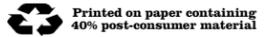




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THE CITY RECORD **MICHAEL R. BLOOMBERG, Mayor**

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

STATEN ISLAND BOROUGH PRESIDENT

■ PUBLIC MEETING

NOTICE OF PUBLIC MEETING of the Staten Island Borough Board at 5:30 P.M. on Wednesday, April 1, 2009 in Borough Hall - Stuyvesant Place, Conference Room 122, Staten Island, New York 10301.

m24-a1

CITY COUNCIL

■ HEARINGS

HEARING BY THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON THURSDAY, APRIL 2, 2009, AT 10:30 A.M. IN THE COUNCIL CHAMBERS, CITY HALL, NEW YORK, NEW YORK 10007 ON THE FOLLOWING MATTER:

APPOINTMENT

● **Preconsidered M**, Malini Cadambi Daniel, candidate for appointment by the Council to the New York City Equal Employment Practices Commission pursuant to § 830 of the *New York City Charter*. If Ms. Cadambi Daniel is appointed, she will be eligible to serve for the remainder of a four-year term expiring on June 30, 2012.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

A Calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

Michael M. McSweeney
City Clerk, Clerk of the Council

☛ m26-a2

■ PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the 16th

Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, March 31, 2009:

405-427 WEST 53RD STREET GARAGE
MANHATTAN CB - 4 C 070305 ZSM
Application submitted by 405 West 53rd Development Group, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 96-111 and 13-561 of the Zoning Resolution of the City of New York to allow an unattended accessory off-street parking garage with a maximum capacity of 37 spaces on portions of the ground floor and cellar of a proposed residential building on property located at 405-427 West 53rd Street (Block 1063, Lot 17), in a C6-2 District, within the Special Clinton District.

BICYCLE PARKING

CITYWIDE N 090191 ZRY
Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning the establishment of regulations pertaining to indoor, secure bicycle parking.

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

Article I
Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-337
Building permits issued and applications filed before (date of enactment)

If, before (date of enactment), a building permit has been lawfully issued authorizing construction on a #zoning lot#, the provisions of N090191 ZRY, pertaining to bicycle parking, shall not apply.

If, on or before November 17, 2008, an application for a special permit or variance is pending before the Board of Standards and Appeals or an authorization or special permit from the City Planning Commission has been certified or referred to authorize construction on a #zoning lot#, the provisions of N090191 ZRY, pertaining to bicycle parking, shall not apply.

For hospitals, if, before (date of enactment), an application for a special permit or variance is pending before the Board of Standards and Appeals or an authorization or special permit from the City Planning Commission has been filed to authorize construction on a #zoning lot#, the provisions of N090191 ZRY, pertaining to bicycle parking, shall not apply.

* * *

Chapter 2
Construction of Language and Definitions

*

12-10
DEFINITIONS

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the

provisions set forth in this Section.

* * *

Floor area (4/16/08)

* * *

However, the #floor area# of a #building# shall not include:

- (1) #cellar# space, except where such space is used for dwelling purposes. #Cellar# space used for retailing shall be included for the purpose of calculating requirements for #accessory# off-street parking spaces, #accessory# bicycle parking spaces and #accessory# off-street loading berths;

* * *

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

* * *

23-12
Permitted Obstructions in Open Space

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
In the districts indicated, the following shall not be considered obstructions when located in any #open space# required on a #zoning lot#, except that no portion of such #open space# which is also a required #yard# or #rear yard equivalent#, or is needed to satisfy the minimum required area or dimensions of a #court#, may contain any obstructions not permitted in such #yard#, #rear yard equivalent# or #court#:

* * *

- (c) Driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths, provided that the total area occupied by all these items does not exceed the percent of the total required #open space# on the #zoning lot#, as follows:

- (1) 50 percent in R1, R2, R3, R6, R7, R8, R9 or R10 Districts; and
- (2) 66 percent in R4 or R5 Districts;

* * *

23-44
Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Residence Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:
* * *
Parking spaces for automobiles or bicycles, off-street, open, #accessory#, within a #side# or #rear yard#;

Parking spaces, off-street, open, within a #front yard#, that are #accessory# to a #residential building# where:

- (1) in R2X, R3, R4 and R5 Districts, no more than two parking spaces are required, provided such spaces are located in a permitted #side lot ribbon#;
- (2) in R3, R4 and R5 Districts, more than two parking spaces are required, provided such spaces meet all the requirements of paragraph (b) of Section 25-621 (Location of parking spaces in certain districts) and the screening requirements of Section 25-66.

However, no such parking spaces shall be permitted in any #front yard# within a R1, R2 other than R2X, R4B, R5B or R5D District, and no such required spaces shall be permitted in any #front yard# within any R1, R2, R3, R4A or R4-1 District within a #lower density growth management area#.

* * *

- (b) In any #rear yard# or #rear yard equivalent#:

* * *

Parking spaces, off-street, #accessory#, for automobiles or bicycles, provided that:

- (1) the height of a #building# used for such purposes, if #accessory# to a #single-# or

#two-family residence#, shall not exceed one #story# and, if located in an R1 District, such #building# may not be nearer than five feet to a #rear lot line# or #side lot line#. In R2A Districts, detached garages shall be included in #lot coverage#;

(2) if #accessory# to any other kind of #residential building#, the height of such #accessory building# shall not exceed six feet above #curb level# in R3, R4 or R5 Districts, or fourteen feet above #curb level# in R6, R7, R8, R9 or R10 Districts;

(3) enclosed #accessory# parking spaces for bicycles shall be #accessory# to a #residence# other than a #single-# or #two-family residence#, attached to a #building#, and the area dedicated to such spaces shall not exceed the area of bicycle parking spaces permitted to be excluded from #floor area# pursuant to Section 25-85 (Floor Area Exemption).

* * *

Article II Chapter 4 Bulk Regulations for Community Facility Buildings in Residence Districts

* * *

24-33 Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Residence Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

(a) In any #yard# or #rear yard equivalent#: Parking spaces for automobiles or bicycles, off-street, open, #accessory#;

(b) In any #rear yard# or #rear yard equivalent#: Any #building# or portion of a #building# used for #community facility uses#, including #accessory# parking spaces for bicycles within such #building#, provided that the height of such #building# shall not exceed one #story#, nor in any event 23 feet above #curb level#, and further provided that the area within such #building# dedicated to #accessory# parking spaces for bicycles shall not exceed the area permitted to be excluded from #floor area# pursuant to Section 25-85 (Floor Area Exemption). However, the following shall not be permitted obstructions:

* * *

Article II Chapter 5 Accessory Off-Street Parking and Loading Regulations

25-00 GENERAL PURPOSES AND DEFINITIONS

25-01 General Purposes

The following regulations on permitted and required accessory off-street parking spaces and accessory bicycle parking spaces are adopted in order to provide needed space off the streets for parking in connection with new residences, to reduce traffic congestion resulting from the use of streets as places for storage of automobiles, to protect the residential character of neighborhoods, to provide for a higher standard of residential development within the City, and thus to promote and protect public health, safety and general welfare.

25-02 Applicability

Except as otherwise provided in this Section, the regulations of this Chapter on permitted or required #accessory# off-street parking spaces and #accessory# bicycle parking spaces apply to #residences#, #community facility uses# or #commercial uses#, as set forth in the provisions of the various Sections.

* * *

25-80 BICYCLE PARKING

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10 In all districts, as indicated, bicycle parking spaces shall be provided in accordance with the requirements set forth in this Section, inclusive, as a condition precedent to the #use# of such #development#, #enlargement#, #dwelling unit#, conversion, #group parking facility# or open parking area.

The provisions of this Section 25-80, inclusive, shall apply to:

- (a) #developments#;
(b) #enlargements# that increase the #floor area# within a #building# by 50 percent or more;
(c) #dwelling units# created by conversions of non-#residential floor area#;
(d) new #dwelling units# in #residential buildings# or #building segments# constructed after (date of enactment);
(e) new enclosed #accessory group parking facilities# with 35 or more automobile parking spaces; and
(f) open parking areas #accessory# to #commercial# or #community facility uses# that contain 18 or more automobile parking spaces or are greater than 6,000 square feet in area.

In addition, the provisions of Section 25-85 (Floor Area Exemption) shall apply to all #buildings# as set forth therein. The number of #accessory# bicycle parking spaces provided pursuant to this Section, the total of the area, in square feet, of bicycle parking spaces and the total of any area, in square feet, excluded from #floor area# for such spaces shall be noted on the Certificate of Occupancy.

25-81 Required Bicycle Parking Spaces

25-811 Enclosed bicycle parking spaces R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, enclosed #accessory# bicycle parking spaces shall be provided for at least that amount specified for the applicable #use# set forth in the table below. For the purposes of calculating the number of required bicycle parking spaces, any fraction of a space 50 percent or greater shall be counted as an additional space. For #residences#, the #accessory# bicycle parking requirement shall be calculated separately for separate #buildings# or #building segments#.

Where any #building# or #zoning lot# contains two or more #uses# having different bicycle parking requirements as set forth in the following table, the bicycle parking requirements for each type of #use# shall apply to the extent of that #use#.

Where an enclosed #accessory group parking facility# is provided, the required number of bicycle parking spaces for the #use# to which such facility is #accessory# shall be the amount set forth for such #use# in the table below, or one for every 10 automobile parking spaces that are enclosed within a #building or other structure# or located on the roof of a #building#, whichever will require a greater number of bicycle parking spaces.

REQUIRED BICYCLE PARKING SPACES FOR RESIDENTIAL OR COMMUNITY FACILITY USES

Table with 2 columns: Type of #Use# and Bicycle Parking Spaces Required in Relation to Specified Unit of Measurement. Rows include FOR RESIDENTIAL USES (Use Group 1, 2), #Non-profit residences for the elderly#, and FOR COMMUNITY FACILITY USES* (College or #school# student dormitories, Colleges, universities, or seminaries, Theaters, auditoriums, gymnasiums, Libraries, museums or non-commercial art galleries, Monasteries, convents or novitiates, All other Use Group 3 and Use Group 4).

* #Non-profit hospital staff dwellings# shall be subject to the requirements for Use Group 2 #residential uses#. ** Up to half of these spaces may be provided as unenclosed bicycle parking spaces pursuant to the requirements of Section 25-83 (Restrictions on Operation, Size and Location of Enclosed Bicycle Parking Spaces).

However, the bicycle parking requirements set forth in the above table shall be waived for bicycle parking spaces that are #accessory# to:

- (a) #residential buildings# or #residential building segments# containing 10 #dwelling units# or less;
(b) colleges, universities, or seminaries where the number of required bicycle parking spaces is six or less;
(c) college or #school# student dormitories or fraternity and sorority student houses where the number of required bicycle parking spaces is five or less; or
(d) all other #community facility uses# not otherwise listed in the above table where the number of required bicycle parking spaces is three or less.

25-812 Unenclosed bicycle parking spaces R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for open parking areas #accessory# to #community facility uses# that contain 18 or more spaces or are greater than 6,000 square feet in area, which meet the applicability standards of Section 25-67 (Parking Lot Landscaping), unenclosed #accessory# bicycle parking spaces shall be provided as follows:

- (a) One bicycle parking space shall be provided for every ten vehicle parking spaces, up to 200 vehicle parking spaces. Thereafter, one bicycle parking space shall be provided for every 100 vehicle parking spaces. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one bicycle space.

(b) Each bicycle rack shall allow for the bicycle frame and at least one wheel to be locked to the rack. If bicycles can be locked to each side of the rack without conflict, each side may be counted toward a required space. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and a 96 inch wide aisle shall be provided between bicycle rack areas.

(c) Bicycle racks shall be provided within 50 feet of a main entrance of a #building# and a minimum of 24 inches from any wall. However, if more than 40 bicycle parking spaces are required, 50 percent of such spaces may be provided at a distance of up to 100 feet from the main entrance of a #building#. Department of Transportation bicycle racks provided on a fronting sidewalk may be counted toward this requirement, provided such racks meet the standards of this paragraph, (c).

25-82 Authorization for Reduction of Spaces R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the City Planning Commission may authorize a reduction in the number of required bicycle parking spaces set forth in Section 25-811 (Enclosed bicycle parking spaces), or a waiver of all such spaces, upon finding there are subsurface conditions, below-ground infrastructure or other site planning constraints that would make accommodating such bicycle parking spaces on or below the first #story# of the #building# infeasible. The Commission may request reports from licensed engineers or registered architects in considering such reduction.

25-83 Restrictions on Operation, Size and Location of Enclosed Bicycle Parking Spaces R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all #accessory# bicycle parking spaces shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in Section 25-84 (Certification for Off-Site Bicycle Parking Spaces).

All enclosed #accessory# bicycle parking spaces shall be surrounded on all sides by a solid enclosure, except where a parking garage is open at the sides, and covered by a roof for weather protection. Each bicycle space shall adjoin a rack or similar system for securing the bicycle. Bicycle parking spaces shall be located in an area secured by a lock or similar means, or adjoin a securely anchored rack to which the bicycle frame and at least one wheel can be locked. Fifteen square feet of area shall be provided for each bicycle space. However, the area for each bicycle space may be reduced by up to nine square feet per bicycle if the Commissioner of Buildings certifies that a layout has been submitted to adequately accommodate the specified number of bicycles.

A plaque shall be placed at the exterior of the entry to the bicycle parking area, outside any locked door, with lettering at least three-quarter inches in height stating "Bicycle Parking."

For colleges, universities, or seminaries, one-half of required enclosed #accessory# bicycle parking spaces may be provided as open unenclosed spaces, provided that such spaces meet the standards of Section 25-812 (Unenclosed bicycle parking spaces), paragraph (b).

All bicycle parking spaces which are #accessory# to #residences# shall be made available for the storage and independent access of the bicycles used by the occupants of such #residences#.

All required bicycle parking spaces which are #accessory# to a #community facility use# shall be made available for the storage and independent access of the bicycles used by the employees of such #use#, except that bicycle parking spaces #accessory# to colleges or universities shall be accessible to all authorized users of such #building#, and that bicycle parking spaces #accessory# to #community facilities# with sleeping accommodations may be accessible to the occupants of such facility.

Bicycle spaces may be located in a room secured by a lock or similar means, provided that access is through a commonly accessible area and access is made available to eligible users on an equal basis.

25-84 Certification for Off-Site Bicycle Parking Spaces R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, for colleges, universities, seminaries, hospitals and related facilities, except animal hospitals, #accessory# bicycle parking spaces required pursuant to Section 25-811 (Enclosed bicycle parking spaces) may be provided on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided that the Chairperson of the City Planning Commission certifies to the Department of Buildings that all such bicycle parking spaces are:

- (a) located on a #zoning lot# not further than 1,000 feet from the nearest boundary of the #zoning lot# occupied by the #use# to which they are #accessory#; or within a subsurface parking and other service facility that serves multiple #zoning lots#, including the #zoning lot# occupied by the #use# to which they are #accessory#; and
(b) subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces as accessible throughout the life of the #use# generating the #accessory# bicycle parking spaces.

A plaque shall be placed within 30 feet of a #building#

entrance, with lettering at least three-quarter inches in height stating "Bicycle Parking" followed by information directing users to the address of the off-site location.

The number of off-site #accessory# bicycle parking spaces provided pursuant to this Section and the area of such bicycle parking spaces, in square feet, shall be noted on the Certificate of Occupancy for both the #building# in which the off-site bicycle parking spaces are located, and the #building# to which such bicycle parking spaces are #accessory#.

**25-85
Floor Area Exemption**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, space provided for enclosed #accessory# bicycle parking spaces pursuant to the standards of this section shall be excluded from the definition of #floor area#, provided that:

- (a) the space excluded from #floor area# does not exceed an amount equal to 15 square feet multiplied by the number of required spaces, or if spaces are waived pursuant to paragraphs (a), (b), (c) or (d) of Section 25-811 (Enclosed bicycle parking spaces), the number that would have been required but for the waiver; and
- (b) the #accessory# bicycle parking spaces provided meet the standards for required bicycle parking of Section 25-83 (Restrictions on Operation, Size and Location of Enclosed Bicycle Parking Spaces).

Notwithstanding the provisions of paragraph (a) of this section, for the following #uses#, the amount of space that may be excluded from the definition of #floor area# shall not exceed an amount equal to 15 square feet multiplied by the number of spaces set forth in the table below.

MAXIMUM BICYCLE PARKING SPACES EXCLUDED FROM #FLOOR AREA#

Type of #Use#	Maximum Bicycle Parking Spaces Excluded from #Floor Area# in Relation to Specified Unit of Measurement
FOR RESIDENTIAL USES	
#Non-profit residences for the elderly# or #dwelling units# for the elderly as specified in paragraph (d) of Section 25-25	1 per 2,000 square feet of #floor area#
FOR COMMUNITY FACILITY USES*	
Philanthropic or non-profit institutions with sleeping accommodations	1 per 2,000 square feet of #floor area#
Proprietary, non-profit or voluntary hospitals and related facilities, except animal hospitals	1 per 5,000 square feet of #floor area#

However, in no event shall this Section apply to #single-# or #two-family residences#; and in no event shall this Section apply to #accessory# bicycle parking spaces provided off-site pursuant to Section 25-84 (Certification for Off-Site Bicycle Parking Spaces).

Space provided for #accessory# bicycle parking spaces within an #accessory group parking facility# shall not be counted as #floor area# provided that the surrounding #group parking facility# is not #floor area#.

**25-86
Waiver or Reduction of Spaces for Subsidized Housing**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except in the Special Southern Hunters Point District, the number of required bicycle parking spaces set forth in Section 25-811 (Enclosed bicycle parking spaces) may be reduced or waived by the Commissioner of Buildings, provided that the Commissioner of the Department of Housing Preservation and Development has submitted a letter certifying that:

- (a) at least 50 percent of the #dwelling units# in the #building# or #building segment# will be income restricted pursuant to the provisions of Section 23-90 (Inclusionary Housing Program) or pursuant to the terms of a grant, loan or subsidy from any federal, state or local agency or instrumentality, including, but not limited to, the disposition of real property for less than market value, purchase money financing, construction financing, permanent financing, the utilization of bond proceeds and allocations of low income housing tax credits. An exemption or abatement of real property taxes shall not qualify as a grant, loan or subsidy for the purposes of this paragraph;
- (b) there is insufficient space within the #building# to accommodate the required number of bicycle parking spaces on or below the first #story# of the #building#, including within an enclosed #accessory group parking facility#;
- (c) if permitted automobile parking spaces are provided, the required bicycle spaces cannot be accommodated within an enclosed #group parking facility# by reconfiguring automobile parking spaces or removing three or fewer permitted automobile parking spaces;
- (d) additional space cannot reasonably be constructed

based on the amount of subsidy available to the project; and

- (e) the number of required bicycle parking spaces is being reduced by the minimum amount necessary to address these limitations.

* * *

**Article III
Chapter 3
Bulk Regulations for Commercial or Community Facility Buildings in Commercial Districts**

* * *

**33-23
Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all #Commercial Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:
Parking spaces for automobiles or bicycles, off-street, open, #accessory#;
- (b) In any #rear yard# or #rear yard equivalent#:
Parking spaces for automobiles or bicycles, off-street, #accessory# provided that the height of an #accessory building# used for such purposes and located in a required #rear yard# or #rear yard equivalent# shall not exceed 23 feet above #curb level#;

* * *

**Article III
Chapter 6
Accessory Off-Street Parking and Loading Regulations**

* * *

**36-01
General Purposes**

The following regulations on permitted and required accessory off-street parking spaces and #accessory# bicycle parking spaces are adopted in order to provide parking spaces off the streets sufficient to give necessary access to developing centers of commerce outside the high density central areas, to reduce traffic congestion caused by parking on the streets, to prevent substantial amounts of traffic from circulating in and parking on residential streets surrounding commercial centers, to provide for a higher standard of commercial development within the City and thus to promote and protect public health, safety and general welfare.

**36-02
Applicability of District Regulations**

Except as otherwise provided in this Section, the regulations of this Chapter on permitted and required #accessory# off-street parking spaces and #accessory# bicycle parking spaces apply to #residences#, #community facility uses# or #commercial uses#, as set forth in the provisions of the various Sections. In addition, the regulations of this Chapter, or of specified Sections thereof, also apply in other provisions of this Resolution where they are incorporated by cross reference.

* * *

**36-70
BICYCLE PARKING**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, bicycle parking spaces shall be provided in accordance with the requirements set forth in this Section, inclusive, as a condition precedent to the #use# of such #development#, #enlargement#, #dwelling unit#, conversion, #group parking facility# or open parking area. In all districts, as indicated, the provisions of this Section 36-70, inclusive, shall apply to:

- (a) #developments#;
- (b) #enlargements# that increase the #floor area# within a #building# by 50 percent or more;
- (c) #dwelling units# created by conversions of non-#residential floor area#;
- (d) new #dwelling units# in #residential buildings# or #building segments# constructed after (date of enactment);
- (e) new enclosed #accessory group parking facilities# with 35 or more automobile parking spaces; and
- (f) open parking areas #accessory# to #commercial# or #community facility uses# that contain 18 or more automobile parking spaces or are greater than 6,000 square feet in area.

In addition, the provisions of Section 36-75 (Floor Area Exemption) shall apply to all #buildings# as set forth therein. Bicycle parking spaces shall be provided in accordance with the requirements set forth in this Section, inclusive, as a condition precedent to the #use# of such #development#, #enlargement#, conversion, #group parking facility# or open parking area.

The number of #accessory# bicycle parking spaces provided pursuant to this Section, the total of the area, in square feet, of bicycle parking spaces and the total of any area, in square feet, excluded from #floor area# for such spaces shall be noted on the Certificate of Occupancy.

**36-71
Required Bicycle Parking Spaces**

**36-711
Enclosed bicycle parking spaces**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, enclosed #accessory# bicycle parking spaces shall be provided for at least that amount specified for the applicable #use# set forth in the table below.

For the purposes of calculating the number of required bicycle parking spaces, any fraction of a space 50 percent or greater shall be counted as an additional space. For #residences#, the #accessory# bicycle parking requirement

shall be calculated separately for separate #buildings# or #building segments#.

Where any #building# or #zoning lot# contains two or more #uses# having different bicycle parking requirements as set forth in the following table, the bicycle parking requirements for each type of #use# shall apply to the extent of that #use#.

Where an enclosed #accessory group parking facility# is provided, the required number of bicycle parking spaces for the #use# to which such facility is #accessory# shall be the amount set forth for such #use# in the table below, or one for every 10 automobile parking spaces that are enclosed within a #building or other structure# or located on the roof of a #building#, whichever will require a greater number of bicycle parking spaces.

REQUIRED BICYCLE PARKING SPACES FOR RESIDENTIAL, COMMUNITY FACILITY OR COMMERCIAL USES

Type of #Use#	Bicycle Parking Spaces Required in Relation to Specified Unit of Measurement
FOR RESIDENTIAL USES	
Use Group 1	None required
Use Group 2	1 per 2 #dwelling units#
#Non-profit residences for the elderly# or #dwelling units# for the elderly as specified in paragraph (d) of Section 36-35	1 per 10,000 square feet of #floor area#
FOR COMMUNITY FACILITY USES*	
College or #school# student dormitories or fraternity and sorority student houses	1 per 2,000 square feet of #floor area#
Colleges, universities, or seminaries (a) Classrooms, laboratories, student centers or offices	1 per 5,000 square feet of #floor area#**
(b) Theaters, auditoriums, gymnasiums or stadiums	1 per 20,000 square feet of #floor area#**
Libraries, museums or non-commercial art galleries	1 per 20,000 square feet of #floor area#
Monasteries, convents or novitiates; houses of worship, rectories or parish houses; Use Group 4B	None required
All other Use Group 3 and Use Group 4 #uses# not otherwise listed in this table	1 per 10,000 square feet of #floor area#
FOR COMMERCIAL USES	
General retail or service #uses#. Use Groups 6A, 6C, 7B, 9A, 10A, 12B, 13B or 14A (except docks for vessels, other than #gambling vessels#); Eating and drinking establishments in all Use Groups	1 per 10,000 square feet of #floor area#
Use Group 6B	1 per 7,500 square feet of #floor area#
Use Group 5A, 6E, 7A, 7D, 8B, 12A (except eating and drinking establishments), 13A, 14B, 15A, 16B, or 16C; automobile rental establishments	1 per 10,000 square feet of #floor area#
Use Group 8A, 12A, theaters	1 per 20,000 square feet of #floor area#
#Public parking garages#	1 per 10 automobile parking spaces
Use Group 13A (except theaters), 15A, 16B, 16C, and all other #commercial uses# not otherwise listed	None required

* #Non-profit hospital staff dwellings# shall be subject to the requirements for UG 2 #residential uses#.
** Up to half of these spaces may be provided as unenclosed bicycle parking spaces pursuant to the requirements of Section 36-73 (Restrictions on Operation, Size and Location of Enclosed Bicycle Parking Spaces).

However, the bicycle parking requirements set forth in the above table shall be waived for bicycle parking spaces that are accessory to:

- (a) #residential buildings# containing 10 #dwelling units# or less;
- (b) colleges, universities, or seminaries where the number of required enclosed bicycle parking spaces is six or less;
- (c) college or #school# student dormitories or fraternity and sorority student houses where the number of required bicycle parking spaces is five or less; or
- (d) all other #community facility# or #commercial uses# not otherwise listed in the above table where the number of required bicycle parking spaces is three or less.

36-712
Unenclosed bicycle parking spaces
 C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for open parking areas #accessory# to #commercial# or #community facility uses# that contain 18 or more spaces or are greater than 6,000 square feet in area, which meet the applicability standards of Section 37-91 (Applicability), unenclosed bicycle parking spaces shall be provided as follows:

- (a) One bicycle parking space shall be provided for every ten vehicle parking spaces, up to 200 vehicle parking spaces. Thereafter, one bicycle parking space shall be provided for every 100 vehicle parking spaces. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one bicycle space.
- (b) Each bicycle rack shall allow for the bicycle frame and at least one wheel to be locked to the rack. If bicycles can be locked to each side of the rack without conflict, each side may be counted toward a required space. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and a 96 inch wide aisle shall be provided between bicycle rack areas.
- (c) Bicycle racks shall be provided within 50 feet of a main entrance of a #building# and a minimum of 24 inches from any wall. However, if more than 40 bicycle parking spaces are required, 50 percent of such spaces may be provided at a distance of up to 100 feet from the main entrance of a #building#. Department of Transportation bicycle racks provided on a fronting sidewalk may be counted toward this requirement, provided such racks meet the standards of this paragraph, (c).

36-72
Authorization for Reduction of Spaces
 C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, the City Planning Commission may authorize a reduction in the number of required bicycle parking spaces set forth in Section 36-711 (Enclosed bicycle parking spaces) or a waiver of all such spaces, upon finding there are subsurface conditions, below-ground infrastructure or other site planning constraints that would make accommodating such bicycle parking spaces on or below the first #story# of the #building# infeasible. The Commission may request reports from licensed engineers or registered architects in considering such reduction.

36-73
Restrictions on Operation, Size and Location of Bicycle Parking Spaces
 C1 C2 C3 C4 C5 C6 C7 C8

In all districts as indicated, all #accessory# bicycle parking spaces shall be provided on the same #zoning lot# as the #building# or #use# to which such spaces are #accessory#, except as provided in Section 36-74 (Certification for Off-Site Bicycle Parking Spaces).

All enclosed #accessory# bicycle parking spaces shall be surrounded on all sides by a solid enclosure, except where a parking garage is open at the sides, and covered by a roof for weather protection. Each bicycle space shall adjoin a rack or similar system for securing the bicycle. Bicycle parking spaces shall be located in an area secured by a lock or similar means, or adjoin a securely anchored rack to which the bicycle frame and at least one wheel can be locked. Fifteen square feet of area shall be provided for each bicycle space. However, the area for each bicycle space may be reduced by up to nine square feet per bicycle if the Commissioner of Buildings certifies that a layout has been submitted to adequately accommodate the specified number of bicycles.

A plaque shall be placed at the exterior of the entry to the bicycle parking area, outside any locked door, with lettering at least three-quarter inches in height stating "Bicycle Parking."

All required bicycle parking spaces which are #accessory# to #residences# shall be made available for the storage and independent access of the bicycles used by the occupants of such #residences#.

All required bicycle parking spaces which are #accessory# to a #commercial# or #community facility use# shall be made available for the storage and independent access of the bicycles used by the employees of such #use#, except that bicycle parking spaces #accessory# to colleges or universities must be accessible to all authorized users of such #building#, and that bicycle parking spaces #accessory# to #community facilities# with sleeping accommodations may be accessible to the occupants of such facility.

Bicycle spaces may be located in a room secured by a lock, or similar means, provided that access is through a commonly accessible area and access is made available to eligible users on an equal basis.

- (a) For colleges, universities, or seminaries, one-half of required #accessory# bicycle parking spaces shall be permitted to be provided as open unenclosed

spaces, provided that such spaces meet the standards of Section 36-712 (Unenclosed bicycle parking spaces), paragraph (b).

- (b) For #public parking garages#, the required information plaque shall be provided at each point of bicycle entry to the #public parking garage#, mounted with its center between four and six feet above the ground, directly visible and unobstructed from the #street#. The entry plaque shall contain:

a bicycle symbol which is 12 inches square in dimension with a highly contrasting background, as shown in this paragraph, (b). The symbol shall match exactly the symbol provided in the digital file at the Department of City Planning website (<http://www.nyc.gov/TBD1>).



36-74
Certification for Off-Site Bicycle Parking Spaces
 C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, for colleges, universities, seminaries, hospitals and related facilities, except animal hospitals, #accessory# bicycle parking spaces required pursuant to Section 36-711 (Enclosed bicycle parking spaces) may be provided on a #zoning lot# other than the same #zoning lot# as the #use# to which such spaces are #accessory#, provided that the Chairperson of the City Planning Commission certifies to the Department of Buildings that all such bicycle parking spaces are:

- (a) located on a #zoning lot# not further than 1,000 feet from the nearest boundary of the #zoning lot# occupied by the #use# to which they are #accessory#; or within a subsurface parking and other service facility that serves multiple #zoning lots#, including the #zoning lot# occupied by the #use# to which they are #accessory#; and
- (b) subject to deed restrictions filed in an office of record, binding the owner and his heirs and assigns to maintain the required number of spaces as accessible throughout the life of the #use# generating the #accessory# bicycle parking spaces.

A plaque shall be placed within 30 feet of an entrance of the #building#, with lettering at least three-quarter inches in height stating "Bicycle Parking" followed by information directing users to the address of the off-site location.

The number of off-site #accessory# bicycle parking spaces provided pursuant to this Section and the area of such bicycle parking spaces, in square feet, shall be noted on the Certificate of Occupancy for both the #building# in which the off-site bicycle parking spaces are located, and the #building# to which such bicycle parking spaces are #accessory#.

36-75
Floor Area Exemption
 C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, space provided for enclosed #accessory# bicycle parking spaces pursuant to the standards of this section shall be excluded from the definition of #floor area#, provided that:

- (a) the space excluded from #floor area# does not exceed an amount equal to 15 square feet multiplied by the number of required spaces, or if spaces are waived pursuant to paragraphs (a), (b), (c) or (d) of Section 36-711 (Enclosed bicycle parking spaces), the number that would have been required but for the waiver; and
- (b) the #accessory# bicycle parking spaces provided meet the standards for required bicycle parking of Section 36-73 (Restrictions on Operation, Size and Location of Bicycle Parking Spaces).

Notwithstanding the provisions of paragraph (a) of this section, for the following #uses#, the amount of space that may be excluded from the definition of #floor area# shall not exceed an amount equal to 15 square feet multiplied by the number of spaces set forth in the table below.

MAXIMUM BICYCLE PARKING SPACES EXCLUDED FROM #FLOOR AREA#	
Type of #Use#	Maximum Bicycle Parking Spaces Excluded from #Floor Area# in Relation to Specified Unit of Measurement
FOR RESIDENTIAL USES	
#Non-profit residences for the elderly# or #dwelling units# for the elderly as specified in paragraph (d) of Section 36-35	1 per 2,000 square feet of #floor area#
FOR COMMUNITY FACILITY USES	
Philanthropic or non-profit institutions with sleeping accommodations	1 per 2,000 square feet of #floor area#
Proprietary, non-profit or voluntary	1 per 5,000 square feet

hospitals and related facilities, except of #floor area# animal hospitals

However, in no event shall this Section apply to #single-# or #two-family residences#; and in no event shall this Section apply to #accessory# bicycle parking spaces provided off-site pursuant to Section 36-74 (Certification for Off-Site Bicycle Parking Spaces).

Space provided for #accessory# bicycle parking spaces within an #accessory group parking facility# shall not be counted as #floor area# provided that the surrounding #group parking facility# is not #floor area#.

36-76
Waiver or Reduction of Spaces for Subsidized Housing
 C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, except in the Special Willets Point District and the Special St. George District, the number of required bicycle parking spaces set forth in Section 36-711 (Enclosed bicycle parking spaces) may be reduced or waived by the Commissioner of Buildings, provided that the Commissioner of the Department of Housing Preservation and Development has submitted a letter certifying that:

- (a) at least 50 percent of the #dwelling units# in the #building# or #building segment# will be income restricted pursuant to the provisions of Section 23-90 (Inclusionary Housing Program) or pursuant to the terms of a grant, loan or subsidy from any federal, state or local agency or instrumentality, including, but not limited to, the disposition of real property for less than market value, purchase money financing, construction financing, permanent financing, the utilization of bond proceeds and allocations of low income housing tax credits. An exemption or abatement of real property taxes shall not qualify as a grant, loan or subsidy for the purposes of this paragraph;
- (b) there is insufficient space within the #building# to accommodate the required number of bicycle parking spaces on or below the first #story# of the #building#, including within an enclosed #accessory group parking facility#;
- (c) if permitted automobile parking spaces are provided, the required bicycle spaces cannot be accommodated within an enclosed #group parking facility# by reconfiguring automobile parking spaces or removing three or fewer permitted automobile parking spaces;
- (d) additional space cannot reasonably be constructed based on the amount of subsidy available to the project; and
- (e) the number of required bicycle parking spaces is being reduced by the minimum amount necessary to address these limitations.

Article III
Chapter 7
Special Urban Design Regulations
 * * *

37-06
Bicycle Parking

One bicycle parking space shall be provided for every ten vehicle parking spaces, up to 200 vehicle parking spaces. Thereafter, one bicycle parking space shall be provided for every 100 vehicle parking spaces. Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one bicycle space. Bicycle parking must be provided in inverted "U" shaped parking racks. Each rack must be located within a two foot by six foot area on the #zoning lot#. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and a 96 inch wide aisle shall be provided between bicycle rack areas. Each rack shall count towards two required spaces.

Bicycle racks shall be provided within 50 feet of a building's main entrance and a minimum of 24 inches from any wall. However, if more than 40 bicycle parking spaces are required, 50 percent of such spaces may be provided at a distance of up to 100 feet from a building's main entrance. Department of Transportation bicycle racks provided on a fronting sidewalk may be counted toward this requirement.

37-0796
Modifications of Design Standards
 * * *

37-071961
Modification of landscaping requirements
 * * *

37-072962
Modification of design requirements by authorization
 * * *

37-0897
Landscaping Selection Lists
 * * *

37-081971
Selection list for perimeter trees
 * * *

37-082972
Selection list for interior trees
 * * *

37-083973
Selection list for ground covers and shrubs
 * * *

Article IV
Chapter 3
Bulk Regulations
 * * *

43-23
Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Manufacturing Districts#, the following shall not be considered obstructions when located within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:
Parking spaces for automobiles or bicycles, off-street, open, #accessory#;
(b) In any #rear yard# or #rear yard equivalent#:
Parking spaces for automobiles or bicycles, off-street, #accessory#, provided that the height of an #accessory building# used for such purposes and located in a required #rear yard# or #rear yard equivalent# shall not exceed 23 feet above #curb level#;

Article IV
Chapter 4
Accessory Off-Street Parking and Loading Regulations

44-60
BICYCLE PARKING
M1 M2 M3

In all districts, as indicated, the provisions of Section 36-70 (BICYCLE PARKING), inclusive, shall apply to all permitted #commercial# and #residential uses#. In addition, for #manufacturing uses#, #accessory# bicycle parking spaces shall be excluded from the definition of #floor area#, provided that:

- (a) the space excluded from #floor area# does not exceed an amount equal to 15 square feet multiplied by one bicycle parking space per 10,000 square feet of #floor area#;
(b) the #accessory# bicycle parking spaces provided meet the standards for #accessory# bicycle parking of Section 36-73 (Restrictions on Operation, Size and Location of Bicycle Parking Spaces);

However, in no event shall #accessory# bicycle parking spaces be excluded from the definition of #floor area# in the case of #single-# or #two-family residences# or in the case of #accessory# bicycle parking spaces provided off-site pursuant to Section 36-74 (Certification for Off-Site Bicycle Parking Spaces).

Space provided for #accessory# bicycle parking spaces within an #accessory group parking facility# shall not be counted as #floor area# provided that the surrounding #group parking facility# is not #floor area#.

The number of #accessory# bicycle parking spaces provided pursuant to this Section, the total of the area, in square feet, of bicycle parking spaces and the total of any area, in square feet, excluded from #floor area# for such spaces shall be noted on the Certificate of Occupancy.

Article VII
Chapter 4
Special Permits by the City Planning Commission

74-745
Location of accessory parking spaces and loading berths

When a #general large-scale development# includes two or more #zoning lots#, the City Planning Commission may permit permitted or required #accessory# off-street parking spaces, bicycle parking spaces or loading berths to be located anywhere within a #general large-scale development# without regard for #zoning lot lines#, provided that the Commission shall find:

- (a) such off-street parking spaces, bicycle parking spaces and loading berths will be conveniently located in relation to the #use# to which such spaces or berths are #accessory#;
(b) such location of off-street parking spaces, bicycle parking spaces and loading berths will result in a better site plan; and
(c) such location of off-street parking spaces, bicycle parking spaces and loading berths will not unduly increase the number of spaces in any single #block#, draw excessive traffic through local #streets#, or otherwise adversely affect traffic conditions in the surrounding area.

Whenever required off-street parking spaces, bicycle parking spaces and loading berths are permitted to be located without regard for #zoning lot lines# in accordance with the provisions of this Section, the number of spaces required for each #building# shall be kept available for such #building# throughout its life.

Article VII
Chapter 8
Special Regulations Applying to Large-Scale Residential Developments

78-40
OFF-STREET PARKING REGULATIONS

78-41
Location of Accessory Parking Spaces

When a #large-scale residential development# includes, or will include after subdivision, two or more #zoning lots#, the City Planning Commission may, upon application, authorize permitted or required #accessory# off-street parking spaces or bicycle parking spaces to be located anywhere within the #development# without regard for #zoning lot lines#, provided that in each case the Commission shall make the following special findings:

- (a) that such off-street parking spaces or bicycle

parking spaces will be conveniently located in relation to the #use# or #uses# to which such spaces are #accessory#;

- (b) that such location of the off-street parking spaces or bicycle parking spaces will permit better site planning and will thus benefit both the owners, occupants, employees, customers, residents or visitors of the #development# and the City as a whole; and
(c) that such location of the off-street parking spaces or bicycle parking spaces will not increase the number of spaces in any single #block# or the traffic drawn through any one or more of the nearby local #streets# in such measure as to affect adversely other #zoning lots# outside the #development# or traffic conditions in the surrounding area.

Whenever required off-street parking spaces or bicycle parking spaces are authorized to be located without regard for #zoning lot lines# in accordance with the provisions of this Section, the number of spaces required for each #building# or #use# shall be kept available for such #building# or #use# throughout its life. Whenever any #zoning lot# within such a #large-scale residential development# is subdivided into two or more #zoning lots#, such subdivision shall be subject to the provisions of Section 78-51 (General Provisions).

Article VII
Chapter 9
Special Regulations Applying to Large-Scale Community Facility Developments

79-30
PARKING REGULATIONS

79-31
Location of Parking Spaces

When a #large-scale community facility development# includes two or more #zoning lots#, the City Planning Commission may, upon application authorize permitted or required #accessory# off-street parking spaces or bicycle parking spaces to be located anywhere within the #development# without regard for #zoning lot lines#, provided that in each case the Commission shall make the following special findings:

- (a) that such off-street parking spaces or bicycle parking spaces will be conveniently located in relation to the #use# or #uses# to which such spaces are #accessory#;
(b) that such location of the off-street parking spaces or bicycle parking spaces will permit better site planning and will thus benefit both the owners, occupants, employees, customers, residents, or visitors of the #development# and the City as a whole; and
(c) that such location of the off-street parking spaces or bicycle parking spaces will not increase the number of spaces in any single #block# or the traffic drawn through any one or more of the nearby local #streets# in such measure as to affect adversely other #zoning lots# outside the #development# or traffic conditions in the surrounding area.

Whenever required off-street parking spaces or bicycle parking spaces are authorized to be located without regard for #zoning lot lines# in accordance with the provisions of this Section, the number of spaces required for each #building# or #use# shall be kept available for such #building# or #use# throughout its life.

Article IX - Special Purpose Districts
Chapter 3
Special Hudson Yards District

93-85
Indoor Bicycle Parking

Within the #Special Hudson Yards District#, a designated area for bicycle parking shall be provided for #developments# or #enlargements# with a minimum #commercial floor area ratio# of 5.0. Such designated area shall be provided at a ratio of one square foot per 1,000 square feet of #floor area#, but in no event shall more than 400 square feet be required. Such facility shall be enclosed, accessible and secure. Up to 25 percent of the designated bicycle parking area may be used for facilities #accessory# to the bicycle parking area.

Article X - Special Purpose Districts
Chapter 1
Special Downtown Brooklyn District

101-44
Indoor Bicycle Parking
C6-1 C6-4 C6-5

In the districts indicated, a designated area for bicycle parking shall be provided for commercial #developments# or #enlargements# with a minimum #floor area ratio# of 5.0. Such designated area shall be provided at a ratio of one square foot per 1,000 square feet of #floor area#, but in no event shall more than 400 square feet be required. Such facility shall be enclosed, accessible and secure. Up to 25 percent of the designated bicycle parking area may be used for #accessory# facilities.

Article XII - Special Purpose Districts
Chapter 8
Special St. George District

128-054
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#.

128-57
Accessory Indoor Bicycle Parking
A designated area for #accessory# bicycle parking shall be provided for #developments# or #enlargements# with #residential# or #commercial uses#. Such facility shall be enclosed, accessible and secure. The #floor area# of a #building# shall not include #accessory# bicycle parking located below 33 feet, or #accessory# facilities, such as lockers, showers and circulation space.

- (a) For #residential developments# or #enlargements# with ten or more units per #building# or #building segment#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
(b) For commercial office #developments# or #enlargements# with 10,000 square feet or more of office #floor area#, one bicycle parking space shall be provided for every 5,000 square feet of office space, up to a maximum of 200 bicycle parking spaces.
(c) For commercial #developments# or #enlargements# with 10,000 square feet or more of retail or service #floor area#, one bicycle parking space shall be provided for every per 10,000 square feet of retail space, up to a maximum of 100 bicycle parking spaces.

Article XI - Special Purpose Districts
Chapter 7
Special Long Island City Mixed Use District

117-541
Indoor bicycle parking

A designated area for bicycle parking shall be provided in Areas A-1 and A-2 for commercial #developments# or #enlargements# with a minimum #floor area ratio# of 5.0, except where more than 50 percent of the #floor area# of such #development# or #enlargement# is occupied by a #use# listed in Use Groups 16 or 17. Such designated area shall be provided at a ratio of one square foot per 1,000 square feet of #floor area#. Such facility must be enclosed, accessible and secure. Up to 25 percent of the designated bicycle parking area may be used for #accessory# facilities.

Article XII - Special Purpose Districts
Chapter 4
Special Willets Point District

124-042
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 Willets Point District#.

124-043
Applicability of Article VII, Chapter 3

124-043044
Applicability of Article VII, Chapter 4

124-54
Indoor Bicycle Parking
Within the #Special Willets Point District#, a designated area for #accessory# bicycle parking shall be provided for all #developments# or #enlargements#. Such designated area shall be enclosed, accessible and secure, and excluded from the definition of #floor area#. #Accessory# facilities, such as lockers, showers and circulation space shall also be excluded from the definition of #floor area#.

- (a) For #residential buildings# with ten or more #dwelling units#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.
(b) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6B office #use#, one bicycle parking space shall be provided for every 5,000 square feet of such office #use#, up to a maximum of 200 bicycle parking spaces.
(c) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6A or 6C retail #use#, one bicycle parking space shall be provided for every 10,000 square feet of such #use#, up to a maximum of 100 bicycle parking spaces.

Article XII - Special Purpose Districts
Chapter 5
Special Southern Hunters Point District

125-042
Applicability of Article II, Chapter 5
The provisions of Section 25-86 (Waiver or Reduction of Spaces for Subsidized Housing) shall not apply in the #Special Hunters Point District#.

125-042043
Modification of Article VI, Chapter 2

125-56
Accessory Indoor Bicycle Parking
Within the #Special Southern Hunters Point District#, a designated area for #accessory# bicycle parking shall be provided for all #developments# or #enlargements#. Such designated area shall be enclosed, accessible and secure, and excluded from the definition of #floor area#. #Accessory# facilities, such as lockers, showers and circulation space shall also be excluded from the definition of #floor area#.

- (a) For #residential buildings# with ten or more #dwelling units#, one bicycle parking space shall be provided for every two #dwelling units#, up to a maximum of 200 bicycle parking spaces.

(b) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6B office #use#, one bicycle parking space shall be provided for every 5,000 square feet of such office #use#, up to a maximum of 200 bicycle parking spaces.

(c) For #developments# or #enlargements# with at least 10,000 square feet of Use Group 6A or 6C retail #use#, one bicycle parking space shall be provided for every 5,000 square feet of such #use#, up to a maximum of 100 bicycle parking spaces.

EASTERN RAIL YARDS TEXT AMENDMENT

MANHATTAN CB - 4 N 090211 ZRM
Application submitted by RG ERY LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York relating to Sections 93-514(a) (Eastern Rail Yards Subarea A1 – Location of Buildings), 93-71 (Public Access Areas in the Eastern Rail Yards Subarea A1), 93-81 (Required and Permitted Parking) and 93-82 (Use and Location of Parking Facilities) in Community District 4.

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

Article IX
Chapter 3
Special Hudson Yards District

93-51
Special Height and Setback Regulations in the Large Scale Plan Subdistrict A

93-514
Eastern Rail Yards Subarea A1

- (a) **Location of buildings**
#Buildings# shall be located only in the following areas:
- (1) **east of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East;**
 - (2) west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West and within 220 feet of West 33rd Street; and
 - (3) ~~for #buildings# containing only uses in Use Group 3 or 4, the footprint of such #buildings# at the level of the outdoor plaza required pursuant to paragraph (b) of Section 93-71 shall be west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 250 feet of West 30th Street.~~
 - (3) **west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street, provided that either:**
 - (i) **#development# in such area contains only #uses# in Use Groups 3 and 4; or**
 - (ii) **where #development# in such area includes #residential use#:**
 - (a) **such #residential use# is permitted only in a #building# located west of the southerly prolongation of the western sidewalk widening line of Hudson Boulevard West, and such #building# may also include #uses# in Use Groups 3, 4, 6A and 6C; and**
 - (b) **a #building# containing only #uses# in Use Groups 3 or 4 may be located not closer than 50 feet east of such prolongation.**

93-71
Public Access Areas in the Eastern Rail Yards Subarea A1
Any #development# in the Eastern Rail Yards Subarea A1 shall provide public access areas in accordance with the following requirements:

- (b) Outdoor plaza
- The retail and glazing requirements of Section 93-14 (Retail Continuity Along Designated Streets) shall apply to at least 70 percent of the length of all building walls facing each side of the outdoor plaza, except that such retail requirements shall not apply to any #building# containing only #uses# in Use Group 3 or 4 located west of the southerly prolongation of the eastern sidewalk**

widening line of Hudson Boulevard East and within 220 feet of West 30th Street.

(f) **Connection to High Line**

A publicly accessible connection between the High Line and the outdoor plaza shall be provided that has a minimum width, measured parallel to the High Line, of 80 feet. If covered, the average clear height of such connection shall be 60 feet. The retail and glazing requirements of Section 93-14 shall apply to at least 50 percent of the length of all building walls facing each side of such connection, except that such retail requirements shall not apply to any #building# containing only #uses# in Use Group 3 or 4 located west of the southerly prolongation of the eastern sidewalk widening line of Hudson Boulevard East and within 220 feet of West 30th Street.

93-80
OFF-STREET PARKING REGULATIONS

93-81
Required and Permitted Parking

All #developments# or #enlargements# on #zoning lots# greater than 15,000 square feet shall provide #accessory# parking spaces in accordance with the provisions of this Section. For #zoning lots# of 15,000 square feet or less, #accessory# parking spaces are permitted up to the maximum number allowed for required spaces as set forth in this Section.

- (a) ~~Except in the Eastern Rail Yards Subarea A1, for #residences#, #accessory# off-street parking spaces shall be provided for at least 33 percent of the total number of dwelling units, except that where such #dwelling units# are government-assisted, pursuant to paragraph (e) of Section 25-25, #accessory# off-street parking spaces shall be provided for at least 25 percent of the total number of such #dwelling units#. In all areas, the total number of off-street parking spaces #accessory# to #residences# shall not exceed 40 percent of the total number of #dwelling units#. However, if the total number of #accessory# off-street parking spaces required for such use on the #zoning lot# is less than 15, no such spaces shall be required.~~
- (b) ~~Except in the Eastern Rail Yards Subarea A1, for #commercial# and #community facility uses#, a minimum of 0.30 #accessory# off-street parking spaces shall be provided for each 1,000 square feet of #floor area# and not more than 0.325 off-street parking spaces shall be provided for every 1,000 square feet of #floor area#. If the total number of #accessory# off-street parking spaces required for such #uses# on the #zoning lot# is less than 40, no such spaces shall be required. No parking shall be required for houses of worship or #schools#.~~
- (c) ~~Except in the Eastern Rail Yards Subarea A1, the required and permitted amounts of #accessory# off-street parking spaces shall be determined separately for #residential#, #commercial# and #community facility uses#.~~
- (d) ~~**In the Eastern Rail Yard Subarea A1, no #accessory# off-street parking shall be required, and any #accessory# parking shall comply with the following provisions:**~~
 - (1) ~~**For #residences#, #accessory# off-street parking spaces may be provided for not more than 40 percent of the total number of #dwelling units#.**~~
 - (2) ~~**For #commercial# and #community facility use#, not more than 0.325 #accessory# off-street parking spaces may be provided for every 1,000 square feet of #floor area# . provided that in no event shall the number of off-street parking spaces #accessory# to #commercial# or #community facility use# exceed 350 spaces.**~~
 - (3) ~~**In no event shall the total number of #accessory# off-street parking spaces for all #uses# exceed 1,000.**~~
- (e) The provisions of Sections 36-52 (Size and Location of Spaces) and 36-53 (Location of Access to the Street) shall apply to all permitted or required #accessory# off-street parking spaces.

93-82
Use and Location of Parking Facilities

Except as otherwise indicated, the provisions of this Section shall apply to all off-street Parking spaces within the #Special Hudson Yards District#.

- (a) All #accessory# off-street parking spaces may be made available for public use. However, any such space shall be made available to the occupant of a #residence# to which it is #accessory# within 30 days after written request therefore is made to the landlord. Furthermore, if #accessory# and public parking spaces are provided on the same #zoning lot#, all such spaces shall be located within the same parking facility. However, such regulations

- are modified in the following areas:
- (1) in C1-7A Districts and in C2-5 Districts mapped within R8A Districts, all #accessory# off-street parking spaces shall be used exclusively by the occupants of the #residential development#, #enlargement# or conversion. Where a parking facility is located partially within a C2-5 District mapped within an R8A District and partially within another district, all such #accessory# off-street parking spaces may be made available for public use provided more than half of the floor space of the parking facility is located outside the C2-5 District mapped within an R8A District.
 - (2) in the Eastern Rail Yard Subarea 1, #use# of any #accessory# parking spaces shall be exclusively for #uses# located in the Subarea.

SIDEWALK BAR & RESTAURANT
MANHATTAN CB - 3 20095066 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of EAE Corp., d/b/a Sidewalk Bar & Restaurant, to continue to maintain and operate an unenclosed sidewalk café at 94 Avenue A.

LA GOULUE RESTAURANT
MANHATTAN CB - 8 20095084 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of La Goulue Restaurant, Inc., to continue to maintain and operate an unenclosed sidewalk café at 746 Madison Avenue.

SILVER MOON BAKERY
MANHATTAN CB - 7 20095069 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Silver Moon Bakery, Inc., to continue to maintain and operate an unenclosed sidewalk café at 2740 Broadway.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, March 31, 2009:

275 MADISON AVENUE BUILDING
MANHATTAN CB - 6 20095299 HKM (N 090290 HKM)
Designation (List No. 409/LP-2286) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of 275 Madison Avenue Building, located at 275 Madison Avenue a.k.a. 273-277 Madison Avenue, 22-26 East 40th Street (Block 869, Lot 54), as an historic landmark.

NYPL - GEORGE BRUCE BRANCH
MANHATTAN CB - 9 20095303 HKM (N 090288 HKM)
Designation (List No. 409/LP-2304) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the New York Public Library George Bruce Branch located at 518 West 125th Street, aka 518-520 Dr. Martin Luther King Jr. Boulevard (Block 1980, Lot 22), as an historic landmark.

NYPL - 125TH STREET BRANCH
MANHATTAN CB - 11 20095304 HKM (N 090289 HKM)
Designation (List No. 409/LP-2305) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the New York Public Library 125th Street Branch, located at 224 East 125th Street (Block 1789, Lot 37), as an historic landmark.

ELSWORTH HOUSE
STATEN ISLAND CB - 3 20095305 HKR (N 090291 HKR)
Designation (List No. 409/LP-2249) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the John H. and Elizabeth J. Elsworth House, located at 90 Bayview Avenue (Block 6751, Lot 310), as an historic landmark.

HUBBARD HOUSE
BROOKLYN CB - 11 20095306 HKK (N 090292 HKK)
Designation (List No. 409/LP-2292) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter of the landmark designation of the Hubbard House, located at 2138 McDonald Avenue (Block 7087, Lot 30), as an historic landmark.

1,100-SEAT HIGH SCHOOL
QUEENS CB - 5 20095400 SC
Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 1,100-Seat High School Facility in to be located at the northwest corner of 57th Avenue and 74th Street (Block 2803, Lot 1), in the Maspeth section of Queens, Community School District No. 24.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, March 31, 2009:

THE GARVEY
BROOKLYN CB - 3 C 090141 HAK
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:

- a. the designation of property located at 1598, 1600, and 1602 Fulton Street (Block 1699, Lots 26-28), Site 17D of the Fulton Park Urban Renewal Area, as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate development of a mixed-use building, tentatively known as the Garvey, with approximately 78 units and commercial space, to be developed under the Department of Housing Preservation and Development's Cornerstone Program.

THE BRADFORD
BROOKLYN CB - 3 C 090142 HAK
 Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - c. the designation of property located at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area; 1562, 1564, and 1566 Fulton Street (Block 1699, Lots 8-10); 1568, 1570, 1572, 1574, and 1576 Fulton Street (Block 1699, Lots 11-15), Site 17B of the Fulton Park Urban Renewal Area; and 43 Albany Street (Block 1699, Lot 6), as an Urban Development Action Area; and
 - d. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of property located at 1560 Fulton Street (Block 1699, Lot 7), Site 17A of the Fulton Park Urban Renewal Area; and 1568, 1570, 1572, 1574 and 1576 Fulton Street (Block 1699, Lots 11-15); Site 17B of the Fulton Park Urban Renewal Area; to a developer selected by HPD;

to facilitate development of a mixed-use building, tentatively known as the Bradford, with approximately 96 units and commercial space.

LOWER EAST SIDE GIRLS' CLUB
MANHATTAN CB - 3 N 090252 HAM
 Application submitted by the Department of Housing Preservation and Development (HPD):

- 1. pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 400-402 East 8th Street; 103, 101, and 97-99 Avenue D; 281 and 279 East 7th Street (Block 377, Lots 35, 41-43, and 47-48) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area;

to facilitate the development of a 12-story mixed-use building, tentatively known as Lower East Side Girls Club, with approximately 78 residential units, retail and community facility space.

m25-31

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street New York, New York, on Wednesday, April 1, 2009, commencing at 10:00 A.M.

BOROUGH OF THE BRONX
No. 1

NORTH ZEREGA INDUSTRIAL SITE
CD 9 C 090249 PPX
IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located at Block 3838, p/o Lot 60, pursuant to zoning.

BOROUGH OF BROOKLYN
No. 2
COLUMBIA STREET REZONING

CD 6 C 070504 ZMK
IN THE MATTER OF an application submitted by Columbia Commercial Enterprises LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16a, by establishing within an existing R6 District a C2-3 District bounded by a line 100 feet northeasterly of Union Street, a line 100 feet northwesterly of Columbia Street, Union Street, and a line 150 feet northwesterly of Columbia Street, as shown on a diagram (for illustrative purposes only) dated December 15, 2008.

BOROUGH OF QUEENS
Nos. 3 & 4
SPECIAL COLLEGE POINT DISTRICT
No. 3

CD 7 N 090318 ZRQ
IN THE MATTER OF an application submitted by the Economic Development Corporation pursuant to Section 201 of the New York City Charter for amendments of the Zoning Resolution of the City of New York, concerning the addition of Article XII, Chapter 6 (Special College Point District) and modifications of related sections,

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

11-12
Establishment of Districts

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *
 Establishment of the Special Clinton District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 6, the #Special Clinton District# is hereby established.

Establishment of the Special College Point District

In order to carry out the special purposes of this Resolution as set forth in Article XII, Chapter 6, the #Special College Point District# is hereby established.

* * *
12-10
DEFINITIONS
 * * *

Special Clinton District
 The "Special Clinton District" is a Special Purpose District designated by the letters "CL" in which special regulations set forth in Article IX, Chapter 6, apply. The #Special Clinton District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

Special College Point District
 The "Special College Point District" is a Special Purpose District designated by the letters "CP" in which special regulations set forth in Article XII, Chapter 6, apply. The #Special College Point District# appears on the #zoning maps# superimposed on other districts and its regulations supplement or supersede those of the districts on which it is superimposed.

* * *
All text is new; it is not underlined

Article XII - Special Purpose Districts

Chapter 6
Special College Point District
126-00
GENERAL PURPOSES

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

- (a) encourage and retain high performance manufacturing establishments in New York City;
- (b) maintain the high quality business campus environment with landscaped yards within the area known as the College Point Corporate Park; and
- (c) promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

126-01
General Provisions

The provisions of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special College Point District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

126-02
District Plan and Map

The District Map is located within Appendix A of this Chapter and is hereby incorporated and made part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

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.

126-10
SPECIAL USE REGULATIONS

The #use# regulations of the underlying district are modified as set forth in this Section, inclusive.

126-11
Recreational Uses

The regulations of Section 42-10 (USES PERMITTED AS-OF-RIGHT), shall be modified to allow the following uses as-of-right within the #Special College Point District#:

From Use Group 4A:
 Non-commercial recreation centers

From Use Group 4B:
 Golf courses
 Outdoor tennis courts or ice skating rinks, provided that all lighting shall be directed away from nearby #residential zoning lots#. #Public parks#, playgrounds or private parks

From Use Group 4C:
 #Accessory uses#

126-12
Performance Standards

Section 42-20 (PERFORMANCE STANDARDS) shall be modified so that the performance standards of an M1 District apply throughout the #Special College Point District#.

126-13
Enclosure Regulations

The following provisions supersede Sections 42-41 (Enclosure of Commercial or Manufacturing Activities) and 42-42 (Enclosure or Screening of Storage).

All #commercial# or #manufacturing uses# established by a #development#, #enlargement#, #extension#, or change of #use#, including storage of materials or products, shall be subject to the provisions of this Section, inclusive. With respect to the #enlargement# or #extension# of an existing #use# or storage of materials or products, such provisions shall apply to the #enlarged# or #extended# portion of such #use# or storage.

However, these provisions shall not apply to open parking and loading areas as specifically provided in Sections 44-11 (General Provisions) and 44-51 (Permitted Accessory Off-Street Loading Berths).

126-131
Special enclosure regulations for specific uses

The following #uses#, including all storage of materials or products, shall be located within a #completely enclosed building#:

From Use Group 17 A:
 Produce or meat markets, wholesale

From Use Group 18A:
 Incineration or reduction of garbage, offal or dead animals
 Radioactive waste disposal services involving the handling or storage of radioactive waste
 Sewage disposal plants
 Stock yards or slaughtering of animals or poultry
 Dumps, marine transfer stations for garbage or slag piles
 Electric power or steam generating plants

From Use Group 18B:
 Explosives storage, when not prohibited by other ordinances
 Junk or salvage establishments, including auto wrecking or similar establishments
 Scrap metal, junk, paper or rags storage, sorting, or baling

All #commercial# or #manufacturing uses# specified in this Section 126-131 shall be permitted, provided the Chairperson of the City Planning Commission certifies that such #uses# comply with the provisions of this Chapter. A site plan indicating the distribution of #bulk#, #uses#, planting areas and planting types shall be submitted to the Commission. Such submission shall be referred to the applicable Community Board for review and comment for a period of no less than 30 days prior to such certification.

126-132
Enclosure regulations in the M1-1 district

All #uses#, except storage of materials or products, shall be located within #completely enclosed buildings#; however, #commercial uses# may be located within #buildings# which are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#. Recreational uses permitted pursuant to Section 126-11 (Recreational Uses) shall be permitted as open or enclosed #uses#.

126-133
Enclosure regulations in the M2-1 district near residence districts

All #uses#, except storage of materials or products, within 300 feet of a #Residence District# boundary shall be located within #completely enclosed buildings#; however, #commercial uses# may be located within #buildings# which

are #completely enclosed# except for store fronts or store windows which may be opened to serve customers outside the #building#. Recreational uses permitted pursuant to Section 126-11 (Recreational Uses) shall be permitted as open or enclosed #uses#.

126-134**Enclosure of storage in the M1-1 district near residence districts**

All storage of materials or products within 200 feet of a #Residence District# boundary shall be located within #completely enclosed buildings#.

126-135**Screening of storage in the M2-1 district near residence districts**

Within 200 feet of a #Residence District# boundary, open storage of materials or products shall be permitted only if effectively screened by a solid wall or fence (including solid entrance and exit gates) at least eight feet in height.

In addition, such solid wall or fence:

- (a) shall not be located within a #front yard#;
- (b) shall be maintained in good condition at all times; and
- (c) shall have no #signs# hung or attached thereto other than those permitted in Section 42-52 (Permitted Signs).

126-136**Screening of storage**

At a distance greater than 200 feet from a #Residence District# boundary, the open storage of materials or products, where permitted, shall be screened from all adjoining #zoning lots#, including #zoning lots# situated across a #street#, by either:

- (a) a strip at least four feet wide, densely planted with shrubs or trees which are at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years; or
- (b) a wall or barrier or uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier, or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

In addition, such screening provided pursuant to paragraphs (a) or (b):

- (1) shall not be located within a #front yard#;
- (2) shall be maintained in good condition at all times;
- (3) may be interrupted by normal entrances or exits; and
- (4) shall have no #signs# hung or attached thereto other than those permitted in Section 42-52 (Permitted Signs).

126-14**Sign Regulations**

Within the #Special College Point District#, no #advertising signs# shall be permitted. #Signs# may be #illuminated# but not #flashing#. The provisions of Section 32-67 (Special Provisions Applying Along District Boundaries) shall not apply for #zoning lots# with frontage on the Whitestone Expressway.

No #sign# displayed from the wall of a #building# or other structure shall extend above the parapet wall or roof of such #building# or other structure#, and no #signs# shall be permitted on the roof of any #building#.

126-141**Special sign regulations in the M2-1 district**

In the M2-1 District, only non-#illuminated signs# and #signs with indirect illumination# are permitted. The surface area of all #signs# on a #zoning lot# shall be limited to:

- (a) one #sign# displayed from the wall of a #building# limited to 1.5 square feet of #surface area# for each linear foot of #street wall# or 150 square feet, whichever is less, and further provided that such #signs# shall not exceed a height of 8 feet, and shall not extend to a height greater than 20 feet above #curb level#; and
- (b) one #sign# not affixed to a #building# limited to one square foot of #surface area# for each 200 square feet of #street wall# or 30 square feet, whichever is less, and further provided that such #signs# shall not exceed a height of five feet above #curb level#.

126-20**SPECIAL BULK REGULATIONS**

The #bulk# regulations of the underlying district are modified as set forth in this Section, inclusive.

126-21**Street Tree Planting**

Within the #Special College Point District#, all #developments#, or #enlargements# of 20 percent or more in #floor area#, shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting). In addition, any #building# where 20 percent or more of the #floor area# is converted from a #manufacturing use# to a #commercial# or #community facility use# shall provide #street# trees in accordance with Section 26-41. The #street# frontage used to calculate the number of required trees may exclude the

#street# frontage occupied by curb cuts serving #uses# listed in Use Groups 16B, 16C, 16D, 17 and 18.

126-22**Floor Area Ratio**

Within the #Special College Point District#, the #floor area ratio# permitted for #commercial#, #community facility# or #manufacturing uses#, separately or in combination, shall be 1.0.

However, within the M2-1 District south of 30th Avenue and its prolongation:

- (a) for portions of #zoning lots# within 600 feet of College Point Boulevard, where such #zoning lot# has frontage on College Point Boulevard, or
- (b) for #zoning lots# with frontage on the Whitestone Expressway,

the maximum #floor area ratio# for #commercial#, #community facility# or #manufacturing uses#, separately or in combination, shall be as permitted in the underlying district.

126-23**Modification of Yard Regulations****126-231****Minimum required front yards**

#Front yards# shall be provided with a depth of 15 feet, except for:

- (a) #zoning lots# with frontage along the Whitestone Expressway, where #front yards# shall be provided with a depth of 20 feet; and
- (b) #corner lots#, where one front yard may have a depth of 10 feet.

126-232**Minimum required side yards**

#Side yards# shall be provided with a width of 10 feet.

126-233**Special provisions along district boundaries**

The following regulations shall supplement the provisions of Section 43-30 (Special Provisions Applying along District Boundaries). ‘

- (a) Sections 43-301 (Required yards along district boundary coincident with side lot line of zoning lot in an R1, R2, R3, R4 or R5 District) and 43-303 (Required yards along district boundary coincident with side lot line of zoning lot in a Manufacturing District) shall be modified so that an open area not higher than #curb level# and at least 20 feet wide shall be provided within the #Manufacturing District# on any #zoning lot# which is within 25 feet of a #residence district#.
- (b) Within the areas depicted on the Special College Point District Map as 60-foot buffer areas, an open area not higher than #curb level# and at least 60 feet wide, or where such open area is adjacent to a #street#, a #front yard# not higher than #curb level# at least 60 feet in depth, shall be provided within the #Manufacturing District#. Such open area shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.
- (c) All open areas required pursuant to this Section and Section 43-30 shall be planted, except at entrances to and exits from the #building# and except for access driveways to #accessory# parking and loading areas. In addition, except within #front yards#, there shall be a planting strip at least four feet wide, along the portion of the #lot line# adjoining the #Residence District#, complying with the provisions applicable to Section 126-136 (Screening of storage), provided that paragraph (b) of Section 126-136 shall not be a permitted form of screening.

126-234**Planting requirement in front yards**

#Front yards# shall be planted, except at entrances to and exits from the #building# and except for access driveways to #accessory# parking and loading areas. #Front yards# shall not be used for #accessory# off-street parking, #accessory# off-street loading, or for storage or processing of any kind.

126-235**Storage of materials within yards**

Within #side# and #rear yards#, the maximum height of the open storage of materials, where permitted, shall be 12 feet.

126-24**Height and Setback Regulations**

Within the #Special College Point District#, the height and setback regulations of an M1-1 district shall apply.

However, within the M2-1 district south of 30th Avenue and its prolongation:

- (a) for portions of #zoning lots# within 600 feet of College Point Boulevard, where such #zoning lot# has frontage on College Point Boulevard, or
- (b) for #zoning lots# with frontage on the Whitestone Expressway,

the height and setback regulations shall be as permitted in the underlying district.

126-30**SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS**

The off-street parking and loading regulations of the underlying district are modified as set forth in this Section, inclusive.

126-31**Parking Regulations**

- (a) #Accessory# off-street parking shall not be permitted within a required #front yard#.
- (b) The provisions of Section 44-21 (General Provisions) pertaining to #accessory# off-street parking spaces for #commercial uses# shall be modified as follows:
 - Hotels, for the #floor area# used for sleeping accommodations shall be required to provide one parking space per two guest rooms or suites, and for the #floor area# used for meeting halls, auditoriums, eating or drinking places, wedding chapels or banquet halls, or radio or television studios shall be required to provide one parking space per four persons rated capacity
 - Places of Assembly, for #uses# in parking requirement category D in Use Group 6, 8, 9, 10 or 12, or when permitted by special permit, shall be required to provide one parking space per four persons rated capacity
- (c) For #commercial uses# within the Commercial Areas identified on the Special College Point District Map, the parking requirements of a C4-1 district shall apply.
- (d) Section 37-90 (Parking Lots) shall apply to all #developments# and #enlargements#, as defined in that Section, that provide an open parking area #accessory# to #manufacturing uses# in Use Group 17. Perimeter landscaping required pursuant to Section 37-921 may overlap with required #yards# provided pursuant to Section 126-23 (Modification of Yard Regulations).
- (e) The provisions of Section 44-23 (Waiver of Requirements for Spaces Below Minimum Number) shall only apply to #zoning lots# existing both on (date of adoption) and on the date of application for a building permit.

126-32**Loading Regulations**

- (a) Off-street loading berths shall not be permitted between a #street wall# and a #street line#.
- (b) All open off-street loading berths shall be screened from all adjoining #zoning lots# pursuant to the standards of Section 44-585 (Screening).

126-33**Curb Cut Restrictions on 15th Avenue**

Within the #Special College Point District#, curb cuts shall be prohibited on 15th Avenue.

However, where permitted or required #accessory# off-street parking and loading requirements apply in a location where such curb cuts are prohibited, a curb cut may be allowed, provided that the City Planning Commission certifies to the Commissioner of Buildings that such #zoning lot# has access to the #street# only through such prohibited location and that such curb cut shall be no greater than 20 feet in width.

An application to the City Planning Commission for certification respecting such curb cut shall be accompanied by a site plan drawn to a scale of at least one sixteenth inch to a foot, showing the size and location of the proposed curb cut.

126-40**SPECIAL APPROVALS****126-41****Modification of Planting Requirements**

The requirements of Section 126-234 (Planting requirement) and paragraph (c) of Section 126-233 (Special provisions along district boundaries) may be waived in whole or in part if the Commissioner of Buildings certifies that such requirements are unfeasible due to unique geological conditions such as excessive subsurface rock conditions, underground municipal infrastructure, or a City, State or Federal mandated brownfield remediation that requires the site to be capped.

Such waiver shall be based on a report prepared by a licensed engineer that such conditions exist.

126-42**Authorization for Reduction of Required Parking**

Within the Commercial Areas identified on the Special College Point District Map, the Commission may authorize a reduction of the parking requirement of Section 44-21 (General Provisions) and paragraphs (b) and (c) of Section 126-31 (Parking Regulations) by an amount not to exceed 50 percent, provided that the Commission finds that the proposed parking is sufficient for the #use# proposed.

126-43**Special Permit to Modify Use or Bulk Regulations**

For any #development#, #enlargement#, alteration or change of #use# on a #zoning lot# within the #Special College Point District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, except #floor area ratio# provisions, provided the Commission shall find that such:

36-593
Authorizations for waivers or modifications of cross access connections
 The City Planning Commission may authorize modifications or waivers of the requirements of Section 36-59, inclusive, provided the Commission finds that:

- (a) due to the irregular shape of the #zoning lot# or the location of connections along other #lot lines# or boundaries between properties on the same #zoning lot#, it is not possible to design a complying parking lot with a complying cross access connection; or
- (b) site planning constraints necessitate the placement of a new or enlarged #building# against a #lot line# or other boundary between properties that precludes a cross access connection along such #lot line# or boundary, and no other site plan is feasible.

The Commission may request reports from licensed engineers or landscape architects in considering such modifications or waivers.

* * *
Article IV
Chapter 4
Accessory Off-Street Parking and Loading Regulations
 * * *

44-40
ADDITIONAL REGULATIONS FOR PERMITTED OR REQUIRED OFF-STREET PARKING SPACES
 * * *

44-49
Cross Access Connections in the Borough of Staten Island
 M1 M2 M3

In the Borough of Staten Island, in the districts indicated, existing or new open parking lots adjacent to one another on the same or separate #zoning lots# shall be required to provide vehicular passageways between such open parking lots. Such vehicular passageways are hereinafter referred to as "cross access connections", and shall be provided in accordance with the requirements of this Section.

44-491
Applicability and location
 Cross access connections shall be required for:

- (a) #developments# where at least 70 percent or more of the #floor area# on the #zoning lot# is occupied by a #commercial or community facility use# containing an open parking lot that has 18 or more #accessory# parking spaces or is greater than 6,000 square feet in area; or
- (b) #enlargements# on a #zoning lot# with an open parking lot that has 18 or more #accessory# parking spaces or is greater than 6,000 square feet in area; or
- (c) #zoning lots# where the number of parking spaces #accessory# to #commercial# or #community facility uses# is increased and such increase results in at least 18 parking spaces or more than 6,000 square feet of open parking lot area.

Such #developments#, #enlargements# or #zoning lots# shall provide a cross access connection at each #zoning lot line# or other boundary between properties that is coincident, for a contiguous distance of at least 60 feet, with an adjoining #zoning lot# or other property on the same #zoning lot# within a C4-1, C8 or Manufacturing District.

All cross access connections shall be shown on the site plan required pursuant to Section 44-47 (Parking Lot Maneuverability and Curb Cut Regulations), certified pursuant to Section 44-492 and constructed at the time of #development#, #enlargement# or increase in the number of parking spaces.

44-492
Certification of cross access connections
 No excavation, foundation or building permit shall be issued for any #development# or #enlargement# requiring a cross access connection, and no certificate of occupancy shall be amended for any increase in the number of parking spaces requiring a cross access connection until the Chairperson of the City Planning Commission certifies to the Department of Buildings that each required cross access connection:

- (a) is a minimum of 22 feet in width as measured along a #lot line# or boundary between separate properties when located on the same #zoning lot#, and at least 23 feet from any #street line#;
- (b) is an extension of a travel lane of the subject open parking lot and;
 - (1) aligns with any previously certified cross access connection for an adjacent open parking lot, or
 - (2) where no previously certified cross access connection exists for an adjacent open parking lot, aligns to the maximum extent practicable with a travel lane in such adjacent open parking lot.
- (c) has a grade not greater than 15 percent;
- (d) is placed in an area that is not blocked by an existing #building or other structure# that is within 50 feet of the #lot line# or other boundary of the subject property;
- (e) is placed in an area that will not require the removal of significant natural features such as wetlands or trees with a caliper of six inches or

more, on the same #zoning lot# or adjacent #zoning lots#;

Furthermore, an easement through all required cross access connections for vehicular and pedestrian passage between and among adjacent parking lots, in a form acceptable to the Department of City Planning, shall be recorded in the Office of the Richmond County Clerk. An easement so recorded shall not become effective unless and until a corresponding easement has been recorded against an adjacent property, whether on the same or adjacent #zoning lot#, pursuant to this Section. Accordingly, if an easement pursuant to this Section has previously been recorded against any adjacent property, the subject easement shall be effective immediately upon recordation. Nothing herein shall be construed to limit the ability of a property owner or lessee to prohibit parking by non-customers.

The Chairperson may relocate a previously-certified cross access connection where such new location is acceptable to the owners of both properties and such connection complies with all requirements of this Section.

The Chairperson, however, shall certify to the Department of Buildings that a cross access connection shall be waived along a #lot line#, or other boundary between separate parking lots when located on the same #zoning lot#, due to the presence of:

- (1) grade changes greater than 15 percent;
- (2) #buildings or other structures# located within 50 feet of the subject #zoning lot# or property, or
- (3) wetlands or trees with a caliper of six inches or more,

and no alternate location along such #lot line# or other boundary between properties exists.

No screening or landscaping along a #lot line# shall be required in the connection area, and, upon the effective date of the easement, if such cross access connection is in a location that contained required parking spaces, such connection shall be counted as three required parking spaces.

44-493
Authorization for modification or waiver of cross access connections
 The City Planning Commission may authorize modifications or waivers of the requirements of Section 44-49, inclusive, provided the Commission finds that:

- (a) due to the irregular shape of the #zoning lot# or the location of connections along other #lot lines# or other boundaries between properties, it is not possible to design a parking lot with a complying cross access connection; or
- (b) site planning constraints necessitate the placement of a new or #enlarged building# against a #lot line# or other boundary between properties that precludes a cross access connection along such #lot line# or boundary, and no other site plan is feasible.

The Commission may request reports from licensed engineers or landscape architects in considering such modifications or waivers.

* * *
ARTICLE X
Chapter 7
Special South Richmond Development District
 * * *

107-40
SPECIAL USE, BULK AND PARKING REGULATIONS
 * * *

107-483
Planting and screening for open parking areas
 * * *

- (b) Screening requirements

The parking area shall be screened from all adjoining #zoning lots# or #streets# by a perimeter landscaped area at least seven feet in width, and all adjoining #streets# by a perimeter landscaped area at least seven feet in width. Such perimeter landscaped area may be interrupted only by vehicular entrances and exits. Sidewalks that provide a direct connection between the public sidewalk and a pedestrian circulation route within the parking area may also interrupt a perimeter landscaped area.

All screening areas shall comply with the provisions of paragraphs (a), (b) and (c) of Section 37-921 (Perimeter Landscaping), except that the number of trees shall be as set forth in this Section.

In addition, such screening shall be maintained in good condition at all times and may be interrupted by normal entrances and exits.

BOROUGH OF THE BRONX
Nos. 6, 7 & 8
LOWER CONCOURSE REZONING
No. 6

CD 1 C 090166 MMX
IN THE MATTER OF an application, submitted by the Department of City Planning and the Department of Parks & Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a waterfront Park in an area bounded by Major Deegan Boulevard, the Harlem River, and the extensions of East 144th Street and

East 146th Street;

- and any acquisition or disposition of real property related thereto,

in accordance with Map No. 13124 dated January 29, 2009 and signed by the Borough President.

Resolution for adoption scheduling April 1, 2009 for a public hearing.

No. 7

CD 1 N 090302 ZRX
IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area); Article VIII, Chapter 7 establishing the Special Harlem River Waterfront District; and Article XII, Chapter 3 (Special Mixed Use District) specifying a Special Mixed Use District (MX-13) and amending related sections of the Zoning Resolution, Community District 1, Borough of The Bronx.

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

* * *

Article I
General Provisions

Chapter 1
Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12
Establishment of Districts

* * *

Establishment of the Special Grand Concourse Preservation District

* * *

Establishment of the Special Harlem River Waterfront District

In order to carry out the special purposes of this Resolution as set forth in Article VIII Chapter 7, the #Special Harlem River Waterfront District# is hereby established.

* * *

Chapter 2
Construction of Language and Definitions

* * *

12-10
DEFINITIONS

* * *

Special Harlem River Waterfront District
 The "Special Harlem River Waterfront District" is a Special Purpose District designated by the letter "HRW" in which special regulations set forth in Article IX Chapter 7 apply. The #Special Harlem Waterfront District# appears on the #zoning maps# superimposed on other districts and its regulations supplement and supersede those of the districts on which it is superimposed.

* * *

Article II
Residence District Regulations

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-144
In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the following table, the maximum permitted #floor area ratios# shall be as set forth in Section 23-942 (In Inclusionary Housing designated areas). The locations of such districts are specified in Section 23-922 (Inclusionary Housing designated areas).

Community District	Zoning District
Community District 1, Bronx	R6A, R7-2, R7A, R7X, R8A
Community District 1, Brooklyn	R6 R6A R6B R7A
Community District 2, Brooklyn	R7A
Community District 3, Brooklyn	R7D
Community District 7, Brooklyn	R8A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 2, Queens	R7X

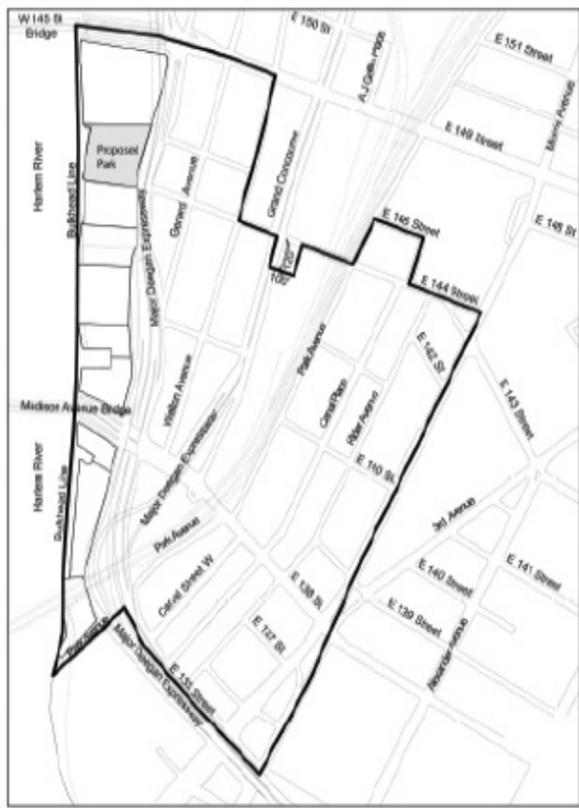
* * *

23-90
INCLUSIONARY HOUSING
 * * *

23-922
Inclusionary housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

* * *
 (17) In Community District 1, in the Borough of the Bronx, in the R6A, R7-2, R7A, R7X and R8A Districts within the areas shown on the following Map 17:



Map 17. Portion of Community District 1, Bronx

* * *
Article IV
Manufacturing District Regulations

Chapter 2
Use Regulations

42-10
USES PERMITTED AS-OF-RIGHT

42-12
Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16
 M1 M2 M3

Use Group 3A shall be limited to Museums that are ancillary to existing Motion Picture Production Studios or Radio or Television Studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that foodstores, including supermarkets, grocery stores, or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25.

However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, foodstores, including supermarkets, grocery stores, or delicatessen stores, shall not be limited as to #floor area# per establishment.

* * *
Article VI
Special Regulations Applicable to Certain Areas

Chapter 2
Special Regulations Applying in the Waterfront Area

62-80
WATERFRONT ACCESS PLANS

62-82
Borough of The Bronx

The following Waterfront Access Plans are hereby established within the Borough of the Bronx. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

BX-1: Harlem River, in the #Special Harlem River Waterfront District#, as set forth in Section 87-60 (Harlem River Waterfront Access Plan).

Note: All text in Article VIII, Chapter 7 is new; it is not underlined.

Article VIII
Special Purpose Districts
Chapter 7
Special Harlem River Waterfront District

87-00
GENERAL PURPOSES

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

- (a) maintain and reestablish physical and visual public access to and along the waterfront;
- (b) create a lively and attractive built environment that will provide amenities and services for the use

and enjoyment of area residents, workers and visitors;

- (c) promote the pedestrian orientation of ground floor uses in appropriate locations, and thus safeguard a traditional quality of higher density areas of the City;
- (d) encourage well-designed new development that complements the built character of the neighborhood;
- (e) take advantage of the Harlem River waterfront and provide an open space network comprised of parks, public open space and public access areas;
- (f) provide flexibility of architectural design within limits established to assure adequate access of light and air to streets and public access areas, and thus to encourage more attractive and economic building forms; and
- (g) promote the most desirable use of land and building development in accordance with the District Plan for the Harlem River Waterfront.

87-01
General Provisions

In harmony with the general purpose and intent of this Resolution and the general purposes of the #Special Harlem River Waterfront District#, the regulations of the #Special Harlem River Waterfront District# shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the #Special Harlem River Waterfront District#, except as otherwise provided in this Chapter. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

87-02
District Plan and Maps

The regulations of this Chapter are designed to implement the #Special Harlem River Waterfront District# Plan as set forth in the Appendix to this Chapter. The plan area has been divided into parcels consisting of tax blocks and lots as established on (effective date of amendment), as follows:

Parcel 1:	Block 2349, Lot 112
Parcel 2:	Block 2349, Lot 100
Parcel 3:	Block 2349, Lots 46 & 47
Parcel 4:	Block 2349, Lot 38
Parcel 5:	Block 2349, Lot 15
Parcel 6:	Block 2349, Lot 3
Parcel 7:	Block 2323, Lot 43
Parcel 8:	Block 2349, Lot 28
Parcel 9:	Block 2323, Lots 13 & 18

The District Plan includes the following maps:

Map 1	#Special Harlem River Waterfront District# and Parcels
Map 2	Waterfront Access Plan: Public Access Elements

87-03
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.

87-04
Applicability of Article VI, Chapter 2

Parcels 1, 2, 3 and 4, as shown on Map 1 (Special Harlem River District and Parcels) shall be considered #waterfront zoning lots#, notwithstanding the mapping of any #streets# on such parcels after (effective date of amendment).

87-10
SPECIAL USE REGULATIONS

The #use# regulations of the underlying districts are modified in Sections 87-11 through 87-26, inclusive.

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

87-11
Location of Commercial Space

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) shall apply to all #mixed buildings# and are hereby modified to permit #residential uses# on the same #story# as a non-residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-residential uses# are not located directly over any #residential use#. However, such non-residential uses# may be located over a #residential use# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from

non-residential uses# exists within the #building#.

87-12
Streetscape Regulations

- (a) Ground floor #use#

 All #uses# shall have a depth of at least 25 feet from #building walls# facing a #shore public walkway#, #park# or #upland connection#. Lobbies and entrances may not occupy more than 20 feet or 25 percent of the such #building wall# width, whichever is less. The level of the finished ground floor shall be located not higher than two feet above nor lower than two feet below the as-built level of the adjacent public sidewalk or other #publicly accessible open area#.

For #buildings# on Parcels 1 through 6 that face a #shore public walkway#, #park# or #upland connection#, not less than 20 percent of the ground floor level #floor area# of such portions of #buildings#, to a depth of 25 feet shall consist of #uses# from Use Groups 6A, 6C, 6F, 8A, 8B and 10A, as set forth in Article III, Chapter 2.

- (b) Transparency

 Any #building wall# containing ground floor level #commercial# and #community facility uses# that faces a #shore public walkway#, #park# or #upland connection# shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. Such glazing shall occupy at least 70 percent of the area of each such ground floor level #building wall#, measured to a height of 10 feet above the level of the adjoining public sidewalk or other #publicly accessible open area# or #base plane#, whichever is higher. Not less than 50 percent of the area of each such ground floor level #building wall# shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

- (c) Security Gates

 All security gates that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or #publicly accessible open area#, except that this provision shall not apply to entrances or exits to parking garages.

87-20
SPECIAL FLOOR AREA REGULATIONS

The #Special Harlem River Waterfront District# shall be an #Inclusionary Housing designated area#, pursuant to Section 12-10 (DEFINITIONS), for the purpose of making the Inclusionary Housing Program regulations of Section 23-90 (INCLUSIONARY HOUSING), inclusive, applicable as modified within the Special District.

87-21
Special Residential Floor Area Regulations

The base #floor area ratio# for any #zoning lo# containing #residences# shall be 3.0. Such base #floor area ratio# may be increased to a maximum of 4.0 through the provision of #lower income housing# pursuant to the provisions for #Inclusionary Housing designated areas# in Section 23-90 (INCLUSIONARY HOUSING), except that the height and setback regulations of paragraph (b) of Section 23-942 (In Inclusionary Housing designated areas) shall not apply. In lieu thereof, the height and setback regulations of this Chapter shall apply.

87-22
Special Retail Floor Area Requirement

For each square foot of commercial #floor area# in a #building# from the #uses# listed in paragraph (a) of this Section, an equal or greater amount of #residential#, #community facility# or #commercial floor area# from #uses# listed in paragraph (b) of this Section shall be provided.

- (a) Use Groups 6A and 6C, except for:
 Docks for ferries, other than #gambling vessels#, limited to an aggregate operational passenger load, per #zoning lot#, of 150 passengers per half hour, and Docks for water taxis with vessel capacity limited to 99 passengers, and Docks or mooring facilities for non-commercial pleasure boats;

The following from Use Group 10:

- Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment
- Clothing or clothing accessory stores, with no limitation on #floor area# per establishment
- Department stores
- Dry goods or fabric stores, with no limitation on #floor area# per establishment
- Carpet, rug, linoleum or other floor covering stores, with no limitation on #floor area# per establishment
- Clothing or clothing accessory stores, with no limitation on #floor area# per establishment
- Department stores
- Dry goods or fabric stores, with no limitation on #floor area# per establishment

The following from Use Group 12:

Billiard parlor or pool halls
Bowling alleys or table tennis halls, with no limitation on number of bowling lanes per establishment
Eating or drinking establishments with entertainment and a capacity of more than 200 persons, or establishments of any capacity with dancing

The following retail establishments:

Antique stores
Art gallery, commercial
Book stores
Candy or ice cream stores
Cigar and tobacco stores
Delicatessen stores
Drug stores
Gift shops
Jewelry or art metal craft shops
Music stores
Photographic equipment stores
Record stores
Stationery stores
Toy stores

(b) All #residential uses# in Use Groups 1 and 2

All #community facility uses# from Use Group 3, 4A, and 4B, except cemeteries

All #commercial uses# from Use Groups 5A, 6B and 8A

However, the City Planning Commission may authorize a modification or waiver of this provision upon finding that such #building# includes:

- (1) a superior site plan that enables safe and efficient pedestrian connectivity to and between establishments and #publicly accessible open areas#;
- (2) a superior parking and circulation plan that reduces conflicts between pedestrian and vehicular traffic, minimizes open parking lots, and limits conflicts between curb cuts;
- (3) a design that enhances and is integrated with #publicly accessible open areas# including provision of a public entrance fronting on a #waterfront public access area#;
- (4) a variety of retail establishments; and
- (5) #uses# that do not unduly affect the #residential uses# in the nearby area or conflict with future land use and development of adjacent areas.

The City Planning Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of any such #uses# on #publicly accessible open areas#.

87-23

Special Floor Area Rules for Parcels Containing Newly Mapped Streets

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all #use# and #bulk# regulations of the Zoning Resolution.

87-24

Maximum Width of Establishments

On Parcels 5 and 6, the width of any ground floor level #commercial# or #community facility# establishments facing a #shore public walkway#, #park# or #upland connection#, shall be limited to 60 feet.

87-25

Location of Building Entrances

On Parcels 1, 2, 3 and 4, the main front entrance of a #building#, as the term "main front entrance" is used in the New York City Fire Code, Section 502.1 (FRONTAGE SPACE), shall be located facing the #shore public walkway#. On Parcels 1, 3 and 4, such main front entrance of a #building# shall be located no less than 45 feet from an #upland connection# and, on Parcel 2, located no less than 95 feet from a #park#.

87-30

SPECIAL YARD REGULATIONS

Notwithstanding the provisions of Section 62-332 (Rear yards and waterfront yards), #waterfront yards# shall be raised to a level of two feet above the rail platform of the adjacent Oak Point Rail Line, except where deviation is required to meet the grade of an existing adjacent #street#. Underground #uses#, such as parking garages, shall not be allowed in #waterfront yards#.

Parcels 1, 2, 3 and 4 shall be considered #waterfront zoning lots#, notwithstanding any future action in which a #street# is mapped on such #zoning lots#.

87-40

SPECIAL HEIGHT AND SETBACK REGULATIONS

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

For the purposes of applying the #bulk# regulations of this Section 87-40, inclusive, a #shore public walkway#, #park#, #upland connection# or fire apparatus access road, as required by the New York City Fire Code, shall be considered

a #street# and its boundary shall be considered a #street line#.

87-41

Permitted Obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- (a) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
- (b) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c) of Section 23-621 (Permitted obstructions in certain districts).

87-42

Street Wall Location and Building Base

(a) #Street wall# location

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

- (1) ground floor level recesses up to three feet deep shall be permitted for access to building entrances; and
- (2) to allow for corner articulation, the #street wall# may be located anywhere within an area bounded by intersecting #street lines# and lines 15 feet from and parallel to such #street lines#; and
- (3) for #buildings# that are required to locate the main front entrance facing a #shore public walkway#, pursuant to Section 87-26 (Location of Building Entrances), no portion of the #street wall# containing such entrance shall be closer to the #shore public walkway# than the main front entrance; and
- (4) no portion of a #building# facing a #shore public walkway#, except on Parcel 1, shall exceed a width of 300 feet.

(b) Minimum and Maximum Base Heights

The #street wall# of a #development# or #enlargement# shall rise without setback to a minimum base height of six #stories# or 60 feet, or the height of the #building#, whichever is less, and a maximum base height of eight #stories# or 85 feet, whichever is less, before a setback is required. However, on Parcels 5 and 6, for #street walls# facing a #shore public walkway#, the minimum base height shall be 20 feet and the maximum base height shall be four #stories# or 40 feet, whichever is less, before a setback is required. Any portion of a #building or other structure# that does not exceed such maximum base heights shall hereinafter be referred to as a "building base".

All portions of #buildings# that exceed the maximum base heights set forth in this paragraph, (b), shall be set back from the #street wall# of the #building# at least ten feet along a #shore public walkway#, #park# and Exterior Street, and at least 15 feet along an #upland connection#.

For #developments# or #enlargements# that exceed a height of eight #stories# or 85 feet, except on Parcels 5, 6, 7 and 9, not more than 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of six #stories# or 60 feet, whichever is less, and at least 40 percent of the #aggregate width of street walls# facing a #shore public walkway# shall rise without setback to at least a height of eight #stories# or 80 feet, whichever is less.

Above the level of the second #story#, up to 30 percent of the #aggregate width of street walls# may be recessed, provided no recesses are located within 15 feet of an adjacent #building# or within 30 feet of the intersection of two #street lines#, except where corner articulation is provided as set forth in paragraph (a)(1) of this Section.

(c) Transition heights

All #street walls#, except on Parcels 5 and 6, may rise to a maximum transition height of 115 feet, provided that, except on Parcel 7, not more than 60 percent of the #aggregate width of street walls# facing a #shore public walkway# exceeds a height of 85 feet. On Parcels 5 and 6, a #street wall# may rise to a maximum transition height of 85 feet, without limitation.

All portions of #buildings# that exceed the transition heights set forth in this paragraph, (c), shall comply with the tower provisions of 87-43 and 87-44.

87-43

Towers

All #stories# of a #development# or #enlargement# located partially or wholly above the applicable transition height set forth in paragraph (b) of Section 97-42 shall be considered a "tower" and shall comply with the provisions of this Section. For #zoning lots# with less than 130,000 square feet of #lot area#, only one tower shall be permitted. For #zoning lots# with 130,000 square feet of #lot area# or more, not more than two towers shall be permitted.

- (a) Maximum tower height
For #zoning lots# with 100,000 square feet of #lot area# or less, the maximum height of a #building# shall be 300 feet. The maximum height of #buildings# on #zoning lots# with more than 100,000 square feet of #lot area# shall be 400 feet; however, for #zoning lots# with two towers, such maximum #building# height of 400 feet shall apply to not more than one tower, a maximum #building# height of 260 feet shall apply to the second tower, and there shall be a height differential of at least 40 feet between both towers.

(b) Location rules for #zoning lots# abutting #parks#

Where a tower is provided on a #zoning lot# that abuts a #park#, such tower shall be located within 85 feet of such #park#, and if two towers are provided on such #zoning lot#, the second tower shall be located within 45 feet of East 149th Street or an #upland connection#. Where two towers are provided on a #zoning lot# that abuts a #park#, the shorter of the towers shall be located closer to such #park#.

(c) Maximum tower size

The outermost walls of each #story# located entirely above the applicable transition height shall be inscribed within a rectangle. The maximum length of any side of such rectangle shall be 135 feet. Each #story# of a tower located entirely above the applicable transition height shall not exceed a gross area of 8,800 square feet.

(d) Tower top articulation

All #buildings# that exceed a height of 200 feet shall provide articulation in accordance with at least one of following provisions:

- (1) Setbacks on each tower face
 - (i) For #buildings# less than 260 feet in height, the highest three #stories#, or as many #stories# as are located entirely above a height of 200 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.
 - (ii) For #buildings# 260 feet or more in height, the highest four #stories#, or as many #stories# as are located entirely above a height of 260 feet, whichever is less, shall have a #lot coverage# of at least 50 percent of the #story# immediately

below such #stories#, and a maximum #lot coverage# of 80 percent of the #story# immediately below such #stories#.

Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the tower, where at least one setback on each tower face has a depth of at least four feet, and a width that, individually or in the aggregate, is equal to at least 10 percent of the width of such respective tower face. For the purposes of this subparagraph (1), each tower shall have four tower faces, with each face being the side of a rectangle within which the outermost walls of the highest #story# not subject to the reduced #lot coverage# provisions have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each tower face. Required setback areas may overlap.

(2) Three setbacks facing Harlem River

The upper #stories# of a tower shall provide setbacks with a minimum depth of 15 feet measured from the west facing wall of the #story# immediately below. Such setbacks shall be provided at the level of three different #stories#, or as many #stories# as are located entirely above a height of 230 feet, whichever is less. The lowest level at which such setbacks may be provided is 230 feet, and the highest #story# shall be located entirely within the eastern half of the tower.

87-50

Design Requirements for Fire Apparatus Access Roads

Where a fire apparatus access road is provided as required by the New York City Fire Code, such road shall comply with the following requirements.

- (a) The width of a paved road bed shall be 34 feet, constructed to minimum Department of Transportation standards for public #streets#, including curbs and curb drops.
- (b) Curbs shall be provided along each side of the entire length of such road.
- (c) A minimum five-foot wide planting strip shall be provided adjacent to and along the entire length of the required curb. Within the required planting strip, one tree of at least three inches in caliper shall be planted for every 25 feet of length of such planting strip. Driveways are permitted to traverse such planting strips, and utilities are permitted to be located within such planting strips.
- (d) A minimum 8 foot paved sidewalk shall be provided adjacent to and along the entire length of the required planting strip.
- (d) All such roads shall be constructed with lighting, signage and crosswalks to minimum Department of Transportation standards for public #streets#.

**87-60
Parking Regulations**

The following provisions shall apply to all parking facilities:

- (a) All #accessory# off-street parking spaces may be made available for public use; any such space, however, shall be made available to the occupant of a #residence# to which it is accessory within 30 days after written request therefore is made to the landlord.
- (b) The off-site spaces provisions of Sections 36-42 and 36-43 shall not apply. In lieu thereof, all permitted or required off-#street# parking spaces may be provided on a #zoning lot# other than the same #zoning lot# to which such spaces are #accessory#, provided the lot to be used for parking is within the #Special Harlem River Waterfront District#.
- (c) All off-street parking spaces shall be located within facilities that, except for entrances and exits, are:
 - (1) entirely below the level of any #street# or #publicly accessible open area# upon which such facility, or portion thereof, fronts; or
 - (2) located at every level above-grade, behind commercial, community facility or #residential floor area# with a minimum depth of 25 feet as measured any #building wall# facing a #shore public walkway#, so that no portion of such parking facility is visible from the #shore public walkway#. All such parking facilities shall be exempt from the definition of #floor area#. In addition, on Parcel 1, the ground floor of a portion of a #building# facing Exterior Street shall be occupied to a depth of 25 feet with #commercial#, #community facility# or #residential floor area# so that no portion of such parking facility is visible from Exterior Street. On Parcel 6, the ground floor of a portion of a #building# within 60 feet of the intersection of Exterior Street and 138th Street shall be occupied to a depth of 25 feet with #commercial#, #community facility# or #residential floor area# so that no portion of such parking facility is visible from such portion of Exterior Street or 138th Street.
- (d) The provisions of this paragraph (d) shall apply to any portion of a parking facility that abuts an exterior #building wall#.
 - (1) any non-horizontal parking deck structures are not visible from the exterior of the #building# in elevation view;
 - (2) opaque materials are located on the exterior #building# wall between the bottom of the floor of each parking deck and no less than three feet above such deck; and
 - (3) a total of at least 50 percent of such exterior building wall with adjacent parking spaces consists of opaque materials which may include #signs#, graphic or sculptural art, or living plant material.
- (e) Any roof of a facility containing off-street parking spaces, not otherwise covered by a #building#, which is larger than 400 square feet shall be landscaped. Up to five percent of such roof area may be used for mechanical equipment, provided that such mechanical equipment is screened from view by a fence which is at least 75 percent opaque or by at least three feet of dense planting. Up to 25 percent of such roof area may be accessible solely from an adjacent #dwelling unit# and the remaining roof area shall be accessible for the recreational use of the occupants of the building in which it is located. Hard surfaced areas shall not cover more than 60 percent of such roof area.

**87-61
Curb Cut Restrictions**

On Parcels 1, 2, 3 and 4, as indicated on Map 1 in the

Appendix to this Chapter, no curb cuts shall be provided facing a #shore public walkway# and, further, on Parcel 2, no curb cuts shall be provided facing a #park#.

**87-70
HARLEM RIVER WATERFRONT ACCESS PLAN**
Map 2 (Waterfront Access Plan: Public Access Elements) in the Appendix to this Chapter shows the boundaries of the area comprising the Harlem River Waterfront Access Plan and the location of certain features mandated or permitted by the Plan.

**87-71
Public Access Provisions by Parcel**

The provisions of Sections 62-41 (Requirements for Waterfront Public Access) and 62-42 (Requirements for Visual Corridors), shall apply as follows:

- (a) #Shore public walkways#
 - (1) The #shore public walkway# shall be constructed at an elevation of two feet above the highest level of the Oak Point Rail Link.
 - (2) A dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification extend into a designated #shore public walkway# as set forth in Section 87-73 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).
- (b) #Upland connections#

#Upland connections# shall be located on Parcels 3, 4 and 6, as designated on Map 2 in the Appendix to this Chapter.

The provisions of Sections 62-41 (Requirements for Waterfront Public Access) are modified as follows:

 - (1) Parcel 3 may provide the #upland connection# at either of the two optional locations indicated on Map 2 in the Appendix to this Chapter.
 - (2) The required width for an #upland connection# on Parcel 6, as indicated on Map 2, is reduced to 12 feet. Such #upland connection# shall be subject only to the applicable pedestrian path provisions.
- (c) Supplemental public access areas

#Supplemental public access areas# pursuant to this Plan shall be provided on Parcels 1 and 2, as indicated on Map 2 in the Appendix to this Chapter, however, the requirement may be waived by certification by the Chairperson of the City Planning Commission as set forth in Section 87-72 (Certification to Waive Supplemental Public Access Area Requirement).
- (d) Visual Corridors

#Visual corridors# shall be located within Parcels 1 and 4, and the #park#, as indicated on Map 2 in the Appendix to this Chapter.

**87-72
Certification to Waive Supplemental Public Access Area Requirement**

For Parcels 1 and 2, the requirement to provide a designated #supplemental public access area#, as indicated on Map 2 in the Appendix to this Chapter, may be waived by the Chairperson of the City Planning Commission upon finding that:

- (a) the site plan includes a vehicular connection through the #zoning lot# pursuant to the design guidelines set forth in Section 87-50 (Design Requirements for Fire Apparatus Access Roads); and
- (b) a declaration of restrictions has been provided pursuant to Section 87-74 (Declaration of Restrictions); and
- (c) the design meets all applicable connection requirements set forth in Section 87-76 (Connection with adjacent zoning lots); and
- (d) such a connection either:
 - (1) on Parcel 1, provides a vehicular connection between East 149th Street and Exterior Street; or
 - (2) on Parcel 2, provides a bidirectional connection between Exterior Street at its intersection with East 144th Street and the southernmost #lot line# of the #development#.

**87-73
Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways**
On Parcels 2, 3 and 4, a dead-end fire apparatus access road turnaround, as defined in the New York City Fire Code Section 503.2.5 (Dead-ends), may by certification, extend into the designated #shore public walkway#, provided that:

- (a) a declaration of restrictions has been provided

pursuant to Section 87-74; and

- (b) a fire apparatus access road abutting the shared #zoning lot line# between the #development# seeking certification under this section and Parcels 2, 3 or 4 does not exist; and
- (c) the following connection requirements are met:
 - (1) On Parcel 1, the fire apparatus access road shall serve as a connection along all #buildings# on such Parcel along the #shore public walkway# and #park#. Such road shall provide for a vehicular connection between East 149th Street and Exterior Street; or
 - (2) On Parcels 2, 3 and 4, the fire apparatus access road shall serve as a segment of a bidirectional loop road along the #shore public walkway# on such Parcels, providing a connection to Exterior Street at the northeast corner of Parcel 2 and a connection to Exterior Street at the southeast corner of Parcel 4.

Such turnaround shall have a diameter of 70 feet and be located at the end of the fire apparatus access road, abutting the adjacent #lot line#. At no point may the turnaround extend into the #shore public walkway# for a distance greater than 23 feet. Sidewalks shall not be required adjacent to the turnaround. The portion of the turnaround that lies within a #shore public walkway# shall remain clear of obstacles, shall be composed of permeable materials, and shall meet all applicable requirements set forth in the New York City Fire Code Section 503.1.1 (Fire apparatus access roads). In addition, the roadbed material of a fire apparatus access road leading to a vehicular turnaround may be extended into the turnaround provided the area of the turnaround paved with such material is not wider than the roadbed leading to the turnaround. The remaining portions of the turnaround shall be paved with distinct materials to facilitate pedestrian usage. In addition, the level of the area within the turnaround shall be raised to be flush of the level of adjoining sidewalks.

**87-74
Declaration of Restrictions**

For any fire apparatus access road proposed for certification pursuant to Sections 87-72 or 87-73, a declaration of restrictions shall be provided to guarantee the construction, improvement, operation, maintenance and repair of such road, to guarantee that such road remains open, unobstructed and accessible to all members of the public, except as necessary to avoid public dedication, and to ensure compliance with all applicable provisions. Such declaration of restrictions shall be prepared in a form acceptable to the Department of City Planning, shall be filed and duly recorded in the Borough Office of the Register of the City of New York and indexed against the property. Filing and recording of the declaration of restrictions shall be a precondition for the Chairperson's certification under Section 87-72 and 87-73, where applicable.

For certifications proposed pursuant to Section 87-73, at the time a declaration of restrictions has been provided by the adjacent #development#, pursuant to this section, permitting vehicular connection between #zoning lots#, the #zoning lot# containing a previously constructed fire apparatus access turnaround shall be responsible for the following actions on the portion of the connection on such #zoning lot#:

- (a) deconstructing the fire apparatus access road turnaround; and
- (b) re-landscaping the area that had extended into the #shore public walkway#, so as to create the conditions of the immediately surrounding #shore public walkway#, which may include any combination of tree planting, laying sod, removing pavers, or any other required landscaping action; and
- (c) extending all required sidewalks that had remained short of the #lot line# to the shared #lot line# to connect to the required adjacent sidewalks and enable pedestrian movement across #developments#; and
- (d) complying with all applicable waterfront rules, street regulations and the New York City Fire Code.

**87-75
Applicability of waterfront regulations**

In the event that #streets# are mapped on Parcels 1, 2, 3 and 4 after (effective date of amendment), the area within such #streets# may continue to be considered part of the #zoning lot# for the purposes of applying all waterfront regulations of the Zoning Resolution.

**87-76
Connection with adjacent zoning lots**

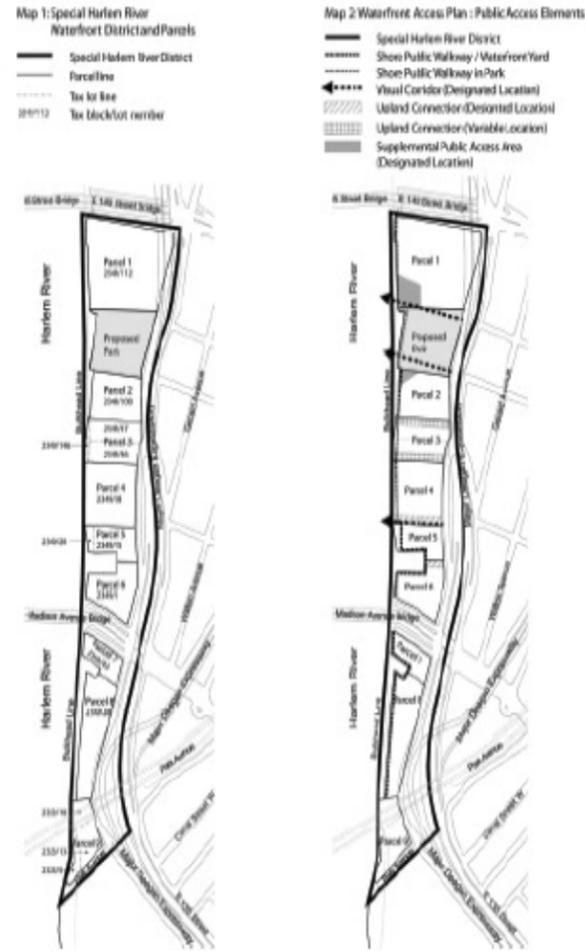
The following provisions apply to #developments# pursuing certification pursuant to either Section 87-72 (Certification to Waive Supplemental Public Access Area Requirement) or Section 87-73 (Certification to Allow Fire Apparatus Access Road Turnaround in Shore Public Walkways).

On each of Parcels 2, 3 and 4, and only among Parcels 2, 3 and 4, a #development# shall provide a connection for bidirectional vehicular travel at an adjacent #zoning lot line# if such adjacent #zoning lot# has previously constructed a connection that terminates at the shared #lot line#. Any connection of fire apparatus access roads across a shared #zoning

lot line# must meet the grade of and maintain the street width of the existing adjacent private street. In addition to such physical shared #lot line# connection, a private road declaration shall be provided pursuant to the provisions of Section 87-74 of this Chapter. A connection need not be opened unless and until such declaration of restrictions, in accordance with 87-74, has been recorded against the adjacent #zoning lot#.

When no connection for vehicular travel terminating at the opposite side of a shared #zoning lot line# exists, one may, by certification pursuant to Section 87-73, construct a dead-end fire apparatus access road turnaround that may extend into the designated #shore public walkway#. Such certification is also contingent upon providing a declaration of restrictions, in accordance with Section 87-74.

APPENDIX



* * *
Note: Only underlined text is new in the following Section.
Article XII - Special Purpose Districts
* * *

**Chapter 3
Special Mixed Use District**
* * *

**123-66
Height and Setback Regulations**
* * **123-662**

All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations
* * *

TABLE B

* * *
In addition, in #Special Mixed-Use District# 13 in the Borough of The Bronx, at least 70 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line# and shall extend to at least the minimum base height specified for the applicable district as set forth in Table B above, or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# may be located beyond eight feet of the #street line#. Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location provisions of this paragraph.
* * *

**123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED**

The #Special Mixed Use District# is mapped in the following areas:
* * *

#Special Mixed Use District# - 13: (effective date)
Lower Concourse, Bronx

The #Special Mixed Use District# - 13 is established in the Lower Concourse in The Bronx as indicated on the #zoning maps#.

No. 8

**CD 1 C 090303 ZMX
IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a:

- 1. changing from an M2-1 District to an R7-2 District property bounded by a line 190 feet southerly of a park* and its easterly prolongation, Major Deegan Expressway, Park Avenue and its northeasterly and southwesterly prolongations, and a U.S. Pierhead and Bulkhead Line;
- 2. changing from an M1-2 District to a C4-4 District

property bounded by East 149th Street, Morris Avenue, East 144th Street, Canal Place, East 146th Street, Park Avenue, East 144th Street, and the easterly street line of former Anthony J. Griffin Place and its northerly and southerly prolongations;

- 3. changing from an M2-1 District to a C4-4 District property bounded by:
 - a. East 149th Street, Major Deegan Boulevard, the northerly boundary of a park* and its easterly and westerly prolongations, and a U.S. Pierhead and Bulkhead Line; and
 - b. the southerly boundary line of a park* and its easterly and westerly prolongations, Major Deegan Expressway, a line 190 feet southerly of a park* and its easterly prolongation, and a U.S. Pierhead and Bulkhead Line;
- 4. changing from an M1-2 District to a C6-2A District property bounded by East 144th Street, Grand Concourse, a line 120 feet southerly of East 144th Street, a line 100 feet easterly of Grand Concourse, the easterly prolongation of the southerly street line of East 140th Street, the westerly boundary line of the Metro North Rail Road (Harlem Division) right-of-way, East 138th Street, Major Deegan Boulevard, a line 100 feet northerly of East 138th Street, and Walton Avenue;
- 5. changing from an M2-1 District to a C6-2A District property bounded by a line 100 feet northerly of East 138th Street, Major Deegan Boulevard, East 138th Street, and Major Deegan Expressway;
- 6. changing from an M1-2 District to an M1-4 District property bounded by:
 - a. a line 75 feet southwesterly of East 138th Street, a line 100 feet northwesterly of Third Avenue, East 136th Street, and Rider Avenue; and
 - b. East 138th Street, Park Avenue and its southwesterly centerline prolongation, and an easterly service road of the Major Deegan Expressway;
- 7. changing from an M2-1 District to an M1-4 District property bounded by a line 75 feet southwesterly of East 138th Street, Rider Avenue and its southwesterly centerline prolongation, East 135th Street, the northeasterly centerline prolongation of Park Avenue, Major Deegan Expressway, East 138th Street, an easterly service road of the Major Deegan Expressway, Park Avenue and its southwesterly centerline prolongation, a line 300 feet southwesterly of East 138th Street, and Canal Place;
- 8. changing from an M1-2 District to an M1-4/R6A District property bounded by:
 - a. East 146th Street, Canal Place, East 144th Street, Rider Avenue, a line 150 feet southerly of East 140th Street, Canal Place, East 144th Street, and Park Avenue; and
 - b. a line 200 feet southerly of East 144th Street, Walton Avenue, a line 100 feet northerly of East 138th Street, Major Deegan Boulevard, and Gerard Avenue and its southerly centerline prolongation;
- 9. changing from an M2-1 District to an M1-4/R6A District property bounded by the westerly centerline prolongation of East 140th Street, Major Deegan Boulevard, a line 100 feet northerly of East 138th Street, and Major Deegan Expressway;
- 10. changing from an R6 District to an M1-4/R7A District property bounded by East 142nd Street, Morris Avenue, East 140th Street, and Rider Avenue;
- 11. changing from an M1-2 District to an M1-4/R7A District property bounded by:
 - a. East 144th Street, Morris Avenue, East 142nd Street, and Rider Avenue;
 - b. East 140th Street, Morris Avenue, a line 100 feet northeasterly of East 138th Street, and Rider Avenue; and
 - c. a line 75 feet southwesterly of 138th Street, Lincoln Avenue, Major Deegan Expressway, Rider Avenue and its southwesterly centerline prolongation, East 136th Street, and a line 100 feet northwesterly of Third Avenue;
- 12. changing from an M1-2 District to an M1-4/R7X District property bounded by Park Avenue, a line 150 feet northeasterly of East 138th Street, Canal Place, a line 100 feet northeasterly of East 138th Street, Morris Avenue, Third Avenue, Lincoln Avenue, a line 75 feet southwesterly of East 138th Street, Rider Avenue, and East 138th Street;

- 13. changing from an M2-1 District to an M1-4/R7X District property bounded by Park Avenue, East 138th Street, Rider Avenue, a line 75 feet southwesterly of East 138th Street, Canal Place, and a line 300 feet southwesterly of East 138th Street;
- 14. changing from a C4-4 District to an M1-4/R8A District property bounded by East 149th Street, Walton Avenue, a line midway between East 144th Street and East 146th Street, and Gerard Avenue;
- 15. changing from an M1-2 District to an M1-4/R8A District property bounded by East 149th Street, Gerard Avenue, a line midway between East 144th Street and East 146th Street, Walton Avenue, a line 200 feet southerly of East 144th Street, Gerard Avenue and its southerly centerline prolongation, and Major Deegan Boulevard;
- 16. changing from an M2-1 District to an M1-4/R8A District property bounded by Major Deegan Boulevard, the westerly centerline prolongation of East 140th Street, and Major Deegan Expressway;
- 17. establishing within a proposed R7-2 District a C2-4 District bounded by a line 190 feet southerly of a park*, Major Deegan Expressway, Park Avenue and its southwesterly and northeasterly centerline prolongations, and a U.S. Pierhead and Bulkhead Line;
- 18. establishing a Special Harlem River Waterfront District (HRW) bounded by East 149th Street, Major Deegan Expressway, Park Avenue and its southwesterly and northeasterly centerline prolongations, and a U.S. Pierhead and Bulkhead Line;
- 19. establishing a Special Mixed Use District (MX-13) bounded by:
 - a. East 149th Street, Walton Avenue, a line 100 feet northerly of East 138th Street, Major Deegan Expressway, Major Deegan Boulevard, the easterly centerline prolongation of East 149th Street, and the southerly centerline prolongation of River Avenue; and
 - b. East 146th Street, Canal Place, East 144th Street, Morris Avenue, Third Avenue, Lincoln Avenue, Major Deegan Expressway, Rider Avenue and its southwesterly centerline prolongation, East 136th Street, a line 100 feet northwesterly of Third Avenue, a line 75 feet southwesterly of East 138th Street, Canal Place, a line 300 feet southwesterly of East 138th Street, Park Avenue, East 138th Street, Park Avenue, a line 150 feet northeasterly of East 138th Street, Canal Place, a line 100 feet northeasterly of East 138th Street, Rider Avenue, a line 150 feet southwesterly of East 140th Street, Canal Place, East 144th Street, and Park Avenue;

Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only), dated February 2, 2009, and subject to the conditions of CEQR Declaration E-227.

*Note: a park is proposed to be established under a concurrent related application C 090166 MMX for a change in the City Map.

NOTICE

On Wednesday, April 1, 2009, at 10:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning adoption of zoning map and text amendments and amendments to the City Map for an area encompassing approximately 30 blocks, located in Community District 1 in the South Bronx. The proposed rezoning area is currently zoned M1-2, M2-1, C4-4 and R6. The proposed action would rezone the area to C4-4, C6-2A, M1-4/R8A, M1-4/R7X, M1-4/R7A, M1-4/R6A, M1-2, M1-4, and R7-2/C2-4. The proposed zoning text amendments would include zoning text amendments to establish a Special Mixed-Use District (MX), modify food store regulations within M1-4 districts in Bronx Community District 1, and make the provisions of the Inclusionary Housing program applicable within the proposed rezoning area. Text amendments are also proposed to establish a waterfront access plan and special district in the area located along the Harlem River waterfront within the proposed rezoning area. Comments are requested on the DEIS and will be accepted until Monday, April 13, 2009.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 08DCP071X.

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

IN REM FORECLOSURE RELEASE BOARD

MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT The In Rem Foreclosure Release Board will meet on Wednesday, April 1, 2009 at 9:30 A.M., 22 Reade Street, 2nd Floor Conference Room, 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, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay services.

m24-a1

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, **April 07, 2009** at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6355 - Block 221, lot 35-12-16 Vestry Street, aka 440-444 Canal Street - Tribeca North Historic District
A late nineteenth century commercial style warehouse with Romanesque Revival style elements designed by Charles Haight and built in 1882-83, and altered in 1925 with a new Canal Street façade. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-4018 - Block 181, lot 18-177 Franklin Street - Tribeca West Historic District
A neo-Grec style store and loft building designed by Robert Callick and built in 1890. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7418 - Block 498, lot 27-101 Spring Street - SoHo-Cast Iron Historic District
A cast iron store building with Classical and neo-Grec style details designed by N. Whyte and built in 1870-1871. Application is to install rooftop mechanical equipment, and modify storefront infill. Zoned M1-5B.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 09-7415 - Block 498, lot 27-101 Spring Street - SoHo-Cast Iron Historic District
A cast iron store building with Classical and neo-Grec style details designed by N. Whyte and built in 1870-1871. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7589 - Block 474, lot 14-53 Mercer Street - SoHo-Cast Iron Historic District
A brick store and loft building built in 1868. Application is to remove a fire-escape and install new storefront infill.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 09-7274 - Block 474, lot 14-53 Mercer Street - SoHo-Cast Iron Historic District
A brick store and loft building built in 1868. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6813 - Block 506, lot 12-40 Charlton Street- Charlton – King - Vandam Historic District
A Gothic style school building built in the 1920s. Application is to construct a barrier-free access ramp.

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

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-8507 - Block 635, lot 37-113-115 Bank Street - Greenwich Village Historic District
A pair of three-story houses built in 1857 and later converted for industrial use. Application is to enlarge a rooftop addition, install a chimney, and enlarge the areaway. Zoning R6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5877 - Block 743, lot 83-156 9th Avenue - Chelsea Historic District
A vernacular style rowhouse with a ground floor storefront

built in 1852. Application is to replace storefront infill. Zoned C2-6A.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-7587 - Block 1121, lot 25-15 West 68th Street - Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909-10. Application is to modify a window opening to accommodate an at-grade entrance.

MODIFICATION OF USE AND BULK
BOROUGH OF MANHATTAN 09-3804 - Block 1121, lot 25-15 West 68th Street - Upper West Side/Central Park West Historic District
A Beaux Arts style rowhouse designed by Buchman & Fox and built in 1909-10. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-8278 - Block 1205, lot 29-315 Central Park West - Upper West Side/Central Park West Historic District
A neo-Renaissance style apartment building designed by Schwartz and Gross and built in 1912-13. Application is to construct a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6640 - Block 1202, lot 41-22 West 89th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1894. Application is to construct a rear yard addition and relocate a window. Zoned R7-2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6320 - Block 1380, lot 23-753-759 Madison Avenue, aka 27-31 East 65th Street - Upper East Side Historic District
An apartment building designed by Anthony M. Pavia and built in 1959. Application is to legalize the installation of a storefront without Landmarks Preservation Commission permits and the installation of a storefront in non-compliance with Certificate of No Effect 08-8604.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5983 - Block 1404, lot 9-117 -119 East 69th Street - Upper East Side Historic District
A neo-Georgian style townhouse designed by Julius F. Gaynor and built in 1928-29. Application is to modify the rear facade.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-1195 - Block 1393, lot 33-878-888 Park Avenue, aka 61-71 East 78th Street - Upper East Side Historic District
A neo-Tudor style apartment building designed by Schwartz & Gross and built in 1926-1927. Application is to legalize the installation of through-the-wall air conditioners without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6711 - Block 1505, lot 11-17 East 93rd Street - Carnegie Hill Historic District
A Renaissance Revival style rowhouse designed by William Graul built in 1891-92, altered by Harry Silverman in 1939. Application is to alter the fenestration and areaway, replace windows, and construct rear yard and rooftop additions. Zoned R-8B [LH-1A].

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-2731 - Block 2059, lot 156-466 West 145th Street - Hamilton Heights Historic District
Extension
A Renaissance Revival style rowhouse designed by G. A. Schellenger and built in 1896. Application is to alter the areaway and entrance to accommodate a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-4201 - Block 2067, lot 10-469 West 152nd Street - Hamilton Heights/Sugar Hill Northwest Historic District
A Renaissance Revival style apartment house designed by John P. Leo and built in 1895. Application is to legalize the installation of windows without Landmarks Preservation Commission permits.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-6846 - Block 230, lot 15-112 Hicks Street - Brooklyn Heights Historic District
An eclectic style rowhouse built between 1880-1899. Application is to construct a rear yard addition. Zoned R6, LH-1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-7534 - Block 145, lot 35-503 Fulton Street - Offerman Building-Individual Landmark
A Romanesque Revival style commercial building designed by Peter J. Lauritzen and built between 1890 and 1893, with later alterations by Morris Lapidus in 1947. Application is to install storefront infill, lighting, and a marquee and to construct rooftop additions. Zoned C6-4.5.

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

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-3772 - Block 1915, lot 47-

254 Clinton Avenue - Clinton Hill Historic District
Originally a 19th century rowhouse, altered as a one-story institutional building by Henry McGill in 1940. Application is to demolish the existing building and construct a new gymnasium building. Zoned R6B.

m25-a7

BOARD OF STANDARDS AND APPEALS

PUBLIC HEARINGS

APRIL 7, 2009, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, April 7, 2009, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

111-71-BZ
APPLICANT – Walter T. Gorman, P.E., for Motiva Enterprises LLC, owner; Erol Bayrdktar, lessee.
SUBJECT – Application March 16, 2009 – Extension of Time/waiver to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station (Shell) with accessory convenience store, in a C2-2/R3-2 zoning district, which expired on October 16, 1997.
PREMISES AFFECTED – 185-25 North Conduit Avenue, northwest corner of Springfield Boulevard, Block 13094, Lot p/o 63, Borough of Queens.
COMMUNITY BOARD #12Q

301-03-BZ
APPLICANT – Law Office of Fredrick A. Becker, for Isabell Wassner and Leonard Wassner, owner.
SUBJECT – Application February 20, 2009 – Extension of Time/waiver to Complete Construction and obtain a Certificate of Occupancy of previously granted Special Permit (73-622) for the enlargement of single family home and an Amendment to modify the previously approved plans, in an R2 zoning district, which expired on January 13, 2008.
PREMISES AFFECTED – 1103 East 22nd Street, between Avenue J and Avenue K, Block 7604, Lot 31, Borough of Brooklyn.
COMMUNITY BOARD #14BK

APPEALS CALENDAR

180-08-A thru 184-08-A
APPLICANT – Tobias Guggenheimer Architect, P.C., for Schley Avenue Development, LLC, owner.
SUBJECT – Application July 10, 2008 – Proposed construction of Four three family homes and parking lot located within the bed of mapped street (Shore Drive) contrary to General City Law Section 35. C3A zoning district.
PREMISES AFFECTED – 3236, 3238, 3240, 3242 and 3244 Schley Avenue, south east corner of Schley Avenue and Clarence Avenue, Block 5490, Lot (tent.) 7, 108, 109, 110, 111, Borough of Bronx.
COMMUNITY BOARD #10BX

APRIL 7, 2009, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, April 7, 2009, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

237-08-BZ
APPLICANT – Sheldon Lobel, P.C., for Rocky Mount Baptist Church, owner; Rocky Mount Development, LLC., lessee.
SUBJECT – Application September 18, 2008 – Variance pursuant to §72-21 to allow for a 19 story community facility and residential building with 124 affordable units, contrary to bulk regulations (§23-145, 23-633, 24-552(b)) R7-2 District.
PREMISES AFFECTED – 37 Hillside Avenue, south side of Hillside Avenue, 450' east of the intersection of Broadway and Hillside Avenue, Block 2170, Lot 118, Borough of Manhattan.
COMMUNITY BOARD #12M

298-08-BZ
APPLICANT – Lewis E. Garfinkel, for Abraham Zlotnick, owner.
SUBJECT – Application December 4, 2008 – Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (23-141(a)) and less than the required rear yard (23-47) in an R-2 zoning district.
PREMISES AFFECTED – 1156 East 22nd Street, between Avenue J and Avenue K, Block 7603, Lot 81, Borough of Brooklyn.
COMMUNITY BOARD #14BK

308-08-BZ
APPLICANT – Davidoff Malito & Hutcher, LLP, for 201 East 67 LLC, owner; MonQi Fitness, lessee.
SUBJECT – Application October 17, 2008 – Special Permit (§73-36) to allow the legalization of an existing physical culture establishment located on the third through fifth floors in a five-story building. The proposal is contrary to ZR Section 32-00. C1-9 district.
PREMISES AFFECTED – 201 East 67th Street, northeast corner of the intersection of Third Avenue and East 67th Street, Block 1422, Lot 1, Borough of Manhattan.
COMMUNITY BOARD #8M

1-09-BZ
APPLICANT – The Law Office of Fredrick A. Becker, for 39-01 QB LLC c/o Rhodes Management, owner; TSI Sunnyside LLC dba New York Sports Club, lessee.
SUBJECT – Application January 2, 2009 – Special Permit (73-36) to allow the legalization of an existing physical

culture establishment on a portion of the ground floor in a three-story building. The proposal is contrary to ZR Section 42-00. M1-4 district.

PREMISES AFFECTED – 39-01 Queens Boulevard, northerly side of Queens Boulevard, easterly of 39th Street, Block 191, Lot 5, Borough of Queens.

COMMUNITY BOARD #2Q

Jeff Mulligan, Executive Director

m25-26

TRANSPORTATION

■ PUBLIC HEARINGS

Notice is hereby given, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, April 15, 2009. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing Museum of Arts and Design to construct, maintain and use 4 benches on the south sidewalk of Columbus Circle and 3 benches on the west sidewalk of Broadway at 2 Columbus Circle, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 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, 2019 - \$1050/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 proposed revocable consent authorizing 712 St. Nicholas Company Inc. to continue to maintain and use a fenced-in area on the east sidewalk of St. Nicholas Avenue, north of 145th Street, in the Borough of Manhattan. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2008 to June 30, 2019 - \$25/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.

#3 In the matter of a proposed revocable consent authorizing Joseph Jaffoni and Gerri Ann Stern Jaffoni to continue to maintain and use a stoop and a fenced-in area on the north sidewalk of West 12th Street, between Greenwich Street and Hudson Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

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

#4 In the matter of a proposed revocable consent authorizing American International Realty Corp. to continue to maintain and use a bridge over and across Pine Street, near Pearl Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$25,116
For the period July 1, 2010 to June 30, 2011 - \$25,848
For the period July 1, 2011 to June 30, 2012 - \$26,580
For the period July 1, 2012 to June 30, 2013 - \$27,312
For the period July 1, 2013 to June 30, 2014 - \$28,044
For the period July 1, 2014 to June 30, 2015 - \$28,776
For the period July 1, 2015 to June 30, 2016 - \$29,508
For the period July 1, 2016 to June 30, 2017 - \$30,240
For the period July 1, 2017 to June 30, 2018 - \$30,972
For the period July 1, 2018 to June 30, 2019 - \$31,704

the maintenance of a security deposit in the sum of \$31,789, and the filing of an insurance policy in the minimum amount of \$1,250,000/\$5,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$1,000,000.

#5 In the matter of a proposed revocable consent authorizing Two Little Hens Ltd. to maintain and use two benches on the west sidewalk of 8th Avenue, north of 12th Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2019 - \$300/annum

the maintenance of a security deposit in the sum of \$300, 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.

m25-a15

COMMUTER VAN SERVICE AUTHORITY

NOTICE IS HEREBY GIVEN THAT the Department of Transportation is conducting a public hearing on the expansion of vehicles of a Van Authority in the Borough of Queens. The van company requesting expansion is City Link Corp. The address is 144-50 177th Street, Springfield Gardens, NY 11434. The applicant currently utilizes 14 vans daily to provide service 24 hours a day.

There will be a public hearing on Tuesday, April 7, 2009 at the Queens Borough Hall, 120-55 Queens Blvd., Room 213, Part 2, Kew Gardens, New York 11424, from 2:00 P.M. - 4:00 P.M., so that you may have an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Bureau of Traffic Operations, 40 Worth Street, Room 1035, New York, NY 10013, no later than April 7, 2009. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed service will not meet present and/or future public convenience and necessity.

m23-27

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 09001 - S & T

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, April 1, 2009 (SALE NUMBER 09001-T). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: The auction scheduled for Wednesday, March 18, 2009 (Sale Number 09001-S) has been cancelled.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets). A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions>

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

m5-a1

POLICE

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

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

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

INQUIRIES

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

FOR MOTOR VEHICLES

(All Boroughs):

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

FOR ALL OTHER PROPERTY

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

j1-d31

■ AUCTION

PUBLIC AUCTION SALE NUMBER 1155

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is April 6, 2009 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks and vans will be auctioned on April 7, 2009 at approximately 9:30 A.M.

Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

m25-a7

PROCUREMENT

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

ADMINISTRATION FOR CHILDREN'S SERVICES

■ INTENT TO AWARD

Human/Client Service

EXTRAORDINARY NEEDS FOSTER SERVICES – Negotiated Acquisition – DUE 04-06-09 AT 10:00 A.M. – PIN# 06809NEGAQ02 - ENFC
PIN# 06809NEGAQ03 - ENFC
PIN# 06809NEGAQ05 - ENFC

To enter into negotiation with the three organizations cited below for the continued provision of extraordinary needs foster care service.

1. Devereux Foundation
2. Ferncliff Manor
3. Woods Services Inc.

In accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, ACS intends to use the negotiated acquisition process to extend the subject contracts' terms to ensure continuity of mandated services. The terms of the contracts are projected to be for one year, from July 1, 2009 to June 30, 2010. Suppliers may express interest in future procurements by contacting Rafael Asusta at ACS, Child Welfare Services Unit, 150 William Street, 9th Floor, New York, NY 10038, or by calling (212) 341-3511 between the hours of 10:00 A.M. and 4:00 P.M. on business days.

Negotiated Acquisition Extension.

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.
Rafael Asusta (212) 341-3511.

m23-27

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

FORKLIFT: 6,000 LBS AND 8,000 LBS PALLET TRUCK – Competitive Sealed Bids – PIN# 8570900890 – DUE 04-22-09 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, Room 1800, New York, NY 10007.
Jeanette Megna (212) 669-8610.

m26

■ AWARDS

Goods

IT COMPUTER SOFTWARE - NYPD – Intergovernmental Purchase – PIN# 8570900912 – AMT: \$390,500.00 – TO: Carahsoft Technology Corp., 1890 Preston White Dr., Reston, VA 20191. GSA Contract #GS-35F-0131R.

Suppliers wishing to be considered for a contract with the General Services Administration of the Federal Government are advised to contact the Small Business Utilization Center, Jacob K. Javits Federal Building, 26 Federal Plaza, Room 18-130, New York, NY 10278 or by phone: 212-264-1234.

m26

MCAFFEE NETWORKING EQUIPMENT - DOT – Intergovernmental Purchase – PIN# 8570900914 – AMT: \$244,600.00 – TO: Nexus Consortium Inc.,

1933 Highway 35 #356, Wall, NJ 07719.
NYS Contract #PT59096 and PS59097.

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

m26

STENOGRAPHIC REPORTING AND TRANSCRIPTION SERVICES – Competitive Sealed Bids – PIN# 857800430 – AMT: \$471,975.00 – TO: Five Star Reporting Services, DBA ADL Transcription Services, 3132 Union Blvd., East Islip, NY 11730.

m26

FILM, STRETCH WRAP – Competitive Sealed Bids – PIN# 857900426 – AMT: \$59,784.00 – TO: Preferred Plastics and Packaging Inc., 681 Main Street, Bldg. 42, Belleville, NJ 07109.

● **VACUUM CLEANER, BAGLESS, UPRIGHT, COMMERCIAL** – Competitive Sealed Bids – PIN# 857900066 – AMT: \$92,985.00 – TO: Edmar Cleaning Corp., DBA Edmar, 50-05 47th Avenue, Woodside, NY 11377.

m26

VENDOR LISTS

Goods

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

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

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

j4-jy17

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
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: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

j4-jy17

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

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

j4-jy17

CORRECTION

CENTRAL OFFICE OF PROCUREMENT

SOLICITATIONS

Services (Other Than Human Services)

SOFTWARE MAINTENANCE – Sole Source – Available only from a single source - PIN# 2-0405-0001/2009 – DUE 04-22-09 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.
Department of Correction, 17 Battery Place, 4th Floor New York, NY 10004. Arnold E. Martin (212) 487-7311.

m26-a1

DESIGN & CONSTRUCTION

SOLICITATIONS

Construction/Construction Services

LNCEA09MP, THE NEW YORK PUBLIC LIBRARY - LIBRARY SERVICES CENTER – Sole Source – Available only from a single source - PIN# 8502009LN0007P – DUE 04-07-09 AT 4:00 P.M. – The Department of Design and Construction intends to enter into a sole source contract with The New York Public Library for the above project LNCEA09MP. The contractor must have unique knowledge of the site, and must guarantee the assumption of all costs

above the estimated cost of construction. Any firm which believes that it is also qualified to provide these services or would like to provide such services in the future is invited to indicate by letter to: Department of Design and Construction, 30-30 Thomson Avenue, 5th Floor, Long Island City, New York 11101. Steven Wong, Program Director, (718) 391-2550, wongs@ddc.nyc.gov

m25-31

RECONSTRUCTION OF COLLAPSED OR OTHERWISE DEFECTIVE SANITARY, COMBINED OR STORM SEWERS, FORCE MAINS, DRAINAGE FACILITIES AND APPURTENANCES ON AN EMERGENCY BASIS IN ALL BOROUGHES – Request for Qualifications – PIN# 8502009SE0031C – DUE 05-04-09 AT 4:00 P.M. – PROJECT NO: SEC-20004N.

● **RECONSTRUCTION AND REPLACEMENT OF BROKEN WATER MAINS ON EMERGENCY BASIS, SYSTEM WIDE** – Request for Qualifications – PIN# 8502009WM0015C – DUE 05-04-09 AT 4:00 P.M. - PROJECT NO: GE-348.

Request pre-qualification forms, in person, Mr. Gurdip Saini, P.E., Assistant Commissioner, Infrastructure/Design, Department of Design and Construction, 30-30 Thomson Avenue, 3rd Floor, Long Island City, NY 11101.

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 Design and Construction
30-30 Thomson Avenue, 3rd Floor, Long Island City, NY 11101. Raj Bhatt (718) 391-2205.

m25-31

AGENCY CHIEF CONTRACTING OFFICER

SOLICITATIONS

Construction/Construction Services

LNCA09BPC, NYPL-BATTERY PARK BRANCH – Sole Source – Available only from a single source - PIN# 8502009LN0008P – DUE 04-07-09 AT 4:00 P.M. – The Department of Design and Construction intends to enter into a sole source contract with The New York Public Library (NYPL) for the above project. The contractor must have unique knowledge of the site, and must guarantee the assumption of all costs above the estimated cost of construction. Any firm which believes that it is also qualified to provide these services or would like to provide such services in the future is invited to indicate by letter to: Department of Design and Construction, 30-30 Thomson Avenue, 5th Floor, Long Island City, New York 11101. Steven Wong, Program Director, (718) 391-2550, wongs@ddc.nyc.gov

m25-31

RESIDENT ENGINEERING INSPECTION SERVICES FOR PRIOR NOTICE SIDEWALKS, QUEENS, MANHATTAN, THE BRONX, AND STATEN ISLAND – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 8502009HW0041-44P – DUE 04-27-09 AT 4:00 P.M. – HWS2009Q1, HWS2009M, HWS2009X, HWS2009R

For prior notice sidewalks for Queens, Manhattan, The Bronx, and Staten Island. All qualified and interested firms are advised to download the Request for Proposal at <http://ddcftp.nyc.gov/rfpweb/> from March 27, 2009 or contact the person listed for this RFP. The contract resulting from this Request for Proposal will be subject to Local Law 129 of 2005. Minority-Owned and Woman-Owned Business Enterprises (M/WBE) program. The submission deadline is indicated above.

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 Design and Construction
30-30 Thomson Avenue, 4th Floor, Long Island City, NY 11101. Belkis Palacios (718) 391-1866, palaciob@ddc.nyc.gov

m26

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

SOLICITATIONS

Human/Client Service

LEARNING-TO-WORK FOR TRANSFER SCHOOLS – Competitive Sealed Bids – PIN# R0745040 – DUE 04-16-09 AT 5:00 P.M. – The New York City Department of Education (NYCDOE) is seeking proposals from experienced organizations eligible to provide specialized support services to students who are over-age and under-credited in our secondary schools. The purpose is to provide direct services to students who need additional support in order to successfully complete appropriate academic requirements, as well as assisting the students in the development of career readiness skills and planning for post-secondary experiences.

Minimum Qualifications: - Proposer must be able to document at least three 3 years of successful experience working with large urban school districts and/or New York City public schools providing the specific type of services requested in this RFP.

- You must be a profit or non-profit organization. Individuals may not apply o You must provide the name and contacts that are reachable by the DOE, for at least three (3) references from organizations that paid you directly for your services. Additionally, please provide the dates, location, a brief description of the services that you provided and any outcomes or results

- Proposer must be located within the New York City Metropolitan/Tri-state area (approximately 25 miles to the city).

- Proposer must demonstrate evidence of experience. ie, DOE reserves right to not award based on insufficient evidence.

- Proposer's key professional school-based staff must possess, at minimum, a Bachelor's degree and have counseling or related youth development experience. Staff providing career exploration supports must also have experience in career skills development and/or employment placement. One

school-based staff member must have a Masters in counseling, social work or a related field.
- Proposer must list established linkages and/or collaborative relations with social service organization, i.e. legal services, health facilities, housing organizations, etc.
- Proposers must list established linkages and/or partnerships with private sector businesses and corporations.

There will be a pre-proposal conference at 1:00 P.M., on March 31, 2009, at Brooklyn Borough Hall, 209 Joralemon Street-1st Floor Community Room, Brooklyn, NY. If you cannot download this RFP, please send an e-mail to VendorHotline@schools.nyc.gov with the RFP number and title in the subject. For all questions related to this RFP, please send an e-mail to sstamo@schools.nyc.gov with the RFP's number and title in the subject line of your e-mail. There is a non-refundable fee of \$100.00, which is payable by all major credit cards.

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

Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Vendor Hotline (718) 935-2300
vendorhotline@schools.nyc.gov

m26

SOCIAL STUDIES PROFESSIONAL DEVELOPMENT AND DIRECT STUDENT SERVICES – Competitive Sealed Bids – PIN# 0702040 – DUE 04-20-09 AT 5:00 P.M. – The New York City Department of Education (NYCDOE) on behalf of the Division of Teaching and Learning seeks proposals from both qualified individuals and organizations experienced in providing professional development consultant services to teachers/administrators and instructional specialists engaged in one or both components:

- Component A: Professional Development
- Component B: Direct Student Services

The purpose of this PQS is continue to provide professional development and support in comprehensive social studies standards-based instruction for Kindergarten through 12th grade for teachers, teacher leaders, school and regional administrators. With the adoption of the Chancellor's Children First Initiative, NYC schools are required to deliver balanced and strategic standards-based Kindergarten -12th grade instruction. The New York State Regents' requirements for high school graduation, the promotional standards, the 5th and 8th grade assessments, and the New York State Learning Standards in Social Studies provide a necessary framework for the delivery of curriculum and instruction aligned to standards and assessments as well as a standards-based scope and sequence for learning. This solicitation is open indefinitely, however, to ensure that services are available for the 2010-2011 school year, you must submit your company's proposal no later than: April 20th, 2009 by 5:00 P.M.

There will be a pre-proposal conference on April 1st, 2009 from 10:00 A.M. - 12:00 P.M. at 65 Court Street, Room 1701, Brooklyn, NY 11201. If you cannot download this PQS, please send an e-mail to VendorHotline@schools.nyc.gov with the PQS number and title in the subject. For all questions related to this PQS, please send an e-mail to XCerda@schools.nyc.gov with the PQS's number and title in the subject line of your e-mail. There is a non-refundable fee of \$50.00, which is payable by all major credit cards.

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

Department of Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Vendor Hotline (718) 935-2300
vendorhotline@schools.nyc.gov

m26

ENVIRONMENTAL PROTECTION

INTENT TO AWARD

Goods & Services

PREVENTIVE MAINTENANCE, REPAIRS AND PARTS FOR MICRO-FILTRATION UNITS – Sole Source – Available only from a single source - PIN# 8269013499 – DUE 04-10-09 AT 11:00 A.M. – The Department of Environmental Protection / Bureau of Water Supply intends to enter into a sole source agreement with Siemens Water Technologies for preventive maintenance, repairs and parts contract for micro-filtration units. Any firm which believes they can also provide the required services and parts is invited to do so by mail, which must be received no later than April 10, 2009 to the attention of Ira M. Elmore, Deputy Agency Chief Contracting Officer.

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

Department of Environmental Protection
59-17 Junction Blvd., 17th Floor, Flushing, NY 11373.
Ira Elmore (718) 595-3259, irae@dep.nyc.gov

m23-27

BUREAU OF WATER SUPPLY

SOLICITATIONS

Services (Other Than Human Services)

CAT-380: YEAR-ROUND SNOW REMOVAL AND SANDING AND MAINTENANCE – Government to Government – PIN# 82609WS00035 – DUE 04-10-09 AT 4:00 P.M. – DEP intends to enter into an Agreement with Ulster County for CAT-380: YEAR-ROUND SNOW REMOVAL and SANDING and MAINTENANCE. The county shall perform and/or coordinate the performance of road maintenance activities on certain roads and bridges around the City's reservoirs in the County, except as shall be part of any state route, year-round, whenever necessary to provide reasonable passage and movement of vehicles over such roads and bridges in a safe manner, as required of the City by the City Administrative Code and the MOA. Any firm which believes it can also provide the required service is invited to so, indicate by letter which must be received no later than April 10, 2009, 4:00 pm at: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373. Debra Butlien (718) 595-3423, dbutlien@dep.nyc.gov

m25-31

WATER SUPPLY & QUALITY**■ SOLICITATIONS***Construction Related Services*

CORRECTION: RE-BID: KENSICO STORMWATER IMPROVEMENTS, WESTCHESTER COUNTY, UPSTATE NEW YORK – Competitive Sealed Bids – PIN# 82609WS00018 – DUE 04-09-09 AT 11:30 A.M. – CORRECTION: RE-BID: Contract CRO-498: Document Fee \$40.00. There will be a pre-bid conference on 3/26/09 at 10:00 A.M. at 465 Columbus Avenue, Valhalla, Conference Room, 3rd Floor EOC Conference Room. Jose Nieves, Project Manager, (914) 742-2827. This contract is subject to Local Law 129 M/WBE Requirements. Be advised that the following bid solicitation for heavy construction includes an apprenticeship participation requirement. Vendor ID#: 57247.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Elmhurst, New York 11373. Greg Hall (718) 595-3236, gregh@dep.nyc.gov

m26

HEALTH AND HOSPITALS CORPORATION

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

j1-d31

■ SOLICITATIONS*Goods*

FURNISH KOLDWAVE AIR CONDITIONING UNIT 16,000 BTU – Competitive Sealed Bids – PIN# 22209109 – DUE 04-09-09 AT 3:00 P.M. – In addition to the Koldwave Air conditioning Unit 16,000 BTU 115V/1ph Model #: 4WK16A. (2.) Koldwave - 10' Hose Kits Model #: 99.0005.11.

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, Room 2A2, Bronx, NY 10451. Junior Cooper (718) 579-5096, junior.cooper@nychhc.org

m26

Goods & Services

SPORT PACK FOR HEALTHY LIFE STYLE BACK PACK – Competitive Sealed Bids – PIN# 22209108 – DUE 04-10-09 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Lincoln Hospital Center, 234 East 149th Street, Bronx, NY 10451. Dorothy Barnes (718) 579-5021.

m26

Construction Related Services

PEDIATRICS 5B IN-PATIENT RENOVATION (RE-BID) – Competitive Sealed Bids – PIN# 37200707 – DUE 04-14-09 AT 1:30 P.M. – Metropolitan Hospital Center, Renovation of 5B Pediatrics In-Patient, New York. Bid document fee \$50.00 per set (check or money order), non-refundable.

Contract #1 - General Construction Work - \$865K - \$1.06M, and required goals are MBE 13 percent and WBE 17 percent.
Contract #2 - Plumbing Work - \$430K - 530K, and required goals are MBE 25 percent and WBE 5 percent.
Contract #3 - Electrical Work - \$430K - 530K, and required goals are MBE 23 percent and WBE 7 percent.
Contract #4 - Mechanical/Sprinkler Work - \$430K - \$530K, and required goals are MBE 20 percent and WBE 10 percent.

Requires trade licenses (where applicable). Under Article 15A of the State of New York, the following M/WBE goals apply to each contract as stated. These goals apply to any bid submitted of \$100,000 or more. Bidders not complying with these terms may have their bids declared non-responsive.

Mandatory pre-bid meeting/site tours are scheduled for Wednesday, 04/01/09 and Thursday, 4/02/09 at 10:00 A.M. on both days at Metropolitan Hospital Center, 1901 First Avenue on 97th Street, Conference Room 7A11.

Technical questions must be submitted in writing, by email or fax no later than close business day of Wednesday, April 8, 2009 to Emmanuel O. Obadina, fax (212) 442-3851.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Hospitals Corporation, 346 Broadway, 12 West, New York, NY 10013. Emmanuel Obadina (212) 442-3680, emmanuel.obadina@nychhc.org

m26

HOMELESS SERVICES**OFFICE OF CONTRACTS AND PROCUREMENT****■ SOLICITATIONS***Human/Client Service*

TRANSITIONAL RESIDENCES FOR HOMELESS/DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. –

The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004. Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY**■ SOLICITATIONS***Construction/Construction Services*

RESTORATION OF MASONRY WALL AND STEEL BAR FENCE AT SOUTH BRONX AREA (SITE AREA 402) – Competitive Sealed Bids – PIN# ST8016625 – DUE 04-06-09 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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

m23-27

ELEVATOR REHABILITATION AND MAINTENANCE AND SERVICE FOR TWENTY-SIX (26) ELEVATORS AT SUMNER HOUSES AND ONE (1) ELEVATOR AT BEDFORD STUYVESANT REHAB. – Competitive Sealed Bids – PIN# EV9003424 – DUE 04-02-09 AT 10:30 A.M.
● ELEVATOR REHABILITATION AND MAINTENANCE AND SERVICE FOR TEN (10) ELEVATORS AT TAYLOR-WYTHE HOUSES – Competitive Sealed Bids – PIN# EV9003234 – DUE 04-02-09 AT 10:00 A.M.

Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M. for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

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

m23-27

Goods & Services

PLUMBING CONTRACT AT 1925 UNIVERSITY AVENUE – Competitive Sealed Bids – PIN# 032409 – DUE 04-22-09 AT 10:00 A.M. – No vendor shall be permitted to bid without first obtaining the RFP at Grenadier Realty Corp., 155 Elmira Loop, Brooklyn, NY 11239, from Brenda Williams, (718-240-4664.) Documents will be available from March 30, 2009 through April 10, 2009. A mandatory pre-bid conference will be held at 1925 Harrison Avenue, Bronx, NY 10435, on April 14th at 10:00 A.M. No fee for this RFP. This is a prevailing wage rate project. GRC/NYCHA-UAC and MB 1 encourages minority and WBE organizations to submit bids.

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, 250 Broadway, 10th Floor, NY, NY 10007. Brenda Williams (718) 240-4664, builliams@grcrealty.com

m26

PURCHASING DIVISION**■ SOLICITATIONS***Goods*

DANDUX: CANVAS HAND TRUCKS, REPL. LINERS – Competitive Sealed Bids – RFQ #6510 JG – DUE 04-14-09 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.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY: http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Joseph Gross (718) 707-5462.

m26

PARKS AND RECREATION**CAPITAL PROJECTS DIVISION****■ SOLICITATIONS***Construction Related Services*

ARCHITECTURAL DESIGN SERVICES – Other – PIN# 8462008C000D01-8 – DUE 03-27-09 AT 10:00 A.M. – The Agency has determined that a minor rule violation has occurred in the procurement of the architectural design services RFP for construction and reconstruction of various parks buildings and facilities citywide by not requesting permission to use the randomized evaluation process from

the Mayor's Office of Contract Services prior to the issuance of the RFP.

The Agency will use the randomized evaluation process instead of one group of evaluators because of the large volume of proposals received. The pool of evaluators will consist of 3 panels of 3 evaluators each.

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 61 Flushing Meadows-Corona Park, Flushing, NY 11368. Grace Fields-Mitchell (718) 760-6687 grace.fields-mitchell@parks.nyc.gov

m26

CONTRACT ADMINISTRATION**■ SOLICITATIONS***Construction/Construction Services*

CORRECTION: RECONSTRUCTION OF THE SITTING AREA IN CHARLTON GARDEN – Competitive Sealed Bids – PIN# 8462009X086C02 – DUE 04-16-09 AT 10:30 A.M. – CORRECTION: Located between East 164th Street and Teasdale Place, Boston Rd. and Cauldwell Avenue, The Bronx, known as Contract #X086-108M. Vendor Source ID#: 58675. This procurement is subject to participation goals for MBEs and/or WBEs as required by Local Law 129 of 2005.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, Olmsted Center, Room 64 Flushing Meadows Corona Park, Flushing, NY 11368. Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov Olmsted Center, Room 5, Design Conference Room Flushing Meadows-Corona Park, Flushing, NY 11368.

m26

REVENUE AND CONCESSIONS**■ SOLICITATIONS***Services (Other Than Human Services)*

RENOVATION, OPERATION, AND MAINTENANCE OF THREE (3) SNACK BARS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# X39-SBS – DUE 04-13-09 AT 3:00 P.M. – Located at Orchard Beach, Pelham Bay 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. Alexander Han (212) 360-1397, alexander.han@parks.nyc.gov

m20-a2

RENOVATION, OPERATION AND MAINTENANCE OF THE CAROUSEL AND SNACK BAR – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q15-B-CL SB – DUE 04-20-09 AT 3:00 P.M. – In Forest Park, Queens. 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. Evan George (212) 360-3495, evan.george@parks.nyc.gov

m16-27

DEVELOPMENT, MAINTENANCE, AND OPERATION OF AN INDOOR TENNIS CONCESSION – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10-IT – DUE 05-04-09 AT 3:00 P.M. – At Central Park. 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. Glenn Kaalund (212) 360-1397, glenn.kaalund@parks.nyc.gov

m19-a1

POLICE**EQUIPMENT SECTION****■ SOLICITATIONS***Goods*

COLLAR INSIGNIAS NUMERALS AND/OR LETTERS (20,000/30,000) – Competitive Sealed Bids – PIN# 05609ES00004 – DUE 04-08-09 AT 11:00 A.M.

● TROUSERS AND POLO SHIRTS/LONG SLEEVE AND SHORT SLEEVE – Competitive Sealed Bids – PIN# 05609ES00005 – DUE 04-15-09 AT 11:00 A.M.

All potential vendors who wish to bid are required to enclose one (1) sample each of the specified finished garment made according to attached NYPD specifications along with a certified check for \$5,000.00 made payable to the Police Commissioner, City of New York. Failure to submit samples and certified check will result in rejection of bid.

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.
Police Department, One Police Plaza, Room 110B, New York, NY 10038. Sgt. G. Molloy (646) 610-5940.
NYPD CAU, 51 Chambers Street, Room 310, New York, NY 10007.

m26

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

FLOOD ELIMINATION AND REPAIR STAIRWELL –

Competitive Sealed Bids – PIN# SCA09-004456-1 – DUE 04-13-09 AT 10:00 A.M. – Stevenson H.S. (Bronx), Flood Elimination and Repair Stairwells. Project Range: \$2,230,000.00 to \$2,352,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

● INTERNET PROTOCOL DIGITAL VIDEO SURVEILLANCE – Competitive Sealed Bids –

PIN# SCA09-12603D-1 – DUE 04-15-09 AT 11:30 A.M. – Six Various Schools in Manhattan, Internet Protocol Digital Video Surveillance. Project Range: \$1,650,000.00 to \$1,733,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Anthony Largie (718) 752-5842 alargie@nycsca.org

m25-31

FLOOR RECONSTRUCTION – Competitive Sealed Bids –

PIN# SCA09-12382D-1 – DUE 04-15-09 AT 11:00 A.M. – PS 213 (Brooklyn). Project Range: \$1,060,000.00 to \$1,121,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360 kidlett@nycsca.org

m25-31

EXTERIOR MASONRY AND PARAPETS – Competitive

Sealed Bids – PIN# SCA09-10936D-1 – DUE 04-09-09 AT 11:00 A.M. – PS 123 (Queens). Project Range: \$3,470,000.00 to \$3,660,000.00 Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Kevantae Idlett (718) 472-8360 kidlett@nycsca.org

m20-26

IP SURVEILLANCE CAMERA – Competitive Sealed Bids –

PIN# SCA09-12291D-1 – DUE 04-14-09 AT 10:00 A.M. – Project Range: \$2,580,000.00 to \$2,713,000.00. NYC School Construction Authority, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Stacia Edwards (718) 752-5849 sedwards@nycsca.org

m26-a1

IP SURVEILLANCE CAMERA – Competitive Sealed Bids –

PIN# SCA09-12295D-1 – DUE 04-13-09 AT 2:30 P.M. – Project Range: \$1,950,000.00 to \$2,052,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Stacia Edwards (718) 752-5849 sedwards@nycsca.org

m25-31

GYMNASIUM UPGRADE – Competitive Sealed Bids – PIN# SCA09-12371D-1 – DUE 04-14-09 AT 10:30 A.M. – Hillcrest High School (Queens). Project Range: \$1,870,000.00 to \$1,970,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843 rsingh@nycsca.org

m25-31

EXTERIOR MASONRY/ELECTRICAL SYSTEMS –

Competitive Sealed Bids – PIN# SCA09-12191D-1 – DUE 04-13-09 AT 10:00 A.M. – Project Range: \$2,740,000.00 to \$2,890,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Stacia Edwards (718) 752-5849 sedwards@nycsca.org

m25-31

CORRIDOR FLOORS – Competitive Sealed Bids –

PIN# SCA09-11680D-1 – DUE 04-10-09 AT 11:30 A.M. – PS 28 (Bronx). Project Range: \$1,040,000.00 to \$1,100,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Rookmin Singh (718) 752-5843 rsingh@nycsca.org

m23-27

BUREAU OF CONTRACTS AND SERVICES

■ SOLICITATIONS

Construction / Construction Services

ELECTRICAL SYSTEMS UPGRADE – Competitive

Sealed Bids – PIN# SCA09-12186D-1 – DUE 04-13-09 AT 11:00 A.M. – J.H.S. 232 (Brooklyn). Project Range: \$1,180,000.00 to \$1,250,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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

School Construction Authority, 30-30 Thomson Avenue Long Island City, NY 11101. Lily Persaud (718) 752-5852 lpersaud@nycsca.org

m25-31

WINDOW REPLACEMENT – Competitive Sealed Bids –

PIN# SCA09-12238D-1 – DUE 04-08-09 AT 10:30 A.M. – PS 174 (Queens). Project Range: \$1,270,000.00 to \$1,341,000.00. Non-refundable bid document charge: \$100.00.

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

School Construction Authority, 30-30 Thomson Avenue First Floor, Long Island City, NY 11101. Ricardo Forde (718) 752-5288, rforde@nycsca.org

m20-26

SPECIAL MATERIALS

LABOR RELATIONS

■ NOTICE

Inspectors (Highways & Sewers), et al. 2008 -2010 Agreement

AGREEMENT entered into this 24th day of **February 2009**, by and between the **City of New York** and related public employers pursuant to and limited to their respective elections or statutory requirement to be covered by the New York City Collective Bargaining Law and their respective authorizations to the City to bargain on their behalf (hereinafter referred to jointly as the **“Employer”**), and **Laborers International Union of North America, Pavers and Road Builders District Council (Local 1042)** (hereinafter referred to as the **“Union”**), for the twenty-four (24) month period **October 15, 2008 to October 14, 2010.**

WITNESSETH:

WHEREAS, the parties hereto have entered into collective bargaining and desire to reduce the results thereof to writing,

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE I - UNION RECOGNITION AND UNIT DESIGNATION

Section 1.

The Employer recognizes the Union as the sole and exclusive collective bargaining representative for the bargaining unit set forth below, consisting of employees of the Employer, wherever employed, whether full-time, part-time per annum, hourly or per diem, in the below listed title(s), and in any successor title(s) that may be certified by the Board of Certification of the Office of Collective Bargaining to be part of the unit herein for which the Union is the exclusive collective bargaining representative and in any positions in Restored Rule X titles of the Classified Service the duties of which are or shall be equated by the City Personnel Director and the Director of the Budget for salary purposes to any of the below listed title(s):

- 31626 Highways and Sewers Inspector
- 31645 Associate Inspector (Highways & Sewers)
- 35007 Apprentice Inspector (Highways & Sewers)
- 33765 Service Inspector (DOT)
- 33766 Senior Service Inspector

Section 2.

The terms “Employee” and “Employees” as used in this Agreement shall mean only those persons in the unit described in Section 1 of this Article.

ARTICLE II - DUES CHECKOFF

Section 1.

- a. The Union shall have the exclusive right to the checkoff and transmittal of dues on behalf of each Employee in accordance with the Mayor’s Executive Order No. 98, dated May 15, 1969, entitled “Regulations Relating to the Checkoff of Union Dues” and in accordance with the Mayor’s Executive Order No. 107, dated December 29, 1986, entitled “Procedures for Orderly Payroll Check-Off of Union Dues and Agency Shop Fees.”
- b. Any Employee may consent in writing to the authorization of the deduction of dues from the Employee’s wages and to the designation of the Union as the recipient thereof. Such consent, if given, shall be in a proper form acceptable to the City, which bears the signature of the Employee.

Section 2.

The parties agree to an agency shop to the extent permitted by applicable law, as described in a supplemental agreement hereby incorporated by reference into this Agreement.

ARTICLE III - SALARIES

Section 1.

- a. This Article III is subject to the provisions, terms and conditions of the Alternative Career and Salary Pay Plan Regulations, dated March 15, 1967 as amended, except that the specific terms and conditions of this Article shall supersede any provisions of such Regulations inconsistent with this Agreement subject to the limitations of applicable provisions of law.
- b. Unless otherwise specified, all salary provisions of this Agreement, including minimum and maximum salaries, advancement or level increases, general increases, education differentials and any other salary adjustments, are based upon a normal work week of 35 hours. In accordance with Article IX, Section 24 of the 1995–2001 Citywide Agreement, an Employee who works on a full-time, per-diem basis shall receive their base salary (including salary increment schedules) and/or additions-to-gross payment in the same manner as a full-time, per-annum employee. An Employee who works on a part-time per annum basis and who is eligible for any salary adjustments provided in this Agreement shall receive the appropriate pro-rata portion of such salary adjustment computed on the relationship between the number of hours regularly worked each week by such employee and the number of hours in the said normal work week, unless otherwise specified.
- c. Employees who work on a part-time per diem or hourly basis and who are eligible for any salary adjustment provided in this Agreement shall receive the appropriate pro-rata portion of such salary adjustment computed as follows, unless otherwise specified:

- Per Diem Rate - 1/261 of the appropriate minimum basic salary.
- Hourly Rate - 40 hour week basis - 1/2088 of the appropriate minimum basic salary.
- 35 hour week basis - 1/1827 of the appropriate minimum basic salary.

- d. The maximum salary for a title shall not constitute a bar to the payment of any salary adjustment or pay differentials provided for in this Agreement but the said increase above the maximum shall not be deemed a promotion.

Section 2.

Employees in the following title (s) shall be subject to the

following specified salary adjustment(s) and/or salary range(s):

a. Effective October 15, 2008

TITLE	i. Minimum*		ii. Maximum
	(1) Hiring Rate	(2) Incumbent Rate	
Apprentice Inspector (Highways/Sewers)			
Minimum	\$26,770	\$30,785	
After 1 yr.	\$29,083	\$33,445	
After 2 yrs.		\$36,167	
After 3 yrs.		\$39,120	
After 4 yrs.		\$42,069	
Associate Inspector (Highways/Sewers)			
Level I	\$50,839	\$58,465	\$72,503
Level II	\$56,586	\$65,074	\$79,730
Highways and Sewers Inspector	\$45,923	\$52,812	\$65,200
Service Inspector (DOT)	\$29,596	\$34,035	\$41,105
Senior Service Inspector	\$33,370	\$38,376	\$45,388

b. Effective October 15, 2009

TITLE	i. Minimum*		ii. Maximum
	(1) Hiring Rate	(2) Incumbent Rate	
Apprentice Inspector (Highways/Sewers)			
Minimum	\$27,840	\$32,016	
After 1 yr.	\$30,246	\$34,783	
After 2 yrs.		\$37,614	
After 3 yrs.		\$40,685	
After 4 yrs.		\$43,752	
Associate Inspector (Highways/Sewers)			
Level I	\$52,873	\$60,804	\$75,403
Level II	\$58,850	\$67,677	\$82,919
Highways and Sewers Inspector	\$47,760	\$54,924	\$67,808
Service Inspector (DOT)	\$30,779	\$35,396	\$42,749
Senior Service Inspector	\$34,705	\$39,911	\$47,204

NOTES:

Employees hired on or after 10/15/08 and 10/15/09 shall be paid the hiring rates in effect on 10/15/08 and 10/15/09. Upon completion of two (2) years of active or qualified inactive service, such employee shall be paid the indicated "minimum" for the applicable title that is in effect on the two year anniversary of their original appointment as set forth in the applicable Successor Separate Unit Agreement. In no case shall an employee receive less than the stated hiring rate.

Section 3. General Wage Increase

- a. The general increases, effective as indicated, shall be:
 - i. Effective October 15, 2008, Employees shall receive general increase of 4 percent.
 - ii. Effective October 15, 2009, Employees shall receive general increase of 4 percent.
 - iii. Part-time per annum, per session, hourly paid and part time per diem Employees (including seasonal appointees) and Employees whose normal work year is less than a full calendar year shall receive the increases provided in subsection 3(a)(i) on the basis of computations heretofore utilized by the parties for all such Employees.
- b. The general increases provided for in Section 3(a) shall be calculated as follows.
 - i. The general increase in Section 3(a)(i) shall be based upon the base rates (including salary or incremental salary schedules) of the applicable titles in effect on October 14, 2008.
 - ii. The general increase in Section 3(a)(ii) shall be based upon the base rates (including salary or incremental salary schedules) of the applicable titles in effect on October 14, 2009.
- c.
 - i. The general increases provided for in this Section 3 shall be applied to the base rates, incremental salary levels and the minimum "hiring rates," minimum "incumbent rates" and maximum rates (including levels), if any, fixed for the applicable titles.
 - ii. The general increases provided for in this Section 3 shall not be applied to the following "additions to gross:" advancement increases, assignment (level) increases and longevity differentials.

Section 4. New Hires

- a. For the purposes of Sections 4(b) and 4(c), employees 1) who were in active pay status before October 15, 2008, and 2) who are affected by the following personnel actions after said date shall not be treated as "newly hired" employees and shall be entitled to receive the indicated minimum "incumbent rate" set forth in subsection 2(a)(i)(2) of this Article III:
 - i. Employees who return to active status from an approved leave of absence.

- ii. Employees in active status (whether full or part-time) appointed to permanent status from a civil service list, or to a new title (regardless of jurisdictional class or civil service status) without a break in service of more than 31 days.
 - iii. Employees who were laid off or terminated for economic reasons who are appointed from a recall/preferred list or who were subject to involuntary redeployment.
 - iv. Provisional employees who were terminated due to a civil service list who are appointed from a civil service list within one year of such termination.
 - v. Permanent employees who resign and are reinstated or who are appointed from a civil service list within one year of such resignation.
 - vi. Employees (regardless of jurisdictional class or civil service status) who resign and return within 31 days of such resignation.
 - vii. A provisional employee who is appointed directly from one provisional appointment to another.
 - viii. For employees whose circumstances were not anticipated by the parties, the First Deputy Commissioner of Labor Relations is empowered to issue, on a case-by-case basis, interpretations concerning application of this Section 4. Such case-by-case interpretations shall not be subject to the dispute resolution procedures set forth in Article VI of this Agreement.
- b.
 - i. For a title subject to an incremental pay plan, the employee shall be paid the appropriate increment based upon the employee's length of service. Section 2 of this Article III reflects the correct amounts and has been adjusted in accordance with the provisions of Sections 3(b)(i) and (ii) of this Article III.
 - ii. Employees who change titles or levels before attaining one year of service will be treated in the new title or level as if they had been originally appointed to said title or level on their original hiring date.
 - c. The following provisions shall apply to Employees newly hired on or after October 15, 2008:
 - i. During the first two (2) years of service, the "appointment rate" for a newly hired employee shall be fifteen percent (15%) less than the applicable "incumbent minimum" for said title that is in effect on the date of such appointment as set forth in this Agreement. The general increases provided for in subsections 3(a)(i) and (ii) shall be applied to the "appointment rate."
 - ii. Upon completion of two (2) years of service such employees shall be paid the indicated "incumbent minimum" for the applicable title that is in effect on the two (2) year anniversary of their original date of appointment as set forth in this Agreement.
 - d. The First Deputy Commissioner of Labor Relations may, after notification to the affected union(s), exempt certain hard to recruit titles from the provisions of subsections 4(b) and 4(c).

Section 5.

Each general increase provided herein, effective as of each indicated date, shall be applied to the rate in effect on the date as specified in Section 3 of this Article. In the case of a promotion or other advancement to the indicated title on the effective date of the general increase specified in Section 3 of this Article, such general increase shall not be applied, but the general increase, if any, for the title formerly occupied, effective on the date indicated shall be applied.

Section 6.

In the case of an Employee on leave of absence without pay the salary rate of such Employee shall be changed to reflect the salary adjustments specified in Article III.

Section 7.

A person permanently employed by the Employer who is appointed or promoted on a permanent, provisional, or temporary basis in accordance with the Title 59, Appendix A of the Rules of the City of New York (City Personnel Director Rules) or, where Title 59, Appendix A is inapplicable to a public employer, such other Rules or Regulations as are applicable to the public employer, without a break in service to any of the following title(s) from another title in the direct line of promotion or from another title in the Career and Salary Plan, the minimum rate of which is exceeded by at least 8 percent by the minimum rate of the title to which appointed or promoted, shall receive upon the date of such appointment or promotion either the minimum basic salary for the title to which such appointment or promotion is made, or the salary received or receivable in the lower title plus the specified advancement increase, whichever is greater:

Advancement Increases

Title	Effective
Associate Inspector (Highways & Sewers)	10/15/08 \$1,180

Section 8. Assignment Level Increase

An Employee assigned to Assignment Level II, Associate Inspector (Highways & Sewers), shall receive as of the effective date of such assignment either the appointment rate

for the assigned level or the rate received in the former assignment level plus the amount indicated below, whichever is greater.

Effective
10/15/08
\$1,323

Note: Level Increase – Denotes payment due to assignment to a higher level within a title.

Section 9. Longevity Increment

- a. Employees with 15 years or more of "City" service in pay status who are not in a title already eligible for a longevity differential or service increment established by the Salary Review or Equity Panel shall receive a longevity increment of \$500 per annum.
- b. The rules for eligibility for the longevity increment described above in subsection a, shall be set forth in Appendix A of this Agreement and are incorporated by reference herein.

Section 10. Longevity Differential

The longevity differential for Employees with the specified years of City service in pay status shall receive the pro-rata annual amount set forth below. Eligible Employees shall begin to receive such pro-rata payment on their anniversary date.

	10/15/08
5 years or more	\$869
10 years or more	\$1,834

Note: Longevity Differentials become pensionable when they have been received by an employee for 2 years.

ARTICLE IV - WELFARE FUND

Section 1.

- a. In accordance with the election by the Union pursuant to the provisions of Article XIII of the Citywide Agreement between the City of New York and related public employers and District Council 37, AFSCME, AFL-CIO, the Welfare Fund provisions of the 1995-2001 Citywide Agreement, as amended or any successor agreement(s) thereto, shall apply to Employees covered by this Agreement.
- b. When an election is made by the Union pursuant to the provisions of Article XIII, Section 1b, of the Citywide Agreement between the City of New York and related public employers and District Council 37, AFSCME, AFL-CIO, the provisions of Article XIII, Section 1 b of the 1995-2001 Citywide Agreement, as amended or any successor agreement (s) thereto, shall apply to Employees covered by this Agreement, and when such election is made, the Union hereby waives its right to training, education and/or legal services contributions provided in this Agreement, if any. In no case shall the single contribution provided in Article XIII, Section 1 (b) of the 1995-2001 Citywide Agreement, as amended or any successor agreement(s) thereto, exceed the total amount that the Union would have been entitled to receive if the separate contributions had continued.

Section 2.

The Unions agree to provide welfare fund benefits to domestic partners of covered employees in the same manner as those benefits are provided to spouses of married covered employees.

Section 3.

In accordance with the Health Benefits Agreement dated January 11, 2001, each welfare fund shall provide welfare fund benefits equal to the benefits provided on behalf of an active employee to widow(er)s, domestic partners and/or children of any employee who dies in the line of duty as that term is referenced in Section 12-126(b)(2) of the New York City Administrative Code. The cost of providing this benefit shall be funded by the Stabilization Fund.

ARTICLE V - PRODUCTIVITY AND PERFORMANCE

Introduction

Delivery of municipal services in the most efficient, effective and courteous manner is of paramount importance to the Employer and the Union. Such achievement is recognized to be a mutual obligation of both parties within their respective roles and responsibilities. To achieve and maintain a high level of effectiveness, the parties hereby agree to the following terms:

Section 1. Performance Levels

- a. The Union recognizes the Employer's right under the New York City Collective Bargaining Law to establish and/or revise performance standards or norms notwithstanding the existence of prior performance levels, norms or standards. Such standards, developed by usual work measurement procedures, may be used to determine acceptable performance levels, to prepare work schedules and to measure the performance of each Employee or group of Employees. Notwithstanding the above, questions, concerning the practical impact that decisions on the above matters have on employees are within the scope of collective bargaining. The Employer will give the Union prior notice of the establishment and/or revision of performance standards or norms hereunder.

- b. Employees who work at less than acceptable levels of performance may be subject to disciplinary measures in accordance with applicable law.

Section 2. Supervisory Responsibility

- a. The Union recognizes the Employer's right under the New York City Collective Bargaining Law to establish and/or revise standards for supervisory responsibility in achieving and maintaining performance levels of supervised employees for Employees in supervisory positions listed in Article I, Section 1, of this Agreement. Notwithstanding the above, questions concerning the practical impact that decisions on the above matters have on employees are within the scope of collective bargaining. The Employer will give the Union prior notice of the establishment and/or revision of standards for supervisory responsibility hereunder.

- b. Employees who fail to meet such standards may be subject to disciplinary measures in accordance with applicable law.

Section 3. Performance Compensation

The Union acknowledges the Employer's right to pay additional compensation for outstanding performance.

The Employer agrees to notify the Union of its intent to pay such additional compensation.

ARTICLE VI - GRIEVANCE PROCEDURE

Section 1. Definition:

The term "Grievance" shall mean:

- a. A dispute concerning the application or interpretation of the terms of this Agreement;
- b. A claimed violation, misinterpretation or misapplication of the rules or regulations, *written* policy or orders of the Employer applicable to the agency which employs the grievant affecting terms and conditions of employment; provided, disputes involving the Personnel Rules and Regulations of the City of New York shall not be subject to the grievance procedure or arbitration;
- c. A claimed assignment of Employees to duties substantially different from those stated in their job specifications;
- d. A claimed improper holding of an open-competitive rather than a promotional examination;
- e. A claimed wrongful disciplinary action taken against a permanent Employee covered by Section 75(1) of the Civil Service Law upon whom the agency head has served written charges of incompetence or misconduct while the Employee is serving in the Employee's permanent title or which affects the Employee's permanent status.
- f. Failure to serve written charges as required by Section 75 of the Civil Service Law upon a permanent Employee covered by Section 75(1) of the Civil Service Law where any of the penalties (including a fine) set forth in Section 75(3) of the Civil Service Law have been imposed
- g. A claimed wrongful disciplinary action taken against a provisional employee who has served for two years in the same or similar title or related occupational group in the same agency.

Section 2.

The Grievance Procedure, except for grievances as defined in Sections 1(d),1(e) and 1(g) of this Article, shall be as follows:

Employees may at any time informally discuss with their supervisors a matter which may become a grievance. If the results of such a discussion are unsatisfactory, the Employees may present the grievance at **STEP I**.

All grievances must be presented in writing at all steps in the grievance procedure. For all grievances as defined in Section 1(c), no monetary award shall in any event cover any period prior to the date of the filing of the **STEP I** grievance unless such grievance has been filed within thirty (30) days of the assignment to alleged out-of-title work. No monetary award for a grievance alleging a miscalculation of salary rate resulting in a payroll error of a continuing nature shall be issued unless such grievance has been filed within the time limitation set forth in **Step I** below for such grievances; if the grievance is so filed, any monetary award shall in any event cover only the period up to six years prior to the date of the filing of the grievance.

STEP I The Employee and/or the Union shall present the grievance in the form of a memorandum to the person designated for such purpose by the agency head no later than 120 days after the date on which the grievance arose. The employee may also request an appointment to discuss the grievance and such request shall be granted. The person designated by the Employer to hear the grievance shall take any steps necessary to a proper disposition of the grievance and shall issue a determination in writing by the end of the third work day following the date of submission.

STEP II An appeal from an unsatisfactory determination at **STEP I**, where applicable, shall be presented in writing to the agency head or the agency head's designated representative who shall not be the same person designated in **STEP I**. The appeal

must be made within five (5) work days of the receipt of the **STEP I** determination. The agency head or designated representative, if any, shall meet with the employee and/or the Union for review of the grievance and shall issue a determination in writing by the end of the tenth work day following the date on which the appeal was filed.

STEP III An appeal from an unsatisfactory determination at **STEP II** shall be presented by the Employee and/or the Union to the Commissioner of Labor Relations in writing within ten (10) work days of the receipt of the **STEP II** determination. The grievant or the Union should submit copies of the **STEP I** and **STEP II** grievance filings and any agency responses thereto. Copies of such appeal shall be sent to the agency head. The Commissioner of Labor Relations or the Commissioner's designee shall review all appeals from **STEP II** determinations and shall issue a determination on such appeals within fifteen (15) work days following the date on which the appeal was filed.

STEP IV An appeal from an unsatisfactory determination at **STEP III** may be brought solely by the Union to the Office of Collective Bargaining for impartial arbitration within fifteen (15) work days of receipt of the **STEP III** determination. In addition, the Employer shall have the right to bring directly to arbitration any dispute between the parties concerning any matter defined herein as a "grievance". The Employer shall commence such arbitration by submitting a written request therefor to the Office of Collective Bargaining. A copy of the notice requesting impartial arbitration shall be forwarded to the opposing party. The arbitration shall be conducted in accordance with the Consolidated Rules of the Office of Collective Bargaining. The costs and fees of such arbitration shall be borne equally by the Union and the Employer. The arbitrator's decision, order or award (if any) shall be limited to the application and interpretation of the Agreement, and the arbitrator shall not add to, subtract from or modify the Agreement. The arbitrator's award shall be final and binding and enforceable in any appropriate tribunal in accordance with Article 75 of the Civil Practice Law and Rules. The arbitrator may provide for and direct such relief as the arbitrator deems necessary and proper, subject to the limitations set forth above and any applicable limitations of law.

Section 3.

As a condition to the right of the Union to invoke impartial arbitration set forth in this Article, including the arbitration of a grievance involving a claimed improper holding of an open-competitive rather than a promotional examination, the Employee or Employees and the Union shall be required to file with the Director of the Office of Collective

Bargaining a written waiver of the right, if any, of the Employee and the Union to submit the underlying dispute to any other administrative or judicial tribunal except for the purpose of enforcing the arbitrator's award.

Section 4.

a. Any grievance under Section 1 (d) relating to a claimed improper holding of an open-competitive rather than a promotional examination shall be presented in writing by the Employee or the Union representative to the Commissioner of Labor Relations not later than thirty (30) days after the notice of the intention to conduct such open-competitive examination, or copy of the appointing officer's request for such open-competitive examination, as the case may be, has been posted in accordance with Section 51 of the Civil Service Law. The grievance shall be considered and passed upon within ten (10) days after its presentation. The determination shall be in writing, copies of which shall be transmitted to both parties to the grievance upon issuance.

b. A grievance relating to the use of an open-competitive rather than a promotional examination which is unresolved by the Commissioner of Labor Relations may be brought to impartial arbitration as provided in Sections 2 and 3 above. Such a grievance shall be presented by the Union, in writing, for arbitration within 15 days of the presentation of such grievance to the Commissioner of Labor Relations, and the arbitrator shall decide such grievance within 75 days of its presentation to the arbitrator. The party requesting such arbitration shall send a copy of such request to the other party. The costs and fees of such arbitration shall be borne equally by the Employer and the Union.

Section 5.

In any case involving a grievance under Section 1(e) of this Article, the following procedure shall govern upon service of written charges of incompetence or misconduct:

STEP A Following the service of written charges, a conference with such Employee shall be held with respect to such charges by the person designated by the agency head to review a grievance at **STEP I** of the Grievance Procedure set forth in this Agreement. The Employee may be represented at such conference by a representative of the Union. The person designated by the agency head to review the charges shall take any steps necessary to a proper disposition of the charges and shall

issue a determination in writing by the end of the fifth day following the date of the conference.

If the Employee is satisfied with the determination in **STEP A** above, the employee may choose to accept such determination as an alternative to and in lieu of a determination made pursuant to the procedures provided for in Section 75 of the Civil Service Law. As a condition of accepting such determination, the employee shall sign a waiver of the Employee's right to the procedures available to him or her under Sections 75 and 76 of the Civil Service Law.

STEP B (i) If the Employee is not satisfied with the determination at **STEP A** above then the Employee may choose to proceed in accordance with the Grievance Procedure set forth in this Agreement through **STEP III**. The Union, with the consent of the Employee, shall have the right to proceed to binding arbitration pursuant to **STEP IV** of such Grievance Procedure. The period of an Employee's suspension without pay pending hearing and determination of charges shall not exceed thirty (30) days.

STEP B (ii) An appeal from the determination of **STEP A** above, shall be made to the agency head or designated representative. The appeal must be made in writing within five (5) work days of the receipt of the determination. The agency head or designated representative shall meet with the Employee and the Union for review of the grievance and shall issue a determination to the Employee and the Union by the end of the tenth work day following the day on which the appeal was filed. The agency head or designated representative shall have the power to impose the discipline, if any, decided upon, up to and including termination of the accused Employee's employment. In the event of such termination or suspension without pay totaling more than thirty (30) days, the Union with the consent of the grievant may elect to skip **STEP C** of this Section and proceed directly to **STEP D**.

STEP C If the grievant is not satisfied with the determination of the agency head or designated representative the grievant or the Union may appeal to the Commissioner of Labor Relations in writing within ten (10) days of the determination of the agency head or designated representative. The Commissioner of Labor Relations shall issue a written reply to the grievant and the Union within fifteen (15) work days.

STEP D If the grievant is not satisfied with the determination of the Commissioner of Labor Relations, the Union with the consent of the grievant may proceed to arbitration pursuant to the procedures set forth in **STEP IV** of the Grievance Procedure set forth in this Agreement.

Section 6.

In any case involving a grievance under Section 1(g) of this Article, the following procedure shall govern upon service of written charges of incompetence or misconduct:

Section 7.

A grievance concerning a large number of Employees and which concerns a claimed misinterpretation, inequitable application, violation or failure to comply with the provisions of this Agreement may be filed directly at **Step III** of the grievance procedure except that a grievance concerning Employees of the Health and Hospitals Corporation may be filed directly at **Step II** of the grievance procedure. Such Agroup@ grievance must be filed no later than 120 days after the date on which the grievance arose, and all other procedural limits, including time limits, set forth in this Article shall apply. All other individual grievances in process concerning the same issue shall be consolidated with the group grievance.

If a determination satisfactory to the Union at any level of the Grievance Procedure is not implemented within a reasonable time, the Union may re-institute the original grievance at **STEP III** of the Grievance Procedure; or if a satisfactory **STEP III** determination has not been so implemented, the Union may institute a grievance concerning such failure to implement at **STEP IV** of the Grievance Procedure.

Section 8.

If a determination satisfactory to the Union at any level of the Grievance Procedure is not implemented within a reasonable time, the Union may re-institute the original grievance at **STEP III** of the Grievance Procedure; or if a satisfactory **Step III** determination

Section 9.

If the Employer exceeds any time limit prescribed at any step in the Grievance Procedure, the grievant and/or the Union may invoke the next step of the procedure, except that only the Union may invoke impartial arbitration under **STEP IV**.

Section 10.

The Employer shall notify the Union in writing of all grievances filed by Employees, all grievance hearings, and all determinations. The union shall have the right to have a representative present at any grievance hearing and shall be given forty-eight (48) hours' notice of all grievance hearings.

Section 11.

Each of the steps in the Grievance Procedure, as well as time limits prescribed at each step of this Grievance Procedure, may be waived by mutual agreement of the parties.

Section 12.

A non-Mayoral agency not covered by this Agreement but which employs Employees in titles identical to those covered by this Agreement may elect to permit the Union to appeal an unsatisfactory determination received at the last step of its Grievance Procedure prior to arbitration on fiscal matters only to the Commissioner of Labor Relations. If such election is made, the Union shall present its appeal to the Commissioner of Labor Relations in writing within ten (10) work days of the receipt of the last step determination. The Union should submit copies of the grievance filings at the prior steps of its Grievance Procedure and any agency responses thereto. Copies of such appeals shall be sent to the agency head. The Commissioner of Labor Relations, or the Commissioner's designee, shall review all such appeals and answer all such appeals within fifteen (15) work days. An appeal from a determination of the Commissioner of Labor Relations may be taken to arbitration under procedures, if any, applicable to the non-Mayoral agency involved.

Section 13.

The grievance and the arbitration procedure contained in this Agreement shall be the exclusive remedy for the resolution of disputes defined as "grievances" herein. This shall not be interpreted to preclude either party from enforcing the arbitrator's award in court. This Section shall not be construed in any manner to limit the statutory rights and obligations of the Employer under Article XIV of the Civil Service Law.

Section 14. Expedited Arbitration Procedure

- a. The parties agree that there is a need for an expedited arbitration process which would allow for the prompt adjudication of grievances as set forth below.
- b. The parties voluntarily agree to submit matters to final and binding arbitration pursuant to the New York City Collective Bargaining Law and under the jurisdiction of the Office of Collective Bargaining. An arbitrator or panel of arbitrators, as agreed to by the parties, will act as the arbitrator of any issue submitted under the expedited procedure herein.
- c. The selection of those matters which will be submitted shall include, but not limited to out-of-title cases concerning all titles, disciplinary cases wherein the proposed penalty is a monetary fine of one week or less or written reprimand, and other cases pursuant to mutual agreement by the parties. When the parties agree to submit a case to expedited arbitration; the following procedure shall apply:
 - i. **SELECTION AND SCHEDULING OF CASES:**
 - (1) The Deputy Chairperson for Disputes of the Office of Collective Bargaining shall propose which cases shall be subject to the procedures set forth in this Section 14 and notify the parties of proposed hearing dates for such cases.
 - (2) The parties shall have ten business days from the receipt of the Deputy Chairperson's proposed list of cases and hearing schedule(s) raise any objections thereto.
 - (3) If a case is not proposed by the Deputy Chairperson for expedited handling, either party may, at any time prior to the scheduling of an arbitration hearing date for such case, request in writing to the other party and to the Deputy Chairperson of Disputes of the Office of Collective Bargaining that said case be submitted to the expedited procedure. The party receiving such request shall have ten business days from the receipt of the request to raise any objections thereto.
 - (4) No case shall be submitted to the expedited arbitration process without the mutual agreement of the parties.
 - ii. **CONDUCT OF HEARINGS**
 - (1) The presentation of the case, to the extent possible, shall be made in the narrative form. To the degree that witnesses are necessary, examination will be limited to questions of material fact and cross-examination will not be similarly limited and may be submitted as a "packet" exhibit.
 - (2) In the event either party is unable to proceed with hearing a particular case, the case shall be rescheduled. However, only one adjournment shall be permitted. In the event that either party is unable to proceed on a second occasion, a default judgment may be entered against the adjourning party at the Arbitrator's discretion absent good cause shown.
 - (3) The Arbitrator shall not be precluded from attempting to assist the parties in settling a particular case.
 - (4) A decision will be issued by the Arbitrator within two weeks. It will not be necessary in the Award to recount any of the facts presented. However, a brief explanation of the Arbitrator's rationale may be included. Bench decisions may also be issued by the Arbitrator.

- (5) Decisions in this expedited procedure shall not be considered as precedent for any other case nor entered into evidence in any other forum or dispute except to enforce the Arbitrator's award.
- (6) The parties shall, whenever possible, exchange any documents intended to be offered in evidence at least one week in advance of the first hearing date and shall endeavor to stipulate to the issue in advance of the hearing date.

ARTICLE VII - BULLETIN BOARDS: EMPLOYER FACILITIES

The Union may post notices on bulletin boards in places and locations where notices usually are posted by the Employer for the Employees to read. All notices shall be on Union stationery, and shall be used only to notify employees of matters pertaining to Union affairs. Upon request to the responsible official in charge of a work location, the Union may use Employer premises for meetings during employees' lunch hours, subject to availability of appropriate space and provided such meetings do not interfere with the Employer's business.

ARTICLE VIII - NO STRIKES

In accordance with the New York City Collective Bargaining Law, as amended, neither the Union nor any employee shall induce or engage in any strikes, slowdowns, work stoppages, mass absenteeism, or induce any mass resignations during the term of this Agreement.

ARTICLE IX - CITYWIDE ISSUES

This Agreement is subject to the provisions, terms and conditions of the Agreement which has been or may be negotiated between the City and the Union recognized as the exclusive collective bargaining representative on Citywide matters which must be uniform for specified employees, including the employees covered by this Agreement.

Employees in Rule X titles shall receive the benefits of the Citywide Agreement unless otherwise specifically excluded herein.

ARTICLE X - UNION ACTIVITY

Time spent by Employee representatives in the conduct of labor relations with the City and on Union activities shall be governed by the terms of Executive Order No. 75, as amended, dated March 22, 1973, entitled "Time Spent on the Conduct of Labor Relations between the City and Its employees and on Union Activity" or any other applicable Executive Order.

ARTICLE XI - LABOR-MANAGEMENT COMMITTEE Section 1.

The Employer and the Union, having recognized that cooperation between management and Employees is indispensable to the accomplishment of sound and harmonious labor relations, shall jointly maintain and support a labor-management committee in each of the agencies having at least fifty Employees covered by this Agreement.

Section 2.

Each labor-management committee shall consider and recommend to the agency head changes in the working conditions of the employees within the agency who are covered by this Agreement. Matters subject to the Grievance Procedure shall not be appropriate items for consideration by the labor-management committee.

Section 3.

Each labor-management committee shall consist of six members who shall serve for the term of this Agreement. The Union shall designate three members and the agency head shall designate three members. Vacancies shall be filled by the appointing party for the balance of the term to be served. Each member may designate one alternate. Each committee shall select a chairperson from among its members at each meeting. The chairperson ship of each committee shall alternate between the members designated by the agency head and the members designated by the Union. A quorum shall consist of a majority of the total membership of a committee. A committee shall make its recommendations to the agency head in writing.

Section 4.

The labor-management committee shall meet at the call of either the Union members or the Employer members at times mutually agreeable to both parties. At least one week in advance of a meeting the party calling the meeting shall provide, to the other party, a written agenda of matters to be discussed. Minutes shall be kept and copies supplied to all members of the committee.

ARTICLE XII - FINANCIAL EMERGENCY ACT

The provisions of this Agreement are subject to applicable provisions of law, including the New York State Financial Emergency Act for the City of New York as amended.

ARTICLE XIII - APPENDICES

The Appendix or Appendices, if any, attached hereto and initialed by the undersigned shall be deemed a part of this Agreement as if fully set forth herein.

ARTICLE XIV - SAVINGS CLAUSE

In the event that any provision of this Agreement is found to

be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this Agreement.

ARTICLE XV - CONTRACTING-OUT CLAUSE

The problem of "Contracting Out" or "Farming Out" of work normally performed by personnel covered by this Agreement shall be referred to the Labor-Management Committee as provided for in Article XI of this Agreement.

WHEREFORE, we have hereunto set our hands and seals this 24th day of February 2009.

FOR THE CITY OF NEW YORK AND RELATED PUBLIC EMPLOYERS AS DEFINED HEREIN:	LABORERS INTERNATIONAL UNION OF NORTH AMERICA PAVERS AND ROAD BUILDERS DISTRICT COUNCIL (Local 1042)
--	---

BY: _____ /s/	BY: _____ /s/
JAMES F. HANLEY Commissioner of Labor Relations	ALBERT P. BOSCO Civil Service Representative

APPROVED AS TO FORM:

BY: _____ /s/

PAUL T. REPHEN
Acting Corporation Counsel

DATE SUBMITTED TO THE FINANCIAL CONTROL BOARD: _____, 2009

UNIT: Inspector (Highways & Sewers) et al.

TERM: October 15, 2008 to October 14, 2010

Appendix A**Longevity Increment Eligibility Rules**

The following rules shall govern the eligibility of Employees for the longevity increment provided for in Article III, Section 9b of the 2007 - 2008 Agreement:

1. Only service in pay status shall be used to calculate the 15 years of service, except that for other than full time per annum Employees only a continuous year of service in pay status shall be used to calculate the 15 years of service. A continuous year of service shall be a full year of service without a break of more than 31 days. Where the regular and customary work year for a title is less than a twelve month year, such as a school year, such regular and customary year shall be credited as a continuous year of service counting towards the 15 years of service. If the normal work year for an employee is less than the regular and customary work year for the Employee's title, it shall be counted as a continuous year of service if the Employee has customarily worked that length work year and the applicable agency verifies that information.
2. Service in pay status prior to any breaks in service of more than one year shall not be used to calculate the 15 years of service. Where an Employee has less than seven years of continuous service in pay status, breaks in service of less than one year shall be aggregated. Where breaks in service aggregate to more than one year they shall be treated as a break in service of more than one year and the service prior to such breaks and the aggregated breaks shall not be used to calculate the 15 years of service. No break used to disqualify service shall be used more than once.
3. The following time in which an Employee is not in pay status shall not constitute a break in service as specified in paragraph 2 above:
 - a. Time on a leave approved by the proper authority which is consistent with the **Rules and Regulations of the New York City Personnel Director** or the appropriate personnel authority of a covered organization.
 - b. Time prior to a reinstatement.
 - c. Time on a preferred list pursuant to **Civil Service Law Sections 80 and 81** or any similar contractual provision.
 - d. Time not in pay status of 31 days or less.

Notwithstanding the above, such time as specified in subsections a, b and c above shall not be used to calculate the 15 years of service.
4. Once an Employee has completed the 15 years of "City" service in pay status and is eligible to receive the \$500, the \$500 shall become part of the Employee's base rate for all purposes except as provided in paragraph 5 below.
5. The \$500 longevity increment shall not become pensionable until fifteen months after the Employee becomes eligible to receive such payment. Fifteen months after the Employee begins to receive the \$500 longevity increment, such \$500 longevity increment shall become pensionable and as part of the Employee's base rate, the \$500 longevity increment shall be subject to the general increases provided in Article III, Section 3(a) of this **Agreement**.

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
40 Rector Street, New York, NY 10006-1705
http://nyc.gov/olr

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix B

January 9, 2009

Mr. Al Bosco
 Municipal Highway Inspectors
 Local Union 1042, 5th Floor
 136-25 37th Avenue
 Flushing, NY 11354

Re: 2008-2010 Inspectors (Highway and Sewers) et al. Agreement

Dear Mr. Bosco:

This is to confirm certain mutual understandings and agreements regarding the above captioned Agreement.

For the purposes of Article III Section 4(a)(i), "approved leave of absence" is further defined to include:

- a. maternity/childcare leave
- b. military leave
- c. unpaid time while on jury duty
- d. unpaid leave for union business pursuant to Executive Order 75

- e. unpaid leave pending workers' compensation determination
- f. unpaid leave while on workers' compensation option 2
- g. approved unpaid time off due to illness or exhaustion of paid sick leave
- h. approved unpaid time off due to family illness
- i. other pre-approved leaves without pay

If the above accords with your understanding, please execute the signature line provided below.

Very truly yours,

/s/
 JAMES F. HANLEY

AGREED AND ACCEPTED ON BEHALF OF Pavers and Road Builders District Council

BY: _____ /s/
 ALBERT P. BOSCO

THE CITY OF NEW YORK
OFFICE OF LABOR RELATIONS
 40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY
Commissioner
MARGARET M. CONNOR
First Deputy Commissioner

Appendix C

January 9, 2009

Mr. Al Bosco
 Municipal Highway Inspectors
 Local Union 1042, 5th Floor
 136-25 37th Avenue
 Flushing, NY 11354

Re: 2008-2010 Local 1042 Inspectors (Highway & Sewers) - ACF Payment

Dear Mr. Bosco:

This is to confirm the understanding of the parties that effective on October 14, 2010 the bargaining unit shall have available funds not to exceed 0.10% to purchase recurring benefits, mutually agreed to by the parties, other than to enhance the general wage increases. The funds available shall be based on the December 31, 2007 payroll, including spinoffs and pensions.

If this conforms to your understanding, please counter sign below.

Very truly yours,

/s/
 JAMES F. HANLEY

AGREED AND ACCEPTED ON BEHALF OF Pavers and Road Builders District Council

BY: _____ /s/
 ALBERT P. BOSCO

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CHANGES IN PERSONNEL

DEPARTMENT OF INVESTIGATION
 FOR PERIOD ENDING 02/20/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
MARTINEZ	MYLENE	10124	\$37485.0000	RESIGNED	YES	11/09/08

TEACHERS RETIREMENT SYSTEM
 FOR PERIOD ENDING 02/20/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
GILCHRIST	EBONNY	40526	\$29904.0000	APPOINTED	YES	02/01/09
LEBEAU	MICHAEL G	20247	\$50000.0000	APPOINTED	YES	02/08/09
MEDINA	ADA	10251	\$30515.0000	RESIGNED	YES	01/30/09

CIVILIAN COMPLAINT REVIEW BD
 FOR PERIOD ENDING 02/20/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
HARMON	NICHOLAS E	31165	\$34288.0000	RESIGNED	YES	02/14/09
ULLMAN	SETH	31165	\$45345.0000	INCREASE	YES	02/01/09

POLICE DEPARTMENT
 FOR PERIOD ENDING 02/20/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ALEXIS-TOROK	MARIE C	7021B	\$84421.0000	RETIRED	NO	02/01/09
ALOMAR	JIMMY F	12626	\$41937.0000	INCREASE	YES	01/30/09
ALOMAR	JIMMY F	12749	\$35484.0000	APPOINTED	NO	01/30/09
ALVARADO	MELISSA	21849	\$53455.0000	INCREASE	YES	07/25/08
ARCHER	WILLIAM	71652	\$40072.0000	RETIRED	NO	02/11/09
AUSTIN	SHAUNICE S	71651	\$27013.0000	APPOINTED	NO	02/02/09
BAKSH	FARZANA S	21849	\$53455.0000	INCREASE	YES	11/25/08
BASORA	HECTOR D	70210	\$40361.0000	RESIGNED	NO	12/19/08
BATTELLI	JOSEPH S	7020A	\$13.0900	RESIGNED	YES	01/06/09
BELL	DOROTHY M	70205	\$11.9700	RETIRED	YES	12/31/08
BENNETT	MARY E	60817	\$34071.0000	RETIRED	NO	02/02/09
BENNETT	TYRONE M	71651	\$27013.0000	APPOINTED	YES	02/01/09
BIGGERS	ORLANDO S	60817	\$33964.0000	RESIGNED	NO	12/24/08
BINIAMINOV	BARUCH A	70206	\$13.0900	RESIGNED	YES	01/07/09
BIXBY	CHRISTIA J	21849	\$53455.0000	INCREASE	YES	11/25/08
BLADES	TONICKA	12626	\$48227.0000	INCREASE	YES	01/30/09
BOODHOO	ROSEANN B	12626	\$48227.0000	INCREASE	YES	01/30/09
BOWENS	JERRY L	70210	\$73546.0000	RESIGNED	NO	02/06/09
BRACCINI	STEFANO A	7021C	\$96903.0000	RETIRED	NO	02/01/09
BROWN	NATASHA	71651	\$27013.0000	APPOINTED	YES	02/01/09
BURGOS	RANDOLPH	70210	\$73546.0000	RETIRED	NO	02/01/09
CALDWELL	PENNY M	10147	\$40956.0000	RESIGNED	NO	07/22/08
CAPLAN	ALLEN	7021B	\$84421.0000	RETIRED	NO	02/01/09
CARLEO	MICHAEL S	70210	\$57072.0000	APPOINTED	NO	01/20/09
CHEN	WEI SHEN	71651	\$27013.0000	INCREASE	NO	02/02/09
CHEN	WEI SHEN	90644	\$25023.0000	APPOINTED	YES	02/02/09
CHEUNG	DIANA	21849	\$53455.0000	INCREASE	YES	07/25/08
CHIDICHIMO	DANIELLE	70210	\$40361.0000	RESIGNED	NO	01/29/09
CLARK	LINDA Q	31121	\$45791.0000	PROMOTED	NO	01/30/09
CLEM	ARTHUR	7021A	\$70926.0000	RETIRED	NO	10/22/08
COCKRELL	EMMA L	71651	\$33524.0000	RETIRED	NO	02/07/09
COLLADO	ROSALIND	70210	\$40361.0000	RESIGNED	NO	02/10/09
CONZONE	JO-ANN L	21849	\$53455.0000	INCREASE	YES	11/25/08
COSGROVE	DAVID S	90698	\$186.0000	DECREASE	YES	01/30/09
COUMBOURIS	DEMETRIO	71651	\$27013.0000	APPOINTED	YES	02/01/09
COYNE	DIANA	31121	\$27.0400	APPOINTED	YES	01/10/09
CRAMER	SHEILA	12626	\$48227.0000	INCREASE	YES	01/30/09
CROSBY	SHIJA	71012	\$32510.0000	RESIGNED	NO	01/29/09
CRUZ	JOSE M	71651	\$33508.0000	DECEASED	YES	01/13/09
CUNNINGHAM	BRIAN T	7021A	\$75128.0000	DISMISSED	NO	02/04/09
CURRY	WARREN P	7026D	\$137172.0000	RETIRED	NO	02/01/09
DAIS-CEPHUS	ELAINE	31121	\$45791.0000	PROMOTED	NO	01/30/09
DALEY	FLORENCE A	10147	\$40956.0000	RESIGNED	NO	12/17/08
DARLING	JENNIFER D	31121	\$45791.0000	PROMOTED	NO	01/30/09
DAVILA	YENNY	70205	\$9.5000	RESIGNED	YES	01/09/09
DAWSON	JACQUELI	71013	\$46408.0000	INCREASE	YES	02/29/08
DE LA CRUZ	JOSEPHIN D	21849	\$44668.0000	RESIGNED	YES	08/28/08
DE LEON	CESAR J	70210	\$40351.0000	APPOINTED	NO	01/07/08
DECAROLIS	SUSAN R	70205	\$12.4000	RESIGNED	YES	12/10/08
DELUCA	CHRISTIN E	70210	\$40361.0000	RESIGNED	NO	02/14/09
DESETTO	NICHOLAS A	70210	\$46903.0000	TERMINATED	NO	02/07/09
DEVEAUX	CATRICE	60817	\$33964.0000	RESIGNED	NO	12/19/08
DIAZ	LISA	70205	\$9.5000	APPOINTED	YES	09/18/08
DICKERSON	SOPHIA M	70204	\$32658.0000	INCREASE	NO	03/30/08

DINAN	JOSEPH T	7021C	\$96903.0000	RETIRED	NO	02/13/09
DINNOL	TAMARA D	71651	\$27013.0000	APPOINTED	NO	02/01/09
DUBLIN	DEESHAWN	71651	\$27013.0000	APPOINTED	YES	02/01/09
EDWARDS	KEISHA N	71651	\$27013.0000	APPOINTED	YES	02/01/09
EVANS	JENINE D	71651	\$27013.0000	APPOINTED	YES	02/01/09
EZZO	PHILIP	70210	\$57072.0000	DECEASED	NO	02/08/09
FANALE	CAROLYN A	70260	\$104081.0000	RETIRED	NO	02/01/09
FERNANDEZ	MELISSA D	71651	\$27013.0000	APPOINTED	NO	02/01/09
FLOYD	MARILYN M	71651	\$27013.0000	APPOINTED	NO	02/01/09
FORDE	MARCIA	12626	\$48227.0000	INCREASE	YES	01/30/09
FRETT	BIRCHIE	12626	\$48227.0000	INCREASE	YES	01/30/09
GALLOGLY	JOSEPH	70210	\$40361.0000	TERMINATED	NO	01/31/09
GONZALEZ	MARGARIT	70205	\$11.9500	RESIGNED	YES	12/24/08
GOONAN	JAMES A	70235	\$90673.0000	RETIRED	NO	02/01/09
GRANT	WANDA L	71013	\$46408.0000	INCREASE	YES	02/29/08
GUMTI	CHRISTOP	70210	\$40361.0000	RESIGNED	NO	02/13/09
GUTHRY	SANDRA G	71651	\$27013.0000	APPOINTED	YES	02/01/09
HAMER	PATRICK V	71651	\$27013.0000	APPOINTED	YES	02/01/09
HAMILTON	SHANNA L	71651	\$27013.0000	APPOINTED	YES	02/01/09
HANRATTY	MICHAEL	7021B	\$84421.0000	RETIRED	NO	02/01/09
HARRINGTON	MICHAEL A	70210	\$73546.0000	RETIRED	NO	02/11/09
HATHGAMPOLA	PURASIRI M	71651	\$27013.0000	APPOINTED	YES	02/02/09
HEMMINGS	GAYLE	60817	\$32658.0000	INCREASE	NO	03/30/08
HENDLEY	SHANTEL	71651	\$27013.0000	APPOINTED	NO	02/01/09
HINDS	GAIL D	7021B	\$84421.0000	RETIRED	NO	02/01/09
HINTON	ASHLEY J	71651	\$27013.0000	APPOINTED	NO	02/01/09
HUGHES	CHARLAYN	10144	\$33928.0000	RESIGNED	NO	12/10/08
HULLIHAN	WILLIAM	70260	\$104081.0000	RETIRED	NO	02/01/09
IACCINO	LOUIS	7021A	\$66987.0000	RETIRED	NO	02/01/09
INGRAM-MURRAY	AUDREY	12626	\$48227.0000	INCREASE	YES	01/30/09
JACKMAN	LYNDA V	71012	\$32510.0000	RESIGNED	YES	12/28/08
JACKSON	HOWARD W	12626	\$48227.0000	INCREASE	YES	01/30/09
JACKSON	JAYME M	71651	\$27013.0000	RESIGNED	YES	02/10/09
JACKSON	PAMELA L	71651	\$27013.0000	APPOINTED	YES	02/01/09
JACKSON	TANYA	71651	\$31065.0000	DISMISSED	NO	02/12/09
JAMES	MARVEL A	12626	\$48227.0000	INCREASE	YES	01/30/09
JEAN-BAPTISTE	CHRISTOP M	71651	\$27013.0000	APPOINTED	YES	02/01/09
JOHN	VIDA A	12626	\$48227.0000	INCREASE	YES	01/30/09
JONES	DEVON M	71651	\$27013.0000	APPOINTED	YES	02/01/09
JONES	EMMANUEL A	90702	\$174.4000	RETIRED	YES	02/12/09
JONES	MICHAEL	60817	\$32658.0000	RESIGNED	NO	10/04/08
JONES-KARIM	SHERYL A	41120	\$38137.0000	DECEASED	NO	01/05/09
JOYCE	CORMAC R	70210	\$273546.0000	RETIRED	NO	02/10/09
KARMAN	CHRISTOP	70210	\$40361.0000	APPOINTED	NO	01/14/09
KELLEY	SANDRINE	10144	\$29503.0000	APPOINTED	NO	02/08/09
KEY	DOROTHY	10144	\$34038.0000	RETIRED	NO	02/14/09
KHAN	MOHAMMAD A	71651	\$27013.0000	APPOINTED	YES	02/02/09
KIRLEW	TEARRA S	71651	\$27013.0000	APPOINTED	YES	02/01/09
KNIGHT	TAWANA E	60817	\$33964.0000	RESIGNED	NO	11/29/08
KOLODZIEJSKA	DOROTA J	21849	\$44668.0000	APPOINTED	YES	02/08/09
LARRACUENTE	MOHAMMAR	71651	\$27013.0000	APPOINTED	YES	02/01/09
LEWINSOHN	ELIZABET N	0675A	\$102000.0000	RESIGNED	YES	01/27/09
LLOYD	SABRINA	31121	\$45791.0000	PROMOTED	NO	01/30/09
LOPEZ	VICTOR M	12200	\$33805.0000	DECREASE	YES	01/30/09
LOZANO	LUIS	70210	\$46903.0000	TERMINATED	NO	02/07/09
LUBELFELD	IRA	71651	\$27013.0000	APPOINTED	NO	02/01/09
MADYUN	BILAL S	70206	\$13.0900	RESIGNED	YES	01/29/09
MARINES	JOHNNY	70235	\$90673.0000	RETIRED	NO	02/06/09
MARTIN	TORINA N	31121	\$45791.0000	PROMOTED	NO	01/30/09
MAYO	KERRI A	70210	\$41965.0000	RESIGNED	NO	02/13/09
MAYR	PAUL G	70260	\$104081.0000	RETIRED	NO	02/01/09
MCDERMOTT	DANIELLE C	71651	\$27013.0000	APPOINTED	NO	02/01/09
MCDONALD-NOEL	VENETIA J	71013	\$46408.0000	INCREASE	YES	02/29/08
MCGHEE	ZENOBIA M	71651	\$27013.0000	APPOINTED	NO	02/01/09
MCMURRIN	MARCELLA	70204	\$13.9100	RESIGNED	YES	09/17/04
MCNAIR	MARY E	71651	\$31065.0000	INCREASE	NO	02/02/09
MCNEIL	FELICIA D	71651	\$27013.0000	APPOINTED	YES	02/01/09
MCRAE JR	THOMAS D	70210	\$73546.0000	RETIRED	NO	02/01/09
MELLENDEZ	CARMEN J	10124	\$58218.0000	RETIRED	NO	02/02/09
MELGAR	MARZIA M	21849	\$53455.0000	INCREASE	YES	07/25/08
MILEY	WALTER S	7021A	\$75128.0000	RETIRED	NO	02/01/09
MILGROM	MARIANNA	71651	\$29870.0000	DISMISSED	NO	02/12/09
MINGO	ALYDAR J	71651	\$27013.0000	APPOINTED	YES	02/01/09
MITCHELL	ELAINE E	70205	\$12.4000	RESIGNED	YES	01/06

READER'S GUIDE

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

NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

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

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

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

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE....Date Intent to Negotiate Notice was published in CR
- OLB.....Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN.....Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS.....Source required by state/federal law or grant
- SCE.....Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED.....Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

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

- CSB **Competitive Sealed Bidding** (including multi-step)
Special Case Solicitations / Summary of Circumstances:
- CP **Competitive Sealed Proposal** (including multi-step)
- CP/1 Specifications not sufficiently definite
- CP/2 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/only one source**
- RS.....Procurement from a Required Source/ST/FED
- NA.....Negotiated Acquisition
For ongoing construction project only:
- NA/8 Compelling programmatic needs

- NA/9New contractor needed for changed/additional work
- NA/10.....Change in scope, essential to solicit one or limited number of contractors
- NA/11.....Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12.....Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1Prevent loss of sudden outside funding
- WA2Existing contractor unavailable/immediate need
- WA3Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F.....Federal
- IG/S.....State
- IG/OOther
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A.....Life
- EM/B.....Safety
- EM/C.....Property
- EM/D.....A necessary service
- AC **Accelerated Procurement/markets with** significant short-term price fluctuations
- SCE..... **Service Contract Extension/insufficient time;** necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a.....anti-apartheid preference
- OLB/b.....local vendor preference
- OLB/crecycled preference
- OLB/d.....other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

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

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

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

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

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

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.