



THE CITY RECORD

Official Journal of The City of New York

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THE CITY RECORD

ERIC L. ADAMS Mayor

DAWN M. PINNOCK Commissioner, Department of Citywide Administrative Services

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOROUGH PRESIDENT - BROOKLYN

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Brooklyn Borough President has scheduled a hearing on Thursday, January 4, 6:00 P.M. at Brooklyn Borough Hall, 209 Joralemon Street for the Brooklyn Borough Board to review a Citywide text amendment proposed by the Department of City

Planning known as the City of Yes. The City of Yes (Economic Opportunity) proposal would remove limitations on businesses, and support thriving commercial centers and retail streets. This text amendment would facilitate the repurposing of existing non residential space by providing with business with additional zoning flexibility to locate and expand.

Accessibility questions: Carol-Ann Church (718) 802-4836, by: Wednesday, December 27, 2023, 3:00 P.M.



d20-j4

CITY PLANNING COMMISSION

PUBLIC HEARINGS

The City Planning Commission will hold a public hearing accessible both in-person and remotely via the teleconferencing application Zoom, at 10:00 A.M. Eastern Daylight Time, on Wednesday, January 3, 2024, regarding the calendar items listed below. The public hearing will be held in person in the NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY. Anyone attending the meeting in-person is encouraged to wear a mask.

The meeting will be live streamed through Department of City Planning's (DCP's) website and accessible from the following webpage, which contains specific instructions on how to observe and participate, as well as materials relating to the meeting: https://www.nyc.gov/site/nycengage/events/city-planning-commission-public-meeting/461663/1

Members of the public attending remotely should observe the meeting through DCP's website. Testimony can be provided verbally by joining the meeting using either Zoom or by calling the following number and entering the information listed below:

877 853 5247 US Toll-free
888 788 0099 US Toll-free
253 215 8782 US Toll Number
213 338 8477 US Toll Number

Meeting ID: **618 237 7396**
[Press # to skip the Participation ID]
Password: 1

To provide verbal testimony via Zoom please follow the instructions available through the above webpage (link above).

Written comments will also be accepted until 11:59 P.M., one week before the date of vote. Please use the CPC Comments form that is accessible through the above webpage.

Please inform the Department of City Planning if you need a reasonable accommodation, such as a sign language interpreter, in order to participate in the meeting. The submission of testimony, verbal or written, in a language other than English, will be accepted, and real time interpretation services will be provided based on available resources. Requests for a reasonable accommodation or foreign language assistance during the meeting should be emailed to [AccessibilityInfo@planning.nyc.gov] or made by calling [212-720-3508]. Requests must be submitted at least five business days before the meeting.

BOROUGH OF BROOKLYN
Nos. 1 - 3
JENNINGS HALL EXPANSION
No. 1

CD 1 **C 230255 ZMK**
IN THE MATTER OF an application submitted by St. Nicks Alliance pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

- 1. changing from an R6B District to an R7A District property bounded by Powers Street, a line 290 feet easterly of Bushwick Avenue, a line midway between Powers Street and Grand Street, and a line 100 feet easterly of Bushwick Avenue; and
- 2. changing from an R7A District to an R7X District property bounded by Powers Street, a line 100 feet easterly of Bushwick Avenue, a line midway between Powers Street and Grand Street, and a line 200 feet easterly of Bushwick Avenue, Grand Street, and Bushwick Avenue;

as shown on a diagram (for illustrative purposes only) dated September 11, 2023, and subject to the conditions of CEQR Declaration E-729.

No. 2

CD 1 **N 230256 ZRK**
IN THE MATTER OF an application submitted by St. Nicks Alliance pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

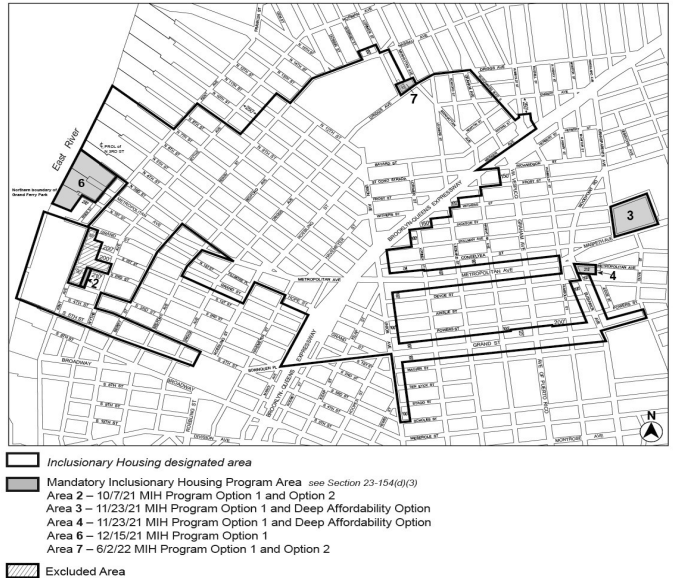
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Brooklyn Community District 1

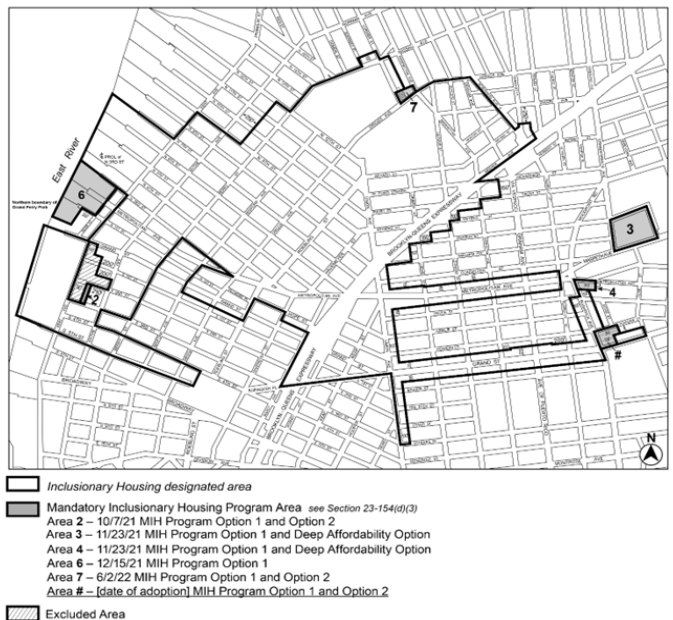
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Map 2 – [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Portion of Community District 1, Brooklyn

* * *

BOROUGH OF QUEENS
No. 3

24-02 49th AVENUE DEP SITE SELECTION AND ACQUISITION
CD 2 **C 240068 PCQ**
IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 24-02 49th Avenue (Block 71, p/o Lot 7501, also known as Condominium Lot C1061) for use as a laboratory facility and 25-20 Borden Avenue (Block 68, p/o Lot 55) for use as public utility/fleet vehicle storage, Borough of Queens, Community District 2.

BOROUGH OF QUEENS
No. 4

21-17 37th AVENUE REZONING

CD 1 **C 230306 ZMQ**
IN THE MATTER OF an application submitted by 21-17 37th Ave LLC pursuant to Sections 197-c and 201 of the New York City Charter for

an amendment of the Zoning Map, Section No. 9b, by changing from an M1-1 District to an M1-5 District property bounded a line 90 feet northeasterly of 37th Avenue, 22nd Street, 37th Avenue, and 21st Street, as shown on a diagram (for illustrative purposes only) dated September 11, 2023, and subject to the conditions of CEQR Declaration E-718.

BOROUGH OF MANHATTAN
Nos. 5 & 6
EAST 94TH STREET REZONING
No. 5

CD 8 **C 230241 ZMM**
IN THE MATTER OF an application submitted by LM East 94 LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6b

- changing from an M1-4 District to a C2-8 District property bounded a line 315 feet westerly of Second Avenue, a line midway between East 95th Street and East 94th Street, a line 125 feet westerly of Second Avenue, and East 94th Street;
- changing from an M1-4 District to a C4-6 District property bounded a line 125 feet easterly of Third Avenue, a line midway between East 95th Street and East 94th Street, a line 315 feet westerly of Second Avenue, and East 94th Street;

as shown on a diagram (for illustrative purposes only) dated October 16, 2023, and subject to the conditions of CEQR Declaration E-739.

CD 8 **No. 6** **N 230242 ZRM**

IN THE MATTER OF an application submitted by LM East 94 LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

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

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

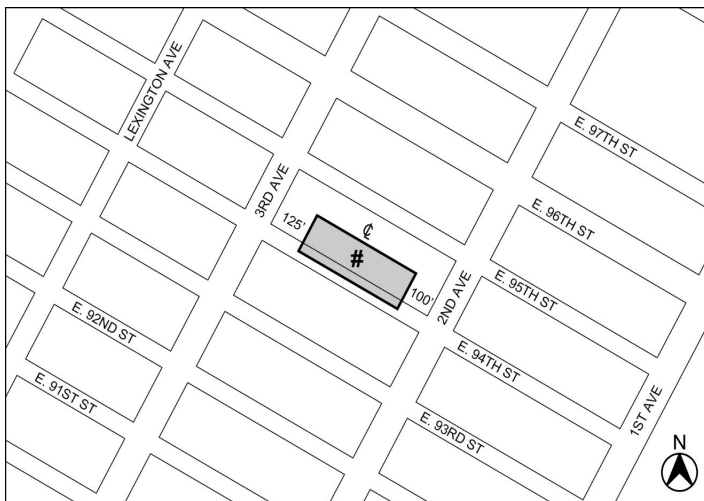
* * *


Manhattan Community District 8

* * *

Map 2 [date of adoption]

[PROPOSED MAP]



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

Portion of Community District 8, Manhattan

* * *

Sara Avila, Calendar Officer
City Planning Commission
120 Broadway, 31st Floor, New York, NY 10271
Telephone (212) 720-3366

Accessibility questions: (212) 720-3508, AccessibilityInfo@planning.nyc.gov, by: Tuesday, December 26, 2023, 5:00 P.M.



d15-j3

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BRONX

COMMUNITY BOARD NO. 03 - Tuesday, January 9, 2024, 6:00 P.M., Children's Circle Day Care Center, located at 1332 Fulton Avenue, Bronx, NY 10456

A Public Hearing on the "City of Yes for Economic Opportunity." A proposed citywide Zoning Text Amendment (N240010ZRY and N240011ZRY) by the NYC Department of City Planning. This text amendment would facilitate the repurposing of existing nonresidential space by providing businesses with additional zoning flexibility to locate and expand. The proposed zoning text amendment would apply to all 59 of the city's Community Districts.



d18-j9

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

BOROUGH OF BRONX

COMMUNITY BOARD NO. 3 Tuesday, January 9, 2024, at 6:00 P.M., at Children's Circle Day Care Center located at 1332 Fulton Avenue, Bronx, NY 10456.

U.L.U.R.P. Application # C240175 PQX

IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 1169 Washington Avenue (Block 2389, p/o Lot 47) to facilitate the development of a building containing approximately 34 affordable housing units, Borough of the Bronx, Community District 3.

U.L.U.R.P. Application # C240174 HAX

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 404 Claremont Parkway (Block 2896, Lot 96), 1169 Washington Avenue (Block 2389, Lot 47), and 12 Gouverneur Place (Block 2388, Lot 55) 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 to be selected by HPD;
- To facilitate the development of three buildings containing an approximate total of 71 affordable housing units, Borough of the Bronx, Community District 3.



d20-j9

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN that the Franchise and Concession Review Committee, will hold a public meeting, on

Wednesday, January 10, 2024, at 2:30 P.M., at 22 Reade Street, Spector Hall, New York, NY 10007. For further information on accessibility or to make a request for accommodations, such as sign language interpretation services, please contact the Mayor's Office of Contract Services (MOCS) via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at (212) 298-0734. Any person requiring reasonable accommodation for the public hearing should contact MOCS at least five (5) business days in advance of the hearing to ensure availability.

Accessibility questions: 212- 298-0734, by: Wednesday, January 3, 2024, 2:30 P.M.



d21

OFFICE OF LABOR RELATIONS

MEETING

The New York City Deferred Compensation Board will hold its next Deferred Compensation Board Hardship meeting on Thursday, December 21, 2023 at 1:00 P.M. The meeting will be held at 22 Cortlandt Street, 28th Floor, New York, NY 10007.

d14-21

TEACHERS' RETIREMENT SYSTEM

MEETING

Please be advised that the next Board Meeting of the Teachers' Retirement System of the City of New York (TRS) has been scheduled for Thursday, December 21, 2023, at 3:30 P.M.

The meeting will be held at the Teachers' Retirement System, 55 Water Street, 16th Floor, Boardroom, New York, NY 10041.

The remote Zoom meeting link, meeting ID, and phone number will be available approximately one hour before the start of the meeting at: <https://www.trsnyc.org/memberportal/About-Us/ourRetirementBoard> The meeting is open to the public. However, portions of the meeting, where permitted by law, may be held in executive session.

d7-21

PROPERTY DISPOSITION

The City of New York in partnership with PublicSurplus.com posts online auctions. All auctions are open to the public.

Registration is free and new auctions are added daily. To review auctions or register visit <https://publicsurplus.com>

CITYWIDE ADMINISTRATIVE SERVICES

SALE

The City of New York in partnership with IAAL.com posts vehicle and heavy machinery auctions online every week at:

<https://iaai.com/search?keyword=dcas+public>

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

Vehicles can be viewed in person at:
Insurance Auto Auctions, Green Yard
137 Peconic Avenue, Medford, NY 11763
Phone: (631) 207-3477

No previous arrangements or phone calls are needed to preview. Hours are Monday from 10:00 A.M. – 2:00 P.M.

jd29-j17

PROCUREMENT

"Compete To Win" More Contracts!

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

● *Win More Contracts, at nyc.gov/competetowin*

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

HHS ACCELERATOR PREQUALIFICATION

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"), vendors must first complete and submit an electronic HHS Accelerator Prequalification Application using the City's PASSPort system. The PASSPort system is a web-based system maintained by the City of New York for use by its Mayoral Agencies to manage procurement. Important business information collected in the Prequalification Application is required every three years. Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete. Prequalification applications will be reviewed to validate compliance with corporate filings and organizational capacity. Approved organizations will be eligible to compete and would submit electronic proposals through the PASSPort system. The PASSPort Public Portal, which lists all RFPs, including HHS RFPs that require HHS Accelerator Prequalification, may be viewed at https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public.

All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding. For additional information about HHS Accelerator Prequalification and PASSPort, including background materials, user guides and video tutorials, please visit <https://www.nyc.gov/site/mocs/hhsa/hhs-accelerator-guides.page>

ADMINISTRATION FOR CHILDREN'S SERVICES

FAMILY COURT LEGAL SERVICES

INTENT TO AWARD

Services (other than human services)

EXPERT WITNESS VALIDATION SERVICES - Negotiated Acquisition - Other - PIN# 06824N0005 - Due 1-2-24 at 10:00 P.M.

Pursuant to Section 3-04(b)(2)(i)(D) of the Procurement Policy Board Rules, the Administration for Children's Services (ACS) intends to enter into a Negotiated Acquisition contract with Dr. Anne Meltzer, headquarters are located at 15 Leatherstocking Lane, Scarsdale, NY 10583. ACS utilizes Expert Witness Validation services to litigate child abuse and neglect cases brought pursuant to Article X of the New York State Family Court Act. These cases, which are usually child sex abuse cases, involve children under the age of 18 or children with developmental delays who have been sexually abused and medical evidence is inconclusive. The EPIN for this award is 06824N0005, and the proposed budget for this negotiated acquisition is \$300,000.00.

Organizations interested in future solicitations for these services are invited to do so by registering with the NYC Mayor's Office of Contract

Services (MOCS) PASSPort system. To register with PASSPort, please go to www.nyc.gov/PASSPort. There you will find additional guides to assist you with the registration process.

The expertise to validate abuse, as well as to qualify for expert testimony in court, is an extremely limited field. The pool for this particular expertise is particularly small, further magnifying the need to contract. Many experts cannot afford to put in the proper amount of time to review ACS' cases and come up with a determination that needs to be brought before a court, and Dr. Meltzer is the only validator currently working with ACS who has the specialized expertise, experience, and qualifications to continue to provide this service. Dr. Meltzer is both familiar with the ACS cases and is recognized as an expert within the court system. Additionally, one of the two validators recently retired, leaving ACS with only one validator to assess all of the abuse and neglect cases, filed under Article X of the New York State Family Court Act, and thus, Family Court Legal Services anticipates its current need for Dr. Meltzer to increase and to be even more critical in the upcoming years.

← d21-28

OFFICE OF INFORMATION TECHNOLOGY

■ AWARD

Services (other than human services)

HUMAN RESOURCES MANAGEMENT SYSTEM PROJECT MANAGER #2 - M/WBE Noncompetitive Small Purchase - PIN# 06824W0005001 - AMT: \$99,015.00 - TO: Sporda Tech Inc, 140 Riverside Boulevard, #1527, New York, NY 10069.

← d21

ISSUETRAK SYSTEM SUPPORT 2 - M/WBE Noncompetitive Small Purchase - PIN# 06824W0011001 - AMT: \$89,411.00 - TO: Compulink Technologies Inc, 260 West 39th Street, Room 302, New York, NY 10018-4434.

← d21

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICE

■ SOLICITATION

Goods

85724B0041-2400014 - TRUCK, 2500 GALLON STREET FLUSHER/BRINE - Competitive Sealed Bids - PIN# 85724B0041 - Due 3-5-24 at 10:30 A.M.

Please see the solicitation in PASSport for additional details and submit your proposals by both acknowledging the receipt of the RFX in the acknowledgement tab and completing your response in the manage responses tab at: https://passport.cityofnewyork.us/page.aspx/en/rfp/request_browse_public. Vendor resources and materials can be found at the link below under the finding and responding to RFX heading. If you need additional assistance with passport, please contact the MOCS service desk at: <https://mocssupport.atlassian.net/servicedesk/customer/portal/8>. For Virtual Bid Opening, please register using the following link: https://dcas-nyc-gov.zoom.us/meeting/register/tZAvd-gpjkh9DjU2FgRTuHJZOXLVTMS_ck.

← d21

85724B0040-BID - 2300005 BEACH TRACTOR DPR - Competitive Sealed Bids - PIN# 85724B0040 - Due 3-5-24 at 10:30 A.M.

Please see the solicitation documents for additional details. Please submit your proposals by both acknowledging the receipt of the RFX in the Acknowledgement tab and completing your response in the Manage Responses tab. Vendor resources and materials can be found at the link below under the Finding and Responding to RFX heading. If you need additional assistance with PASSPort, please contact the MOCS Service Desk at <https://mocssupport.atlassian.net/servicedesk/customer/portal/8>.

Link: <https://www1.nyc.gov/site/mocs/systems/passport-user-materials.page>

For Virtual Bid Opening, please register using the following link: https://dcas-nyc-gov.zoom.us/meeting/register/tZAvd-gpjkh9DjU2FgRTuHJZOXLVTMS_ck

Bid opening Location - 1 Centre Street, 18th Floor, North, New York, NY 10007.

← d21

■ AWARD

Goods

BATTERY ELECTRIC VEHICLE (BEV) RENTAL - Competitive Sealed Bids - PIN# 85724B0007001 - AMT: \$732,200.00 - TO: Hertz Corporation, 8501 Williams Road, PO Box 121124, Estero, FL 33928.

← d21

DESIGN AND CONSTRUCTION

■ SOLICITATION

Construction / Construction Services

85024I0007-MURPHCOMF - Competitive Sealed Proposals - Other-PIN# 85024I0007 - Due 2-22-24 at 4:00 P.M.

The Department of Parks and Recreation ("DPR") has proposed the construction, using Design Build Procurement Method, of at least 5 and at most 6 new public restroom buildings to be built in various parks through New York City, bundled into one project. The new buildings should aim to be net-zero buildings with energy conservation measures incorporated.

Pre Bid Conference location -https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTU2YzdjMjctZDUyMS00YTdhLTlhODItMzRiOGRlZGQwZTcw%40thread.v2/0?context=%7b%22Tid%22%3a%2232f56fc7-5f81-4e22-a95b-15da66513bef%22%2c%22Oid.Mandatory: no Date/Time - 2024-01-18 10:00:00.

← d21

ENVIRONMENTAL PROTECTION

BUSINESS INFORMATION TECHNOLOGY

■ AWARD

Services (other than human services)

BIT VEHICLE IDLING MOBILE APP 4300033X - M/WBE Noncompetitive Small Purchase - PIN# 82624W0022001 - AMT: \$95,600.00 - TO: Prutech Solutions, Inc, 555 U.S. Highway 1 South, 2nd Floor, Iselin, NJ 08830.

← d21

FIRE DEPARTMENT

FACILITY MANAGEMENT (BUILDINGS UNIT)

■ AWARD

Goods

PLUMBING FIXTURES AND FAUCETS - M/WBE Noncompetitive Small Purchase - PIN# 05724W0016001 - AMT: \$500,000.00 - TO: Grant Int'l Co Inc Grant Electrical Supplies, 3915 21st Street, Long Island City, NY 11101.

← d21

HOUSING AUTHORITY

PROCUREMENT

■ SOLICITATION

Construction / Construction Services

IDIQ JOC CCTV/LAC AT VARIOUS CITYWIDE DEVELOPMENTS - Competitive Sealed Bids - PIN# 430004, 468033, 470039 - Due 2-1-24 at 11:00 A.M.

RFQ Solicitation Timetable

a. The release date of this RFQ is 12/21/2023.

b. A non-mandatory virtual Pre-Bid Conference will be held on 1/11/2024 at 11:00 A.M., via Microsoft Teams. The pre-bid presentation has been uploaded to isupplier.

Microsoft Teams meeting Join on your computer, mobile app or room device. Join with Meeting ID: 246 887 882 943 Passcode: ve7fns Download Teams | Join on the web Or call in (audio only) +1 646-838-1534, 295838806# United States, New York City Phone Conference ID: 295 838 806#

c. All questions related to this RFQ are to be submitted via email to the A&CM Procurement Unit at acm.procurement@nycha.nyc.gov with the RFQ number as the Subject line by no later than 2:00 P.M. on 1/18/2024. Proposers will be permitted to ask questions at the Pre-Bid Conference. Responses to all submitted questions will be available for public viewing in Sourcing under the RFQ.

d. Bids are due 2/1/2024 at 11:00 A.M. via iSupplier portal. Bid Submission Requirements Vendors shall electronically upload a single pdf containing ALL components of the bid into iSupplier by the RFQ Bid Submission Deadline. NYCHA will NOT accept hardcopy Bids or bids via e-mail, fax, or mail.

Instructions for registering for iSupplier can be found at http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page. After Proposer registers for iSupplier, it typically takes 24 to 72 hours for Proposer's iSupplier profile to be approved. It is Vendors sole responsibility to complete iSupplier registration and submit its Bid before the RFQ Bid Submission Deadline. NYCHA is not responsible for delays caused by technical difficulty or caused by any other occurrence. For assistance regarding iSupplier please email procurement@nycha.nyc.gov.

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

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

◀ d21

■ VENDOR LIST

Goods and Services

PROOF OF CONCEPT FOR VARIOUS CATEGORIES

The New York City Housing Authority (NYCHA) is seeking vendors interested in collaborating on Proof of Concept (POC) ideas as part of NYCHA's commitment to continuous improvement and innovation.

For more information regarding POC's, please visit NYCHA's website at: https://www.nyc.gov/site/nycha/business/procurement-opportunities.page

Categories

- Information Technology (Opens on 11/20/23)
- Capital (Opens on 11/24/23)

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

Housing Authority, 90 Church Street, New York, NY 10007. Procurement Opportunities, (212) 306-3000.

n20-d29

PRE-QUALIFIED LIST (PQL) PROGRAM FOR VARIOUS TRADES

NYCHA is currently accepting applications for Pre-Qualified List (PQL) program for various trades.

A PQL is a tool that NYCHA will use to qualify vendors and contract goods or services for its developments, streamlining the process for both vendors and NYCHA. NYCHA will publish contracting opportunities, and the PQL will predominantly be used to procure goods or services for those contracts. Vendors who apply to those bids must pre-qualify according to specific criteria, and vendors who are admitted to the PQL can bid on contracts.

Currently NYCHA has established four (4) PQL lists for the Closed-Circuit Television (CCTV), Carpentry, Painting and Lead Based Paint (Assessment and Abatement, Inspection and Assessment & Lab Analysis).

All vendors interested in NYCHA's PQLs must follow two (2) important steps:

First, vendors must prepare and submit applications to the PQL: To pre-qualify, vendors must meet the minimum requirements listed on the Request for Qualification of the select PQL. Applications will be evaluated by NYCHA on a rolling basis.

Second, vendors who are admitted to the PQL can then bid on solicitations for services on the PQL: Vendors must bid on each contract award, as these are not guaranteed.

For more information regarding PQLs and to obtain applications, please visit NYCHA's website at: https://www.nyc.gov/site/nycha/business/nycha-pql.page.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. (929) 502-6107; PQL@nycha.nyc.gov

a8-d29

HUMAN RESOURCES ADMINISTRATION

■ INTENT TO AWARD

Services (other than human services)

06924Y0225-PROFESSIONAL SERVICES FOR XEROX NEARSTAR DATASERVER APPLICATION - Request for Information - PIN# 06924Y0225 - Due 1-5-24 at 3:00 P.M.

Pursuant to Section 3-05 of the PPB Rules, the Department of Social Services (DSS) Information Technology Services (ITS) intends to enter into negotiations for a Sole Source contract with Xerox Corporation (Xerox) to provide a wide range of application software support services for the Xerox NearStar DataServer Application. Xerox with NearStar is responsible for the development of the basis system which was developed to assist Xerox with not only the multi-language mass mailings but also with all the Xerox printing which is a requirement due to the use of Xerox printers used by DSS Human Resources Administration (HRA). The Contract Term is 4/1/2023 through 3/31/2026.

DSS has determined that Xerox Corporation is the sole provider for the required services because the support for the software, programming, consulting, and integration work for the system functionality HRA requires, can only be supplied by NearStar's support and staff, currently provided through Xerox Corporation. NearStar is a sole owner of the software called DataServer and DataDoc that was purchased through Xerox Corporation for use by the NYC HRA.

Any firm or organization that believes it is qualified to provide these services, is invited to respond to the RFI 06924Y0225 [Professional Services for Xerox NearStar DataServer Application]. Please indicate your interest by responding to the RFI EPIN: 06924Y0225 in PASSPort no later than January 5, 2024, 3:00 P.M.

If you have any questions, please submit these through the Discussion Forum of the subject EPIN in PASSPort system.

d15-21

06924Y0226-SUBSCRIPTION OF LIGHTCAST DEVELOPER WEB-BASED SOFTWARE - Request for Information - PIN# 06924Y0226 - Due 1-12-24 at 3:00 P.M.

Pursuant to Section 3-05 of the PPB Rules, DSS/ITS (Information Technology Services), intends to enter into negotiation for a sole source contract with Economic Modeling LLC dba Lightcast, for Subscription of Lightcast Developer Web-based Software. HRA Career Services needs this subscription to utilize Lightcast's market analysis platform for 3 years. Lightcast would assist HRA Career Services and the PINCC program monitor changes in the construction and industrial sectors, identify skill-based pathways for career advancement, identify key NYC employers and create dashboards to help communicate labor market trends.

The Lightcast Developer Web-based software is designed and provided by Lightcast. Developer incorporates modeling and analysis based on Lightcast' proprietary economic data and methodologies. Lightcast does not have any resellers and is not listed on OGS or GSA. DSS has determined that Lightcast is the sole provider for the required services.

Any firm or organization which believes they can also provide this service is invited to respond to the RFI "06924Y0226-Subscription of Lightcast Developer Web-based Software" on PASSPort. Please indicate your interest by responding to the RFI EPIN: 06924Y0226, in PASSPort, no later than January 12, 2024 3:00 P.M. If you have any questions, please submit these through the Discussion Forum of the subject EPIN in PASSPort system.

◀ d21-28

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ INTENT TO AWARD

Services (other than human services)

TECHNICAL SUPPORT CONTRACT - Negotiated Acquisition - Other- PIN# 85823N0001 - Due 1-8-24 at 2:00 P.M.

For information purposes and pursuant to Section 3-04(b)(2)(i)(d) and 3-04(b)(2)(ii) of the NYC Procurement Policy Board Rules, the Office of Technology and Innovation (OTI) intends to enter into a Negotiated Acquisition with International Business Machines (IBM) Corporation for technical support of various critical systems. OTI intends to award a contract to IBM based on their experience and knowledge of the various applications and complexities of these critical systems. Updates and maintenance are required on a routine and immediate basis and IBM is best suited to provide the technical support.

Any vendor that believes they are able to provide such services in the future should submit notice through PASSPort on or before January 8, 2024.

The Agency has determined that it is in the best interest of the City to utilize this method of source selection, for which a special case determination(s) is/are required because: Per Sections 3-04(b)(2)(i)(D) and 3-04(b)(2)(ii) of the Procurement Policy Board Rules.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Information Technology and Telecommunications, 15 Metrotech Center, 18th Floor, Brooklyn, NY 11201.*

← d21-28

PARKS AND RECREATION

CAPITAL PROGRAM MANAGEMENT

■ AWARD

Construction/Construction Services

B301-121M: RECONSTRUCTION OF GREENE PLAYGROUND - LOCATED AT GREENE & WASHINGTON AVENUE - BROOKLYN - Competitive Sealed Bids - PIN# 84622B0214001 - AMT: \$2,602,498.75 - TO: Broad Construction Inc, 866 Coney Island Avenue, Brooklyn, NY 11218.

← d21

CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 298-0734. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



AGING

■ PUBLIC HEARINGS

CORRECTED NOTICES

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, December 28, 2023 at 10:00 AM. The Public Hearing

will be held via Conference Call. **Call-in #: 1-646-992-2010, ACCESS CODE: 715 951 139.**

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Alpha Phi Alpha Senior Citizens Center Inc located at 220-01 Linden Boulevard, Cambria Heights NY 11411, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$316,875. All CBs, Queens. E-PIN #: 12524L0120001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Southside United Housing Development Fund Corporation located at 434 South 5th Street, Brooklyn, NY 11211, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$258,750.00. All CBs, Brooklyn. E-PIN #: 12524L0110001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Samaritan Daytop Village, Inc. located at 138-02 Queens Boulevard, Briarwood, NY 11435, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$135,000.00. All CBs, Queens. E-PIN #: 12524L0315001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Turning Point for Women and Families located at P.O. BOX 670086, Flushing, NY 11367, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$187,500.00. All CBs, Queens. E-PIN #: 12524L0351001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Nia Community Services Network Inc. located at 6614 11th Avenue, Brooklyn NY 11219, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$278,250.00. All CBs, Brooklyn. E-PIN #: 12524L0100001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Pesach Tikvah Hope Development Inc., located at 365 Willoughby Avenue, Brooklyn, NY 11205, to support older adult services. The contract term shall be from July 1, 2023 to

June 30, 2026, with no option to renew. The contract amount will be \$727,875.00. All CBs, Brooklyn. E-PIN #: 12524L0291001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Faite Care Corporation located at 10-40 Jackson Avenue, Long Island City NY 11101, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$641,250. All CBs, Queens. E-PIN #: 12524L0097001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

◀ d21

CORRECTED NOTICES

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IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Henry Street Settlement located at 265 Henry Street, New York, NY 10002, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$637,500.00. All CBs, Manhattan. E-PIN #: 12524L0227001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and United Task Force Inc located at 5350 Kings Highway, Brooklyn, NY 11203, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$131,250.00. All CBs, Brooklyn. E-PIN #: 12524L0358001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Brooklyn Chinese-American Association Inc located at 5000-5002 8th Avenue, Brooklyn, NY 11220, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$740,625.00. All CBs, Brooklyn. E-PIN #: 12524L0071001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Sunset Park Health Council Inc located at 150 55th Street, Brooklyn, NY 11220, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$721,065.00. All CBs, Brooklyn. E-PIN #: 12524L0344001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Ohel Children's Home and Family Services Inc. located at 1268 East 14th Street, Brooklyn, NY 11230, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$555,000.00. All CBs, Brooklyn. E-PIN #: 12524L0287001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Merrill Park Civic Association of Springfield Gardens Inc located at 137-57 Farmers Blvd, Springfield Garden, NY 11434, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$534,375.00. All CBs, Queens. E-PIN #: 12524L0263001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Agudath Israel of America Community Services Inc located at 42 Broadway 14th FL, New York, NY 10004, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$517,500.00. All CBs, Manhattan. E-PIN #: 12524L0117001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Griot Circle, Inc., located at 25 Flatbush Avenue, 5th Floor, Brooklyn, NY 11217, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$1,414,774.00. All CBs, Brooklyn. E-PIN #: 12524L0085001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Young Mens and Young Womens Hebrew Association of the Bronx located at 5625 Arlington Ave, Bronx, NY 10471, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$423,750.00. All CBs, Bronx. E-PIN #: 12524L0384001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business

days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

◀ d21

CORRECTED NOTICES

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IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Young Israel Programs, Inc., located at 50 Eisenhower Drive, Suite #102, Paramus NJ 07652, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$455,625.00. All CBs, Brooklyn. E-PIN #: 12524L0383001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and United Jewish Council of the East Side, Inc., located at 465 Grand Street, 4th Floor, New York NY 10002, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$326,250.00. All CBs, Manhattan. E-PIN #: 12524L0355001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and The Salvation Army located at 440 West Nyack Road, West Nyack, NY 10994 to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$581,250. All CBs, Manhattan. E-PIN #: 12524L0314001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and The Neighborhood Self-Help by Older Persons Project, Inc. located at 975 Kelly Street, Suite 401, Bronx, NY 10459, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$281,250.00. All CBs, Bronx. E-PIN #: 12524L0274001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Share Self Help for Women with Breast or Ovarian Cancer, Inc. located at 165 West 46th Street, #712, New York NY 10036, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$431,250.00. All CBs, Manhattan. E-PIN #: 12524L0325001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business

days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Northeast Bronx Senior Citizens, Inc. located at 2968 Bruckner Blvd, Bronx, NY 10465, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$187,500.00. All CBs, Bronx. E-PIN #: 12524L0284001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

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IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Heights and Hills, Inc. located at 81 Willoughby Street, Suite 302, Brooklyn, NY 11201, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$570,000.00. All CBs, Brooklyn. E-PIN #: 12524L0224001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

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IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Homecrest Community Services, Inc., located at 1413 Avenue T, Brooklyn, NY 11229, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$1,006,875.00. All CBs, Brooklyn. E-PIN #: 12524L0229001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Reaching-Out Community Service, Inc. located at 7708 New Utrecht Ave, Brooklyn, NY 11214, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$181,538.00. All CBs, Brooklyn. E-PIN #: 12524L0301001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

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◀ d21

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IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and West Side Federation for Senior and Supportive Housing, Inc., located at 2345 Broadway, New York, NY 10024, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$270,769.00. All CBs, Manhattan. E-PIN #: 12524L0375001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Council of Jewish Organizations of Flatbush, Inc., located at 1523 Avenue M, 3rd Floor, Brooklyn, NY 11230, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$776,625.00. All CBs, Brooklyn. E-PIN #: 12524L0078001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and New Partners, Inc., located at 220 East 42nd Street, New York, NY 10017, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$7,794,236.00. All CBs, Manhattan. E-PIN #: 12524L0276001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and East Side House Inc., located at 337 Alexander Avenue, Bronx, NY 10454, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$693,750. All CBs, Bronx. E-PIN #: 12524L0192001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Carter Burden Network Inc. located at 415 East 73rd Street, New York, NY 10021, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$521,250.00. All CBs, Manhattan. E-PIN #: 12524L0074001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Presbyterian Senior Services located at 2095 Broadway, Suite 409, New York, NY 10023 to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$562,500.00. All CBs, Manhattan. E-PIN #: 12524L0295001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and East New York Restoration Local Development Corp. located at 1159 Elton Street, Brooklyn, NY 11239, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$522,019.00. All CBs, Brooklyn. E-PIN #: 12524L0190001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and New York Foundation for Senior Citizens, Inc located at 11 Park Place, Suite 1416, New York, NY 10007, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$1,004,149.00. All CBs, Manhattan. E-PIN #: 12524L0279001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

IN THE MATTER OF a proposed contract between the City of New York Department for the Aging and Older Adults Technology Services Inc, located at 168 7th Street, Suite 3A, Brooklyn, NY 11215, to support older adult services. The contract term shall be from July 1, 2023 to June 30, 2026, with no option to renew. The contract amount will be \$718,125. All CBs, Brooklyn. E-PIN #: 12524L0288001.

The proposed contractor is being funded through City Council Discretionary Funds/Line Item Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

In order to access the Public Hearing and testify, please call **1-646-992-2010, ACCESS CODE: 715 951 139** no later than 9:55 AM. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at DisabilityAffairs@mocs.nyc.gov or via phone at 1-212-298-0734.

◀ d21

CITYWIDE ADMINISTRATIVE SERVICES

■ NOTICE

IN THE MATTER OF a proposed Purchase Order/Contract between the Department of Citywide Administrative Services of the City of New York and SID'S SUPPLY COMPANY INC., located at 41 Otis St., West Babylon, NY, 11704 for the provision of, Blanket Order for Steamfitters Supplies to make emergency Repairs. The amount of this Purchase Order/Contract value is \$100,000.00. The term of the contract is from January 17, 2023, to January 16, 2024. PIN 85623W0032001A001

The Vendor has been selected pursuant to Section 3-08 (c) (1) (iv) of the Procurement Policy Board Rules.

Time: Jan 3, 2024 10:00 AM Eastern Time (US and Canada)

Join Zoom Meeting
<https://dcas-nyc-gov.zoom.us/j/81389594644?pwd=YVdhYjB4WmU1b0g2R2JBQ3Uvc3M4Zz09>

Meeting ID: 813 8959 4644
Passcode: 587770

◀ d21

ENVIRONMENTAL PROTECTION

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELED

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Department of Environmental Protection via conference call on December 22, 2023, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed Purchase Order/Contract between the Department of Environmental Protection and Spruce Technology Inc. located at 1149 Bloomfield Avenue, Suite G, Clifton, NJ 07012 for Implementation of RCU & Inspection Appointments. The Contract term shall be one calendar year from the date of the written notice to proceed. The Contract amount shall be \$499,100.00 Location: 59-17 Junction Blvd, Flushing, NY 11373 PIN# 4300010X.

The Vendor was selected by MWBE Noncompetitive Small Purchase pursuant to Section 3-08(c)(1)(iv) of the PPB Rules.

In order to access the Public Hearing and testify, please call 1-347-921-5612, Access Code: 827740660# no later than 9:55 A.M. If you need further accommodations, please let us know at least five business days in advance of the Public Hearing via e-mail at noahs@dep.nyc.gov.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by December 14, 2023, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Requests should be made to Mr. Noah Shieh via email at noahs@dep.nyc.gov.

← d21

AGENCY RULES

BUILDINGS

■ NOTICE

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by section 643 of the New York City Charter, and in accordance with the requirements of Section 1043 of the New York City Charter, DOB is adding a section 103-17 to Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York.

This rule was first published on September 18, 2023 and a public hearing was held on October 24, 2023. DOB received and reviewed written and oral comments from the public.

Dated: 12/14/23 /s/
New York, New York James S. Oddo
Commissioner

Statement of Basis and Purpose of Rule

The Department of Buildings (“DOB” or “Department”) is adding a new section 103-17 to implement Article 321 of Title 28 of the New York City Administrative Code establishing energy conservation measure requirements for certain buildings.

Background and Overview of Rule

Local Law No. 97 of 2019 (“Local Law No. 97” or the “Law”) was enacted on May 19, 2019 and took effect on November 15, 2019. Local Law No. 97 and its amendments amended Chapter 3 of Title 28 of the Administrative Code of the City of New York (“Administrative Code”) to require owners of a “covered building,” as such term is defined in Article 321, to report to the Department whether their covered building complied with applicable energy conservation measure requirements.

This rule addresses compliance with the Law, including the following:

- Establishes reporting requirements for Article 321 compliance, including inspection and documentation requirements for the prescriptive energy measures; and
- Establishes penalties for non-compliance with Article 321 including a framework to allow for mitigation of penalties and mediated resolutions.

The proposed rule has been revised in response to comments received at the public hearing as well as written comments received during the public comment period. The final rule includes the following changes from the proposed rule:

- Clarifies multiple buildings on the same tax lot that are reporting pursuant to the same section of the law can comply by submitting a single report;
- Clarifies temperature controls or enclosures for radiators are only required on two-pipe steam distribution systems, in response to feedback from the engineering community that TRVs have minimal efficacy in one-pipe steam buildings.

The Department’s authority for these rules is found in sections 643 and 1043(a) of the New York City Charter and Article 321 of Chapter 3 of Title 28 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate ellipses, i.e., unamended text.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of the Department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new section 103-17 to read as follows:

§ 103-17 Energy Conservation Measure Requirements for Certain Buildings.

(a) Definitions. Terms defined in Article 321 of Title 28 of the Administrative Code of the City of New York have the same meanings in this section. For the purposes of this section, the following terms have the following meanings:

Energy service. Energy service is the delivery of energy from the energy supply or energy distribution system to or throughout a building, including any equipment used for such delivery. Two or more buildings may share energy service. Two or more buildings share energy service if such buildings share a meter or other point of connection to the energy supply or energy distribution system.

Qualified retro-commissioning (RCx) agent. A qualified RCx agent is a retro-commissioning agent who is not on the staff of the building being inspected and who holds one of the following credentials in good standing:

- (1) Certified Commissioning Professional certified by the Building Commissioning Association;
- (2) Certified Building Commissioning Professional certified by the Association of Energy Engineers (AEE);
- (3) Existing Building Commissioning Professional as certified by the AEE;
- (4) Commissioning Process Management Professional certified by American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE);
- (5) Accredited Commissioning Process Authority Professional approved by the University of Wisconsin;
- (6) Certified Commissioning Authority certified by the Associated Air Balance Council Commissioning Group;
- (7) Building Commissioning Professional certified by ASHRAE;
- (8) Commissioning Process Professional certified by National Environmental Balancing Bureau (NEBB);
- (9) Technical Retro-Commissioning Certified Professional certified by NEBB;
- (10) Building Systems Commissioning Professional certified by NEBB; or
- (11) Registered Design Professional.

(b) Required report for certain buildings. No later than May 1, 2025, the owner of a covered building must submit a report, in a form and manner determined by the Department, in accordance with section 28-321.3 of the Administrative Code, demonstrating compliance with either paragraph (1) or paragraph (2) of this subdivision. Where an owner has multiple covered buildings on a lot, such owner may choose to provide a separate report for each such covered building on the lot, or a single report pursuant to either section 28-321.3.1 or section 321.3.2 of the Administrative Code for all such covered buildings on the lot. Where buildings share an energy system, such buildings must be reported in a single report pursuant to the same section of the Administrative Code. Two or more covered buildings located on adjacent but separate tax lots may be included in a single report pursuant to the same section of the Administrative Code, provided all such covered buildings share energy service.

(1) Energy compliant buildings report. To demonstrate compliance with this subdivision the owner of a covered building may submit a building emissions report, certified by a registered design professional, in accordance with section 28-321.3.1 of the Administrative Code, this paragraph, and section 103-14 of these rules, that for calendar year 2024 such covered building was in compliance with the applicable building emissions limit established pursuant to section 28-320.3.2 of the Administrative Code. The report must include:

- (i) Building address(es);
- (ii) Building owner and contact information;
- (iii) Name of the registered design professional certifying the report; and
- (iv) Energy use and emissions information for such covered building calculated as if such building were a covered building as defined in Article 320 of Title 28 of the Administrative Code and section 103-14 of these rules.

(2) Prescriptive energy conservation measures (PECMs) report. To demonstrate compliance with this subdivision the owner of a covered building may submit a report, certified by a qualified RCx agent, in accordance with this section and Section 28-321.3.2 of the Administrative Code, demonstrating that each applicable PECM identified in section 28-321.2.2 of the Administrative Code was fully implemented at the covered building prior to January 1, 2025. The RCx agent must maintain all documentation and information used in preparing such report, including records of inspections conducted, for a minimum of 6 years. Such documentation and information must be submitted to the Department upon request. The report required by this paragraph must include:

- (i) Building address(es);
- (ii) Building owner and contact information;
- (iii) Name, affiliation, contact information, experience, and relevant certifications for the qualified RCx agent and supervised staff performing the PECM inspections;
- (iv) Name, affiliation, and contact information for the facility manager for the building;
- (v) For each building, an inventory of all HVAC equipment, domestic hot water equipment, electrical equipment, lighting, and conveyance equipment serving the building, including the date of installation of such equipment. Where applicable, the report must indicate where equipment serves multiple buildings; and
- (vi) For each PECM, documentation as required in subdivision (c) of this section.

(c) Inspection and documentation for prescriptive energy conservation measures. PECMs must be inspected and documented by the RCx agent in accordance with this subdivision. Documentation of such inspection required by this subdivision must be included with the PECM report required by subdivision (b) of this section.

(1) Temperature set points.

- (i) Inspection: The RCx agent must examine the temperature set points for heat and hot water systems in the building. All systems serving multifamily dwelling units must be set to the requirements of the Housing Maintenance Code.
- (ii) Documentation: An attestation by the RCx agent certifying completion of such PECM.

(2) Repair heating system leaks.

- (i) Inspection: The RCx agent must conduct a visual inspection of all heating equipment for water, steam, oil, refrigerant, and air leaks in systems. Leaks identified must be repaired by January 1, 2025. Exception: Inspection of forced-air and electric-resistance heating systems is not required.
- (ii) Documentation: An attestation by the RCx agent certifying completion of such PECM.

(3) Heating system function.

- (i) Inspection: The RCx agent must confirm that each heating system in the covered building is functioning in good working order.
- (ii) Documentation: An attestation to the Department certifying completion of such PECM.

(4) Temperature controls or enclosures for radiators.

- (i) Inspection: The RCx agent must confirm that each dwelling unit has at least one thermostat to control the heating system or that each radiator is installed with an individual temperature control or

an insulated radiator enclosure with temperature controls, where applicable. Proper inspection for a thermostatic radiator valve (TRV) or a radiator enclosure survey must include radiators in the covered building that have over- or underheating issues, as reported by testing, facility manager or occupant. Such inspections must be conducted as follows:

(A) Two-pipe steam systems. For two-pipe steam distribution systems, the RCx agent must confirm that either a TRV or an insulated radiator enclosure with temperature controls has been installed at each radiator and is in good working order.

(B) Hydronic systems. For hydronic distribution systems, the RCx agent must confirm that temperature controls are functioning on radiators where present. If controls are found to not be functioning properly, such controls must be repaired or replaced.

(C) Electric-resistance systems. For buildings served by electric resistance radiators, the RCx agent must confirm that each dwelling unit has at least one thermostat to control the radiators in the unit.

(ii) Documentation: For each covered building in a report, the RCx agent must provide one of the following completed on or after November 15, 2019:

- (A) Proof of a completed utility TRV or orifice plate incentive program; or
- (B) The results of a TRV/radiator enclosure or other temperature control survey by a qualified RCx agent as described herein.

(5) Piping insulation.

(i) Inspection: The RCx agent must verify that all exposed and readily accessible piping that is part of the heating and service hot water system supply is insulated to the extent possible in accordance with section C403.11.3 of the New York City Energy Conservation Code. Where existing insulation is degraded, such insulation must be replaced.

(ii) Documentation: An attestation to the Department certifying completion of such PECM.

(6) Steam and hot water tank insulation.

(i) Inspection: The RCx agent must inspect hot water tanks to confirm that they are insulated. Exception: Vacuum units are not required to be inspected.

(ii) Documentation: An attestation to the Department certifying completion of such PECM.

(7) Indoor/outdoor temperature sensors.

(i) Inspection: The RCx agent must inspect and confirm the presence of indoor/outdoor temperature systems in accordance with section C403.4.1.5 of the New York City Energy Conservation Code. Where such sensors or controls are not present, they must be installed. For steam distribution systems, this requirement may be satisfied by the use of wireless temperature sensors that provide feedback to the boiler or heating system control, provided that such sensors have been installed in a minimum of 25% of dwelling units and are in good working order.

- (ii) Documentation:
 - (A) A screenshot or other output from a digital control system showing that sensors are connected and in good working order and showing sufficient information to identify the covered building; or
 - (B) Proof of completion of a utility program to install such indoor/outdoor temperature sensors and/or controls; or,
 - (C) The location of such temperature sensors and controls, attestation that they were in good working order at the time of inspection, and the date of completion of the inspection.

(8) Functioning steam traps.

(i) Inspection: The RCx agent must inspect radiators to confirm that each has a steam trap or orifice plate in good working order no earlier than January 1, 2022, and no later than December 31, 2024. Proper inspection of steam traps must include the RCx agent surveying the supply equipment and distribution lines for each heating system serving a covered building and confirming the presence of properly functioning steam traps, in accordance with the following requirements for each distribution system type:

(A) Two-pipe steam systems. For two-pipe steam distribution systems, all steam traps must be inspected, or tested to identify areas where the system is not functioning properly. The Department shall provide guidance with respect to such testing. All steam traps found to be functioning improperly must be replaced, repaired, or rebuilt. Steam traps are not required on radiators where functioning TRVs are installed with orifice plates and both are found to be in good working order.

(B) High-pressure steam systems. For high-pressure steam distribution systems, all high-pressure steam traps operating above 15 PSI of pressure must be tested using ultrasonic leak detection to verify proper operations. All steam traps found to be functioning improperly must be replaced, repaired, or rebuilt.

(ii) Documentation: For each covered building in a report, the RCx agent must provide one of the following:

(A) Proof of a completed utility orifice plate and/or steam trap incentive program; or

(B) Results of a steam trap survey by a qualified RCx agent as described herein.

(9) Steam system venting.

(i) Inspection: For one-pipe steam systems and for atmospheric (non-vacuum) two-pipe steam systems, the RCx agent must confirm that master venting is installed at the ends of mains, at large horizontal pipe runs, at the tops of all risers, and at vertical pipes branching off a main where appropriate. Testing, pursuant to guidance issued by the Department, may be employed to identify loops that are not functioning properly.

(ii) Documentation:

(A) Proof of a completed utility program that included installation, repair, or replacement of master venting; or

(B) Schematic diagrams of the steam loops in the covered building identifying the installed vents with a schedule indicating the date of testing of each loop found to be in compliance with this subparagraph or the inspection date of each vent indicating whether the vent was in good working order, repaired, replaced, or rebuilt.

(10) Upgrade lighting.

(i) Inspection: Lighting and lighting controls installed after July 1, 2010 must be compliant with the New York City Energy Conservation Code in effect at the time of installation. Lighting and lighting controls installed prior to July 1, 2010 must be compliant with the New York City Energy Conservation Code in effect on July 1, 2010 or must be replaced. Compliance must be confirmed through examination of installation records or visual inspection.

(ii) Documentation: Documentation of this requirement must be submitted to the Department in accordance with Article 310 of Chapter 3 of Title 28 of the Administrative Code and the Department's rules.

(11) Building envelope.

(i) Inspection: The RCx agent must perform a visual inspection of the envelope to confirm that required

air barriers at fenestration, doors, and other penetrations are in good working order. Where major sources of leakage are identified, these seals must be repaired or replaced.

(ii) Documentation: An attestation to the Department certifying completion of such PECM.

(12) Exhaust fan timers.

(i) Inspection: The RCx agent must inspect exhaust fans intended for intermittent operation to confirm that timers or other controls automatically turn the fan off are installed and are in good working order. The RCx agent must confirm that fans intended for continuous use are in good working order.

(ii) Documentation: An attestation to the Department certifying completion of such PECM.

(13) Radiant barriers.

(i) Inspection: The RCx agent must inspect radiators to confirm that foil-faced radiant barriers or radiator reflectors are installed where applicable prescriptive measures include the installation or replacement of TRVs or installation of thermostatic radiator covers.

(ii) Documentation: An attestation to the Department certifying completion of such PECM.

(d) Penalty for failure to file a report. An owner of a covered building shall be liable for a civil penalty for failing to file a report in accordance with section 28-321.3 of the Administrative Code and subdivision (b) of this section within 60 days of the reporting deadline or by any extension deadline granted by the Department.

(1) Penalty amount. An owner who fails to file such report shall be liable for a civil penalty of \$10,000 per covered building.

(2) Extension of time to file. An owner who is unable to file such report by the reporting deadline may apply for an extension in accordance with this paragraph. Such extension application must be filed with accompanying documentation no sooner than 30 days before and no later than 60 days after the reporting deadline. For purposes of this provision, an owner may receive an extension where:

(i) The registered design professional or qualified RCx agent, as applicable, hired for purposes of completing such report could not finish completing such report by the reporting deadline. For purposes of this paragraph, acceptable documentation in support of such extension request includes a contract executed no later than February 1, 2025 and an affidavit signed by the owner and the registered design professional or qualified RCx agent stating that such professional or agent was unable to complete such report on time and that such report will be completed and filed within 120 days of the reporting deadline; or

(ii) Such owner has challenged a determination by the Department of Finance regarding whether the square footage of the building qualifies such building as a covered building, or a determination by the Department regarding whether the building qualifies as a covered building under Article 320 or Article 321, provided that such owner must file the report within 120 days of the first determination by either Department that such building qualifies as a covered building under this rule following such a dispute. For purposes of this paragraph, acceptable documentation in support of such extension request is an attestation signed by the owner indicating why the building does not qualify as a covered building and all correspondence between the applicable agency and the building owner related to such dispute.

(e) Penalty for failure to demonstrate energy conservation measures as required in section 28-321.2 of the Administrative Code. An owner of a covered building shall be liable for a civil penalty of \$10,000 per covered building for failing to demonstrate either:

(1) Pursuant to section 28-321.2.1 of the Administrative Code, for calendar year 2024, the annual building emissions of such covered building did not exceed what the applicable annual building emissions limit would be in 2030 pursuant to Article 320 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder if such building were a covered building as defined in such Article 320; or

(2) Pursuant to section 28-321.2.2 of the Administrative Code, the prescriptive energy conservation measures, as applicable, were fully implemented by December 31, 2024.

(f) Mitigated penalties. An owner not in compliance with this section may be eligible for a mitigated penalty as specified in section 102-01 of these rules and this subdivision.

(1) Unexpected or unforeseeable event. An owner may demonstrate that an unexpected or unforeseeable event or condition outside of their control precluded compliance where a building was damaged as a result of a disaster, including but not limited to a hurricane, severe flooding, or fire. Such owner must provide photographs demonstrating the nature and extent of any such damage, and a description of how such damage precluded compliance. Demonstration of such an unexpected or unforeseeable event or condition may result in zero penalty.

(2) Eligible energy conservation alteration projects. An owner may demonstrate no later than May 1, 2025, in accordance with guidance issued by the Department, that such building received a commitment from a state or local agency or instrumentality no earlier than November 15, 2019 to receive governmental assistance to engage in an eligible energy conservation alteration project with a state or local agency or instrumentality that achieves compliance with the annual building emissions limit described in section 28-321.2.1 of the Administrative Code or the energy conservation measures identified in section 28-321.2.2 of such Code. Such owner must provide a letter from such agency or instrumentality detailing such project and demonstrating that the building will meet the applicable compliance requirements. Demonstration of such eligible energy conservation alteration project may result in zero penalty.

(g) Mediated resolution.

(1) The Department may offer a mediated resolution to an owner not in compliance with section 28-321.2.1 or section 28-321.2.2 of the Administrative Code of the City of

New York, provided that the Department shall offer such resolution only where, by May 1, 2025:

- i. Such owner submits an attestation in a form and manner determined by the Department that such owner is not in compliance with section 28-321.2.1 or section 28-321.2.2 of the Administrative Code; and
- ii. Such owner submits benchmarking information for the previous calendar year to the benchmarking tool in accordance with Article 309 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder as applicable, or the data required by section 28-309.4 of the Administrative Code for the prior calendar year; and
- iii. Such resolution would facilitate the building owner achieving compliance with Article 321 of Chapter 3 of Title 28 of the Administrative Code.

(2) A mediated resolution is an agreement between the owner and the Department not to bring an enforcement proceeding and may provide for terms and conditions determined by the Department, including but not limited to requiring the owner to submit a plan for compliance with section 28-321.2 of the Administrative Code. The Department shall provide guidance with respect to such plans, including examples of appropriate compliance plans.

(3) Such mediated resolution shall provide that an enforcement proceeding will be commenced and civil penalties may be imposed for the violation of Article 321 of Title 28 of the Administrative Code of the City of New York where the owner fails to comply with the terms of such agreement, pursuant to subdivision d and subdivision e of this section.

§ 2. Table 1 of subdivision (k) of section 102-01 of the Rules of the City of New York is amended by adding a new line in numerical order to read as follows:

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default - Max Penalty
1 RCNY 103-17(d)(1)	Class 2	Failure to file report per 28-321.3	Yes	Yes	\$10,000	Yes	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
1 RCNY 103-17(e)(1)	Class 2	Failure to demonstrate compliance with energy compliant buildings requirements per 28-321.2	Yes	Yes	\$10,000	Yes	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
1 RCNY 103-17(e)(2)	Class 2	Failure to demonstrate compliance with energy conservation measures per 28-321.2	Yes	Yes	\$10,000	Yes	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000

• d21

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by section 643 of the New York City Charter, and in accordance with the requirements of Section 1043 of the New York City Charter, DOB is adding a section 103-18 to Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York.

This rule was first published on September 18, 2023 and a public hearing was held on October 26, 2023. DOB received and reviewed written and oral comments from the public.

Dated: 12/14/23 /s/ James S. Oddo
New York, New York Commissioner

Statement of Basis and Purpose

Local Law No. 88 of 2009 (“Local Law No. 88” or the “Law”) was enacted on December 28, 2009, to require buildings greater than 50,000 square feet to upgrade lighting systems and install electrical sub-meters in tenant spaces by January 1, 2025, to promote energy efficiency in buildings. The law was subsequently amended to include buildings that are 25,000 square feet and larger.

This rule addresses compliance with the Law, including the following:

- Details on how to report compliance with required lighting upgrades
- Penalties for failing to report compliance with required lighting upgrades
- Details on how to report compliance with sub-meter installation in tenant spaces

- Penalties for failing to report and failing to comply with sub-meter installation in tenant spaces

The Department’s authority for these rules is found in sections 643 and 1043(a) of the New York City Charter and Article 310 and 311 of Chapter 3 of Title 28 of the New York City Administrative Code.

New material is underlined.

[Deleted material is in brackets.]

Asterisks (***) indicate ellipses, i.e., unamended text.

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of the Department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new section 103-18 to read as follows:

§ 103-18 Upgrades of lighting systems and installation of electrical sub-meters in tenant spaces.

(a) Definitions. Terms defined in Article 310 and 311 of Title 28 of the Administrative Code have the same meanings in this section.

(b) Report for required upgrades of lighting systems. No later than May 1, 2025, the owner of a covered building must submit a report, in a form and manner determined by the Department, in accordance with section 28-310.3 of the Administrative Code. Such report must include an attestation by a registered design professional, a licensed master electrician, or a licensed special electrician certifying that the lighting system of the entire building has been inspected and upgrades have been implemented, pursuant to lighting power allowances and controls requirements for each of the spaces, in compliance with the New York City Energy Conservation Code that was in effect at the time of such implementation, provided that the lighting system must comply with a version of the New York City Energy Conservation Code in effect on or after July 1, 2010.

(c) Penalty for failure to file a lighting upgrade report. An owner of a covered building shall be liable for a civil penalty in the amount of \$1,500 for failing to file a report in accordance with section 28-310.3 of the Administrative Code and subdivision (b) of this section. Such penalty will be assessed annually until the compliance report is filed.

(d) Report for required installation of electrical sub-meters in tenant spaces. No later than May 1, 2025, the owner of a covered building must submit a report, in a form and manner determined by the Department, in accordance with section 28-311.5 of the Administrative

Code. Such report must include:

(1) A list of all covered tenant spaces in such covered building; and

(2) An attestation by a registered design professional, a licensed master electrician, or a licensed special electrician certifying that sub-meters have been installed for all covered tenant spaces in accordance with Article 311 of Title 28 of the Administrative Code; and

(3) A sample monthly statement in accordance with section 28-311.4 of the Administrative Code.

(e) Penalty for failure to demonstrate installation of electrical sub-meters in tenant spaces.

(1) An owner of a covered building shall be liable for a civil penalty in the amount of \$1,500 for failing to file a report in accordance with section 28-311.5 of the Administrative Code and subdivision (d) of this section. Such penalty will be assessed annually until the compliance report is filed.

(2) Failing to install a sub-meter in a covered tenant space in accordance with section 28-311.3 of the Administrative Code and subdivision (d) of this section shall be classified as a lesser violation. An owner of a covered building shall be liable for a civil penalty for such violation. Such penalty will be in the amount of \$500 for each covered tenant space where a sub-meter has not been installed as required and will be assessed annually until all required sub-meters are installed.

(f) Procedures for penalties imposed under this section.

(1) Where a civil penalty is imposed for failure to file a report required by subdivision (b) or (d) of this section, the owner may request review of such determination by the department. A request for such review shall be submitted in writing within 30 days in a form and manner determined by the Department. The Department shall review such request and provide a response within 60 days.

(2) A civil penalty imposed for failing to install a sub-meter pursuant to paragraph (2) of subdivision (e) of this section will be processed in accordance with section 102-01.

§ 2. Table 1 of subdivision (k) of section 102-01 of the Rules of the City of New York is amended by adding a new line in numerical order to read as follows:

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigated Penalty	Default Penalty	Aggravated I Penalty	Aggravated I Default Penalty	Aggravated II Penalty	Aggravated II Default — Max Penalty
1 RCNY 103-18(e)(2)	Class 3	Failure to install a sub-meter	Yes	Yes	\$500	Yes	\$500	\$500	\$500	\$500	\$500

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by section 643 of the New York City Charter, and in accordance with the requirements of Section 1043 of the New York City Charter, DOB is making amendments to section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York.

This rule was first published on September 18, 2023 and a public hearing was held on October 24, 2023. DOB received and reviewed written and oral comments from the public.

Dated: 12/12/23 /s/ James S. Oddo
 New York, New York Commissioner

Statement of Basis and Purpose

The Department of Buildings (“DOB” or “Department”) is amending section 103-14 to establish penalties for noncompliance with Article 320 of Chapter 3 of Title 28 of the New York City Administrative Code requiring annual greenhouse gas (GHG) emissions limits for buildings and to establish a credit for beneficial electrification.

Background and Overview of Rule

This rule implements Article 320 of Title 28 of the Administrative Code of the City of New York. First, it sets forth the framework for assessing penalties and issuing mediated resolutions under Article 320. Second, it establishes credits for owners who undertake beneficial

electrification. Third, it establishes the emission factor for certain natural gas fuel cells, and makes various technical amendments.

Article 320 Penalties

Local Law No. 97 of 2019 (“Local Law No. 97” or the “Law”) was enacted in 2019 to achieve New York City’s urgent goal of reducing GHG emissions from the city’s largest buildings (25,000 gross square feet or more). The law establishes annual GHG emissions limits for each type of building and requires the owners of such buildings to report the building’s actual GHG emissions to the Department each year for the preceding calendar year beginning on May 1, 2025. If a building exceeds applicable annual GHG emissions limits, an owner may be subject to civil penalties. To achieve compliance with the law, owners of buildings subject to the law must calculate their building emissions during the calendar year; identify when the building will exceed the emissions limit; plan any work that is necessary to achieve emissions reductions; assemble service providers to perform the work; finance the work by identifying and attaining available funding; and implement the work.

The Law directs that “good faith efforts” undertaken to comply with the law be considered when determining the appropriate penalty for non-compliance. This provision reflects the Law’s recognition that compliance with the emissions limits requires significant investments of time and other resources. While nearly half of all buildings that were projected in 2019 to be out of compliance with the Law’s 2024 emissions limit are now in compliance based on recent benchmarking data submitted pursuant to Local Law 84 of 2009, DOB also recognizes that buildings that remain out of compliance vary greatly in terms of

the kinds of work that will be necessary to comply with the Law. Further, DOB recognizes that the years since the enactment of Local Law 97 included the pandemic and a period of necessary implementation activity by the Department.

In line with the Law’s direction to consider “good faith efforts,” this rule provides a definition of “good faith efforts” for the 2024-2029 compliance period. Owners who have not yet accomplished the level of work necessary to comply with the emissions limit, may submit a decarbonization plan no later than May 1, 2025, setting forth a path for compliance, provided they meet the additional eligibility criteria set forth in the rule. In addition, owners who have received approval from the Department for the work necessary to comply with the emissions limit and owners that demonstrate that the building is undergoing work to achieve electric readiness are eligible for a mitigated penalty. The rule sets forth additional efforts and circumstances that qualify as “good faith efforts” for the purposes of a mitigated penalty. It also provides a mechanism for the Department to enter into a mediated resolution with a building owner prior to issuance of an administrative summons.

While this rule defines “good faith efforts” for the purposes of the 2024-2029 compliance period, future rulemaking will lay out a definition of “good faith efforts” for subsequent periods that will be different. In general, compliance with Local Law 97 requires multiple years of planning and implementation, which means that any good faith effort to comply with the 2030-2034 emissions limits will require owners to take steps to comply with such limit well in advance of 2030. This also applies to the many buildings that are estimated today to be in compliance with the 2024 – 2029 emissions limit, but with current energy patterns will fall out of compliance with the more stringent limits in 2030.

Accordingly, while the decarbonization plan described in this rule provides a mechanism for obtaining a mitigated penalty in the 2024-2029 compliance period, it may also serve as a roadmap outlining the necessary steps that buildings currently in compliance with the 2024-2029 emissions limits should take to work toward compliance with the 2030-2034 emissions limits. This means, for example, a building owner should be working on a decarbonization plan, seeking relevant financing and incorporating the work into its budgets, and engaging contractors and seeking permit approvals. The timing for these actions, however, must be well in advance of the 2030 deadline, with appropriate time allowed to reasonably achieve compliance with the new limits. Furthermore, a building that needs to undergo electrification readiness should already be engaged in such work with a utility company.

This rule addresses penalties for noncompliance with the Law, including the following:

- Establishes the penalty for failure to file the annual building emissions report by May 1 of each year set to the maximum amount allowed by the Law;
- Establishes the penalty for exceeding building emissions limits set to the maximum amount allowed by the Law;
- Details factors that may mitigate a building owner’s penalty amount during the 2024-2029 compliance period, including an unforeseeable event and good faith efforts;
- Defines requirements for “Good Faith Efforts” for the 2024-2029 compliance period, which include:
 - Submitting the annual building emissions report and maintaining compliance with any adjustment DOB has granted,
 - Complying with LL 84 of 2009, as amended – Energy Benchmarking,
 - Complying with LL 88 of 2009, as amended – Lighting Upgrades and Sub-meter Installation,
 - AND any of the following:
 - Demonstrating that work necessary to achieve compliance is currently underway by having a fully approved application and a permit issued for such work;
 - Demonstrating that electrification readiness work is underway by securing an approved alteration application and a letter from a utility attesting to the work;
 - Demonstrating that the building was previously under the emissions limit for the previous reporting year;
 - Demonstrating that the building is a critical facility like a hospital whose services would be significantly impacted if they have to pay the full penalty;
 - Demonstrating that the building has applied for or been granted an Adjustment pursuant to section 28-320.7 of the Administrative Code; or
 - Providing a Decarbonization Plan by May 1, 2025 that will bring the building into compliance with its 2024 limits no later than 2026 and with its 2030

limits no later than 2030, and demonstrating each year through 2030 that the work is proceeding on schedule.

- Establishes a 100% limitation on the purchase of renewable energy credits (RECs) for building owners who pursue the Decarbonization Plan path;
- Details the enforcement framework for resolution of penalties for building owners who don’t comply with the law; and
- Provides a framework for mediated resolutions.

Beneficial Electrification

Section 28-320.2 of the Administrative Code directs the Advisory Board to develop a methodology that includes a credit for beneficial electrification. This rule implements the Advisory Board’s recommendation by adopting such a credit that will incentivize covered buildings to undertake electrification efforts early.

This rule addresses compliance with the Law, including the following:

- Defines beneficial electrification; and
- Provides a formula for calculating emissions from qualifying equipment for beneficial electrification.

Additional Changes

This rule makes additional changes to enhance compliance with the Law, including the following:

- Clarifies Energy Star Portfolio Manager (ESPM) property types to include successor names of property types listed in the rule and prohibits the use of certain ESPM property types;
- Clarifies that one method must be applied for calculating building emissions;
- Requires that distributed energy resources be submetered;
- Establishes a coefficient for natural gas fuel cells in operation prior to January 19, 2023; and
- Updates the title of certain equations in the rule to keep such equations sequential.

The Department received and considered numerous comments during the public comment period, including testimony submitted at the public hearing, and subsequently made changes to the rule, as follows:

- Clarifies technical standards in definitions for “Energy Audit” and “Gross Floor Area”;
- Clarifies the first report for covered buildings subject to section 28-320.3.9 of the Administrative Code is due May 1, 2036;
- For the Beneficial Electrification credit, removes limitation that qualifying equipment be installed no earlier than January 1, 2021, and requires owner to maintain monthly energy usage documentation;
- Requires that a decarbonization plan submitted to demonstrate good faith efforts be certified by a registered design professional, clarifies that the energy audit may be no older than four years, and clarifies that the plan must demonstrate how the building will achieve compliance with the applicable emissions limit for each compliance period; and
- Clarifies that a building owner can demonstrate good faith efforts by having work underway even if such work does not require an application with the Department, by providing a signed contract with a service provider and proof of payment.

Several comments asserted that DOB does not have the power to impose mitigated penalties because that power rests with OATH. DOB issues administrative summonses for violations and prosecutes those violations before OATH, including offering recommendations as to the amount of penalties that should be imposed. DOB recognizes that OATH as the adjudicating body has the ultimate responsibility with respect to the amount of the penalty to be imposed and may impose penalties that vary from the amounts recommended by DOB. The rule provides guidance to owners on the work needed to meet the 2024-29 emissions limits, timely meet the 2030 emissions limits, and obtain a mitigated penalty. Other commenters objected that DOB lacks the authority to enter into mediated resolutions. DOB’s authority flows from provisions of the Administrative Code that give DOB broad discretion to fashion remedies for enforcement of the code, including alternatives to the issuance of process for the commencement of enforcement proceedings, such as corrective action plans. A number of comments did not implicate rulemaking, including concerns about financing and staffing levels related to implementation.

The rule was not revised to: remove the decarbonization plan pathway for good faith efforts; further restrict the use of Renewable Energy Credits; or extend the deadlines for compliance. The decarbonization plan requires work at the building level during the first compliance period. This pathway places building owners on a path to compliance by requiring them to demonstrate long-term planning to reach carbon-

neutrality by 2050, achieving on-site emissions reductions by 2026, and demonstrating progress towards 2030 compliance by 2028. DOB sees this option as an important driver of building emissions reduction mobilization.

DOB is working to monitor New York’s REC market and assess the availability of any RECs that meet the requirements of the law. The Department will revisit this policy as necessary to best achieve the goals of LL97 and associated air quality improvements.

The Department’s authority for these rules is found in sections 643 and 1043(a) of the New York City Charter, Article 320 of Chapter 3 of Title 28 of the New York City Administrative Code, and Article 208 of Chapter 2 of Title 28.

New material is underlined.
[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of the Department, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. Subdivision (a) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to amend the definition of “gross floor area” and add new definitions in alphabetical order to read as follows:

Beneficial electrification: “Beneficial electrification” means the installation and use of energy efficient electric-based heating, cooling and domestic hot water systems to displace the use of fossil fuel sources (e.g., fuel oil, natural gas, district steam) and/or less efficient electric-based heating systems. Qualifying equipment shall have a minimum efficiency as determined based on the reference test procedure associated with the equipment as follows:

Equipment Type	Minimum Efficiency	Test Procedure
Service hot water heat pumps with max current 24A at 250 V	NA	10 CFR Part 430, Subpart B, Appendix E; or other test procedure approved by the Department.
Service hot water heat pumps with Input capacity > 12kW and ≤ 50kW	NA	AHRI 1300-2013; or ASHRAE 118.1-2012; or 10 CFR Part 431.106, Subpart G, Appendix E; or other test procedure approved by the Department.
Unitary heat pump equipment – air source only		AHRI 210/240-2023, or AHRI 340/360-2022, as applicable
Variable refrigerant flow (VRF) multi-split heat pump – air source only	> 1.5 COP @ 5°F outdoor dry bulb (maximum heating capacity)	AHRI 1230-2021
Packaged terminal heat pumps		AHRI 310/380-2017
Single package vertical heat pumps		AHRI 310/380-2017, or AHRI 390-2021, as applicable

Note: Equipment and systems not listed in the table that otherwise meet the definition of beneficial electrification shall have a coefficient of performance (COP) for the system equivalent to greater than 1.5 when the outdoor dry bulb temperature is 5°F or lower, where the COP of the system is calculated based on the energy required for all parts of the system to deliver the peak capacity.

Critical facility. A critical facility means a facility the operation of which is critical to human life or safety, such as a hospital, dialysis clinic, or a facility that manufactures vaccines.

Energy audit. An energy audit is a systematic process of identifying and developing modifications and improvements of the base building systems, including but not limited to alterations of such systems and the installation of new equipment, insulation, or other generally recognized energy efficiency technologies to optimize energy performance of the building and achieve energy savings.

For buildings 50,000 square feet and greater, such process shall not be less stringent than the Level 2 energy audit in accordance with ANSI/ASHRAE/ACCA Standard 211-2018 – Standard for Commercial Building Energy Audits.

For buildings below 50,000 square feet, such process shall not be less stringent than the Level 1 energy audit in accordance with ANSI/ASHRAE/ACCA Standard 211-2018 – Standard for Commercial Building Energy Audits.

Gross floor area. Gross floor area is the total area in square feet of all floors and spaces in a covered building, as measured between the exterior surfaces of the enclosing fixed walls. Gross floor area includes vent shafts, elevator shafts, flues, pipe shafts, vertical ducts, stairwells, light wells, basement space, cellar space, mechanical/electrical rooms, and interior parking. Gross floor area does not include unroofed courtyards or unroofed light wells. For atria, gross floor area only includes the area of atrium floors. For the purposes of calculating gross floor area in tenant spaces, interior demising walls should be measured to the centerline of the wall.

Qualified energy auditor. The term qualified energy auditor means a person who holds one of the following credentials in good standing:

- (i) Certified Energy Manager (CEM), certified by the Association of Energy Engineers (AEE);
- (ii) Certified Energy Auditor (CEA), certified by AEE;
- (iii) Certified Measurement and Verification Professional (CMVP), certified by AEE;
- (iv) High Performance Building Design Professional (HBDP), certified by ASHRAE;
- (v) Building Energy Assessment Professional (BEAP), certified by ASHRAE;
- (vi) Multifamily Building Analyst (MFBA), certified by the Building Performance Institute (BPI), for portions of a covered building that are classified by the US EPA’s Energy Star Portfolio Manager as a multifamily property type; or
- (vii) Registered Design Professional (RDP).

§ 2. The opening paragraph of subdivision (b) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended, and a new paragraph 8 of such subdivision is added, all to read as follows:

(b) Reporting. By May 1, 2025, a building emissions report for calendar year 2024, and by May 1 of every year thereafter, except as provided in paragraph 8 of this subdivision, a building emissions report for the previous calendar year is required to be submitted to the Department by the owner of a covered building and must be submitted in accordance with the requirements of this section.

(8) Extension for certain income-restricted housing and other covered buildings. The reporting requirement described in the opening paragraph of subdivision b of this section is modified for certain covered buildings as follows:

- (i) For a covered building that has at least 1 but fewer than 35% of dwelling units required by law or by an agreement with a governmental entity to be regulated in accordance with the emergency tenant protection act of 1974, the rent stabilization law of 1969, or the local emergency housing rent control act of 1962, as set forth in section 28-320.3.10.1 of the Administrative Code, the initial report must be submitted by May 1, 2027;
- (ii) For a covered building that is owned by a limited-profit housing company organized under article 2 of the private housing finance law, as set forth in section 28-320.3.9 of the Administrative Code, the initial report must be submitted by May 1, 2036;
- (iii) For a covered building that has at least 1 dwelling unit for which occupancy or initial occupancy is restricted based upon the income of the occupant or prospective occupant thereof as a condition of a loan, grant, tax exemption, tax abatement, or conveyance of property from any state or local governmental agency or instrumentality pursuant to the private housing finance law, the general municipal law, or section 420-c of the real property tax law, as set forth in section 28-320.3.9 of the Administrative Code, the initial report must be submitted by May 1, 2036.

§ 3. Paragraph (2) of subdivision (c) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(2) The occupancy group for each space in a covered building must be determined according to the [property type in] Energy Star Portfolio Manager (ESPM) property type as set out in this rule, or any successor ESPM name for such property type, that most accurately describes the use of such space during the year for which building emissions are reported, provided that the ESPM

property types "Other" and "Mixed Use" may not be assigned to any portion of a covered building. Such determination must be made by the registered design professional preparing the building emissions report.

§ 4. The opening paragraph of subparagraph (i) of paragraph (3) of subdivision (c) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(i) Except as provided in subparagraph (ii) of this paragraph, for the purposes of reporting for calendar years 2024 – 2029, the following emissions factors apply to the following Energy Star Portfolio Manager [(EPSM)] (ESPM) property types:

§ 5. Subparagraph (ii) of paragraph (3) of subdivision (c) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(ii) For purposes of reporting for calendar years 2024 and 2025, an owner may utilize a building emissions intensity limit for an occupancy group set forth in section 28-320.3.1 of the Administrative Code, provided such building emissions intensity limit is greater than the emissions factor assigned pursuant to subparagraph (i) for the ESPM property type that most accurately describes the use of the building or space, as determined in accordance with paragraph (2) of this subdivision. Building emissions must be calculated in accordance with either this subparagraph or subparagraph (i) of this paragraph, and may not be calculated by using a combination of such provisions.

§ 6. The title of the equation in item 2 of clause b of subparagraph (v) of paragraph (3) of subdivision (d) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

g_x = (m_ux * g_ux) + (m_cx * g_cx) / (m_ux + m_cx) (Equation [103-14.10] 103-14.11)

§ 7. The opening paragraph of subparagraph (vi) of paragraph (3) of subdivision (d) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

(vi) GHG coefficients for distributed energy resources. For the purposes of this subparagraph, all distributed energy resources must be separately metered or sub-metered in a manner that produces data for the year being reported. Notwithstanding any other provision of this section, the GHG coefficient for the distributed energy resources described in this subparagraph may be determined as follows:

§ 8. Clause a of subparagraph (vi) of paragraph (3) of subdivision (d) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

a. GHG coefficient for certain distributed energy resources. Except as provided in clause b [or c], c or d of this subparagraph, the GHG coefficient for energy generated by distributed energy resources, such as microturbines, combined heat and power generation, and fuel cells, including natural gas-powered fuel cells that commenced operation on or after January 19, 2023, shall be determined in accordance with subparagraph (i) or (ii) of this paragraph, for the energy source used to generate the energy for such distributed energy resource and the calendar year being reported. Where an owner chooses to utilize a utility electricity GHG coefficient based on TOU to account for operation of distributed energy resources, such owner must use a TOU coefficient for all utility electricity consumption for their reporting.

§ 9. Subparagraph (vi) of paragraph (3) of subdivision (d) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new clause d to read as follows:

d. GHG emissions differential for certain natural gas-powered fuel cells. In reporting annual building emissions, an owner of a covered building that utilizes natural gas-powered fuel cells that commenced operation prior to January 19, 2023 may account for the differential emissions to be added to their annual building emissions, in accordance with this clause. An owner of a covered building must submit to the Department documentation of the natural gas consumed annually by the fuel cell, and the electricity generated by the natural gas-powered fuel cell annually during the calendar year for which emissions are being reported. Records for natural gas consumed and electricity generated by the fuel cell must be made available to the Department upon request.

The differential emissions shall be calculated as follows for the calendar year being reported:

FCEM = (FCNG x NGC) - (FCEL x MGC) (Equation 103-14.12)

Where:

FCEM = the annual natural gas-powered fuel cell differential emissions in tCO2e.

FCNG = the annual natural gas consumed by the natural gas-powered fuel cell, in kBtu.

NGC = the natural gas coefficient per this paragraph in units of tCO2e per kBtu.

MGC = the annual average marginal grid coefficient per Table 103-14.1.

FCEL = the annual electricity generated by the natural gas-powered fuel cell, in kWh.

Table 103-14.1

Table with 2 columns: Year, MGC (tCO2e/kWh). Rows for years 2024 through 2029.

§ 10. Paragraph (3) of subdivision (d) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to add a new subparagraph (vii) to read as follows:

(vii) GHG Coefficient for beneficial electrification. For each building emissions report required pursuant to section 28-320.3.7 of the Administrative Code, the beneficial electrification coefficient for qualifying electrical equipment and systems meeting the definition of beneficial electrification shall be as established herein. Such coefficient may be modified by the department as necessary.

a. Equipment installed and operating between January 1, 2027, and December 31, 2029, shall be -0.00065 tCO2e/kWh.

b. Equipment installed and operating prior to January 1, 2027, shall be -0.0013 tCO2e/kWh.

§ 11. The title of the equation in subparagraph (i) of paragraph (4) of subdivision (d) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

X = sum_n m_n * g_n (Equation [103-14.11] 103-14.13)

§ 12. Paragraph (4) of subdivision (d) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to add a new subparagraph (iii) to read as follows:

(iii) GHG emissions generated under beneficial electrification. An owner may utilize the beneficial electrification coefficient in calculating GHG emissions resulting from the use of qualifying electric equipment as set forth in subparagraph (vii) of paragraph 3 of this subdivision. The annual electric energy use for beneficial electrification shall be determined based on either (a) Metered Electric Use or (b) Deemed Electric Use approach as described in this subparagraph. GHG emission savings accrued from beneficial electrification may be banked for future use for the covered building in which the qualifying equipment was installed as described herein.

a. Metered electric use. An owner may calculate electricity emissions based on the measured annual electricity use of the qualifying installed electric equipment using the coefficients for beneficial electrification as established in paragraph (3) of this subdivision. Such owner must be able to document hourly records, monthly energy consumption, and total annual electricity consumption for such equipment. Such documentation may be requested by the Department. Records should be retained for a minimum of six years. The installation must meet at least one of the following to qualify for use of a beneficial electrification coefficient for metered electric use:

- i. must be separately metered by the utility; or
- ii. must be separately metered or sub-metered by the owner in a manner that produces auditable data aligned with the reporting year; or
- iii. must be capable of and configured to produce data that records the electricity supplied to the equipment over the course of the reporting year by means of hardware and software integrated with the equipment.

b. Deemed Electric Use: For installed electric equipment, qualifying as beneficial electrification, with a rated heating capacity of less than 1,200,000 btu/h, an owner may calculate electricity emissions based on the installed capacity of the equipment and using the coefficients for beneficial electrification as established in paragraph (3) of this subdivision. Only equipment that meets the requirements of the test procedures listed in the definition of beneficial electrification are eligible to calculate using deemed electric use; other equipment or systems whose test procedures are not listed in the definition of beneficial electrification shall determine beneficial electric use based on the requirements for Metered Electric Use. The deemed electric use shall be calculated based on the following:

$$AS_{de} = \left(\frac{HC}{3.412} \right) \times \left(\frac{1}{1.51} \times EFLH \times SF \right) \quad (\text{Equation 103-14.14})$$

Where:

AS_{de} = Annual electric energy use associated with beneficial electrification for an air source heat pump (ASHP) used for space heating in units of kWh.

HC = Heating capacity of ASHP equipment rated at an outside air temperature of 5°F, in units of kBtu per hour.

$EFLH$ = Equivalent full loaded hours for the occupancy type served by the ASHP pursuant to guidance issued by the Department.

$$WH_{de} = (GPD) \times (14.2 \times CF) \quad (\text{Equation 103-14.15})$$

Where:

WH_{de} = Annual electric energy use associated with beneficial electrification for a heat pump water heater (HPWH) used for water heating in units of kWh.

GPD = Daily hot water usage in gallons per day (GPD) based on heat pump water heater usage rates pursuant to guidance issued by the Department.

CF = Heating capacity of HPWH as per Equation 103-14.16.

$$CF = (C/PL) \quad (\text{Equation 103-14.16})$$

Where:

CF = HPWH Capacity Factor. The ratio of installed HPWH capacity to peak service hot water load, limited to a maximum value of 1.0.

C = The aggregate capacity of HPWH equipment in units of kBtu/h.

PL = Peak load factor multiplied by the associated occupancy metric (i.e., 1,000 square feet, number of people, number of dwelling units, number of students, etc.) from Peak Service Hot Water Load Table

Peak Service Hot Water Load

Occupancy	Peak Load factor	Occupancy Metric
Assembly	0.310	per 1,000 square feet
Community College	0.084	per person
Dormitory	0.759	per resident
Elementary School	0.022	per student
Fast Food Restaurant	22.07	per restaurant
Full-Service Restaurant	110.4	per restaurant
Grocery	0.151	per 1,000 square feet
High School & Middle School	0.084	per person
Hospital	2.403	per 1,000 square feet
Hotel/Motel	2.010	per 1,000 square feet
Office	0.049	per person
Multifamily	2.031	per dwelling unit
Religious	0.310	per 1,000 square feet
Retail	0.151	per 1,000 square feet
University	0.022	per student
Warehouse	0.041	per 1,000 square feet
Other	0.216	per 1,000 square feet

c. Applying and reserving beneficial electrification GHG savings. Owners who have qualifying equipment that is installed and remains in operation in the covered building, may apply GHG emissions savings or accrue savings for future use in reporting emissions for such building, provided that in any reporting year between 2024 and 2036 in which such covered building's emissions are not below the emissions limit set forth in section 28-320.3 of the Administrative Code, any such savings must be applied. Beneficial electrification savings from a calendar year may be applied in whole to reporting for that calendar year or in whole to another future calendar year but may not be combined with accrued savings from other years. Such savings may be accrued as follows:

Year equipment was operated	Years eligible for application of the GHG savings
2024 and prior	Any 6 calendar years between 2024 and 2036
2025	Any 5 years between 2025 - 2035
2026	Any 4 years between 2026 - 2034
2027	Any 3 years between 2027 - 2034
2028	Any 2 years between 2028 - 2034
2029	Any 1 year between 2029 - 2034

d. When submitting a building emissions report in which an owner applies the beneficial electrification coefficient to a portion of their annual energy consumption, such owner must document installation of the equipment with the letter of completion for such equipment along with the DOB job number.

§ 13. The title of the equation in subparagraph (ii) of paragraph (2) of subdivision (e) of section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

$$ESS = CAP \cdot TES \cdot Eff \quad (\text{Equation [103-14.12] 103-14.17})$$

§ 14. Section 103-14 of Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended to add new subdivisions (g), (h), (i), and (j) to read as follows:

(g) Penalty for failing to file a building emissions report. An owner of a covered building shall be liable for a civil penalty for failing to file a building emissions report within 60 days of the reporting deadline or by the date of any extension deadline granted by the Department pursuant to this rule.

(1) Calculation. Such penalty shall be an amount equal to the gross floor area of such building, multiplied by \$0.50, for each month such report is not submitted within the 12 months following May 1 of each year, including the 60 days following the deadline.

(2) Extension of time to file. An owner who is unable to file the building emissions report by the reporting deadline despite such owner's good faith efforts may apply for an extension in accordance with section 28-320.3.7.1 of the Administrative Code and this paragraph. An application for an extension must be filed with accompanying documentation no earlier than 30 days before and no later than 60 days after May 1 of each year. For purposes of this subdivision, an owner demonstrates good faith efforts for consideration of an extension where:

(i) The registered design professional hired for purposes of completing the building emissions report could not complete such report by the reporting deadline. For purposes of this paragraph, acceptable documentation in support of such extension request includes a contract between the owner and the registered design professional executed no later than February 1 of the year such report is required to be filed and an affidavit signed by the owner and the registered design professional stating that such professional was unable to complete the report on time and that the report will be completed and filed within 120 days of the reporting deadline; or

(ii) The owner has challenged a determination by the Department of Finance regarding whether the square footage of the building qualifies such building as a covered building, provided that such owner must file the building emissions report within 120 days of the first determination by the Department of Finance that such building qualifies as a covered building following the commencement of such challenge. For purposes of this paragraph, acceptable documentation in support of such extension request includes an attestation signed by the owner indicating why the square footage of the building does not qualify such building as a covered building and all correspondence between the Department of Finance and such building owner related to such dispute.

(h) Penalty for exceeding building emissions limits. An owner of a covered building shall be liable for a civil penalty for exceeding the building emissions limits established for a calendar year pursuant to Article 320 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder. Such penalty shall be an amount equal to the difference between the building emissions limit established for a calendar year and the actual emissions reported for such calendar year in the building emissions report, multiplied by \$268.

(i) Mitigating factors during the 2024-2029 compliance period. Notwithstanding any other provision of the Department's rules, an owner not in compliance with such emissions limits may be eligible for a mitigated penalty based on mitigating factors as specified in this subdivision. Any such mitigating factors must be filed with the building emissions report and must be documented in a form and manner established by the Department.

(1) Unexpected or unforeseeable event. An owner may demonstrate that an unexpected or unforeseeable event or condition outside of their control precluded compliance during a calendar year where a building was damaged as a result of a disaster, including but not limited to a hurricane, severe flooding, or fire. Such owner must provide photographs demonstrating the nature and extent of any such damage, and a description of how such damage precluded compliance in such calendar year. Demonstration of such an unexpected or unforeseeable event or condition may result in a penalty of zero dollars for such calendar year for which such demonstration is claimed.

(2) Good faith efforts. An owner may demonstrate they made good faith efforts to comply with Article 320 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder.

Demonstration of good faith efforts may result in a mitigated penalty for the calendar year for which such demonstration is claimed. An owner may demonstrate good faith efforts by meeting all of the following criteria:

i. Such owner submits the annual building emissions report for the previous calendar year pursuant to Article 320 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder; and is in compliance with any adjustment granted in accordance with section 28-320.7, 28-320.8, or 28-320.9 of the Administrative Code and rules promulgated thereunder; and

ii. Such owner uploads benchmarking information for the previous calendar year to the benchmarking tool in accordance with section 28-309.4 of Article 309 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder as applicable, or the data required by section 28-309.4 of the Administrative Code for the prior calendar year; and

iii. Such owner submits an attestation in a form and manner determined by the Department that upgrades have been made to lighting systems as required by Article 310 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder, and electrical sub-meters in tenant spaces have been installed as required by Article 311 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder; and

iv. In addition to the information required by subparagraphs (i) through (iii) of this paragraph, a demonstration of good faith efforts includes one or more of the following:

(a) No later than May 1, 2025, an owner submits a copy of a decarbonization plan certified by a registered design professional to the Department that is being implemented at such covered building. Such plan must include:

(1) An energy audit prepared by a qualified energy auditor no earlier than four years prior to the date of submission to the Department; and

(2) An inventory of all HVAC equipment, domestic hot water equipment, electrical equipment, lighting, and conveyance equipment serving the building, including the date of installation of such equipment and, where applicable, whether such equipment serves multiple buildings; and

(3) A description of any work that received a certificate of completion or temporary certification of occupancy on January 1, 2013 or later, that resulted in no less than a 10% emissions reduction for the building as compared to the emissions measured the year prior to the completion of such work; and

(4) A list of alterations and changes to operations and maintenance that will result in the building achieving emissions reductions required by Article 320 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder and resulting in net zero carbon emissions in 2050, including energy conservation measures to be undertaken during the current and future compliance periods, and the complete schedule for retrofit strategies necessary to reach net zero carbon emissions. Compliance strategies may not include the removal of a tenant. Each item on the list of alterations and changes must include:

i. A timeline for each alteration or change to operations that demonstrates when the work will be completed in order to achieve the necessary emissions reductions required for timely compliance with each compliance period;

ii. A capital plan for such work, including financing and incentives; and

iii. The corresponding emissions reductions estimated to result from each alteration or change to operations; and

(5) An owner who files a decarbonization plan in accordance with this clause must additionally demonstrate all of the following:

- i. Within 24 months of the submission of such plan, demonstrate that the work necessary to bring the building into compliance with such building's emissions limit for calendar year 2024 is completed; and
- ii. By May 1, 2028, provide evidence that a complete application has been approved by the Department for the work necessary to comply with such building's 2030 emissions limit;

(6) An owner who files a decarbonization plan in accordance with this clause may not claim emissions deductions associated with the purchase of renewable energy credits (RECs) for the 2024-2029 compliance period.

(b) An owner provides evidence that a complete application has been approved by the Department for the work necessary to comply with the 2024-2029 emissions limit, a timeline for completion of the project, and the corresponding emissions reductions estimated to result from the alteration, provided that where such work does not require an application to the Department, the owner may submit a copy of a signed contract with a service provider to perform such work and proof of payment in lieu of evidence that a complete application has been approved by the Department; or

(c) An owner provides evidence that the covered building is undergoing work to achieve electric readiness by submitting:

- (1) An approved electrical alteration application to make upgrades to the building's electric service for the purposes of future replacement of fossil fuel-based equipment with electric equipment; and
- (2) Certification that the electric utility has received the contractor work request and/or has approved a load letter for service increase; and
- (3) An anticipated timeline for completion of the work; or

(d) An owner previously submitted an annual building emissions report during the 2024-2029 compliance period that demonstrated such building was under the established emissions limits for the calendar year that such report was submitted; or

(e) An owner of a critical facility provides a description with documentation, in a form and manner determined by the Department, of how payment of a penalty would impact the operations of such facility; or

(f) An owner attests in a form and manner determined by the Department that such owner has applied for or been granted an adjustment by the Department in accordance with section 28-320.7 of the Administrative Code and rules promulgated thereunder.

(j) Enforcement. Notwithstanding any other provision of the Department's rules, an owner not in compliance with the requirements of Article 320 of Chapter 3 of Title 28 of the Administrative Code and rules promulgated thereunder will be liable for a penalty calculated as described herein that may be recovered in a proceeding before the Office of Administrative Trials and Hearings (OATH) governed by OATH's rules of practice and procedure pursuant to Title 48 of the Rules of the City of New York.

(1) Notice. The Department shall issue administrative summonses pursuant to this subdivision which shall contain at minimum the following information:

- i. A description of the nature of the violation sufficient to inform the respondent of the prohibited conduct, including a citation to the rule or section of the Administrative Code alleged to have been violated; and
- ii. The maximum penalty amount calculated by the Department; and

iii. Instructions to the Respondent for how to pay such penalty; and

iv. The date, time, and location of the scheduled adjudication on such penalty, or instructions to the Respondent for how to schedule an adjudication.

(2) Resolving the administrative summons prior to adjudication. A Respondent may resolve the summons prior to adjudication by:

- i. Paying the penalty amount calculated by the Department; or
- ii. Submitting proof to the Department that the condition has been corrected prior to the scheduled adjudication.

(3) Mediated resolution. i. The Department may offer a mediated resolution to an owner not in compliance with the annual building emissions limits, provided that the Department shall offer such resolution only where (i) such owner has filed a report pursuant to section 28-320.3.7 of the Administrative Code; (ii) such owner has demonstrated good faith efforts to meet such emissions limits, including but not limited to the criteria set forth in paragraph 2 of subdivision i of this section or other demonstrated effort to meet such limits; and (iii) such resolution would facilitate the building meeting such building's annual emissions limit.

ii. A mediated resolution is an agreement between the owner and the Department not to bring an enforcement proceeding and may provide for terms and conditions determined by the Department, including but not limited to a plan to achieve compliance with the building emissions limit set forth in section 28-320.3.1 of the Administrative Code. The terms of such agreement may contain such provisions as may be agreed upon by the Department and the owner. The Department shall provide guidance with respect to such plan, including examples of appropriate compliance plans.

iii. Such agreement shall provide that an enforcement proceeding will be commenced and civil penalties may be imposed for the violation of Article 320 of Title 28 of the Administrative Code where the owner fails to comply with the terms of such mediated resolution. Where such agreement covers more than one year, the owner may be subject to an enforcement proceeding and civil penalty pursuant to subdivision (h) of this section for each calendar year that such owner is not in compliance with the annual building emissions limit during that time period.

iv. A mediated resolution entered into between the department and the owner of a building may be transferred to a subsequent owner of such building who consents to such transfer. Failure to comply with the terms of such mediated resolution by a subsequent owner who consents to such transfer will result in an enforcement proceeding as set forth in subparagraph (iii) of this paragraph.

◀ d21

SPECIAL MATERIALS

COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 12/27/2023, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
2	418	1
3	411	24

Acquired in the proceeding entitled: GOWANUS CANAL SUPERFUND REMEDIATION, PHASE 1 subject to any liens and

encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

BRAD S. LANDER
Comptroller

d12-26

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre Street, Room 629, New York, NY 10007, on 12/27/2023, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
10-16	3769	4, 8,11,19, 22, 23 AND 29

Acquired in the proceeding entitled: NEW CREEK BLUEBELT PHASE 5A subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

BRAD S. LANDER
Comptroller

d12-26

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

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

Notice Date: December 15, 2023

To: **Occupants, Former Occupants, and Other Interested Parties**

Property: Address	Application #	Inquiry Period
132 West 45th Street, Manhattan	89/2023	November 2, 2020 to Present
249 Lenox Avenue, Manhattan	90/2023	November 15, 2020 to Present
317 Jefferson Avenue, Brooklyn	96/2023	November 16, 2020 to Present
174 Prospect Place, Brooklyn	100/2023	November 13, 2020 to Present
221 West 134th Street, Manhattan	101/2023	November 8, 2020 to Present
377 Grove Street, Brooklyn	102/2023	November 21, 2020 to Present
522 West 142nd Street, Manhattan	108/2023	November 27, 2020 to Present

Authority: **SRO, Administrative Code §27-2093**

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call **(212) 863-5277** or **(212) 863-8211**.

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

**PETICIÓN DE COMENTARIO
SOBRE UNA SOLICITUD PARA UN
CERTIFICACIÓN DE NO ACOSO**

Fecha de notificación: December 15, 2023

Para: **Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas**

Propiedad:	Dirección:	Solicitud #:	Período de consulta:
132 West 45th Street, Manhattan		89/2023	November 2, 2020 to Present
249 Lenox Avenue, Manhattan		90/2023	November 15, 2020 to Present
317 Jefferson Avenue, Brooklyn		96/2023	November 16, 2020 to Present
174 Prospect Place, Brooklyn		100/2023	November 13, 2020 to Present
221 West 134th Street, Manhattan		101/2023	November 8, 2020 to Present
377 Grove Street, Brooklyn		102/2023	November 21, 2020 to Present
522 West 142nd Street, Manhattan		108/2023	November 27, 2020 to Present

Autoridad: **SRO, Código Administrativo §27-2093**

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al **CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038** por carta con matasellos no mas tarde que **30 días** después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al **(212) 863-5277** o **(212) 863-8211**.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

d15-26

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

Notice Date: December 15, 2023

To: **Occupants, Former Occupants, and Other Interested Parties**

Property: Address	Application #	Inquiry Period
440 West 36th Street, Manhattan	105/2023	June 21, 2004 to Present

Authority: **Special Hudson Yards District, Zoning Resolution §93-90**

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling in certain areas designated in the Zoning Resolution, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at **CONH Unit, 100 Gold Street,**

6th Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-821.

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO

Fecha de notificación: December 15, 2023

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Table with 4 columns: Propiedad, Dirección, Solicitud #, Período de consulta. Row 1: 440 West 36th Street, Manhattan, 105/2023, June 21, 2004 to Present

Autoridad: Special Hudson Yards District, Zoning Resolution Código Administrativo §93-90

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038 por carta con matasellos no mas tarde que 30 días después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al (212) 863-5277 o (212) 863-8211.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

d15-26

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT PILOT PROGRAM

Notice Date: December 15, 2023

To: Occupants, Former Occupants, and Other Interested Parties

Table with 3 columns: Property, Address, Application #, Inquiry Period. Row 1: 881 St. Johns Place, Brooklyn, 99/2023, November 3, 2018 to Present

Authority: Pilot Program Administrative Code §27-2093.1, §28-505.3

Before the Department of Buildings can issue a permit for the alteration or demolition of a multiple dwelling on the Certification of No Harassment Pilot Program building list, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period. Harassment is conduct by an owner that is intended to cause, or does cause, residents to leave or otherwise surrender any of their legal occupancy rights. It can include, but is not limited to, failure to provide essential services (such as heat, water, gas, or electricity), illegally locking out building residents, starting frivolous lawsuits, and using threats or physical force.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038 by letter postmarked not later than 45 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement, please call (212) 863-5277 or (212) 863-8211.

For the decision on the Certification of No Harassment Final Determination please visit our website at www.hpd.nyc.gov or call (212) 863-8266.

PETICIÓN DE COMENTARIO SOBRE UNA SOLICITUD PARA UN CERTIFICACIÓN DE NO ACOSO PROGRAMA PILOTO

Fecha de notificación: December 15, 2023

Para: Inquilinos, Inquilinos Anteriores, y Otras Personas Interesadas

Table with 4 columns: Propiedad, Dirección, Solicitud #, Período de consulta. Row 1: 881 St. Johns Place, Brooklyn, 99/2023, November 3, 2018 to Present

Autoridad: PILOT, Código Administrativo §27-2093.1, §28-505.3

Antes de que el Departamento de Edificios pueda conceder un permiso para la alteración o demolición de una vivienda múltiple de ocupación de cuartos individuales, el propietario debe obtener una "Certificación de No Acoso" del Departamento de Preservación y Desarrollo de la Vivienda ("HPD") que indique que tiene no haber sido hostigado a los ocupantes legales del edificio durante un periodo de tiempo especificado. El acoso es una conducta por parte de un dueño de edificio que pretende causar, o causa, que los residentes se vayan o renuncien a cualquiera de sus derechos legales de ocupación. Puede incluir, entre otros, no proporcionar servicios esenciales (como calefacción, agua, gas o electricidad), bloquear ilegalmente a los residentes del edificio, iniciar demandas frívolas y utilizar amenazas o fuerza física.

El dueño del edificio identificado anteriormente ha solicitado una Certificación de No Acoso. Si tiene algún comentario o evidencia de acoso en este edificio, notifique a HPD al CONH Unit, 100 Gold Street, 6th Floor, New York, NY 10038 por carta con matasellos no mas tarde que 45 días después de la fecha de este aviso o por una declaración en persona realizada dentro del mismo periodo. Para hacer una cita para una declaración en persona, llame al (212) 863-5277 o (212) 863-8211.

Para conocer la decisión final sobre la Certificación de No Acoso, visite nuestra pagina web en www.hpd.nyc.gov o llame al (212) 863-8266.

d15-26

TRANSPORTATION

NOTICE

Department of Transportation has received an application for a new commuter van service authority for territory and vans in the Borough of Brooklyn. The van company requesting this authority is Dollaride, Inc. The address is 370 Jay Street, Brooklyn, NY 11201. The applicant is requesting to provide service 4:00 A.M.-11:00 P.M./Sunday-Saturday.

The area requested is:

Areas bounded by Flushing Avenue and Bushwick Avenue to the North, Flatbush Avenue and Ocean Avenue on the West, the Belt Parkway on the South and Van Siclen Avenue on the East. The primary commercial pickup and drop-off locations will include:

- 1. Brooklyn Navy Yard
2. Barclays Center
3. Brooklyn College
4. Kings Plaza Shopping Center
5. Canarsie Plaza
6. Utica Avenue and Eastern Parkway

Primary residential pick up and drop-off areas include:

- 1. Marcy and Summer Housing Community
2. East Flatbush
3. Flatlands
4. Glenwood Houses
5. Starrett City
6. Brownsville Housing Community

d18-j2

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