



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXVIII NUMBER 218

MONDAY, NOVEMBER 14, 2011

PRICE \$4.00

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THE CITY RECORD

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Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

NOTICE OF MEETINGS

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Design Commission

Meets in City Hall, Third Floor, Manhattan, New York 10007 on the second Monday of the month, except August. For changes in the schedule, copies of monthly agendas, or additional information, please call (212) 788-3071 or visit our web site at nyc.gov/artcommission

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

Environmental Control Board

Meets at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, NY 10006 at 9:15 A.M., once a month at the call of the Chairman.

Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Wednesdays, commencing 2:30 P.M., and other days, times and location as warranted.

Real Property Acquisition And Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings take place every other Wednesday at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). For Board Meeting dates and times, please visit NYCHA's Website at nyc.gov/nycha or contact the Office of the Secretary at (212) 306-6088. Copies of the Calendar are available on NYCHA's Website or can be picked up at the Office of the Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Copies of the Disposition are also available on NYCHA's Website or can be picked up at the Office of the Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting. Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting. These meetings are open to the public. Pre-registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first. Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five business days before the Board Meeting. For additional information, please visit NYCHA's Website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

QUEENS BOROUGH PRESIDENT

PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held by the Borough President of Queens, Helen Marshall, on **Thursday, November 17, 2011** at 10:30 A.M., in the Borough Presidents Conference Room located at 120-55 Queens Boulevard, Kew Gardens, New York 11424, on the following items:

NOTE: Individuals requesting Sign Language Interpreters should contact the Borough President's Office, (718) 286-2860, TDD users should call (718) 286-2656, no later than **FIVE BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.**

CD07 - BSA #255-00 BZ - IN THE MATTER of an application submitted by Sheldon Lobel, P.C. on behalf of Full Gospel New York Church, pursuant to Section 72-01 and 72-22 of the NYC Zoning Resolution to seek to amend the previously granted variance to permit a change of use on the 2nd and 3rd floors of the existing building from house of worship (U.G.4) to school (U.G.3) in M1-1 and M2-1 districts located at **130-30 31st Avenue**, Block 4360 Lot 1, Zoning Map 10a, College Point, Borough of Queens.

CD07 - BSA #42-11 BZ - IN THE MATTER of an application submitted by Eric Palatnik P.C. on behalf of Winden LLC, pursuant to Section 73-44 of the NYC Zoning Resolution to amend the existing floor plans to reduce the required accessory off-street parking for ambulatory diagnostic healthcare treatment facility space as well as for office uses in a C4-2 district located at **135-11 40th Road**, Block 5036 Lot 55, Zoning Map 10b, Flushing, Borough of Queens.

CD07 - BSA #94-11 BZ - IN THE MATTER of an application submitted by Victor K. Han on behalf of 149 Northern Plaza, LLC & Seungho Kim, pursuant to Section 73-36 and 73-03 of the NYC Zoning Resolution for a special permit to facilitate the use of a portion of a new building as a physical culture establishment in a C2-2/R6A & R5 districts located at **149-06 Northern Boulevard**, Block 5017 Lot 11, Zoning Map 10c, Flushing, Borough of Queens.

CD07 - BSA #102-11 BZ - IN THE MATTER of an application submitted by H. Irving Sigman on behalf of S&I Property Management, pursuant to Section 73-36 and 73-03 of the NYC Zoning Resolution for a special permit to facilitate the conversion of a portion of an existing 2-story warehouse and office building into a physical culture establishment in an M1-1 district within the Special College Point District, located at **131-23 31st Avenue**, Block 4361 Lot 27, Zoning Map 10a, College Point, Borough of Queens.

n10-17

CITY COUNCIL

PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Wednesday, November 16, 2011: (PLEASE NOTE THE TIME CHANGE)

VENIERO'S PASTICCERIA & CAFÉ

MANHATTAN CB - 3 20125046 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of A. Veniero, Inc., d/b/a Veniero's Pasticceria & Café, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 342 East 11th Street.

RYAN'S IRISH PUB

MANHATTAN CB - 3 20125058 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 151 Second Ave. Rest. Inc., d/b/a Ryan's Irish Pub, for revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 151 Second Avenue.

MEZZOGIORNO ASSOC.

MANHATTAN CB - 2 20125179 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of

Mezzogiorno Associates, d/b/a Mezzogiorno Assoc., for revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 195 Spring Street.

LIFE QUALITY MOTORS

BROOKLYN CB - 7 M 830094(B) ZMK Application submitted by 8902 Foster Avenue, LLC for a modification to Restrictive Declaration D-86, which was approved as part of a Zoning Map Amendment (C 830094 ZMK), involving:

- 1. eliminating the restriction on Use Group 16B (automotive service establishments) uses only on Block 5807, Lot 40, with a prohibition on automotive paint spraying;
2. allowing open accessory parking on the zoning lot; and
3. updating the plan attached as Exhibit D, governing tree replacement, to reflect the proposed conditions;

on property bounded by 2nd Avenue, 63rd Street, 3rd Avenue and 64th Street (Block 5807, Lots 1 and 40), in a C8-1 District.

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 C 110375 ZSK Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to allow the location of a proposed building without regard for the rear yard regulations of Section 43-20 (Yard Regulations) in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 C 110376 ZSK Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744(c) of the Zoning Resolution to modify the sign regulations of Section 32-64 (Surface Area and Illumination Provisions) and Section 32-65 (Permitted Projection or Height of Signs) in connection with a proposed commercial development, on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 C 110377 ZSK Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-53 of the Zoning Resolution to modify the requirements of Section 44-12 (Maximum Size of Accessory Group Parking Facilities) to allow a group parking facility accessory to uses in a large-scale general development, with a maximum capacity of 266 spaces in connection with a proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 C 110378 ZSK Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area, in connection with the proposed commercial development on property located at 2 Wallabout Street (Block 2023, Lot 50), in an M1-4 District, within a Large-Scale General Development generally bounded by Navy Street, Nassau Street, a line 683 feet easterly of Navy Street and a line 420 feet northerly of Nassau Street.

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 C 110380 PQQ Application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at the Brooklyn Navy Yard (Block 2023, lot 50).

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 C 110381 PPK Application submitted by the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the Brooklyn Navy Yard Development Corporation (BNYDC) of city-owned property located in the Brooklyn Navy Yard at 2 Wallabout Street, on the northeasterly corner of Navy and Nassau streets (Block 2023, Lots 50 and p/o Lot 1), Community District 2, subject to restrictions limiting development to the project that is the subject of a special permit for bulk modification to allow certain rear yard encroachments pursuant to ZR Section 74-743(a)(2), a special permit to provide a 266 space group parking facility pursuant to ZR Section 74-53, and a special permit to construct and occupy five retail buildings with no limitation on floor area per establishment pursuant to ZR Section 74-922, respectively.

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 C 110382 ZMK Application submitted by Brooklyn Navy Yard Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, by changing from an M1-2 District to an M1-4 District property bounded by the easterly centerline prolongation of Sands Street, a line 400 feet easterly of Navy

Street, a line 400 feet northerly of Nassau Street, a line 680 feet easterly of Navy Street, Nassau Street, and Navy Street, as shown on a diagram (for illustrative purposes only) dated June 20, 2011.

ADMIRAL'S ROW PLAZA

BROOKLYN CB - 2 N 110383 ZRK Application submitted by the Brooklyn Navy Yard Development Corporation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article VII, Chapter 4 (Special Permits by the City Planning Commission), relating to ownership requirements for Large Scale General Developments.

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

Article VII: Administration

Chapter 4: Special Permits by the City Planning Commission

74-742 Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large-Scale General Development) shall be on a tract of land which at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

When a #large-scale general development# is located within a designated urban renewal area, the City's urban renewal agency, or a person authorized by such agency, may apply for and be granted a special permit under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section. All parcels comprising such #large-scale general development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan. When a #large-scale general development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, or when the site of a proposed #large-scale general development# is owned by the federal government and is within Community District 2 in the borough of Brooklyn, a special permit may be applied for and granted under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section.

SPECIAL 4TH AVE. ENHANCED COMMERCIAL DISTRICT BROOKLYN CB - 2, 6 and 7 C 110386 ZMK

Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 16c & 16d, by establishing a Special Fourth Avenue Enhanced Commercial District (EC) bounded by a line midway between Atlantic Avenue and Pacific Street, 4th Avenue, Pacific Street, a line 100 feet southeasterly of 4th Avenue, President Street, a line 150 feet southeasterly of 4th Avenue, the northeasterly boundary line of James J. Byrne Memorial Park and Playground, a line 100 feet southeasterly of 4th Avenue, 24th Street, 4th Avenue, Prospect Avenue, a line 100 feet northwesterly of 4th Avenue, 6th Street, 4th Avenue, Douglass Street, and a line 100 feet northwesterly of 4th Avenue, as shown on a diagram (for illustrative purposes only) dated June 20, 2011.

SPECIAL 4TH AVE. ENHANCED COMMERCIAL DISTRICT BROOKLYN CB - 2, 6 and 7 N 110387 ZRK

Application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article I, Chapters I, II and IV, and Article XIII, Chapter 2, to establish the Special Fourth Avenue Enhanced Commercial District.

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

Article I: General Provisions

Chapter 1 Title, Establishment of Controls and Interpretation of Regulations

11-12 Establishment of Districts

11-122 Districts established

Special Purpose Districts

Establishment of the Special 125th Street District

Establishment of the Special Fourth Avenue Enhanced Commercial District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 2, the #Special Fourth Avenue Enhanced Commercial District# is hereby established.

Chapter 2 - Construction of Language and Definitions

12-10 Definitions

Special 125th Street District Special Fourth Avenue Enhanced Commercial District

The "Special Fourth Avenue Enhanced Commercial District" is a Special Purpose District designated by the letters "EC" in which special regulations set forth in Article XIII, Chapter 2 apply.

Chapter 4 - Sidewalk Café Regulations

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

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

Table with 4 columns: District Name, #Enclosed Sidewalk Cafe#, #Unenclosed Sidewalk Cafe#. Rows include Brooklyn, Fourth Avenue Enhanced Commercial District, Bay Ridge District, Coney Island District, Coney Island Mixed Use District, Downtown Brooklyn District, Mixed Use District-8 (Greenpoint-Williamsburg), Ocean Parkway District*, Sheepshead Bay District.

* #Sidewalk cafes# are not allowed on Ocean Parkway

Article XIII: Special Purpose Districts

Chapter 2 Special Fourth Avenue Enhanced Commercial District

ALL TEXT IN ARTICLE XIII, CHAPTER 2 IS NEW

132-00 GENERAL PURPOSES

The #Special Fourth Avenue Enhanced Commercial District#, in the Borough of Brooklyn, established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to enhance the character of the area by ensuring that ground floor space within buildings is occupied by establishments that promote a lively and engaging pedestrian experience along Fourth Avenue;
(b) to limit the number of curb cuts along Fourth Avenue in order to minimize conflicts between vehicles and pedestrians; and
(c) to promote the most desirable use of land in the area and thus preserve, protect and enhance the value of land and buildings and thereby protect City tax revenues.

132-01 Definitions

Ground floor level For the purposes of this Chapter, "ground floor level" shall mean a #building's# lowest #story# located within 30 feet of the Fourth Avenue #street wall# of the #building#.

132-10 GENERAL PROVISIONS

The provisions of this Chapter shall apply to all #buildings# with Fourth Avenue #street# frontage. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

132-20 SPECIAL USE REGULATIONS

The special #use# regulations of this Section shall apply to the Fourth Avenue #street walls# of #developments# and to #buildings enlarged# on the #ground floor level#, where such #ground floor level# fronts upon Fourth Avenue.

For #buildings# fronting along multiple #streets#, the required percentage of #ground floor level street wall# allocated to certain #uses#, as set forth in this Section, shall

apply only to the portion of the #building's ground floor level# fronting upon Fourth Avenue.

The following shall be exempt from the #use# provisions of this Section:

- (a) #buildings# located in #Commercial Districts# on a #zoning lot# with a width of less than 20 feet, as measured along the Fourth Avenue #street line#, provided such #zoning lot# existed on (date of adoption); and
- (b) any #community facility building# used exclusively for either a #school#, as listed in Use Group 3, or a house of worship, as listed in Use Group 4.

**132-21
Special Ground Floor Level Use Requirements in Commercial Districts**

In #Commercial Districts#, the following #use# provisions shall apply to the #ground floor level# of a #building#. In addition to these provisions, permitted #uses# shall comply with the provisions of Sections 132-30 (SPECIAL TRANSPARENCY REGULATIONS), and 132-40 (SPECIAL PARKING REGULATIONS).

- (a) Mandatory #commercial uses# for a portion of the #ground floor level#
Mandatory #commercial use# regulations shall apply to an area of a #building's ground floor level# defined by an aggregate width equal to at least 50 percent of a #building's# Fourth Avenue #street wall# and a depth equal to at least 30 feet, as measured from the Fourth Avenue #street wall#. Such an area on the #ground floor level# shall be occupied by #commercial uses# listed in Use Groups 5, 6A, 6C excluding banks and loan offices, 7B, 8A, 8B, or 9A.
- (b) Remaining portion of #ground floor level#
The remaining portion of the #ground floor level# shall be occupied by any non-#residential use# permitted by the underlying district regulations, except that:
 - (1) #residential# lobbies, and an associated vertical circulation core shall be permitted in such remaining area, provided that the #street wall# width of such lobbies shall not exceed 25 feet, as measured along the Fourth Avenue #street line#. In addition, the 30 foot depth requirement for #commercial uses# pursuant to paragraph (a) of this Section may be encroached upon where necessary to accommodate a vertical circulation core associated with such #residential# lobby; and
 - (2) off-street parking spaces and entrances to such spaces shall comply with the provisions of Section 132-40 (SPECIAL PARKING REGULATIONS).
- (c) Location of #ground floor level#
The finished floor of the #ground floor level# shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjacent Fourth Avenue public sidewalk.

**132-22
Special Ground Floor Level Use Requirements in Residence Districts**

In #Residence Districts#, all #uses# permitted by the underlying district regulations are permitted on the #ground floor level#, provided such #uses# comply with the provisions of Sections 132-30 (SPECIAL TRANSPARENCY REGULATIONS), where applicable, and 132-40 (SPECIAL PARKING REGULATIONS).

**132-30
SPECIAL TRANSPARENCY REGULATIONS**

The special transparency regulations of this Section shall apply to the Fourth Avenue #street walls# of #developments# and to portions of #buildings enlarged# on the #ground floor level#, where such #ground floor level# fronts upon Fourth Avenue. For #buildings# fronting along multiple #streets#, the required percentage of #ground floor level street wall# allocated to transparent materials, as set forth in this Section, shall apply only to the portion of the #building's ground floor level# fronting upon Fourth Avenue.

The following shall be exempt from the transparency provisions of this Section:

- (a) #buildings# located in #Residence Districts# where the #ground floor level# of such #buildings# contains #dwelling units# or #rooming units#; and
- (b) #buildings# located in #Commercial Districts# on a #zoning lot# with a width of less than 20 feet, as measured along the Fourth Avenue #street line#, provided such #zoning lot# existed on (date of adoption); and
- (c) any #community facility building# used exclusively for either a #school# or a house of worship.

**132-31
Special Ground Floor Level Transparency Requirements**

The #ground floor level street wall# shall be glazed with transparent materials which may include #show windows#, transom windows or glazed portions of doors, provided such transparent materials have a minimum width of two feet. Such transparency shall occupy at least 50 percent of the surface area of each such #ground floor level street wall# between a height of two feet, and 12 feet, or the height of the ground floor ceiling, whichever is higher as measured from the adjoining sidewalk. The lowest point of any transparency

that is provided to satisfy the requirements of this Section shall not be higher than two feet, six inches above the level of the adjoining sidewalk, with the exception of transom windows, or portions of windows separated by mullions or other structural dividers. In addition, the maximum width of a portion of the #ground floor level street wall# without transparency shall not exceed ten feet.

However, where an entrance to an off-street parking facility is permitted on Fourth Avenue in accordance with the provisions of Section 132-42 (Special Curb Cut Requirements), the transparency requirements of this Section shall not apply to the portion of the #ground floor level street wall# occupied by such entrance.

**132-40
SPECIAL PARKING REGULATIONS**

The provisions of this Section shall apply to all #buildings# with Fourth Avenue #street# frontage.

**132-41
Special Location of Parking Spaces Requirements**

All off-street parking spaces shall be located within a #completely enclosed building#.

Enclosed, off-street parking spaces shall be permitted on the ground floor of a #building# only where they are located beyond 30 feet of such #building's# Fourth Avenue #street wall#. Entrances to such spaces along Fourth Avenue shall be permitted only where a curb cut is allowed in accordance with the provisions of Section 132-42 (Special Curb Cut Requirements).

**132-42
Special Curb Cut Requirements**

For #zoning lots# with frontage along Fourth Avenue and another #street#, curb cuts accessing off-street parking spaces shall not be permitted along Fourth Avenue.

Curb cuts accessing off-street parking spaces shall be permitted on Fourth Avenue only where such curb cut is located on a #zoning lot# that:

- (a) is an #interior lot# fronting along Fourth Avenue;
- (b) existed on (date of adoption);
- (c) has a width of at least 60 feet, as measured along the Fourth Avenue #street line#; and
- (d) has a #lot area# of at least 5,700 square feet.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matter in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Wednesday, November 16, 2011:

P.S./L.S. 437, BROOKLYN

BROOKLYN CB - 7 20115470 SCK
Application pursuant to Section 1731 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 750-Seat Primary/Intermediate School Facility bounded by Kermit Place to the north, Caton Avenue to the south, East 8th Street to the east and East 7th Street to the west (Block 5321, Lots 44, 64 and 73), Borough of Brooklyn, Community School District No. 15.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Hearing Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Wednesday, November 16, 2011:

EL RIO RESIDENCE

BRONX CB - 6 C 110365 HAX
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at East 179th Street (Block 3140, part of Lot 32), as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of an eight-story building with approximately 65 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

BRONX RIVER ART CENTER

BRONX CB - 6 C 110366 HAX
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property consisting of a portion of the former sidewalk of demapped Bronx Street located adjacent to the west side of 1087 East Tremont Avenue (Block 3141, Lot 1) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City

Charter for the disposition of such property to a developer to be selected by HPD;

to provide egress for emergency access purposes to the existing Bronx River Arts Center.

THIRD PARTY TRANSFER

MANHATTAN CB - 9 20125124 HAM
In Rem Action no. 48, application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York for the conveyance of property and related tax exemption pursuant to §577 of the Private Housing Finance Law.

THIRD PARTY TRANSFER

MANHATTAN CB - 3, 9, 10, 11 20125125 HAM
In Rem Actions no. 48 and no. 49, application submitted by the Department of Finance and the Department of Housing Preservation and Development, pursuant to §11-412.1 of the Administrative Code of the City of New York and Article 16 of the General Municipal Law for the transfer and disposition of property and related tax exemptions pursuant to §696 of the General Municipal Law and §577 of the Private Housing Finance Law.

n9-16

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

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Hearing Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Wednesday, November 16, 2011:

RICHMOND GARDENS

STATEN ISLAND CB - 1 20125XXX HAR
Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for an exemption from real property taxes, a termination of the prior exemption and the voluntary dissolution of the current owner for property located at Block 44/Lot1, Block 45/Lot 1, Block 46/Lot 1, Block 47/Lot 62, Block 48/Lot 29, Block 49/Lot 1 and Block 52/Lot 133, Council District 49, Borough of Staten Island.

FAIRWAY GARDENS

STATEN ISLAND CB - 1 20125XXX HAR
Application submitted by the Department of Housing Preservation and Development pursuant to the New York Private Housing Finance Law for an exemption from real property taxes for property located at Block 2869/Lots 1, 23 and 65, Council District 49, Borough of Staten Island.

n9-16

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, November 16, 2011 at 10:00 A.M.

BOROUGH OF THE BRONX

No. 1

HUNTS POINT ALTERNATIVE FUELING STATION CD 2 C 120044 PPX
IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS) and the NYC Department of Small Business Services (SBS), pursuant to Section 197-c of the New York City Charter, for disposition to the NYC Economic Development Corporation of city-owned property located at the Hunts Point Peninsula, corner of Food Center Drive and Halleck Street, (Block 2781, p/o Lot 500), in the Hunts Point Food Distribution Center (FDC), pursuant to zoning.

BOROUGH OF BROOKLYN

No. 2

SHIRLEY CHISHOLM DAY CARE CENTER CD 16 C 110259 PQQ
IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 33 Somers Street (Block 1538, Lot 46) for continued use as a day care center.

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

n1-16

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 08 - Tuesday, November 15, 2011, 6:30 P.M., Hope City Empowerment Center, 650 Washington Avenue (near Bergen St.), Brooklyn, NY

A public hearing regarding the proposal to reduce alternate side parking from 4 times per week to twice per week throughout Community District 8.

n9-15

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 12 - Tuesday, November 15, 2011 at 7:00 P.M., Community Board 12 Office, 5910 13th Avenue, Brooklyn, NY

BSA #165-11-BZ

1560 50th Street

The application requests a variance to permit the enlargement of the existing Synagogue at the premises to extend the third story and add a fourth story to house a Holocaust Educational Center and legalize the enlargement of a women's balcony on the second story.

n9-15

BOARD OF CORRECTION

MEETING

Please take note that the next meeting of the Board of Correction will be held on November 14, 2011 at 9:00 A.M. in the Conference Room of the Board of Correction located at 51 Chambers Street, Room 929, New York, NY 10007.

At that time, there will be a discussion of various issues concerning New York City's correctional system.

n7-14

EMPLOYEES RETIREMENT SYSTEM

INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, November 15, 2011 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor, Boardroom, Brooklyn, NY 11201-3751.

n7-14

HEALTH AND HOSPITALS CORPORATION

PUBLIC MEETING

2011 Annual Public Meeting

In accordance with Section 7384 (10) of the Corporation's Enabling Act, The Board of Directors of MetroPlus Health Plan, Inc., invite you to attend the following annual public meeting:

MANHATTAN, TUESDAY, DECEMBER 6TH, 2011, 5:00 P.M., MetroPlus Health Plan, Inc., 160 Water Street, 12th Floor Executive Conference Room, New York, NY 10038. Advance Registration Deadline: Tuesday, 11/29/11.

Following a report on the activities of the Corporation, the public is invited to make oral and/or written comments. Speaking time is five (5) minutes and speakers are asked to register in advance of the registration deadline by faxing Ms. Kathleen Nolan, Secretary to the Board, at (212) 908-8620, or calling her at (212) 908-8730. In person registration at the location on the day of the meeting begins at 4:00 P.M. and ends at 5:00 P.M. Wheelchair access is available. Speaking preference is given to those who pre-register.

n14-18

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, November 22, 2011 at 9:00 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 12-3341 - Block 8044, lot 1-1 Alston Place - Douglaston Historic District
A Colonial Revival-style freestanding house with attached garage designed by George A. Barnes and built in 1924. Application is to legalize the installation of windows, door, and trim, and deck and alteration to the driveway and areaway, all without Landmarks Preservation Commission permits. Zoned R1-1. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BROOKLYN 12-4580 - Block 2103, lot 65-151 Lafayette Avenue - Fort Greene Historic District
A transitional French Second Empire style rowhouse designed by Thomas H. Brush and built in 1874. Application is to alter the entrance. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-8148 - Block 258, lot 101-75 Atlantic Avenue - Brooklyn Heights Historic District
A 19th century building with a storefront. Application is to legalize modifications to the front facade without Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-3794 - Block 253, lot 13-89 Joralemon Street - Brooklyn Heights Historic District
An Anglo-Italianate style rowhouse built in 1861-1879. Application is to alter the stoop newel posts and areaway walls. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-3900 - Block 1980, lot 40-86 Cambridge Place - Clinton Hill Historic District
An Italian Villa style free standing house built c. 1868. Application is to legalize the installation of siding in non-compliance with Permit for Minor Work 11-8877. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-6669 - Block 948, lot 9-159 6th Avenue - Park Slope Historic District
A neo-Grec style rowhouse built by John Monas in 1884. Application is to create a new window opening. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-3038 - Block 1073, lot 34-60 Montgomery Place - Park Slope Historic District
A Romanesque Revival style rowhouse designed by C.P.H. Gilbert and built in 1889-90. Application is to install lot line windows. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-0970 - Block 1080, lot 14-522 3rd Street - Park Slope Historic District
A Tudor style rowhouse designed by Slee and Bryson and built in 1929. Application is to construct a rear yard addition. Zoned R6. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-4755 - Block 1138, lot 3-597 Vanderbilt Avenue - Prospect Heights Historic District
An Italianate style store and flats building designed by John Doherty and built c. 1878. Application is to install new storefront infill and signage. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-3896 - Block 1143, lot 59-580 Carlton Avenue - Prospect Heights Historic District
An Italianate style wood frame rowhouse built c. prior to 1855 with later alterations. Application is to construct a rear yard addition, reconstruct the facades; and alter the front door and stoop. Zoned R6B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-5605 - Block 210, lot 11, 12-312-322 Canal Street - Tribeca East Historic District
Four converted dwellings built in 1825-26 and altered in 1962-65 by Abrahams L. Seiden; and two commercial buildings designed by Abraham L. Seiden and built in 1962-65. Application is to modify facades that were reconstructed without Landmarks Preservation Commission permits, legalize the installation of windows without Landmarks Preservation Commission permits; and to install storefronts. Zoned C6-2A. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3474 - Block 178, lot 21-1 White Street - Tribeca East Historic District
A Federal style building built in 1807 and altered with the addition of a 4th floor in 1857. Application is to construct a rooftop addition. Zoned C6-2A. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-3390 - Block 501, lot 8-427-429 West Broadway - SoHo-Cast Iron Historic District
Two Italianate style store and storehouse buildings designed by Robert Mook and built in 1872. Application is to install bracket signs. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-1307 - Block 484, lot 31-448-452 Broome Street, aka 52 Mercer Street - SoHo- Cast Iron Historic District
A Renaissance style warehouse building designed by John T. Williams and built in 1894-95; and a store and loft building with French Renaissance style details designed by Vaux & Withers Co. and built in 1871-72. Application is to replace sidewalk vault lights. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5687 - Block 499, lot 32-111 Mercer Street - SoHo-Cast Iron Historic District
A store and loft building designed by Henry Fernbach and built in 1878-79. Application is to construct a rooftop addition. Zoned M1-5A. Community District 2.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 12-4728 - Block 499, lot 32-111 Mercer Street - SoHo-Cast Iron Historic District
A store and loft building designed by Henry Fernbach and built in 1878-79. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use and Bulk pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5330 - Block 545, lot 13-722 Broadway - NoHo Historic District
A Renaissance Revival style store and loft building designed by Francis A. Minuth and built in 1895-96. Application is to install illuminated signage. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4309 - Block 644, lot 43-22 Little West 12th Street - Gansevoort Market Historic District
A neo-Georgian style stables building designed by John M. Baker and built in 1908-09. Application is to construct a rooftop addition, modify the rear facade, install new storefront infill, a canopy, and a painted wall sign. Zoned M1-5. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2485 - Block 644, lot 43-22 Little West 12th Street - Gansevoort Market Historic District
A neo-Georgian style stables building designed by John M. Baker and built in 1908-09. Application is to establish a master plan governing the installation of painted wall signs. Zoned M1-5. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2266 - Block 633, lot 37-703-707 Washington Street, aka 145 Perry Street - Greenwich Village Historic District
A two-story stucco clad building used as a freight loading station since 1938. Application is to demolish the building and construct four buildings. Zoned C1-6A. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2385 - Block 846, lot 33-200 Park Avenue South, aka 39-45 East 17 Street - The Everett Building - Individual Landmark
A Chicago style commercial building designed by Goldwin Starrett and Van Vlaeck and built in 1908. Application is to replace storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2639 - Block 819, lot 27-17 West 17th Street - Ladies' Mile Historic District
A Beaux-Arts style store and loft building designed by George Frederick Pelham and built in 1907. Application is to enlarge a bulkhead. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4483 - Block 1009, lot 50-140 West 57th Street - 140 West 57th Street Studio Building - Individual Landmark
One of a pair of artists' studio buildings designed by Pollard and Steinman and built in 1907-08. Application is to modify the storefront openings and infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4293 - Block 1334, lot 41-320 East 42nd Street - Tudor City Historic District
A Tudor Revival style apartment hotel built in 1928-29. Application is to establish a master plan governing the future installation of windows and window air conditioner units. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7548 - Block 1120, lot 23-1 West 67th Street - Upper West Side/Central Park West Historic District
A neo-Gothic style studio building designed by George M. Pollard and built in 1915-18. Application is to alter a rear parapet. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-4281 - Block 1144, lot 12-151 West 72nd Street - Upper West Side/Central Park West Historic District
A converted rowhouse built in 1883-84 and altered in the early-twentieth century commercial style by Samuel Cohen in 1923. Application is to modify storefront infill installed without Landmarks Preservation Commission permits, legalize the installation of signage in non-compliance with Certificate of No Effect 09-3506 and to install light fixtures. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4458 - Block 1202, lot 40-18 West 89th Street - Upper West Side/Central Park West Historic District
A school building designed by Wechsler and Schimenti and built in 1968-70. Application is to create and modify window openings. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2690 - Block 1386, lot 44-40 East 72nd Street - Upper East Side Historic District
A pair of rowhouses built in 1881 and remodeled as a neo-Classical style apartment building by Schwartz & Gross in 1928. Application is to construct a 10-story addition. Zoned R-10. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-9003 - Block 1399, lot 20-851 Lexington Avenue - Upper East Side Historic District Extension
An altered neo-Grec style rowhouse designed by Robert H. Coburn and built in 1880-1. Application is to install new storefront infill. Community District 8.

n7-22

PUBLIC MEETING

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York that on **Tuesday, November 15, 2011**, there will be a Public Meeting of the Landmarks Preservation Commission in the Public Hearing Chamber at 1 Centre Street, 9th Floor North, Borough of Manhattan, City of New York. For information about the Public Meeting agenda, please contact the Public Information Officer at (212) 669-7817.

Kate Daly
Executive Director

n10-14

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ SALE BY AUCTION

PUBLIC AUCTION SALE NUMBER 12001-F

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Monday, November 21, 2011 (SALE NUMBER 12001-F). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

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

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

<http://www.nyc.gov/autoauction> OR
<http://www.nyc.gov/autoauctions>

Terms and Conditions of Sale can also be viewed at this site. For further information, please call (718) 417-2155 or (718) 625-1313.

**PLEASE NOTE:
THE SALE SCHEDULED FOR WEDNESDAY,
NOVEMBER 16, 2011 HAS BEEN CANCELED.**

n4-21

■ SALE BY SEALED BID

SALE OF: 4 LOTS OF AUTO/TRUCK PARTS, UNUSED.

S.P.#: 12009 DUE: November 17, 2011

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.

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

n2-17

SALE OF: COMMERCIAL KITCHEN EQUIPMENT, USED.

S.P.#: 12008 DUE: November 22, 2011

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.

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007. For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

n7-22

POLICE

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

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

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves. Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN’S SERVICES

■ SOLICITATIONS

Human / Client Services

NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children’s Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

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

Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038. Patricia Chabla (212) 341-3505; Fax: (212) 341-3625; patricia.chabla@dfa.state.ny.us

j1-n14

BUILDINGS

PURCHASING

■ INTENT TO AWARD

Services (Other Than Human Services)

ACCUTRAC SOFTWARE UPGRADE AND MAINTENANCE – Sole Source – Available only from a single source - PIN# 81012S0001 – DUE 11-18-11 AT 3:00 P.M. – Any vendors who believe they can supply this requirement may so indicate in writing.

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

Department of Buildings, 280 Broadway, 6th Floor, New York, NY 10007. Marie Gill (212) 566-4072; Fax: (212) 566-4090; mgill@buildings.nyc.gov

n9-16

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ VENDOR LISTS

Goods

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

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

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j5-d31

COMPTROLLER

PURCHASING

■ INTENT TO AWARD

Goods & Services

SUN EQUIPMENT – Sole Source – Available only from a single source - PIN# 015BIS2606 – DUE 11-15-11 AT 11:00 A.M. – New York City Comptroller’s Office intends to enter into negotiations, on sole source basis, with Oracle, the manufacturer, to provide PARIS Hardware Maintenance Services for Sun Equipment. In accordance with Section 3-05 (C)(I) of the City Procurement Policy Board Rules (the “BP Rules”), the New York City Comptroller’s office is requesting expression of interest from suppliers qualified to compete on this procurement now or in the future.

Expressions of Interest should be sent in writing to Booker Greene, at 1 Centre Street, Room 701, New York, NY 10007, or emailed to bgreene@comptroller.nyc.gov. All expressions must be received by no later than 11:00 A.M. on November 15, 2011. Expressions of Interest will be evaluated; if it appears that the requested services are available from more than a single source, a solicitation shall be issued in accordance with Chapter 3 of the BP 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. Comptroller’s Office, 1 Centre Street, Room 701, New York, NY 10007. Booker Greene (212) 669-7383; Fax: (212) 815-8520; BGreen@comptroller.nyc.gov

n4-14

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

GRINDING EXISTING ASPHALTIC CONCRETE WEARING COURSE IN PREPARATION OF RESURFACING AT DESIGNATED LOCATIONS, QUEENS – Competitive Sealed Bids – PIN# 85011B0144 – AMT: \$8,548,845.00 – TO: Pratt Brothers, Inc., 45 South Fourth St., Bay Shore, NY 11706-1210. Project ID: HW2CR12C. DDC PIN#: 8502011HW0032C.

n14

ECONOMIC DEVELOPMENT CORPORATION

CONTRACTS

■ SOLICITATIONS

Goods & Services

HARLEM INCUBATOR – Request for Proposals – PIN# 49380001 – DUE 12-15-11 AT 4:00 P.M. – New York City Economic Development Corporation (NYCEDC) is seeking proposals from qualified individuals, organizations, or companies to develop, operate, and maintain an incubator space in the Manhattan neighborhood of Harlem, preferably along, or within a two-block walk of 125th Street. NYCEDC may make certain funding available to help cover specific incubator start-up costs and operating expenses. NYCEDC will consider incubator programs for (i) startup businesses in technology, new media, or service sectors, generally, (ii) co-working space for freelancers, entrepreneurs, small businesses, and startups, or (iii) a combination thereof. Food use or similar programs will not be considered for purposes of this incubator.

Programmatic goals for the incubator include: (i) provide a well-managed, fully equipped incubator space that can be rented on a flexible full-time or part-time basis; (ii) provide key programming, including business development and networking opportunities; (iii) offer affordable rents; (iv) help create new, self-sustaining and profitable businesses; and (v) enhance revenue and profitability of existing businesses; (vi) generate more demand for local products or services; and (vii) develop a self-sustaining incubator. The incubator should provide a much needed space for entrepreneurship and innovation in Harlem.

Companies who have been certified with the New York City Department of Small Business Services as Minority and Women Owned Business Enterprises (“M/WBE”) are strongly encouraged to apply. To learn more about M/WBE certification and NYCEDC’s M/WBE program, please visit <http://www.nycfedc.com/opportunitymwbe>.

An optional informational session will be held on Monday, November 21, 2011 at 10:00 A.M. at NYCEDC. Those who wish to attend should RSVP by email to HarlemIncubatorRFP@nycfedc.com on or before Friday, November 18, 2011.

Respondents may submit questions and/or request clarifications from NYCEDC no later than 4:00 P.M. on Wednesday, November 30, 2011. Questions regarding the subject matter of this RFP should be directed to HarlemIncubatorRFP@nycfedc.com. For all questions that do not pertain to the subject matter of this RFP please contact NYCEDC’s Contracts Hotline at (212) 312-3969. Answers to all questions will be posted by Wednesday, December 7, 2011, to www.nycfedc.com/RFP.

The RFP is available for in-person pick-up between 9:30 A.M. and 4:30 P.M., Monday through Friday, from NYCEDC. To download a copy of the solicitation documents please visit www.nycfedc.com/RFP. Please submit six (6) copies of your proposal to: NYCEDC, Attention: Maryann Catalano, Senior Vice President, Contracts.

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

Economic Development Corp., 110 William Street, 6th Floor, New York, NY 10038. Maryann Catalano (212) 312-3969; Fax: (212) 312-3918; HarlemIncubatorRFP@nycfedc.com

n14

EDUCATION

CONTRACTS AND PURCHASING

■ INTENT TO AWARD

Goods

APPLE PRODUCTS AND APPLICATIONS (APPS) – Other – PIN# B2035040 – DUE 11-21-11 AT 5:00 P.M. – The Department of Education intends to enter a sole source goods contract with Apple, Inc. Should you be able to provide these products, please respond in writing by e-mail to: cblair2@schools.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.

Department of Education, 65 Court Street, Room 1201, Brooklyn, NY 11201. Charles Blair (718) 935-2300; VendorHotline@schools.nyc.gov

n14-18

BOARD OF ELECTIONS

■ INTENT TO AWARD

Goods & Services

SOFTWARE DEVELOPMENT AND MAINTENANCE SERVICES FOR COMPUTER SYSTEMS – Negotiated Acquisition – Specifications cannot be made sufficiently definite - PIN# 00320125000C – DUE 11-18-11 AT 5:00 P.M.

As per the PPB Rules Section 3-04-ii there is a limited number of vendors available and able to perform the work.

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.

Board of Elections, 32 Broadway, New York, NY 10004. Gwendolyn Youngblood (212) 487-7213; Fax: (212) 487-5343; gyoungblood@boe.nyc.ny.us

n10-17

SOFTWARE DEVELOPMENT AND MAINTENANCE SERVICES FOR COMPUTER SYSTEMS – Negotiated Acquisition – Specifications cannot be made sufficiently definite - PIN# 00320125000A – DUE 11-18-11 AT 5:00 P.M.
● SOFTWARE DEVELOPMENT AND MAINTENANCE SERVICES FOR COMPUTER SYSTEMS – Negotiated Acquisition – Specifications cannot be made sufficiently definite - PIN# 00320125000B – DUE 11-18-11 AT 5:00 P.M.

As per the PPB Rules Section 3-04 -1-ii there is a limited number of vendors available and able to perform the work.

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.

Board of Elections, 32 Broadway, New York, NY 10004. Gwendolyn Youngblood (212) 487-7213; Fax: (212) 487-5343; gyoungblood@boe.nyc.ny.us

n10-17

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

■ SOLICITATIONS

Goods

STEALTH CROWNS – Competitive Sealed Bids – PIN# 11212015 – DUE 11-25-11 AT 3:00 P.M.

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

Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Erik Bryan (718) 579-5532; Fax: (718) 579-4746; erik.bryan@nychhc.org

n14

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE

– Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

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

Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132. Huguette Beauport (347) 396-6633; hbeauport@health.nyc.gov

a6-s17

■ INTENT TO AWARD

Human / Client Services

IN-HOME RESPITE SPECIALIZED SERVICES – Negotiated Acquisition – PIN# 12EI037901R0X00; 12EI038001R0X00; 12EI038101R0X00 – DUE 11-16-11 AT 3:00 P.M. – DOHMH intends to enter a negotiation

acquisition extension with Richmond Home Need Services, Inc., PIN# 12EI038001R0X00 and Gotham Per Diem, Inc., PIN#s 12EI037901R0X00, and 12EI038101R0X00, to continue services for an additional 12 months for IN-HOME RESPITE SPECIALIZED SERVICES, while a new competitive procurement is being initiated. This notice is for informational purposes only, but vendors are welcome to express an interest in such procurement(s) in the future.

DOHMH has exhausted all of the renewal and extension options, therefore compelling need exists to extend contract one or more times beyond the permissible cumulative 12-mo. limit, and the ACCO has determined that the proposed term of the extension is the minimum time and necessary to meet the need.

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

Health and Mental Hygiene, 42-09 28th Street, 17th Floor, L.I.C., NY 11101. Shamecka Williams (347) 396-6656; swillia9@health.nyc.gov

n7-15

HOUSING AUTHORITY

PURCHASING

■ SOLICITATIONS

Goods

SCO FURNISHING GAS RANGE REPLACEMENT PARTS – Competitive Sealed Bids – RFQ# 28974 AS – DUE 12-01-11 AT 10:35 A.M.

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

Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

n14

SCO FURNISHING ELECTRICAL ITEMS – Competitive Sealed Bids – SCO# 28943 AS – DUE 12-01-11 AT 10:30 A.M.

– Note to Suppliers: This is a RFQ for 5 year blanket order agreement. The awarded bidder/vendor agrees to have (what is being bid) readily available for delivery within 20 days after receipt of order on an “as needed basis” during the duration of the contract period. The quantities provided are estimates based on current usage and the New York City Housing Authority may order less or more depending on our needs. All price adjustable RFQ’s are fixed for one year after award date. One price adjustment per year will be allowed with mfg. supporting documentation only. Please note: NYCHA reserves the right to make award by line or by class as indicated. Samples may be required to be provided within 10 days of request. Failure to do will result in bid being considered non-responsive.

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

Housing Authority, 23-02 49th Avenue, 5th Floor SCOD, Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

n14

HUMAN RESOURCES ADMINISTRATION

■ INTENT TO AWARD

Human / Client Services

NON-EMERGENCY PERMANENT CONGREGATE SUPPORTIVE HOUSING FOR PLWA’S – Negotiated Acquisition – PIN# 06906X0042CNVN001 – DUE 11-15-11 AT 3:00 P.M. – For Informational Purposes Only.

Contractor/Address
 The Doe Fund, Inc.
 232 East 84th Street, New York, NY 10028
 E-PIN# 06906X0042CNVN001 - Amount: \$965,887.00

The Human Resources Administration (HRA) plans to extend the contract for the following Permanent Congregate vendor: The Doe Fund, Inc., located at 232 East 84th Street, New York, NY 10028. This vendor is currently providing Non-Emergency Permanent Congregate Housing and Supportive services to Persons Living with AIDS (PLWA’S). The contract term shall be for one year from 12/1/2011 to 11/30/2012.

This notice is for informational purposes only. Organizations interested in future solicitation for these services are invited to do so by calling the Vendor Enrollment Center at (212) 857-1680 to request a Vendor Enrollment Application or fill one out on-line by visiting www.nyc.gov/selltonyc

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

Human Resources Administration, 12 W. 14th Street, New York, N.Y. Paula Sangester-Graham (212) 620-5493.

n14

CONTRACTS

■ SOLICITATIONS

Services (Other Than Human Services)

TELECOMMUNICATIONS MAINTENANCE AND SUPPORT SERVICES FOR AVAYA PBX SYSTEMS

– Competitive Sealed Bids – PIN# 069-13-510-0001 – DUE 12-19-11 AT 3:00 P.M. – Human Resources Administration is seeking to enter a contractual agreement with a vendor who shall perform maintenance and related services for the Agency owned Avaya Private Branch Exchanges (PBX’S), Meridian Mail and/or Call Pilot, and the Contact Center 6.0.

A non-mandatory pre-bid conference will be held on Thursday, December 1, 2011 at 2:00 P.M. at 180 Water Street, 7th Floor Conference Room, New York, NY 10038. HRA strongly encourages M/WBE participation.

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

Human Resources Administration, 180 Water Street, 14th Floor, New York, NY 10038. Donna Wilson (212) 331-4843; Fax: (212) 331-3457; wilsond@hra.nyc.gov

n14

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

■ SOLICITATIONS

Services (Other Than Human Services)

INFORMATION SERVICES FRANCHISE SOLICITATION

– Other – PIN# 85811FRANCHI – DUE 11-01-12 AT 3:00 P.M. – Solicitation of proposals regarding Franchises, in the City of New York, authorizing the installation of Landline Facilities in the City’s Public Rights-of-way for the provision of Information Services, as such services are defined by Federal Law (and additional, optional franchises for the provision of Telecommunications Services as such services are defined by Federal Law).

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

Department of Information Technology and Telecommunications, 75 Park Place, 9th Floor, New York, NY 10007. Jean Blanc (212) 788-6236; acco@doitt.nyc.gov

o31-n18

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

OPERATION AND MAINTENANCE OF THE CONEY ISLAND CAROUSEL, FOOD SERVICE FACILITY AND SPECIAL EVENT CONCESSION

– Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# B369-SB-CL-2011 – DUE 01-17-12 AT 3:00 P.M. – In Steeplechase Park, Brooklyn.

There will be a recommended proposer meeting on Tuesday, December 6, 2011 at 11:00 A.M. We will be meeting in Room 407 on the Arsenal, which is located at 830 5th Avenue, in Central Park, Manhattan. If you are considering responding to this RFP, please make every effort to attend this recommended meeting.

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

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

Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021. Alexander Han (212) 360-1397; Fax: (212) 360-3434; alexander.han@parks.nyc.gov

n14-28

RENOVATION, OPERATION AND MAINTENANCE OF A NEWSSTAND

– Competitive Sealed Bids – PIN# B219-NS-2012 – DUE 12-09-11 AT 5:00 P.M. – Located at Van Sinderen Avenue between Fulton and Truxton Streets, Callahan and Kelly Playground, Brooklyn.

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

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

Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021. Jeremy Holmes (212) 360-3455; Fax: (212) 360-3434; jeremy.holmes@parks.nyc.gov

n9-23

AGENCY RULES

TAXI AND LIMOUSINE COMMISSION

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? The Taxi and Limousine Commission is considering changing its rules about how certain taxicabs and FHV’s accessible to persons in wheelchairs must operate. These rules implement programs

under which persons in wheelchairs will be able to call to reserve a wheelchair accessible taxicab or FHV for a pickup in Manhattan as well as the outer boroughs.

When and where is the Hearing? The Commission will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 a.m. on Thursday, December 15, 2011. The hearing will be in the Commission hearing room at 33 Beaver Street, 19th Floor, New York, NY 10004.

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

- **Mail.** You can mail written comments to the Taxi and Limousine Commission, Office of Legal Affairs, 33 Beaver Street – 22nd Floor, New York, New York 10004.
- **Fax.** You can fax written comments to the Taxi and Limousine Commission, Office of Legal Affairs, at 212-676-1102.
- **Email.** You can email written comments to tlcrules@tlc.nyc.gov.
- **Website.** You can submit comments to the Taxi and Limousine Commission through the NYC Rules Web site at www.nyc.gov/nycrules.
- **By Speaking At the Hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling 212-676-1135. You can also sign up in the hearing room before the hearing begins on December 15, 2011 at 10:00 A.M. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by December 15, 2011.

Do you need assistance to participate in the Hearing? You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 212-676-1135. You must tell us by Thursday, December 8, 2011.

Can I review the comments made on the proposed rules? A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Office of Legal Affairs at 33 Beaver Street, 22nd Floor, New York, NY 10004.

What authorizes the Commission to make this rule? Sections 1043 and 2303 of the City Charter and section 19-503 of the City Administrative Code authorize the Commission to make this proposed rule. This proposed rule was not included in the Commission’s regulatory agenda for this Fiscal Year because the need for the rule was not anticipated at the time the regulatory agenda was published.

Where can I find the Commission’s rules? The Commission’s rules are in title 35 of the Rules of the City of New York.

What rules govern the rulemaking process? The Commission must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rule

The purpose of the proposed rule is to:

- provide wheelchair users reliable access to wheelchair accessible taxicabs and FHV’s by creating dispatch programs,
- establish dispatch fees to be earned by accessible taxi cab drivers in addition to the regular fares received from each trip ,
- establish fines for owners, drivers and agents who do not comply with the various requirements of the dispatch program.

Background

New York City has an estimated population of 60,000 plus wheelchair users. In 2002, the New York City Council enacted legislation that created the “wheelchair accessible medallion”, to be used only with a wheelchair accessible vehicle. (Holders of unrestricted taxicab medallions can choose to use wheelchair accessible vehicles.) The TLC issued a total of 231 wheelchair accessible medallions from 2004 to 2008, when the last medallion was sold.

2008-2010 Demonstration Project

From July 2008 to June 2010, the City conducted a demonstration dispatch project to match wheelchair users with wheelchair accessible taxicabs, improve service to this segment of the riding public, and identify the necessary components of an effective and sustainable dispatch program.

The demonstration program had the following results:

- Dispatch service use was low. Only 5,828 trips were recorded (an average of eight per day). There were approximately 2,700 unique customers.
- Most of the program’s passengers were repeat-users.
- The average wait time for a dispatch (i.e., the time from the passenger’s call to pick-up) was 34 minutes while the median wait time was 22 minutes.

Additionally, there were widespread incidences of untrained drivers operating vehicles participating in the demonstration project. TLC issued 4,444 summonses to taxi medallion owners and taxi drivers for failing to comply with training requirements.

Lessons Learned from the Demonstration Project

The demonstration project provided the TLC with helpful information to design a sustainable dispatch program for wheelchair-accessible taxicabs. The main deficiencies that hindered the demonstration project’s effectiveness were: (1) insufficient outreach to wheelchair users, (2) lack of clear and detailed service standards, and (3) lack of sufficient economic incentives for taxi medallion owners and taxi drivers

The TLC believes that with the appropriate level of funding, outreach, incentives and enforcement, a viable service for wheelchair using passengers in New York City can be provided via:

1. A Medallion Taxicab Accessible Dispatch Program for trips that originate in Manhattan, and,
2. A For-Hire Vehicle Accessible Dispatch service for Brooklyn, the Bronx, Queens, Staten Island and the NYC Airports.

The taxicab dispatch services for the Manhattan program will be provided by a contractor and will be funded by fees levied on medallion owners. The dispatch program outside Manhattan will also be provided by a contractor but will be funded by fees levied on FHV Base owners.

Specifically, the proposed rules establish that:

- Drivers of Wheelchair Accessible Taxicabs must accept dispatches from the Accessible Taxi Dispatcher to provide service to passengers in wheelchairs in Manhattan.
- Owners and drivers of Wheelchair Accessible Taxicabs must promptly report problems with dispatch equipment to the Accessible Taxi Dispatcher.
- Owners of Accessible Taxicabs must process “Dispatch Fees” for drivers.
- Owners of Taxicabs must pay a fee to the Accessible Taxi Dispatcher to fund operation of the Taxi Accessible Dispatch service in Manhattan.
- Owners of For-Hire Bases must pay a fee to the FHV Accessible Dispatcher to fund operation of the FHV Accessible Dispatch service in the Bronx, Brooklyn, Queens, and Staten Island, including airports
- Taxicab agents must comply with the Taxi Accessible Dispatch program for the Wheelchair Accessible Taxicabs they operate.

The proposed rules also repeal the current provisions for accessible service applicable to owners for FHV Bases.

The Commission anticipates that the initial Taxi Accessibility Fee will be approximately \$98 for the first year. The Commission currently estimates that the fee will be \$54 for the second year but a more precise amount will be calculated at the end of the first year. A portion of the annual fee will be held in reserve to cover costs incurred in the event of late or nonpayment of fees and will be rolled over to the following year to reduce future fees

Estimated Year 1 Taxi Accessibility Fee Basis

Dispatch Operating Costs	
Administrative Costs	Year 1 Cost
Dispatch Staff (Manager)	\$65,000
Dispatch Staff (Phone Staffer)	\$72,500
Website design	\$5,000
Webhosting	\$600
In-program Communication (Telephone Line)	\$3,600
Total Year 1 Cost	\$146,700

Technological Costs	Year 1 Cost
Mobile Digital Terminals (MDT)	\$132,825
Hardware & Accessories	\$44,814
Software License Fees	\$50,409
Interactive Voice Recognition System (IVR)	\$122,000
Hardware & Software Installation	\$37,745
Hardware & Software Support	\$47,240
Sprint Modem for Public Data	\$55,440
Total Year 1 Cost	\$490,473

Outreach/Marketing Costs	
Outreach Costs	Year 1 Cost
Outreach/ Marketing (Salary)	\$65,000
Outreach/ Advertising	\$200,000
Printing	\$25,000
Travel	\$25,000
Focus Groups	\$6,000
Total Year 1 Cost	\$321,000

Driver Dispatch Cost	
Driver Dispatch Costs*	Year 1 Cost
Trips under 0.5 miles	\$87,600
Trips between 0.5 - 1 miles	\$27,380
Trips over 1 miles	\$13,695
Trip no shows	\$45,625
Total Year 1 Cost	\$174,300

*Assumes average 50 trips/day in Year 1.

Dispatcher Fee	
Dispatcher Fee	\$50,000
Total Year 1 Cost	\$1,182,473

Nonpayment Reserve*	10%	\$118,247
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*The TLC assumes an initial nonpayment of 10%. This amount is credited in the following year, by when it is assumed this amount will have been collected.

Year 1 Fee Basis		\$1,300,720
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Year 1 Fee/Medallion	# of Medallions	Year 1 Fee/ Medallion
	13,237	\$98

Year 2 Taxi Accessibility Fee Basis

Dispatch Operating Costs	
Administrative Costs	Year 2 Cost
Dispatch Staff (Manager)	\$65,000
Dispatch Staff (Phone Staffer)	\$75,500
Webhosting	\$600
In-program Communication (Telephone Line)	\$3,600
Total Year 2 Cost	\$144,700

Technological Costs	Year 2 Cost
Software License Fees	\$19,958
Interactive Voice Recognition System (IVR)	\$18,300
Hardware & Software Support	\$31,100
Sprint Modem for Public Data	\$55,440
Total Year 2 Cost	\$124,798

Outreach/Marketing Costs	
Outreach Costs	Year 2 Cost
Outreach/ Marketing (Salary)	\$65,000
Outreach/Marketing/Advertising	\$100,000
Travel	\$25,000
Focus Groups	\$6,000
Total Year 2 Cost	\$196,000

Driver Dispatch Cost	
Driver Deadhead Costs	Year 2 Cost
Trips under 0.5 miles	\$122,640
Trips between 0.5 - 1 miles	\$38,330
Trips over 1 miles	\$19,170
Trip no shows	\$63,875
Total Year 2 Cost	\$244,015

* Assumes average 70 trips/day in Year 2.

Dispatcher Fee	
Dispatcher Fee	\$50,000
Total Year 2 Cost	\$759,513

Nonpayment Reserve*	10%	\$75,951
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*The TLC assumes an initial nonpayment of 20%. This amount is credited in the following year, by when it is assumed this amount will have been collected.

Credit of Year 1 Nonpayment Reserve	Year 1 Nonpayment Reserve	(\$118,247)
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Year 2 Fee Basis*		\$717,217
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*After nonpayment reserve payment

Year 2 Fee/Medallion	# of Units	Year 2 Fee/ Medallion
	13,237	\$54

The Commission anticipates that the initial FHV Accessibility Fee will be \$57 and that it will be reassessed every twelve months. The Commission currently estimates that the fee will be \$51 for the second year but a more precise amount will be calculated at the end of the first year. A portion of the annual fee will be held in reserve to cover costs incurred in the event of late or nonpayment of fees and will be rolled over to the following year to reduce future fees.

Estimated Year 1 FHV Accessibility Fee Basis

Dispatch Operating Costs	
Administrative Costs	Year 1 Cost
Vehicles	\$240,000
Vehicle Maintenance	\$10,000
Drivers	\$1,200,000
Professional Fees	\$12,000
Initial Technological Set-up	\$10,000
Communications and Utilities	\$5,000
Admin/Dispatch Staff (Manager)	\$140,000
Dispatch Staff (Phone Staffer)	\$200,000
Office Supplies & Expenses	\$5,000
Rent	\$5,000
Premises Insurance	\$3,000
Repairs & Maintenance	\$1,000
Fees, Dues & Permits	\$2,000
Total Year 1 Cost	\$1,833,000

Variable Costs	
Misc Variable Costs	Year 1 Cost
Total Year 1 Costs	\$28,845

Outreach/Marketing Costs	
Outreach Costs	Year 1 Cost
Total Year 1 Cost	\$100,000

Total Year 1 Costs	\$1,961,845
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Nonpayment Reserve*	10%	\$196,184
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*The TLC assumes an initial nonpayment of 10%. This amount is credited in the following year, by when it is assumed this amount will have been collected.

Year 1 Fee Basis		\$2,158,029
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Year 1 Fee/Per Affiliated Vehicle	Year 1 Fee Per Affiliated Vehicle
\$57	\$57

*Assuming 38000 affiliated for-hire vehicles.

Estimated Year 2 FHV Accessibility Dispatch Fee Basis

Dispatch Operating Costs	
Administrative Costs	Year 2 Cost
Vehicles	\$240,000
Vehicle Maintenance	\$10,000
Drivers	\$1,200,000
Professional Fees	\$12,000
Communications and Utilities	\$5,000
Admin/Dispatch Staff (Manager)	\$140,000
Dispatch Staff (Phone Staffer)	\$200,000
Office Supplies & Expenses	\$5,000
Rent	\$5,000
Premises Insurance	\$3,000
Repairs & Maintenance	\$1,000
Fees, Dues & Permits	\$2,000
Total Year 2 Cost	\$1,823,000

Variable Costs

Misc Variable Costs	Year 1 Cost
Total Year 2 Costs	\$28,845

Outreach/Marketing Costs	Year 1 Cost
Outreach Costs	
Total Year 2 Cost	\$100,000

Total Year 2 Costs	\$1,951,845
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Nonpayment Reserve*	10%	\$195,184
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*The TLC assumes an initial nonpayment of 10%. This amount is credited in the following year, by when it is assumed this amount will have been collected.

Credit of Year 2 Nonpayment Reserve	Year 1 Nonpayment Reserve	(\$196,184)
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Year 2 Fee Basis	\$1,941,845
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Year 2 Fee/Per Affiliated Vehicle	Year 1 Fee Per Affiliated Vehicle
\$51*	\$51*

*This fee is based on the assumption that there are 38000 affiliated for-hire vehicles and the amount is subject to further reduction in the form of a credit from a reserve account, established by A Ride For All, consisting of 40% of net revenue generated from trips during the first year of the program.

New material is underlined.
[Material inside brackets indicates deleted material.]

Section 1. Chapter 51 of Title 35 of the Rules of the City of New York to add the definition of "Taxi Accessibility Fee", "FHV Accessibility Fee", "Dispatch Fee", "FHV Accessible Dispatcher", "Wheelchair using Passenger", "Accessible Taxi Dispatcher" is amended to read as follows:

Taxi Accessibility Fee is the fee required by these rules to be paid by Owners as defined by Chapter 58 to the Accessible Taxi Dispatcher to provide accessible service to Wheelchair using Passengers. The Taxi Accessibility Fee shall be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per medallion cost to the vendor for equipment, administrative expenses associated with operation of the dispatch system, outreach and Dispatch Fees.

FHV Accessibility Fee is the fee required by these rules to be paid by Owners as defined in Chapter 59B-03 to the FHV Accessible Dispatcher to provide accessible service to Wheelchair using Passengers. The FHV Accessibility Fee shall be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per For-Hire Vehicle cost to the vendor for vehicles, driver fee, equipment, outreach and administrative expenses associated with operation of the dispatch system.

Dispatch Fee is the fee payable to the Driver of an Accessible Taxicab for completing a trip dispatched by the Accessible Taxi Dispatcher. The fee will be determined and paid by the Accessible Taxi Dispatcher to the Taxicab Owner, who must pay the fee to the Driver. The Dispatch Fee will be \$6 for trips under .5 miles; \$10 for trips between .5 miles and 1 mile; and \$15 for all trips over 1 mile. The Dispatch Fee will include tolls to the pickup location and will also include an additional \$5 fee for wait time if the Driver waits for the passenger for more than 10 minutes after the later of either the appointed pickup time or the Driver's arrival at the pickup location (the \$5 is also payable if no passenger appears).

FHV Accessible Dispatcher is the entity selected by the Commission who, under contract with the Commission, will convey dispatches, or requests for accessible service and will arrange transportation for a Wheelchair using Passenger or group of Passengers, at least one of whom must be in a wheelchair for trips originating in Brooklyn, Queens, the Bronx and Staten Island or at the NYC airports. Wheelchair using Passenger is a Passenger using a Wheelchair.

Accessible Taxi Dispatcher. The Accessible Taxi Dispatcher is the entity which, under contract with the Commission, will convey dispatches, or requests for accessible service to Drivers of Accessible Taxicabs to provide transportation for a Wheelchair using Passenger or group of Passengers, at least one of whom must be in a wheelchair, for trips that originate in Manhattan.

Section 2. Title 35 of the Rules of the City of New York is to add a new chapter 53, to read as follows:

Chapter 53 Accessible Taxicabs

Contents

- \$53-01 Scope of this Chapter.
- \$53-02 Penalties.
- \$53-03 Definitions
- \$53-04 Comply with Law—No Unlicensed Activity
- \$53-05 Requirements Not Exclusive
- \$53-06 Dispatch Equipment for Accessible taxicabs
- \$53-07 Training Approved Drivers
- \$53-08 Acceptance of Dispatch
- \$53-09 Fares
- \$53-10 Driver Duties Regarding Passengers in Wheelchairs

\$53-01 Scope of this Chapter.

- (a) This Chapter sets the requirements and rules for the dispatch of Accessible Taxicabs.
- (b) This Chapter applies to Drivers of Accessible Taxicabs, Owners of Taxicab Medallions required to be hacked up with Accessible Taxicabs, and to Owners of Taxicab Medallions which are hacked up with vehicles that qualify to be Accessible Taxicabs. This Chapter also applies to Agents of any such Medallion Owners.

\$53-02 Penalties.

- (a) Unlicensed Activity.
 - (1) Unlicensed Activity is the act of providing or advertising the provision of any Commission-regulated for hire transportation service by:
 - (i) Any Licensee whose License is suspended, revoked, or expired and not yet renewed, or
 - (ii) Any person who does not hold a Valid License or Authorization from the Commission as a for hire driver, for the for hire vehicle, or for the for hire service, as applicable.
 - (2) Unlicensed Activity specifically includes the activities listed in §19-506 and §19-528 of the Administrative Code, and can subject the violator to the seizure and possible forfeiture of the vehicle involved.

- (b) Specific Penalties. If there are specific penalties for violating a Rule, they are shown at the end of the Rule. The penalty section also states whether the violator must attend a Hearing.

(c) Payment of Fines.

- (1) Fines are due within 30 days of the day the Respondent is found guilty of the violation.
- (2) If the Respondent files an appeal of the decision imposing the fines within 30 days of the date of the decision, the payment of the fines will be deferred until a decision on the appeal is made (see §68-14(d) of these Rules).

If the Respondent requests a copy of the Hearing recording (see §68-14(e) of these Rules) within 7 calendar days of the hearing, the time for either filing an appeal or paying the fines will be the later to occur of either 30 days from the date of the decision or 21 days from the date the recording is issued (see §68-14(f) of these Rules).
- (3) If the fine is not paid by the close of business on the date due, the Commission will notify the Respondent in writing that the Respondent's License will be suspended in ten business days of the date of the notification until the fine is paid, unless the Respondent demonstrates to the Commission, in person or in writing, that the fine has been paid.

\$53-03 Definitions

- (a) Accessible Taxicab is a Vehicle that is licensed by the Commission and that meets the specifications of the Americans with Disabilities Act as described in §67-05.2 of these rules. For purposes of this Chapter, a Taxicab is an Accessible Taxicab whether or not required to be hacked up as an Accessible Taxicab.
- (b) Taxi Accessibility Fee is the fee required by these rules to be paid by Owners to the Accessible Taxi Dispatcher to provide accessible service to Wheelchair using Passengers. The Taxi Accessibility Fee shall be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per medallion cost to the vendor for equipment, administrative expenses associated with operation of the dispatch system, outreach and Dispatch Fees.
- (c) Approved Driver. An Approved Driver is a Driver who has a Valid License from the Commission as a Taxicab Driver and who has successfully completed the training required in §54-04(n) of these Rules.

- (d) Dispatch Equipment. The "Dispatch Equipment" is the communications equipment provided by the Accessible Taxi Dispatcher or an acceptable interface with the Taxicab Technology System, whichever is used and that allows Approved Drivers operating Accessible Taxicabs to receive dispatches from the Accessible Taxi Dispatcher.

- (e) Dispatch Fee. The fee payable to the Driver of an Accessible Taxicab for completing a trip dispatched by the Accessible Taxi Dispatcher. The Dispatch Fee will be \$6 for trips under .5 miles; \$10 for trips between .5 miles and 1 mile; and \$15 for all trips over 1 mile. The Dispatch Fee will include tolls to the pickup location and will also include an additional \$5 fee for wait time if the Driver waits for the passenger for more than 10 minutes after the later of either the appointed pickup time or the Driver's arrival at the pickup location (the \$5 is also payable if no passenger appears).

- (f) Owner. In this chapter, the Owner refers to the owner of a Medallion Taxicab, including a Taxicab required to be hacked up with a vehicle that would qualify as an Accessible Taxicab.

- (g) Wheelchair using Passenger. A Passenger using a wheelchair.

- (h) Accessible Taxi Dispatcher. The Accessible Taxi Dispatcher is the entity which, under contract with the Commission, will convey dispatches, or requests for accessible service to Drivers of Accessible Taxicabs to provide transportation for a Wheelchair using Passenger or group of Passengers, at least one of whom must be in a wheelchair, for trips that originate in Manhattan.

- (i) Wheelchair using Passenger. A Wheelchair using Passenger is a Passenger using a wheelchair.

\$53-04 Comply with Law - No Unlicensed Activity

- (a) Comply with this Chapter. All Accessible Taxicab Owners, and all Approved Drivers must comply with all provisions of this chapter. Agents for Accessible Taxicab Owners must also comply with these Rules.
- (b) Taxicab Driver must have Valid License and be an Approved Driver. An Accessible Taxicab can be driven only by an Approved Driver who holds a Valid Taxicab Driver's License and who has successfully completed the training required in §54-04(n) of these Rules.

\$53-04(d)	<u>Fine: \$400 and Summary Suspension until Compliance for Driver</u>	<u>Appearance REQUIRED</u>
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- (c) Owner Responsibility.
 - (1) A Taxicab Owner must allow only Licensed Approved Taxicab Drivers who have successfully completed the training required in §54-04(n) of these Rules, to operate the Owner's Accessible Taxicab. The License of a Driver who is not an Approved Driver is not Valid for operation of an Accessible Taxicab.

\$53-04(c)(1)	<u>Fine: \$400 and/or suspension up to 30 days for Owner</u>	<u>Appearance REQUIRED</u>
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- (2) A Taxicab Owner must ensure that Approved Taxicab Drivers accept dispatches from the Accessible Taxi Dispatcher and provide service to Passengers in Wheelchairs.

\$53-04(c)(2)	<u>Fine for Owner: First Violation: \$350 if plead guilty before a hearing; \$500 if found guilty after a hearing.</u>	<u>Appearance NOT Required</u>
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Second Violation w/in 24 months: \$700 if plead guilty before a hearing; \$1,000 and possible suspension of License for up to 30 days if found guilty following a hearing.

Third violation w/in 36 months: \$750 and revocation of License if plead guilty before a hearing; \$1000 and revocation of License if found guilty following a hearing.

\$53-05 Requirements Not Exclusive

- (a) Other than when this Chapter expressly provides otherwise, each Approved Driver, each Accessible Taxicab Owner, and each Owner of a Taxicab hacked up with a Vehicle that qualifies to be hacked up as an Accessible Taxicab must comply with all applicable provisions of this Title.

\$53-06 Dispatch Equipment for Accessible Taxicabs

- (a) The Owner of an Accessible Taxicab and the Approved Driver must not allow operation of an Accessible Taxicab unless:
 - (1) The Accessible Taxicab is equipped with Dispatch Equipment in good working order
- | | | |
|---------------|--|--------------------------------|
| \$53-06(a)(1) | <u>Fine: \$150 if plead guilty before a hearing and \$200 if found guilty after a hearing. Suspension until condition is corrected</u> | <u>Appearance NOT Required</u> |
|---------------|--|--------------------------------|
- (2) While the Accessible Taxicab is in

operation, the Dispatch Equipment must be turned on and fully operational.

§53-06(a)(2) Fine: \$100 Appearance NOT Required
(3) If the Dispatch Equipment becomes inoperable:

(i) The Approved Driver must notify the Accessible Taxi Dispatcher and Taxicab Owner within 1 hour, or by the end of his or her shift, whichever comes first, that the Equipment is not operable.

§53-06(a)(3)(i) Fine: \$250 Appearance NOT Required

(ii) The Owner must install replacement or repaired Dispatch Equipment promptly upon being notified to do so and in no event later than 48 hours after receiving such equipment.

(iii) An Accessible Taxicab with inoperable Dispatch Equipment cannot operate without accepting dispatches for more than 48 hours without repair or replacement of the Dispatch Equipment.

§53-06(a)(3)(ii)-(iii) Fine: \$250 and suspension until compliance Appearance NOT Required

(b) Each Approved Driver must:

(1) Log onto the Dispatch Equipment at the beginning of the Driver's shift

(2) Log off at the conclusion of each shift.

(3) Communicate with the Accessible Taxi Dispatcher about dispatches, as directed by the Accessible Taxi Dispatcher.

§53-06(b)(1)-(3) Fine: \$250 Appearance NOT Required

(4) Log onto the Dispatch Equipment any time either or both of the taximeter and the Taxicab Technology System are on or engaged.

§53-06(b)(4) Fine: \$500 Appearance NOT Required

(c) No Tampering. An Approved Driver must not

(1) Tamper with the Dispatch Equipment; or

(2) Tamper with the geographic locator equipment.

§53-06(c) Fine: \$350 and/or suspension up to 30 days Appearance REQUIRED

§53-07 Training Approved Drivers

(a) Passenger Assistance Training.

(1) Taxicab Owner Must Pay for Training. The Taxicab Owner is responsible for paying any fees required to train each of Owner's Approved Drivers under section 54-04(n) of these Rules.

§53-07(a)(1) Fine: \$50 Appearance NOT Required

(b) Dispatch Equipment Training.

(1) Each Approved Driver must also attend and complete a course of instruction on how to operate the Dispatch Equipment provided by the Dispatcher for the Vehicle if required by the Accessible Taxi Dispatcher.

(2) Each Approved Driver must also attend and complete any mandatory update training on the Dispatch Equipment required and provided by the Accessible Taxi Dispatcher.

§53-07(b) Fine: \$50 Appearance NOT Required

§53-08 Acceptance of Dispatch

(a) Driver MUST Accept Dispatch.

(1) While operating an Accessible Taxicab, an Approved Driver must accept a dispatch from the Accessible Taxi Dispatcher.

(2) An Approved Driver who refuses to accept a dispatch has refused to provide service and will be subject to Mandatory Penalties for a refusal under sections 54-02(e) and 54-20(a) of these Rules.

(3) An Approved Driver who does not turn on his or her dispatch equipment will be

subject to Mandatory Penalties for a refusal under sections 54-02(e) and 54-20(a) of these Rules.

§53-08(a) Fine: Mandatory Penalties as set forth in §54-02 of these Rules Appearance Required

(b) Response to Dispatch. An Approved Driver must respond to the Accessible Taxi Dispatcher within 1 minute of receiving a dispatch.

§53-08(b) Fine: \$100 Appearance NOT Required

(c) Report Expected Pick-Up Time. When an Approved Driver operating an Accessible Taxicab receives a dispatch, the Driver must tell the Accessible Taxi Dispatcher when the Accessible Taxicab will be able to pick up the Wheelchair using Passenger.

§53-08(c) Fine: \$100 Appearance NOT Required

(d) Taxicab Off-Duty Light. An Approved Driver of an Accessible Taxicab must turn on the "Off Duty" light when the Driver begins to travel to the pick up location.

§53-08(d) Fine: \$100 Appearance NOT Required

(e) No Prior Pick-Ups. An Approved Driver of an Accessible Taxicab who has accepted a dispatch from the Accessible Taxi Dispatcher must not accept any other Passenger before picking up the Wheelchair using Passenger.

§53-08(e) Fine: \$100 Appearance NOT Required

§53-09 Fares.

(a) Fare Amount. The fare for transporting Passengers in Wheelchairs following a dispatch will be the same as the current Taxicab fares set by the Commission.

(b) Rules for Calculating Fares.

(1) An Approved Driver of an Accessible Taxicab must not charge a fare to a Wheelchair using Passenger higher than that indicated on the Taximeter.

§53-09(b)(1) Fine: \$100, in addition to any Mandatory Penalties required under section 54-17(a) of these Rules Appearance Required

(2) An Approved Driver MUST NOT turn on the Taximeter when dispatched by the Accessible Taxi Dispatcher until the Passenger is seated and secured in the vehicle.

§53-09(b)(2) Fine: \$50 Appearance NOT Required

§53-10 Driver Duties Regarding Passengers in Wheelchairs.

(a) Assisting the Passenger. An Approved Driver

(1) Must assist the Wheelchair using Passenger:

(i) Upon entry, from the curbside to the vehicle; and

(ii) Upon exiting, from the vehicle to the curbside.

(2) Must secure the Wheelchair using Passenger within the Vehicle.

§53-10(a) Fine: \$200 Appearance NOT Required

(b) Packages. An Approved Driver must place the Wheelchair using Passenger's packages and parcels in the Vehicle and secure them and must retrieve them for the Wheelchair using Passenger at the end of the trip.

§53-10(b) Fine: \$50 Appearance NOT Required

(c) Service Animal(s) and Companions. An Approved Driver must accept and provide transportation in the Accessible Taxicab for a Wheelchair using Passenger's Service Animal(s) and for as many companions as can be legally seated in the vehicle.

§53-10(c) Fine: \$50 Appearance NOT Required

(d) Waiting for the Wheelchair using Passenger. An Approved Driver who has accepted a dispatch must wait for the Wheelchair using Passenger to appear curbside at the pick up point for at least ten minutes after the time of pickup indicated by the Dispatcher.

§53-10(d) Fine: \$50 Appearance NOT Required

(e) Notice to Accessible Taxi Dispatcher. An Approved Driver who has accepted a dispatch must notify the Accessible Taxi Dispatcher in the proper manner:

(1) What time the driver has arrived at the pickup location;

(2) Whether a Passenger is a Wheelchair using Passenger;

(3) Whether the Driver has picked up any Passengers;

(4) When the trip is completed.

§53-10(e) Fine: \$50 Appearance NOT Required

Section 3. Chapter 54 of Title 35 of the Rules of the City of New York is amended to add a new section 54-19(d) to read as follows:

(d) Drivers of Accessible Taxicabs.

(1) Drivers of Accessible Taxicabs on trips dispatched by the Accessible Taxi Dispatcher must comply with all service rules (including rules pertaining to meters and fares) provided in this chapter

§54-19(d)(2) Fine: Chapter 54 penalties apply

(2) A Driver of an Accessible Taxicab who has been dispatched by the Accessible Taxi Dispatcher is entitled to be paid the Dispatch Fee by the Accessible Taxi Dispatcher. This includes trips which end with no Wheelchair using Passenger, or any passenger, being picked up.

Section 4. Section 58-03 of Title 35 of the Rules of the City of New York is amended by adding new subdivisions (a), (g) and (ee) and relettering the remaining subdivisions accordingly, to read as follows:

(a) Taxi Accessibility Fee as used in this Chapter, is the fee required by these rules to be paid by Owners to the Accessible Taxi Dispatcher to provide accessible service to Wheelchair using Passengers. The Taxi Accessibility Fee shall be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per medallion cost to the vendor for equipment, administrative expenses associated with operation of the dispatch system, outreach and Dispatch Fees

(g) Dispatch Fee. The fee payable to the Driver of an Accessible Taxicab for completing a trip dispatched by the Accessible Taxi Dispatcher. The Dispatch Fee will be \$6 for trips under .5 miles; \$10 for trips between .5 miles and 1 mile; and \$15 for all trips over 1 mile. The Dispatch Fee will include tolls to the pickup location and will also include an additional \$5 fee for wait time if the Driver waits for the passenger for more than 10 minutes after the later of either the appointed pickup time or the Driver's arrival at the pickup location (the \$5 is also payable if no passenger appears).

(ee) Accessible Taxi Dispatcher. The Accessible Taxi Dispatcher is the entity which, under contract with the Commission, will convey dispatches, or requests for accessible service to Drivers of Accessible Taxicabs to provide transportation for a Wheelchair using Passenger or group of Passengers, at least one of whom must be in a wheelchair, for trips that originate in Manhattan.

Section 5. Section 58-07 of Title 35 of the Rules of the City of New York is amended to add a new subdivision (i) to read as follows:

(i) Taxi Accessibility Fee. An Owner must pay the Taxi Accessibility Fee charged by the Accessible Taxi Dispatcher for each Medallion owned. The Taxi Accessibility Fee must be paid whenever charged.

Section 6. Section 58-16(b) of Title 35 of the Rules of the City of New York is amended to read as follows:

(b) Compliance with Accessible Taxicab Medallion Rules.

(1) An Owner of an Accessible Taxicab Medallion must comply with Chapter 53 of these Rules. An Owner of a Taxicab hacked up as an Accessible Taxicab (even if the Medallion is not an Accessible Taxicab Medallion) must also comply with Chapter 53 of these Rules.

§58-16(b)(1) Fine: Chapter 53 penalties apply

(2) An Owner of an Accessible Taxicab (whether or not the Owner's Medallion is an Accessible Taxicab Medallion) must ensure that Drivers of an Owner's Accessible Taxicab comply with Chapter 53 and

(i) Maintain contact with the Accessible Taxi Dispatcher and

(ii) Accept dispatches from the Accessible Taxi Dispatcher to provide trips to Passengers in Wheelchairs.

§58-16(b)(2) Fine: Chapter 53 penalties apply

(3) Dispatch Fee.

(i) An Owner of an Accessible Taxicab (whether or not the Owner's Medallion is an Accessible Taxicab Medallion) must pay to each Driver of the Taxicab, in cash, on a weekly basis, an amount equal to the sum of all Dispatch Fees earned by each Driver and paid by the Accessible Taxi Dispatcher on behalf of each Driver.

(ii) An Owner must provide to each Driver an itemized receipt for all Dispatch Fees earned and paid.

(iii) An Owner is not permitted to make any deductions from Dispatch Fees.

§58-16(b)(3) Fine: \$500 and suspension until compliance Appearance REQUIRED

Section 7. Section 58-16 of Title 35 of the Rules of the City of New York is amended to add new a subdivision (f) to read as follows:

(f) Taxi Accessibility Fee.

(1) An Owner must pay the Taxi Accessibility Fee for each of the Owner's Medallions as required by the Accessible Taxi Dispatcher.

(2) The Owner must pay the Taxi Accessibility Fee when required to do so by the Accessible Taxi Dispatcher. If the Taxi Accessibility Fee is not paid by the time required by the Accessible Taxi Dispatcher, the Owner will be liable for penalties for non-payment.

(3) If an Owner does not pay the Taxi Accessibility Fee by the time required, non-payment will be grounds for suspension or revocation of the Taxicab license, and/or denial of any renewal application or of any application for another TLC issued license, as well as monetary penalties.

(4) An Owner must comply with all requirements of the Accessible Taxi Dispatcher relating to payment of the Taxi Accessibility Fee. An Owner must register with the Accessible Taxi Dispatcher for purposes of billing the Taxi Accessibility Fee and must keep all registration and billing information current.

§58-16(f) Fine: \$1000 and suspension Appearance Required until compliance

Section 8. Section 59B-03 of Title 35 of the Rules of the City of New York is amended to add new subdivisions (a) and (g) and to reletter the remaining subdivisions accordingly, to read as follows:

(a) FHV Accessibility Fee. FHV Accessibility Fee is the fee required by these rules to be paid by Owners to the FHV Accessible Dispatcher to provide accessible service to Wheelchair using Passengers. The FHV Accessibility Fee will be set in accordance with the terms of an agreement between the Commission and an approved vendor and will be based on the per Livery cost to the vendor for vehicles, driver fees, equipment, outreach and administrative expenses associated with operation of the dispatch system.

(g) FHV Accessible Dispatcher. The FHV Accessible Dispatcher is the entity selected by the Commission who, under contract with the Commission, will convey dispatches, or requests for accessible service and will arrange transportation for a Wheelchair using Passenger or group of Passengers, at least one of whom must be in a wheelchair, for trips originating in Brooklyn, Queens, the Bronx and Staten Island, and at the NYC airports.

Section 9. Section 59B-07 of Title 35 of the Rules of the City of New York is amended to add new subdivision (i) to read as follows:

(i) FHV Accessibility Fee. A Base Owner must pay the FHV Accessibility Fee charged by the FHV Accessible Dispatcher. The FHV Accessibility Fee must be paid whenever charged.

Section 10. Section 59B-14 of Title 35 of the Rules of the City of New York is amended to add new subdivision (c) to read as follows:

(c) FHV Accessibility Fee.

(1) A Base Owner must pay the FHV Accessibility Fee for each Base as required by the FHV Accessible Dispatcher. The FHV Accessibility Fee must be paid in the amount required by the FHV Accessible Dispatcher.

(2) The Base Owner must pay the FHV Accessibility Fee when required to do so by the FHV Accessible Dispatcher. If the FHV Accessibility Fee is not paid by the time required by the FHV Accessible Dispatcher, the Base Owner will be liable for penalties for non-payment.

(3) If a Base Owner does not pay the FHV Accessibility Fee by the time required, non-payment will be grounds for suspension, revocation of the Base license and/or denial of any renewal application or any application for another TLC issued license, as well as monetary penalties.

(4) A Base Owner must comply with all requirements of the FHV Accessible Dispatcher relating to payment of the FHV Accessibility Fee. A Base Owner must register with the FHV Accessible Dispatcher for purposes of billing the FHV Accessibility Fee and must keep all registration and billing information current.

(5) The FHV Accessibility Fee paid by each Base will be determined by the FHV Accessible Dispatcher based on the number of vehicles affiliated with the Base at a date determined by the Dispatcher.

(6) A Base Owner must take no action, such as ending an affiliation with a Vehicle or misrepresenting the number of affiliated vehicles, for the purpose of reducing or avoiding payment of the FHV Accessibility Fee.

§59B-14(c) Fine: \$1000 and suspension Appearance Required until compliance

Section 11. Section 59B-17(c) of Title 35 of the Rules of the City of New York is amended to read as follows:

(c) [Provide Accessible] Transportation for Persons with Disabilities. A Base Owner must [provide transportation service to] refer requests for transportation from Persons with Disabilities to the FHV Accessible Dispatcher, unless

the Base can and will provide the transportation.

[(1) Alternative Methods of Providing Service. A Base Owner can provide Accessible Vehicle transportation service to Persons with Disabilities either by:

- (i) Dispatching an Accessible Vehicle from Owner's Base, upon request
- (ii) Contracting with another Base to provide and dispatch Accessible Vehicles for Persons with Disabilities.

(2) Must Provide "Equivalent Service."

- (i) Whether the Base dispatches its own Accessible Vehicles or contracts with another Base, the Base Owner must provide "equivalent service" to persons with disabilities.
- (ii) "Equivalent Service" means that the service available to Persons with Disabilities, is equivalent to the service provided to other individuals with respect to:
 - A. Response time to requests for service
 - B. Fares charged
 - C. Hours and days of service availability
 - D. Ability to accept reservations
 - E. Restrictions based on trip purpose
 - F. Other limitations on capacity or service availability]

§59B-17(c) Fine: \$250[\$1000 and, if the violation includes failure to maintain either an affiliated Accessible Vehicle or an arrangement with another Base to provide such service, suspension of the Base License until compliance] Appearance NOT REQUIRED

Section 12. Section 63-11 of Title 35 of the Rules of the City of New York is amended to add a new subdivision (f) to read as follows:

(f) Agent Responsibility for Accessible Taxicab Operation.

(3) An Agent must allow only Licensed Approved Taxicab Drivers to operate an Owner's Accessible Taxicab. The License of a Driver who is not an Approved Driver is not Valid for operation of an Accessible Taxicab.

§63-11(f)(1) Fine: \$400 and/or suspension Appearance REQUIRED up to 30 days

(4) An Agent must ensure that Approved Taxicab Drivers accept dispatches from the Accessible Taxi Dispatcher and provide service to Passengers in Wheelchairs.

§63-11(f)(2) Fine for Agent: First Violation: \$350 if plead guilty before a hearing; \$500 if found guilty after a hearing. Appearance NOT Required

Second Violation w/in 24 months: \$500 if plead guilty before a hearing; \$750 if found guilty following a hearing.

Third violation w/in 36 months: \$750 if plead guilty before a hearing ; \$1000 and possible suspension of License for up to 30 days if found guilty following a hearing.

(3) Dispatch Fee. An Agent which is processing payment of Dispatch Fees to Drivers must

(i) Pay to each Driver of the Taxicab, in cash, on a weekly basis, an amount equal to the sum of all Dispatch Fees earned by each Driver and paid by the Accessible Taxi Dispatcher on behalf of each Driver, and

(ii) Provide to each Driver an itemized receipt for all Dispatch Fees earned and paid.

(iii) An Agent is not permitted to make any deductions from Dispatch Fees.

§63-11(f)(3) Fine: \$500 and suspension Appearance REQUIRED until compliance

NEW YORK CITY LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO
CHARTER § 1043 (d)

RULE TITLE: Rules Governing Accessible Dispatch Service

REFERENCE NUMBER: 2011 RG 100

RULEMAKING AGENCY: Taxi and Limousine Commission

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

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

/s/ STEVEN GOULDEN Date: November 9, 2011
Acting Corporation Counsel

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10TH FLOOR
NEW YORK, NY 10007
212-788-1526

CERTIFICATION / ANALYSIS PURSUANT TO
CHARTER SECTION 1043 (d)

RULE TITLE: Rules Governing Accessible Dispatch Service

REFERENCE NUMBER: TLC -16

RULEMAKING AGENCY: TLC

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because a cure period is not practicable under the circumstances.

/s/ Francisco Navarro Date: November 9, 2011
Mayor's Office of Operations



HOUSING PRESERVATION & DEVELOPMENT

NOTICE

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

Notice Date: November 7, 2011

To: Occupants, Former Occupants, and Other Interested Parties

Property: Address	Application #	Inquiry Period
403 8th Avenue, Manhattan	109/11	October 11, 2008 to Present
a/k/a 301-302 30th Street		
167 West 126th Street, Manhattan	110/11	October 12, 2008 to Present
309 East 14th Street, Manhattan	111/11	October 18, 2008 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, 3rd 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, (212) 863-8211 or (212) 863-8298.

CHANGES IN PERSONNEL

BOARD OF ELECTION POLL WORKERS FOR PERIOD ENDING 10/14/11

Table with columns: NAME, MARIA, F, 9POLL, \$1.0000, APPOINTED, YES, 01/01/11. Lists various names and their employment details.

Table with columns: GONZALEZ, JESSICA, 9POLL, \$1.0000, APPOINTED, YES, 01/01/11. Continues the list of names and their employment details.

