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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

STATEN ISLAND BOROUGH PRESIDENT

PUBLIC MEETING

Notice of Public Meeting, Wednesday, January 4, 2012, Staten Island Borough Board, Conference Room 122 at 5:30 P.M., Staten Island Borough Hall, Stuyvesant Place, Staten Island, New York 10301.

d28-j4

CITY COUNCIL

PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, January 10, 2012.

The Subcommittee on Landmarks, Public Siting and Maritime Uses 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 11:00 A.M. on Tuesday, January 10, 2012:

UNION LEAGUE CLUB

MANHATTAN CB - 6 20125188 HKM (N 120101 HKM)
Designation (List No. 449/LP-2389) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Union League Club, located at 38 East 37th Street (Block 866, Lot 42), as an historic landmark.

ST. CASIMIR'S ROMAN CATHOLIC CHURCH
BROOKLYN CB - 2 20125189 HKK (N 120099 HKK)
Designation (List No. 449, LP-2476) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of St. Casimir's Roman Catholic Church a/k/a The Paul Robeson Theater, located at 40 Greene Avenue (Block 1957, Lot 28), as an historic landmark.

GRAND CONCOURSE HISTORIC DISTRICT
BRONX CB - 4 20125190 HKX (N 120100 HKX)
Designation (List No. 449, LP No. 2403) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Grand Concourse Historic District, as an historic

district. The district boundaries are: bounded by a line beginning at the intersection of the western curbline of the Grand Concourse and a line extending southeasterly from the southeastern corner of Franz Sigel Park (Borough of the Bronx tax map block 2467 lot 1), extending northwesterly along the southwestern property line of Franz Sigel Park (Borough of the Bronx tax maps block 2467 lot 1), across the roadbed of Walton Avenue, and along the southwestern property line of Franz Sigel Park (Borough of the Bronx tax map block 2353 lot 67) to the eastern curbline of Gerard Avenue, northerly along said curbline and across the roadbed of East 153rd Street to the northern curbline of East 153rd Street, northwesterly across the roadbed of Gerard Avenue and along said curbline to its intersection with the eastern curbline of River Avenue, northerly along said curbline to a point formed by its intersection with a line extending westerly from the northern property line of 700 River Avenue (aka 109 East 153rd Street), easterly along said property line and the northern property line of 705 Gerard Avenue to the western curbline of Gerard Avenue, northerly along said curbline to a point formed by its intersection with a line extending southeasterly from the southwestern property line of 731 Gerard Avenue, northwesterly along the said property line, northerly along the western property lines of 731 and 751 Gerard Avenue, across the roadbed of East 157th Street to the northern curbline of East 157th Street, westerly along said curbline to a point formed by its intersection with a line extending southerly from the western property line of 815 Gerard Avenue, northerly along said property line and the western property line 825 Gerard Avenue to the southern curbline of East 158th Street, easterly along said curbline to a point formed by its intersection with a line extending southerly from the western property line of 839 Gerard Avenue, northerly across the roadbed of East 158th Street and along a portion of said property line, westerly along a portion of the southern property line of 839 Gerard Avenue, northerly along a portion of the western property line of 839 Gerard Avenue to the western curbline of Gerard Avenue, southerly along said curbline to a point formed by its intersection with a line extending westerly from the northern property line of 835 Walton Avenue, easterly across the roadbed of Gerard Avenue and along a portion of said property line, northerly along a portion of the western property line of 835 Walton Avenue, easterly along a portion of the northern property line of 835 Walton Avenue and across the roadbed of Walton Avenue to the eastern curbline of Walton Avenue, northerly along said curbline and across the roadbed of East 161st Street to the southern curbline of East 161st Street, westerly across the roadbed of Walton Avenue and along said curbline to a point formed by its intersection with a line extending southerly from the western property line of 893 Walton Avenue (aka 101-11 East 161st Street), northerly along a portion of the western property line of 893 Walton Avenue (aka 101-111 East 161st Street), westerly along a portion of the southern property line of 893 Walton Avenue (aka 101-111 East 161st Street) to the eastern curbline of Gerard Avenue, northerly along said curbline to a point formed by its intersection with a line extending westerly from the northern property line of 893 Walton Avenue (aka 101-111 East 161st Street), easterly along a portion of said property line, northerly along the western property lines of 901 through 955 Walton Avenue, westerly along a portion of the southern property line of 975 Walton Avenue to the easterly curbline of Gerard Avenue, northerly along said curbline to the southern curbline of East 164th Street, easterly along said curbline, across to roadbed of Walton Avenue, to a point formed by the intersection of said

curbline with a line extending southerly from the western property line of 1001 Grand Concourse, northerly across the roadbed of East 164th Street and along said property line and the eastern property line of 1015 Grand Concourse, easterly along a portion of the northern property line of 1015 Grand Concourse, northerly along the western property lines of 1025 and 1027 Grand Concourse and a portion of the western property line of 1035 Grand Concourse (aka 158 East 165th Street), easterly along a portion of the northern property line of 1035 Grand Concourse (aka 158 East 165th Street), northerly along a portion of the western property line of 1035 Grand Concourse, across the roadbed of East 165th Street, to the southern curbline of East 165th Street, westerly along said curbline to a point formed by its intersection with a line extending southerly from the western property line of 1049 Grand Concourse (aka 159 East 165th Street), northerly along said property line, westerly along a portion of the southern property line of 1055 Grand Concourse, northerly along the western property line of 1055 Grand Concourse, westerly along a portion of the southern property line of 1075 Grand Concourse to the eastern curbline of Walton Avenue, northerly along said curbline, across the roadbed of East 166th Street, and along said curbline to the southern curbline of Mc Clellan Street, easterly along said curbline, across the roadbed of the Grand Concourse, to the eastern curbline of the Grand Concourse, northerly across the roadbed of Mc Clellan Street and along said curbline, continuing across the roadbed of East 167th Street and along said curbline to a point formed by its intersection with a line extending westerly from the northern property line of 1212 Grand Concourse (aka 1211 Sheridan Avenue, 181-199 East 167th Street), easterly along said property line to the western curbline of Sheridan Avenue, southerly along said curbline to the northern curbline of East 167th Street, westerly along said curbline to a point formed by its intersection with a line extending northerly from the easterly property line of 1188 Grand Concourse (aka 180-188 East 167th Street), southerly across the roadbed of East 167th Street and along said property line, westerly along a portion of the southern property line of 1188 Grand Concourse (aka 180-188 East 167th Street), southerly along the eastern property line of 1166 Grand Concourse and a portion of the eastern property line of 1150 Grand Concourse (aka 161 Mc Clellan Street), westerly along a portion of the southern property line of 1150 Grand Concourse (aka 161 Mc Clellan Street), southerly along a portion of the eastern property line of 1150 Grand Concourse (aka 161 Mc Clellan Street) to the northern curbline of Mc Clellan Street, westerly along said curbline to a point formed by its intersection with a line extending northerly from the western curbline of Carroll Place, southerly across the roadbed of Mc Clellan Street and along said curbline, across the roadbed of East 166th Street and along said curbline to a point formed by its intersection with a line extending easterly from the southern property line of 1072 Grand Concourse (aka 160-180 East 166th Street), westerly along a portion of said property line, southerly along the eastern property line of 1050 Grand Concourse and a portion of the eastern property line of 1048 Grand Concourse (aka 1059 Carroll Place), easterly along a portion of the northern property line of 1048 Grand Concourse (aka 1059 Carroll Place) to the western curbline of Carroll Place, southerly along said curbline to a point formed by its intersection with a line extending easterly from the southern property line of 1048 Grand Concourse (aka 1059 Carroll Place), westerly along a portion of said property line, southerly along a portion of the eastern property line of 1048 Grand Concourse (aka 1059 Carroll Place) and a portion of the eastern property line of 1040 Grand Concourse (aka 161-173 East 165th Street, 1041 Carroll Place), easterly along a portion of the northern property line of 1040 Grand Concourse (aka 161-173 East 165th Street, 1041 Carroll Place) to the eastern property line of 1040 Grand Concourse (aka 161-173 East 165th Street, 1041 Carroll Place), southerly along said property line and across the roadbed of East 165th Street to the southern curbline of East 165th Street, easterly along said curbline to the western curbline of Carroll Place, southerly along said curbline to the western curbline of Sheridan Avenue, southerly along said curbline to the northern curbline of East 164th Street, westerly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 960 Grand Concourse (aka 160-180 East 164th Street), southerly across the roadbed of East 164th Street and along said property line and a portion of the

eastern property line of 940 Grand Concourse (aka 161 East 163rd Street), easterly along the northern property line of 191 East 163rd Street, southerly along the eastern property line of 191 East 163rd Street and across the roadbed of East 163rd Street to the southern curbline of East 163rd Street, easterly along said curbline to the western curbline of Sheridan Avenue, southerly along said curbline to a point formed by its intersection with a line extending westerly across Sheridan Avenue from the northern property line of 910 Sheridan Avenue, easterly across the roadbed of Sheridan Avenue and along said property line, southerly along the eastern property line of 910 Sheridan Avenue, westerly along the southern property line of 910 Sheridan Avenue and across the roadbed of Sheridan Avenue to the western curbline of Sheridan Avenue, northerly along said curbline to the southern curbline of East 162nd Street, westerly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 900 Grand Concourse, southerly along said property line and across the roadbed of East 161st Street to the southern curbline of East 161st Street, easterly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 888 Grand Concourse (aka 170-180 East 161st Street), southerly along a portion of said property line, easterly along a portion of the northern property line of 888 Grand Concourse (aka 170-180 East 161st Street) to the western curbline of Concourse Village West, southerly along said curbline to a point formed by its intersection with a line extending easterly from the southern property line of 888 Grand Concourse (aka 170-180 East 161st Street), westerly along a portion of said property line, southerly along a portion of the eastern property line of 888 Grand Concourse (aka 170-180 East 161st Street) and a portion of the eastern property line of 860 Grand Concourse (aka 161 East 159th Street), easterly along a portion of the northern property line of 185 East 159th Street to the western curbline of Concourse Village West, southerly along said curbline and across the roadbed of East 159th Street, along said curbline and across the roadbed of East 158th Street, along said curbline to a point formed by its intersection with a line extending easterly from the southern property line of 800 Grand Concourse, westerly along a portion of said property line, southerly along the eastern property lines of 792 and 774 Grand Concourse, easterly along a portion of the northern property line of 760 Grand Concourse, southerly along the eastern property line of 760 Grand Concourse and across the roadbed of East 156th Street to the southern curbline of East 156th Street, easterly along said curbline to a point formed by its intersection with a line extending northerly from the eastern property line of 750 Grand Concourse, southerly along said property line, easterly along a portion of the northern property line of 740 Grand Concourse, southerly along a portion of the eastern property line of 740 Grand Concourse to the western curbline of Concourse Village West, southerly along said curbline to a point formed by its intersection with a line extending easterly from the southern property line of 730 Grand Concourse, westerly along a portion of said property line, southerly along a portion of the eastern property line of 730 Grand Concourse, westerly along a portion of the southern property line of 730 Grand Concourse and across the road be of the Grand Concourse to the western curbline of the Grand Concourse, southerly along said curbline to the point of the beginning.

29 COTTAGE PLACE

STATEN ISLAND CB - 1 20125191 HKR (N 120097 HKR)
Designation (List No. 444/LP-2447) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the 29 Cottage Place House located at 29 Cottage Place (Block 1012, Lot 10), as an historic landmark.

BELL LABORATORY COMPLEX

MANHATTAN CB - 2 20125192 HKM (N 120098 HKM)
Designation (List No. 444/LP-2439) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of Westbeth (a/k/a Western Electric Company Buildings, a/k/a Bell Telephone Laboratories), located at 445-465 West Street, 137-169 Bank Street, 51-77 Bethune Street, and 734-754 Washington Street, (Block 639, Lot 1), as an historic landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing in the Hearing Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, January 10, 2012.

☛ j4-10

CITY PLANNING COMMISSION

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS I. PUBLIC HEARINGS OF THE FOLLOWING MATTERS TO BE SCHEDULED FOR WEDNESDAY, JANUARY 4, 2012 STARTING AT 10:00 A.M. AT SPECTOR HALL, 22 READE STREET, NEW YORK, NEW YORK.

CITYWIDE

No. 1

E-DESIGNATION TEXT

Citywide N120090ZRY
IN THE MATTER OF an application submitted by the New York City Department of City Planning pursuant to Section 200 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify the provisions of Section 11-15 Environmental Requirements and related Sections.

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

11-15 Environmental Requirements

The designation (E), or an environmental restrictive declaration, where listed in Appendix C (CEQR Environmental Requirements), of this Resolution, indicates that environmental requirements pertaining to potential hazardous materials ~~contamination, or noise or air quality impacts have been established which are incorporated into in connection with the provisions of a #zoning map# or text amendment or an action pursuant to this Resolution for one or more tax lots. The said Such environmental requirements are set forth in the City Environmental Quality Review (CEQR) Declaration determination related to such #zoning map# or text amendment or action, a specific #zoning map# amendment. In the case of a merger or subdivision of tax lots or #zoning lots# with an (E) designation, involving improved or unimproved properties, the (E) designation will apply to all portions of the property.~~

The CEQR Declarations determinations are on file with the designated lead agency and the Mayor's Office of Environmental Coordination (MOEC). A listing of such CEQR Declarations determinations and their related environmental requirements, entitled City Environmental Quality Review Declarations, is found within Appendix C of this Resolution, appended to the #zoning maps#. (E) designations and environmental restrictive declarations may only be removed from Appendix C or modified in accordance with the provisions of paragraph (c) of this Section.

In the case of a merger or subdivision of lots subject to an (E) designation or environmental restrictive declaration involving improved or unimproved properties, the environmental requirements, as applicable, shall apply to all portions of the merged lot or to each subdivided lot.

Upon application to the Mayor's Office of Environmental Remediation (OER) by the owner of the affected lot(s), OER may, with the consent of the lead agency, modify the environmental requirements set forth in a CEQR Determination based upon new information, additional facts or updated standards, as applicable, provided that such modifications are equally protective.

Tax lots with environmental requirements shall be subject to the following:

(a) Building permit conditions

Prior to issuing a building permit, or temporary or permanent certificate of occupancy, for any #development#, or for an #enlargement#, #extension# or a change of #use#, any of which involves a #residential# or a #community facility use#, or for an #enlargement# of a #building# for any #use# that involves a disturbance of the soil any of the types of construction listed in paragraphs (a)(1), (a)(2) or (a)(3) of this Section, on a tax lot that has an (E) designation or an environmental restrictive declaration related to for potential hazardous materials, noise, or air quality ~~contamination~~, the Department of Buildings (DOB) shall be furnished with a report from the Department of Environmental Protection notice issued by (DEP OER) of the city of New York stating that the environmental requirements related to the (E) designation have been met for that lot OER does not object to the issuance of such building permit, or temporary or permanent certificate of occupancy, in accordance with the applicable rules of the City of New York ("OER Notice").

An (E) designation for potential hazardous material ~~contamination may be satisfied and administratively removed from a #zoning map# through the following procedure:~~

(a) Satisfaction of requirements

The owner of any tax lot with an (E) designation for potential hazardous material contamination may file, with the Department of City Planning, a report from DEP, or its successor agency, specifying that the environmental requirements relating to such designation have been satisfied regarding that lot. Upon receipt of such report, the Department of City Planning shall indicate such satisfaction as to that lot on the listing of (E) designations appended to the #zoning maps# of the Zoning Resolution.

(1) For hazardous materials:

- (i) any #development#;
- (ii) an #enlargement#, #extension# or change of #use#, any of which involves a #residential# or a #community facility use#; or
- (iii) an #enlargement# or alteration of a #building# for any #use# that involves a disturbance of the soil;

(2) For air quality:

- (i) any #development#;
- (ii) an #enlargement#, #extension# or change of #use#; or
- (iii) an alteration that involves ventilation or exhaust systems, including but not limited to stack relocation or vent replacement; or

(3) For noise:

- (i) any #development#;
- (ii) an #enlargement#, #extension# or change of #use#; or
- (iii) an alteration that involves window or exterior wall relocation or replacement.

(b) Ongoing monitoring Removal of (E) designation

The Department of City Planning shall administratively remove the (E) designation for potential hazardous material contamination from a #zoning map# when all environmental requirements for potential hazardous material contamination have been met on all tax lots specified in the CEQR declaration.

In the event that it is indicated through a duly issued OER Notice that a tax lot that has an (E) designation or an environmental restrictive declaration requires ongoing monitoring, a declaration of covenants and restrictions governing the ongoing site management requirements shall be recorded against the subject tax lot in the Office of the City Register or, where applicable, in the County Clerk's Office in the County where the lot is located.

As a condition to its issuance of a temporary or final Certificate of Occupancy or granting of permit sign-off, if no Certificate of Occupancy is required, DOB shall be provided with proof that the ongoing monitoring declaration has been duly recorded. The recording information for the ongoing monitoring declaration shall be referenced on the first Certificate of Occupancy to be issued after such declaration is recorded, as well as all subsequent Certificates of Occupancy, for as long as the ongoing monitoring declaration remains in effect.

The Director of the Department of City Planning shall transmit notice of such satisfaction or removal of an (E) designation to the Department of Buildings, the OEC and the DEP.

(c) Completion of environmental requirements Sunset provision

The DEP shall adopt rules pursuant to Chapter 45 of the Charter of the City of New York which shall establish:

- (1) ~~standards for determining potential hazardous material contamination which, upon adoption, shall be utilized in determining whether or not an (E) designation shall be imposed on any tax lot; and~~
- (2) ~~testing and remediation standards and protocols for potential hazardous material contamination which, upon adoption, shall be utilized in determining whether or not the environmental requirements relating to such (E) designation(s) have been satisfied so as to warrant the removal of such designation.~~

The requirements for the adoption of rules set forth in paragraph (c) of this Section, inclusive, shall not be construed to prohibit either the imposition or the removal of an (E) designation, in accordance with law, prior to the adoption of such rules.

In the event that such rules are not adopted by DEP by July 1, 2001, the provisions of this Section as they relate to potential hazardous material contamination, except for underground gasoline storage tanks, shall lapse.

(1) Removal of tax lots subject to an (E) designation or an environmental restrictive declaration from Appendix C

The Department of City Planning (DCP) shall administratively modify Appendix C after receiving a duly issued OER Notice, stating that the environmental requirements related to an (E) designation or contained in an environmental restrictive declaration related to potential hazardous materials, noise or air quality have been completed for or otherwise no longer apply to a tax lot or lots, such that:

- (i) no further testing, remediation or ongoing monitoring is required for hazardous materials contamination;
- (ii) the noise generating source has been permanently eliminated; or
- (iii) the emissions source related to air quality has been permanently eliminated.

(2) Removal of (E) designation from Appendix C

DCP shall administratively remove an (E) designation from Appendix C when, in accordance with the provisions of paragraph (c)(1) of this Section, the environmental requirements for all tax lots subject to the (E) designation have been completed.

(3) Cancelation of environmental restrictive declaration and modification of Appendix C

DCP shall administratively remove an environmental restrictive declaration from Appendix C when, in accordance with the provisions of paragraph (c)(1) of

this Section, the environmental requirements contained in such environmental restrictive declaration have been completed for all tax lots and a Notice of Cancellation of the environmental restrictive declaration has been duly recorded against the subject tax lots in the Office of the City Register or, where applicable, in the County Clerk's Office in the County where the lots are located.

(4) Notification

DCP shall notify DOB, MOEC and OER in the event that modifications to Appendix C are made.

(d) Notice provision

The City Planning Commission shall adopt rules pursuant to Chapter 45 of the Charter of the City of New York which shall require the lead agency, as defined in 6 N.Y.C.R.R., Part 617, and Executive Order 91 of 1977, as amended, to provide notification of a proposed (E) designation to the owner(s) of the property to be so designated not less than 60 days prior to such designation.

The provisions of this Section 11-15 shall apply to all (E) designations and environmental restrictive declarations, notwithstanding the date such environmental requirements were established.

11-151 Special requirements for properties in the Borough of Queens

(a) Block 9898, Lots 1 and 117, in the Borough of Queens, shall be subject to the provisions of Section 11-15 (Environmental Requirements) governing (E) designations. The City Environmental Quality Review (CEQR) Declarations for these sites shall be listed in APPENDIX C (City Environmental Quality Review (CEQR) Environmental Designations Requirements) of the Zoning Resolution.

(b) The following special requirements shall apply to a #development#, #enlargement# or change of #use# for properties in the Borough of Queens located within the areas described in paragraphs (1) through (5) of this paragraph, (b):

* * *

However, in the event that the Chairperson of the City Planning Commission, based on consultation with the Department of Environmental Protection of the City of New York, provides a certificate of no effect to the Department of Buildings with regard to industrial air emissions for an area described in this Section paragraph (b), the regulations of the zoning districts designated on the #zoning map# shall apply to any #development#, #enlargement# or change of #use# within such area, to the extent permitted under the terms of the certificate of no effect.

* * *

86-04 Applicability of Article I

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

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

87-04 Applicability of Article I, Chapter 1

Within the #Special Harlem River Waterfront District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

87-05 04 Applicability of Article VI, Chapter 2

* * *

87-06 05 Modification of Use and Bulk Regulations for Parcels Containing Newly Mapped Streets

* * *

93-051 Applicability of Chapter 1 of Article I

(a) Within the #Hudson Yards Redevelopment Area#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

(1) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(2) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

(b) Section 11-332 (Extension of period to complete construction) shall apply, except that notwithstanding the provisions of paragraph (a) of such Section, in the event that other construction for which a building permit has been lawfully issued and for which construction has been commenced but not completed on January 19, 2005, such other construction may be continued provided that the construction is completed and a temporary or permanent certificate of occupancy is obtained not later than January 19, 2006.

* * *

98-051 Applicability of Chapter 1 of Article I

(a) Within the #Special West Chelsea District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a #zoning lot# that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York, stating:

(1) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that #zoning lot#; or

(2) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

(b) Section 11-332 (Extension of period to complete construction) shall apply, except that notwithstanding the provisions of paragraph (a) of such Section, in the event that other construction for which a building permit has been lawfully issued and for which construction has been commenced but not completed on June 23, 2005, such other construction may be continued provided that the construction is completed and a temporary or permanent certificate of occupancy is obtained not later than June 23, 2006.

* * *

104-05 Applicability of Article I, Chapter 1

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

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

115-03 Applicability of Article I, Chapter 1

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

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

117-05 Applicability of Article I, Chapter 1

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

(a) in the case of an (E) designation for potential hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality impacts, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

119-06 Special requirements for certain properties within Special Hillside Preservation District

The following sites: Block 24, Lot 1; Block 23, Lots 17, 42; Block 23, Lots 1, 4, 13; Block 115, Lots 61, 62, 63; and Block 47, Lots 7, 10, 107 shall be subject to the procedures of Section 11-15 (Environmental Requirements) governing (E) designations. The CEQR Declarations for these sites shall be listed in APPENDIX C (City Environmental Quality Review (CEQR) Requirements Declarations) of the Zoning Resolution. Section 11-15, paragraph (b), shall not apply to such CEQR Declarations.

* * *

124-041 Applicability of Article I, Chapter 1

Within the #Special Willets Point District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a tax lot or #zoning lot# that has an (E) designation(s) for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York stating:

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# shall result in compliance with the environmental requirements related to the (E) designation.

124-042 041 Applicability of Article III, Chapter 6

124-043 042 Applicability of Article VII, Chapter 3

124-044 043 Applicability of Article VII, Chapter 4

* * *

126-03 Applicability of Article I, Chapter 1

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

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation.

* * *

128-051 Applicability of Article I, Chapter 1

Within the #Special St. George District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection of the City of New York, stating:

(a) in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

(b) in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in

compliance with the environmental requirements related to the (E) designation.

128-052 051
Applicability of Article I, Chapter 2

* * *

128-053 052
Applicability of Article I, Chapter 5

* * *

128-054 053
Applicability of Article III, Chapter 6

The provisions of Section 36-76 (Waiver or Reduction of Spaces for Subsidized Housing) shall not apply in the #Special St. George District#.

* * *

131-041
Applicability of Article I, Chapter 1

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

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

131-042 041
Applicability of Article I, Chapter 5

* * *

131-043 042
Applicability of Article VI, Chapter 2

* * *

131-044 043
Applicability of Article VII, Chapter 4

* * *

131-045 044
Physical culture or health establishments

* * *

131-046 045
Modification of use and bulk regulations for zoning lots fronting upon Riegelmann Boardwalk, KeySpan Park and Highland View Park

* * *

NYC ZONING RESOLUTION
APPENDIX C:

Table with columns: E-No., CEQR No., Effective Date, Zoning Map No., Description, Tax Block, Tax Lot(s), Lot Remediation Date. Contains 5 rows of zoning data.

* * *

Resolution for adoption scheduling January 4, 2012 for a public hearing.

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

d19-j4

CITYWIDE ADMINISTRATIVE SERVICES

PUBLIC HEARING

CORRECTED NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT a Voluntary

Public Hearing will be held on Tuesday, January 24, 2012 at Spector Hall, 22 Reade Street, Borough of Manhattan, commencing at 10:00 A.M., in the matter of removing a deed restriction on a property in the Borough of BROOKLYN.

The Department of Citywide Administrative Services proposes to remove a deed restriction that limits development of the property to 54 feet and other actions to allow development pursuant to existing zoning. This action is intended to promote the productive use of this property. Consideration for this action is \$3,200,000.

If approved by the Mayor of the City of New York, the Department of Citywide Administrative Services shall be authorized to modify this deed.

The calendar document for the voluntary public hearing is available for inspection by the public at the Department of Citywide Administrative Services office at 1 Centre Street, 20th Floor South, New York, NY 10007, Attention: Joseph Valentino (212) 669-8491.

Note: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearing Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

1 Parcel

Borough of Brooklyn

Block 244, Lot 1

j4

COMMUNITY BOARDS

PUBLIC HEARINGS

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 07 - Monday, January 9, 2012, 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

Location - 145-15 33rd Avenue, Flushing, NY
Application for variances for new Church Chapel, to allow F.A.R. of 0.95, where 0.5 is permitted; to allow side yard and rear obstructions consisting of landscaped deck over a below grade parking garage; variance to allow a driveway in front yard with slope of 13.5% where 11% is permitted.

j3-9

BOARD OF CORRECTION

MEETING

Please take note that the next meeting of the Board of Correction will be held on January 9, 2012 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.

j3-9

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, January 11, 2012, at 2:30 P.M., at 22 Reade Street, Spector Hall, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call VERIZON relay service.

d30-j11

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, January 10, 2012 at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 11-5004 - Block 8023, lot 19-336 Knollwood Avenue, aka 240-30 Knollwood Avenue-Douglaston Historic District

A contemporary Colonial Revival style freestanding house built in 1965. Application is to enlarge and alter the house, construct an addition and garage, remove a tree, and relocate a curb cut. Zoned R1-2. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-6162 - Block 253, lot 76-224 Henry Street - Brooklyn Heights Historic District
An Anglo-Italianate style rowhouse built in 1851. Application is to install a steel landing and stair at the rear facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 11-3867 - Block 2101, lot 60-256 Cumberland Street - Fort Greene Historic District
An Italianate style rowhouse built in the 1860s. Application is to construct a rear yard addition and multi-level rear deck. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6363 - Block 145, lot 18-105-107 Reade Street - Tribeca South Historic District
An Italianate style store and loft building built in 1860-61. Application is to construct a rooftop addition and alter the rear elevation. Zoned C6-3A. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-3743 - Block 547, lot 30-715 Broadway - NoHo Historic District
A Renaissance Revival style store and office building designed by Robert Maynicke and built in 1894-96. Application is to relocate a flagpole and install a stretch banner. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-3742 - Block 545, lot 15-726 Broadway - NoHo Historic District
A neo-Classical style garage, factory and warehouse building built in 1917-19, designed by Wm. Steele and Sons Co. Application is to install three stretch banners and a sign. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6534 - Block 521, lot 79-306 Bowery - NoHo Historic District
A Federal style house built in 1820. Application is to construct a rear yard addition. Zoned C6-1. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4797 - Block 522, lot 8-628 Broadway - NoHo Historic District
An office building with Orientalized ornament, designed by H.J. Schwarzmann & Co. and built in 1882-83. Application is to install storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6335 - Block 605, lot 24 - 128 West 13th Street - Greenwich Village Historic District
A Renaissance Revival style apartment building designed by Bernstein & Bernstein and built in 1910. Application is to legalize painting the facade in non-compliance with Landmarks Preservation Commission permits. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6235 - Block 575, lot 67-35 West 11th Street - Greenwich Village Historic District
A modified rowhouse built in 1849-50. Application is to paint the facade and replace the windows. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5352 - Block 611, lot 32-135 7th Avenue South, aka 163 West 10th Street - Greenwich Village Historic District
A Victorian Gothic style apartment building designed by Charles Guentzer and built in 1866. Application is to construct an addition. Zoned C2-6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5312 - Block 629, lot 43-303 West 13th Street - Greenwich Village Historic District
A three-story brick building with a store at the first floor, built in the mid-19th century. Application is to legalize the installation of an air conditioning unit at the roof without Landmarks Preservation Commission permit(s) and install screening. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5567 - Block 611, lot 72-145 West 10th Street - Greenwich Village Historic District
An Italian Renaissance Revival style apartment house built in 1901. Application is to alter areaway window openings. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4245 - Block 874, lot 49-142 East 19th Street - Gramercy Park Historic District
A rowhouse built in 1852 and remodeled in 1924. Application is to alter the front facade and construct a rooftop addition. Zoned LH-1. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6871 - Block 1290, lot 1-689 Fifth Avenue - Aeolian Building - Individual Landmark
A neo-Classical style commercial building with French Renaissance style detailing designed by Warren & Wetmore, and built in 1925-27. Application is to install a marquee, modify the ground floor and to establish a master plan governing the future installation of storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5587 - Block 825, lot 31-200 Fifth Avenue - Ladies' Mile Historic District
A neo-Renaissance style store and office building designed by Maynicke and Franke and built in 1908-09. Application is to alter entrance infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4292 - Block 823, lot 35-

5 West 21st Street - Ladies' Mile Historic District
An Italianate style dwelling built in 1851 altered in 1919 with the construction of a two-story storefront extension. Application is to replace storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6334 - Block 856, lot 9-11 East 26th Street, aka 6-8 East 27th Street - Madison Square North Historic District
A neo-Gothic style store and loft building designed by Rouse & Goldstone and built in 1912-13. Application is to replace storefront infill. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5610 - Block 827, lot 43-210 Fifth Avenue - Madison Square North Historic District
A Beaux Arts style lofts and bachelor apartments building designed by John B. Snook & Sons and built in 1901-1902. Application is to enlarge an existing penthouse addition and install lot line windows. Zoned C5-2. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-2627 - Block 996, lot 21-123 West 43rd Street - Town Hall - Individual Landmark
A Colonial Revival style theater building and auditorium designed by McKim, Mead and White and built in 1919-21. Application is to install wall signs and poster boxes on the secondary facade. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6926 - Block 1218, lot 29-101 West 87th Street - Upper West Side/Central Park West Historic District
A Modern style apartment building designed by Judith Edelman and built in 1984-87. Application is to alter the facade and to install a marquee. Zoned C1-9/R7-2. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-4278 - Block 1120, lot 38-12 West 68th Street - Upper West Side/Central Park West Historic District
A Queen Anne style house designed by Louis Thouvard and built in 1895, with an attached studio building designed by Edwin C. Georgi and built in 1925. Application is to demolish a rooftop addition constructed without Landmarks Preservation Commission permits, and alter the facade and construct a new rooftop addition. Zoned R8 and R10A. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6084 - Block 1507, lot 69-1148 Fifth Avenue - Carnegie Hill Historic District
A neo-Georgian style apartment building designed by Walter B. Chambers and built in 1922-23. Application is to replace windows in non-conformance with the window master plan. Zoned R10. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-7736 - Block 2057, lot 32-471 West 140th Street - Hamilton Heights Historic District
A Beaux-Arts style townhouse, designed by George Ebert and built in 1901-1902. Application is to construct a two-story porch. Community District 9.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 12-6350 - Block 2301, lot 2-270 Alexander Avenue - Mott Haven Historic District
A Romanesque Revival style apartment building designed by Carl A. Millner and built in 1892-3. Application is to replace storefront infill. Community District 1.

d28-j10

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, January 18, 2012. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing Even Clearer Skies, LLC to construct, maintain and use planted areas on the north sidewalk of Ingraham Street, east of Knickerbocker Avenue, and on the east sidewalk of Knickerbocker Avenue, north of Ingraham Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2022 - \$246/annum

the maintenance of a security deposit in the sum of \$2,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a modification of revocable consent authorizing New York University to construct, maintain and use an additional conduits under, along and across East 10th Street, east of Fifth Avenue, in the Borough of Manhattan. The proposed modified revocable consent is for a term of two years from the date of approval by the Mayor to June 30, 2014 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2011 to June 30, 2012 - \$45,332 + \$4,018/annum (prorated from the date of Approval by the Mayor)

For the period July 1, 2012 to June 30, 2013 - \$50,402
For the period July 1, 2013 to June 30, 2014 - \$51,454

the maintenance of a security deposit in the sum of \$10,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing Royal Blue Realty Holdings Inc. to continue to maintain and use a planted area on the south sidewalk of Christopher Street between Washington and West Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$2,340/annum.

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

#4 In the matter of a proposed revocable consent authorizing SDS Lincoln 155 LLC to construct, maintain and use fenced-in area on the north sidewalk of Cranberry Street, east of Willow Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2022 and provides among others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2022 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000 and filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Metropolitan Transportation Authority-Long Island Rail Road to construct, maintain and use pipes, together with tree (3) manholes, under the north sidewalk of Pacific Avenue, east of Sixth Avenue, and under the west sidewalk of Vanderbilt Avenue, north of Pacific Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2022 and provides among others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2012 - \$1,447/annum

For the period July 1, 2012 to June 30, 2013 - \$1,489
For the period July 1, 2013 to June 30, 2014 - \$1,531
For the period July 1, 2014 to June 30, 2015 - \$1,573
For the period July 1, 2015 to June 30, 2016 - \$1,615
For the period July 1, 2016 to June 30, 2017 - \$1,657
For the period July 1, 2017 to June 30, 2018 - \$1,699
For the period July 1, 2018 to June 30, 2019 - \$1,741
For the period July 1, 2019 to June 30, 2020 - \$1,783
For the period July 1, 2020 to June 30, 2021 - \$1,825
For the period July 1, 2021 to June 30, 2022 - \$1,867

the maintenance of a security deposit in the sum of \$5,000 and filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#6 In the matter of a modification of revocable consent authorizing Jeremy Lechtzin and Amy B. Klein to construct, maintain and use a fenced-in area on the north sidewalk of Hicks Street, east of Cranberry Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of seven years from the date of approval by the Mayor to June 30, 2019 and provides among others terms and condition for compensation payable to the city according to the following schedule:

From the Approval Date to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$8,000 and filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

d28-j18

PROPERTY DISPOSITION

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



"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

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

NON GEN: AUTOMOTIVE LAMPS MINI/SEALED BEAM – Competitive Sealed Bids – PIN# 8571200258 – DUE 01-30-12 AT 10:30 A.M.
● **NON GENUINE TRUCK WHEELS, BRAKE DRUMS AND ACCESSORIES –** Competitive Sealed Bids – PIN# 8571200302 – DUE 01-30-12 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007.
Anna Wong (212) 669-8610; Fax: (212) 669-7603;
dcasdmssbids@dcas.nyc.gov

j4

■ AWARDS

Goods

WATER METERS, LARGE (D.E.P.) – Competitive Sealed Bids – PIN# 8571100775 – AMT: \$409,985.00 – TO: Elster Amco Water Inc., 1100 SW 38th Avenue, Ocala, FL 34474.
● **WATER METERS, LARGE (D.E.P.) –** Competitive Sealed Bids – PIN# 8571100775 – AMT: \$370,890.00 – TO: Neptune Technology Group Inc., 1600 Alabama Highway 229, Tallassee, AL 36078.
● **FORKLIFTS, ELECTRIC, TRAINING, REPAIR, SERVICE –** Competitive Sealed Bids – PIN# 8571100710 – AMT: \$2,070.00 – TO: Key Material Handling Equip., Co., 4606 Third Avenue, Brooklyn, NY 11220.

j4

■ 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

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 & Services

PHYSICS EQUIPMENT FOR DAILY QA PERFORMANCE – Competitive Sealed Bids – PIN# 22212036 – DUE 01-18-12 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

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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# 81608PO076300ROX00-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-nynyccongregate-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

HOUSING AUTHORITY

SOLICITATIONS

Goods & Services

GSD CONSULTANT TO PROVIDE TRAINING AND ASSISTANCE FOR GRANDPARENTS-SMITH HOUSES RESIDENT ASSOCIATION – Request for Proposals – PIN# 29090 – DUE 01-25-12 AT 1:00 P.M. – NYCHA, in conjunction with the Smith Houses Resident Association is soliciting proposals from qualified individuals or entities, Candidate(s) to provide education and training services to the Smith Houses residents who are grandparents that are raising their grandchildren to assist them in developing and achieving their goals and objectives in order to increase the effectiveness of family units. Proposers will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money order/Certified check for the set of RFP documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A RFP package will be generated at time of request. Electronic proposals will not be accepted. Proposers should refer to Section IV.B of Solicitation for details on the submission procedures and requirements. Each proposer is required to submit one (1) signed original and two (2) copies of its original proposal package to NYCHA, General Services Dept., 90 Church St., 12th Fl., New York, NY 10007. Attn: Miriam Rodgers, Solicitation Coordinator (RFP-29090) no later than 1:00 P.M. on the date of the proposal submission deadline. Proposers will be evaluated using the criteria as outlined in Section IV.D.1.

All questions regarding this solicitation must be submitted in writing and received by NYCHA, no later than 4:00 P.M. on Friday, January 13, 2012. Questions should be directed to

NYCHA's representative: NYCHA, General Services Dept., 90 Church Street, 12th Fl., New York, NY 10007. Attn: Miriam Rodgers, Solicitation Coordinator (RFP-29090).

Interested firms may obtain a copy of the solicitation on NYCHA's website: Doing Business with NYCHA. [Http://www.nyc.gov/nychabusines](http://www.nyc.gov/nychabusines); vendors are instructed to access the Selling Goods and Services to NYCHA link; click the "Getting Started or Log in" link. Upon access, reference applicable RFP number per solicitation.

Proposers will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money order/Certified check for the set of RFP documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A bid package will be generated at time of request.

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

Housing Authority, 90 Church Street, 12th Fl., New York, NY 10007. Sabrina Steverson (212) 306-6771; sabrina.steverson@nycha.nyc.gov

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GENERAL SERVICES

SOLICITATIONS

Goods & Services

GSD INSPECTION, TESTING AND REPAIR OF FIRE STANDPIPE AND SPRINKLER SYSTEMS

– Competitive Sealed Bids – DUE 01-25-12 – PIN# 29093 - Various Manhattan South, Manhattan Due at 10:00 A.M.

PIN# 29094 - Various Bronx North, Bronx Due at 10:05 A.M.

PIN# 29095 - Various Brooklyn East, Brooklyn Due at 10:10 A.M.

Two (2) year. Bid Security in the amount of five (5) percent and Performance/Payment Bonds in an amount equal to one hundred (100) percent of the contract price is required.

Interested firms may obtain a copy and submit solicitation response on NYCHA's website: Doing Business with NYCHA. [Http://www.nyc.gov/nychabusines](http://www.nyc.gov/nychabusines). Vendors are instructed to access the "Doing Business with NYCHA" link; then "Selling Goods and Services to NYCHA." Click on "Getting Started" to register, establish Log-in credentials or access your log in. Upon access, reference applicable RFQ number per solicitation.

Vendors electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money order/Certified check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor; obtain receipt and present it to 12th Floor, General Services Procurement Group. A bid package will be generated at time of request. Note(*): Vendor/Supplier submitting sealed non-electronic ("paper") bids must include a copy of your receipt as proof of purchase.

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

Housing Authority, 90 Church Street, 12th Floor, New York, NY 10007. Sabrina Steverson (212) 306-6771; Fax: (212) 306-0755; sabrina.steverson@nycha.nyc.gov

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INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

SOLICITATIONS

Services (Other Than Human Services)

CITYWIDE INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS SECURITY SERVICES

– Negotiated Acquisition – DUE 01-10-12 AT 4:00 P.M. –

PIN# 85811O0009001N001 - Desktop Remediation/

Restoration Services

PIN# 85812N0012 - Network Remediation/Restoration Services

PIN# 85812N0013 - Ongoing Managed Security Services

DoITT intends to enter into negotiations with the following two (2) vendors to provide City-Wide Information Technology and Telecommunications Security Services for the following services:

Verizon: Response and Restoration Services: Desktop Services and Network Services

IBM: Ongoing Managed Security Services

Any firm which believes it can provide the required service in the future is invited to express interest via email to acco@doitt.nyc.gov by January 10, 2012, 4:00 P.M.

The services cannot be timely procured through competitive sealed bidding or competitive sealed proposals. DoITT is utilizing the Negotiated Acquisition Extension procurement source method to provide the services in order to continue to provide uninterrupted service.

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. Margaret Budzinska (212) 788-6510; Fax: (212) 788-6489; acco@doitt.nyc.gov

j3-9

PARKS AND RECREATION

CAPITAL PROJECTS

VENDOR LISTS

Construction / Construction Services

PREQUALIFIED VENDOR LIST – General Construction - Non-complex general construction site work associated with New York City Department of Parks and Recreation ("DPR" and/or "PARKS") Parks and Playgrounds construction and reconstruction projects.

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractors' qualifications and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construction its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction reconstruction and construction site work of up to \$3,000,000 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contractors by making them more competitive in their pursuit of NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Women Business Enterprise (M/WBE)*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the venture being a certified M/WBE*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for each and every work order awarded.

* Firms that are in the process of becoming a New York City-certified M/WBE may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

A pre-qualification conference will be held on January 17, 2012 in Conference Room 4A/B, at the offices of the New York City Economic Development Corporation located at 110 William Street, 4th Floor. Please contact Rosalyn Mangum at (718) 760-6788 or rosalyn.mangum@parks.nyc.gov if you plan on attending this meeting.

Application documents may also be obtained on-line at: <http://a856-internet.nyc.gov/nycvendronline/home.asp>; or <http://www.nycgovparks.org/opportunities/business>

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

Parks and Recreation, Olmsted Center, Room 60, Flushing Meadows Corona Park, Flushing, NY 11368.

Charlette Hamamgian (718) 760-6789;

charlette.hamamgian@parks.nyc.gov

j3-9

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

RENOVATION, OPERATION AND MAINTENANCE OF A NEWSSTAND

– Competitive Sealed Bids – PIN# X42-NS-2012 – DUE 01-30-12 AT 3:00 P.M. – Located on East Fordham Road, on the north side of the street, to the west of Fordham Station, Rose Hill Park, Bronx.

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

d28-j11

SANITATION

CONTRACTS

AWARDS

Goods & Services

SNOW PLOWING ON TERTIARY STREETS

– Competitive Sealed Bids – PIN# 82711SN00057 –

Sanitation Salvage Corp. - \$108,930.00

Snow Removal Services - \$1,872,338.00

HK Contracting - \$252,600.00

Dragonetti Brothers - \$230,000.00

Landscaping Nursery and Florist Inc.

CSB Contractors, Inc. - \$1,866,105.00

j4

TRANSPORTATION

BRIDGES

SOLICITATIONS

Construction / Construction Services

COMPONENT REHABILITATION OF TEN BRIDGES IN BROOKLYN

– Competitive Sealed Bids – PIN# 84111BKBR555 – DUE 02-16-12 AT 11:00 A.M. – This contract is subject to apprenticeship program requirements as described in the solicitation materials. This procurement

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

Drawings sets are not available for download and MUST be purchased. A printed copy of the solicitation are drawing set can be purchased at: Office of the Agency Chief Contracting Officer/Contract Management Unit, 55 Water Street, Ground Floor, New York, NY 10041, between 9:00 A.M. - 3:00 P.M., Monday to Friday (Holidays excluded), (212) 839-9435. A deposit of \$50.00 is required for the specification book and a deposit of \$50.00 is required for a set of drawings in the form of a certified check or money order payable to: New York City Department of Transportation. NO CASH ACCEPTED. Company address, telephone, and fax numbers are required when picking up contract documents.

Sealed bid must be submitted by February 16, 2012 to 55 Water Street, Ground Floor, New York, NY 10041 (Entrance is located on the South Side of the Building facing the Vietnam Veterans Memorial). Proper government identification is required for entry to the building (driver's license, passport, etc.)

For additional information, please contact Rezaul Karim, P.E., at (212) 839-4874. Vendor Source ID#: 77862.

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

Department of Transportation, Contract Management Unit, Office of the Chief Contracting Officer, 55 Water Street, Ground Floor, New York, N.Y. Bid Window (212) 839-9435.

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

SMALL BUSINESS SERVICES

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 12, 2012, Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Small Business Services and the contractor listed below, to serve as locally-based Industrial Business Solutions Providers (each an "IBSP") to help retain and grow New York City's industrial job base by providing business assistance services to the City's industrial firms located in each of Industrial Business Zones (IBZ). The contract is for a two-year period, from July 1, 2011 to June 30, 2013, with three (3) one-year options to renew. Year 1 from July 1, 2013 to June 30, 2014, Year 2 from July 1, 2014 to June 30, 2015, Year 3 from July 1, 2015 to June 30, 2016.

CONTRACTOR/ADDRESS

Staten Island Economic Development Corp.
900 South Avenue, Staten Island, NY 10314

Service Area Staten Island
Amount \$184,275
PIN# 80111P0004007

The proposed contractor was selected by means of a Competitive Sealed Proposal process, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from January 4, 2012 through January 12, 2012, between the hours of 9:00 A.M. to 5:00 P.M., exclusive of holidays.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or emailed to: procurementhelpdesk@sbs.nyc.gov.

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AGENCY RULES

ENVIRONMENTAL PROTECTION

NOTICE

NOTICE OF ADOPTION OF FINAL RULE

Department of Environmental Protection Promulgation of Chapter 31 of Title 15 Of the Rules of the City of New York Governing House/Site Connections to the Sewer System

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION by Section 1043 and 1403(b) of the New York City Charter and Sections 24-507, 24-508, and 24-509 of the Administrative

Code, and in accordance with the requirements of Section 1043 of the Charter of the City of New York, that the Department of Environmental Protection promulgates rules regarding house/site connections to the sewer system. These amendments were proposed and published in the City Record on September 29, 2011. A duly noticed public hearing was held on October 31, 2011, and written comments were accepted through November 30, 2011.

Statement of Basis and Purpose

Introduction

New York City is adopting this new stormwater rule to reduce the adverse impacts on City sewers from runoff during rainstorms that are more severe than combined sewers are designed to handle and, to the greatest extent possible, maximize the capacity of these systems. Sewer overflows, floods, and sewer backups can occur when excessive stormwater from impervious surfaces enters too quickly into the combined sewer system. The new Stormwater Rule will allow the City to more effectively manage stormwater runoff from new developments and alterations in combined sewer areas by reinforcing, specifying and prescribing the methods and standards for the application, permitting, construction and inspection of sewer connections to the City sewer system. DEP expects the rule to:

- slow the flow of stormwater from sites,
- mitigate flooding and sewer backups,
- protect the sewer system, and,
- mitigate combined sewer overflows.

Background

Federal and State stormwater regulations continue to become more stringent, and discharges from combined sewer systems into the City's surrounding waterbodies affect attainment of Clean Water Act standards. In addition, changing precipitation patterns and associated flooding are increasing demand on the system, potentially limiting housing, business and other development. In response to these regulatory and weather trends, DEP has adopted a comprehensive, system-wide approach to reduce stormwater demands on the combined sewer system that includes source controls (including green infrastructure), conveyance, capture, and treatment.

Federal and State regulation of the City's separate sewer areas also continues to become more stringent, and the City expects new Municipal Separate Storm Sewer Systems (MS4) requirements to be published within the next year. Accordingly, the City will revisit this stormwater rule once MS4 obligations are settled in order to add any new stormwater requirements for separately sewered areas. At that time the City will also review how well stormwater controls are working in combined sewer areas.

The Final Rule

The Department of Environmental Protection is amending Chapter 31 of Title 15 of the Rules of the City of New York which regulates the construction, permitting, and inspection of sewer connections to the City sewer system.

The final rule will effectively apply to development on medium to large size lots. Smaller development sites would likely not generate runoff in excess of stormwater rule requirements and therefore would be expected to comply with current sewer availability and connection application process requirements.

Specifically, the final rule:

- Sets forth a new performance standard which would apply to a new development or the alteration of an existing development in combined sewer areas of the City, as shown on the city sewer map which may be obtained at the respective local borough office of where the property/ development is located:
 1. For a new development, the Stormwater Release Rate will be the greater of 0.25 cubic feet per second (cfs) or 10% of the Allowable Flow, unless the Allowable Flow is less than 0.25 cfs, in which case the Stormwater Release Rate shall be the Allowable Flow. (Allowable Flow means the stormwater flow from a development that can be released into an existing storm or combined sewer based on existing sewer design criteria.)
 2. For Alterations, the Stormwater Release Rate for the altered area will be directly proportional to the ratio of the altered area to the total site area and no new points of discharge are permitted. (Alterations are as defined in the Construction/ Plumbing Codes and related requirements for any horizontal building enlargement or any proposed increase in impervious surfaces.)
- Clarifies that the overall site runoff coefficient can be reduced by maximizing open space, infiltration, and other techniques.
- Clarifies that stormwater management systems for developments that include multiple construction phases or subdivision of lots must be submitted to DEP for review and approval as a master/phased plan site connection application proposal.
- Establishes that, for proposed open-bottom detention systems, DEP will review requests for detention volume reductions through infiltration into soils. Such requests must be shown on Site Connection Proposal applications and substantiated by:

1. soil borings taken at the location of the proposed system, and,
2. a permeability test performed in situ to demonstrate that the existing soil below the system has a favorable rate of permeation.

- Establishes that DEP will review Site Connection Proposal applications that request detention volume reductions through dedicated systems and within certain conditions to recycle stormwater generated on the site.
- Clarifies that landowners and their successors must properly maintain on-site stormwater management systems, file a deed restriction, and submit triennial certification of proper operation.
- Clarifies and conforms to Department of Buildings Administrative Code Section 28-408.1 by defining the scope of plumbing work.

There are three changes in the Final Rule from the Proposed Rule which was published in September:

- Language has been added to section 31-02 to clarify current practice with regard to the calculation of allowable flow. This is consistent with New York State regulations.
- The provision in section 31-03(a) regarding alterations has been changed to improve clarity and to make the language in the rule and the Statement of Basis and Purpose consistent.
- Language allowing permeability tests to be performed at a laboratory has been deleted, as testing performed in situ is more accurate and reliable.

Material to be added in the following rule is underlined, and material to be deleted is in [brackets].

Section 1. Chapter 31 of title 15 of the rules of the city of New York is amended to read as follows:

CHAPTER 31 RULE GOVERNING HOUSE/SITE CONNECTIONS TO THE SEWER SYSTEM

§31-01 Applicability and Scope.

(a) Applicability.

(1) This Rule applies to the certification of sewer availability and to the issuance of permits for the construction, alteration, repair or relay, plugging, unplugging, and inspection of all Sewer connections and appurtenances.

(2) The portion of a new Sewer connection extending from the curb line to sewers built under New York City capital sewer construction projects are not subject to this Rule and are covered by the standards and specifications for such projects.

(b) *Definitions.* For the purposes of this Rule, the following definitions apply:

Agency. "Agency" means an agency of the City.

Allowable flow. "Allowable flow" means the storm flow from developments based on existing sewer design criteria that can be released into an existing storm [of] or combined sewer.

Allowable sewer or drain. "Allowable sewer or drain" means an existing sewer or drain built in accordance with a City drainage plan or an approved Drainage proposal, and is the approved outlet to receive Flow from the site of an existing or a proposed development.

Alteration map. "Alteration map" means a map showing proposed changes to the City map.

A.N.S.I. "A.N.S.I." means the American National Standards Institute.

Applicant. "Applicant" means the Owner of an existing or a proposed development or his or her legally designated representative.

Applicant's offering plan. "Applicant's offering plan" or "Applicant's offering prospectus" means the set of legal documents setting forth the rights, privileges, and duties of purchasers of shares in the Applicant's proposed development, and which is submitted to the New York State Department of Law in accordance with the requirements of Section 352-e of the New York State General Business Law.

Approved outlet. "Approved outlet" means an existing storm, sanitary or combined sewer or drain built to receive flow from a development.

As-built drawing or Record drawing. "As-built drawing" or "Record drawing" means a map or a drawing which represents the actual constructed state of a City sewer, a Private sewer, or a Private drain and appurtenances.

A.S.T.M. "A.S.T.M." means the American Standards for the Testing of Materials, latest edition.

Available sewer or drain. "Available sewer or drain" means an existing fronting sewer or drain which has existing adequate capacity for use by an existing or a proposed development.

Block. "Block" means a tract of land bounded by consecutive intersecting streets.

Building. "Building" means a structure having a specific Block and Lot (or tax sub-lot). In general, a structure will be considered a Building if it has a separate entrance from an outdoor area.

BWSO. "BWSO" means the Bureau of Water & Sewer Operations or its successor.

Catch basin. "Catch basin" means a structure designed to collect and convey stormwater runoff to a Storm sewer, a Combined sewer, or an approved outlet by means of a catch basin connection pipe.

City. "City" means the City of New York.

City drainage plan. "City drainage plan" or "drainage plan" means a plan for the proper sewage and drainage of the City of New York, or any part thereof, prepared and adopted in accordance with Section 24-503 of the Administrative Code of the City of New York.

City map. "City map" means the City map referred to in Sections 198 and 199 of the City Charter.

Code. "Code" means the Administrative Code of the City of New York.

Combined sewage. "Combined sewage" means a combination of Sanitary sewage, industrial wastewater and stormwater runoff.

Combined sewer. "Combined sewer" means a sewer receiving a combination of sanitary and/or industrial wastewater and stormwater runoff.

Combined sewer connection. "Combined sewer connection" means a Sewer connection which extends from the property line and conveys both Sanitary sewage and storm water runoff to a Combined sewer or drain.

Commissioner. "Commissioner" means the Commissioner of the New York City Department of Environmental Protection.

Condominium association. "Condominium association" means the legal entity comprising the present and future unit-Owners of a condominium development and established in accordance with Article 9-B of the New York State Real Property Law.

Connection permit. "Connection permit" means a written authorization issued by the DEP to connect to an existing sewer or drain or an approved outlet.

Contractor. "Contractor" means an entity retained by the Owner/Applicant to construct a facility.

Contributory drainage area. "Contributory drainage area" means a drainage area bounded by the ridge lines of the furthest boundaries from which flow reaches a point of discharge.

DEP. "DEP" means the New York City Department of Environmental Protection or its successor Agency.

Detention [basin] system. "Detention [basin] system" means a structure designed to store an accumulation of stormwater runoff and release it at a controlled rate into an approved outlet sewer system of limited capacity.

Direct discharge. "Direct discharge" means a discharge by means of a sewer connection to a City sewer, a Private sewer, a Private drain, or an approved outlet fronting the property.

DOB. "DOB" means the New York City Department of Buildings or its successor Agency.

DOF. "DOF" means the New York City Department of Finance or its successor Agency.

DOT. "DOT" means the New York City Department of Transportation or its successor Agency.

Drainage proposal. "Drainage proposal" means a plan showing a proposed sewerage system to serve an existing or a proposed development and Contributory drainage area that does not conform to the City drainage plan.

Dwelling unit. "Dwelling unit" means one or more rooms in a Building that are arranged, designed, used or intended for use by one family.

Finally mapped street. "Finally mapped street" means a street as shown on the City map.

Flow. "Flow" means a continuous movement of storm water or wastewater.

Fronting. "Fronting" means an existing sewer or drain abutting an existing or proposed development.

Groundwater. "Groundwater" means any existing water in subsoil strata, including water from springs and natural underground streams, but excluding water from wells used for the delivery of potable or processed water.

Groundwater table. "Groundwater table" means the actual depth of ground water below surface.

Homeowners' association. "Homeowners' association" means the legal entity comprising the present and future homeowners/unit owners of a development.

House connection proposal. "House connection proposal" means a plan showing proposed Sewer connection(s) to a City sewer, a Private sewer, a Private drain, or an approved outlet to serve Fee Simple One (1), Two (2) or Three (3) Family Dwelling Units.

Indirect discharge. "Indirect discharge" means a discharge into a City sewer, a Private sewer, or an approved outlet by means other than a direct discharge.

Industrial waste. "Industrial waste" means any liquid, gaseous or solid substance, or a combination thereof, resulting from any process of industry, manufacturing, trade or business, or from the development or recovery of natural resources.

Inspector. "Inspector" means a DEP or DOB sewer connection inspector.

Internal drain. "Internal drain" means a drainage system under the jurisdiction of the DOB and which is not located in a Final mapped street, a Record street or an Easement under the jurisdiction of the DEP.

Intercepting sewer. "Intercepting sewer" or "Interceptor sewer" means a sewer which, during dry weather, receives the dry-weather flow from a number of transverse Sanitary or Combined sewers and conveys such Flow to a wastewater pollution control plant. During storms, it receives predetermined quantities of dry-weather flow mixed with stormwater and conveys Combined sewage to a wastewater pollution control plant.

Interceptor-collector. "Interceptor-collector" means an Intercepting sewer which also serves as a local Sanitary sewer.

Legally designated representative. "Legally designated representative" means a Professional Engineer or Registered Architect licensed by the State of New York who represents the Owner in connection with a proposal, plan, or application.

Licensed Master Plumber. "Licensed Master Plumber" means a plumber licensed to perform plumbing work within the City by the City agency having jurisdiction over such licensing.

Lot. "Lot" means a tax lot as shown on the Tax map of the City.

Mapping action. "Mapping action" means a proceeding to change the City map pursuant to the New York City Charter.

Non-plumbing work. "Non-plumbing work" means any work not referenced in the definition of "Plumbing Work" as set forth in Section 28-401.3 of the Code, including excavation work, construction work or any other work not classified as piping work.

Opinion of dedication. "Opinion of dedication" means an opinion by the Corporation Counsel that a street is an

open and continuously traveled street dedicated for public use.

Owner. "Owner" means any individual, firm, corporation, company, association, society, institution or any other legal entity that owns the property, appurtenances, and easements comprising an existing or a proposed development.

Private drain. "Private drain" means a private sanitary, stormwater, or combined drain that is constructed in a Finally mapped street, a Record street, or an easement and discharges into an approved outlet.

Private pumping station. "Private pumping station" means a privately owned, operated, and maintained wastewater collection facility required for the pumping of sanitary or stormwater runoff or Combined sewage to a Private force main.

Private force main. "Private force main" means a privately owned, operated and maintained pressurized pipe designated to receive the wastewater discharged from a Private pumping station and to convey it under pressure to a point of discharge.

Private sewage treatment plant. "Private sewage treatment plant" means a privately owned, operated and maintained wastewater collection facility located on private property that is used for the physical, chemical, and/or biological treatment of wastewater.

Private sewer. "Private sewer" means a private sanitary, stormwater, or combined sewer that is designed and constructed in accordance with the requirements of the City drainage plan to serve a specific development and is located in a Finally mapped street, a Record street, or a sewer easement, and discharges into an approved outlet.

Private sewer plan or private drain plan. "Private sewer plan" or "Private drain plan" means a construction plan for the installation of Private sewers or Private drains and appurtenances thereto.

Record street. "Record street" means a street that appears on the Tax map of the City, but is not a Finally mapped street.

Repair/relay. "Repair/relay" means complete, substantial, or partial repair or replacement of any existing Sewer connection.

Retention system. "Retention system" means a structure designed to store an accumulation of stormwater runoff and dispose of it onsite.

Rule. "Rule" means all the standards and requirements of the DEP governing connection to the sewer system, as contained herein.

Runoff. "Runoff" means overland stormwater flow that is not absorbed into the ground.

Sanitary sewage. "Sanitary sewage" means bodily waste, swimming pool discharge, wash water, or similar waste which is discharged into a Sanitary sewer or a Combined sewer.

Sanitary sewer. "Sanitary sewer" means a sewer which conveys Sanitary sewage and/or industrial waste.

Sanitary sewer connection. "Sanitary sewer connection" means a Sewer connection which extends from the property line of a building and conveys only Sanitary sewage to a Sanitary sewer/drain or a Combined sewer/drain.

Seepage basin. "Seepage basin" means a drainage structure constructed in the street area designed to dispose of street storm water runoff collected by catch basins and catch basin connections at locations where storm or combined sewer do not exit.

Sewer certification. "Sewer certification" or "Sewer availability certification" means a house connection proposal application or site connection proposal application to certify the adequacy of the existing abutting sewer to receive site storm and sanitary discharge from a development.

Sewer connection. "Sewer connection" means that part of a sanitary, stormwater, or combined sewer disposal pipe which extends from the property line of a Building to an existing City sewer, a Private sewer, a Private drain, or an approved outlet under the jurisdiction of the DEP.

Sewer easement. "Sewer easement" means a nonpossessory interest in private property, which allows for the limited right to use the property that is designated for the construction and maintenance of a drainage facility such as a City sewer, a Private drain, a Watercourse, a Watercourse diversion, or related structures.

Site connection proposal. "Site connection proposal" means a plan showing proposed Sewer connection(s) from existing or proposed developments other than Fee Simple of One (1), Two (2) or Three (3) Family Dwelling Units to a City sewer, a Private sewer, a Private drain, or an approved outlet.

Special conditions. "Special conditions" mean and include, but is not limited to, the construction or use of a Private sewage treatment plant, a Private on-site pumping station, a private on-site Detention basin, a private Watercourse diversion by an open channel or closed piping, or a proposed development requiring a Mapping action.

Storm sewer. "Storm sewer" means a sewer which conveys only stormwater.

Stormwater. "Stormwater" means the excess water running off the surface of a drainage area during, and immediately following, a period of precipitation.

Stormwater release rate. "Stormwater release rate" means the rate at which stormwater is released from a site, calculated in terms of cubic feet per second (cfs) or as a percentage of the Allowable Flow, which is also calculated in terms of cfs.

Stormwater sewer connection. "Stormwater sewer connection" means a Sewer connection, which extends from the property line of a Building and conveys stormwater runoff to a Storm sewer/drain, or Combined sewer/drain or an approved outlet.

Tax map. "Tax map" means the Tax map of the City as defined and referred to in Section 11-203 of the Administrative Code of the City of New York.

Tentative lot. "Tentative lot" means a proposed tax lot as shown on the "Request to Real Property Assessment, Department of Surveying, Division for Tentative Lot Numbers".

Water Board. "Water Board" means the New York City Water Board.

Watercourse. "Watercourse" means a natural or artificial channel, a visible path or an active trench, which carries stormwater runoff from a Contributory drainage area.

Watercourse diversion. "Watercourse diversion" means the re-routing of an existing Watercourse by either

open channel or closed piping.

Water service connection. "Water service connection"—The pipe from the street water main or other source of water supply to the building served.

(c) *Variations.*

(1) The DEP may grant a variance from one or more of the requirements of this Rule only upon:

(a) written request by the Applicant; and
(b) the presentation of adequate proof substantiating that compliance with the requirements of this Rule would impose an exceptional hardship.

(2) Every request for a variance shall:

(a) identify the specific provision(s) of this Rule for which a variance is sought;
(b) demonstrate that an exceptional economic, technological or safety hardship would result from compliance with the identified provision(s) and that the variance requested is the minimum necessary to afford relief; and

(c) demonstrate that the proposed variance would not result in any adverse impact on public health, safety, or welfare, the environment, or any natural resource(s).

(3) There shall be no variances granted from the bonding, insurance, or security requirements of this Rule.

(4) In granting variance, the DEP may impose specific conditions necessary to assure that the variance will have no adverse impact on public health, safety, or welfare, the environment, or any natural resource. Failure to comply with any condition of a variance shall be a violation of these rules.

§31-02 Sewer Availability Certification.

(a) *General Requirements.* Owners proposing to connect to a City sewer, a private sewer, a private drain, or an approved outlet to serve an existing or a proposed development must file a sewer certification application with the appropriate department of the City, in accordance with the following requirements:

(1) For an existing or a proposed Fee Simple One (1), Two (2) or Three (3) Family Dwelling Unit, a House Connection Proposal for sewer availability certification shall be required. Stormwater management systems for developments that include subdivision of lots must be submitted to DEP for review and approval.

(2) For all existing or proposed developments other than Fee Simple One (1), Two (2) or Three (3) Family Dwelling Units, a Site Connection Proposal for sewer availability certification shall be required. Stormwater management systems for developments that include multiple construction phases or subdivision of lots must be submitted to DEP for review and approval as a master/phased plan site connection application proposal.

(3) For the elimination of existing cesspools or septic tanks for existing buildings other than Fee Simple One (1), Two (2) or Three (3) Family Dwelling Units, a Site Connection Proposal for sewer availability certification shall be required, unless the site has been granted a prior sewer availability certification.

(4) All House Connection Proposals or Site Connection Proposals for sewer availability certification shall be prepared by, or under the supervision of, a professional engineer or registered architect licensed by the State of New York, and shall be submitted with the appropriate sewer certification application form. The signature and seal of a professional engineer or registered architect shall appear on each proposal.

(b) *Specific Requirements.*

(1) A professional engineer or registered architect may self-certify the availability of sewers by using the appropriate self-certified sewer certification application, except as specified in paragraph (3) of this subdivision.

(2) All sewer certification applications for new construction under the jurisdiction of the DOB may be submitted to the DEP or to the DOB. All other sewer certification applications for construction that is not under the jurisdiction of the DOB and do not require DOB project identification number(s) (DOB PIN(s)) shall be submitted to the DEP.

(3) A professional engineer or registered architect shall not self-certify sewer certification applications for the cases listed below. Such applications shall be submitted to the DEP for review and certification:

(i) Applications involving mapping actions;
(ii) Applications for connection(s) to a proposed private sewer or private drain under construction by the applicant to serve a proposed development;
(iii) Applications for proposed developments to be constructed in staged phases;
(iv) Applications for proposed developments on part of a tax lot;
(v) Applications to connect to a sewer or drain where the flow discharged must pass through a private pumping station;
(vi) Applications for proposed developments which must utilize an easement through, or cross, adjacent properties, to gain access to an approved outlet;

(vii) Applications for proposed developments on a site traversed by a watercourse, active ditch, or existing sewer easement;

(viii) Applications for proposed discharge of flow to a private drain not built in accordance with the City drainage plan and which is not owned by the owner(s) of the proposed development(s);

(ix) Applications to connect to sewers or drains discharging to a private sewage treatment plant;

(x) Applications for proposed sanitary discharge to an interceptor sewer;

(xi) Applications for proposed sanitary discharge to six (6) inch diameter sanitary sewers or drains;

(xii) Applications for proposed discharge of site storm flow to a highway drain, Work Project Administration (WPA) sewer, Temporary Connection (TC), plumber's drain, watercourse diversion, or State arterial highway drain;

(xiii) Applications for skewed connections or connections to stub extensions from existing manholes; and

(xiv) Application for proposed developments in areas rezoned after June 1993.

(4) All sewer certification applications shall contain the appropriate identification number(s) as issued by the DOB, except for:

- (i) Self-certified applications filed with the DOB; or
- (ii) Applications which are not required to be filed with the DOB.

(5) Sewer certification applications shall show the proposed sanitary discharge; the proposed developed site storm flow; [and] the allowable [storm] flow from the site; and/or the stormwater release rate from the site, in accordance with the following:

(i) Computation of allowable [storm] flow to be discharged into stormwater or combined sewers or drains shall be based on either the City drainage plan or an approved drainage proposal under which the existing sewers or drains were constructed. Computation of the stormwater release rate shall be in accordance with Section 31-03(a)(1) for connections in a combined sewer system.

(ii) Developed site storm flow shall be computed using the rational method for the total site area, with rainfall intensity of 5.95 inches per hour and the weighted runoff coefficient (Cw) based on the site development.

A. DEP will provide runoff coefficients to be used in computing site storm flow.

B. DEP will accept for review applications that minimize the runoff coefficient of the entire site by maximizing open areas, and areas with grass or vegetative cover, green roofs, permeable pavements with suitable infiltration, or other techniques based on the runoff coefficients published by DEP. Further runoff coefficient reductions must be substantiated by soil borings taken at the location of the proposed areas in addition to a permeability test performed in situ.

C. Overall site runoff coefficients must not be decreased without the express written approval of DEP.

(iii) Applicants shall specify the method(s) of disposal of all developed site storm flow in conformance with the provisions of local laws governing such disposal.

(iv) Sanitary flow discharged to sanitary or combined sewers or drains shall be computed based on the density development permissible under zoning designation for the proposed development in accordance with the most recent drainage design criteria of the DEP.

(6) Block and lot numbers shall correspond to the most recent records supplied by the DOB. Any applicant proposing to alter an existing block and/or lot layout shall submit to the DOB a Tentative Lot Number(s) Request Form bearing the applicant's signature and seal and showing the proposed block or lot modifications. Such forms shall be approved by the DOB.

(7) All existing and proposed sewer connections shall be shown on the site plan and supporting documents. The minimum size of pipe for proposed connections to the sewer system shall be an eight (8) inch pipe in the Borough of Manhattan and a six (6) inch pipe in all other Boroughs.

(8) No horizontal bends for sewer connections shall be permitted outside the property lines of the project site.

(9) All sewer connections shall be gravity connections. Single structures utilizing an internal ejector shall follow provisions of the New York City Building Code and shall connect to the sewer by gravity for such use. In cases where multiple structure developments use internal ejectors, the internal ejector system shall discharge into a pressure relief manhole within the property lines, and then flow into the existing sewer by a gravity sewer connection.

(10) All site plans submitted to the DEP with sewer certification applications shall be prepared in accordance with the latest standards and requirements of the DEP, as indicated below:

(i) Site plans shall be drawn to scale, and shall contain the original seal and signature of the filing professional engineer or registered architect.

(ii) All hydraulic computations, and the proposed method(s) of disposal for all sanitary and storm discharge, must be shown on the site plan.

(iii) Swimming pool(s) must be shown on the site plan, but are not reviewed as part of the sewer certification application(s). A separate approval for the discharge from swimming pools must be obtained from the DEP. All swimming pools must discharge to an internal sanitary system prior to discharge into the existing sewer or drain.

(iv) Computations and details for the management practices proposed for the on-site retention or detention of stormwater runoff from the developed site, which exceeds the allowable flow, necessary to ensure compliance with this rule must be shown on the site plan.

(11) Subsoil boring logs and soil permeability testing information must be submitted to substantiate any proposed on-site stormwater infiltration.

(12) Any person constructing a new development abutting a waterway shall discharge its stormwater to that waterway. All direct discharges shall comply with all applicable laws and regulations.

[(11)] (13) For sites with industrial waste discharge, the applicant must obtain approval from the DEP for such discharge prior to the certification of the sewer certification application. For self-certified sewer certification applications, the approval for the discharge of industrial waste must be obtained prior to submission of the self-certified sewer certification application to the City.

§ 31-03 Stormwater performance standard for connections to combined sewer system.

(a) Stormwater release rate. The following provisions apply to the issuance of permits for sewer availability certifications and connections to combined sewer systems for new buildings and alterations as defined in the Construction/Plumbing Codes and related requirements for any horizontal building enlargement or any proposed increase in impervious surfaces.

(1) The Stormwater Release Rate must be no more than the greater of 0.25 cfs or 10% of the Allowable Flow or, if the Allowable Flow is less than 0.25 cfs, no more than the Allowable Flow.

(2) For Alterations, the stormwater release rate for the altered area must be no more than the stormwater release rate for the entire site, determined in accordance with subparagraph (1) above, multiplied by the ratio of the altered area to the total site area. No new points of discharge are permitted.

(3) For proposed open-bottom detention systems, applicants would be entitled to a reduction of the required

stormwater volume to be detained where stormwater will be infiltrated into the below soils provided that the applicant demonstrates to the satisfaction of the department that the existing soil surrounding and below the system has a favorable rate of permeation substantiated by soil borings taken at the location of the proposed system in addition to a permeability test performed in situ. Requests for any volume credits must be shown on the site connection proposal application and reviewed by DEP.

(4) Applicants would be entitled to a reduction of the required stormwater volume to be detained where stormwater will be recycled for on-site uses provided that the department finds that the recycling system is independent and does not result in total site discharge to the sewer system greater than the Stormwater Release Rate at any time. Such recycling systems cannot be modified or disconnected, without the express written approval of DEP. This restriction applies to both current and future owners and other persons in control of the property.

[§31-03] §31-04 **Standards for Issuance of Permits.**

(a) *Permits.*

(1) No person or Owner shall connect to, make use of, or make an opening into any interceptor sewer, interceptor collector, sanitary, storm, or combined sewer or drain, or install, repair, relay or plug sewer connections, except upon issuance of a permit consistent with the provisions of this Rule. No sewer connections shall be permitted to any catch basin. Any such connection made without a permit shall be in violation of this Rule.

(2) Permits for a new connection or connections shown on certified sewer certification applications shall be required for the following:

- (i) new developments;
 - (ii) alterations performed on existing buildings, where sewer availability certification is required by the DOB;
 - (iii) existing buildings served by cesspools or septic tanks to be connected to fronting sewers or drains; and
 - (iv) unplugging and reuse of a plugged sewer connection.
- (3) Plug permit(s) shall be required when an existing connection or connections are to be abandoned.

(4) Repair or relay permits shall be required for the repair or replacement of an existing sewer connection. Where realignment of the existing sewer connection or connections to new points of connection results in the plugging of an existing sewer connection or connections, no separate plug permit shall be required.

(5) Permits shall be required to install manholes on existing sewers or drains.

(6) Permits shall be required to install catch basins and catch basin connections outletting to existing sewers or drains, or an approved outlet.

(7) Permits shall be required to install seepage basins and catch basins outletting to such seepage basins.

(8) Any detention or retention system and any replacement of such a system proposed and implemented in order to comply with this rule must be properly maintained throughout the useful life of the system and maintenance records maintained, until replacement as approved by DEP. This obligation applies to current property owners, their successors, assigns, and other persons in control of the property, and shall be made binding in a deed restriction or other form satisfactory to DEP. Three years after the date of approval of a retention or detention system and every three years thereafter the operation of the system shall be inspected by a licensed professional engineer, a registered architect or a licensed master plumber. Such architect, engineer or master plumber shall submit certification to DEP that the system is free of debris and sediments, that its orifice is unobstructed and flowing and that the system is otherwise operating in compliance with this rule.

(b) *General Requirements.*

Sewer connection permits shall be required as follows:

(1) For a single structure on an individual tax lot fronting an existing combined sewer, a new sewer connection permit shall be required for each connection.

(2) For individual structures on one tax lot with individual combined sewer connections to an existing combined sewer or drain, a sewer connection permit shall be required for each individual combined connection. Where such structures have separate connections to separate sanitary and storm sewers, a new connection permit shall be required for each individual sanitary and/or storm sewer connection.

(3) For several individual structures on one tax lot sharing a common internal drain or drains connecting to existing combined sewers, one new sewer connection permit shall be required for each connection. Where such structures have common sanitary and storm internal drains for connection to separate sanitary and storm sewers or drains, a new sewer connection permit shall be required for each connection made to the sewers or drains.

(4) For individual structures on individual tax lots, which will share common internal drains owned, operated or maintained by a Homeowners Association, connections to existing combined sewers shall require a new sewer connection permit for each tax lot.

(5) Where individual structures on individual tax lots, which share common internal drains owned, operated and maintained by a Homeowners Association, connect to separate sanitary and storm sewers or drains, a sewer connection permit shall be required for each sanitary and storm sewer connection made to the common internal drains from each tax lot.

(c) *Application Procedure.*

(1) A certified house connection proposal or site connection proposal shall be required for all permits, except for the following:

- (i) plug permits;
 - (ii) repair/relay permits;
 - (iii) catch basin, catch basin connection, and manhole permits;
 - (iv) catch basin, catch basin connection, and seepage basin permits; and
 - (v) connection to an existing sewer for elimination of existing cesspool or septic tanks for fee simple one, two, or three family dwelling units.
- (2) Prior to the issuance of a permit, applicants shall

comply with the following requirements:

(i) Upon certification of a house connection proposal or site connection proposal by the DEP or DOB, the applicant's Licensed Master Plumber shall apply for the required sewer connection permits at the DEP's water and sewer records office.

(ii) If the Licensed Master Plumber retains a subcontractor, that subcontractor is only authorized to conduct non-plumbing work. All plumbing work must be done by the Licensed Master Plumber or persons under the direct employment and continuing supervision of the Licensed Master Plumber. If work is to be done by a subcontractor, said subcontractor must be identified on the application and an affidavit of authorization must be executed by the Licensed Master Plumber. The authorization shall specify the location and work to be done and shall state that the work is being done under the supervision of the Licensed Master Plumber. Such authorization and responsibility will be effective for the duration of the permit. If coring is to be done as part of the work, it shall be performed by the Licensed Master Plumber, or his/her authorized designee.

(iii) Only a Licensed Master Plumber may apply for a permit to install new catch basins, catch basin connections, and manholes on existing sewers or drains.

(iv) A Licensed Master Plumber or a Contractor may apply for a permit or permits to install seepage basins, catch basins, and catch basin connections outletting to such seepage basins.

(v) No sewer connection permit shall be issued without the presentation of a valid building construction permit or alteration repair application (ARA) from DOB or other Agencies having jurisdiction.

(vi) No permits shall be issued to install new catch basins, catch basin connections, seepage basins, or manholes on existing sewers or drains until an approved builder's pavement plan has been submitted.

(d) *Permit Issuances.*

(1) Prior to the issuance of any permit for sewer connection, applicants must submit the following to the DEP:

- (i) the appropriate permit application form and, if applicable, an affidavit by the Licensed Master Plumber authorizing a subcontractor to perform non-plumbing work;
- (ii) a certified house connection proposal or site connection proposal application;
- (iii) a valid street/sidewalk opening permit from the DOT or other entity having jurisdiction;
- (iv) proof of payment of the appropriate permit fee to the Water Board;

(v) proof of compliance with all conditions set forth in the certified house connection proposal or site connection proposal application form;

(vi) a letter of authorization from the Owner to retain a Licensed Master Plumber;

(vii) except for a single structure condominium development, which is exempt from this requirement, a declaration of covenants and restrictions establishing a Homeowners Association or a declaration of condominium recorded at the appropriate City Register's or County Clerk's Office and a letter issued by the New York State Attorney General accepting the offering plan/prospectus for filing; or a "No-Action Letter" issued by the New York State Attorney General and reviewed by the Legal Counsel of the DEP;

(viii) easement documents, declaration of maintenance and deed restrictions approved by the Legal Counsel of the DEP and recorded at the office of the County Clerk.

(ix) proof of compliance with all other conditions that may be set forth by the City and with all applicable Federal, State, and Local Laws, Rules and Regulations.

(2) Unplug and Reuse or Reuse. For one, two or three family dwellings only, permits for unplugging and reuse of a plugged sewer connection, or reuse of an existing sewer connection will be issued upon:

- (i) compliance with all of the requirements listed in paragraph (1) of this subdivision (d); and
- (ii) submission to the DEP of the following:

(A) a notarized letter of intent from the owner requesting reuse of the plugged sewer connection or reuse of the existing sewer connection;

(B) signed and sealed certification from the filing professional engineer or registered architect that the existing sewer connection is adequate; and

(C) signed and sealed certification from the Licensed Master Plumber that such plumber has verified that the existing sewer connection is in good working order.

(3) Plug Permit for plug of an existing sewer connection will be issued upon:

(i) compliance with the requirements contained in subparagraphs (i), (iii), (iv), (vi) and (ix) of paragraph (1) of this subdivision (d);

(ii) presentation of a notarized letter of intent from the Owner to plug the existing sewer connection and to retain a Licensed Master Plumber for this purpose; and

(iii) verification of the existence of the sewer connection to be plugged.

(4) Repair or Relay of Existing Sewer Connections.

Permits for repair/relay of existing sewer connections will be issued upon compliance with the requirements in subparagraphs (i), (iii), and (ix) of paragraph (1) of this subdivision (d);

(5) Connections to an existing sewer for the purpose of eliminating cesspools or septic systems. Permits for sewer connections to an existing sanitary or combined sewer in order to eliminate cesspools or septic systems will be issued upon:

(i) compliance with the requirements contained in subparagraphs (i), (ii), (iii), (iv), (v), and (ix) of paragraph (1) of this subdivision (d);

(ii) for fee simple one, two or three family dwelling units, submission of approval from DOB to abandon the existing cesspool or septic system;

(iii) for other than fee simple one, two or three family dwelling units, submission of:

(A) an approval from DOB to abandon the existing cesspool or septic system; and

(B) a certified site connection proposal from the appropriate department, as required by subparagraphs (i), (ii) and (v) of paragraph (1) of this subdivision (d).

(6) New manholes on existing sewers or drains for new

sewer connections or for new catch basin connections. Permits for new manholes to be placed on existing sewers for new sewer connections or for new catch basin connections will be issued upon:

(i) compliance with all of the requirements in subparagraphs (i), (ii), (iii), (iv), (v), and (ix) of paragraph (1) of this subdivision (d); and

(ii) for new catch basin connections, compliance with all requirements contained in paragraph (7) of this subdivision (d).

(7) New catch basins, catch basin connections, and seepage basins. Permits for new catch basins, catch basin connections, and seepage basins will be issued upon:

(i) compliance with the requirements contained in subparagraphs (i), (iii), (iv), and (ix) of paragraph (1) of this subdivision (d); and

(ii) presentation of a valid approved Builders Pavement Plan. A Builders Pavement Plan, approved by the City, must be on file with the Borough office of BWSO prior to issuance of the permit.

(e) *Terms and Conditions.*

(1) Each permit shall be valid for a period not to exceed sixty (60) calendar days from the date of issuance. An additional one time thirty (30) day extension may be granted upon written request by the Licensed Master Plumber explaining reasons for the delay.

(2) After expiration of the permit period and any extension, the permittee shall be required to file for a new permit and pay all required fees.

(3) Any permit issued by the DEP pursuant to this Rule may be revoked by the Commissioner for cause.

(f) *Fees.*

(1) All fees shall conform to the latest fee schedule published by the Water Board.

(2) All fees shall be paid to the Water Board.

(g) *Violations.* It shall be a violation to perform any operation or work without a permit as required by this Rule.

[§31-04] §31-05 Standards for Installation of Sewer Connections.

(a) *General Requirements.* All new sewer connections shall be in compliance with this Rule.

(b) *Specific Requirements.*

(1) Sewer connections may be made to available existing sewers, drains, or approved outlets, upon the issuance of a permit.

(2) New sewer connections shall have a minimum of four (4) feet of cover unless the DEP grants approval for a lesser cover. No cover above a sewer connection less than two and a half (2.5) feet shall be permissible. Sewer connections with less than three (3) feet of cover must be encased in concrete.

(3) Connections to sewers supported by piles must be ductile iron pipe Class fifty-six (56), on broken stone with push on joints. The thickness of the broken stone bedding shall be a minimum of nine (9) inches.

(4) Where the replacement or repair of an existing sewer connection results in damage or defect to adjacent or connected facilities, the Commissioner, upon being notified of such damage or defect, may order the Licensed Master Plumber to investigate and effect any repairs to the adjacent or connected facilities that may be required at such plumber's own expense. Representatives of adjacent or connected facilities shall be mailed copies of the Commissioner's order.

(5) Catch basin connections to storm or combined sewers of forty-eight (48) inches in diameter or smaller shall be made to existing or new manholes. For sewers larger than forty-eight (48) inches in diameter, the catch basin connections shall be made to existing manholes, if available, or directly to the sewer. Details of all other methods of connections shall be reviewed and approved by the DEP. All work must be in accordance with any Builders Pavement Plan, approved by the City.

(6) New sewer connections shall be made to existing spurs fronting the property.

(7) In cases where no spurs exist, or connection to an existing spur is not feasible, one of the following methods of connection shall be used:

(i) For six (6) inch diameter sewer connections to six (6) inch diameter sewers or drains, three (3) sections of the existing sewer or drain shall be replaced with two (2) straight pipe sections and a central spur piece.

(ii) For six (6) inch diameter sewer connections to eight (8) inch diameter sewers or drains, if the existing eight (8) inch diameter sewer or drain is not supported by a concrete cradle, the connection method described in subparagraph (i) of this paragraph (7) shall apply. For sewers or drains on concrete cradles, a minimum of four (4) feet in length of the existing sewer or drain shall be encased in concrete from the point of connection. The concrete shall be allowed to set for twenty-four (24) hours, after which time, core drilling shall be performed.

(iii) Core drilling to install a spur into an existing sewer or drain shall only be performed with an approved coring machine. Such coring shall be made at the one (1) or two (2) o'clock or ten (10) to eleven (11) o'clock position as described in paragraph (9) of this subdivision (b). The cored portion of the sewer shall be retained and submitted to the Inspector. Core drilling shall only be permitted in the following circumstances:

(A) where the new sewer connection is six (6) inches in diameter and the existing sewer or drain is ten (10) inches in diameter or larger;

(B) where the new sewer connection is eight (8) inches in diameter and the existing sewer or drain is twelve (12) inches in diameter or larger;

(C) where the new sewer connection is ten (10) inches in diameter and the existing sewer or drain is twenty-four (24) inches in diameter or larger.

(iv) Any sewer connection twelve (12) inches in diameter or larger to existing sewers or drains less than forty-eight (48) inches in diameter shall be made only to an existing or proposed manhole. For sewer connections larger than eighteen (18) inches in diameter, the applicant shall submit a detail of the proposed method of connection to the DEP for review and approval.

(8) Core drilling. Core drilling shall be performed in accordance with the following requirements:

(i) Clay or Cement Sewers or Drains. A six (6) inch thick

concrete encasement on top and bottom of the existing sewer or drain for a minimum of four (4) feet length along the existing sewer shall be provided. The concrete encasement shall be allowed to set for a minimum of twenty-four (24) hours before the core drill may be performed.

(ii) Brick Sewers or Drains. A three (3) inch concrete encasement with six (6) by six (6) w2.9/w2.9 wire mesh over the top half of the sewer for a minimum of four (4) feet along the length of the sewer shall be provided. The concrete encasement shall be allowed to set for a minimum of twenty-four (24) hours before the core drill may be performed.

(9) Installation of a spur on the existing sewer or drain shall be performed in accordance with the following requirements:

(i) A hole shall be core drilled with an approved core drilling machine to produce a smooth hole equal to the inside diameter of the sewer connection. A tap saddle/tee made of cast iron shall be installed and bonded to the existing sewer or drain with a quick setting two-part mix of epoxy adhesive that will harden in four (4) to seven (7) hours.

(ii) A hole shall be core drilled with an approved core drilling machine to produce a smooth hole equal to the outside diameter of either a Dutchman (short piece of pipe with belt) or the outside diameter of a neoprene rubber tee fitting, which shall be placed in the drilled hole and held in place by a tampered plastic insert. The sewer connection shall fit into the open end of the tee fitting and be held in place by a mechanically tightened steel band.

(10) Should unanticipated field conditions necessitate a different method of construction than that shown on the certified sewer certification application, such method shall be submitted for review and approval by the DEP, prior to any work being performed.

(c) *Materials.*

(1) The materials used for new sewer connections or replacement of existing sewer connections and appurtenances shall meet the following requirements:

(i) Extra strength vitrified clay pipe (ESVP), conforming to A.S.T.M. C-700 on six (6) inch concrete cradle, class forty (40), for sewer connections up to and including an eighteen (18) inch diameter;

(ii) Ductile iron pipe (DIP), Class fifty-six (56) with push-on joints, conforming to A.N.S.I. specification on broken stone bedding conforming to A.S.T.M. C-33, size sixty-seven (67);

(iii) Pre-cast Reinforced Concrete Pipe (PCRP) Class three (3) or higher on six (6) inch concrete cradle conforming to A.S.T.M. Class thirty five (35) for sewer connections of a twenty-four (24) inch diameter and larger ;

(iv) Extra heavy cast iron soil pipe (EHCI) on broken stone bedding conforming with A.S.T.M. Class thirty-three (33), size sixty seven (67).

(2) Materials differing from those described in paragraph (1) of this subdivision (c) shall not be issued without written approval of the DEP. The burden of establishing the suitability of the material shall be with the applicant.

(d) *Manhole Connections.*

(1) The inner top of the proposed sewer connection shall not be lower than the inner top of the sewer. The invert of the proposed sewer connection shall be at least three (3) inches above the bench elevation at the manhole wall. The invert of the proposed sewer connection shall not be more than four (4) feet above the spring line (1/2 the diameter) of the sewer.

(2) The use of pre-cast manholes on existing sewers or drains shall be in conformance with the latest DEP Sewer Design Standards, and shall be supplied by an approved vendor.

(3) No pre-cast manholes shall be installed on existing brick sewers.

(e) *Seepage Basins, Catch Basins and Catch Basin Connections.*

(1) All proposed seepage basins, catch basins, and catch basin connections shall be installed in accordance with any Builders Pavement Plan approved by the City and the latest DEP standards and requirements, and shall be supplied by approved vendors.

(f) *Trench Excavation.*

(1) Prior to performing any excavation, the permittee shall give notice to the New York City & Long Island One Call Center in accordance with 16 NYCRR Part 753.

(2) Excavations, trenching, and shoring as required, shall be in conformance with sections 23 and 53 of the New York State Industrial Code, and all other applicable Federal, State, and Local Laws, Rules and Regulations.

(3) Permittees shall comply with all requirements of the DOT or other entity having jurisdiction.

(4) The permittee shall properly support, protect, and maintain all facilities encountered.

(5) Rock excavation for proposed sewer connections shall be made in compliance with applicable sections of the DEP's Standard Specifications.

(6) The maximum width of a sheeted trench shall be in accordance with DEP Sewer Design Standards.

(g) *Backfilling.*

(1) Backfilling and pavement restoration shall be in compliance with the Standards and Requirements of the DOT or other entity having jurisdiction.

(2) No backfilling shall commence until the sewer connection, seepage basin, catch basin and catch basin connection has been properly installed, inspected and accepted by the Inspector.

(3) If the work is not accepted by the Inspector, the permittee shall make the trench safe, including plating in as required by the DOT or other entity having jurisdiction.

§31-06 Tree plantings adjacent to existing water and sewer infrastructure.

(a) *Specific requirements. When planting trees, the separation distance shall not be less than:*

(1) six feet center to center from distribution mains; (2) eight feet center to center from mains greater than twenty inches in diameter; or

(3) four feet from the sheeting area for sewers.

(b) *Variations. Variances from these requirements may be granted in cases where the minimum separation distances cannot be physically met and, subject to DEP approval, where additional root protection systems are proposed. In no*

case may a tree be planted directly above a water main or a sewer.

[§31-05] §31-07 Inspections.

(a) *General Requirements.*

(1) All sewer connections, including new connections, relays/repairs, plugs, catch basin and catch basin connections, and seepage basins shall be inspected and approved by an Inspector.

(2) A permittee shall be granted an inspection one business day following the request for such inspection.

(3) Prior to commencing excavation for sewer connections, the permittee shall verify that the sewer or drain is not surcharged, obstructed, or damaged. If the sewer is surcharged, obstructed, or damaged, the permittee shall not perform any work and shall immediately notify the DEP.

(4) No sewer connection or related work shall be inspected or approved by an Inspector unless the trench is open for any length of previously un-inspected work and all pipes, joints, and related work are visible. A suitable ladder affording safe access for such inspection shall be provided by the permittee. Trenches must conform to all applicable Rules, Regulations and laws regarding safety.

(5) An Inspector is required to be present during any drill-in to a sewer or drain.

(6) Any trench backfilled without completed inspection shall be re-excavated to the degree necessary as determined by the Inspector.

(7) Inspections will be conducted Monday through Friday (except on holidays) between the hours of seven (7) A.M. and four (4) P.M. Exceptions to this requirement may be granted upon traffic and work stipulations set forth by the DOT or other entity having jurisdiction or for other unforeseen circumstances, at the discretion of the DEP.

(8) No inspection shall be performed unless all permits and appropriate documentation required by the DEP are displayed at the work site. Such documentation shall include:

(i) the certified house connection proposal or certified site connection proposal, with all pertinent supporting documents where required;

(ii) the approved permit application and sewer connection permit;

(iii) the street opening permit from the DOT or other entity having jurisdiction, and when a Builder's Pavement Plan has been required, an approved copy thereof;

(iv) all approved shop drawings;

(v) all Mayor's Traffic Construction Coordination Committee traffic stipulations, where weekend and/or night work is scheduled; and

(vi) all applicable notarized affidavits regarding the reuse of existing connections.

(b) *Certificate of Inspection.*

(1) A certificate of inspection shall be issued for each permit granted by the DEP upon:

(i) successful completion of an inspection; and

(ii) compliance with all applicable requirements in sections 31-04, [and]31-05, and 31-07 of this Rule.

(2) For sewer certifications with multiple permits, a certificate of inspection shall be issued for each unit.

(3) No certificate of inspection shall be issued unless all sewer work shown on the certified house connection proposal or site connection proposal has been completed and inspected.

[§31-06] §31-08 Repair Order.

(a) *General Requirements.*

(1) When a sewer house connection, private pumping station, private sanitary ejector, private sanitary force main house connection, or a private force main is found to be leaking, inoperative or defective at a particular premises, the DEP shall issue a repair order to the Owner of such premises. The repair order shall instruct the Owner to make all necessary repairs and otherwise comply with the requirements of such order within 30 days of the date of issuance of such order, except when the DEP determines that there is an immediate danger to public health, property or to the environment, in which case such order may provide that repairs shall be made immediately upon issuance of such order. For purposes of this section, "ejector" shall mean a mechanical device used to pump or eject sewage.

(2) If the Owner has not complied with the repair order in the period allowed, the DEP shall shut off the water service tap/wet connection of the premises. All repair work concerning a sewer connection shall be performed by a Licensed Master Plumber, as provided herein.

(3) If an Owner believes that a repair order has been issued in error or that exigent circumstances exist such that shutting off the tap/wet connection of the premises would result in extreme hardship, the Owner may apply by letter to the Commissioner who shall make a final determination as to whether the repair order was issued in error or whether exigent circumstances exist warranting an abeyance of issuance of the repair order.

(4) A Licensed Master Plumber shall obtain a sewer connection repair permit prior to performing work pursuant to a repair order on a sewer connection or in compliance with sections [25-03]31-04(a)(4) and [25-05]31-08(a) of this Rule. Upon completion of all necessary repairs by the Licensed Master Plumber and approval by the DEP, a Licensed Master Plumber shall obtain a tap/wet connection permit to restore the water service.

(5) When the water service is shut off by the DEP, the Owner must engage a Licensed Master Plumber to assume responsibility for the excavation over the tap or wet connection. If the Owner fails to engage a Licensed Master Plumber, the water service will remain shut off, the excavation will be backfilled, and the street will be properly restored.

§ 2. This rule shall take effect six months after it is effective in accordance with the requirements of the city administrative procedure act except that the definitions of "code" and "non-plumbing work" as added by section 1 of this rule and the amendments to subdivisions (c) and (d) of section 31-04 of Title 15 of the Rules of the City of New York as renumbered and amended by section 1 of this rule shall take effect immediately upon their effectiveness in accordance with such act.

§3. If any provision of this rule or its application to any particular person or circumstance is held invalid, the remainder of this rule and its application to other persons and circumstances shall not be affected thereby.

TRANSPORTATION

NOTICE

Notice of Adoption of Rules relating to an amendment to the rules relating to revocable consents.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Transportation by section 362, section 364, and subdivision (b) of section 2903 of the New York City Charter and in accordance with the requirements of section 1043 of the New York City Charter, that the Department of Transportation hereby amends section 7-04 of Chapter 7 of Title 34 of the Official Compilation of the Rules of the City of New York, relating to revocable consents. This rule was first published on September 1, 2011, and a public hearing was held on October 7, 2011. This rule shall take effect 30 days from the date hereof.

New material is indicated by underlining.

Subdivision (a) of section 7-04 of title 34 of the Rules of the City of New York is amended by adding a new paragraph (34) to read as follows:

- (34) Upon approval by the Public Design Commission, any work of art that is fully integrated into an improvement listed in section 7-04.
(i) Standard. Such an improvement with an integrated art element must adhere to the standards listed in this section for individual structures.
(ii) Annual rate. 50% reduction to the annual rate listed in this section for individual structures.

STATEMENT OF BASIS AND PURPOSE OF THE RULE

The Commissioner of Transportation is authorized to promulgate rules regarding streets and highways in New York City pursuant to § 2903 of the New York City Charter. Sections 362 and 364 of the Charter authorize the Department of Transportation to grant revocable consents and to promulgate rules regarding revocable consents.

A revocable consent is the grant of a right to an individual or organization to construct and maintain certain structures on, over or under the inalienable property of the City (that is, the streets and sidewalks).

In October 2008, the Commissioner of Transportation launched the Urban Art Program to invigorate the City's streetscapes with engaging temporary art installations. Part of the World Class Streets initiative, the Urban Art Program encourages public art that fosters more vibrant and

attractive streets and offers the public new ways to experience New York City's streetscapes. In support of this program, the Department of Transportation hereby adds a category to the revocable consent rules to encourage private entities to integrate art into future improvements that involve use of City owned space in order to create visual interest and enliven areas visible to the public. The rule provides a 50% discount, on all revocable consent annual rates, for new improvements that fully integrate works of art into structures eligible for revocable consents under the existing rules. As with all applications for a revocable consent, the integrated art element must be approved by the Public Design Commission.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this agency, unless otherwise specified or unless the context clearly indicates otherwise.

SPECIAL MATERIALS

HEALTH AND MENTAL HYGIENE

NOTICE

NOTICE OF THE ESTABLISHMENT OF MOBILE FOOD VENDOR PERMIT WAITING LISTS BY THE NEW YORK CITY DEPARTMENT OF HEALTH AND MENTAL HYGIENE

On Monday, February 13, 2012, the Department of Health and Mental Hygiene (DOHMH) will establish, utilizing a random selection process, three (3) separate waiting lists for Green Cart permits - two-year, full-term mobile food vendor unit permits authorizing the holders thereof to sell only raw fresh fruits and vegetables within designated areas of the City - for the Bronx, Brooklyn, and Staten Island. At this time, no lists will be created for Manhattan or Queens.

Application packages with detailed instructions for inclusion in the selection process for the Green Cart permit waiting lists may be obtained via the internet at www.nyc.gov/greencarts, by calling 311, or in person at the New York City Department of Consumer Affairs Licensing Center, located at 42

Broadway, 5th Floor, New York, New York 10004, Monday through Friday from 9:00 A.M. to 5:00 P.M.

In order to be eligible for inclusion in the selection process to establish these waiting lists,

- the applicant must have a valid mobile food vendor license (ID badge) issued by the Department of Health and Mental Hygiene on or before Friday, February 3, 2012, and
- the applicant must submit a completed waiting list application form by mail only to the address listed on the application form with a postmark dated on or before Friday, February 3, 2012.

All eligible waiting list applications will secure a waiting list position.

In accordance with Local Law No. 9 of 2008, preference or priority for a waiting list position will be given to those applicants who are members of a "preference category" listed in Local Law No.9. This preference or priority will be established by the giving of additional points to those applicants who are:

- already on an existing DOHMH mobile food vending permit waiting list
● United States veterans
● disabled persons

Applicants who do not belong to a preference category/priority group will secure a waiting list position after those who belong to a preference category/priority group.

For each borough list, all applications will be randomly assigned a number on each waiting list. Preference category/priority group applicants will be randomized separately and prioritized accordingly. If the applicant secures a waiting list position based upon a claim of being in one or more of the preference categories/priority groups mentioned above, the applicant will have to provide proof of such claim when the applicant is notified to apply for the Green Cart permit. If an applicant fails to do so, he or she will be disqualified from all Green Cart waiting lists.

Mobile Food Vendor License Applications: Application packages for a mobile food vendor operator's license (ID badge) may also be obtained via the internet at www.nyc.gov/greencarts, by calling 311, or in person at the New York City Department of Consumer Affairs Licensing Center, located at 42 Broadway, 5th Floor, New York, New York 10004, Monday through Friday from 9:00 A.M. to 5:00 P.M. Interested persons should allow at least twenty-five (25) business days to receive the necessary tax documentation and register for and pass the Department's "Mobile Food Vendor Food Protection Course", both of which are required prior to applying for a mobile food vending license.

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CHANGES IN PERSONNEL

Table with columns: NAME, ANYA, W, NUM, SALARY, ACTION, PROV, EFF DATE. Contains personnel changes for Brooklyn Community Board #14 and Department of Education Admin.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Contains personnel changes for various departments including Nanda, Vikas, Kerry, etc.

j4

LATE NOTICE

HUMAN RESOURCES ADMINISTRATION

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, January 12, 2012, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Human Resources Administration and the contractor listed below, for the provision of Trained Unarmed Security Guard Services. The contract term shall be from May 1, 2012 to April 30, 2013.

CONTRACTOR/ADDRESS

FJC Security Services, Inc., 275 Jericho Turnpike, Floral Park, NY 11001.

E-PIN 06906B0007CNVN003 Amount \$34,009,808.00 Service Area Citywide

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

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration of the City of New York, 180 Water Street, Room 1420, 14th Floor, New York, NY 10038, on business days, from January 4, 2012 to January 12, 2012, Monday through Friday, excluding Holidays, from 10:00 A.M. to 5:00 P.M.

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READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$17 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR. Information and qualification questionnaires for inclusion on such lists may be obtained directly from the Agency Chief Contracting Officer at each agency (see Vendor Information Manual). A completed qualification questionnaire may be submitted to an Agency Chief Contracting Officer at any time, unless otherwise indicated, and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings (OATH). Section 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board Rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these entities directly at the addresses given in the Vendor Information Manual.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women-Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City pays interest on all late invoices. However, there are certain types of payments that are not eligible for interest; these are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year: in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at www.nyc.gov/selltonyc

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

CSB	Competitive Sealed Bidding including multi-step <i>Special Case Solicitations/Summary of Circumstances:</i>
CSP	Competitive Sealed Proposal including multi-step
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	
CP/PQ/4	CSB or CSP from Pre-qualified Vendor List/ Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition <i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs
NA/9	New contractor needed for changed/additional work
NA/10	Change in scope, essential to solicit one or limited number of contractors

NA/11	Immediate successor contractor required due to termination/default <i>For Legal services only:</i>
NA/12	Specialized legal devices needed; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (<i>Client Services/CSB or CSP only</i>)
WA1	Prevent loss of sudden outside funding
WA2	Existing contractor unavailable/immediate need
WA3	Unsuccessful efforts to contract/need continues
IG	Intergovernmental Purchasing (award only)
IG/F	Federal
IG/S	State
IG/O	Other
EM	Emergency Procurement (award only): An unforeseen danger to:
EM/A	Life
EM/B	Safety
EM/C	Property
EM/D	A necessary service
AC	Accelerated Procurement/markets with significant short-term price fluctuations
SCE	Service Contract Extension/insufficient time; necessary service; fair price <i>Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason (award only)</i>
OLB/a	anti-apartheid preference
OLB/b	local vendor preference
OLB/c	recycled preference
OLB/d	other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section.

At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified unless a different one is given in the individual notice. In that event, the directions in the individual notice should be followed.

The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids
– PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

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

NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

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ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency contact information
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in The City Record