



# THE CITY RECORD

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## TABLE OF CONTENTS

### PUBLIC HEARINGS & MEETINGS

City Council	3253
City Planning Commission	3253
Community Boards	3254
Board of Education Retirement System	3254
Housing Authority	3254
Housing and Community Renewal	3254
Landmarks Preservation Commission	3255
Board of Standards and Appeals	3256

Transportation . . . . .3256

### COURT NOTICE

Supreme Court	3257
Queens County	3257
See Court Notice Maps	3267

### PROPERTY DISPOSITION

Citywide Administrative Services	3257
Auction	3257
Office of Citywide Purchasing	3258
Police	3258

### PROCUREMENT

Administration for Children's Services	3258
Aging	3258
Citywide Administrative Services	3258
Office of Citywide Purchasing	3258
Vendor Lists	3258
Education	3259
Contracts and Purchasing	3259
Health and Hospitals Corporation	3259
Health and Mental Hygiene	3259
Agency Chief Contracting Officer	3259
Housing Authority	3259

Human Resources Administration . . . . .3259

Contracts	3259
Parks and Recreation	3260
Revenue and Concessions	3260
School Construction Authority	3260
Contract Services	3260

### AGENCY RULES

Environmental Protection . . . . .3260

### SPECIAL MATERIALS

Housing Preservation and Development	3265
Changes in Personnel	3266
READER'S GUIDE	3268

## THE CITY RECORD

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## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### CITY COUNCIL

#### ■ PUBLIC HEARINGS

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

The Subcommittee on Zoning and Franchises will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Thursday, November 21, 2013.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M., Thursday, November 21, 2013:

**LONG ISLAND BUSINESS COLLEGE**  
**BROOKLYN CB - 1 20145123 HKK (N 140116 HKK)**  
Designation (List No. 468/LP-2544) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of Long Island Business College located at 143 South 8th Street (aka 143-149 South 8th Street) (Tax Map Block 2132, Lot 30), as an historic landmark.

**HOLLAND PLAZA BUILDING**  
**MANHATTAN CB - 2 20145124 HKM (N 140117 HKM)**  
Designation (List No. 466/LP-2537) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of the Holland Plaza Building (now One Hudson Square), located at 75 Varick Street (aka 73-93 Varick Street, 73-99 Watts Street, and 431-475 Canal Street) (Tax Map Block 226, Lot 1), as an historic landmark.

**STEINWAY AND SONS RECEPTION ROOM/HALLWAY**  
**MANHATTAN CB - 5 20145106 HKM (N 140103 HKM)**  
Designation (List No. 466/LP-2551) by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter regarding the landmark designation of Steinway & Sons Reception Room and Hallway, first floor, including the reception room's domed rotunda and balcony, the east foyer and stairs leading to the balcony; the hallway of the public corridor, up to the north glass doors, that adjoins the reception room; and the fixtures and components of these spaces, including but not limited to, wall and ceiling surfaces, floor surfaces, arches, pilasters, stairs, landings, ceiling murals, painted medallions, metal railings, metal grilles, chandeliers and lighting fixtures, door enframements, doors,

windows, attached furnishings and decorative elements; Steinway Hall, located at 109-113 West 57th Street (aka 106-116 West 58th Street), Tax Map Block 1010, Lot 25 in part, as an historic landmark.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M., Thursday, November 21, 2013.

n15-21

### 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 in Spector Hall, 22 Reade Street, New York, NY, on Wednesday, November 20, 2013 at 10:00 A.M.

**BOROUGH OF MANHATTAN**  
**No. 1, 2, 3 & 4**  
**300 LAFAYETTE STREET**  
**No. 1**

**CD 2 C 140093 ZSM**  
**IN THE MATTER OF** an application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(b)\* to modify the height and setback requirements of Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) to facilitate the development of a 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

\*Note: A zoning text amendment is proposed to modify Section 74-712 of the Zoning Resolution under a concurrent related application C 140092 ZRM.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**Resolution for adoption scheduling November 20, 2013 for a public hearing.**

No. 2

**CD 2 C 140095 ZSM**  
**IN THE MATTER OF** an application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) with no limitation on floor area per establishment on the cellar, ground floor, and second floor of a proposed 7-story commercial development, on property located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

Plans for this proposal are on file with the City Planning

Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**Resolution for adoption scheduling November 20, 2013 for a public hearing.**

No. 3

**CD 2 C 140096 ZSM**  
**IN THE MATTER OF** an application submitted by Paco Lafayette, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-712(a)\* of the Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 uses (retail and office uses) below the floor level of the second story of a proposed 7-story commercial building on a zoning lot with street frontages on two wide streets and, as of December 15, 2003, has not more than 40% of its lot area occupied by existing buildings, located at 300 Lafayette Street (Block 510, Lots 38, 39, and 40), in an M1-5B District, within the SoHo Cast-Iron Historic District.

\*Note: A zoning text amendment is proposed to modify Section 74-712 of the Zoning Resolution under a concurrent related application C 140092 ZRM.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**Resolution for adoption scheduling November 20, 2013 for a public hearing.**

No. 4

**CD 2 N 140092 ZRM**  
**IN THE MATTER OF** an application submitted by Paco Lafayette LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Section 74-712, concerning a special permit for developments in historic districts in M1-5A and M1-5B districts.

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

**74-712**  
**Developments in Historic Districts**  
Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

a) In M1-5A and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, ~~or~~ has not more than 20 percent of the #lot area# occupied by existing #buildings#, or has #street# frontages on two or more #wide streets# and not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development#, and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided ~~that~~:

- (1) the #use# modifications shall meet the following conditions, that:
  - (i) ~~that~~ #residential development# complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;
  - (ii) ~~that~~ total #floor area ratio# on the #zoning lot# shall be limited to 5.0;
  - (iii) ~~that~~ the minimum #floor area#

of each #dwelling unit# permitted by this Section shall be 1,200 square feet;

(iv) ~~that~~ all #signs# for #residential# or #commercial uses# permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and

(v) ~~that~~ eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and

(2) the Commission ~~shall find~~ that such #use# modifications:

(i) have minimal adverse effects on the conforming #uses# in the surrounding area;

(ii) are compatible with the character of the surrounding area; and

(iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.

b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that is vacant or is #land with minor improvements#, and in M1-5A and M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 20 percent of the #lot area# is occupied by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications ~~comply with the findings set forth below.~~

In addition, in M1-5A and M1-5B Districts, the Commission may also modify #bulk# regulations, except #floor area ratio# regulations, for #development# on a #zoning lot# that has #street# frontages on two or more #wide streets# and that, as of December 15, 2003, has not more than 40 percent of the #lot area# occupied by existing #buildings#, provided the #development# contains no #residences# and the Commission finds that such #bulk# modifications:

(1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and

(2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

**Resolution for adoption scheduling November 20, 2013 for a public hearing.**

n6-20

**NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held in Spector Hall, 22 Reade Street, New York, NY, on Wednesday, December 4, 2013 at 10:00 A.M.**

**BOROUGH OF THE BRONX  
No. 1**

**PONTON AVENUE CITY MAP AMENDMENT**

**CD 11 C 110342 MMX**  
**IN THE MATTER OF** an application submitted by Gerald Messuri pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Ponton Avenue between Blondell Avenue and Waters Avenue; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13132 dated February 6, 2012 and signed by the Borough President.

**BOROUGH OF BROOKLYN  
No. 2**

**BERGEN SARATOGA APARTMENTS**

**CD 16 C 140115 HAK**  
**IN THE MATTER OF** an 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 properties located at 317/335 Saratoga Avenue and 1943/1963

Bergen Street (Block 1447, Lots 1,3,4,5, 6,7,8,9,73,74, 75,76 and 77) as an Urban Development Action Area; and

b. an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of a five-story building with approximately 80 residential units of affordable and supportive housing.

**BOROUGH OF QUEENS  
Nos. 3 & 4  
NORTH CONDUIT AVENUE REZONING  
No. 3**

**CD 12 C 070194 ZMQ**  
**IN THE MATTER OF** an application submitted by Tserpes Holding LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning map, Section No. 18d:

1. changing from an R3-2 District to a C4-2 District property bounded by 135th Avenue, 142nd Street, North Conduit Avenue, and a line 105 feet westerly of 142nd Street; and
2. changing from an R3A District to a C4-2 District property bounded by a line 40 feet northerly of North Conduit Avenue (straight line portion), a line 105 feet westerly of 142nd Street, North Conduit Avenue\*, and 140th Street;

as shown on a diagram (for illustrative purposes only), dated August 19, 2013, and subject to the conditions of CEQR Declaration E-319.

\*Note: a portion of North Conduit Avenue is proposed to be demapped under a concurrent related application (C 090033 MMQ).

**No. 4**

**CD 12 C 090033 MMQ**  
**IN THE MATTER OF** an application submitted by Tserpes Holding LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of North Conduit Avenue;
- the extinguishment of an easement north of North Conduit Avenue between 140th and 142nd streets;
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5005 dated January 22, 2009 and signed by the Borough President.

**BOROUGH OF STATEN ISLAND  
No. 5**

**135 CANAL STREET OFFICE SPACE**

**CD 1 N 140186 PXR**  
**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 135 Canal Street (Block 527, Lots 1, 5) (DOHMH offices).

**BOROUGH OF MANHATTAN  
No. 6**

**123 WILLIAM STREET OFFICE SPACE**

**CD 1 N 140187 PXM**  
**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services, pursuant to Section 195 of the New York City Charter for use of property located at 123 William Street (Block 78, Lot 4) (HRA offices).

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

n20-d4

**COMMUNITY BOARDS**

**PUBLIC HEARINGS**

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

**BOROUGH OF QUEENS**

COMMUNITY BOARD NO. 07 - Monday, November 25, 2013 at 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, 9th Floor, Flushing, NY

BSA# 280-13-BZ - Location: 36-18 Main Street, Flushing, NY Application seeks a variance pursuant to Section 72-21 to waive Sections 33-122/33-123 and 36-21, additionally the application seeks special permits to permit a Physical Culture Establishment (PCE) within portion of the proposed building at the premises to waive height restrictions near airports, as the Premises is located within close proximity to LaGuardia Airport.

BSA# 246-01-BZ - Location: 35-11 Prince Street, Flushing, NY

Application filed under Section 73-03 and 73-36 of the New York City zoning resolution, to permit the enlargement of an existing Physical Culture Establishment (PCE), previously approved by the Board of Standards and Appeals.

BSA# 163-13-BZ - Location: 133-10 39th Avenue Special permit application pursuant to Section 73-44 zoning resolution, contrary to Section 36-21 to reduce required parking, it will permit in a C4-2 zoning district the alteration of existing 2-story and cellar Use Group 6 Professional Office building which was lawfully constructed with no parking spaces.

n19-25

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

**BOROUGH OF BROOKLYN**

COMMUNITY BOARD NO. 18 - Wednesday, November 20, 2013 at 7:00 P.M., 2335 Bergen Avenue, Brooklyn, NY

#C140122PPK

**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property located at 3340 Kings Highway (Block 7669, Lot 17), pursuant to zoning.

n14-20

**BOARD OF EDUCATION RETIREMENT SYSTEM**

**MEETING**

The next regular meeting of the Board of Education Retirement System (BERS) of the City of New York Trustees will meet on Tuesday, November 26, 2013. This meeting will be held at the High School of Fashion Industries, located at 225 West 24th Street, New York, New York 10011.

The meeting will convene at 4:30 P.M. An agenda will be distributed to BERS Trustees prior to the meeting.

If you need more information, please contact Noro Healy at (718) 935-4529 or email: nhealy@bers.nyc.gov

n19-25

**HOUSING AUTHORITY**

**MEETING**

The next Board Meeting of the New York City Housing Authority is scheduled for Wednesday, November 20, 2013 at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). Copies of the Calendar are available on NYCHA's Website or can be picked up at the Office of the Corporate Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 24 hours before the upcoming Board Meeting. Copies of the Minutes are also available on NYCHA's Website or can be picked up at the Office of the Corporate Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting.

Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting.

The meeting is open to the public. Pre-registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first.

Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Corporate Secretary at (212) 306-6088 no later than five business days before the Board Meeting.

For additional information, please visit NYCHA's Website or contact (212) 306-6088.

n12-20

**HOUSING AND COMMUNITY RENEWAL**

**OFFICE OF RENT ADMINISTRATION**

**NOTICE**

**NOTICE OF MAXIMUM BASE RENT PUBLIC HEARING**

Public Notice is Hereby Given pursuant to Section 26-405a(9) of the New York City Rent and Rehabilitation Law that the New York State Division of Housing and Community Renewal (DHCR) will conduct a public hearing to be held at the New York City Department of City Planning, Spector Hall, 22 Reade Street, (First Floor), New York, NY on Friday, November 22, 2013 for the purpose of collecting information relating to all factors which the DHCR may consider in establishing a Maximum Base Rent (MBR) for rent controlled housing accommodations located in the City of New York for the 2014-2015 biennial MBR cycle. The morning session of the hearing will be held from 10:00 A.M. to 12:30 P.M.; the afternoon session will run from 2:00 P.M. to 4:30 P.M.

Pre-registration of speakers is advised. Those who wish to pre-register may call the office of Michael Berrios, Executive Assistant, at (718) 262-4816 and state the time they wish to speak at the hearing and whom they represent. Pre-registered speakers who have reserved a time to speak will be heard at approximately that time. Speakers who register the day of the hearing will be heard in the order of registration at those times not already reserved by pre-registered speakers. Speaking time will be limited to five minutes in order to give as many people as possible the opportunity to be heard. Speakers should be prepared to submit copies of their remarks to the DHCR official presiding over the hearing. The hearing will conclude when all registered speakers in attendance at the hearing have been heard. DHCR will also accept written testimony submitted prior to the end of the hearing. Submissions may also be sent in advance to Michael Berrios, Executive Assistant, 6th Floor, Division of Housing and Community Renewal, Gertz Plaza, 92-31 Union Hall Street, Jamaica, NY 11433. To obtain a report on the DHCR recommendation for the 2014-2015 MBR cycle, interested parties should call (718) 262-4816.

n1-21

## LANDMARKS PRESERVATION COMMISSION

### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **November 26, 2013 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 13-7230 - Block 149, lot 64-39-56 47th Street- Sunnyside Gardens Historic District  
A brick rowhouse with Colonial Revival style details designed by Clarence Stein, Henry Wright and Frederick Ackerman and built in 1925. Application is to replace a fence at the front yard. Community District 2.

**BINDING REPORT**  
BOROUGH OF QUEENS 15-0373 - Block 5013, lot 6-37-01 Bowne Street-Bowne House - Individual Landmark  
An English Colonial style house built in 1661, with subsequent additions in 1680, 1691, and 1830. Application is to construct a new building on the site, alter pathways, and install fencing. Zoned: Parkland. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 15-0027 - Block 8040, lot 6-6 Hollywood Avenue -Douglaston Historic District  
A Colonial Revival style house built in 1909. Application is to legalize the construction of a pergola in non-compliance with Certificate of No Effect 05-8756. Community District 11.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF QUEENS 14-5208 - Block 10301, lot 49-112-30 178th Place-Addisleigh Park Historic District  
A Colonial Revival style free-standing house built in 1927-28. Application is to alter the porch and a window opening, and replace the roof shingles. Community District 12.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 13-1833 - Block 226, lot 33-67 Pineapple Street-Brooklyn Heights Historic District  
A Greek Revival style rowhouse built in 1835. Application is to construct a rear yard addition. Zoned R7-1. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 14-9006 -Block 1195,1916, lot 10,13, 47,16-222-232 & 245-265 Clinton Avenue - Clinton Hill Historic District  
A College complex of Italianate, transitional French Second Empire, and neo-Grec style rowhouses built c. 1874-1878. Application is to install fencing. Community District2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 13-9161 - Block 436, lot 57-325 President Street-Carroll Gardens Historic District  
An Italianate style rowhouse built in 1870. Application is to construct a rear yard addition. Zoned R6B. Community District 6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 15-0116 - Block 267, lot 33-160 Clinton Street -Brooklyn Heights Historic District  
A Greek Revival style rowhouse built in 1845. Application is to demolish an existing a rear yard addition and construct a new rear yard addition, alter the front areaway, and install a skylight. Zoned R6. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF BROOKLYN 14-7985 - Block 1068, lot 47-861 Carroll Street-Park Slope Historic District  
A Romanesque Revival style rowhouse with Italian Renaissance style details designed by Stanley M. Holden and built in 1892. Application is to alter the rear facade. Community District 6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9096 - Block 46, lot 3-100 Broadway-American Surety Company Building- Individual Landmark

A neo-Renaissance style office building designed by Bruce Price and built in 1894-1896, and enlarged in the 1920s with additions designed by Herman Lee Meader. Application is to install signage. Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-6259 - Block 194, lot 13-38 Walker Street - Tribeca East Historic District  
An Italianate style store and loft building built in 1857-58. Application is to replace window. Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-8374 - Block 146, lot 7502-115 West Broadway-Tribeca South Historic District  
A Italianate/Second Empire style store and loft building built in in 1864-65. Application is legalize sidewalk alterations performed in non-compliance with Certificate of No Effect 08-1546. Community District 1.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9043 - Block 546, lot 40-1 West 4th Street, aka 699-705 Broadway-NoHo Historic District  
A Modern style educational facility designed by Abramovitz, Harris & Kingsland Architects and built in 1978-79. Application is to alter the entrances and paving. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-8585 - Block 545, lot 11-718 Broadway - NoHo Historic District  
A neo-Classical style store and loft building designed by Charles E. Birge and built in 1906-1908. Application is to replace windows. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9710 - Block 531, lot 45-48 Great Jones Street-NoHo Historic District Extension  
A Renaissance Revival style store and loft building designed by A.V. Porter and built in 1896-97. Application is to replace storefront infill and remove cast iron vault lights. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9565 - Block 488, lot 23-396-398 West Broadway-SoHo-Cast Iron Historic District Extension  
Two dwellings built c.1819-20 and c.1829 respectively with later alterations. Application is to replace storefront infill, signage and paint the facades. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9565 - Block 488, lot 23-396-398 West Broadway-SoHo-Cast Iron Historic District Extension  
Two dwellings built c.1819-20 and c.1829 respectively with later alterations. Application is to replace storefront infill, signage and paint the facades. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-8770 - Block 230, lot 28-95 Grand Street-SoHo-Cast Iron Historic District  
A Romanesque style store building built in 1882. Application is to construct a rooftop bulkhead. Zoned M1-5B. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9729 - Block 574, lot 35-18 West 11th Street-Greenwich Village Historic District  
A brick rowhouse, designed by Hugh Hardy and built in 1979. Application is to construct a new rear facade and a rooftop addition, and excavate at the cellar. Zoned R6. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9586 - Block 395, lot 60-146 Waverly Place-Greenwich Village Historic District  
A Greek Revival style rowhouse built in 1839. Application is to construct rooftop bulkheads and excavate at the cellar and rear yard. Community District 2.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-8061 - Block 846, lot 26-860 Broadway, aka 27-29 East 17th Street and 32-34 East 18th Street-Ladies' Mile Historic District  
A neo-Grec style commercial store building designed by Detlef Lienau and built in 1883-84 and altered and refaced by F.H. Dewey & Company in 1925. Application is to construct a rooftop addition and replace storefront infill. Zoned C6-4/M1-5M. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9971 - Block 849, lot 10-909 Broadway-Ladies' Mile Historic District  
A dwelling built in 1843 and altered in the late 19th Century Commercial style in 1899 and again in 1951. Application is to replace windows, paint facade features, and install awnings and signage. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 15-0189 - Block 994, lot 45-130 West 42nd Street-Bush Tower - Individual Landmark  
A neo-Gothic style commercial building designed by Helmle and Corbett and built in 1916-18. Application is to alter the ground floor and install signage and a canopy. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-7784 - Block 1296, lot 14-122 East 42nd Street-Chanin Building - Individual Landmark  
An Art Deco style skyscraper designed by Sloan & Robertson and built in 1927-1929. Application is to establish a master plan governing the future installation of windows and louvers. Community District 5.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-8063 - Block 874, lot 60-

78 Irving Place-Gramercy Park Historic District  
A Classical American style apartment building built in 1899 and a one-story electric car house built c. 1904. Application is to infill the primary facade windows, construct rooftop additions, alter areaways, install an addition connecting the two buildings, and alter the front façade of the electric car house. Zoned R8B. Community District 6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 12-8624 - Block 1116, lot 29-2 West 64th Street -New York Society for Ethical Culture- Individual Landmark  
An Art Nouveau style institutional building designed by Robert D. Kohn and built in 1909-10. Application is to modify the entrance steps and install a barrier-free access ramp. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9984 - Block 1183, lot 53-344 West 72nd Street-The Chatsworth Apartments and Annex-Individual Landmark  
A Beaux-Arts style apartment building designed by John Scharsmith and built in 1902-1904 with an Annex Building built in 1905-06. Application is to replace windows, create new window openings, modify window openings, alter the front areaway, and construct a rooftop addition. Zoned R10A. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9985 - Block 1183, lot 50-340 West 72nd Street-The Chatsworth Apartments and Annex -Individual Landmark  
A Beaux-Arts style annex to the Chatsworth apartments designed by John Scharsmith and built in 1905-06. Application is to modify a window opening, alter the front areaway, and construct a rooftop addition. Zoned R10A. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9165 - Block 1120, lot 31-48 West 68th Street-Upper West Side/Central Park West Historic District  
An apartment building designed by Seymour Churgin and built in 1983-85. Application is to replace windows. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-8840 - Block 1143, lot 42-128 West 72nd Street-Upper West Side/Central Park West Historic District  
A dwelling converted to an apartment building, with commercial spaces at the lower two floors, designed by William J. Minogue and built in 1935. Application is to replace storefront infill and signage installed without Landmarks Preservation Commission permit(s). Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9694 - Block 1197, lot 12-51 West 83rd Street-Upper West Side/Central Park West Historic District  
An Italianate style rowhouse built in 1870-74. Application is to construct rear yard and rooftop additions, and excavate the rear yard. Zoned R8D. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-7291 - Block 1127, lot 61-313 Columbus Avenue-Upper West Side/Central Park West Historic District  
A Romanesque Revival style flats building with Queen Anne style elements designed by Frederick T. Camp and built in 1889-90. Application is to replace storefront infill. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 13-7800 - Block 1148, lot 63-351 Amsterdam Avenue-Upper West Side/Central Park West Historic District  
A Renaissance Revival style tenement building designed by Gilbert A. Schellenger and built in 1895. Application is to construct a rear addition and replace storefront infill. Zoned C2-7A. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-7431 - Block 1185, lot 75-357 West End Avenue-West End-Collegiate Historic District  
An Eclectic Renaissance Revival style rowhouse designed by Lamb & Rich and built in 1891. Application is to replace windows. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-8841 - Block 1248, lot 48-332 West 87th Street - Riverside-West End Historic District  
A Queen Anne style rowhouse designed by Francis A. Minuth and built in 1890, Application is to construct a rooftop addition. Zoned R8. Community District 7.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 12-8640 - Block 1503, lot 56-1290 Madison Avenue-Carnegie Hill Historic District  
A Renaissance Revival style flats building with stores designed by A.B. Ogden & Co. and built in 1898. Application is to construct a rooftop addition, install storefront infill, create an entrance on East 92nd Street and install a canopy. Zoned R-10/MP. Community District 6.

**MODIFICATION OF USE AND BULK**  
BOROUGH OF MANHATTAN 15-0372 - Block 1503, lot 56-1290 Madison Avenue-Carnegie Hill Historic District  
A Renaissance Revival style flats building with stores designed by A.B. Ogden & Co. and built in 1898. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to a Modification of Bulk pursuant to Section 74-711 of the Zoning Resolution. Zoned R10/MP. Community District 6.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-7466 - Block 1393, lot 70-

973 Fifth Avenue-Metropolitan Museum Historic District  
A neo-Italian Renaissance style town house designed by McKim, Mead, and White, and built in 1902-05. Application is to construct rooftop additions. Zoned R10.  
Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 14-9395 - Block 1491, lot 11-19 East 79th Street-Metropolitan Museum Historic District  
A rowhouse designed in the neo-Grec style by D & J Jardine and built in 1880 and altered at the first two floors in the neo-Classical style by Herts and Tallant in 1902. Application is to reconstruct the existing rooftop addition. Zoned R10.  
Community District 8.

**CERTIFICATE OF APPROPRIATENESS**  
BOROUGH OF MANHATTAN 15-0136 - Block 1493, lot 64-12 East 82nd Street-Metropolitan Museum Historic District  
A house built in 1888-89 and altered in the neo-Federal style by Bradley Delehanty in 1920. Application is to construct rooftop and rear yard additions, and excavate the rear yard. Zoned R8B. Community District 8.

**BINDING REPORT**  
BOROUGH OF MANHATTAN 15-0139 - Block 1111, lot 1-Central Park, Fort Clinton and Nutter's Battery Overlooks-Central Park - Scenic Landmark  
One overlook, designed in the 1940s and one overlook, redesigned in the 1940s, at the sites of early 19th century fortifications, within an English Romantic style public park designed in 1856 by Olmsted and Vaux. Application is to replace walls, fencing, curbing, paving, and benches; modify a monument; install a flagpole; and remove a lamppost.  
Community District 4,5,6,7,8,9,10,11.

**BINDING REPORT**  
BOROUGH OF MANHATTAN 15-0203 - Block 2058, lot 11-280 Convent Avenue, aka 451 West 141st Street-Hamilton Heights Historic District  
A Beaux-Arts style rowhouse designed by Henri Fouchaux and built in 1899-1902. Application is to construct a rear yard addition and replace windows. Zoned R6A.  
Community District 9.

n13-26

## BOARD OF STANDARDS AND APPEALS

### ■ PUBLIC HEARINGS

**DECEMBER 10, 2013, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, December 10, 2013, 10:00 A.M., in Spector Hall, 22 Reade Street, New York, N.Y. 10007, on the following matters:**

### SOC CALENDAR

**68-94-BZ**  
APPLICANT – Troutman Sanders LLP, for Bay Plaza Community Center, LLC, owner; Bally's Total Fitness of Greater New York  
SUBJECT – Application September 10, 2013 – Extension of Term of a previously granted Special Permit (73-36) for the continued operation of a Physical Culture Establishment (*Bally's Total Fitness*) which expires on November 1, 2014; Extension of Time to obtain a Certificate of Occupancy which expired on September 11, 2013; waiver of the Rules. C4-3/ M1-1 zoning district.  
PREMISES AFFECTED – 2100 Bartow Avenue, bounded by Bay Plaza Blvd. Co-Op City Blvd, Bartow Avenue and the Hutchinson River Parkway, Block 5141, Lot 810, Borough of Bronx.  
**COMMUNITY BOARD #10BX**

**358-02-BZ**  
APPLICANT – Law Office of Fredrick A. Becker, 200 Park, LLP, for TSI Grand Central Incorporated d/b/a New York Sports Club, lessee.  
SUBJECT – Application September 23, 2013 – Extension of Term of a previously approved Special Permit (§73-36) which permitted the operation of physical culture establishment, on portions of the first and second floors, in a multi-story commercial, retail and office building, which expired on June 3, 2013; Waiver of the Rules. C5-3 (MID) zoning district.  
PREMISES AFFECTED – 200 Park Avenue, south side of East 45th Street, between Vanderbilt Avenue and Dewey Place, Block 1280, Lot 10, Borough of Manhattan.  
**COMMUNITY BOARD #5M**

**206-03-BZ**  
APPLICANT – Law Office of Fredrick A. Becker, Esq., for 980 Madison Owner LLC, owner; Exhale Enterprises, Inc., lessee.  
SUBJECT – Application September 12, 2013 – Extension of Term for a previously granted Special Permit (73-36) for the continued operation of a Physical Culture Establishment (*Exhale Spa*) which expired on November 5, 2013. C5-1 (MP) zoning district.  
PREMISES AFFECTED – 980 Madison Avenue, west side of Madison Avenue between East 76th Street and East 77th Street, Block 1391, Lot 14, Borough of Manhattan.  
**COMMUNITY BOARD #5M**

**25-08-BZ**  
APPLICANT – Eric Palatnik, P.C., for Torah Academy for Girls, owner.  
SUBJECT – Application February 14, 2013 – Application is filed on behalf of the (*Torah Academy for Girls*). The Bais of Long Island, federally recognized, religious based, not-for-profit 501©(3) organization pursuant to ZR§72-01 to request an amendment to two (2) earlier issued variances pursuant to Z.R. §72-21.  
PREMISES AFFECTED – 444 Beach 6th Street, Beach Street and Meehan Avenue, Block 15591, Lot 1, Borough of Queens.

## COMMUNITY BOARD #14Q

### APPEALS CALENDAR

**75-11-A & 119-11-A**  
APPLICANT – NYC Board of Standards and Appeals  
SUBJECT – Application May 25, 2011 – To consider Dismissal for Lack of Prosecution.  
PREMISES AFFECTED – 2230-2234 Kimball Street, Kimball Street, between Avenue U and Avenue V, Block 8556, Lot 55, Borough of Brooklyn.  
**COMMUNITY BOARD #18BK**

**348-12-A & 349-12-A**  
APPLICANT – Rothkrug Rothkrug & Spector LLP, for Starr Avenue Development LLC, owner.  
SUBJECT – Application December 28, 2012 – Appeal from decision of Borough Commissioner denying permission for proposed construction of two one-family dwellings within the bed of a legally mapped street. R2 zoning district.  
PREMISES AFFECTED – 15 Starr Avenue, north side of Starr Avenue, 248.73 east of intersection of Bement Avenue and Starr Avenue, Block 298, Lot 67, Borough of Staten Island.  
**COMMUNITY BOARD #1SI**

**287-13-A & 288-13-A**  
APPLICANT – Rothkrug Rothkrug & Spector LLP, for BIRB Realty Inc., owner.  
SUBJECT – Application October 15, 2013 – Proposed construction of a building that does not front on a legally mapped street contrary to Article 3 of General City Law 36. R3X SRD district.  
PREMISES AFFECTED – 525 & 529 Durant Avenue, north side of Durant Avenue, 104-13 ft. west of intersection of Durant Avenue and Finlay Avenue, Block 5120, Lot 64, Borough of Staten Island.  
**COMMUNITY BOARD #3SI**

**\*Please note that the BZ calendar will immediately follow the SOC and A calendars.**

### ZONING CALENDAR

**6-12-BZ**  
APPLICANT – Syeda Laila, owner.  
SUBJECT – Application January 13, 2013 – Variance (§72-21) to permit a new three family home, contrary to bulk regulations. R4 zoning district.  
PREMISES AFFECTED – 39-06 52nd Street aka 51-24 39th Avenue, Block 128, Lot 39, 40, Borough of Queens.  
**COMMUNITY BOARD #2Q**

**311-12-BZ**  
APPLICANT – Eric Palatnik, P.C., for 964 Dean Acquisition Group LLC, owner.  
SUBJECT – Application November 19, 2013 – Variance (§72-21) to permit the residential conversion of an existing factory building. M1-1 zoning district.  
PREMISES AFFECTED – 964 Dean Street, south side of Dean Street between Classon and Franklin Avenues, Block 1142, Lot 12, Borough of Brooklyn.  
**COMMUNITY BOARD #8BK**

**65-13-BZ**  
APPLICANT – Eric Palatnik, Esq., for Israel Rosenberg, owner.  
SUBJECT – Application February 12, 2013 – Variance (§72-21) to permit a residential development, contrary to use regulations, ZR§42-00. M1-1 zoning district.  
PREMISES AFFECTED – 123 Franklin Avenue, between Park and Myrtle Avenues, Block 1899, Lot 108, Borough of Brooklyn.  
**COMMUNITY BOARD #3BK**

**130-13-BZ**  
APPLICANT – Rothkrug Rothkrug & Spector, for Venetian Management LLC, owner.  
SUBJECT – Application May 7, 2013 – Re-Instatement (§11-411) of a previously approved variance which permitted a one-story storage garage for more than five motor vehicles with motor vehicle repair shop (UG 16B) limited to vehicles owned by tenants in an R6 zoning district which expired on February 14, 1981; Amendment (§11-413) to change the previously approved use to retail (UG 6); Waiver of the Rules. R6 zoning district.  
PREMISES AFFECTED – 1590 Nostrand Avenue, southwest corner of Nostrand Avenue and Albermarle Road, Block 5131, Lot 1, Borough of Brooklyn.  
**COMMUNITY BOARD #17BK**

**153-13-BZ**  
APPLICANT – Eric Palatnik, PC, for Williamsburg Workshop, LLC, owner; Romi Ventures, LLC, lessee.  
SUBJECT – Application May 10, 2013 – Special Permit (§73-36) to permit the legalization of a physical culture establishment (*Soma Health Club*) contrary to §32-10. C4-3 zoning district.  
PREMISES AFFECTED – 107 South 6th Street, between Berry Street and Bedford Avenue, Block 2456, Lot 34, Borough of Brooklyn.  
**COMMUNITY BOARD #1BK**

**212-13-BZ**  
APPLICANT – Eric Palatnik, P.C., for Andrey Novikov, owner.  
SUBJECT – Application July 12, 2013 – Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space and lot coverage (ZR 23-141) and less than the required rear yard (ZR 23-47). R3-1 zoning district.  
PREMISES AFFECTED – 151 Coleridge Street, Coleridge Street between Oriental Boulevard and Hampton Avenue, Block 4819, Lot 39, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

**218-13-BZ**  
APPLICANT – Warshaw Burstein, LLP, for 37 W Owner LLC; Ultrafit LLC, lessee.  
SUBJECT – Application July 19, 2013 – Special Permit (§73-36) to allow the operation of a fitness center physical

culture establishment (*Ultrafit*) on portions of the existing building pursuant §32-10. C6-3A zoning district.  
PREMISES AFFECTED – 136 Church Street, southwest corner of the intersection formed by Warren and Church Streets in Tribeca, Block 133, Lot 29, Borough of Manhattan.  
**COMMUNITY BOARD #1M**

*Jeff Mulligan, Executive Director*

n19-20

## TRANSPORTATION

### ■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, December 4, 2013. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

**#1** In the matter of a proposed revocable consent authorizing 111 Livingston LLC to continue to maintain and use three fuel oil storage tanks under the north sidewalk of Livingston Street, west of Boerum Place, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2013 to June 30, 2014 - \$1,940  
For the period July 1, 2014 to June 30, 2015 - \$1,995  
For the period July 1, 2015 to June 30, 2016 - \$2,050  
For the period July 1, 2016 to June 30, 2017 - \$2,105  
For the period July 1, 2017 to June 30, 2018 - \$2,160  
For the period July 1, 2018 to June 30, 2019 - \$2,215  
For the period July 1, 2019 to June 30, 2020 - \$2,270  
For the period July 1, 2020 to June 30, 2021 - \$2,325  
For the period July 1, 2021 to June 30, 2022 - \$2,380  
For the period July 1, 2022 to June 30, 2023 - \$2,435

the maintenance of a security deposit in the sum of \$12,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#2** In the matter of a proposed revocable consent authorizing Boro Park Land Co., LLC and Maimonides Medical Center to continue to maintain and use a bridge over and across 49th Street east of Tenth Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2013 to June 30, 2014 - \$10,639  
For the period July 1, 2014 to June 30, 2015 - \$10,942  
For the period July 1, 2015 to June 30, 2016 - \$11,245  
For the period July 1, 2016 to June 30, 2017 - \$11,548  
For the period July 1, 2017 to June 30, 2018 - \$11,851  
For the period July 1, 2018 to June 30, 2019 - \$12,154  
For the period July 1, 2019 to June 30, 2020 - \$12,457  
For the period July 1, 2020 to June 30, 2021 - \$12,760  
For the period July 1, 2021 to June 30, 2022 - \$13,063  
For the period July 1, 2022 to June 30, 2023 - \$13,366

the maintenance of a security deposit in the sum of \$13,400 and the insurance shall be in the amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

**#3** In the matter of a proposed revocable consent authorizing Maimonides Medical Center to continue to maintain and use service tunnel the south sidewalk of 48th Street, west of 10th Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2013 to June 30, 2023 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2013 to June 30, 2014 - \$20,063  
For the period July 1, 2014 to June 30, 2015 - \$20,635  
For the period July 1, 2015 to June 30, 2016 - \$21,207  
For the period July 1, 2016 to June 30, 2017 - \$21,779  
For the period July 1, 2017 to June 30, 2018 - \$22,351  
For the period July 1, 2018 to June 30, 2019 - \$22,923  
For the period July 1, 2019 to June 30, 2020 - \$23,495  
For the period July 1, 2020 to June 30, 2021 - \$24,067  
For the period July 1, 2021 to June 30, 2022 - \$24,639  
For the period July 1, 2022 to June 30, 2023 - \$25,211

the maintenance of a security deposit in the sum of \$25,300 and the insurance shall be in the amount of One Million Two Hundred Fifty Thousand Dollars (1,250,000) per occurrence, and Five Million Dollars (\$5,000,000) aggregate.

**#4** In the matter of a proposed revocable consent authorizing The New York Public Library to construct, maintain and use planted areas and benches on the west sidewalk of Lenox Avenue, between West 135th Street and West 136th Street, 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, 2024 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, 2024 - \$25/annum there is no security deposit and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

**#5** In the matter of a proposed revocable consent authorizing The Port Authority of New York and New Jersey to construct,

maintain and use duct banks under and across properties in the vicinity of LaGuardia Airport, Grand Central Parkway and 23rd Avenue, in the Borough of Queens. The proposed revocable consent is for a term of ten years from the date of approval by the Mayor to June 30, 2024 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, 2014 - \$27,808/annum

- For the period July 1, 2014 to June 30, 2015 - \$28,601
- For the period July 1, 2015 to June 30, 2016 - \$29,394
- For the period July 1, 2016 to June 30, 2017 - \$30,187
- For the period July 1, 2017 to June 30, 2018 - \$30,980
- For the period July 1, 2018 to June 30, 2019 - \$31,773
- For the period July 1, 2019 to June 30, 2020 - \$32,566
- For the period July 1, 2020 to June 30, 2021 - \$33,359
- For the period July 1, 2021 to June 30, 2022 - \$34,152
- For the period July 1, 2022 to June 30, 2023 - \$34,945
- For the period July 1, 2023 to June 30, 2024 - \$35,738

the maintenance of a security deposit in the sum of \$35,800 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

n13-d4

## COURT NOTICE

### SUPREME COURT

■ NOTICE

#### QUEENS COUNTY IA PART 8 NOTICE OF PETITION INDEX NUMBER 19875/13

In the Matter of the Application of the  
**NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY,**

Petitioner,

To Acquire By Exercise of its Powers of Eminent Domain Title in Fee Simple Absolute to Certain Real Property Known as Tax Block 1891, Lots 1, 12, 15, 20 and 22, located in the Borough of Queens, City of New York, in Connection With the Construction of P.S. 298Q

**PLEASE TAKE NOTICE** that, upon the annexed petition of Petitioner New York City School Construction Authority ("SCA"), duly verified on the 23 day of October, 2013, by Jenson Ambachen, Senior Attorney for the SCA, Petitioner shall move this Court on the 6th day of December, 2013 at 9:30 a.m., or as soon thereafter as counsel may be heard, at I.A.S. Part 8 of this Court, to be held at the Courthouse thereof, located at 88-11 Sutphin Blvd, Jamaica, New York for an order:

- (a) granting the Petition in all respects;
- (b) authorizing the SCA to file the Acquisition Map, in the form annexed to the Petition, in the Office of the Clerk of Queens County;
- (c) directing that, upon the filing of the Order of this Court and the Acquisition Map, title and possession to the property shown on said Map, shall vest in the SCA, said property consisting of all that certain plot, piece or parcel of land, comprising Tax Block 1891, Lots 1, 12, 15, 20 and 22, with any buildings and improvements thereon, erected, situated, lying and being in the Borough and County of Queens State of New York, bounded and described as follows:

#### PARCEL 1

**ALL** that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of the Queens, City and State of New York, bounded and describe as follows:

**BEGINNING.** At the corner formed by the intersection of the northerly side of Christie Avenue with the easterly side of 98th Street;

**RUNNING THENCE** northerly along the easterly side of 98th Street, 216.91 feet;

**THENCE** easterly at right angles to the easterly side of 98th Street, 100 feet;

**THENCE** southerly parallel with the easterly side of 98th Street, 182.15 feet to the northerly side of Christie Avenue;

**THENCE** westerly along the northerly side of Christie Avenue, 105.87 feet to the corner, aforesaid, at the point or place of BEGINNING.

#### PARCEL 2

**ALL** that certain plot, piece or parcel of land, situate, lying and being in the Borough and County of the Queens, City and State of New York, bounded and describe as follows:

**BEGINNING** at a point on the easterly side of 98th Street distant 115 feet southerly from the corner formed by the intersection of the southerly side of 50th Avenue with the easterly side of 98th Street;

**RUNNING THENCE** easterly parallel with 50th Avenue, 100 feet;

**THENCE** southerly parallel with the easterly side of 98th Street, 280.00;

**THENCE** westerly parallel with 50th Avenue, 100 feet to the easterly side of 98th Street;

**THENCE** northerly along the easterly side of 98th Street, 280 feet to the point or place of BEGINNING.

(The above-described properties are hereafter referred to as the "Property").

- (d) providing that this Court shall determine all claims for just compensation arising from the acquisition of said Property and that such claims shall be heard without a jury and without referral to a referee or commissioner;
- (e) directing that, within thirty (30) days after the entry of the Order of this Court, the SCA shall cause a Notice of Acquisition to be served upon each condemnee or such condemnee's attorney of record;
- (f) directing that all claimants have a period of one hundred eighty (180) days from the date of service of the Notice of Acquisition within which to file a written claim or notice of appearance; and
- (g) granting such other and further relief as this Court deems just and proper.

Dated: New York, New York, October 23, 2013.  
MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for the Condemnor,  
New York City Construction Authority  
100 Church Street  
New York, New York 10007  
Tel. (212) 356-2140

SEE MAP ON BACK PAGES

n8-22

#### QUEENS COUNTY IA PART 8 NOTICE OF PETITION INDEX NUMBER 19509/13

In the Matter of Application of the CITY OF NEW YORK, relative to acquiring title in fee simple absolute to certain real property where not heretofore acquired for the

#### ARCHER AVENUE STATION PLAZA, STAGE 1

located along Archer Avenue within the area from 144th Place to 147th Place, in the Borough of Queens, City and State of New York.

**PLEASE TAKE NOTICE** that the Corporation Counsel of the City of New York intends to make application to the Supreme Court of the State of New York, Queens County, IA Part 8, for certain relief.

The application will be made at the following time and place: At 88-11 Sutphin Boulevard, in the Borough of Queens, City and State of New York, on December 6, 2013, at 9:30 A.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- 1) authorizing the City to file an acquisition map in the Office of the City Register;
- 2) directing that upon the filing of said map, title to the property sought to be acquired shall vest in the City;
- 3) providing that just compensation therefor be ascertained and determined by the Supreme Court without a jury; and
- 4) providing that notices of claim must be served and filed within one calendar year from the date of service of the Notice of Acquisition for this proceeding.

The City of New York, in this proceeding, intends to acquire title in fee simple absolute to certain real property where not heretofore acquired for the same purpose, for Archer Avenue Station Plaza, Stage 1, in the Borough of Queens City and State of New York.

All those certain tracts of land, together with the buildings and improvements erected thereon and the appurtenances thereunto belonging situated in the Borough of Queens, City and State of New York, bounded and described as follows:

#### Block 9986 Lot 70 (Damage Parcel 1) Borough of Queens – County of Queens – New York

Beginning at a point in the westerly right-of-way line of 146th Street (60 feet wide) (formerly Middletown Street), said point being distant 180.00 feet southeasterly from the intersection of said westerly right-of-way line of 146th Street and the southerly right-of-way line of 91st Avenue (60 feet wide) (formerly Carl Street) and from said point running, thence;

- Southeasterly along said westerly right-of-way line of 146th Street distance of 40.00 feet to a point; thence,
- Southwesterly, on a line forming an interior angle of 90°-00'-00", distant 90.00 feet to a point; thence,
- Northwesterly, on a line forming an interior angle of 90°-00'-00", distant 40.00 feet to a point; thence,
- Northeasterly, on a line forming an interior angle of 90°-00'-00", distant 90.00 feet to the above described point or place of beginning.

Containing 3,600 S.F.

Also being known as Lots 3 and 4 on a map entitled "Map of Lots at Jamaica Station computed from City Survey by Evens Bros." dated March 28, 1914 and filed in the office of the Clerk of the County of Queens, February 26, 1916 as Map No. 3417.

#### Block 9986 Lot 73 (Damage Parcel 2) Borough of Queens – County of Queens – New York

Beginning at a point in the westerly right-of-way line of 146th Street (60 feet wide) (formerly Middletown Street), said point being distant 220.00 feet southeasterly from the intersection of said westerly right-of-way line of 146th Street and the southerly right-of-way line of 91st Avenue (60 feet wide) (formerly Carl Street) and from said point running, thence;

- Southeasterly, along said westerly right-of-way line of 146<sup>th</sup> Street, distant 40.09 feet to a point and the northwesterly right-of-way line of Archer Avenue (irregular width) (formerly Archer Street); thence,
- Southwesterly, on a line forming an interior angle of 109°-08'-35.3", along said northwesterly right-of-way line of Archer Avenue, distant 95.27 feet to a point and the easterly line of Block 9986 Lot 75; thence,
- Northwesterly, on a line forming an interior angle of 70°-51'-24.7", distant 71.33 feet to a point and the southeasterly line of Block 9986 Lot 70; thence,
- Northeasterly, on a line forming an interior angle of 90°-00'-00", along said southeasterly line of Block 9986 Lot 70, distant 90.00 feet to the above described point or place of beginning.

Containing 5,014 S.F.

Also being known as Lots 1 and 2 on a map entitled "Map of Lots at Jamaica Station computed from City Survey by Evens Bros." dated March 28, 1914 and filed in the office of the Clerk of the County of Queens, February 26, 1916 as Map No. 3417.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

**PLEASE TAKE FURTHER NOTICE THAT**, pursuant to EDPL § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: New York, New York, October 7, 2013.  
MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for the Condemnor  
100 Church Street  
New York, New York 10007  
Tel. (212) 356-2140

SEE MAP ON BACK PAGES

n8-26

## PROPERTY DISPOSITION

### CITYWIDE ADMINISTRATIVE SERVICES

■ AUCTION

#### PROPOSED SALE OF CERTAIN NEW YORK CITY REAL PROPERTY PARCELS BY PUBLIC AUCTION

PUBLIC NOTICE IS HEREBY GIVEN THAT The Department of Citywide Administrative Services proposes to offer the properties listed herein for sale at Public Auction.

In accordance with Section 384 of the New York City Charter, a Public Hearing was held on October 30, 2013 for these properties at Spector Hall, 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

These properties will be sold in accordance with the Standard Terms and Conditions of Sale dated August 26, 2013. An asterisk (\*) appears adjacent to those parcels subject to Special Terms and Conditions.

They have been approved for sale by the Mayor of the City of New York, and will be offered at public auction on December 4, 2013.

The brochure for this sale is available on the DCAS website at nyc.gov/auctions. Additionally, brochures are available at 1 Centre Street, 20th Floor North, New York, New York 10007, or by calling (212) 386-0622.

18 Parcels

Borough of The Bronx		
Block	Lot(s)	Upset Price
*2575	31	\$234,000
2575	34	\$3,082,500
3844	1000	\$225,000

Borough of Brooklyn		
Block	Lot(s)	Upset Price
1465	29,42,43,44	\$274,000
6037	102	\$525,000

7208	302	\$360,000
<b>Borough of Queens</b>		
<b>Block</b>	<b>Lot(s)</b>	<b>Upset Price</b>
2573	124	\$7,950,000
10193	85	\$9,000
14243	1119	\$34,500
14243	1169	\$33,000
and		
14246	1169	
*14246	1189	\$50,500
14253	1512,1513,1514	\$115,000
14254	1638,1639,1640, 2037	\$115,000
*15306	11	\$154,500
16066	50	\$26,500
16103	83,84	\$88,500
16290	999	\$295,500

<b>Borough of Staten Island</b>		
<b>Block</b>	<b>Lot(s)</b>	<b>Upset Price</b>
6253	9	\$274,000

n1-d4

**OFFICE OF CITYWIDE PURCHASING**

**NOTICE**

The Department of Citywide Administrative Services, Office of Citywide Purchasing is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>. To begin bidding, simply click on 'Register' on the home page. There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more. Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Purchasing, 1 Centre Street, 18th Floor, New York, NY 10007.

ny24-d1

**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):

- \* Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- \* Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

**FOR ALL OTHER PROPERTY**

- \* Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906.
- \* Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- \* Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- \* Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- \* Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

**PROCUREMENT**

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

- Win More Contracts at [nyc.gov/competetowin](http://nyc.gov/competetowin)

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

**HHS ACCELERATOR**

To respond to human services Requests for Proposals (RFPs) released Fall 2013 and later, vendors must first complete and submit an electronic prequalification application using the City's Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. To establish this, the City of New York is using the innovative procurement method, as permitted and in accordance with Section 3-12 of the Procurement Policy Board Rules of the City of New York ("PPB Rules"). The new process will remove redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding will be more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

RFPs to be managed by HHS Accelerator are listed on the NYC Procurement Roadmap located at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

**Participating NYC Agencies**

HHS Accelerator, led by the Deputy Mayor for Health and Human Services, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Client and Community-based Services Agencies:

- Administration for Children's Services (ACS)
- Department for the Aging (DFTA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit [www.nyc.gov/hhsaccelerator](http://www.nyc.gov/hhsaccelerator).

**ADMINISTRATION FOR CHILDREN'S SERVICES**

**SOLICITATIONS**

*Human / Client Services*

**NON-SECURE DETENTION GROUP HOMES** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06813N0006 – DUE 06-30-15 AT 2:00 P.M. – The Administration for Children's Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation.

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.  
Michael Walker (212) 341-3617; Fax: (917) 551-7239;  
[michael.walker@dfa.state.ny.us](mailto:michael.walker@dfa.state.ny.us)

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**INTENT TO AWARD**

*Services (Other Than Human Services)*

**CLINICAL CONSULTATION SERVICES** – Negotiated Acquisition –  
PIN# 06807P0007CNVN002,  
PIN# 06807P0001CNVN002,  
PIN# 06807P0005CNVN002,  
PIN# 06807P0013CNVN003

- 1) Palladia
- 2) New York Foundling (Manhattan)
- 3) New York Foundling (Staten Island)
- 4) The Child Center of New York

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 above four (4) subject contracts' terms to ensure continuity of mandated services. The terms of the contracts are projected to be from June 1, 2013 through May 31, 2014.

Suppliers may express interest in future procurements by contacting Doron Pinchas at ACS Administrative Contracts Unit, 150 William Street, 9th floor, New York, NY 10038; [doron.pinchas@dfa.state.ny.us](mailto:doron.pinchas@dfa.state.ny.us); or by calling (212) 341-3529 between the hours of 10:00 A.M. and 4:00 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.  
Administration for Children's Services, 150 William Street, 9th Floor. Doron Pinchas (212) 341-3529;  
Fax: (212) 341-9830; [Doron.Pinchas@dfa.state.ny.us](mailto:Doron.Pinchas@dfa.state.ny.us)

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**AGING**

**AWARDS**

*Human / Client Services*

**AWARD** – BP/City Council Discretionary – PIN# 12514DISC4VM – SENIOR SERVICES - BP/CITY COUNCIL DISCRETIONARY - the funds for these contracts have been provided through a discretionary award to enhance services to older adults. The contract term shall each be from July 1, 2013 to June 30, 2014.

Woodside On The Move, Inc.,  
39-24 59th Street, 2nd Floor, Ste 5, Woodside, NY 11377.  
PIN# 12514DISC4VM - \$10,000

Community Agency for Senior Citizens,  
56 Bay Street, SI, NY 10301.  
EPIN# 12514L0028001 - \$81,306

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**AWARD** – BP/City Council Discretionary – PIN# 12514L0033001 – SENIOR SERVICES - BP/CITY COUNCIL DISCRETIONARY - The funds for these contracts have been provided through a discretionary award to enhance services to older adults. The contract term shall each be from July 1, 2012 to June 30, 2013.

Jewish Home Lifecare, Harry and Jeanette Weinberg Campus, Bronx  
100 West Kingsbridge Road, Bronx, NY 10468  
12514L0033001 - \$25,000

South Brooklyn Youth Consortium, Inc., P.O. Box 245134  
2811 Mermaid Avenue, 2nd Floor, Brooklyn, NY 11224  
12513L0051001 - \$79,200

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**AWARD** – BP/City Council Discretionary – PIN# 12514L0019001 – SENIOR SERVICES - BP/CITY COUNCIL DISCRETIONARY - the funds for these contracts have been provided through a discretionary award to enhance services to older adults. The contract term shall each be from July 1, 2013 to June 30, 2014.

Citizens Care Committee Inc.  
146 Saint Nicholas Avenue, New York, NY 10026  
12514L0019001 - \$40,000

The Spanish Speaking Elderly Council-RAICES Inc.  
460 Atlantic Avenue, Brooklyn, NY 11217  
12514L0029001 - \$40,000

Grand Street Settlement, 80 Pitt Street,  
New York, NY 10002  
12514L0025001 - \$77,922

Sunnyside Community Services Inc.  
43-31 39th Street, Sunnyside, NY 11104  
12514L0023001 - \$50,000

East River Development Alliance, Inc.  
12-11 40th Avenue, Long Island City, NY 11101  
12514L0035001 - \$27,475

Failte Care Corporation New York Irish Center  
New York Irish Center, 10-40 Jackson Avenue,  
Long Island City, NY 11101  
12514L0037001 - \$57,500

Council of Belmont Organizations Inc.  
630 East 187th Street, Bronx, NY 10458  
12514L0032001 - \$103,914

Selfhelp Community Services, Inc.  
520 Eighth Avenue, 5th Fl., New York, NY 10018  
12514L0024001 - \$50,000

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**CITYWIDE ADMINISTRATIVE SERVICES**

**OFFICE OF CITYWIDE PURCHASING**

**SOLICITATIONS**

*Services (Other Than Human Services)*

**PUBLIC SURPLUS ONLINE AUCTION** – Other – PIN# 0000000000 – DUE 12-31-14.

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,  
66-26 Metropolitan Avenue, Queens Village, NY 11379.  
Donald Lepore (718) 417-2152; Fax: (212) 313-3135;  
[dlepore@dcas.nyc.gov](mailto:dlepore@dcas.nyc.gov)

s6-f25

**AWARDS**

*Goods*

**PARTS FOR SETTLING TANK (BRAND SPECIFIC)** – Competitive Sealed Bids – PIN# 8571300152 – AMT: \$4,999,958.00 – TO: Fairfield Service Company of Indiana, LLC, 2890 Harding Highway East, Suite A, Marion, OH 43302.

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**VENDOR LISTS**

*Goods*

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

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis

C. Major Component Parts (Engine, Transmission, etc.)

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

j2-d31

**EDUCATION**

**CONTRACTS AND PURCHASING**

■ SOLICITATIONS

*Human/Client Services*

**ENGLISH LANGUAGE LEARNER (ELL) PERIODIC ASSESSMENTS** – Request for Proposals – PIN# R1010040 – DUE 12-18-13 AT 1:00 P.M. – The New York City Department of Education (NYCDOE), on behalf of the Division of Academics, Performance and Support, is seeking proposals for student assessments and related assessment administration support services for the NYCDOE's English Language Learners periodic assessment program.

The successful proposer will provide services under one or more of the following four RFP components:

- Component 1: English Language Learner Baseline Periodic Assessments
- Component 2: Independent Formative Language Assessments
- Component 3: Universal English Language Development Rubrics
- Component 4: Native Language Tasks

Detailed component descriptions and requirements are provided in the RFP.

The RFP may result in award of multiple requirements contract for a base term of three (3) years. The NYCDOE reserves the unilateral option to extend the contract for two (2) additional 1-year periods. It is anticipated that services will commence in the summer of 2014. 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 psimms@schools.nyc.gov with the RFP number and title in the subject line of your e-mail.

PRE-PROPOSAL CONFERENCE: November 26, 2013 at 3:00 P.M. located at Conference Room 1201, Room 1201, 65 Court Street, Brooklyn, NY 11201.

The New York City Department of Education (DOE) strives to give all businesses, including Minority and Women-Owned Business Enterprises (M/WBEs), an equal opportunity to compete for DOE procurements. The DOE's mission is to provide equal access to procurement opportunities for all qualified vendors, including M/WBEs, from all segments of the community. The DOE works to enhance the ability of M/WBEs to compete for contracts. DOE is committed to ensuring that M/WBEs fully participate in the procurement process.

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

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**HEALTH AND HOSPITALS CORPORATION**

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

j1-d31

**HEALTH AND MENTAL HYGIENE**

**AGENCY CHIEF CONTRACTING OFFICER**

■ SOLICITATIONS

*Services (Other Than Human Services)*

**PUBLIC HEALTH/PREVENTIVE MEDICINE RESIDENCY PROGRAM** – Negotiated Acquisition – PIN# 14PT0009000R0X00 – DUE 12-23-13 AT 4:00 P.M. – The Department is seeking schools that are interested and qualified to provide the opportunity for Residents in DOHMH's Public Health/Preventive Medicine Residency Program the opportunity to earn the Master of Public Health Degree or attend the school as a resident enrolled in a non-degree granting program.

The Negotiated Acquisition will be available to access on-line at <http://www.nyc.gov/health/contracting> or for pick-up at the address listed below, between the hours of 10:00 A.M. to 4:00 P.M. on weekdays only. Questions may be submitted via e-mail to [NA@health.nyc.gov](mailto:NA@health.nyc.gov). Questions must be received no later than November 25, 2013.

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

Health and Mental Hygiene, 42-09 28th Street, 17th Floor, CN30A, New York, NY 11101.

Jeannette Soto-Pacheco (347) 396-6639; Fax: (347) 396-6758; [NA@health.nyc.gov](mailto:NA@health.nyc.gov)

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■ AWARDS

*Human/Client Services*

**PRIMARY HEALTH CARE TO ADOLESCENTS IN SCHOOL BASED HEALTH CENTER** – Negotiated

Acquisition – Judgment required in evaluating proposals - PIN# 14SH009901R0X00 – AMT: \$272,988.83 – TO: Staten Island University Hospital, 475 Seaview Avenue, Staten Island, NY 10305.

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**HOUSING AUTHORITY**

■ SOLICITATIONS

*Goods & Services*

**ASBESTOS ABATEMENT PROJECT MANAGEMENT** – Competitive Sealed Bids – DUE 12-19-13 – RFQ# 60226 - Asbestos Abatement Project Management in Various Manhattan Due at 10:00 A.M. RFQ# 60225 - Asbestos Abatement Project Management at "Bond Bid" Sites in Brooklyn Due at 10:05 A.M.

Interested firms may obtain a copy and submit it on NYCHA's website: Doing Business with NYCHA. <http://www.nyc.gov/html/nycha/html/business.shtml>. Vendors are instructed to access the "Register Here" line for "New Vendor"; if you have supplied goods or services to NYCHA in the past and you have your log-in credentials, click the "Log into iSupplier" link under "Existing Upon access, reference applicable RFQ number per solicitation.

Vendor electing to submit a non-electronic bid (paper document) will be subject to a \$25.00 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department at 90 Church Street, 6th Floor, New York, NY 10007; obtain receipt and present it to 6th Floor, Supply Management Dept. Procurement Group. A bid package will be generated at time of request.

SPECIAL INSTRUCTIONS: TERMS IS 2 YEARS W/T 1 YEAR EXTENSION BID SECURITY REQUIRED.

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

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Erneste Pierre-Louis (212) 306-3609;

Fax: (212) 306-5109; [Erneste.Pierre-Louis@nycha.nyc.gov](mailto:Erneste.Pierre-Louis@nycha.nyc.gov)

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*Construction/Construction Services*

**MAJOR RENOVATIONS AT HARLEM RIVER** – Competitive Sealed Bids – PIN# RF1332177 – DUE 12-12-13 AT 10:30 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. Documents can also be obtained by registering with I-supplier and downloading documents.

A pre-bid conference is scheduled for November 26, 2013 at 10:00 A.M. at 90 Church Street., 11th Floor, Room 11-516. A walkthrough at the development will take place on the same day at 2:00 P.M.; participants will meet NYCHA representatives outside of the Harlem River Maintenance Office located at 231 West 151st Street. Although attendance is not mandatory, it is strongly recommended that you attend. NYCHA staff will be available to address all inquiries relevant to this contract.

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

Housing Authority, 90 Church Street, New York, NY 10007. Vaughn Banks (212) 306-6727; Fax: (212) 306-5152;

[vaughn.banks@nycha.nyc.gov](mailto:vaughn.banks@nycha.nyc.gov)

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**EXTERIOR BRICKWORK RESTORATION AND ROOFING REPLACEMENT AT CASSIDY-LAFAYETTE HOUSES** – Competitive Sealed Bids – PIN# RF1331063 – DUE 12-12-13 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. Documents can also be obtained by registering with I-supplier and downloading documents.

A pre-bid conference is scheduled for December 2, 2013 at 10:00 A.M. at 100 Lafayette Avenue, Building #4 Basement, Maintenance Office in Staten Island. Although attendance is not mandatory, it is strongly recommended that you attend. NYCHA staff will be available to address all inquiries relevant to this contract.

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

Housing Authority, 90 Church Street, New York, NY 10007. Vaughn Banks (212) 306-6727; Fax: (212) 306-5152;

[vaughn.banks@nycha.nyc.gov](mailto:vaughn.banks@nycha.nyc.gov)

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*Human/Client Services*

**PROFESSIONAL CLEANING SERVICES** – Request for Qualifications – PIN# CD0003 – DUE 11-25-13 – Professional Services - Request for Resumes - Community Center Cleaners - various locations, 2014 Calendar Year.

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, Long Island City, NY 11101. Carl Walton (212) 306-3000; Fax: (212) 306-5165;

[dmp.resumes@nycha.nyc.gov](mailto:dmp.resumes@nycha.nyc.gov)

n19-22

**HUMAN RESOURCES ADMINISTRATION**

CONTRACTS

■ AWARDS

*Human/Client Services*

**TEEN RAPP PROGRAM** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06908X0046CNVN003 – AMT: \$982,352.00 – TO: Edwin Gould Services for Children and Families,

151 Lawrence Street, 5th Floor, Brooklyn, NY 11201. TERM: 7/1/2013 - 6/30/2014. AGENCY PIN: 06914H085301.

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**NON-RESIDENTIAL SERVICES** – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06907X0010CNVN005 – AMT: \$444,856.00 – TO: Barrier Free Living, Inc., 270 East 2nd Street, New York, NY 10009. TERM: 10/1/2013 - 9/30/2014. AGENCY PIN: 06907X0010CNVN005.

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*Services (Other Than Human Services)*

**SUPPORT SERVICES FOR HITACHI PRODUCTS** – Intergovernmental Purchase – Judgment required in evaluating proposals - PIN# 09614O0002001 – AMT: \$868,567.91 – TO: Dyntek Services, Inc., 1250 Broadway, Suite 3801, New York, NY 10001. Term: 7/1/2013 - 9/30/2016. Agency PIN: 14GSEMI010.

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**ACCO/FICE OF CONTRACTS**

■ INTENT TO AWARD

*Human/Client Services*

**HOME ATTENDANT SERVICES TO MEDICAID ELIGIBLE INDIVIDUALS** – Negotiated Acquisition – PIN# 06910X0004CNVN007 – DUE 11-21-13 AT 2:00 P.M. – \*For Informational Purposes Only\* HRA intends to extend the contract with the following vendors; \*Medicaid Management Information System (MMIS)

1. Association for Services for the Aged  
PIN#: 14EHEHC00302 - Amt: \$1,833,996.00
2. Best Care, Inc. d/b/a All City Care  
PIN#: 14EHEHC00303 - Amt: \$188,711.00
3. Beth Emeth Home Attendant Services, Inc.  
PIN#: 14EHEHC00304 - Amt: \$844,480.00
4. BHRAGS Home Care, Inc.  
PIN#: 14EHEHC00305 - Amt: \$2,105,924.00
5. Bushwick Stuyvesant Heights Home Attendant, Inc.  
PIN#: 14EHEHC00306 - Amt: \$1,300,005.00
6. Cabs Home Attendant Service  
PIN#: 14EHEHC00307 - Amt: \$1,647,380.00
7. Cabs Home Attendant Service  
PIN#: 14EHEHC00308 - Amt: \$283,367.00
8. Chinese American Planning Council Home Attendant  
PIN#: 14EHEHC00309 - Amt: \$330,074.00
9. Community Home Care Referral D/B/A/ Helping Hands Attendant Svcs.  
PIN# 14EHEHC00310 - Amt: \$270,990.00
10. Family Home Care Services of Brooklyn and Queens, Inc.  
PIN#: 14EHEHC00311 - Amt: \$1,037,952.00
11. Home Attendant Services of Hyde Park  
PIN#: 14EHEHC00312 - Amt: \$678,309.00
12. Home Attendant Vendor Agency  
PIN#: 14EHEHC00313 - Amt: \$708,459.00
13. Home Care Services for Independent Living  
PIN#: 14EHEHC00314 - Amt: \$1,010,188.00
14. Human Development Association, Inc.  
PIN#: 14EHEHC00316 - Amt: \$817,426.00
15. PSC Community Services, Inc.  
PIN#: 14EHEHC00315 - Amt: \$600,728.00
16. People Care, Inc. D/B/A Assisted Care  
PIN#: 14EHEHC00317 - Amt: \$362,031.00
17. Personal Touch Home Care of NY, Inc.  
PIN#: 14EHEHC00318 - Amt: \$460,368.00
18. Prestige Home Attendant, Inc. D/B/A All Season Home Attendant  
PIN#: 14EHEHC00319 - Amt: \$360,129.00
19. Progressive Home Health Services, Inc.  
PIN#: 14EHEHC00320 - Amt: \$410,927.00
20. Project OHR, Inc.  
PIN#: 14EHEHC00321 - Amt: \$1,268,827.00
21. Ridgewood Bushwick Senior Citizens Council  
PIN#: 14EHEHC00322 - Amt: \$1,214,316.00
22. School Settlement Home Attendant Svcs. Corp.  
PIN#: 14EHEHC00344 - Amt: \$1,360,549.00
23. St. Nicholas Human Support Corp.  
PIN#: 14EHEHC00323 - Amt: \$1,251,272.00
24. VIP Health Care Services  
PIN#: 14EHEHC00324 - Amt: \$254,970.00
25. C.I.D.N.Y. Independent Living Services, Inc.  
PIN#: 14EHEHC00325 - Amt: \$797,537.00
26. Chinese American Planning Council Home Attendant Program, Inc.  
PIN#: 14EHEHC00326 - Amt: \$1,173,661.00
27. FECS Home Attendant Services, Inc.  
PIN# 14EHEHC00327 - Amt: \$447,720.00
28. First Chinese Presbyterian Community Affairs Home Attendant  
PIN#: 14EHEHC00328 - Amt: \$922,714.00
29. Home Health Management Services, Inc.  
PIN#: 14EHEHC00329 - Amt: \$1,690,653.00
30. New York Foundation for Senior Citizens Home Attendant Svcs.  
PIN# 14EHEHC00330 - Amt: \$1,343,337.00
31. People Care, Inc. D/B/A Assisted Care  
PIN#: 14EHEHC00331 - Amt: \$242,775.00
32. United Jewish Council of East Side Home Attendant Svcs.  
PIN#: 14EHEHC00332 - Amt: \$744,018.00

33. Family Home Care Svcs. of Brooklyn and Queens  
PIN#: 14EHEHC00333 - Amt: \$729,628.00
34. Jewish Community Council Svcs. Commissions, Inc.  
PIN#: 14EHEHC00334 - Amt: \$576,657.00
35. People Care, Inc D/B/A Assisted Care  
PIN#: 14EHEHC00335 - Amt: \$192,254.00
36. Pomonok Home Svcs., Inc.  
PIN#: 14EHEHC00345 - Amt: \$1,187,710.00
37. Prestige Home Attendant, Inc.  
D/B/A All Season Home Attendant  
PIN#: 14EHEHC00339 - Amt: \$367,303.00
38. Ridgwood Bushwick Senior Citizens  
PIN#: 14EHEHC00337 - Amt: \$552,351.00
39. Rockaway Home Attendant Svcs., Inc.  
PIN#: 14EHEHC00336 - Amt: \$385,404.00
40. Services for the Aged  
PIN#: 14EHEHC00338 - Amt: \$292,923.00
41. Social Concern Community Development Corp.  
PIN#: 14EHEHC00342 - Amt: \$731,396.00
42. Sunnyside Home Care Project, Inc.  
PIN# 14EHEHC00340 - Amt: \$716,224.00
43. VIP HC Services  
PIN#: 14EHEHC00341 - Amt: \$234,542.00
44. Stella Orton Home Care Agency, Inc.  
PIN#: 14EHEHC00343 - Amt: \$2,158,042.00

The Human Resources Administration/HomeCare Services Program (HRA/HCSPP) plans to enter into negotiations with the current vendors who are providing Home Attendant Services to Medicaid Eligible Individuals. The extension will ensure that these critical services continue while the agency completes the RFP for replacement contracts.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.  
*Human Resources Administration, 180 Water Street, 14th Floor, New York, NY 10038.*  
*Barbara Beirne (929) 221-6348; beirneb@hra.nyc.gov*

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## PARKS AND RECREATION

### REVENUE AND CONCESSIONS

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

**OPERATION, MAINTENANCE AND MANAGEMENT OF AN 18-HOLE GOLF COURSE, CLUBHOUSE AND SNACK BAR** – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# Q15-GC-2013 – DUE 01-10-14 AT 3:00 P.M. – In Forest Park, Queens. There will be a recommended proposer meeting and site tour on Thursday, December 5, 2013 at 11:00 A.M. We will be meeting at the proposed concession site (Block #3866 and Lot #70), which is located at 101 Forest Park Drive, Woodhaven, NY 11421. We will be meeting in front of the clubhouse. If you are considering responding to this RFP, please make every effort to attend this recommended meeting and site tour.

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, 830 5th Avenue, Room 407, New York, NY 10065. Alexander Han (212) 360-1397;*  
*Fax: (212) 360-3434; Alexander.Han@parks.nyc.gov*

n15-29

## SCHOOL CONSTRUCTION AUTHORITY

### CONTRACT SERVICES

#### ■ SOLICITATIONS

*Construction / Construction Services*

**PARAPETS/EXTERIOR MASONRY/FLOOD ELIMINATION** – Competitive Sealed Bids – PIN# SCA14-14157D-2 – PS 216 (Brooklyn) Parapets/Exterior Masonry/Flood Elimination Non-Refundable Document Fee (100) Pre-bid Meeting Date: December 2, 2013 at 11:00 A.M. at PS 216 (k).

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 Thompson Avenue, First Floor, Long Island City, NY 11101.*  
*Richardo Forde (718) 752-5288; Fax: (718) 472-0477;*  
*rforde@nycsca.org*

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## AGENCY RULES

## ENVIRONMENTAL PROTECTION

#### ■ NOTICE

### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Department of

Environmental Protection is considering changing its rules. The change would amend DEP's Rules to revise performance standards and other engineering criteria for boilers and water heaters.

**When and where is the hearing?** The department will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M. until 12:00 P.M. on December 20, 2013. The hearing will be held in the 8th floor conference room at 59-17 Junction Boulevard, Flushing, New York.

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

- **Website.** You can submit comments to the Department of Environmental Protection through the NYC rules web site at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to [nycrules@dep.nyc.gov](mailto:nycrules@dep.nyc.gov).
- **Mail.** You can mail written comments to the Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.
- **Fax.** You can fax written comments to the Department of Environmental Protection, Bureau of Legal Affairs, at 718-595-6543.
- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling Julia Bourdier at 718-595-6554. You can also sign up in the hearing room before the hearing begins on December 20, 2013. You can speak for up to three minutes.

**Is there a deadline to submit written comments?** Yes, you must submit written comments by December 20, 2013.

#### Do you need assistance to participate in the hearing?

You must tell the Bureau of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at 718-595-6554. You must tell us by December 13, 2013.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Bureau of Legal Affairs.

#### What authorizes the department to make this rule?

Section 1403(c) of the City Charter and sections 24-105, 24-109, 24-122, and 24-125 of the City Administrative Code authorize the department to make this proposed rule. This proposed rule was included in the department's regulatory agenda for this fiscal year.

**Where can I find the department's rules?** The department's rules are in title 15 of the Rules of the City of New York.

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

#### Statement of Basis and Purpose of Proposed Rule

Section 1403(c) of the New York City Charter and Section 24-105 of the City Administrative Code authorize the commissioner to regulate and control the emission of harmful air pollutants into the open air.

Sections 24-109, 24-122, and 24-125 of the Administrative Code respectively authorize the commissioner

- 1) To regulate and control emission sources other than those located in one or two family dwellings and motor vehicles by requiring a registration to be filed with the department; and
- 2) Set forth general requirements for applications for work permits, certificates of operation, and renewal of certificates of operation; and provide standards for granting work permits.

Chapter 2 of title 15 provides performance standards and other engineering criteria for oil-burning boilers. The rules have not been revised since their original promulgation in 1970. Since then, technological advances in boiler design and fuels have rendered many of the current rules obsolete. Since the proposed changes to the existing rules are so extensive, the existing rules are being deleted entirely and replaced with new rules.

The new rules include the following important changes and additions:

- Provisions are added that address natural gas boilers.
- References to fuel oil grades #4 and #6 are removed, as relating to the use of such fuels in new boilers, as the installation of new boilers using those fuels is no longer permitted.
- The current combustion efficiency requirements for carbon dioxide have been deleted, as modern combustion efficiency analyzers now measure oxygen instead.
- The combustion efficiency requirement for oil-fired boilers is increased from 80 per cent to 83 per cent, and is established at 80 per cent for natural gas-fired boilers.
- A requirement has been added for annual boiler tune-ups and combustion efficiency tests conducted

by a qualified combustion tester using a calibrated combustion analyzer. The test results must be submitted with the application to renew the certificate of operation.

- The equipment approval process has been changed to allow professional engineers to certify equipment that is not on DEP's Accepted Equipment list, provided the equipment meets required criteria. Additionally, equipment that is listed by Underwriters' Laboratory, the Canadian Standards Association, or ETL is also acceptable. Unlisted or custom equipment will require certification by a professional engineer.
- Provisions that address condensing boilers are added.
- Provisions to allow for variances are added.
- Specific design requirements, such as heat release, combustion chamber, furnace volume, and oil handling, are deleted.
- Chimney radial distances have been updated for new chimneys to conform to the requirements set forth in the Mechanical Code and Fuel Gas Code.

Section 1. Chapter 2 of Title 15 of the Rules of the City of New York, relating to standards for fossil fuel boilers, is REPEALED.

§2. Title 15 of the Rules of the City of New York is amended by adding a new chapter 2, to read as follows:

#### Chapter 2. Engineering Criteria for Fossil Fuel Burning Boilers & Water Heaters

##### §2-01 Introduction and Applicability.

All owners of new fossil fuel burning boilers and water heaters that require a certificate of operation under the New York City Air Pollution Control Code, as codified in Chapter 1 of Title 15 of the New York City Administrative Code, are subject to these rules.

In order for a work permit to be issued an application must be filed, accompanied by plans and any additional information. The application will enable the department to evaluate the design of equipment installation for compliance with the specification requirements described in section §2-11 of this chapter. Upon issuance of a work permit, the equipment shall be installed and adjusted to meet the performance requirements specified in section §2-08 of this chapter.

##### §2-02 Definitions.

(1) AP-42. "AP-42" means the United States Environmental Protection Agency publication AP-42, *Compilation of Air Pollutant Emission Factors, Volume I: Stationary Point and Area Sources* (fifth edition, 1995).

(2) ASHRAE. "ASHRAE" means the American Society of Heating, Refrigerating, and Air Conditioning Engineers.

(3) ASTM International. "ASTM International" is formerly known as the American Society for Testing and Materials.

(4) Barometric damper. "Barometric damper" means a device which consists of a damper counter-weighted and set such that boiler room barometric pressure will cause the damper to open or close to check variations in chimney draft and thereby maintain a constant draft directly upstream of the barometric draft regulator location.

(5) Biogas. "Biogas" means a mixture of methane and carbon dioxide produced by the anaerobic digestion of organic matter used as a fuel; includes landfill gas and digester gas.

(6) Boiler. "Boiler" means equipment that is used to heat water or any other transfer medium for the purpose of generating hot water and/or steam. The hot water and/or steam generated by a boiler may be used for heating, processing, or generating power for other purposes, including but not limited to, cooking and sanitation.

(7) British thermal unit. "British thermal unit" (Btu) means the amount of energy needed to heat one pound of water by one degree Fahrenheit.

(9) Burner. "Burner" means a device for the final conveyance of the fuel, or a mixture of fuel and air, to the combustion zone.

(9) Calibration test. "Calibration test" means to calibrate the qualified combustion analyzer in accordance with the manufacturer's specifications.

(10) Certificate of operation. "Certificate of operation" means a document issued by the department authorizing the operation of a specific piece of equipment or apparatus that may emit an air contaminant.

(11) Chimney. "Chimney" means a primarily vertical structure containing one or more flues, for the purpose of carrying gaseous products of combustion and air from fuel-burning appliances to the outside atmosphere.

(12) Chimney diameter. "Chimney diameter" means for round chimneys, the diameter shall be taken as the actual inside diameter. Where the chimney is provided with a liner, its inside diameter is the chimney diameter. For rectangular chimneys, the equivalent diameter for equal friction and capacity shall be used based on the inside rectangular dimensions.

(13) Chimney height. "Chimney height" is the distance from the centerline of the entrance of the combustion gases into the chimney to the top of the chimney.

(14) Combustion efficiency. "Combustion efficiency" means a measurement of the burner's ability to burn fuel. It is the heat input minus the stack losses.

(15) Combustion efficiency test. "Combustion efficiency test" means a test of steady state combustion efficiency carried out by a qualified combustion tester using a qualified combustion analyzer.

(16) Condensing Boiler. "Condensing boiler" means a boiler that is designed to operate at stack temperatures where flue gases can condense, thereby recovering its latent heat of vaporization, before leaving the heat exchanger.

(17) Crown sheet. "Crown sheet" means that part of a boiler forming the top of the furnace in a firebox boiler, or the equivalent surface in other types.

(18) CSA Group. "CSA Group" means the Canadian Standards Association.

(19) Custom-design boiler. "Custom-design boiler" means a boiler designed for a specific installation.

(20) Department. "Department" shall mean the New York City Department of Environmental Protection.

(21) Draft. "Draft" shall mean negative static pressure, measured relative to atmospheric pressure.

(22) Dual-fuel. "Dual-fuel" means any equipment that uses both heating oil and gas as a fuel.

(23) Equivalent diameter. The term "equivalent diameter" referred to in the definition of transition section means the equivalent diameter of a square or rectangular section based on equal friction.

(24) ETL. "ETL" is the name of the certification listed mark from Intertek.

(25) Existing equipment. "Existing equipment" refers to any combustion equipment or apparatus legally installed before the promulgation of this chapter.

(26) Flame impingement. "Flame impingement" refers to the condition which exists when the flame resulting from the combustion of the fuel comes into contact with any interior surface of the furnace in such a way as to result in incomplete combustion of the fuel. Such condition may manifest itself in the formation of carbon at the contact location.

(27) Fuel oil grade no. 2. "Fuel oil grade no. 2" means a fuel oil meeting the current definition of fuel oil grade no. 2 as classified by ASTM International Standard D396-12.

(28) Fuel oil grade no 4. "Fuel oil grade no. 4" means a fuel oil meeting the current definition of fuel oil grade No. 4 as classified by ASTM International Standard D396-12.

(29) Fuel oil grade no 6. "Fuel oil grade no. 6" means a fuel oil meeting the current definition of fuel oil grade No. 6 as classified by ASTM International Standard D396-12.

(30) Flue gases. "Flue gases" means the products of combustion passing through the flue connection to the chimney.

(31) Furnace volume. "Furnace volume" is the space encompassed by the chamber floor, the refractory walls, the heat absorbing water walls of the boiler firebox, and the crown sheet, shell or water tubes of the boiler. If a target wall is installed in the furnace, the furnace volume shall be reduced by the volume behind the face of the target wall.

(32) Heat release. "Heat release" is the heat liberated by the combustion of the fuel (Btu/hr) per cubic foot of furnace volume.

(33) In-Kind Replacement. "In-kind replacement" means the replacement of a boiler or burner with equipment of the same make and model number.

(34) Induced draft fan. "Induced draft fan" is an acceptable fan intended for removal of flue gases from the boiler and providing pressure differential for proper combustion.

(35) Louver efficiency. "Louver efficiency" means the percentage of the total open area, not including obstructions such as blades and the frame, divided by the gross area of the louver.

(36) Low-fire setting. "Low-fire setting" is the setting which determines the oil firing rate at which burner ignition occurs where low-high-off, low-high-low-off, or modulating combustion controls are utilized based upon the manufacturer's recommendations.

(37) Low-high-low-off combustion control. "Low-high-low-off combustion control" is a control capable of initiating the burner such that ignition occurs at the low-fire setting, after which the burner fires at the maximum heat input rating in order to satisfy the demand, and varies the coordinated fuel-air input, between the maximum heat input rating rate and the low-fire as a result of variations in demand.

(38) Low-high-off-combustion control. "Low-high-off combustion control" is a control capable of initiating the burner such that ignition occurs at the low-fire setting, after which the burner fires at the maximum heat input rating until the demand has been satisfied.

(39) Maximum Heat Input Rating. "Maximum heat input rating" means the maximum steady-state fuel firing rate of the burner, measured in Btu per hour of gross heat input, as determined by the manufacturer's design rating of the burner.

(40) Mechanical ventilation. "Mechanical ventilation" is ventilation which is provided by a fan capable of maintaining the room in which the fuel burning equipment is located at a pressure not less than outside atmospheric pressure while

the combustion equipment is in operation.

(41) Natural Gas. "Natural gas" means a mixture of methane and other gases with an odorant as supplied by the local utility serving the premises.

(42) New installation. "New installation" refers to new construction, for which combustion equipment or apparatus is installed.

(43) Non-openable window. "Non-openable window" refers to lot line windows which are not legally required for light and ventilation by the Building Code, Multiple Dwelling Code or other regulatory rule, code or statute.

(44) NOx. "NOx" means the pollutant oxides of nitrogen which is the term used to describe the sum of nitric oxide (NO), nitrogen dioxide (NO<sub>2</sub>) and other oxides of nitrogen.

(45) On-off combustion control. "On-off combustion control" is a control capable of starting up or shutting down the burner in response to variations in demand.

(46) Opacity. "Opacity" means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background. Opacity is measured on a percent scale in accordance with U.S. EPA Method 9.

(47) Overall efficiency. "Overall efficiency" means the ratio of the energy output to the energy input or the heat input minus all the losses.

(48) Owner. "Owner" means and includes the owner of the equipment, a lessee of the equipment or his or her agent, a tenant, operator, or any other person who has regular control of equipment or apparatus.

(49) Particulate. Particulate means any air or gas-borne material, except water, that exists as a liquid or solid. The determination of the quantity of particulates present in a stack shall be determined in accordance with U.S. EPA Method 5.

(50) Percent oxygen (%O<sub>2</sub>). "Percent oxygen (%O<sub>2</sub>)" is the percentage of the dry flue gases that the oxygen occupies.

(51) Post-purge. "Post-purge" refers to the function of operating the burner fan after flame-out.

(52) Power operated draft regulator. "Power operated draft regulator" is a control which is capable of maintaining a constant pressure in the furnace under all normal operating conditions, and in addition is provided with a low-draft cut-off which will shut the burner off when the draft falls below a pre-selected minimum. The time relay shall delay switch action to prevent shut-down from initial exaggerated fluctuations in pressure.

(53) Pre-purge. "Pre-purge" refers to the function of operating the burner fan before flame ignition.

(54) Pressure differential. "Pressure differential" refers to the absolute value of the difference in pressure between any two points in the system.

(55) Qualified combustion analyzer. "Qualified combustion analyzer" means an instrument that is capable of directly measuring flue gas carbon monoxide, oxygen, and the temperatures of the boiler room, stack gas, calculating combustion efficiency for the specific fuel used, displaying the results, and creating an electronic or printed record of the results. All qualified combustion analyzers shall be calibrated to the manufacturer's specifications.

(56) Qualified combustion tester. "Qualified combustion tester" means (i) a licensed New York City Class A and B oil burner equipment installer, or (ii) a professional engineer or registered architect licensed pursuant to Education Law section 7202 or 7302.

(57) Qualified combustion tuner. "Qualified combustion tuner" means (i) a licensed New York City Class A and B oil burner equipment installer (ii) or as established by rule.

(58) Radial distance. "Radial distance" means the shortest distance between a receptor location and the centerline of the chimney outlet.

(59) Receptor. "Receptor" is any point at which a person in a nearby building can become exposed to the flue gases emanating from the chimney of the subject installation (e.g., openable window, occupiable terrace). Receptor shall also include air-conditioning and ventilating intakes. (Note: non-openable windows are not considered to be receptor locations.)

(60) Smoke reading. "Smoke reading" means the measurement of smoke density as measured in accordance with ASTM International Standard D2156-09.

(61) Stack loss. "Stack loss" means the sensible heat carried away by the dry flue gas and the sensible and latent heat carried away by the water vapor in the flue gas.

(62) Transition section. "Transition section" means a section of duct, breeching or stack used to connect these elements with structures of different cross-sectional dimensions. The required length, for such transition section must conform with:

$$L = 4(D_1 - D_2)$$

Where,

D<sub>1</sub> = the diameter (or equivalent) of the larger cross-sectional structures.

D<sub>2</sub> = the diameter (or equivalent diameter) of the smaller cross-sectional structures.

(57) Venting Calculations. "Venting calculations" means calculations that determine the acceptance of the combustion

air supply and boiler flue gas venting. These calculations include:

- (1) Flue venting: draft for atmospheric or non-power vented boilers, equivalent length for direct vent or sealed combustion appliances,
- (2) Combustion air: louvers, dedicated inlet or infiltration.

(63) UL. "UL" means the Underwriters Laboratory.

(64) Water Heater. "Water heater" means equipment which is used to heat and store water.

(65) Work Permit. "Work permit" means a permit issued for the installation of a device or apparatus.

#### §2-03 Variances.

(a) An application for any variance from these rules shall be made directly to the Department using an application form prescribed by the department. Work involving a variance may not commence before the receipt of the department's approval of the application, which will be reviewed and processed within four weeks.

(b) The variance application shall be prepared by a professional engineer or registered architect and submitted by the owner or authorized agent, and must submit the application with the following information:

(1) Identification of those portions of the rules for which a variance is requested, providing each numbered section and subsection;

(2) Explanations as to why the procedures required by the rules would cause unreasonable hardship;

(3) A written proposal describing the alternative procedures the applicant will employ to satisfy the requirement as modified.

(c) The department will approve or deny the variance application to be filed on a form prescribed by the department, after considering several factors including whether the applicant has demonstrated undue hardship.

#### §2-04 Application for Work Permit/Certificate of Operation.

(a) Filing of application. (1) The application, supplementary data and calculation sheet(s) and plans must be signed and sealed by a professional engineer or registered architect licensed under §§7202 or 7302 of the New York State Education Law. The application must include all essential details pertaining to the equipment, and the manner in which new equipment will be installed. The department may accept online applications from licensed individuals who pre-register with the department. All documents must be professionally certified by the same person.

(2) Only one type and size of equipment may be included on any one application. For example, a boiler and furnace, different sizes of similar equipment, identical boilers with different (although equivalent) burners should be filed separately.

(3) When filed, the application must include any supplementary data and calculation sheet(s), plans and any additional forms as may be required by the department.

(4) All filings specifying condensing boilers must be submitted with the installation specific ventilation requirements (louver or mechanical ventilation fan specifics), breeching requirements (dimensions and length specifics), and chimney (stack) requirements (dimensions and height specifics) obtained from the manufacturer. Such calculations and summary sheets must be submitted. The filing engineer must certify that all of the manufacturer's recommendations and specifications will be followed in the use of materials, design, installation, and operation of the condensing boiler. The fresh-air requirements, draft calculations, chimney, and breeching plan required in this section must not apply to condensing boilers.

(b) Contents of application. The application must include the following:

(1) The authorization of the equipment owner and his or her name, address and signature. The signature must be that of the proprietor where the business is a sole proprietorship. If the business is a partnership, the signature must be that of a partner. In the case of a corporation, the signature must be that of an officer of the corporation. In all instances, the signatory must indicate his or her title after his or her signature.

(2) The certification of the engineer or architect and his name, address, signature and seal.

(3) A licensed oil-burner installer must certify all oil burning installations and dual-fuel installations. A licensed oil-burner installer or a licensed plumber must certify all gas-fired installations.

(i) If, at the time of filing an application, an installer has not yet been selected, the statement "To be submitted on amendment" must be shown on the application form in place of the certification of the licensed installer. The department will notify the engineer or architect when the application is approved. The work permit will not, however, be issued until the required certification and information is submitted.

(4) Heat load calculations. Heat load calculations must be submitted for new and replacement boilers only when the boiler maximum heat input rate size changes by more than 20 percent greater than the previously filed application of

record. Heat load calculations must consist of a summary sheet documenting the boiler horsepower needed to meet the building load condition, consistent with the ASHRAE procedures, see 2009 ASHRAE Fundamentals, Chapters 17 and 18.

(5) *Detailed data on equipment.* Detailed data (as specified here) on the specific type of existing equipment or new equipment which is to be installed. Note that in the case of existing equipment, if a reasonable effort to determine the make and model number proves unsuccessful, an attempt must be made to compare unknown equipment to an equivalent known unit of equipment.

(6) *Venting Calculations.* Venting calculations for stack draft adequacy must be required for all new buildings, boilers, and chimneys. Calculations must be submitted on a form prescribed by the department or through summary sheets from computerized or hand venting calculations that conform to procedures in 2009 ASHRAE Fundamentals Chapter 21 and 2012 ASHRAE Systems and Equipment Chapter 35. The calculations must be stamped by a professional engineer. If needed, the department reserves the right to request that detailed venting calculations be submitted if further review is required.

(c) *Plans.* (1) The plans, as specified below, must be filed, with each application and must include the premise address of the installation. The plans must not be smaller than 8 1/2 x 11 inches nor larger than 11 x 17 inches and details must be shown legibly in black ink on a white background. When approved, the plans must be so designated and returned with the approved work permit. In addition to the specifics indicated below, elevation and plan views of various aspects of the installation must be required to schematically show the location of equipment, apparatus, controls, etc. Non-related piping, valves, electric wiring, controls and other construction details must not be included.

(2) *Plot plan.* The plot plan must include the following:

(i) building location.

(ii) location and names of cross streets and the northerly direction.

(iii) location of the boiler room and the stack outlet.

(iv) a statement which certifies: "The chimney extends a minimum distance of 3 ft above all construction located within 10 ft of the centerline of the chimney outlet."

(v) for new chimneys, a statement that certifies: "The minimum radial distance from the centerline of the chimney to an acceptable receptor location is \_\_\_\_\_ ft," with the distance specified.

(vi) for existing chimneys, a statement that certifies: "The minimum radial distance from the centerline of the existing chimney to an acceptable receptor location

(a) located at a height equal to or greater than the chimney outlet is \_\_\_\_\_ ft and

(b) located below the chimney outlet is \_\_\_\_\_ ft," with the distance specified.

(vii) the engineer or architect must determine the distances for subdivisions (iv), (v), and (vi), to be shown in the blank spaces, in accordance with §2-13.

(3) *Boiler room layout.* The boiler room layout must include the following:

(i) boiler location.

(ii) burner location.

(iii) breeching layout schematic, including the length, elbows, cross sectional dimensions; and location of "test holes." In addition, a plan note must be required which indicates specific compliance with the distance requirements of "test holes" from dampers, etc.

(iv) location and cross-sectional dimensions of the stack. Only the cross-sectional dimension of the outlet must be required for existing stacks.

(v) location of fixed ventilation. Ducts and other such pertinent details must be shown and dimensioned. Length, elbows, cross-sectional dimensions and inlet and outlet locations must be included for any new ventilation ducts.

(vi) location of smoke alarms, draft controls, oil meters, fans, cleanouts, fuel pumps, etc., when applicable. These locations may be shown schematically.

(vii) locations of all combustion equipment located in the same room or on the same stack and not covered by the subject application, including the manufacturer, model number, and fuel delivery rate when not shown on the application. The fixed ventilation supplied for all combustion equipment must be clearly shown on the plans, even if all such equipment is not covered by the subject application.

(viii) a plan note must be acceptable in all instances where they serve the same purpose as plan details.

(4) *Boiler plan.* The boiler plan must include the following:

(i) plan and elevation views of the boiler showing overall boiler dimensions.

(ii) combustion chamber dimensions.

(iii) furnace volume and heat release calculations.

When the manufacturer's drawings with specifications are

being submitted as a boiler plan, all copies must also specifically contain the model number, boiler gross output, actual total furnace volume, heat release, address of premise. Field measurements can be accepted for existing boilers in place of the manufacturer's drawings. Professional engineer/registered architect seal and signature is required for manufacturer's drawings and field measurement submittals.

(5) *Certificate of Compliance.* All oil-fired boilers and associated burners, boiler/burner assemblies, and control equipment installed under this chapter must comply with the following equipment acceptance requirements. This ensures that such equipment meets the minimum design and performance standards of the department. The list of accepted equipment will be posted on the internet, through a web portal that is linked to nyc.gov or any successor website maintained by, or on behalf, of the city of New York. Equipment may be added to the list of accepted equipment upon application from the manufacturer on a form prescribed by the department, or where the department determines that the equipment has performed in a satisfactory manner.

#### Equipment Acceptance Requirements

(a) *List of accepted equipment.* If the application for the work permit is to install equipment that appears on the list of accepted equipment, no additional certification is required.

(b) *UL/CSA/ETL listed equipment.* If the application for the work permit is to install equipment that is listed by UL, CSA Group, or ETL, a certification of compliance from a professional engineer must be submitted on a form prescribed by the department.

(c) *Unlisted and custom equipment.* If the application for the work permit is to install custom equipment, or equipment that is not on the department's list of accepted equipment and is not UL, CSA Group, or ETL-listed, a certification of compliance from a professional engineer must be submitted on a form prescribed by the department.

#### §2-05

#### §2-06 Field Verification.

(a)(1) *New certificate of operation requests.* A request for inspection must be submitted by the installer or owner and must include the installer's certification that the installation has been completed in accordance with the Notice of Application/Plans Approval and is ready for inspection.

(2) The request for inspection must be submitted using forms prescribed by the department. The request must be submitted within thirty days of the equipment being capable of operation and before the expiration of the work permit.

(b) *Certificate of operation renewals.* The owner of a device that is required to have a certificate of operation or the owner's authorized representative must submit a request for inspection using a form prescribed by the department.

(c) *Appointments.* An appointment, arranged by the department, must be made such that the installer or owner must meet the department's engineer at the specified time and meeting place. Installations must be complete and ready for testing when the inspecting engineer(s) arrives. The owner or his representative must ensure that the following facilities and/or conditions exist so as to enable the department's engineer to properly evaluate the installation:

(1) That entry and suitable access to all parts of the equipment and apparatus is provided.

(2) That adequate lighting is provided throughout the boiler room.

(3) That facilities, not necessarily of a permanent nature (for example a sturdy, appropriately sized ladder, or ladders), are provided to enable proper verification and testing of the installation. Wooden ladders are not acceptable.

(4) That the boiler room has no health and safety hazards. The existence of disintegrating suspected asbestos containing material, water or steam leak from a pressurized boiler, flue gas leak from the breeching, inadequate lighting, or any other hazard will preclude an inspection and performance test and will result in the issuance of a Notice of Installation Disapproval.

(5) That all equipment can be readily identified with regard to make, model, type, and any other applicable characteristics or designations.

(d) *Approvals and Reinspections.* (i) Upon completion of a satisfactory performance test and approval of inspection, the design firing rate of the burner must not be increased without notification to the department, and modification to the work permit / plan approval.

(ii) A reinspection will be required for failed performance tests and/or a disapproval of inspection. An additional form prescribed by the department must be submitted in order for the reinspection to occur.

#### §2-07 Cancellation of Field Appointments.

(a) A request to cancel an appointment must be submitted in writing at least 2 business days before the inspection date unless due to an emergency.

(b) The request for a new inspection must be made in accordance with §2-06 of these rules.

(c) A second inspection cancellation for the same equipment will result in the issuance of a Notice of Installation Disapproval.

#### §2-08 Performance Testing.

(a) *Performance requirements.* (1) All installations, including pre-existing equipment, must be required to operate such that upon evaluation of performance tests (as outlined in subdivision (c) below) it is determined that they meet the following minimum requirements:

(2) When the boiler is fired at 80 to 110 percent of the burner's maximum oil/gas delivery rate, oil burning installations must have a combustion efficiency of at least 83 percent and gas burning installations must have a combustion efficiency of at least 80 percent. Dual-fuel installations must meet the requirements for each respective fuel.

Oil fired installations which cannot achieve a combustion efficiency of at least 83 percent but which can achieve a combustion efficiency of at least 80 percent will have no more than one renewal cycle (three years) in which to perform necessary alterations to bring the equipment into compliance. Gas fired installations which cannot achieve a combustion efficiency of at least 80 percent will have one renewal cycle (three years) in which to perform necessary alterations to bring the equipment into compliance.

(3) When the boiler is fired at 80 to 110 percent of the burner's maximum oil/gas delivery rate, the maximum acceptable smoke reading must be smoke spot no. 3 in accordance with ASTM International Standard D2156-09.

(4) When the boiler is fired at 80 to 110 percent of the burner's maximum oil/gas delivery rate, the installation must be capable of providing adequate pressure differential (e.g., draft) at conditions specified in subdivision (e) of this section.

(5) For installations which have low-high-low-off or modulating combustion controls, adherence to the requirements in paragraphs (a)(1) and (2), listed above, must also be demonstrated when the burner is fired at low-fire. For installations which utilize modulating combustion controls, the department requires and reserves the right to verify that the performance requirements in paragraphs (a)(1) and (2), listed above, are also met at intermediate firing rates.

(6) For multiple boiler installations the requirements in paragraphs (a)(1), (2), (3) and (4), listed above, must be demonstrated for each boiler when said boilers are operated simultaneously rather than individually when there is sufficient load demand from the premise. However, each boiler in a multiple boiler installation, when fired separately (i.e., all other boilers are shut down), must also meet these requirements and the department reserves the right to verify same.

(7) In no case must the flame impinge on any interior surface within the furnace.

(b) *Preparation for performance tests.* In order to facilitate implementation of the performance test by the department's engineer, provision must be made by the installer, sufficiently in advance of the scheduled inspection, such that:

(1) Continuous, uninterrupted operation of the boiler at 80 to 110 percent of the burner's maximum oil/gas delivery rate for a minimum period of twenty minutes is insured. Under no circumstances must the boiler pressure relief valve(s) be tampered with to accomplish this.

(2) Two 3/8 inch diameter holes are provided in the breeching, approximately 4 inches apart and placed so that the one closest to the boiler is approximately one breeching diameter downstream from the boiler outlet. Since these holes must be used for the measurement of boiler outlet gas temperature, percentage of O<sub>2</sub> and smoke reading, it is important that they be placed in the system such that air infiltration from a barometric damper, smoke alarm port, etc., does not affect the composition of the combustion gases.

(3) Two 3/8 inch diameter holes are provided in the breeching placed one on each side of any power operated draft regulator damper, approximately one breeching diameter from the centerline of the damper. Note that the location of one or both of these holes may, of necessity, be in the boiler outlet.

(4) All test holes are a minimum of one breeching diameter from any flow disturbance such as a bend, expansion or contraction.

(5) Any insulation is neatly removed from approximately a 4" x 4" area surrounding any test hole in the breeching.

(6) All test holes are kept closed with a sheet metal screw or other acceptable method when not being used for testing purposes. All test holes must be marked in such a way that their location can be readily determined.

(c) *Performance test equipment.* All test data obtained during the performance test must be recorded on a form provided by the department.

(d) *Procedure for performance tests.* The following is an outline of the procedure which must be used to obtain data necessary for evaluating the performance of an installation and determining whether it meets the requirements specified in subdivision (a), above.

(1) Verify that all conditions in the boiler room are characteristic of proper operating conditions (i.e., boiler room door is shut, non-fixed ventilation sources such as windows are shut, etc.).

(2) The burner must be started up and operated at 80 to 110 percent of the burner maximum oil/gas delivery rate depending on the demand load throughout the sequence of steps specified in paragraph (4) below.

(3) The probe(s) of the testing equipment must be inserted

into the test holes provided at the required locations.

(4) Commencing after burner startup, boiler outlet gas temperature must be read at one minute intervals until the difference between two successive readings is not greater than 5°F at which time steady state conditions will be assumed and the following data must be obtained and recorded:

(i) The boiler outlet gas temperature must be determined. In addition, the ambient air boiler room temperature in the vicinity of the burner must be determined.

(ii) The percent oxygen (O<sub>2</sub>) in the flue gas must be determined.

(iii) The pressure differential across the damper of a power operated draft regulator must be determined. This is not applicable to condensing boilers.

(A) The pressure differential measurements and the gas temperature and outside ambient air temperature measurements must be used to determine whether adequate pressure differential (e.g., draft) can be provided when outside ambient air temperature is 94°F.

(B) When a power operated draft regulator is used, the pressure differential measured across the damper must be equal to or greater than the value obtained when the height of the stack (H) is multiplied by ΔDr/H, i.e.

$$\Delta P > H \times (\Delta Dr/H)$$

where,

ΔP(inches H<sub>2</sub>O) is the pressure differential measured across the power operated draft regulator damper.

ΔDr/H(inches H<sub>2</sub>O/ft) is the differential draft per foot obtained from Table I using the outside ambient temperature measured when the performance test was conducted.

H(feet) is the height of the stack.

(C) When a barometric or manual damper is used, the theoretical pressure differential caused by the barometric or manual damper must be equal to or greater than the value obtained when the height of the stack is multiplied by ?Dr/H, i.e.

$$\Delta P > H \times (\Delta Dr/H)$$

where ΔP, ΔDr/H, and H are defined in (B).

The static pressure is measured at the boiler outlet. The barometric damper or manual damper is gradually opened until the calculated ΔP is measured. The barometric damper is then returned to its original setting and the manual damper is then returned to its initial position and fixed.

The department will review alternative demonstrations of adequate pressure differential if they comply with 2009 ASHRAE Fundamentals Chapter 21, and are stamped by a professional engineer.

(5) The smoke reading must be determined and recorded in accordance with ASTM D2156 (2009).

(6) For boilers which have low-high-low-off or modulating controls, upon completion of the above sequence of steps, the burner firing rate must be changed to low-fire for all boilers with a maximum heat input rating greater than 4.2 million Btu per hour.

(7) Dual-fuel burners will be tested separately for oil and gas on high fire and on low-fire if the maximum heat input rating is greater than 4.2 million Btu per hour.

(8) For multiple boiler installations, all boilers must be started up and operated simultaneously at 80 to 110 percent of their respective maximum oil/gas delivery rates, and the boiler outlet gas temperature, boiler room ambient air temperature, percentage of O<sub>2</sub>, smoke reading, and pressure differential must be determined for each boiler. The burner firing rates for all boilers must then be changed to their respective low-fire firing rates, and the boiler outlet gas temperature, boiler room ambient air temperature, percentage of O<sub>2</sub> in the flue gas, and smoke reading, must be determined for each boiler at this firing rate.

(e) **Evaluation.** The boiler outlet gas temperature, boiler room air temperature, percentage of O<sub>2</sub> in the flue gas, draft measurement, and smoke reading data must be used to determine whether the installation meets the minimum performance requirements for combustion efficiency, adequate reserve draft and smoke reading.

**§2-09 Annual Tune-ups and Record Keeping Requirements**

An owner of equipment that is required to have a certificate of operation must perform annual tune-ups and combustion tests. Records of the dates and procedures of each tune-up and results of these tests must be kept by the owner for a minimum of five years and must be submitted within five business days if requested by the department.

(a) **Annual equipment tune-ups and combustion efficiency test.** (1) The owner of the equipment must commission a tune-up for the equipment and test the combustion efficiency. The tune-up and combustion efficiency test must occur at both high-fire and normal operating conditions.

(i) A qualified combustion tester must perform a combustion efficiency test for each piece of equipment and each oil fired boiler in accordance with §2-08(a)(1).

(ii) The tune-up required to increase boiler efficiency must be conducted in accordance with Subpart JJJJJ of Part 63 of

Title 40 of the Code of Federal Regulations and the guidelines outlined by the department. The results of the tune-up must be recorded on a form provided by the department.

(b) **Combustion Analyzer Requirements.** (1) The combustion efficiency test must be performed using a qualified combustion analyzer that has passed an annual calibration test. The results of the annual calibration test must be kept and be submitted within five business days if requested by the department. If the minimum combustion efficiencies are not achieved, it is the responsibility of the owner to ensure proper maintenance and repairs occur.

(2) The equipment used must conform with the following requirements:

	Accuracy	Resolution
Oxygen (O <sub>2</sub> )	± 0.2%	0.1%
Pressure/Draft	± 2%	0.04" water column
Temperature	± 0.5%	0.1°F

An optional test using the following standards may be applied as provided in the following chart:

	Accuracy	Resolution
Carbon Monoxide (CO)	± 2 ppm at 0.0 to 39.9ppm ± 5% at 40.0 to 500ppm	0.1 ppm
Nitric Oxide (NO)	± 5 ppm at 0-100 ppm ± 5% 101-2000 ppm	1 ppm

(3) The following procedure must be followed in the use of the combustion analyzer:

(i) Set up the combustion analyzer per manufacturer's instructions. In uncontaminated air (outdoor) start the analyzer and allow unit to complete the zeroing process. Never allow the analyzer to zero in the breeching.

(ii) Verify that the combustion analyzer condensate/water trap plug/access is properly sealed, that there is no water in the water trap, and thermocouple tip is not touching the side of probe tube. The test and record measurement criteria must be provided on a form prescribed by the department.

**§2-10**

**§2-11 Installation Design.**

(a) **General considerations.** (1) All equipment and apparatuses, in addition to complying with the requirements of the department, must also meet the requirements of other agencies, such as the New York City Board of Standards and Appeals, the Fire Department of New York, and the New York City Department of Buildings. Compliance with any requirements of either New York State or federal rules and regulations that may be instituted and not covered here, must also be necessary.

In the absence of any regulatory provisions, consideration must be given to recommendations published in the standards of nationally recognized organizations. These organizations include the American National Standards Institute, the American Society of Heating, Refrigerating and Air Conditioning Engineers, the American Society of Mechanical Engineers, the American Gas Institute, Underwriters' Laboratories, and the National Fire Protection Association, and the recommendations of equipment or apparatus manufacturers.

(2) The design engineer must estimate the heat demand before selecting a boiler or boilers. When application is made for an installation for a new structure or for a replacement boiler (when the boiler maximum heat input rating size is increased by more than 20 percent from the previously filed application of record), the analysis and calculations for estimating the heat demand must be submitted in a form acceptable to the department. This must be done in accordance with the procedures prescribed by the ASHRAE Handbooks, or as required for the New York City Energy Conservation Code, as codified in Chapter 10 of Title 28 of the New York City Administrative Code, and as accepted by the department.

(3) For dual-fuel installations using #6 or #4 fuel oil as a back-up fuel for natural gas, design requirements set forth by the department must be followed. However, these installations must still meet the #2 fuel oil emission standards and must be held to the most recent performance requirements.

(b) **Fuel burners.** (1) An oil burner must be capable of atomizing the oil by properly mixing it with adequate combustion air. A gas-fired burner must be capable of mixing the gas with adequate combustion air.

(2) A new burner must be listed by UL, CSA Group, ETL, or any other national recognized testing laboratory that uses UL testing conditions and have their Listing Mark label.

(3) A new burner, except for atmospheric equipment, must have, integral with it, a fan which is capable of supplying all combustion air.

(4) A burner must be sized such that, when fired with a boiler, the fuel delivery rate is within 80 percent and 110 percent of the maximum heat input rating of the boiler.

(c) **Fresh Air Requirements.** (1) Provision must be made to provide a sufficient amount of air for proper combustion (to the oil-or natural gas-burning equipment room) and, in addition, a sufficient amount of bypass air necessary for the proper operation of a barometric damper when used. In addition, sufficient air should be provided to adequately ventilate the room and maintain the ambient temperature at safe and comfortable limits under normal conditions of use. In all cases a separate ventilation system must be provided independent of any other ventilation system.

(i) Mechanical ventilation must be designed such that 226 cfm @ 94°F is provided for each million Btu per hour for up to 30 percent excess combustion air. Larger fan capacities would

be needed for installations operating with greater than 30 percent excess combustion air. In all cases, where the combustion air is not ducted directly from the outside to the burner air intake, the room in which the burning equipment is located must be maintained at a pressure not less than outside atmospheric pressure. Exhaust fans are acceptable for ventilation provided the net ventilation is greater than or equal to the amount required for combustion.

(ii) When mechanical ventilation is not utilized, the minimum requirement for combustion air entrance must be a louvered opening in a wall to the outside air. The louvered opening must have a net free area of 86 square inches for every one million Btu per hour (based on the maximum heat input rating) and must never be less than the average internal cross-sectional area of the chimney. In addition, the net free area of the louver must be increased in size equivalent to the opening of a barometric damper or dampers, when provided, for bypass air. When necessary, a subway type grate over a vault below the sidewalk may be permitted as long as the net free area requirement is met and suitable drainage facilities are provided. The net free area when the actual louver efficiency is unknown must be based on a maximum efficiency of 60 percent for both motorized and fixed metal single vane louvers and 50 percent for fixed metal double vane louvers. Where the efficiency of the louver can be demonstrated by the manufacturer to be greater than the above, the greater value may be used. The area of the louver is to be based on the inside frame dimensions and not the outside or nominal dimensions. The louver must be so constructed or suitably located or protected (i.e., cinder blocks, metal bars) so that it cannot be crushed or deformed since this would diminish the free area. Furthermore, any diminution of free area due to protective devices must be considered. Screening over louvers, if provided, must be not smaller than 1/4 inch mesh and must be readily accessible for cleaning.

(iii) When ducts are required to provide fresh air, they must meet the same minimum requirement for cross-sectional area as specified in subparagraph (ii) above. Note that a louver is not required where ducts are utilized to provide ventilation, although, consideration should be given to protective devices and any diminution of free area resulting from same. Access ports must be provided for the purpose of cleaning and observing conditions within the duct(s). All access ports must be ample size, but not less than 8 x 8 inches. A tight metal fitting cover must be provided for each port. All ports must be closed when not in use.

(A) Access ports for cleanout must be located to allow accessibility to all duct sections and must be placed at intervals to allow for safe and reasonable access to all sections of the breeching for the purposes of cleaning. The number of clean-outs must be determined by the configuration of the duct lay-out. Every duct must be provided with at least one access port for cleanout.

(B) Access ports for observation purposes must be provided within one diameter of all internal dampers.

(C) One access port may be used to serve both functions if suitably located.

(iv) Motorized louvers or motorized dampers in ducts must be provided, on installations where the maximum heat input rate of the boiler(s) is 7.0 million Btu per hour or greater which must close off the admission of combustion air during burner-off periods.

(2) Breeching must be installed so as to vent the combustion gases from the boiler to the chimney.

(i) Access ports must be provided for the purpose of cleaning and observing conditions within the breeching. All access ports must be of ample size but not less than 8 x 8 inches. A tight fitting metal cover must be provided for each port. All ports must be closed when not in use.

(A) Access ports for the cleanout of oil burning installations must be located to allow accessibility to all breeching sections and must be placed at intervals to allow for safe and reasonable access to all sections of the breeching for the purposes of cleaning. The number of clean-outs must be determined by the configuration of the breeching lay-out. Every breeching must be provided with at least one access port for cleanout.

(B) For short breeching runs (less than 15 feet in total), the barometric damper may be used as the clean-out port.

(C) Access ports for observation purposes must be provided within one diameter of all internal motorized damper locations.

(D) One access port may be used to serve both functions if suitably located.

(ii) The following should be considered when designing a new breeching:

(A) The equivalent inside diameter should normally be no smaller than the outlet of the boiler and should be sized on the basis of maintaining a flue gas velocity not greater than 30 feet per second.

(B) Breechings should be as short and straight as possible to prevent unnecessary draft losses (which may necessitate larger chimneys, induced draft fans, etc.).

(C) Breechings should be constructed so that changes in direction, shape and cross-sectional area are accomplished separately. All such changes should be accomplished as gradually as possible to eliminate turbulence with consequent adverse effects on available draft. If the width of breeching is greater than the inside width of the chimney, a contoured transition piece should be installed. The transition section should maintain the area of the breeching while altering its configuration so as not to exceed the chimney width.

(D) The breeching connection to the chimney should be such that it ends flush with the inside surface of the chimney.

(3) Chimneys must be designed and installed so as to vent the products of combustion to the atmosphere while at the same time avoiding a potential or actual nuisance. Chimneys must not be fitted with raincaps or covers of any kind.

(i) New chimneys or reconstructed chimneys must be of tight construction and must be provided with a cleanout chamber at the base. The chamber must have a horizontal cross-sectional area equal to that of the chimney and must be equipped with a tightly fitted metal door of ample size but not less than 8 x 8 inches. The bottom of the breeching must be located at least one chimney diameter above the base of the cleanout chamber. Factory-made chimneys and special gas vents must be installed per the manufacturer's specifications.

(d) *Control devices.* (1) A boiler must be provided with acceptable control device(s) so as to maintain the desired boiler output under all normal operating conditions to meet the minimum performance requirements described in section 2-08 of this title.

(2) A burner must be provided with acceptable control device(s) so as to maintain the desired fuel-air ratio under all normal operating conditions to assure complete and smokeless combustion.

(3) The burner control system must be permanently interlocked, unless the system is continuously staffed and supervised, with all ventilation fans, motorized louvers and dampers to prevent operation of the burner without the proper operation of the fan, louver, or damper. This must be accomplished with an air switch, or other approved means, to assure that the fan is operating or that the louver/damper has opened before the main fuel valve opens. This requirement does not prohibit operating fans and opening louvers or dampers for ventilation purposes during periods when the burner(s) are not in operation, although continuous, uninterrupted operation of the fan, independent of the burner, must not be permitted except for existing central ventilation systems.

(4) Provision must be made, concerning the burner fan, to cause minimum pre-purge and post-purge periods as recommended by the burner manufacturer to prevent accumulation of unburned oil.

(e) *Draft Regulators.* (1) All installations must be designed such that an adequate draft can be maintained to provide sufficient combustion air and remove the products of combustion under normal conditions of use or when the outside temperature varies between 11°F and 94°F.

(2) Power operated draft regulators must be of an acceptable type designed to maintain a safe damper opening at all times and arranged to prevent starting of the burner unless the damper is opened to a safe position. The damper must be sized so that it comprises the full cross-sectional area of the breeching with appropriate allowances for clearance. Upon shut-down of the burner the damper must go to a safe closed position. The axis-rod (i.e., control rod) about which the damper rotates must have a square cross section or if round, must be welded to the control arm. An arrow must be provided on the axis-rod to indicate the position of the damper.

(3) Draft sensing lines must be a minimum of 1 1/4 inch pipe size, installed through the furnace wall, provided with a full size cleanout plug, and must otherwise conform to the equipment manufacturer's specifications. Details concerning the length and diameter of the draft sensing lines must be shown on the plans or specified in the plan notes.

(4) Barometric dampers must be of an acceptable type designed so as to provide a constant draft at a point directly upstream of the barometric damper under all normal operating conditions or when the outside temperature varies between 11°F and 94°F. However, in no case under steady state conditions must a pressure exist in the breeching at the barometric damper which is greater than the boiler room pressure. The minimum cross-sectional opening of the barometric damper must be at least as large as the diameter or equivalent diameter of the breeching to which it is connected.

(5) A draft control must not be required where an acceptable boiler assembly is designed and installed according to the manufacturer's requirements, and a positive pressure exists at a location in the chimney within three diameters of the chimney outlet.

(6) A boiler must be provided with acceptable control device(s) so as to maintain adequate draft (positive or negative as required) necessary for proper gas flow both to supply sufficient combustion air and exhaust combustion gases under all normal load and atmospheric conditions.

(i) A separate draft control must be provided for each boiler and be of the same type and must be installed per the manufacturer's specifications.

(ii) Draft control must be accomplished by a power operated draft regulator with low-draft cut-off. A barometric damper may be substituted for a power operated draft regulator if

(A) an on-off or low-high-off with low-fire start combustion controller is used or

(B) a forced draft burner is used.

(7) Oil-fired equipment, including dual-fuel installations,

must be provided with a smoke alarm and combustion shutoff. This equipment must conform to the following specifications as well as applicable sections of the Air Pollution Control Code:

The requirements of the above paragraph must not apply to a temperature controlled dual-fuel system (as set forth below) when the maximum heat input rate is less than 4.2 million Btu per hour.

A temperature controlled dual-fuel system must comprise a fuel burning installation capable of burning natural gas and #2 fuel oil. The system must be designed and must operate such that the fuel burned will normally be gas except that when the outdoor temperature drops below 20°F, the equipment will automatically switch to #2 fuel oil and when the outdoor temperature rises above 25°F, the equipment will automatically return to natural gas operation.

(i) The smoke alarm must be regulated for both brightness intensity of the light source and sensitivity of the detector. It is recommended that the light source have a relatively uniform intensity over a reasonably long life.

(ii) The smoke alarm must cause both an audible (loud enough to be heard 20 feet from the source) and readily visible (a flashing red light) signal upon the emission of an air contaminant of an opacity of 20 percent or greater.

(iii) The smoke alarm must activate an additional signaling device located at the principal work location of the person supervising the equipment. If there is no principal work location, the additional signaling device must be located at an acceptable alternate location outside the boiler room.

(iv) The smoke alarm must cause the signaling devices to be activated in the event that the light source in a photoelectric type detector fails to operate properly. The signals must continue until the unit is manually reset.

(v) The smoke alarm must be provided with a suitable metal grid or equivalent, which meets the manufacturer's recommendations, calibrated so that when placed in the light path of the detector it will cause a response equivalent to an air contaminant as described in subparagraph (ii) above. This calibration must be indicated on the grid holder or frame. This grid must be securely fastened by means of a welded link chain of suitable length to the body of the detector. Provision must be made to temporarily hang the grid in front of the sensing element of the detector to facilitate proper adjustment of the light source and calibration of the instrument.

(vi) The installation of the smoke alarm must be such that

(A) it is wired to function at all times and

(B) it includes means necessary for sealing the breeching to prevent blowout of combustion products when necessary.

(vii) If two or more units of equipment are connected to a single flue, one air contaminant detector may be used if installed to monitor all of the units. This arrangement, however, will result in the shut-down of all units of equipment upon activation of the combustion shutoff.

(viii) The combustion shutoff automatically halt the operation of equipment within two minutes of continuous emission of an air contaminant of a density which appears as dark or darker than 20 percent opacity, unless the system is continuously staffed and supervised. The combustion shutoff must be designed such that once it has been activated, the equipment cannot resume normal operation without manual reset.

§2-12

§2-13 Determination of Acceptable Location of Chimney Outlet.

Several factors affect the location of the chimney outlet including the need to avoid a potential or actual nuisance. The following applicable requirements must be met.

(a) For all new installations (new building or new chimney):

(1) The chimney must extend above all construction such as roof ridge, parapet wall, penthouse, roof tank, elevator enclosure, etc., as follows:

(i) Chimneys must extend at least 3 feet above said construction located within 10 feet of the chimney outlet.

(2) The chimney outlet must not be located within the minimum radial distance specified in Table II.

(b) For existing installations:

(1) The chimney must extend at least as high as all construction such as roof ridge, parapet wall, penthouse, roof tank, elevator enclosure, etc., within 10 feet of the chimney outlet.

(2) The chimney outlet must not be located within the minimum radial distance specified in Table II.

Such requirement must apply to receptors which are at a height equal to or greater than the chimney outlet.

For receptors located below the chimney outlet, the chimney outlet must not be located within the minimum radial distance specified in Table II. In those instances where the

above is applicable, the following statement must be provided as a plan note in place of the statement required in §2-04(c)(1)(vi):

"The minimum radial distance from the centerline of the existing chimney to an acceptable receptor location (a) located at a height equal to or greater than the chimney outlet is \_\_\_\_\_ ft. and (b) located below the chimney outlet is \_\_\_\_\_ ft., with the distance specified.

(c) Whenever a building is erected, enlarged, or increased in height so that any receptor location in such building is within the minimum radial distance, as specified in Table II, of any previously constructed chimneys, the owner of such new or altered building must have the responsibility of altering such chimneys to make them conform with subdivision (a) of this section above. This must not apply to chimneys no longer connected to combustion equipment.

(d)(1) The criteria employed in determining stack heights and chimney outlet to receptor distance in this section must only apply to off-site receptors.

(2) Receptors, sources and geometry with the following features will be considered on-site and not subject to section 2-13 of this chapter.

(i) A single boiler stack servicing a single building structure.

(ii) Contiguous construction (i.e., attached "row" houses).

(iii) Separate entrances with separate addresses all serviced by the same boiler room.

(3) This section will be applied to existing facilities to the maximum extent possible consistent with good engineering practices. Alternative and less costly options to altering the stack should be permitted if it can be shown that this will not cause degradation of boiler performance. Degradation of boiler performance would increase air pollutant emissions or inhibit compliance with boiler upgrading criteria.

(4) For new and existing chimneys, emission impacts upon sensitive receptors including, but not limited to, windows, doors that open, people, and building fresh air intakes must be minimized by employing good air pollution control engineering practices. Such practices include, without limitation:

(i) Avoiding locations that may be subject to downwash of the exhaust; and

(ii) Installing stacks of sufficient height in locations that will prevent and minimize flue gas impacts upon sensitive receptors.

(5) Since this chapter's tables were developed using assumed average meteorological conditions in New York City, situations being disputed may be resolved by the submission of individualized computations of pollutant concentration at the receptor using realistic and applicable factors in dispersion models recommended and approved by the New York State Department of Environmental Conservation and the federal Environmental Protection Agency. The modeling must show that National Ambient Air Quality Standards will not be exceeded at any sensitive receptors, including operable windows and fresh air intakes. The tests, modeling, analysis and costs for these study(s) must be the responsibility of the applicant.

§2-14

§2-15 Performance Standards for the Continued Use of #4 Oil and #6 Oil in Heat and Hot Water Boilers.

(a) *General Provisions.* (1) The commissioner will not issue a work permit or a certificate of operation for a boiler and/or burner that uses #4 oil or #6 oil unless (i) the applicant demonstrates to the satisfaction of the commissioner that the particulate matter and NOx emissions of the #4 oil and/or #6 oil meets the equivalency standards described in this section, or (ii) the applicant enters into a compliance agreement with the commissioner as provided in this section.

(2) An owner who holds a certificate of operation for a boiler and/or burner that uses #4 oil may file an amendment to convert the boiler and/or burner to use #2 oil and/or natural gas. An owner who holds a certificate of operation for a boiler and/or burner that uses #6 oil may file such an amendment to convert the boiler and/or burner to use #2 oil, #4 oil and/or natural gas. An amendment pursuant to this paragraph must not require the replacement of a boiler and/or burner.

(3) The commissioner will not approve any amendment for a previously issued work permit or certificate of operation to convert a boiler and/or burner from using #2 oil, #4 oil and/or natural gas to using #6 oil or from using #2 oil and/or natural gas to using #4 oil.

(4) The equivalency levels of particulate matter and NOx as set forth in this section must be demonstrated through (i) the submission by either a professional engineer or registered architect licensed under Education Law §§7202 or 7302 of detailed calculations and supporting documentation to verify the equivalency levels or (ii) the submission by the applicant of an equivalency form published by the department that provides for calculations based on fuel use, energy values and emission factors from AP-42.

(5) Notwithstanding any other provision in this section, the commissioner will not issue a work permit or a certificate of operation for a boiler and/or burner that uses #2 oil, #4 oil, #6 oil and/or natural gas unless the particulate matter and NOx

emissions of such boiler or burner meets any binding emissions standard established by either state or federal law or regulation.

(6) Nothing in this section may be interpreted as requiring the New York City Department of Housing Preservation and Development, when conducting an emergency repair in accordance with sections 27-2125 through 27-2129 of the New York City Administrative Code, to convert a boiler and/or burner to use different fuel or to replace a boiler and/or burner with a boiler and/or burner that uses a different fuel.

(b) Existing Boilers (Renewal). (1) The commissioner may issue a renewal of a certificate of operation for a boiler and/or burner that uses #2 oil, #4 oil and/or natural gas in accordance with §24-122(d) of the New York City Administrative Code.

(2) The commissioner will not issue a renewal of a certificate of operation for a boiler and/or burner that uses #6 oil, unless (i) the applicant demonstrates to the satisfaction of the commissioner that the particulate matter and NOx emissions of the #6 oil to be used in such boiler and/or burner will be equivalent to or less than emissions from #4 oil as provided in paragraph 4 of subdivision (a) of this section, or (ii) the applicant enters into a compliance agreement with the commissioner in accordance with subdivision (e) of this section.

(3) An owner who holds a certificate of operation for a boiler and/or burner that uses #2 oil, #4 oil, #6 oil and/or natural gas, and who seeks to make an in-kind replacement for use with #2 oil, #4 oil and/or natural gas is not required to file a new application for a work permit and a subsequent certificate of operation. The owner must provide on a form to be designated by the commissioner the make, model and serial number of the replacement equipment. The previously issued certificate of operation may be renewed with the previously issued application number assigned by the department upon approval of the amendment by the department.

(4) An owner who holds a certificate of operation for a boiler and/or burner and who seeks to replace the boiler and/or burner with equipment that is not of the same make and model number must file a new application for a work permit and a subsequent certificate of operation as provided in section 2-04 of this chapter. The previously issued certificate of operation for the previously installed equipment will be cancelled upon receiving the application. The department will not accept an amendment to the previously issued certificate of operation for such replacement of the equipment.

(c) New Installations (Replacement). (1) All applications for a work permit for a boiler and/or burner must specify that the equipment uses #2 oil and/or natural gas, unless the applicant demonstrates to the satisfaction of the commissioner that the particulate matter and NOx emissions of the #4 oil and/or #6 oil to be used in such boiler and/or burner will be equivalent to or less than the emissions from #2 oil as provided in paragraph 4 of subdivision (a) of this section.

(2) In cases where a work permit has been issued before the effective date of this rule for a boiler and/or burner that uses #4 oil or #6 oil, but where a certificate of operation has not yet been issued, the owner of the equipment must file an amendment specifying the use of #2 oil and/or natural gas, unless the owner demonstrates to the satisfaction of the commissioner that the particulate matter and NOx emissions of the #4 oil and/or #6 oil to be used in such boiler or burner will be equivalent to or less than the emissions from #2 oil as provided in paragraph 4 of subdivision (a) of this section.

(d) Sunset Provision. Notwithstanding any other provision in this section, after January 1, 2030, all applications for a certificate of operation for a boiler and/or burner must specify that the equipment uses #2 oil and/or natural gas, unless (i) the applicant demonstrates to the satisfaction of the commissioner that the particulate matter and NOx emissions of the #4 oil or #6 oil to be used in such boiler and/or burner will be equivalent to or less than emissions from #2 oil as provided in paragraph 4 of subdivision (a) of this section, or, (ii) the applicant is an owner of fifty or more buildings with boilers or burners that use #4 oil or #6 oil, and enters into a compliance agreement with the commissioner in accordance with subdivision (e) of this section.

(e) Compliance Agreements. (1) A compliance agreement entered into under subdivisions b and d of this section must include a schedule agreed to by the commissioner for the conversion and/or replacement of boilers and/or burners, and/or demonstration of the required equivalency, until the owner is in full compliance with the provisions of this section.

(2) An owner who applies to enter into a compliance agreement must show that conversion and/or replacement of the boilers and/or burners, and/or demonstration of the required equivalency, within the time frames set forth in subdivisions b or d of this section for an owner of fifty or more buildings with boilers and/or burners that use #4 oil or #6 oil, or subdivision b of this section for an owner of fewer than fifty such buildings, would not be feasible or would constitute an undue hardship.

(3) For purposes of paragraph 2 of this subdivision, the commissioner will consider several factors in considering whether to enter into the compliance agreement. These factors include financial hardship, whether the owner is an equity owner of the buildings, the presence of underground tanks that must be remediated because of the conversion in subdivision (b) of this section, prior good faith efforts to comply, the scale and timing of commitments to convert to the cleanest fuels, the levels of particulate matter and NOx emitted by the boilers, whether the boilers are located in neighborhoods with high densities of boilers that use #4 oil or #6 oil, and the public health consequences of delayed compliance with this section.

(4) An application to enter into an agreement to comply with subdivision (b) of this section must be filed by January 1, 2013 or the expiration date of the certification of operation in effect at the time of the effective date of this section, whichever is sooner.

(5) An application to enter into an agreement to comply with subdivision (d) of this section must be filed by January 1, 2020.

(6) An application filed according to this subdivision must be sent to:

Director of the Division of Air and Noise Programs,  
Enforcement and Policy  
Bureau of Environmental Compliance  
New York City Department of Environmental Protection  
59-17 Junction Blvd.  
Flushing, NY 11373

(7) The commissioner will publish in the City Record a written opinion no later than seven days after entering into a compliance agreement, stating the facts and reasons leading to his or her decision, as well as a copy of the compliance agreement.

(8) By December 31, 2013, and every year thereafter, the commissioner will publish a report summarizing the number of compliance agreements applied for and granted. The report will also summarize the environmental impacts of such compliance agreements and the overall program on tons of particulate matter and NOx in the air.

(9) Notwithstanding this specific compliance provision, Section 24-110 of the New York City Administrative Code may apply.

Appendix

Table I. ΔDr/h Values for Temperature Range of 1°F to 94°F

TEMP (°F)	Dr/H						
1	0.00284	26	0.00192	51	0.00114	76	0.00044
2	0.0028	27	0.0019	52	0.00112	77	0.000423
3	0.0027	28	0.00184	53	0.00108	78	0.0004
4	0.00266	29	0.00182	54	0.00105	79	0.00036
5	0.00263	30	0.00178	55	0.00102	80	0.00034
6	0.0026	31	0.00176	56	0.001	81	0.00032
7	0.00256	32	0.00172	57	0.00096	82	0.0003
8	0.0025	33	0.0017	58	0.00094	83	0.00026
9	0.00248	34	0.00166	59	0.00091	84	0.00024
10	0.00244	35	0.00162	60	0.00089	85	0.00021
11	0.00242	36	0.0016	61	0.00086	86	0.0002
12	0.0024	37	0.00156	62	0.00082	87	0.00018
13	0.00234	38	0.00154	63	0.0008	88	0.00012
14	0.0023	39	0.0015	64	0.00076	89	0.0001
15	0.00226	40	0.00148	65	0.00075	90	0.00009
16	0.00222	41	0.00146	66	0.0007	91	0.00006
17	0.0022	42	0.00142	67	0.00068	92	0.00004
18	0.00216	43	0.00138	68	0.00066	93	0.00002
19	0.00214	44	0.00136	69	0.00062	94	0
20	0.00212	45	0.00132	70	0.0006	-	-
21	0.00208	46	0.0013	71	0.00058	-	-
22	0.00204	47	0.00126	72	0.00054	-	-
23	0.002	48	0.00122	73	0.00052	-	-
24	0.00196	49	0.0012	74	0.0005	-	-
25	0.00194	50	0.00118	75	0.00046	-	-

Table II. Minimum Radial Distance Based Upon Chimney Diameter

Chimney Diameter (in)	Existing #2 Oil and Natural Gas Chimney		New Chimney <sup>1</sup>		Chimney Diameter (in)	Existing #2 Oil and Natural Gas Chimney		New Chimney	
	Existing Above (ft)	Existing Below (ft)	#2 Oil (ft)	Natural Gas (ft)		Existing Above (ft)	Existing Below (ft)	#2 Oil (ft)	Natural Gas (ft)
6	7.9	5.8	13.3	10.6	29	44.4	32.8	64.3	51.4
7	9.4	6.9	15.5	12.4	30	46.1	34.0	66.5	53.2
8	10.8	8.0	17.7	14.2	31	47.8	35.3	68.7	55.0
9	12.3	9.1	19.9	16.0	32	49.4	36.5	70.9	56.7
10	13.8	10.2	22.2	17.8	33	51.1	37.8	73.1	58.5
11	15.3	11.3	24.4	19.5	34	52.9	39.1	75.3	60.3
12	16.8	12.4	26.6	21.3	35	54.5	40.3	77.5	62.1
13	18.4	13.6	28.8	23.0	36	56.2	41.6	79.8	63.8
14	20.0	14.8	31.0	24.8	37	57.9	42.8	82.0	65.6
15	21.6	15.9	33.2	26.6	38	59.7	44.1	84.2	67.4
16	23.2	17.1	35.4	28.3	39	61.4	45.4	86.4	69.1
17	24.7	18.3	37.7	30.1	40	63.1	46.7	88.6	70.9
18	26.3	19.5	39.9	31.9	41	64.7	47.8	90.8	72.7
19	27.9	20.6	42.1	33.6	42	66.6	49.2	93.1	74.5
20	29.5	21.8	44.3	35.4	43	68.4	50.5	95.3	76.2
21	31.2	23.0	46.5	37.2	44	70.1	51.8	97.5	78.0
22	32.8	24.2	48.7	38.9	45	71.8	53.1	99.7	79.8
23	34.4	25.4	51.0	40.7	46	73.6	54.4	101.9	81.6
24	36.1	26.7	53.2	42.5	47	75.3	55.7	104.1	83.3
25	37.7	27.9	55.4	44.3	48	77.1	57.0	106.3	85.1
26	39.4	29.1	57.6	46.1	49	78.9	58.3	108.6	86.9
27	41.0	30.3	59.8	47.9	50	80.6	59.6	110.8	88.7
28	42.7	31.5	62.0	49.6					

<sup>1</sup>The diameter must be taken as the diameter or equivalent diameter at the outlet of the chimney. The term "equivalent diameter" means the equivalent diameter of a square or rectangular section based on equal area.

<sup>2</sup>For diameters larger than 50 inches, the minimum radial distance will be provided by the department upon request.

<sup>3</sup>The minimum radial distance for new #2 oil chimneys and natural gas chimneys was determined using the formula  $d = F \times \sqrt{A}$ , where F is 2.5 for #2 oil and 2 for natural gas and A is the cross sectional area of the chimney outlet.

NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Engineering Standards for Fossil Fuel Boilers and Water Heaters

REFERENCE NUMBER: 2013 RG 083

RULEMAKING AGENCY: Department of Environmental Protection

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

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

/s/ STEVEN GOULDEN Date: October 29, 2013  
Acting Corporation Counsel

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10th FLOOR  
NEW YORK, NY 10007  
212-788-1400

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Engineering Standards for Fossil Fuel Boilers and Water Heaters

REFERENCE NUMBER: DEP -11

RULEMAKING AGENCY: Department of Environmental Protection

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

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Kelly Shultz Date: October 29, 2013  
Mayor's Office of Operations

n20

SPECIAL MATERIALS

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

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

Notice Date: November 12, 2013  
To: Occupants, Former Occupants, and Other Interested Parties

Property Address	Application#	Inquiry Period
537 West 141st Street, Manhattan	100/13	October 3, 2010 to Present
47 Bradhurst Avenue, Manhattan	101/13	October 3, 2010 to Present
16 East 126th Street, Manhattan	102/13	October 4, 2010 to Present
763 St. Nicholas Avenue, Manhattan	104/13	October 7, 2010 to Present
261 West 132nd Street, Manhattan	105/13	October 8, 2010 to Present
315 West 112th Street, Manhattan	106/13	October 9, 2010 to Present
136 West 44th Street, Manhattan	107/13	October 10, 2010 to Present
27 East 29th Street, Manhattan	108/13	October 18, 2010 to Present
a/k/a 27-31 E. 29th Street		
156 West 122nd Street, Manhattan	109/13	October 18, 2010 to Present
120 West 127th Street, Manhattan	110/13	October 18, 2010 to Present
188 Edgecombe Avenue, Manhattan	113/13	October 28, 2010 to Present
206 West 95th Street, Manhattan	114/13	October 28, 2010 to Present
313 Macon Street, Brooklyn	99/13	October 1, 2010 to Present
623 St. Marks Avenue, Brooklyn	103/13	October 7, 2010 to Present
6 South Oxford Street, Brooklyn	111/13	October 21, 2010 to Present
292 State Street, Brooklyn	112/13	October 28, 2010 to Present

Authority: SRO, Administrative Code §27-2093

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

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

n12-20

## CHANGES IN PERSONNEL

DEPARTMENT OF CORRECTION FOR PERIOD ENDING 10/11/13														
NAME		TITLE	NUM	SALARY	ACTION	PROV	EFF DATE							
CHAN	CHOI		70410	\$39755.0000	APPOINTED	NO	09/26/13	IVANOV	MICHAEL	91650	\$250.8000	APPOINTED	NO	09/22/13
CHANTRASUK	KRIS		70410	\$39755.0000	APPOINTED	NO	09/26/13	JACKSON	FRANCIS	70410	\$39755.0000	APPOINTED	NO	09/26/13
CHOPRA	M		70410	\$39755.0000	APPOINTED	NO	09/26/13	JACKSON	PHILLIPE	70410	\$39755.0000	APPOINTED	NO	09/26/13
CLAY	RAIMEIR		70410	\$39755.0000	APPOINTED	NO	09/26/13	JAMIL	LIRON	70410	\$39755.0000	APPOINTED	NO	09/26/13
COLETTA	CHRISTOP		70410	\$39755.0000	TERMINATED	NO	10/03/13	JAWOROWSKI	JUSTIN	70410	\$39755.0000	APPOINTED	NO	09/26/13
COLON	ANTONIA A		70410	\$39755.0000	APPOINTED	NO	09/26/13	JOHNSON	JULIUS	70410	\$39755.0000	APPOINTED	NO	09/26/13
COLON	MIGUEL		70410	\$76488.0000	RETIRED	NO	10/01/13	JOHNSON	NICOLE	70410	\$39755.0000	APPOINTED	NO	09/26/13
CONNOR	GABRIELL K		12158	\$59199.0000	APPOINTED	YES	09/29/13	JOHNSON	NICOLE Y	70410	\$39755.0000	DECREASE	NO	09/26/13
COPELAND	NAOMI		70410	\$39755.0000	APPOINTED	NO	09/26/13	JOHNSON	NICOLE Y	12158	\$56672.0000	APPOINTED	NO	09/26/13
CORCHADO	WILLIAM		70410	\$39755.0000	APPOINTED	NO	09/26/13	JOLLY	TIMOTHY	70410	\$39755.0000	APPOINTED	NO	09/26/13
CORCHIA	GEORGE C		70410	\$39755.0000	APPOINTED	NO	09/26/13	JONES	LASHAWN	70410	\$39755.0000	APPOINTED	NO	09/26/13
CRUZ	DAVID		70410	\$39755.0000	APPOINTED	NO	09/26/13	JORDAN	PAGAN	70410	\$39755.0000	APPOINTED	NO	09/26/13
CUNNINGHAM	SIA		70410	\$39755.0000	APPOINTED	NO	09/26/13	JOSEPH	AUGUSTUS	70410	\$39755.0000	APPOINTED	NO	09/26/13
CURCIO	CHARLES		70410	\$39755.0000	APPOINTED	NO	09/26/13	JUNE	LEVI	70410	\$39755.0000	APPOINTED	NO	09/26/13
CURRIE	MALLORY A		70410	\$39755.0000	APPOINTED	NO	09/26/13	KHAN	ABDUR	70410	\$39755.0000	APPOINTED	NO	09/26/13
DACRUZ	ANAI		70410	\$39755.0000	APPOINTED	NO	09/26/13	KHAN	QAMAR	70410	\$39755.0000	APPOINTED	NO	09/26/13
DAVEN II	GARY		70410	\$39755.0000	APPOINTED	NO	09/26/13	KLIPPEL	JOSEPH	70410	\$39755.0000	APPOINTED	NO	09/26/13
DAVIS	CHRISTIN		70410	\$39755.0000	APPOINTED	NO	09/26/13	KNOX	JONATHAN S	70410	\$39755.0000	APPOINTED	NO	09/26/13
DAVIS	DADREAMA	10209	\$9.4100	DECREASE	YES		09/29/13	KOLENOVIC	EMIL	70410	\$39755.0000	APPOINTED	NO	09/26/13
DAVIS	DANE	70410	\$39755.0000	APPOINTED	NO	09/26/13	KYRO	DENNIS	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DAVIS	JAIME	70410	\$39755.0000	APPOINTED	NO	09/26/13	LANGE	CHRISTOP	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DAVIS	KONRAD	70410	\$39755.0000	APPOINTED	NO	09/26/13	LAROSILIERE	SACHA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DE JESUS	MARIA	70410	\$39755.0000	APPOINTED	NO	09/26/13	LEON	DAVID	70410	\$39755.0000	RESIGNED	NO	09/24/13	
DE LEON	JEFFREY	70410	\$39755.0000	APPOINTED	NO	09/26/13	LEWIS	CHKARA	70410	\$55823.0000	TERMINATED	NO	10/03/13	
DE STEFANO	DENNIS	70410	\$39755.0000	APPOINTED	NO	09/26/13	LIBURD	VERNA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DEAN	JESSICA	70410	\$39755.0000	APPOINTED	NO	09/26/13	LLOYD III	THOMAS	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DEL RE	JACK	70410	\$39755.0000	APPOINTED	NO	09/26/13	LOPEZ	NICOLE	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DELAPENHA	NEKEISHA	70410	\$39755.0000	APPOINTED	NO	09/26/13	LORQUET	MARC ALL	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DELLA VALLE	JORDAN	70410	\$39755.0000	APPOINTED	NO	09/26/13	LOSEE	MICHAEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DEPAOLO	JOHN J	70410	\$39755.0000	APPOINTED	NO	09/26/13	LOW	DANIEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DERMAN	KEITH	70410	\$39755.0000	APPOINTED	NO	09/26/13	LUNDY	SHANEIDA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DEROCHE	ARIANA	70410	\$39755.0000	APPOINTED	NO	09/26/13	MAGWOOD	SYBIL P	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DESANTIS	ANTHONY	70410	\$39755.0000	APPOINTED	NO	09/26/13	MALTEZO	AARON	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DIAZ	DANIEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	MARIANO	ARVIN	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DICKS	DANIELLE A	70410	\$39755.0000	APPOINTED	NO	09/26/13	MARSHALL	KRYSTAL	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DIMINO	MICHAEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	MARTIN	JAMIE N	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DOGALI	MICHAEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	MARTINEZ	DENNIS F	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DORCE	JONELLE	70410	\$39755.0000	APPOINTED	NO	09/26/13	MATOS	MAXIMO	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DRAKE	ANTONIA	70410	\$39755.0000	APPOINTED	NO	09/26/13	MAVROVITIS	DEAN	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DRAUGHON	MAURESE	70410	\$39755.0000	APPOINTED	NO	09/26/13	MCCOLGAN	ASHLEE A	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DRAYTON	QUINCY	70410	\$39755.0000	APPOINTED	NO	09/26/13	MCCOY	ROBERT N	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DUARTE	ELSA Y	70410	\$39755.0000	APPOINTED	NO	09/26/13	MCCUTCHEN	AISHAH	70410	\$39755.0000	APPOINTED	NO	09/26/13	
DUBOVITSKY	ARKADIY	70410	\$39755.0000	RESIGNED	NO	09/21/13	MCKELVIA	KIESHA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
EARLE	SHANTEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	MENDEZ	FRANKLIN	70410	\$39755.0000	APPOINTED	NO	09/26/13	
EDEMAKHIOTA	OSAROGIA	70410	\$39755.0000	APPOINTED	NO	09/26/13	MENEFAH	FIRAS	70410	\$39755.0000	APPOINTED	NO	09/26/13	
ELLIOTT	DARRIN	70410	\$39755.0000	APPOINTED	NO	09/26/13	MICHEL	JEAN	70410	\$39755.0000	APPOINTED	NO	09/26/13	
ELLIOTT	MICHELLE	70410	\$39755.0000	APPOINTED	NO	09/26/13	MILLER	CARLOS A	70410	\$39755.0000	APPOINTED	NO	09/26/13	
ELLIS	DOROTHY	70410	\$39755.0000	APPOINTED	NO	09/26/13	MINERVINI	ANTHONY	70410	\$39755.0000	APPOINTED	NO	09/26/13	
ESTRELLA	OSCAR	70410	\$39755.0000	APPOINTED	NO	09/26/13	MIRANDA	RAMON	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FAGAN	JOSEPH J	90698	\$209.1200	DECEASED	NO	09/05/11	MITCHELL	JASMIN	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FELDER	MARC C	70410	\$39755.0000	APPOINTED	NO	09/26/13	MITCHELL	SHAMEKA P	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FERMIN	DERBE	70410	\$39755.0000	APPOINTED	NO	09/26/13	MLODYNIA	JOHN	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FITTON	CHRISTOP	70410	\$39755.0000	APPOINTED	NO	09/26/13	MOOREHEAD	JOSEPH	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FITZSIMMONS	KEVIN	91628	\$369.9200	APPOINTED	NO	08/02/13	MORALES	BEATRICE	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FLANAGAN	JOHN	70410	\$39755.0000	APPOINTED	NO	09/26/13	MORANO-WISCH	TRACY AN	1002A	\$73287.0000	RESIGNED	YES	09/27/13	
FLANDERS	JASON	70410	\$39755.0000	APPOINTED	NO	09/26/13	MORRIS	ANDRE	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FLETCHER	QUENTIN A	10251	\$37751.0000	RESIGNED	NO	09/25/13	MORRIS	JASON A	70410	\$39755.0000	DECREASE	NO	09/26/13	
FLORENCIO	JUAN	70410	\$39755.0000	APPOINTED	NO	09/26/13	MORRIS	JASON A	60948	\$64424.0000	APPOINTED	NO	09/26/13	
FOLEY	BRENDAN	70410	\$39755.0000	APPOINTED	NO	09/26/13	MOSES	PETER	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FORTUNE	SHERIDAN A	10251	\$41129.0000	APPOINTED	NO	07/14/13	MOUSSA	JAMES	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FRAZIER	DENISE	70410	\$39755.0000	APPOINTED	NO	09/26/13	MUIA	JOSEPH	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FRAZIER	KEITH	70410	\$39755.0000	APPOINTED	NO	09/26/13	MURRAY	JACYNA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FRAZIER	MICHELLE	70410	\$39755.0000	APPOINTED	NO	09/26/13	MUTER	MICHAEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	
FRIESON-ALEXAND	JONATHAN	70410	\$39755.0000	APPOINTED	NO	09/26/13	NAMMOURA	JAMES	70410	\$39755.0000	RESIGNED	NO	09/22/13	
FROMMER	LAUREN	70410	\$39755.0000	APPOINTED	NO	09/26/13	NATHANIEL	SASHA O	10234	\$10.2200	RESIGNED	YES	09/28/13	
GAHTAN	SAMIRA	70410	\$39755.0000	APPOINTED	NO	09/26/13	NERIS	DAVID	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GAMORY	DEVON E	70410	\$39755.0000	APPOINTED	NO	09/26/13	NOWACK	ROBERT	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GARCIA	NATASHA	70410	\$39755.0000	APPOINTED	NO	09/26/13	OMAHONY	TARA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GARCIA	STEPHANI	70410	\$39755.0000	APPOINTED	NO	09/26/13	OMILABU	OYETUNDE	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GARNIER	KERVEINS	70410	\$39755.0000	APPOINTED	NO	09/26/13	ORTIZ	CYBILL A	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GAYLE	FILISHA	70410	\$39755.0000	APPOINTED	NO	09/26/13	ORTIZ	GIOVANNI	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GERGES	JOSEPH	70410	\$39755.0000	APPOINTED	NO	09/26/13	ORTIZ	JOSE	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GIACALONE	GIACOMO	70410	\$39755.0000	APPOINTED	NO	09/26/13	PADILLA	EMMANUEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GIBBS	SYLVIA A	10124	\$45978.0000	RETIRED	NO	10/02/13	PALAFIX	GALIME	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GITTENS	TERRE L	70467	\$98072.0000	RETIRED	NO	09/27/13	PALMER	AJA C	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GOEDE	MICHELLE	70410	\$39755.0000	APPOINTED	NO	09/26/13	PAUL	SHELDON	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GOLTZMAN	MIKHAIL	70410	\$39755.0000	APPOINTED	NO	09/26/13	PENA	ANDRES	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GONZALEZ	ANGELA	70410	\$39755.0000	APPOINTED	NO	09/26/13	PEREZ	EDITH	70410	\$76488.0000	RETIRED	NO	10/02/13	
GONZALEZ	JAZZY	70410	\$39755.0000	APPOINTED	NO	09/26/13	PERSAD	SONIA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GORDON	ZACKYA	70410	\$39755.0000	APPOINTED	NO	09/26/13	PFEIFER	TERENCE	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GRAVELEY	JOEL	70410	\$39755.0000	APPOINTED	NO	09/26/13	PHILLIPS	CAROL A	60948	\$64424.0000	INCREASE	YES	09/22/13	
GRIFFITH	TRAVIS	70410	\$39755.0000	APPOINTED	NO	09/26/13	PHILLIPS	CAROL A	10124	\$45978.0000	APPOINTED	NO	09/22/13	
GRILLO	MARISSA	70410	\$39755.0000	APPOINTED	NO	09/26/13	PHILLIPS-AIKEN	IANTHA	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GRIMES	MARK	70410	\$39755.0000	APPOINTED	NO	09/26/13	PIERRE	ANTOINE	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GUMBS	GREGORY	70410	\$39755.0000	APPOINTED	NO	09/26/13	PINEIRO	ANTHONY	70410	\$39755.0000	APPOINTED	NO	09/26/13	
GUTIERREZ	VICTOR	70410	\$39755.0000	APPOINTED	NO	09/26/13	PITTER-YOUNG	VALERIE R	70410	\$39755.0000	APPOINTED	NO	09/26/13	
HALL	KERRIS													

Table with columns: NAME, LAST NAME, FIRST NAME, SALARY, ACTION, PROV, EFF DATE. Lists various city employees and their details.

PUBLIC ADVOCATE FOR PERIOD ENDING 10/11/13

Table with columns: NAME, LAST NAME, FIRST NAME, SALARY, ACTION, PROV, EFF DATE. Lists public advocates.

CITY COUNCIL FOR PERIOD ENDING 10/11/13

Table with columns: NAME, LAST NAME, FIRST NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists city council members.

DEPARTMENT FOR THE AGING FOR PERIOD ENDING 10/11/13

Table with columns: NAME, LAST NAME, FIRST NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees in the Department for the Aging.

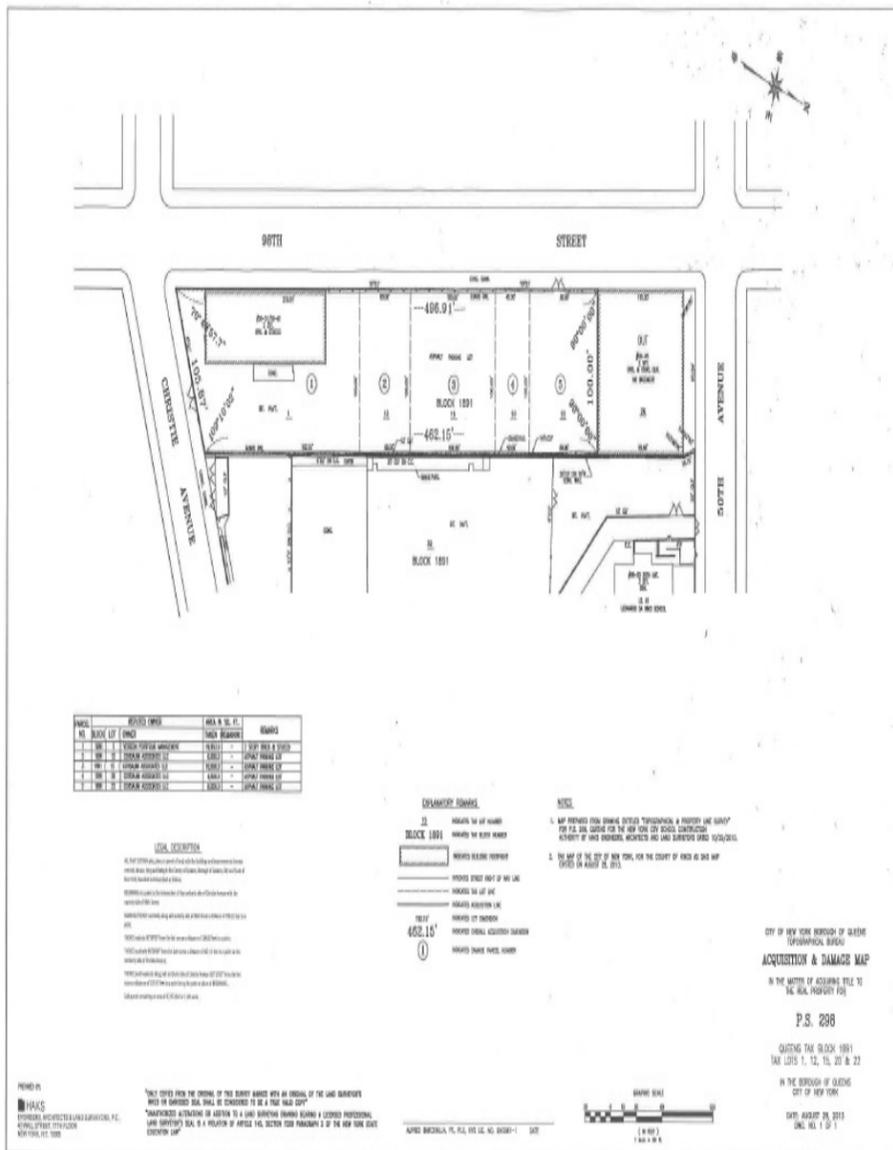
CULTURAL AFFAIRS FOR PERIOD ENDING 10/11/13

Table with columns: NAME, LAST NAME, FIRST NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees in Cultural Affairs.

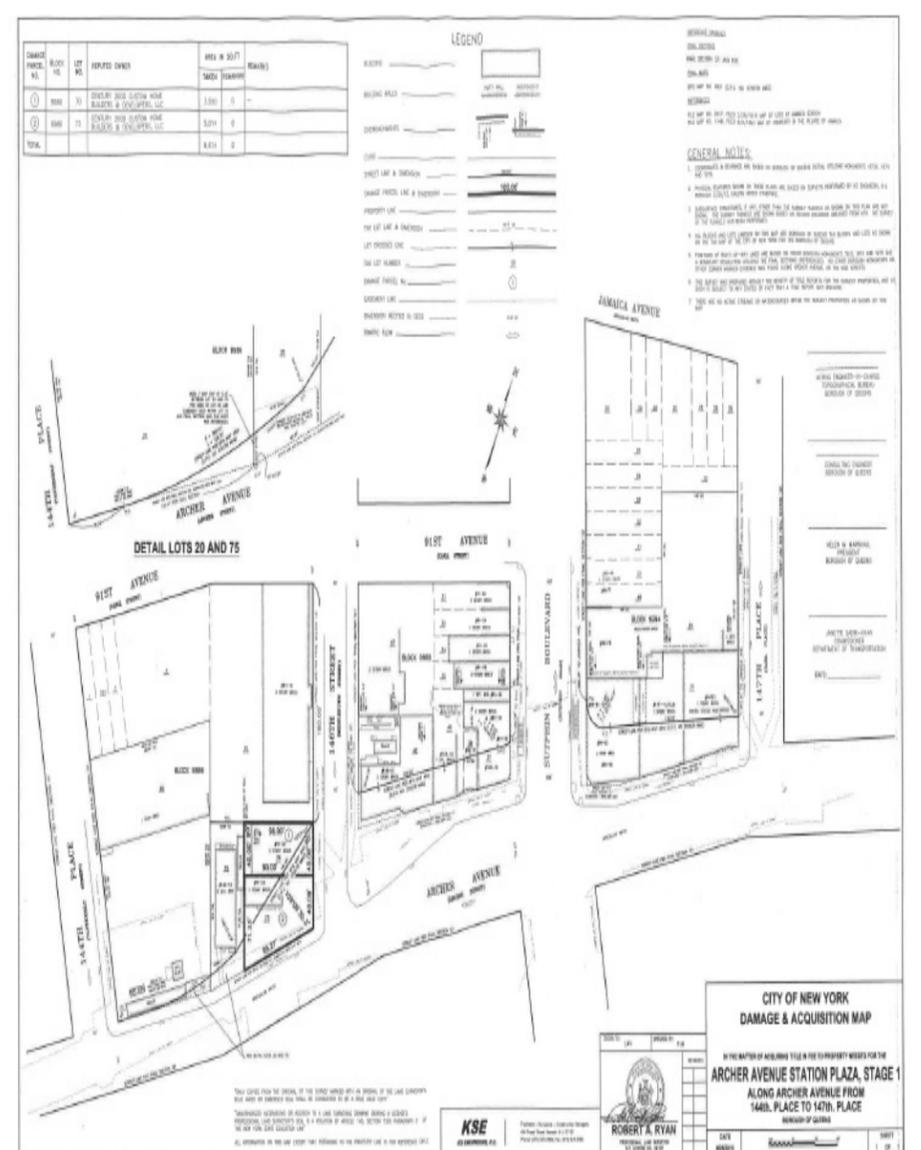
FINANCIAL INFO SVCS AGENCY FOR PERIOD ENDING 10/11/13

Table with columns: NAME, LAST NAME, FIRST NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists employees in Financial Info Svcs Agency.

COURT NOTICE MAP FOR NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY



COURT NOTICE MAP FOR ARCHER AVENUE STATION PLAZA, STAGE 1



## READER'S GUIDE

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

### NOTICE TO ALL NEW YORK CITY CONTRACTORS

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

### CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION-RELATED SERVICES

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

### VENDOR ENROLLMENT APPLICATION

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

### SELLING TO GOVERNMENT TRAINING WORKSHOP

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

### PRE-QUALIFIED LISTS

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

### NON-MAYORAL ENTITIES

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

### PUBLIC ACCESS CENTER

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

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

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

### PROMPT PAYMENT

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

### PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City's website at [www.nyc.gov/selltonyc](http://www.nyc.gov/selltonyc)

### COMMON ABBREVIATIONS USED IN THE CR

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

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

### KEY TO METHODS OF SOURCE SELECTION

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

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

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

### HOW TO READ CR PROCUREMENT NOTICES

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

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

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

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

## SAMPLE NOTICE:

### POLICE

#### DEPARTMENT OF YOUTH SERVICES

#### ■ SOLICITATIONS

*Services (Other Than Human Services)*

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

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

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

☛ 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 or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency contact information
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in The City Record