6. **SUBJECT:** Modification of standard sidewalk materials for specific commercial districts.
  - 1) **Reason:** The amendment to Section 2-09(f)(4) would support the agency's policy to enhance the aesthetics of sidewalk materials in specific commercial districts.
  - 2) **Anticipated contents:** Proposed rule will describe standard materials for city sidewalks in C4-C6 commercial districts.
  - 3) **Objective:** To require sidewalk reconstructions to employ new, enhanced standard.
  - 4) **Legal basis:** Section 2903 of the New York City Charter.
  - 5) **Types of individuals and entities likely to be affected:** All property owners, city agencies, utilities, contractors and all other parties involved in the design and construction of City sidewalks in C4-C6 commercial districts will be subject to the proposed changes.
  - 6) **Other relevant law:** New York City Charter § 2904; New York City Administrative Code § 19-152; New York City Administrative Code § 19-141; and New York City Administrative Code § 7-210.
  - 7) **Approximate schedule:** Second Quarter FY 2010.

Agency Contact: Edward Janoff - 212-442-6461

7. **SUBJECT:** Creation of a new "shared street" designation giving pedestrians the right of way in all areas and at all times.
  - 1) **Reason:** Certain streets or areas within the city suffer from limited right-of-way space and high pedestrian volumes but must still maintain limited vehicular access during peak hours. A specific class of street is proposed for use under very specific circumstances that is a compromise between "standard" street

design and right of way rules and fully pedestrianized streets. Such streets, referred to as "shared streets", would be designed to give pedestrians primacy over motor vehicles through various design approaches.

2. **Anticipated contents:** Establishing a class of streets known as "shared streets" which are designated by the Transportation Commissioner and indicated with specified signage; giving pedestrians right of way over motor vehicles and bicyclists within all areas of such streets at all times, and giving bicyclists right of way over motor vehicles at all times. The rule may also establish a blanket 15 mph speed limit within such streets (consistent with the State Vehicle & Traffic Law), or lower (were the Vehicle & Traffic Law to be modified).
3. **Objective:** Improving safety on streets on which pedestrians and motor vehicles are already or are anticipated to be informally mixing by further slowing drivers, increasing driver caution and awareness, and reinforcing driver yielding behavior; improving pedestrian mobility and comfort by increasing effective pedestrian walking space, reducing sidewalk crowding and formally allowing mid-block crossings; and improving the overall street environment with slower speeds and improved design treatments that together foster a public space orientation while maintaining necessary or otherwise desirable vehicular access.
4. **Legal basis:** Section 2903(a) of the New York City Charter.
5. **Types of individuals and entities likely to be affected:** Pedestrians, motorists, and bicyclists on affected streets.
6. **Other relevant law:** None
7. **Approximate schedule:** Fourth Quarter FY 2010.

Agency Contact: Andrew Wiley-Schwartz - Telephone:212-442-7462

8. **SUBJECT:** Turning Restrictions in Bus Lanes.
  - 1) **Reason:** To regulate the distance from which vehicles may enter bus lanes to make right turns.
  - 2) **Anticipated contents:** Specifying that vehicles may enter bus lanes to make right turns only in the block immediately approaching a legal right turn location, and providing definition for "block."
  - 3) **Objectives:** To clarify for motorists when and where vehicles can enter bus lanes to make right turns and to facilitate better enforcement.
  - 4) **Legal basis:** Section 2903 (b) of the New York City Charter.
  - 5) **Types of individuals and entities likely to be affected:** All motorists on streets where bus lanes are designated.
  - 6) **Other relevant law:** None.
  - 7) **Approximate schedule:** First Quarter FY 2010

Agency Contact: Joseph Barr - Telephone: 212-442-7638

#### DIVISION OF THE STATEN ISLAND FERRY

9. **SUBJECT:** Revising and updating the Ferry Rules and the Rules of Conduct.
  - 1) **Reason:** In the past few years, the ferry terminals and vessels have undergone some operational changes and enhancements. As a result, certain rules are now obsolete while other rules are in need of being updated or established.
  - 2) **Anticipated contents:** The Ferry Rules of Conduct as currently codified in Section 1-02 of the RCNY are posted throughout the Staten Island Ferry vessels and in the St. George and Whitehall ferry terminals to ensure the safety, security, and comfort of passengers and employees. The maintenance of good order is required under general maritime law and the Department wishes to continue to prohibit unsafe and disruptive behavior. In addition, the Rules of Conduct currently apply only to the ferry operations between Manhattan and Staten Island and the St. George and Whitehall ferry terminals. The definition in section 1-01 of the current rules excludes the City-owned ferry landings, which host the operations of several of the City's private ferries. Private ferry operators transport over nine million people a year and are an important component of the City's mass transportation system.
  - 3) **Objective:** To maintain a safe and secure environment in all of the City-owned ferry facilities.

- 4) Legal basis: Section 2903(c) of the New York City Charter.
- 5) Types of individuals and entities likely to be affected: General public.
- 6) Other relevant law: None.
- 7) Approximate schedule: Fourth Quarter FY 2010.

Agency Contact: Trinity Abbott - Telephone: 718-876-2357

#### PERMIT MANAGEMENT

10. **SUBJECT:** To amend rules regarding Street Opening and Excavation Permits for Licensed Master Plumbers.
- 1) Reason: The Department of Buildings' revision of its Administrative Code amends the definition of "licensed master plumber" from a corporation to an individual. DOT's current rules would require the Agency to issue street opening permits to individual plumbers per this new definition. Thus, DOT's rule must be amended to allow DOT to continue issuing permits to affiliated plumbing companies.
  - 2) Anticipated contents: To revise street opening and excavation rules by issuing such permits to affiliated plumbing companies.
  - 3) Objective: To ensure that permits are issued to plumbing companies and not to individual plumbers.
  - 4) Legal basis: Section 2903(a) of the New York City Charter.
  - 5) Types of individuals and entities likely to be affected: Licensed master plumbers.
  - 6) Other relevant law: Title 26 of the New York City Administrative Code
  - 7) Approximate schedule: First Quarter FY 2010

Agency Contact: Norris Powell - 212 442-7292

#### DIVISION OF BRIDGES

11. **SUBJECT:** Amend section 4-15(f)(5)(i)(C) of the Traffic Rules to indicate that the correct division to which permittees must apply for an annual overweight load permit is the Division of Bridges, and not Authorized Permits and Parking Division.
1. Reason: As the Truck Permit Unit was transferred to the Division of Bridges in 2003, Authorized Permits and Parking no longer issues these permits.
  2. Anticipated contents: To state that permittees must apply to the Division of Bridges for annual overweight load permits and not to the Authorized Permits and Parking Division.
  3. Objective: To clarify the correct DOT division to which permittees must apply to obtain an annual overweight, daily over-dimensional, and crane permit.
  4. Legal basis: Section 2903(a) of the New York City Charter.
  5. Types of individuals and entities likely to be affected: The commercial trucking industry, private utility companies, individual trucking and construction companies who move overweight divisible-load or over-dimensional overweight non-divisible vehicle/load combinations (construction equipment and large divisible loads e.g. dirt, concrete, refuse) requiring renewal of viable annual overweight load permits, daily over-dimensional, or crane permits through New York City.
  6. Other relevant law: None.
  7. Approximate schedule: First Quarter FY 2010.

Agency Contact: Dorothy Roses - 212-788-2105

12. **SUBJECT:** To require notification to the Division of Bridges when excavating within 100 feet of bridge or outlying support structures.
1. Reason: To provide additional safeguards to the structural integrity of bridges, tunnels, underpasses and overpasses within the jurisdiction of the Department.
  2. Anticipated contents: Will require contractors to obtain approval from Bridges when performing excavations within 100 feet above or below a bridge, tunnel, retaining wall, roadway, viaduct, underpass or overpass.
  3. Objective: To provide additional regulation for excavations and restorations performed near a bridge and their outlying support structures.
  4. Legal basis: Section 2903(b) of the New York City Charter.

5. Types of individuals and entities likely to be affected: Contractors.
6. Other relevant law: None.
7. Approximate schedule: First Quarter FY 2010.

Agency Contact: Russell Holcomb - 212-788-1700

#### DIVISION OF SIDEWALKS & INSPECTION MANAGEMENT

13. **SUBJECT:** Regulation of Steel Plates.
- 1) Reason: To enhance safety requirements on the placement of steel plates.
  - 2) Anticipated contents: Amend section 2-11(e) (10) to require that all steel plates must be removed within 24 hours after completion of the final restoration. Require that plates be secured so to prevent excessive noise. Require 1½ plates when 2 or more plates are placed side by side.
  - 3) Objective: To prevent steel plates from making excessive noise, and to prevent shifting plates from creating safety hazards for pedestrians, motorists and bicyclists.
  - 4) Legal basis: Section 2903(b) of the New York City Charter.
  - 5) Types of individuals and entities likely to be affected: Permittees performing street cuts and excavations.
  - 6) Other relevant law: None
  - 7) Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - 212-442-7109

14. **SUBJECT:** Uniform Testing Procedures.
- 1) Reason: Amend section 2-11(e)(8)(viii) to create a uniform testing procedure for all street cuts.
  - 2) Anticipated contents: The rule will require a certified tester to determine proper compaction on all streets and require permittees to maintain a compaction report for DOT's review as needed.
  - 3) Objective: To create uniform testing procedures for all streets and ensure that streets are properly backfilled.
  - 4) Legal basis: Section 2903(a) of the New York City Charter.
  - 5) Types of individuals and entities likely to be affected: Permittees performing street cuts and excavations.
  - 6) Other relevant law: None
  - 7) Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - 212 442-7109

15. **SUBJECT:** Creating Uniform Street Cuts.
- 1) Reason: To prescribe a uniform method for restoration practices to eliminate the varied shape of street cuts.
  - 2) Anticipated contents: Section 2-11(e)(12)(ii) will be amended to require "saw cutting" of existing pavement into a uniform shape.
  - 3) Objective: To create a standard requirement whereby the shape of all street cuts will be consistent and reduce instances of irregularly shaped street cuts.
  - 4) Legal basis: Section 2903(a) of the New York City Charter.
  - 5) Types of individuals and entities likely to be affected: Permittees performing street cuts and excavations.
  - 6) Other relevant law: None
  - 7) Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - Telephone: 212 442-7109

16. **SUBJECT:** Protected Street Confirmation Numbers.
1. Reason: Amend Section 2-11-(f)(4)(i) to allow permittees to obtain a confirmation number via DOT's web site.
  2. Anticipated contents: Permittees currently call DOT to notify the Department about proposed backfill work on a protected street. This rule would allow permittees, in addition to calling DOT, to obtain a confirmation number through the web-site application on the internet as a preferred method of notifying DOT of proposed backfill work on a protected street. Permittees will also

be required to notify DOT if the work was only confined to the sidewalk, hardware re-grade, chip out, or if the backfill was done under another permit pr no work at all

3. Objectives: To provide permittees with an alternate method of notifying DOT prior to performing the backfill on a protected street.
4. Legal basis: Section 2903 (b) of the New York City Charter.
5. Types of individuals and entities likely to be affected: Any contractor excavating on a Protected Street
6. Other relevant law: None
7. Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - Telephone: 212-442-7160

17. **SUBJECT:** Restoration Requirements.
1. Reason: Amend Section 2-11-(e)(11)(vi) to require that binder base must be left flush with the surrounding areas.
  2. Anticipated contents: Require that all binder base restoration be left flush with the surrounding areas.
  3. Objectives: to enhance restoration requirements.
  4. Legal basis for the proposed rule: Section 2903 (b) of the New York City Charter.
  5. Types of individuals and entities likely to be affected: Contractors who perform excavations on city streets.
  6. Other relevant law: None
  7. Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - Telephone: 212-442-7160

18. **SUBJECT:** Prohibiting contractors from obstructing Department of Environmental Protection water sampling stations when storing construction material or equipment.
1. Reason: Amend Section 2-05(d)(8)(ii) to add Department of Environmental Protection water sampling stations to the list of city owned properties that contractors cannot obstruct when storing construction material or equipment.
  2. Anticipated contents: The rule will prohibit contractors from obstructing Department of Environmental Protection water sampling stations when storing construction material or equipment.
  3. Objectives: To facilitate Department of Environmental Protection access to their water sampling stations for the purpose of conducting mandated inspection.
  4. Legal basis: Section 2903 (b) of the New York City Charter.
  5. Types of individuals and entities likely to be affected: Contractors performing excavations on city streets.
  6. Other relevant law: None.
  7. Approximate schedule: Third Quarter FY 2010.

Contact person: Vincent Maniscalco - Telephone: 212-442-7160

19. **SUBJECT:** Requiring contractor imprint on concrete restorations.
1. Reason: DOT currently requires only a color code on asphalt restorations for the purpose of identifying contractors. The rule will amend Section 2-11-(e) (14) to better facilitate identification of contractors responsible for concrete restorations.
  2. Anticipated contents: Require contractors to place or imprint an insignia on all concrete restorations bearing the contractor's name and the year the work was performed.
  3. Objectives: Require contractors to place an insignia bearing their name and the year the concrete restoration was performed.
  4. Legal basis for the proposed rule: Section 2903 (b) of the New York City Charter.
  5. Types of individuals and entities likely to be affected: Contractors who perform excavations on city streets.
  6. Other relevant law: None
  7. Approximate schedule: Third Quarter FY 2010

Contact person: Vincent Maniscalco - Telephone: 212-442-7160

20. **SUBJECT:** Shallow Conduits Notification Procedures.

**SPECIAL MATERIALS**

- Reason: Amend Section 2-11(e)(11)(vii) to alert DOT paving crews to the presence of shallow conduits installed by permittees and utilities.
- Anticipated contents: Set up procedures whereby permittees can notify DOT where they have installed shallow conduits.
- Objectives: To keep track of shallow trenches in order to alert DOT paving crews of potential obstacles in the street.
- Legal basis: Section 2903 (b) of the New York City Charter.

- Types of individuals and entities likely to be affected: Contractors who perform excavations on city streets.
- Other relevant law: None
- Approximate schedule: Third Quarter FY 2010

Agency Contact: Norris Powell - Telephone: 212-442-7292

**21. SUBJECT:** Convex Boxes.

- Reason: Amend Section 2-05-(d)(3) to establish that this rule applies to convex boxes, and to distinguish them from containers used to remove construction debris.
- Anticipated contents: Clarify that a convex box is not a container and that the Highway Rules pertain to them.
- Objectives: To clarify that section 2-05(d)(3) applies to convex boxes as well as containers used to remove construction debris.
- Legal basis: Section 2903 (b) of the New York City Charter.

- Types of individuals and entities likely to be affected: Contractors using containers to remove construction debris.
- Other relevant law: None.
- Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - Telephone: 212-442-7160

**22. SUBJECT:** Height limitation on construction material stored on the street.

- Reason: Amend Section 2-05-(d)(8)(vi) to limit construction material to a height of no greater than 5 feet.
- Anticipated contents: Require that construction material stored on the street cannot be greater than 5 feet.
- Objectives: To improve visibility for drivers and pedestrians.
- Legal basis: Section 2903 (b) of the New York City Charter.

- Types of individuals and entities likely to be affected: Any contractor who stores construction material on the street.
- Other relevant law: None.
- Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - Telephone: 212-442-7160

**23. SUBJECT:** Storing construction material under a street opening permit.

- Reason: Amend Section 2-11-(e)(7)(i) to clarify when a separate permit is required for storing construction material under a street opening permit.
- Anticipated contents: Clarify that a street opening permit allows permittees to store construction material in designated area adjacent to the permitted area only during working hours designated on the permit. Should permittees wish to store those items during non-working hours, a separate permit is required.
- Objectives: To inform permittees that they must secure a separate permit to store their equipment adjacent to the work site when they are not working during the designated working hours.
- Legal basis: Section 2903 (b) of the New York City Charter.

- Types of individuals and entities likely to be affected: Any contractor who excavates in our street
- Other relevant law: None
- Approximate schedule: Third Quarter FY 2010

Agency Contact: Vincent Maniscalco - Telephone: 212-442-7160

**CITYWIDE ADMINISTRATIVE SERVICES**

**DIVISION OF MUNICIPAL SUPPLY SERVICES**

■ NOTICE

**OFFICIAL FUEL PRICE SCHEDULE NO. 6241  
FUEL OIL AND KEROSENE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 4/20/2009
2887105	2.0	#1DULS	MANH SPRAGUE ENERGY CORP	-0.039 GAL.	1.9569 GAL.
2887105	3.0	#1DULS	BRONX SPRAGUE ENERGY CORP	-0.039 GAL.	1.9569 GAL.
2887105	4.0	#1DULS	BROOKLYN SPRAGUE ENERGY CORP	-0.039 GAL.	1.9919 GAL.
2887105	5.0	#1DULS	QUEENS SPRAGUE ENERGY CORP	-0.039 GAL.	1.9919 GAL.
2887105	6.0	#1DULS	S.I. SPRAGUE ENERGY CORP	-0.039 GAL.	2.0569 GAL.
2887105	7.0	#1DULS	P/U SPRAGUE ENERGY CORP	-0.039 GAL.	1.8687 GAL.
2887086	3.0	#1DULSB20	CITY WIDE BY TW SPRAGUE ENERGY CORP	+0.175 GAL.	2.0100 GAL.
2887086	7.0	#1DULSB20	P/U SPRAGUE ENERGY CORP	+0.175 GAL.	1.9403 GAL.
2887086	1.0	#1DULSB5	CITY WIDE BY TW SPRAGUE ENERGY CORP	+0.014 GAL.	1.9087 GAL.
2887086	5.0	#1DULSB5	P/U SPRAGUE ENERGY CORP	+0.014 GAL.	1.8267 GAL.
2887052	1.0	#2	MANH RAPID PETROLEUM	-0.117 GAL.	1.4586 GAL.
2887052	4.0	#2	BRONX RAPID PETROLEUM	-0.117 GAL.	1.4584 GAL.
2887052	7.0	#2	BROOKLYN RAPID PETROLEUM	-0.117 GAL.	1.4480 GAL.
2887052	13.0	#2	S.I. RAPID PETROLEUM	-0.117 GAL.	1.4915 GAL.
2887053	10.0	#2	QUEENS METRO FUEL OIL CORP.	-0.117 GAL.	1.4813 GAL.
2887169	1.0	#2B5	CITY WIDE BY TW METRO FUEL OIL CORP.	-0.060 GAL.	1.8870 GAL.
2887105	8.0	#2DHS	BARGE M.T.F. 111 SPRAGUE ENERGY CORP	-0.117 GAL.	1.7341 GAL.
2887106	9.0	#2DHS	BARGE WI METRO FUEL OIL CORP.	-0.117 GAL.	1.6455 GAL.
2887301	1.0	#2DLS	BARGE ST. GEORGE METRO FUEL OIL CORP.	-0.059 GAL.	1.7418 GAL.
2887301	3.0	#2DLS	P/U METRO FUEL OIL CORP.	-0.059 GAL.	1.6046 GAL.
2887302	4.0	#2DLS	CITY WIDE BY TW SPRAGUE ENERGY CORP.	-0.059 GAL.	1.7263 GAL.
2887105	1.0	#2DULS	CITY WIDE BY TW SPRAGUE ENERGY CORP	-0.249 GAL.	1.6604 GAL.
2887105	1.1	#2DULS	P/U SPRAGUE ENERGY CORP.	-0.249 GAL.	1.6254 GAL.
2887301	2.0	#2DULS	BARGE ST. GEORGE METRO FUEL OIL CORP.	-0.249 GAL.	1.7401 GAL.
2887086	4.0	#2DULSB20	CITY WIDE BY TW SPRAGUE ENERGY CORP	+0.007 GAL.	1.8615 GAL.
2887087	8.0	#2DULSB20	P/U METRO FUEL OIL CORP.	+0.007 GAL.	2.2123 GAL.
2887086	2.0	#2DULSB5	CITY WIDE BY TW SPRAGUE ENERGY CORP	-0.185 GAL.	1.7349 GAL.
2887105	10.0	#2DULSB5	BARGE ST. GEORGE SPRAGUE ENERGY CORP	-0.185 GAL.	2.2702 GAL.
2887159	6.0	#2DULSB5	P/U METRO FUEL OIL CORP.	-0.185 GAL.	1.7826 GAL.
2887274	7.0	#2DULSDISP	DISPENSED SPRAGUE ENERGY CORP.	-0.249 GAL.	1.9873 GAL.
2887052	2.0	#4	MANH RAPID PETROLEUM	-0.185 GAL.	1.3296 GAL.
2887052	5.0	#4	BRONX RAPID PETROLEUM	-0.185 GAL.	1.3330 GAL.
2887052	8.0	#4	BROOKLYN RAPID PETROLEUM	-0.185 GAL.	1.3438 GAL.
2887052	14.0	#4	S.I. RAPID PETROLEUM	-0.185 GAL.	1.3768 GAL.
2887053	11.0	#4	QUEENS METRO FUEL OIL CORP.	-0.185 GAL.	1.3486 GAL.
2887052	3.0	#6	MANH RAPID PETROLEUM	-0.231 GAL.	1.2592 GAL.
2887052	6.0	#6	BRONX RAPID PETROLEUM	-0.231 GAL.	1.2592 GAL.
2887052	9.0	#6	BROOKLYN RAPID PETROLEUM	-0.231 GAL.	1.2742 GAL.
2887052	15.0	#6	S.I. RAPID PETROLEUM	-0.231 GAL.	1.3102 GAL.
2887054	12.0	#6	QUEENS CASTLE OIL CORPORATION	-0.231 GAL.	1.2783 GAL.
2787347	1.0	JETA	FLOYD BENNETT SPRAGUE ENERGY CORP	-0.074 GAL.	2.1998 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6242  
FUEL OIL, PRIME AND START**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 4/20/2009
2787117	1.0	#2	MANH PACIFIC ENERGY	-0.117 GAL.	1.5379 GAL.
2787117	79.0	#2	BRONX PACIFIC ENERGY	-0.117 GAL.	1.5379 GAL.
2787117	157.0	#2	QNS., BROOKLYN & S.I. PACIFIC ENERGY	-0.117 GAL.	1.5369 GAL.
2787118	235.0	#4	CITY WIDE BY TW EAST COAST PETROLEUM	-0.185 GAL.	1.5217 GAL.
2787118	236.0	#6	CITY WIDE BY TW EAST COAST PETROLEUM	-0.231 GAL.	1.5043 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6243  
FUEL OIL AND REPAIRS**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 4/20/2009
2787112	1.0	#2	MANH SJ FUEL CO. INC.	-0.117 GAL.	1.9846 GAL.
2787113	79.0	#2	BRONX PACIFIC ENERGY	-0.117 GAL.	1.3605 GAL.
2787114	157.0	#2	QNS., BROOKLYN & S.I. NU WAY FUEL OIL	-0.117 GAL.	1.5315 GAL.
2787115	234.0	#4	CITY WIDE BY TW EAST COAST PETROLEUM	-0.185 GAL.	1.4777 GAL.

**OFFICIAL FUEL PRICE SCHEDULE NO. 6244  
GASOLINE**

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 4/20/2009
2687312	2.0	E85	CITY WIDE BY TW SPRAGUE ENERGY CORP.	+0.178 GAL.	1.9846 GAL.
2787192	7.0	PREM	CITY WIDE BY TW METRO TERMINALS	+0.529 GAL.	1.7452 GAL.
2887274	6.0	PREM	CITY WIDE BY VEHICLE SPRAGUE ENERGY CORP.	+0.529 GAL.	1.9787 GAL.
2787192	1.0	U.L.	CITY WIDE BY TW METRO TERMINALS	+0.468 GAL.	1.5582 GAL.
2887274	1.0	U.L.	MANH P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0.468 GAL.	1.9293 GAL.
2887274	2.0	U.L.	BX P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0.468 GAL.	1.8293 GAL.
2887274	3.0	U.L.	BR P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0.468 GAL.	1.8293 GAL.
2887274	4.0	U.L.	QNS P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0.468 GAL.	1.8293 GAL.
2887274	5.0	U.L.	S.I. P/U BY VEHICLE SPRAGUE ENERGY CORP.	+0.468 GAL.	1.8293 GAL.

**CITY PLANNING**

■ NOTICE

**Substantial Amendment to the 2008 Consolidated Plan 12-day Public Comment Period Addendum - Homelessness Prevention and Rapid Re-Housing Program**

Pursuant to the Title XII of the American Recovery and Reinvestment Act of 2009 ("ARRA" or the "Recovery Act") the City of New York announces the 12-day public comment period for the substantial amendment to the 2008 Consolidated Plan: Addendum - Homelessness Prevention and Rapid Re-Housing Program (HPRP).

The Public Comment period will begin Thursday, April 30 and end Monday, May 11, 2009.

The HPRP was created by Congress to provide grants to States and localities to provide financial assistance and services to either prevent individuals and families from becoming homeless or help those are experiencing homelessness to be quickly re-housed and stabilized. The City

of New York is expected to receive approximately \$73,929,700 in HPRP funds.

Under existing U.S. Department of Housing and Urban Development (HUD) Consolidated Plan citizen participation regulations, substantial amendments to an approved Plan are required to undergo a 30-day comment period. However, in order to expedite the localities receiving the funds, Congress has waived this regulation and requires the Program to undergo only a 12-day public review period instead.

All comments received at the end of the comment period (close of business) will be summarized and the City's responses incorporated into the 2008 Consolidated Plan amendment addendum for submission to HUD.

The City of New York must submit the amendment to HUD by May 18, 2009 in order to be eligible to receive its allocation.

Copies of the 2008 Consolidated Plan - Addendum: Homelessness Prevention and Rapid Re-Housing Program (HPRP) will be made available at: The City Planning Bookstore, 22 Reade Street, New York, NY (10:00 A.M. - 4:00 P.M., Mon. - Fri.).

In addition, on Thursday, April 30, 2009 at 10:00 A.M. an Adobe PDF version of the amendment will be available for free downloading from the internet via both the Department of Homeless Services' and the Department of City Planning's websites at: www.nyc.gov/dhs and www.nyc.gov/planning, respectively.

Amanda M. Burden, FAICP, Director, Department of City Planning  
Robert V. Hess, Commissioner, Department of Homeless Services

a16-30

Question and comments may be directed to:  
Bill Distefano  
Director of Planning, Development and Grants  
Division of Prevention, Policy and Planning  
NYC Department of Homeless Services  
33 Beaver Street, Room 2011, New York, NY 10007  
Phone: 212-232-0563  
Email: bdistefa@dhs.nyc.gov

**POLICE**

**NOTICE**

The New York City Police Department (NYPD) is currently accepting applications for permits for the 2009 Arterial Tow Program selection process. Applications are available and may be picked up from May 4, 2009 to May 18, 2009 between the

hours of 9:00 A.M. and 5:00 P.M., Monday through Friday, at 315 Hudson Street, 3rd Floor, New York, NY 10013. Or you may download applications by visiting the City Record Website <http://a856-internet.nyc.gov/nycvendononline/VendorShort.asp/VendorMenu.asp> and follow the links to NYPD solicitations. Note: The applications will not be available for download until May 4, 2009. Completed applications will be accepted from July 6, 2009 to July 10, 2009 between the hours of 9:00 A.M. and 5:00 P.M. at 315 Hudson Street, 3rd Floor, New York, NY 10013. Completed applications are due no later than July 10, 2009 at 5:00 P.M. Any inquiries regarding this solicitation must be directed to Mr. Frank Bello, Agency Chief Contracting Officer, NYPD Contract Administration Unit, via email at [frank.bello@nypd.org](mailto:frank.bello@nypd.org) or via fax at (646) 610-5129 on or before May 18, 2009.

a1-m18

The City of New York:

**CHANGES IN PERSONNEL**

OFFICE OF THE MAYOR  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include CASERTANO, COHEN, LEVITON, LEVOFF, MUSA.

BOARD OF ELECTION  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include ALTON, CARR, CURRIE, FOSSELLA, GALLO, PORPORA, ROBINSON, SATTIE, SCHLEIFER, SIPP JR.

CAMPAIGN FINANCE BOARD  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include AMRHEIN, BRICKNER II, YIP.

OFFICE OF THE ACTUARY  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include EASY, PATHMANAPAN.

NYC EMPLOYEES RETIREMENT SYS  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include CAMERON, EDWARDS, HURLEY, SHAH, TU.

BOROUGH PRESIDENT-BRONX  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include HOFFACKER, NOLAN.

BOROUGH PRESIDENT-BROOKLYN  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Row includes SUMAN.

BOROUGH PRESIDENT-STATEN IS  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include FINELLO, VALES.

OFFICE OF THE COMPTROLLER  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include BADERO, DAVIS, SAM, YANG.

OFFICE OF EMERGENCY MANAGEMENT  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Row includes GRIMM.

OFFICE OF MANAGEMENT & BUDGET  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include BONNER, CRUZ, YI.

LAW DEPARTMENT  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include BROWN, DELUCA, DOWDELL, MAKOFSKY.

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include NASCA, YAPCHANYK.

DEPARTMENT OF CITY PLANNING  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include HOLBROOK, KIEVES, SCHILDGE.

DEPARTMENT OF INVESTIGATION  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include BERGER, NATHANIEL, SHARAVARA.

TEACHERS RETIREMENT SYSTEM  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Row includes GOLDSTEIN.

CIVILIAN COMPLAINT REVIEW BD  
FOR PERIOD ENDING 04/03/09

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include DELIA, GIORDANO, PANIZA.

POLICE DEPARTMENT  
FOR PERIOD ENDING 04/03/09

Large table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Rows include ACEVEDO, ALEXIS-ENOE, ALFONSO, ALLISON, ALMONTE, ALVARADO, ARMSTRONG, ASLAM, BAEZ, BAKER, BARTOLI, BAUTA, BAXTER-CURTIS, BOCHICCHIO, BORROME, BOUGADES, BRERETON, BRODARICK, BRUSCINO, BURNAZI, CABRERA, CAVALLO, CHOWHAN, CHRISTIE, CLANCY, CLARK, CLARK, CONYER, CORTIJO, CRAIGHEAD, CUADRADO-NAHAL, DE MARCHENA, DONOGHUE, ELLINGSGARD, ELLIOTT, ESPINAL, FARRINGTON, FERGUSON, FOX, FREDERICK-WALKE, GALLMAN-MAPP, GARDNER, GEORGE, GILL, GLADDEN, GOMEZ, GONZALEZ, HARVEY, HAYES, HAYES, HENDERSON, HERNANDEZ, HERNANDEZ, HEWITT, HILLGARDNER, INNIS, JIOIA, JOHNSON, JOHNSON, JOHNSON, JONES, JONES, JOSEPH, JOUGH, KALUK, KAPP JR., KOOI, KWASNIK, LAMONTE-STEWART, LEACOCK, LETMAN, LEZCANO, LI, LIZ-LAYTON, LONG, LOPEZ, LOVELL, LU.

LUGO	KOREA	C	71012	\$39827.0000	RESIGNED	NO	07/12/08
MACFARLANE	LORETTA		70205	\$12.7200	RETIRED	YES	03/13/09
MALLOY	TONIA		70205	\$11.5900	RESIGNED	YES	03/06/09
MARRERO	EDWARD		70210	\$40361.0000	RESIGNED	NO	03/10/09
MARTINEZ	WILMER		71651	\$33478.0000	RESIGNED	NO	02/24/09
MCCAIN	SHATERA	D	71012	\$31452.0000	APPOINTED	YES	02/25/09
MCDONALD	KRISTIN	A	21849	\$66638.0000	RESIGNED	YES	03/27/08
MCGEACHY	ANTOINET		70205	\$9.5000	RESIGNED	YES	02/12/09
MEDINA	CARMEN		70205	\$13.1000	DECEASED	YES	03/08/09
MERRITT	TAMEKA	N	71012	\$42672.0000	RESIGNED	NO	10/06/08
MINGO	CHRISTIN	A	10144	\$29503.0000	RESIGNED	YES	07/12/08
MIRANDA	MICHELLE	D	21849	\$66638.0000	RESIGNED	YES	09/30/08
MOHAMED	BRIAN	S	70260	\$104081.0000	DECEASED	NO	03/26/09
MORA	PATRICIA		60817	\$30057.0000	RESIGNED	YES	02/28/09
MUENTES	CARLOS	A	70210	\$73546.0000	RETIRED	NO	03/28/09
MURPHY	MYRIAM	M	22427	\$79579.0000	RESIGNED	YES	03/01/09
MURTAGH	JOHN	P	7021A	\$74500.0000	PROMOTED	NO	02/09/09
NATALIZIO	CURT	J	70210	\$40361.0000	RESIGNED	NO	03/19/09
NICHOLSON	PORSHEAN		60817	\$30057.0000	RESIGNED	YES	02/03/09
OLIVER	EDIE	R	71012	\$42672.0000	RESIGNED	NO	07/08/08
OSBORN	CLIFF		90644	\$26024.0000	APPOINTED	YES	08/31/08
PADILLA	KEVIN		70210	\$41965.0000	RESIGNED	NO	12/13/08
PARKE	PATRICK	M	7021A	\$74500.0000	PROMOTED	NO	02/09/09
PEDROZA	FELIX		70210	\$87186.0000	APPOINTED	NO	03/16/09
PENA	LUCIA	I	40526	\$42049.0000	INCREASE	YES	03/19/09
PENSABENE	THOMAS		91628	\$342.0000	APPOINTED	NO	03/15/09
PERALTA	LUZ		70205	\$9.5000	RESIGNED	YES	01/24/09
PEREZ	NELSON		50212	\$57.7500	APPOINTED	YES	03/22/09
PERKINS	TEEKA	C	60817	\$33964.0000	RESIGNED	NO	01/30/09
PETERSON	YVETTE	C	20272	\$44465.0000	RESIGNED	YES	01/07/09
PIAZZA	ANTHONY	P	71012	\$39827.0000	RESIGNED	NO	07/25/08
PICCOLA	ALEXANDR		70205	\$13.1000	RESIGNED	YES	03/12/09
PRIDGEN	WARDEA		10144	\$29503.0000	RESIGNED	YES	08/09/08
RADCLIFFE	FIONA	A	52110	\$59799.0000	RESIGNED	YES	05/01/08
RAPPAPORT	BERNARD		71012	\$32510.0000	RESIGNED	NO	01/30/09
RASHID	FAWAD		20248	\$88415.0000	APPOINTED	YES	03/15/09
REDFEARN	LADONNA	Y	70205	\$12.4000	RESIGNED	YES	03/11/09
RHODES	LIVONIA		70205	\$12.8600	RETIRED	YES	02/14/09
RIVERA	KARINA	Y	70206	\$13.0900	RESIGNED	YES	03/21/09
ROBINSON	MICHELLE	C	10144	\$33928.0000	APPOINTED	NO	09/28/08
ROMAN	CHRISTIN	A	60817	\$33964.0000	RESIGNED	NO	02/18/09
RUSSO	DAWN	I	10144	\$29503.0000	RESIGNED	YES	09/23/08
RUSSO	STEPHEN		70260	\$93382.0000	RETIRED	NO	03/16/09
SANCHEZ	JULIE		60817	\$30057.0000	RESIGNED	YES	02/28/09
SANTANA	GLORIA		70205	\$12.7200	RESIGNED	YES	03/12/09
SATCHELL-SOLOMO	TANEESHA	V	60817	\$30057.0000	RESIGNED	YES	01/31/09
SAUER	STEVEN	J	7023B	\$92506.0000	RETIRED	NO	03/15/09
SCHENCK	PAULA	A	10144	\$33928.0000	RESIGNED	NO	10/21/08
SECRETI	MICHAEL	J	10124	\$54807.0000	RETIRED	NO	03/25/09
SEGUINOT	ANTHONY		7021A	\$74500.0000	PROMOTED	NO	02/09/09
SHEHRIN	ZUBIDA	Z	60817	\$30057.0000	RESIGNED	YES	03/05/09
SHIRER	MELVIN	J	71012	\$42672.0000	RESIGNED	NO	04/03/08
SIMPSON	NELISSA	O	90644	\$26024.0000	RESIGNED	YES	07/09/08
SIMS	MARCIA		10144	\$33928.0000	RESIGNED	NO	08/09/08
SLADE	VALERIE		70205	\$12.4000	RESIGNED	YES	02/25/09
SMALL	SANDRA	M	71012	\$32510.0000	RESIGNED	YES	10/17/08
SMALLS	JUANITA	P	60817	\$30057.0000	RESIGNED	YES	03/05/09
SMITH	AMY		60817	\$33964.0000	RESIGNED	NO	02/06/09
SMITH	LASALLA		10144	\$33960.0000	RESIGNED	NO	05/02/08
SMITH	SABRINA	L	10144	\$33928.0000	RESIGNED	NO	06/17/08
SPELLMAN	CHRISTIN	D	60817	\$30057.0000	RESIGNED	YES	03/05/09
STEA	RICHARD	J	60817	\$30057.0000	RESIGNED	YES	01/28/09
TABOR	JOHN		70206	\$13.0900	RESIGNED	YES	02/26/09
THOMPSON	CAROL		10144	\$34038.0000	RESIGNED	NO	09/25/08
THOMS	NANCY	M	52110	\$51999.0000	RESIGNED	YES	04/02/08
TUTHILL	BRYAN	A	70210	\$40361.0000	RESIGNED	NO	03/19/09
VANN	YOLANDA	D	10144	\$33928.0000	RESIGNED	NO	11/06/08
VEGA	LYDIA	E	10147	\$41121.0000	RESIGNED	NO	05/02/08
WARD	GARRETT		7021A	\$77589.0000	DECEASED	NO	03/15/09
WEEKS	RONALD	J	7021A	\$74500.0000	PROMOTED	NO	02/09/09
WILDER	JANINE	R	21849	\$66638.0000	RESIGNED	YES	06/10/08
WILLIAMS	NICOLE	T	71012	\$39827.0000	RESIGNED	NO	11/06/08
WILLIAMS	OMARI	J	70206	\$13.0900	RESIGNED	YES	03/07/09
WILLIAMS	SHANTEL		10147	\$40956.0000	RESIGNED	NO	06/27/08
WILLIAMS	ZINOLA	S	10144	\$33928.0000	APPOINTED	NO	08/17/08
WILLIS	QUANISHA		60817	\$30057.0000	RESIGNED	NO	02/28/09
WOODSON	SONIA	I	71012	\$42672.0000	RESIGNED	NO	03/27/08
WYNTER	BEVERLY	A	10144	\$33928.0000	APPOINTED	NO	09/14/08
YU	DANNY		60817	\$30057.0000	RESIGNED	NO	01/03/09

FIRE DEPARTMENT  
FOR PERIOD ENDING 04/03/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
AYALA	SALVATOR	81803	\$35127.0000	RETIRED	YES	03/18/09	
BANKS	STACEY	Y	12627	\$65833.0000	INCREASE	YES	03/15/09
BANKS	STACEY	Y	53053	\$41133.0000	APPOINTED	NO	03/15/09
BERKOWITZ	MITCHELL	I	53055	\$76689.0000	PROMOTED	NO	08/18/08
BRZEZINSKI	STANLEY	N	70310	\$73546.0000	RETIRED	NO	03/24/09
CODY	WILLIAM	J	70314	\$76226.0000	DEMOTED	NO	03/25/09
DELGADO	TED		53053	\$44520.0000	RESIGNED	NO	03/17/09
DESIMONE	SCOTT	V	53053	\$38454.0000	APPOINTED	NO	03/14/09
FERRARI	JOSEPH	M	70310	\$58834.0000	RESIGNED	NO	03/24/09
FITTON	ANN	M	5305E	\$95458.0000	PROMOTED	NO	08/17/08
FITTON	MICHAEL	J	5305E	\$95458.0000	INCREASE	NO	05/11/08
GLASS	RICHARD	W	92510	\$259.3200	APPOINTED	NO	12/28/06
IANNUCELLI	JOHN		10251	\$35624.0000	APPOINTED	NO	03/17/09
KAVANAGH	JOHN	F	70310	\$73546.0000	DEMOTED	NO	03/17/09
KEARNEY	BRIAN	P	70360	\$94300.0000	RETIRED	NO	03/27/09
KEGHLIAN	SAMUEL	J	71010	\$30316.0000	APPOINTED	NO	03/15/09
KELLY	JOHN	P	70310	\$39722.0000	DECEASED	NO	03/22/09
LAU	KIN	C	20248	\$32.2400	INCREASE	YES	01/19/09
MARTIN	KEVIN		10124	\$44210.0000	INCREASE	YES	03/15/09
MARTIN	KEVIN		10251	\$35624.0000	APPOINTED	NO	03/17/09
MONTERA	FRANK		70360	\$94300.0000	RETIRED	NO	03/27/09
NAHMOD	ABDO		5305F	\$107000.0000	INCREASE	NO	02/03/08
POST-KELLY	NANCY	L	50959	\$65897.0000	APPOINTED	YES	03/15/09
RODRIGUEZ	DEBBIE		10251	\$32443.0000	APPOINTED	YES	03/22/09
SCARENTINO	SALVATOR		70310	\$73546.0000	DECEASED	NO	03/21/09
SCARFI	PHILIP	J	70310	\$73546.0000	RETIRED	NO	03/20/09
TRUNELL	CINDY	M	06408	\$26.9500	RESIGNED	YES	03/13/09
VEGA	JENIFFER		31105	\$19.1500	RESIGNED	NO	03/22/09
WADE	PARRESE		10124	\$49834.0000	RESIGNED	NO	03/17/09
WIENER	DAVID	F	70360	\$90673.0000	RETIRED	NO	03/17/09
WONG	KAI	S	91762	\$319.6000	RESIGNED	NO	02/19/09

ADMIN FOR CHILDREN'S SVCS  
FOR PERIOD ENDING 04/03/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ADDISON	SHERENA	P	52366	\$47655.0000	APPOINTED	YES	03/03/09
ALEXANDER	MICHELLE	O	52366	\$42797.0000	APPOINTED	NO	03/22/09
ALSTON	ANN	F	52369	\$46937.0000	RESIGNED	NO	03/20/09

ALVARADO	JOHN		52366	\$46479.0000	RESIGNED	YES	03/25/09
AMOBI	NNEKA		52367	\$69800.0000	RESIGNED	NO	03/19/08
ASSING	LAUREN	C	52366	\$42797.0000	APPOINTED	NO	03/22/09
BRANDT	GWENDOLY	D	52313	\$59563.0000	DECREASE	NO	03/03/09
CACEDA	ROSANA		52366	\$49561.0000	DISMISSED	NO	03/18/09
CAMINERO	JACQUELI		52366	\$42797.0000	APPOINTED	NO	03/22/09
CASTELLANOS	DIANA		52366	\$42797.0000	APPOINTED	NO	03/22/09
CHAPMAN	NANCY	T	52366	\$42797.0000	APPOINTED	NO	03/12/09
COOKE	JESSICA	K	30087	\$53181.0000	INCREASE	YES	03/22/09
DAY	MAURICE		52366	\$42797.0000	APPOINTED	NO	03/22/09
DEABREU QUESNEL	LAVINIA		52366	\$49561.0000	APPOINTED	NO	03/22/09
DEDJO-DJOKOTO	MAWULI		52366	\$42797.0000	APPOINTED	NO	03/22/09
DELAROSA	CARLOS		70815	\$43856.0000	DISMISSED	NO	03/24/09
DOLCE	RONELL	J	52366	\$44691.0000	RESIGNED	YES	03/13/08
EDWARDS	DARIA	M	52366	\$42797.0000	APPOINTED	NO	03/22/09
ESTRADA	RUDDOLPH	L	10056	\$76527.0000	RESIGNED	YES	11/09/08
ETIENNE	REGINE	U	60910	\$44048.0000	APPOINTED	NO	03/19/09
FERNANDEZ	DAVID		52366	\$47655.0000	RESIGNED	YES	03/14/08
FOLEY	JILL	M	30087	\$60074.0000	INCREASE	YES	03/15/09
GENROSS	EBONY	K	52366	\$42797.0000	APPOINTED	NO	03/22/09
GHEBRAT	CHRISTOP		52366	\$44691.0000	RESIGNED	YES	03/14/08
GIMEIN	TATYANA		10025	\$77411.0000	RETIRED	YES	07/02/08
GITTENS	JACQUELI	S	56093	\$49144.0000	INCREASE	YES	03/17/09
GLASGOW	ROBIN	N	52366	\$42797.0000	TERMINATED	NO	03/13/09
GOODHOPE	COURTNEY		52366	\$42797.0000	APPOINTED	NO	03/22

## LATE NOTICES

### MAYOR'S OFFICE OF CONTRACT SERVICES

#### NOTICE

#### NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 3 Competitive Sealed Proposals** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

#### Basis and Purpose of the Amendment

For the most part, the amendment makes a series of changes to conform section 3-03 to changes that have occurred in the law. The amendment to section 3-03 requires the Agency to give notice in RFPs of the M/WBE and EBE requirements of section 6-129 of the Administrative Code, where applicable, as well as extending the time for proposal preparation for proposals subject to the M/WBE and EBE requirements. The amendment also provides for the extension of the time to hold open the receipt of proposals, with CCPO approval, where necessitated by generally applicable emergency circumstances.

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Section 1. Paragraphs (17) and (19) of subdivision (a) of section 3-03 of Title 9 of the Rules of the City of New York are amended as follows:

\* \* \*

(a) The Request for Proposals (RFP) – Contents. RFPs shall include the following data:

\* \* \*

(17) a notice that contract award is subject, if applicable, to Section 6-129 of the New York City Administrative Code (M/WBE and EBE Program), as well as to applicable provisions of federal, State, and other local laws and executive orders requiring affirmative action and equal employment opportunity;

\* \* \*

(19) [if applicable for construction and construction-related services contracts,] a notice, for those contracts not otherwise subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE Program), that contract award is subject to the provisions of Section 6-108.1 of the New York City Administrative Code relating to the LBE program and its [implementation]implementing rules;

#### Section 2. Paragraph (1) of subdivision (c) of section 3-03 of Title 9 of the Rules of the City of New York is amended to read as follows:

(c) Proposal Preparation Time and Form.

(1) Proposal preparation time shall be set to provide vendors a reasonable time to prepare their proposals. A minimum of twenty days shall be provided. For those proposals which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program), a minimum of twenty seven (27) days shall be provided. The manner in which proposals are to be submitted, including any forms for that purpose, shall be designated as a part of the RFP.

#### Section 3. Subparagraph (i) of paragraph (1) of subdivision (d) of section 3-03 of Title 9 of the Rules of the City of New York is amended as follows:

(1) Notice of Solicitation.

(i) Distribution. RFPs or notices of their availability and their notices of solicitation shall be posted on the City's website in a location that is accessible to the public simultaneously with their publication. RFPs and their notices of solicitation shall also be mailed, faxed, hand delivered, or otherwise furnished to a sufficient number of vendors, including all vendors on the bidders list at least twenty (20) days prior to the due date, or within the time frames authorized by Section 3-03 (h). An agency may, upon request of a vendor, provide RFPs or notices electronically. For those proposals which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program), a minimum of twenty seven (27) days prior to the due date shall be provided.

#### Section 4. Clause (C) of subparagraph (ii) of paragraph (1) of subdivision (d) of section 3-03 of Title 9 of the Rules of the City of New York, relating to the posting of RFPs and their notices of solicitation on the City's

website, is REPEALED.

#### Section 5. Paragraph (5) of subdivision (f) of section 3-03 of Title 9 of the Rules of the City of New York is amended as follows:

(f) RFP Handling Procedures.

\* \* \*

(5) Handling and Acceptance of Late Proposals. A late proposal may only be accepted when it is determined by the ACCO that it is in the best interest of the City to do so. In such event, the ACCO may hold open the receipt of proposals by no more than three hours, during which time no other competing proposal may be opened. The ACCO may, upon written approval by the CCPO, hold open the receipt of proposals by longer than three hours, but until no later than the original submission time on the next business day; such approval may be given by the CCPO only where the need for holding the receipt of proposals open for a longer time arises from generally applicable emergency circumstances, such as weather or transit emergencies. An opened proposal shall eliminate the [possibility] option of accepting any late proposal. Where an ACCO has determined that it is in the best interest of the City to accept a late proposal, any other late proposal received during the period of extension shall be similarly accepted.

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#### NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 3 Intergovernmental Purchases** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

#### Basis and Purpose of the Amendment

The amendment conforms the record requirement of section 3-09 to section 316 of the NYC Charter and LL 16 of 2004 by requiring the ACCO to determine that the price for purchases of services and construction is fair and reasonable when making an intergovernmental or cooperative purchase.

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Paragraph (1) of subdivision (e) of section 3-09 of Title 9 of the Rules of the City of New York is amended as follows:

\* \* \*

(e) Record. Records shall include at a minimum:

(1) the determination that for goods the price is lower than the prevailing market price; for services or construction that the price is fair and reasonable; and including an explanation of how such determination was made;

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#### NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 4 Contract Changes** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

#### Basis and Purpose of the Amendment

The amendment changes the threshold for cumulative contract changes requiring CCPO approval from the greater of ten percent of the original contract amount or \$100,000 to the greater of ten percent of the original contract amount or \$500,000, in light of the increased costs of procuring goods, services and construction.

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Subparagraph (ii) of paragraph (1) of subdivision (b) of section 4-02 of Title 9 of the Rules of the City of New York is amended as follows:

(ii) changes in contract amount due to authorized additional or omitted work. Any such changes require appropriate price and cost analysis to determine reasonableness. In addition, except for non-construction requirements contracts, all changes that cumulatively exceed the greater of ten percent of the original contract amount or ~~[\$100,000]~~ \$500,000 shall be approved by the CCPO;

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#### NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 4 Resolution of Disputes Arising Out of Contract Administration** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public

hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

#### Basis and Purpose of the Amendment

The amendment to section 4-09 provides that dispute resolution shall not apply to terminations of contracts other than for cause. The amendment also clarifies that (1) work under a contract shall continue during the dispute resolution process unless otherwise directed by the ACCO or Engineer, and (2) the rule applies to all disputes except as otherwise provided by the rule. The purpose of this last change in the amendment is to conform the rules to the decision of the Appellate Division, First Department in Big Apple Physical Therapy v. Fire Department of the City of New York, 24 A.D.3d 168 (1st Dept. 2005). The purpose of the other changes is to promote clarity and efficiency in the process of dispute resolution.

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Section 1. Subdivisions (a) and (c) of section 4-09 of Title 9 of the Rules of the City of New York is amended as follows:

#### Section 4-09 RESOLUTION OF DISPUTES ARISING OUT OF CONTRACT ADMINISTRATION.

(a) Applicability. Except as provided in (1) and (2) below, [T]his section shall apply to all disputes between the City and a vendor that arise under, or by virtue of, a contract between them. All contracts shall include a clause providing that all such disputes [of the kind delineated herein] shall be finally resolved in accordance with the provisions of this section. Parties to contracts that do not contain this clause may by written agreement consent to the resolution of any disputes pursuant to this section.

(1) This section shall not apply to disputes concerning matters dealt with in other sections of these Rules or to disputes involving patents, copyrights, trademarks, or trade secrets (as interpreted by the courts of New York State) relating to proprietary rights in computer software, or to termination other than for cause.

(2) For construction, this section shall apply only to disputes about the scope of work delineated by the contract, the interpretation of contract documents, the amount to be paid for extra work or disputed work performed in connection with the contract, the conformity of the vendor's work to the contract, and the acceptability and quality of the vendor's work; such disputes arise when the Engineer, Resident Engineer, Engineering Audit Officer, or other designee of the Agency Head under the contract (as defined in the contract) makes a determination with which the vendor disagrees. For construction, this section shall not apply to termination of the contract for cause or other than for cause.

(c) Work to Continue. During such time as any dispute is being presented, heard, and considered pursuant to this section, the contract terms shall remain in force and, unless otherwise directed by the ACCO or Engineer, work shall continue as directed [by the ACCO or Engineer]. Failure of the vendor to continue the work as directed shall constitute a waiver by the vendor of its claim.

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#### NOTICE OF ADOPTION OF FINAL RULE

The Procurement Policy Board has adopted an amendment to **Chapter 2 Responsiveness of Bids/ Proposals** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

#### Basis and Purpose of the Amendment

The amendment requires the agency to inform a vendor in a notice of non-responsiveness that award of the contract shall be stayed if the vendor appeals unless otherwise determined by the ACCO. The amendment also requires the agency to inform the vendor in the notice of non-responsiveness if the award has not been stayed pursuant to an ACCO determination, or, if a determination is made to lift the stay after the notice of non-responsiveness, to notify the vendor no later than 2 business days after the determination to lift the stay is made. The purpose of the amendment is to clarify the process that needs to be followed for non-responsiveness determinations.

#### The Amended Rule

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

#### Subdivisions (b) and (e) of section 2-07 of Title 9 of the Rules of the City of New York are amended as follows:

#### Section 2-07 RESPONSIVENESS OF BIDS/ PROPOSALS.

\* \* \*

(b) Determination of Non-Responsiveness. If the lowest price bid or any proposal is found non-responsive, a determination, setting forth in detail and with specificity the reasons for such finding, shall be made by the ACCO. A copy of such determination shall be mailed to the non-responsive vendor no later than two business days after the determination is made, and the agency shall inform

the vendor of the right to appeal as set forth herein. Such notice shall also inform the vendor that, if an appeal is taken, award of the contract shall be stayed pending the determination of the Agency Head, unless the ACCO makes a determination and informs the vendor, pursuant to subdivision (e) of this Rule, that the award will not be stayed because proceeding with the award without delay is necessary to protect substantial City interests.

\* \* \*

(e) Appeal. All non-responsive determinations may be appealed as set forth herein.

\* \* \*

(3) Stay of Award of Contract Pending Agency Head Determination. Award of the [procurement] contract shall be stayed pending the determination of the Agency Head, unless the ACCO makes a determination that proceeding with the [procurement] award without delay is necessary to protect substantial City interests. Where such a determination is made, the vendor shall be advised of this action in the determination of non-responsiveness or, if the stay is removed at any time after the vendor has been notified of determination of non-responsiveness, notification shall be provided to the vendor no later than two business days after such determination is made. The Agency Head shall consider the appeal, and may, in his or her sole discretion, meet with the vendor to discuss the merits of the appeal. The Agency Head shall make a prompt determination with respect to the merits of the appeal, a copy of which shall be sent to the vendor. The Agency head's determination shall be final. The Agency head shall not delegate the authority to make a determination on the appeal to the ACCO.

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**NOTICE OF ADOPTION OF FINAL RULE**

The Procurement Policy Board has adopted an amendment to **Chapter 3 Small Purchases** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

**Basis and Purpose of the Amendment**

The amendment requires agencies to obtain CCPO approval in order to solicit additional vendors, such as those known to them from prior solicitations, for small purchase opportunities. The amendment requires agencies otherwise to direct such solicitations to those randomly solicited from the appropriate citywide bidders lists and through methodologies otherwise sanctioned by DSBS. This will promote fairness and increase competition, by allowing vendors, including minority-owned, women-owned and emerging business enterprises greater access to small purchase opportunities.

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Section 1. Subparagraph (iii) of paragraph (1) of subdivision (c) of section 3-08 of Title 9 of the Rules of the City of New York is amended as follows:**

**Section 3-08 SMALL PURCHASES.**

\* \* \*

(c) Scope.

(1) Competition Objective.

\* \* \*

(iii) For procurements in value over \$5,000 through the small purchase limits, at least five vendors shall be solicited at random from the appropriate citywide small purchases[bidder] bidders list established by the CCPO for the particular goods, services, construction, or construction-related services being purchased, except where the bidders list consists of fewer than five vendors, in which case all vendors on the list shall be solicited. [The agency may additionally solicit vendors who have responded to prior solicitations or whose names have been obtained through referrals from other City agencies, commercial buyers, or general market research]. Agencies may additionally employ any small purchase technique sanctioned by DSBS that is not otherwise in violation of these Rules. The agency may solicit additional vendors but only with the approval of the CCPO. Responsive bids or offers shall be obtained from at least two vendors. For purposes of this section, a response of "no bid" is not a responsive bid. If only one responsive bid or offer is received in response to a solicitation, an award may be made to that vendor if the Contracting Officer determines that the price submitted is fair and reasonable and that other vendors had reasonable opportunity to respond.

\* \* \*

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**NOTICE OF ADOPTION OF FINAL RULE**

The Procurement Policy Board has adopted an amendment to **Chapter 3 Small Purchases** of its Rules pursuant to

Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

**Basis and Purpose of the Amendment**

The amendment requires agencies to use a written solicitation for all small purchases of services, in light of the differing nature of the purchase of goods and services.

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Section 1. Subparagraph (i) of paragraph (2) of subdivision (c) of section 3-08 of Title 9 of the Rules of the City of New York is amended as follows:**

(2) Solicitation Methods and Use.

(i) Agencies shall use the following solicitation methods for small purchases valued at more than \$5,000:

- (A) for small purchases of goods valued at not more than \$25,000, an oral or written solicitation describing the requirements, or
- (B) for small purchases of goods valued at more than \$25,000, a written solicitation describing the [requirement] requirements, and
- (C) for small purchases of services, a written solicitation describing the requirements.

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**NOTICE OF ADOPTION OF FINAL RULE**

The Procurement Policy Board has adopted an amendment to **Chapter 2 Multi-Term Contracts (Client Services)** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

**Basis and Purpose of the Amendment**

The amendment allows the agency to include language in its public hearing notice that allows the Agency to cancel the public hearing on its annual plan if no written request to testify is received within ten business days after publication, or a shorter period if approved by the CCPO. The amendment also changes the time the public hearing notice must be published to 15 days prior to the hearing date. The purpose of this amendment is to conform the hearing requirement for annual plans to the requirements for hearings on contracts.

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Paragraph 3 of Subdivision (c) of section 2-04 of Title 9 of the Rules of the City of New York is amended, and such subdivision (c) is further amended by adding a new paragraph (4) and renumbering paragraphs (4), (5) and (6) as paragraphs (5), (6) and (7), respectively, as follows:**

(c) Planning.

\* \* \*

(3) The agency shall issue the draft Plan within 30 days following the submission of the executive budget. The agency shall hold a public hearing on the draft plan within 20 days of its issuance. Notice of such public hearing shall be published once in the City record not less than [10]15 days prior to the hearing date. Such notice shall include:

(4) The agency may include in its notice of public hearing a provision that if the agency does not receive, within 10 business days after publication of such notice or shorter period approved by the CCPO, from any individual a written request to speak at such hearing, then the agency need not conduct such hearing. Should the agency choose not to conduct such hearing, the agency shall publish a notice in the City Record canceling such hearing.

(5) [4] Following the public hearing, the agency shall prepare a final Plan. The final Plan shall be submitted to the agency's ACCO for approval.

(6) [5] The agency shall submit to the CCPO by August 31 a copy of the Plan approved by the ACCO.

(7) [6] The approved final Plan shall be issued no later than September 30 of the year in question.

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**NOTICE OF ADOPTION OF FINAL RULE**

The Procurement Policy Board has adopted an amendment to

**Chapter 3 Competitive Sealed Bidding** of its Rules pursuant to Section 311 of the New York City Charter. The amendment was published on January 14, 2009 in the City Record. A public hearing was held on February 18, 2009. The amendment was adopted by the Procurement Policy Board on March 4, 2009.

**Basis and Purpose of the Amendment**

The amendment to section 3-02 requires the Agency to give notice in invitations for bids of the M/WBE and EBE requirements of section 6-129 of the Administrative Code, where applicable, as well as extending the time for proposal preparation for proposals subject to the M/WBE and EBE requirements. The amendment also requires the DSBS to maintain a list of certified M/WBE and EBE businesses and requires that a summary or transcript of pre-bid or pre-solicitation conferences be posted on the City's website. Finally, in light of current law, the amendment deletes the provision relating to awards other than to the low bidder. The amendment makes a series of changes to conform section 3-02 to changes that have occurred in the law.

**The Amended Rule**

In the amendment, which immediately follows this notice, new material is underlined and deletions are bracketed.

Jose Maldonado, Chair

**Section 1. Subparagraph (xiv) of paragraph (2) of subdivision (b) of section 3-02 of Title 9 of the Rules of the City of New York is amended as follows:**

(xiv) a notice that contract award is subject, if applicable, to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program), as well as to applicable provisions of federal, State, and other local laws and executive orders requiring affirmative action and equal employment opportunity;

**Section 2. Paragraph (2) of subdivision (b) of section 3-02 of Title 9 of the Rules of the City of New York is amended by adding a new subparagraph (xix), to read as follows:**

(xix) a statement that the bidder will be required to comply, if applicable, with Section 220/230 of the New York State Labor Law, Section 6-109 of the New York Administrative Code, Mayoral Executive Order 102 of 2006, and with all other federal, State, and local labor laws and regulations, including but not limited to providing on-the-job training opportunities and payment of prevailing wages and living wages; and

**Section 3. Subparagraph (xix) of paragraph (2) of subdivision (b) of section 3-02 of Title 9 of the Rules of the City of New York is renumbered subparagraph (xx), and clauses (H), (I) and (J) of such subparagraph are amended to read as follows:**

[(xix)] (xx) where applicable for construction contracts, the following shall be additionally included:

\* \* \*

(H) a requirement that for projects on which more than one prime contractor will be involved, all bidders examine the invitation for bid packages for all other parts of the project; and

(I) [a statement that the bidder will be required to comply with Section 220/230 of the New York State Labor Law and with all other federal, State, and local labor laws and regulations, including but not limited to providing on-the-job training opportunities and payment of prevailing wages; and]

[(J)] a notice, for those contracts not otherwise subject to Section 6-129 of the New York Administrative Code (M/WBE and EBE Program), that contract award is subject to the provisions of Section 6-108.1 of the New York City Administrative Code relating to the LBE program and its implementing rules.

**Section 4. Subparagraph (i) of paragraph (1) of subdivision (e) of section 3-02 of Title 9 of the Rules of the City of New York is amended to read as follows:**

(1) Notice of Solicitation.

(i) Distribution. IFBs or notices of their availability shall be mailed, faxed, hand delivered, or otherwise furnished [at least fifteen days in advance of the due date for the bids] to a sufficient number of [vendor]vendors, including all vendors on the bidders list for the purpose of securing competition. Such IFBs or notices shall be sent at least fifteen (15) days in advance of the due date for bids, or at least twenty-two (22) days in advance of the due date for bids which are subject to Section 6-129 of the New York City Administrative Code (M/WBE and EBE program). An agency may, upon request of a vendor, provide IFBs or notices electronically. Where the notice does not include all IFB documents, an additional five (5) days shall be allowed. Notices of availability shall indicate, at minimum:

(A) the name of the agency and, if appropriate, the specific division or bureau soliciting the bids;

(B) title and brief description of the goods, services, or construction required;

(C) specific information about how, when, and where the IFB is available;

(D) the required fee or deposit amount, if any, for obtaining the IFB;

(E) the time, date, and location of any pre-bid conference or site visit, if any, and if attendance is mandatory;

(F) the date, time, and location for the receipt and opening of bids; and

(G) if applicable, the name and phone number of the agency contact person.

Section 5. Subclause (g) of clause (B) of subparagraph (ii) of paragraph (1) of subdivision (e) of section 3-02 of Title 9 of the Rules of the City of New York is amended, and a new subclause (h) is added, to read as follows:

(B) Content. Such notice shall include:

\*\*\*

(g) required vendor qualifications or eligibility requirements, if any[,] and

(h) A statement, if applicable, that the solicitation is subject to Section 6-129 of the Administrative Code (MWBE and EBE program).

Section 6. Paragraphs (1) and (2) of subdivision (f) of section 3-02 of Title 9 of the Rules of the City of New York are amended to read as follows:

(f) Bidder Lists.

(1) Lists of vendors interested in being solicited for bids shall be compiled and maintained by the procuring agency. In addition, the CCPO may authorize one or more agencies to maintain citywide bidders' lists. Bidders lists shall be classified by standard categories of goods, services, and construction that are sufficiently detailed to provide meaningful distinctions among categories. Bidders lists shall include the names, addresses, EIN, e-mail addresses, and telephone numbers of the vendors[, and, if known, the minority and women vendor status as]. In addition, DSBS shall maintain a list of businesses certified by [DSBS] that agency as [ . Each agency shall make reasonable efforts to ensure inclusion of] minority [and] owned, women[']s business] owned and emerging business enterprises [on its bidders lists].

(2) The CCPO shall cause to be continuously published in the City Record notice of the availability of applications for vendors to be added to agency bidder lists for goods, services, and construction regularly procured by the City. Every effort shall be made to publish notice in a manner that [will encourage applications from] encourages minority, [and] women[']s and emerging business enterprises to certify with DSBS.

Section 7. Subdivision (h) and paragraph (4) of subdivision (i) of section 3-02 of Title 9 of the Rules of the City of New York are amended to read as follows:

(h) Pre-Bid or Pre-Solicitation Conferences. Pre-bid or pre-solicitation conferences may be conducted by the ACCO to explain the procurement requirements. Written notice of any conference shall be provided to all prospective vendors. A pre-bid conference should be held long enough after the IFB has been issued to allow bidders to become familiar with [it] the solicitation documents, but sufficiently before bid opening to allow consideration of the conference results in preparing their bids. Nothing stated at the pre-bid conference shall change the IFB unless a change is made by amendment as provided in this section. A summary or transcript of the conference shall be prepared[,] and [if a transcript is made] shall be [a public record] made available and shall be posted on the City's website. A record of attendance shall be kept of all conferences, and shall be made available and shall be posted on the City's website.

(i) Amendments to IFBs.

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(4) Timeliness. Amendments shall be distributed within a reasonable time to allow prospective vendors to consider them in preparing their bids. If the time and date set for receipt of bids will not permit such preparation, such time shall be increased to the extent possible, and stated in the amendment or [, if necessary,] shall be communicated by electronic mail, facsimile, or telephone and confirmed in the amendment. A notice of amendment shall be posted on the City's website.

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Section 8. Subparagraph (i) of paragraph (2) of subdivision (p) of section 3-02 of Title 9 of the Rules of the City of New York is amended to read as follows:

(2) Vendor Selection. In the case of low tie bids, the ACCO shall break the tie in the following order of priority:

(i) Select a certified New York City [small, ]minority [or] owned, woman-owned or emerging business entity bidder;

Section 9. Subdivision (u) of section 3-02 of Title 9 of the Rules of the City of New York, relating to Selection of Other Than or in Addition to the Lowest Responsible Bidder, is REPEALED, and subdivisions (v), (w) and (x) of such section are relettered subdivisions (u), (v) and (w), respectively.

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

"These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv" NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

DESIGN AND CONSTRUCTION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 7, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and LiRo Engineers, Inc., 3 Aerial Way, Syosset, NY 11791, for PW348-52, Construction Management/Design/Build for Remediation and Monitoring of City-Owned Petroleum Contaminated Sites, Citywide and Upstate New York. The contract amount shall be \$26,592,500. The contract term shall be 1,095 Consecutive Calendar Days from the date of registration. PIN#: 8502009VP0006P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Kareem Alibocas at (718) 391-3038.

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and URS Corporation - New York, One Penn Plaza, Suite 610, New York, NY 10119, for PW348-53, Construction Management/Design/Build for Remediation and Monitoring of City-Owned Petroleum Contaminated Sites, Citywide and Upstate New York. The contract amount shall be \$26,592,500. The contract term shall be 1,095 Consecutive Calendar Days from the date of registration. PIN#: 8502009VP0007P.

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

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Kareem Alibocas at (718) 391-3038.

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HOMELESS SERVICES

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 7, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Homeless Services and Women In Need, Inc., 115 West 31st Street, New York, NY, 10001, to develop and operate a transitional residence for homeless families located at Southern Boulevard Residence, 430 Southern Boulevard, Bronx, NY, 10455, Community Board 1. The total contract amount shall be \$49,358,795. The contract term shall be from July 1, 2009 to June 30, 2014, with one four-year option to renew from July 1, 2014 to June 30, 2018. PIN#:071-09S-03-1360.

The proposed contractor has been selected by means of the Competitive Sealed Proposal Method (Open Ended Request for Proposals), pursuant to Section 3-03 (b) (2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY, 10004, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and holidays from 9:00 A.M. to 5:00 P.M.

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JUVENILE JUSTICE

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 7, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Juvenile Justice and Charles Jin Medical Service P.C., 8 Dorset Road, Great Neck, New York, 11020 for the provision of psychiatry services to youth in detention. The contract amount shall be \$2,474,988. The contract term shall be from July 1, 2009 to June 30, 2012, with one three-year option to renew. PIN#: 13007DJJ011A.

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

A draft copy of the proposed contract is available for public inspection at the Department of Juvenile Justice, 110 William Street, 14th floor, New York, NY 10038, on business days, from April 24, 2009 to May 7, 2009, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

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LAW

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 7, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

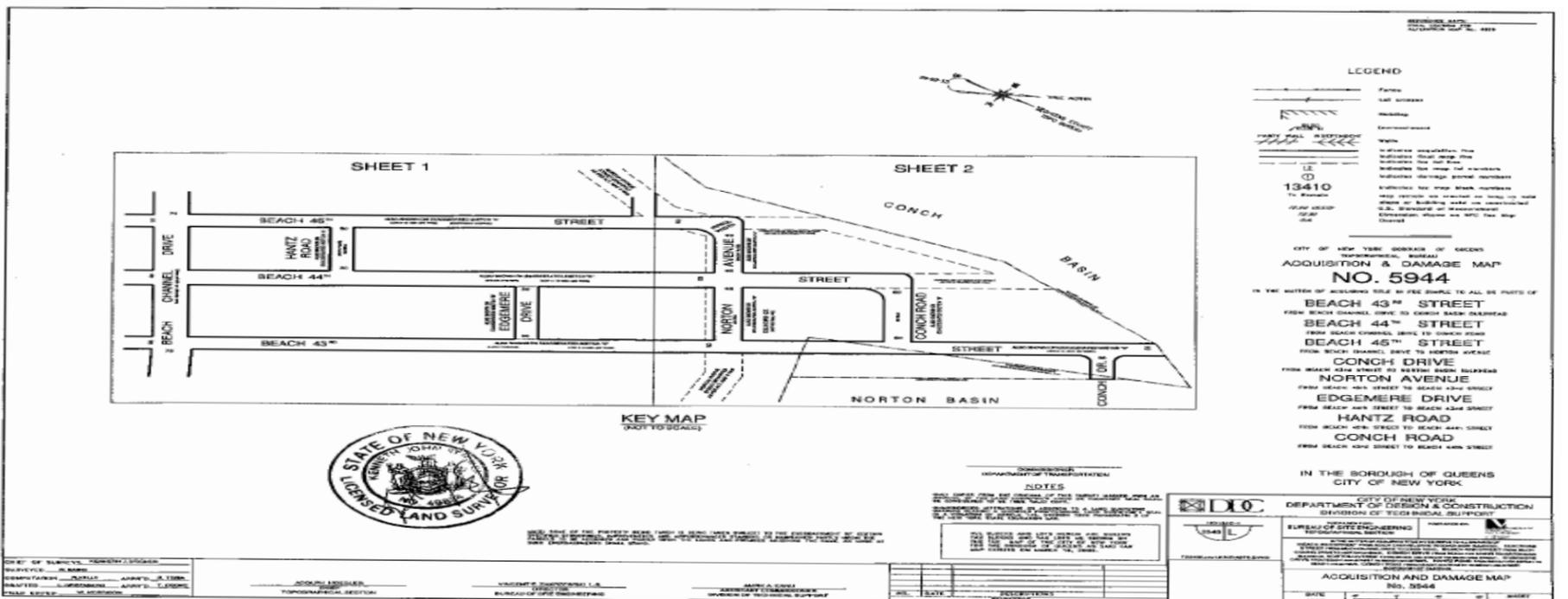
IN THE MATTER of a proposed contract between the New York City Law Department and JurisSolutions, Inc. 550 Old Country Road, Hicksville, New York 11801, for the provision of Independent Medical Examinations, Independent Medical Record Reviews and Related Services. The cost of the contract is an amount not to exceed \$1,108,705.00. The contract term shall be from May 9, 2009 to June 30, 2012 with one two-year option to renew from July 1, 2012 to June 30, 2014. PIN#: 02509X100A17.

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

A draft copy of the proposed contract is available for public inspection at the New York City Law Department, 100 Church Street, Fourth Floor East Reception Area, New York, New York 10007, from April 24, 2009 to May 7, 2009, excluding Saturdays, Sundays and Holidays, from 9:30 A.M. to 5:00 P.M.

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COURT NOTICE MAPS FOR BEACH 43RD STREET ET AL.









# 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](http://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 <http://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.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 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.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

## 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.