

FORM 3 (AGENCY REPORT) (Due on or before July 31, 2022)

Agency:	Design and Construction		
Agency Privacy Officer:	David Varoli		
Email:	varolid@ddc.nyc.gov	Telephone:	(718) 391-1721
Date of Report:	July 31, 2022		

1. Specify the type of identifying information collected or disclosed (check all that apply):	
<input checked="" type="checkbox"/> Name <input checked="" type="checkbox"/> Social security number (full or last 4 digits)* <input checked="" type="checkbox"/> Taxpayer ID number (full or last 4 digits)*	<u>Work-Related Information</u> <input checked="" type="checkbox"/> Employer information <input checked="" type="checkbox"/> Employment address
<u>Biometric Information</u> <input checked="" type="checkbox"/> Fingerprints <input checked="" type="checkbox"/> Photographs <input checked="" type="checkbox"/> Palm and handprints* <input type="checkbox"/> Retina and iris patterns* <input type="checkbox"/> Facial geometry* <input type="checkbox"/> Gait or movement patterns* <input type="checkbox"/> Voiceprints* <input type="checkbox"/> DNA sequences*	<u>Government Program Information</u> <input type="checkbox"/> Any scheduled appointments with any employee, contractor, or subcontractor <input type="checkbox"/> Any scheduled court appearances <input type="checkbox"/> Eligibility for or receipt of public assistance or City services <input type="checkbox"/> Income tax information <input type="checkbox"/> Motor vehicle information
<u>Contact Information</u> <input checked="" type="checkbox"/> Current and/or previous home addresses <input checked="" type="checkbox"/> Email address <input checked="" type="checkbox"/> Phone number	<u>Law Enforcement Information</u> <input checked="" type="checkbox"/> Arrest record or criminal conviction <input type="checkbox"/> Date and/or time of release from custody of ACS, DOC, or NYPD <input type="checkbox"/> Information obtained from any surveillance system operated by, for the benefit of, or at the direction of the NYPD
<u>Demographic Information</u> <input type="checkbox"/> Country of origin <input checked="" type="checkbox"/> Date of birth* <input type="checkbox"/> Gender identity <input type="checkbox"/> Languages spoken <input type="checkbox"/> Marital or partnership status <input type="checkbox"/> Nationality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Sexual orientation	<u>Technology-Related Information</u> <input checked="" type="checkbox"/> Device identifier including media access control MAC address or Internet mobile equipment identity (IMEI)* <input type="checkbox"/> GPS-based location obtained or derived from a device that can be used to track or locate an individual* <input type="checkbox"/> Internet protocol (IP) address* <input type="checkbox"/> Social media account information
<u>Status Information</u> <input type="checkbox"/> Citizenship or immigration status <input checked="" type="checkbox"/> Employment status <input type="checkbox"/> Status as victim of domestic violence or sexual assault <input type="checkbox"/> Status as crime victim or witness	
<u>Other Types of Identifying Information</u> (list below): 	
<small>*Type of identifying information designated by the CPO (see CPO Policies & Protocols § 3.1.1).</small>	

2. Explain why the collection and retention of identifying information described in Question 1 furthers the purpose or mission of your agency.

Collection and retention of information furthers the purpose of the agency because it is necessary for hiring and staffing, tracking City assets, and procurement and contract management.

3. Describe the following types of collections and disclosures: (1) pre-approved as routine, (2) pre-approved as routine by the APOs of two or more agencies, or (3) approved by the APO on a case-by-case basis. Appendix B of the Agency Guidance on the 2022 Biennial Compliance Process includes examples of routine and non-routine collections and disclosures.

Add additional rows as needed.

Describe the Collection or Disclosure	Classification Type
Human Resources	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Legal Services/Enforcement	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
Contracting/Procurement	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
IT	<input checked="" type="checkbox"/> Pre-approved as routine <input type="checkbox"/> Approve as routine by two or more agencies <input type="checkbox"/> Approved by APO on a case-by-case basis
<small>N.Y.C. Admin. Code §23-1205(a)(1)(b) N.Y.C. Admin. Code §23-1205(a)(1)(f)</small>	

4. If applicable, describe the types of collections and disclosures of identifying information involving your agency that have been approved by the Chief Privacy Officer as being in the best interests of the City.

Add additional rows as needed.

Describe Type of Collection or Disclosure

5. Describe the agency's current policies regarding requests for disclosures from other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

NOTE: For questions 5 – 11, refer as necessary to the Model Citywide Protocol for Handling Third Party Requests for Information Held by City Agencies (on file with the Office of Information Privacy) and the Identifying Information Rider.

Only authorized employees may disclose identifying information to other City agencies, local public authorities or local public benefit corporations. Requests for disclosure from non-routine third parties must be made through FOIL and are subject to the privacy protections of FOIL. DDC contractors and subcontractors do not have routine access to identifying information.

6. Do the above policies address access to or use of identifying information by employees, contractors, and subcontractors? Yes No

7. If YES, do those policies specify that access to identifying information must be necessary to perform their duties? Yes No

8. Describe whether the policies are implemented in a manner that minimizes access to the greatest extent possible while furthering the purpose or mission of the agency.

Yes

9. Describe the agency's current policies for handling proposals for disclosures of identifying information to other City agencies, local public authorities or local public benefit corporations, and third parties. Be as specific as possible.

Besides FOIL, DDC does not handle proposals for disclosures of identifying information. In the event of such proposal, such proposal must be made to the Agency Privacy Officer.

10. Describe the agency's current policies regarding the classification of disclosures as necessitated by the existence of exigent circumstances or as routine. Be as specific as possible.

Routine disclosures are: (1) made during the normal course of agency business, and (2) further the purpose of mission of the agency.

11. Describe the agency's current policies regarding which divisions and categories of employees have been approved by the agency privacy officer to disclose identifying information. Be as specific as possible.

Agency employees make disclosures of identifying information only in the routine course of agency business. Agency Privacy Officer will review any other such request on a case-by-case basis.

N.Y.C. Admin. Code §23-1205(a)(1)(c)(4)

12. Describe whether the agency has considered or implemented, where applicable, any alternative policies since 2020 that minimize the collection, retention, and disclosure of identifying information to the greatest extent possible while furthering the agency's purpose or mission.

No

N.Y.C. Admin. Code §23-1205(a)(4)

13. Describe the agency's use of agreements for any use or disclosure of identifying information.

The agency has entered into an agreement with other City agencies to use identifying information disclosed by another City agency to fulfill procurement and contract management.

N.Y.C. Admin. Code §23-1205(a)(1)(d)

15. Describe the impact of the Identifying Information Law and other local, state, or federal laws upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if such practices would differ in the absence of these laws).

It requires the agency to conduct an inventory of collections and disclosures of identifying information, the designation of certain disclosures and collections as routine, and the preparation and submission of agency reports.

N.Y.C. Admin. Code §23-1205(a)(2)

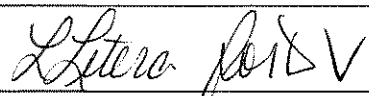
16. Describe the impact of the privacy policies and protocols issued by the Chief Privacy Officer, or by the Citywide Privacy Protection Committee, as applicable, upon your agency's practices in relation to collecting, retaining, and disclosing identifying information (i.e., if they have affected such practices).

It requires the agency to comply with those privacy policies and protocols.

N.Y.C. Admin. Code §23-1205(a)(3)

APPROVAL SIGNATURE FOR AGENCY REPORT

Preparer of Agency Report:			
Name:	Christine Lai		
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Email:	laich@ddc.nyc.gov	Phone:	(718)391-1384

ELECTRONIC SIGNATURE OF AGENCY HEAD OR DESIGNEE REQUIRED BELOW			
Agency Head (or designee):			
Name:	David Varoli		
Title:	General Counsel and Deputy General Counsel		
Email:	varolid@ddc.nyc.gov	Phone:	(718)391-1721
Electronic Signature:		Date:	July 31, 2022

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